



151210

LEGISLATIVE ACTION

Senate

.
. .
. .
. .
. .

House

Senator Martin moved the following:

Senate Amendment (with title amendment)

Delete lines 886 - 972

and insert:

by any member of the organization or by the commission. ~~In~~
~~addition, each employee organization that has been certified as~~
~~a bargaining agent must provide to its members an annual~~
~~financial report prepared by an independent certified public~~
~~accountant licensed under chapter 473 that includes a detailed~~
~~breakdown of revenues and expenditures in such categories as the~~
~~commission may prescribe, and an accounting of membership dues~~



151210

12 ~~and assessments. The employee organization must notify its~~
13 ~~members annually of all costs of membership.~~

14 (12) The certification of an employee organization that
15 does not comply with this section is revoked. An employee
16 organization that has its certification revoked under this
17 subsection may not file a petition for certification under s.
18 447.307 which covers any of the public employees in the
19 bargaining unit described in the revoked certification for at
20 least 12 months after the date the certification was revoked.

21 (13) A decision issued by the commission under this section
22 is a final agency action that is reviewable pursuant to s.
23 447.504.

24 Section 11. Section 447.307, Florida Statutes, is amended
25 to read:

26 447.307 Certification and recertification of employee
27 organizations ~~organization.~~-

28 (1) (a) An Any employee organization seeking certification
29 or recertification as a bargaining agent must file a petition
30 with the commission accompanied by a showing of interest from at
31 least 30 percent of the public employees in the proposed or
32 existing bargaining unit. The showing of interest statements
33 must be signed and dated by the public employees not more than
34 12 months before the filing of which is ~~designated or selected~~
35 ~~by a majority of public employees in an appropriate unit as~~
36 ~~their representative for purposes of collective bargaining shall~~
37 ~~request recognition by the public employer. The public employer~~
38 ~~shall, if satisfied as to the majority status of the employee~~
39 ~~organization and the appropriateness of the proposed unit,~~
40 ~~recognize the employee organization as the collective bargaining~~



151210

41 ~~representative of employees in the designated unit. Upon~~
42 ~~recognition by a public employer, the employee organization~~
43 ~~shall immediately petition the commission for certification. The~~
44 ~~commission shall review only the appropriateness of the unit~~
45 ~~proposed by the employee organization. If the unit is~~
46 ~~appropriate according to the criteria used in this part, the~~
47 ~~commission shall immediately certify the employee organization~~
48 ~~as the exclusive representative of all employees in the unit. If~~
49 ~~the unit is inappropriate according to the criteria used in this~~
50 ~~part, the commission may dismiss the petition.~~

51 ~~(b) Whenever a public employer recognizes an employee~~
52 ~~organization on the basis of majority status and on the basis of~~
53 ~~appropriateness in accordance with subparagraph (4) (f) 5., the~~
54 ~~commission shall, in the absence of inclusion of a prohibited~~
55 ~~category of employees or violation of s. 447.501, certify the~~
56 ~~proposed unit.~~

57 ~~(b)(2) A If the public employer refuses to recognize the~~
58 ~~employee organization, the employee organization may file a~~
59 ~~petition with the commission for certification as the bargaining~~
60 ~~agent for a proposed bargaining unit. The petition shall be~~
61 ~~accompanied by dated statements signed by at least 30 percent of~~
62 ~~the employees in the proposed unit, indicating that such~~
63 ~~employees desire to be represented for purposes of collective~~
64 ~~bargaining by the petitioning employee organization. Once a~~
65 ~~petition for certification has been filed by an employee~~
66 ~~organization, any registered employee organization desiring~~
67 ~~placement on the ballot in any certification or recertification~~
68 ~~election to be conducted pursuant to this section may be~~
69 ~~permitted by the commission to intervene in the proceeding upon~~



151210

70 a motion accompanied by a showing of interest from dated
71 statements signed by at least 10 percent of the public employees
72 in the proposed or existing bargaining unit, ~~indicating that~~
73 ~~such employees desire to be represented for the purposes of~~
74 ~~collective bargaining by the moving employee organization.~~ The
75 showing of interest petitions and dated statements must be
76 signed and dated by the public employees not more than 12 months
77 before the filing of the petition.

78 (c) The showing of interest is are confidential and exempt
79 ~~from the provisions of s. 119.07(1),~~ except that any public
80 employee, public employer, or employee organization having
81 sufficient reason to believe that the showing of interest was
82 ~~any of the employee signatures were~~ obtained by collusion,
83 coercion, intimidation, or misrepresentation or is are otherwise
84 invalid shall be given a reasonable opportunity to verify and
85 challenge the showing of interest signatures appearing on the
86 petition.

87 (d) Notwithstanding paragraph (b), if any employees in the
88 proposed unit are included in a bargaining unit for which there
89 is a bargaining agent currently certified by the commission,
90 such

91
92 ===== T I T L E A M E N D M E N T =====

93 And the title is amended as follows:

94 Delete lines 57 - 58

95 and insert:

96 organization accounts be open for inspection by any
97 member of the organization or by the commission at a