A bill to be entitled
An act relating to employee organizations representing public employees; amending s. 447.301, F.S.; requiring that a public employee who desires to join an employee organization sign a membership authorization form; requiring that such form include a specified acknowledgement; requiring an employee organization to revoke a public employee's membership upon receipt of his or her written request for revocation; prohibiting a revocation form from requiring a reason for the public employee's decision to revoke his or her membership; providing nonapplicability with respect to certain employee organizations; amending s. 447.303, F.S.; prohibiting certain employee organizations from having their dues and uniform assessments deducted and collected by the employer from certain salaries; authorizing public employees to pay their dues and uniform assessments directly to the employee organization; authorizing certain employee organizations to have their dues and uniform assessments deducted and collected by the employer from certain salaries; amending s. 447.305, F.S.; revising requirements for applications for renewal of registration of an employee organization; providing procedures for incomplete applications; requiring
certain employee organizations to petition the Public
Employees Relations Commission for recertification as
bargaining agents; authorizing a public employer or
bargaining unit employee to challenge an employee
organization's application for renewal of
registration; requiring the commission or its
designated agent to review the application; requiring
the commission to revoke the registration and
certification of the employee organization in certain
circumstances; providing nonapplicability with respect
to certain employee organizations; amending s.
1012.2315, F.S.; removing duplicate provisions;
reenacting ss. 110.114(3) and 447.507(6)(a), F.S.,
relating to employee wage deductions and violation of
strike prohibition and penalties, respectively, to
incorporate the amendment made to s. 447.303, F.S., in
references thereto; providing an effective date.

Be It Enacted by the Legislature of the State of Florida:

Section 1. Subsection (1) of section 447.301, Florida
Statutes, is amended to read:

447.301  Public employees' rights; organization and
representation.—

(1)(a)  Public employees shall have the right to form,
join, and participate in, or to refrain from forming, joining, or participating in, any employee organization of their own choosing.

(b)1. A public employee who desires to join an employee organization must sign a membership authorization form with the bargaining agent. The membership authorization form must contain the following acknowledgment in bold letters and in at least a 14-point type:

I acknowledge and understand that Florida is a right-to-work state and that union membership is not required as a condition of employment. I understand that union membership and payment of union dues and assessments are voluntary and that I may not be discriminated against in any manner if I refuse to join or financially support a union.

2. An employee organization must revoke a public employee's membership upon receipt of his or her written request for revocation. If a public employee must complete a form to request revocation of membership from the employee organization, the form may not require a reason for the public employee's decision to revoke his or her membership.

3. This paragraph does not apply to members of an employee organization that has been certified as a bargaining agent to
represent law enforcement officers, correctional officers, or correctional probation officers as those terms are defined in s. 943.10(1), (2), or (3), respectively, or firefighters as defined in s. 633.102.

Section 2. Section 447.303, Florida Statutes, is amended to read:

447.303 Dues; deduction and collection.—
(1) Except as authorized in subsection (2), an employee organization that has been certified as a bargaining agent may not have its dues and uniform assessments deducted and collected by the employer from the salaries of those employees in the unit. Public employees may pay their dues and uniform assessments directly to the employee organization that has been certified as their bargaining agent.

(2)(a) Any employee organization that has been certified as a bargaining agent to represent law enforcement officers, correctional officers, or correctional probation officers as those terms are defined in s. 943.10(1), (2), or (3), respectively, or firefighters as defined in s. 633.102 has the right to have its dues and uniform assessments deducted and collected by the employer from the salaries of those employees who authorize the deduction and collection of said dues and uniform assessments. However, such authorization is revocable at the employee's request upon 30 days' written notice to the employer and employee organization. Said
deductions shall commence upon the bargaining agent's written request to the employer.

(b) Reasonable costs to the employer of said deductions is shall be a proper subject of collective bargaining.

(c) Such right to deduction, unless revoked under pursuant to s. 447.507, is shall be in force for so long as the employee organization remains the certified bargaining agent for the employees in the unit.

(3) The public employer is expressly prohibited from any involvement in the collection of fines, penalties, or special assessments.

Section 3. Subsections (3) and (4) of section 447.305, Florida Statutes, are renumbered as subsections (8) and (9), respectively, and new subsections (3) through (7) are added to that section to read:

447.305 Registration of employee organization.—

(3) In addition to subsection (2), an employee organization that has been certified as the bargaining agent for public employees must include for each such certified bargaining unit the following information and documentation in its application for renewal of registration:

(a) The number of employees in the bargaining unit who are eligible for representation by the employee organization as of December 31 of that renewal period.

(b) The number of employees who are represented by the
employee organization as of December 31 of that renewal period, specifying the number of members who pay dues and the number of members who do not pay dues.

(c) Documentation provided by the public employer verifying the information provided in paragraphs (a) and (b).

(d) Documentation provided by the public employer verifying that it was provided a copy of the employee organization's application for renewal of registration.

(4) An application for renewal of registration is incomplete and is not eligible for consideration by the commission if it does not include all of the information and documentation required in subsection (3). The commission shall notify the employee organization if the application is incomplete. An incomplete application must be dismissed if the required information and documentation are not provided within 10 days after the employee organization receives such notice.

(5) Notwithstanding the provisions of this chapter relating to collective bargaining, an employee organization whose dues-paying membership is less than 50 percent of the employees eligible for representation in the bargaining unit must petition the commission pursuant to s. 447.307(2) and (3) for recertification as the bargaining agent within 1 month after the date on which the employee organization applies for renewal of registration pursuant to subsection (2). The certification of an employee organization that does not comply with this section
is revoked.

(6) A public employer or bargaining unit employee may challenge an employee organization's application for renewal of registration if the public employer or bargaining unit employee believes that the application is inaccurate. The commission or its designated agent shall review the application to determine its accuracy and compliance with this section. If the commission finds that the application is inaccurate or does not comply with this section, the commission shall revoke the registration and certification of the employee organization.

(7) Subsections (3)-(6) do not apply to an employee organization that has been certified as the bargaining agent to represent law enforcement officers, correctional officers, or correctional probation officers as those terms are defined in s. 943.10(1), (2), or (3), respectively, or firefighters as defined in s. 633.102.

Section 4. Paragraph (c) of subsection (4) of section 1012.2315, Florida Statutes, is amended to read:

1012.2315 Assignment of teachers.—

(4) COLLECTIVE BARGAINING.—

(c)1. In addition to the provisions under s. 447.305(2), an employee organization that has been certified as the bargaining agent for a unit of instructional personnel as defined in s. 1012.01(2) must include for each such certified bargaining unit the following information in its application for
renewal of registration:

a. The number of employees in the bargaining unit who are eligible for representation by the employee organization.

b. The number of employees who are represented by the employee organization, specifying the number of members who pay dues and the number of members who do not pay dues.

2. Notwithstanding the provisions of chapter 447 relating to collective bargaining, an employee organization whose dues paying membership is less than 50 percent of the employees eligible for representation in the unit, as identified in subparagraph 1., must petition the Public Employees Relations Commission pursuant to s. 447.307(2) and (3) for recertification as the exclusive representative of all employees in the unit within 1 month after the date on which the organization applies for renewal of registration pursuant to s. 447.305(2). The certification of an employee organization that does not comply with this paragraph is revoked.

Section 5. For the purpose of incorporating the amendment made by this act to section 447.303, Florida Statutes, in a reference thereto, subsection (3) of section 110.114, Florida Statutes, is reenacted to read:

110.114 Employee wage deductions.—

(3) Notwithstanding the provisions of subsections (1) and (2), the deduction of an employee's membership dues deductions as defined in s. 447.203(15) for an employee organization as
defined in s. 447.203(11) shall be authorized or permitted only
to an organization that has been certified as the exclusive
bargaining agent pursuant to chapter 447 for a unit of state
employees in which the employee is included. Such deductions
shall be subject to the provisions of s. 447.303.

Section 6. For the purpose of incorporating the amendment
made by this act to section 447.303, Florida Statutes, in a
reference thereto, paragraph (a) of subsection (6) of section
447.507, Florida Statutes, is reenacted to read:

447.507 Violation of strike prohibition; penalties.—
(6)(a) If the commission determines that an employee
organization has violated s. 447.505, it may:

1. Issue cease and desist orders as necessary to ensure
compliance with its order.

2. Suspend or revoke the certification of the employee
organization as the bargaining agent of such employee unit.

3. Revoke the right of dues deduction and collection
previously granted to said employee organization pursuant to s.
447.303.

4. Fine the organization up to $20,000 for each calendar
day of such violation or determine the approximate cost to the
public due to each calendar day of the strike and fine the
organization an amount equal to such cost, notwithstanding the
fact that the fine may exceed $20,000 for each such calendar
day. The fines so collected shall immediately accrue to the
public employer and shall be used by him or her to replace those services denied the public as a result of the strike. In determining the amount of damages, if any, to be awarded to the public employer, the commission shall take into consideration any action or inaction by the public employer or its agents that provoked, or tended to provoke, the strike by the public employees.

Section 7. This act shall take effect July 1, 2022.