



323952

LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
03/03/2026	.	
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The Committee on Fiscal Policy (Simon) recommended the following:

**Senate Amendment**

Delete lines 1014 - 1204  
and insert:

(4) (a) Except as provided in paragraph (b), elections are determined as follows for all certification or recertification petitions filed on or after July 1, 2026:

1. ~~(b)~~ If at least 25 percent of the public employees in the bargaining unit as of the date set by the commission participate in the election, and at least 60 percent of the public employees



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11 voting in the election select an employee organization, ~~When an~~  
12 ~~employee organization is selected by a majority of the employees~~  
13 ~~voting in an election,~~ the commission shall certify or recertify  
14 the employee organization as the ~~exclusive collective~~ bargaining  
15 agent for the public ~~representative of all~~ employees in the  
16 unit.

17 2. A runoff election shall be held according to rules  
18 adopted by the commission if, in the election conducted under  
19 subparagraph 1., there was more than one employee organization  
20 on the ballot, at least 25 percent of the employees in the  
21 bargaining unit participated in the election, and none of the  
22 choices on the ballot received a vote of 60 percent of the  
23 public employees who voted in the election.

24 (b) Certification elections involving public safety units  
25 are determined as follows:

26 1. If an employee organization is selected by a majority  
27 vote of the public employees voting in the election, the  
28 commission shall certify the employee organization as the  
29 bargaining agent for the public employees in the bargaining  
30 unit.

31 2. A runoff election shall be held according to rules  
32 adopted by the commission if, in the election conducted under  
33 subparagraph 1., there was more than one employee organization  
34 on the ballot and none of the choices on the ballot received a  
35 majority vote of the public employees voting in the election.

36 (c) Certification, recertification, or revocation under  
37 this section is effective upon the issuance of a ~~the~~ final order  
38 by the commission or, if the final order is appealed, at the  
39 time the appeal is exhausted or any stay is vacated by the



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40 commission or a ~~the~~ court.

41 ~~(c) In any election in which none of the choices on the~~  
42 ~~ballot receives the vote of a majority of the employees voting,~~  
43 ~~a runoff election shall be held according to rules promulgated~~  
44 ~~by the commission.~~

45 ~~(d) No petition may be filed seeking an election in any~~  
46 ~~proposed or existing appropriate bargaining unit to determine~~  
47 ~~the exclusive bargaining agent within 12 months after the date~~  
48 ~~of a commission order verifying a representation election or, if~~  
49 ~~an employee organization prevails, within 12 months after the~~  
50 ~~date of an effective certification covering any of the employees~~  
51 ~~in the proposed or existing bargaining unit. Furthermore, if a~~  
52 ~~valid collective bargaining agreement covering any of the~~  
53 ~~employees in a proposed unit is in effect, a petition for~~  
54 ~~certification may be filed with the commission only during the~~  
55 ~~period extending from 150 days to 90 days immediately preceding~~  
56 ~~the expiration date of that agreement, or at any time subsequent~~  
57 ~~to its expiration date but prior to the effective date of any~~  
58 ~~new agreement. The effective date of a collective bargaining~~  
59 ~~agreement means the date of ratification by both parties, if the~~  
60 ~~agreement becomes effective immediately or retroactively; or its~~  
61 ~~actual effective date, if the agreement becomes effective after~~  
62 ~~its ratification date.~~

63 ~~(5)(4)~~ In defining a proposed bargaining unit, the  
64 commission shall take into consideration:

65 (a) The principles of efficient administration of  
66 government.

67 (b) The number of employee organizations with which the  
68 employer might have to negotiate.



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69 (c) The compatibility of the unit with the joint  
70 responsibilities of the public employer and public employees to  
71 represent the public.

72 (d) The power of the officials of government at the level  
73 of the unit to agree, or make effective recommendations to  
74 another administrative authority or to a legislative body, with  
75 respect to matters of employment upon which the employee desires  
76 to negotiate.

77 (e) The organizational structure of the public employer.

78 (f) Community of interest among the employees to be  
79 included in the unit, considering:

80 1. The manner in which wages and other terms of employment  
81 are determined.

82 2. The method by which jobs and salary classifications are  
83 determined.

84 3. The interdependence of jobs and interchange of  
85 employees.

86 4. The desires of the employees.

87 5. The history of employee relations within the  
88 organization of the public employer concerning organization and  
89 negotiation and the interest of the employees and the employer  
90 in the continuation of a traditional, workable, and accepted  
91 negotiation relationship.

92 (g) The statutory authority of the public employer to  
93 administer a classification and pay plan.

94 (h) Such other factors and policies as the commission may  
95 deem appropriate.

96

97 However, a bargaining ~~no~~ unit may not ~~shall~~ be established



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98 or approved for purposes of collective bargaining which includes  
99 both professional and nonprofessional employees unless a  
100 majority of each group votes for inclusion in such bargaining  
101 unit.

102 Section 12. Section 447.3076, Florida Statutes, is created  
103 to read:

104 447.3076 Clarification of bargaining units.-

105 (1) A petition to clarify the composition of a bargaining  
106 unit may be filed with the commission when significant changes  
107 in statutory law or case law require clarification of the  
108 bargaining unit or when a classification was:

109 (a) Created or substantially changed after the unit was  
110 initially defined by the commission;

111 (b) Retitled with no substantial change in job duties; or

112 (c) Included or excluded through inadvertence or  
113 misunderstanding by the commission.

114 (2) A bargaining unit clarification petition may be filed  
115 by the bargaining agent for the bargaining unit or by the public  
116 employer of the public employees in the unit.

117 (3) A copy of the petition must be served on the public  
118 employer and any bargaining agent that is certified to represent  
119 any employee or classification which may be substantially  
120 affected by the proposed bargaining unit clarification.

121 (4) If any substantially affected employees are not  
122 represented by a bargaining agent, the public employer must  
123 provide a copy of the petition to those employees within 10 days  
124 after the filing of the petition.

125 (5) When the clarification of a bargaining unit would  
126 result in an increase in the size of the bargaining unit by more



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127 than 25 percent, the unit clarification petition raises a  
128 question concerning representation and must be dismissed.

129 Section 13. Section 447.308, Florida Statutes, is amended  
130 to read:

131 447.308 Decertification ~~Revocation of certification~~ of  
132 employee organizations ~~organization~~.—

133 (1) A public ~~Any~~ employee or group of public employees  
134 which no longer desires to be represented by a ~~the certified~~  
135 bargaining agent may file with the commission a petition to  
136 decertify the bargaining agent ~~revoke certification~~. The  
137 petition must ~~shall~~ be accompanied by a showing of interest from  
138 dated statements signed by at least 30 percent of the public  
139 employees in the bargaining unit, ~~indicating that such employees~~  
140 ~~no longer desire to be represented for purposes of collective~~  
141 ~~bargaining by the certified bargaining agent. The time of filing~~  
142 ~~said petition shall be governed by the provisions of s.~~  
143 ~~447.307(3) (d) relating to petitions for certification. The~~  
144 showing of interest statements must be signed and dated by the  
145 public employees not more than 12 months before the filing of  
146 the petition. Any employee, employer, or employee organization  
147 having sufficient reason to believe that the showing of interest  
148 was any of the employee signatures were obtained by collusion,  
149 coercion, intimidation, or misrepresentation or is ~~are~~ otherwise  
150 invalid shall be given a reasonable opportunity to verify and  
151 challenge the showing of interest ~~signatures appearing on the~~  
152 ~~petition~~.

153 (2) (a) A decertification petition may not be filed  
154 regarding the bargaining unit within 12 months after the date  
155 the commission issues an order that verifies the results of a



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156 certification, recertification, or decertification election  
157 covering any of the public employees in the unit.

158 (b) If a valid collective bargaining agreement covering any  
159 of the public employees in the bargaining unit is in effect, a  
160 decertification petition may only be filed with the commission  
161 at least 90 but not more than 150 days immediately preceding the  
162 expiration date of the collective bargaining agreement, or at  
163 any time after such agreement's expiration date but before the  
164 effective date of a new collective bargaining agreement. The  
165 effective date of a collective bargaining agreement is the date  
166 of ratification of such agreement by both parties if such  
167 agreement becomes effective immediately or retroactively, or the  
168 collective bargaining agreement's actual effective date if such  
169 agreement becomes effective after its ratification date.

170 (3) The commission or one of its designated agents shall  
171 investigate the decertification petition to determine its  
172 sufficiency. If the commission finds that the petition is to be  
173 insufficient, the commission must ~~it may~~ dismiss the petition.  
174 If the commission finds that the petition is sufficient, the  
175 commission must ~~it shall immediately:~~

176 (a) Identify the bargaining unit and determine which public  
177 employees shall be qualified and entitled to vote in the  
178 election held by the commission.

179 (b) Identify the public employer or employers of the  
180 bargaining unit.

181 (c) Order an election by secret ballot, the cost of said  
182 election to be borne equally by the parties, except as the  
183 commission may provide by rule. The commission's order assessing  
184 costs of an election may be enforced pursuant to ~~the provisions~~



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185 ~~of~~ this part.

186 (4) (a) Except as provided in paragraph (b), elections are  
187 determined as follows for all decertification petitions filed on  
188 or after July 1, 2026:

189 1. If at least 25 percent of the public employees in the  
190 bargaining unit as of the date set by the commission participate  
191 in the election, and at least 60 percent of the public employees  
192 voting in the election vote to decertify an employee  
193 organization, the commission shall revoke the bargaining agent's  
194 certification for that bargaining unit.

195 2. If decertification is not selected by at least 60  
196 percent of the public employees voting in the election, and at  
197 least 25 percent of the employees who are in the bargaining unit  
198 as of the date set by the commission participate in the  
199 election, the bargaining agent shall retain its certification  
200 for that bargaining unit.