

1 A bill to be entitled
 2 An act relating to public employee collective
 3 bargaining; amending s. 447.203, F.S.; revising and
 4 providing definitions; amending s. 447.207, F.S.;
 5 providing additional prohibitions that the Public
 6 Employees Relations Commission may waive for certain
 7 employee organizations; amending s. 447.307, F.S.;
 8 revising the requirements for the certification,
 9 recertification, or decertification of an employee
 10 organization; repealing s. 447.308, F.S., relating to
 11 revocation of certification of employee organization;
 12 amending s. 447.509, F.S.; providing prohibitions on
 13 public employers, their agents or representatives, or
 14 any person acting on their behalf; authorizing certain
 15 actions by a public employee upon an agreement between
 16 the public employer and bargaining agent; providing
 17 exceptions for certain bargaining units; amending ss.
 18 110.114, 110.205, 112.3187, 121.031, 447.02, 447.305,
 19 and 1011.60, F.S.; conforming cross-references;
 20 providing an effective date.

21
 22 Be It Enacted by the Legislature of the State of Florida:

23
 24 **Section 1. Section 447.203, Florida Statutes, is amended**
 25 **to read:**

26 447.203 Definitions.—As used in this part:

27 (1)~~(12)~~ "Bargaining agent" means the employee organization
 28 that ~~which~~ has been certified by the commission as representing
 29 the employees in the bargaining unit, as provided in s. 447.307,
 30 or its representative.

31 (2)~~(8)~~ "Bargaining unit" means either that unit determined
 32 by the commission, that unit determined through local
 33 regulations promulgated pursuant to s. 447.603, or that unit
 34 determined by the public employer and the public employee
 35 organization and approved by the commission to be appropriate
 36 for the purposes of collective bargaining. However, no
 37 bargaining unit shall be defined as appropriate which includes
 38 employees of two employers that are not departments or divisions
 39 of the state, a county, a municipality, or other political
 40 entity.

41 (3)~~(9)~~ "Chief executive officer" for the state shall mean
 42 the Governor and for other public employers shall mean the
 43 person, whether elected or appointed, who is responsible to the
 44 legislative body of the public employer for the administration
 45 of the governmental affairs of the public employer.

46 (4)~~(16)~~ "Civil service" means any career, civil, or merit
 47 system used by any public employer.

48 (5)~~(14)~~ "Collective bargaining" means the performance of
 49 the mutual obligations of the public employer and the bargaining
 50 agent of the employee organization to meet at reasonable times,

51 to negotiate in good faith, and to execute a written contract
52 with respect to agreements reached concerning the terms and
53 conditions of employment, except that neither party shall be
54 compelled to agree to a proposal or be required to make a
55 concession unless otherwise provided in this part.

56 (6)~~(1)~~ "Commission" means the Public Employees Relations
57 Commission created by s. 447.205.

58 (7)~~(5)~~ "Confidential employees" are persons who act in a
59 confidential capacity to assist or aid managerial employees as
60 defined in subsection (12) ~~(4)~~.

61 (8)~~(11)~~ "Employee organization" or "organization" means
62 any labor organization, union, association, fraternal order,
63 occupational or professional society, or group, however
64 organized or constituted, which represents, or seeks to
65 represent, any public employee or group of public employees
66 concerning any matters relating to their employment relationship
67 with a public employer.

68 (9) "Employee organization activities" means activities
69 undertaken at the direction of, on behalf of, or to advance the
70 purposes of an employee organization or any parent organization
71 or affiliate of an employee organization by:

72 (a) Supporting or opposing a candidate for federal, state,
73 or local public office.

74 (b) Influencing the passage or defeat of any federal or
75 state legislation or regulation, local ordinance or resolution,

76 | or ballot measure.

77 | (c) Promoting or soliciting membership or participation
78 | in, or financial support of, an employee organization or any
79 | parent organization or affiliate of an employee organization.

80 | (d) Seeking certification as a bargaining agent.

81 | (e) Participating in the administration, business, or
82 | internal governance of an employee organization or any parent
83 | organization or affiliate of an employee organization.

84 | (f) Preparing, conducting, or attending employee
85 | organization events, conferences, conventions, meetings, or
86 | training, unless such training is directly related to the
87 | performance of a public employee's job duties.

88 | (g) Distributing communications of an employee
89 | organization or any parent organization or affiliate of the
90 | employee organization.

91 | (h) Representing or speaking on behalf of an employee
92 | organization or any parent organization or affiliate of the
93 | employee organization in any setting, venue, or procedure in
94 | which the public employer is not a participant.

95 | (i) Preparing, filing, or pursuing unfair labor practice
96 | charges or grievances.

97 | (j) Representing public employees in investigatory
98 | interviews; disciplinary proceedings or appeals, including
99 | termination; or other administrative or legal proceedings.

100 | (k) Engaging in collective bargaining and any related

101 mediation, factfinding, or arbitration.

102 (l) Administering a collective bargaining agreement.

103 (m) Participating in labor-management committees.

104 (10)-(17) "Good faith bargaining" means, but is not shall
105 ~~mean, but not be~~ limited to, the willingness of both parties to
106 meet at reasonable times and places, as mutually agreed upon, in
107 order to discuss issues which are proper subjects of bargaining,
108 with the intent of reaching a common accord. The term includes
109 ~~It shall include~~ an obligation for both parties to participate
110 actively in the negotiations with an open mind and a sincere
111 desire, as well as making a sincere effort, to resolve
112 differences and come to an agreement. In determining whether a
113 party failed to bargain in good faith, the commission shall
114 consider the total conduct of the parties during negotiations as
115 well as the specific incidents of alleged bad faith. Incidents
116 indicative of bad faith shall include, but not be limited to,
117 the following occurrences:

118 (a) Failure to meet at reasonable times and places with
119 representatives of the other party for the purpose of
120 negotiations.

121 (b) Placing unreasonable restrictions on the other party
122 as a prerequisite to meeting.

123 (c) Failure to discuss bargainable issues.

124 (d) Refusing, upon reasonable written request, to provide
125 public information, excluding work products as defined in s.

HB 1217

2025

126 447.605.

127 (e) Refusing to negotiate because of an unwanted person on
128 the opposing negotiating team.

129 (f) Negotiating directly with employees rather than with
130 their certified bargaining agent.

131 (g) Refusing to reduce a total agreement to writing.

132 (11)~~(10)~~ "Legislative body" means the State Legislature,
133 the board of county commissioners, the district school board,
134 the governing body of a municipality, or the governing body of
135 an instrumentality or unit of government having authority to
136 appropriate funds and establish policy governing the terms and
137 conditions of employment and which, as the case may be, is the
138 appropriate legislative body for the bargaining unit. For
139 purposes of s. 447.403, the Board of Governors of the State
140 University System, or the board's designee, shall be deemed to
141 be the legislative body with respect to all employees of each
142 constituent state university. For purposes of s. 447.403 the
143 board of trustees of a community college shall be deemed to be
144 the legislative body with respect to all employees of the
145 community college.

146 (12)~~(4)~~ "Managerial employees" means ~~are~~ those employees
147 who:

148 (a) Perform jobs that are not of a routine, clerical, or
149 ministerial nature and require the exercise of independent
150 judgment in the performance of such jobs and to whom one or more

151 | of the following applies:

152 | 1. They formulate or assist in formulating policies which
153 | are applicable to bargaining unit employees.

154 | 2. They may reasonably be required on behalf of the
155 | employer to assist in the preparation for the conduct of
156 | collective bargaining negotiations.

157 | 3. They have a role in the administration of agreements
158 | resulting from collective bargaining negotiations.

159 | 4. They have a significant role in personnel
160 | administration.

161 | 5. They have a significant role in employee relations.

162 | 6. They are included in the definition of administrative
163 | personnel contained in s. 1012.01(3).

164 | 7. They have a significant role in the preparation or
165 | administration of budgets for any public agency or institution
166 | or subdivision thereof.

167 | (b) Serve as police chiefs, fire chiefs, or directors of
168 | public safety of any police, fire, or public safety department.
169 | Other police officers, as defined in s. 943.10(1), and
170 | firefighters, as defined in s. 633.102, may be determined by the
171 | commission to be managerial employees of such departments. In
172 | making such determinations, the commission shall consider, in
173 | addition to the criteria established in paragraph (a), the
174 | paramilitary organizational structure of the department
175 | involved.

176
 177 However, in determining whether an individual is a managerial
 178 employee pursuant to paragraph (a) or paragraph (b), ~~above~~, the
 179 commission may consider historic relationships of the employee
 180 to the public employer and to coemployees.

181 (13)~~(15)~~ "Membership dues deduction" means the practice of
 182 a public employer of deducting dues and uniform assessments from
 183 the salary or wages of a public employee. Such term also means
 184 the practice of a public employer of transmitting the sums so
 185 deducted to such employee organization.

186 (14)~~(13)~~ "Professional employee" means:

187 (a) Any employee engaged in work in any two or more of the
 188 following categories:

189 1. Work predominantly intellectual and varied in character
 190 as opposed to routine mental, manual, mechanical, or physical
 191 work.†

192 2. Work involving the consistent exercise of discretion
 193 and judgment in its performance.†

194 3. Work of such a character that the output produced or
 195 the result accomplished cannot be standardized in relation to a
 196 given period of time.†~~and~~

197 4. Work requiring advanced knowledge in a field of science
 198 or learning customarily acquired by a prolonged course of
 199 specialized intellectual instruction and study in an institution
 200 of higher learning or a hospital, as distinguished from a

201 general academic education, an apprenticeship, or training in
 202 the performance of routine mental or physical processes.

203 (b) Any employee who:

204 1. Has completed the course of specialized intellectual
 205 instruction and study described in subparagraph (a)4. ~~4. of~~
 206 ~~paragraph (a); and~~

207 2. Is performing related work under supervision of a
 208 professional person to qualify to become a professional employee
 209 as defined in paragraph (a).

210 ~~(15)(3)~~ "Public employee" means any person employed by a
 211 public employer except:

212 (a) Those persons appointed by the Governor or elected by
 213 the people, agency heads, and members of boards and commissions.

214 (b) Those persons holding positions by appointment or
 215 employment in the organized militia.

216 (c) Those individuals acting as negotiating
 217 representatives for employer authorities.

218 (d) Those persons who are designated by the commission as
 219 managerial or confidential employees pursuant to criteria
 220 contained herein.

221 (e) Those persons holding positions of employment with the
 222 Florida Legislature.

223 (f) Those persons who have been convicted of a crime and
 224 are inmates confined to institutions within the state.

225 (g) Those persons appointed to inspection positions in

226 federal/state fruit and vegetable inspection service whose
227 conditions of appointment are affected by the following:

- 228 1. Federal license requirement.
229 2. Federal autonomy regarding investigation and
230 disciplining of appointees.
231 3. Frequent transfers due to harvesting conditions.

232 (h) Those persons employed by the Public Employees
233 Relations Commission.

234 (i) Those persons enrolled as undergraduate students in a
235 state university who perform part-time work for the state
236 university.

237 (16)~~(2)~~ "Public employer" or "employer" means the state or
238 any county, municipality, or special district or any subdivision
239 or agency thereof which the commission determines has sufficient
240 legal distinctiveness properly to carry out the functions of a
241 public employer. With respect to all public employees determined
242 by the commission as properly belonging to a statewide
243 bargaining unit composed of State Career Service System
244 employees or Selected Professional Service employees, the
245 Governor is deemed to be the public employer; and the Board of
246 Governors of the State University System, or the board's
247 designee, is deemed to be the public employer with respect to
248 all public employees of each constituent state university. The
249 board of trustees of a community college is deemed to be the
250 public employer with respect to all employees of the community

251 college. The district school board is deemed to be the public
252 employer with respect to all employees of the school district.
253 The Board of Trustees of the Florida School for the Deaf and the
254 Blind is deemed to be the public employer with respect to the
255 academic and academic administrative personnel of the Florida
256 School for the Deaf and the Blind. The Board of Trustees of the
257 Florida School for Competitive Academics is deemed to be the
258 public employer with respect to the academic and academic
259 administrative personnel of the Florida School for Competitive
260 Academics. The Governor is deemed to be the public employer with
261 respect to all employees in the Correctional Education Program
262 of the Department of Corrections established pursuant to s.
263 944.801.

264 (17) "Representational employee organization activities"
265 means those activities specified in paragraphs (9) (i)-(m).

266 (18) ~~(6)~~ "Strike" means the concerted failure of employees
267 to report for duty; the concerted absence of employees from
268 their positions; the concerted stoppage of work by employees;
269 the concerted submission of resignations by employees; the
270 concerted abstinence in whole or in part by any group of
271 employees from the full and faithful performance of the duties
272 of employment with a public employer for the purpose of
273 inducing, influencing, condoning, or coercing a change in the
274 terms and conditions of employment or the rights, privileges, or
275 obligations of public employment, or participating in a

276 deliberate and concerted course of conduct which adversely
277 affects the services of the public employer; the concerted
278 failure of employees to report for work after the expiration of
279 a collective bargaining agreement; and picketing in furtherance
280 of a work stoppage. The term includes ~~"strike"~~ shall also mean
281 any overt preparation, including, but not limited to, the
282 establishment of strike funds with regard to the above-listed
283 activities.

284 (19)~~(7)~~ "Strike funds" are any appropriations by an
285 employee organization which are established to directly or
286 indirectly aid any employee or employee organization to
287 participate in a strike in the state.

288 (20)~~(18)~~ "Student representative" means the representative
289 selected by each community college or university student
290 government association. Each representative may be present at
291 all negotiating sessions that take place between the appropriate
292 public employer and an exclusive bargaining agent. The
293 representative must be enrolled as a student with at least 8
294 credit hours in the respective community college or university
295 during his or her term as student representative.

296 **Section 2. Paragraph (d) is added to subsection (12) of**
297 **section 447.207, Florida Statutes, to read:**

298 447.207 Commission; powers and duties.—

299 (12) Upon a petition by a public employer after it has
300 been notified by the Department of Labor that the public

301 employer's protective arrangement covering mass transit
 302 employees does not meet the requirements of 49 U.S.C. s. 5333(b)
 303 and would jeopardize the employer's continued eligibility to
 304 receive Federal Transit Administration funding, the commission
 305 may waive, to the extent necessary for the public employer to
 306 comply with the requirements of 49 U.S.C. s. 5333(b), any of the
 307 following for an employee organization that has been certified
 308 as a bargaining agent to represent mass transit employees:

309 (d) The prohibitions in s. 447.509(3) and the exceptions
 310 in s. 447.509(4).

311 **Section 3. Section 447.307, Florida Statutes, is amended**
 312 **to read:**

313 447.307 Certification, recertification, and
 314 decertification of employee organizations ~~organization.~~

315 (1) An employee organization seeking certification as a
 316 bargaining agent, an employee organization seeking
 317 recertification as a bargaining agent under s. 447.305, or a
 318 public employee or group of public employees seeking to
 319 decertify a bargaining agent must

320 ~~(1)(a) Any employee organization which is designated or~~
 321 ~~selected by a majority of public employees in an appropriate~~
 322 ~~unit as their representative for purposes of collective~~
 323 ~~bargaining shall request recognition by the public employer. The~~
 324 ~~public employer shall, if satisfied as to the majority status of~~
 325 ~~the employee organization and the appropriateness of the~~

326 ~~proposed unit, recognize the employee organization as the~~
327 ~~collective bargaining representative of employees in the~~
328 ~~designated unit. Upon recognition by a public employer, the~~
329 ~~employee organization shall immediately petition the commission~~
330 ~~for certification. The commission shall review only the~~
331 ~~appropriateness of the unit proposed by the employee~~
332 ~~organization. If the unit is appropriate according to the~~
333 ~~criteria used in this part, the commission shall immediately~~
334 ~~certify the employee organization as the exclusive~~
335 ~~representative of all employees in the unit. If the unit is~~
336 ~~inappropriate according to the criteria used in this part, the~~
337 ~~commission may dismiss the petition.~~

338 ~~(b) Whenever a public employer recognizes an employee~~
339 ~~organization on the basis of majority status and on the basis of~~
340 ~~appropriateness in accordance with subparagraph (4)(f)5. of this~~
341 ~~section, the commission shall, in the absence of inclusion of a~~
342 ~~prohibited category of employees or violation of s. 447.501,~~
343 ~~certify the proposed unit.~~

344 ~~(2) If the public employer refuses to recognize the~~
345 ~~employee organization, the employee organization may file a~~
346 ~~petition with the commission accompanied by proof that ~~for~~~~
347 ~~certification as the bargaining agent for a proposed bargaining~~
348 ~~unit. The petition shall be accompanied by dated statements~~
349 ~~signed by at least 30 percent of the public employees in the~~
350 ~~proposed or existing bargaining unit show interest in the~~

351 proposed action. A unit, ~~indicating that such employees desire~~
352 ~~to be represented for purposes of collective bargaining by the~~
353 ~~petitioning employee organization. Once a petition for~~
354 ~~certification has been filed by an employee organization, any~~
355 registered employee organization desiring placement on the
356 ballot in any certification or recertification election to be
357 conducted pursuant to this section may be permitted by the
358 commission to intervene in the proceeding upon filing a motion
359 accompanied by proof that ~~dated statements signed by~~ at least 10
360 percent of the public employees in the proposed or existing
361 bargaining unit show interest in the proposed action. The
362 required proof of interest is ~~unit, indicating that such~~
363 ~~employees desire to be represented for the purposes of~~
364 ~~collective bargaining by the moving employee organization. The~~
365 ~~petitions and dated statements signed by the employees are~~
366 confidential and exempt from the provisions of s. 119.07(1),
367 except that any employee, employer, or employee organization
368 having sufficient reason to believe any of the employee
369 signatures were obtained by collusion, coercion, intimidation,
370 or misrepresentation or are otherwise invalid shall be given a
371 reasonable opportunity to verify and challenge the signatures
372 appearing on the petition.

373 (2) A petition for certification or decertification may
374 not be filed regarding any proposed or existing bargaining unit
375 within 12 months after the commission's order verifying the

376 results of a certification election covering any of the public
377 employees of the proposed or existing bargaining unit.

378 (3) ~~(a)~~ The commission or one of its designated agents
379 shall investigate the petition to determine its sufficiency; ~~if~~
380 ~~it has reasonable cause to believe that the petition is~~
381 ~~sufficient, the commission shall provide for an appropriate~~
382 ~~hearing upon due notice. Such a hearing may be conducted by an~~
383 ~~agent of the commission. If the commission finds the petition is~~
384 ~~to be insufficient, the commission must ~~it may~~ dismiss the~~
385 ~~petition. If the commission finds ~~upon the record of the hearing~~~~
386 ~~that the petition is sufficient, the commission must ~~it shall~~~~
387 ~~immediately:~~

388 (a)1. Define the proposed or existing bargaining unit and
389 determine which public employees are ~~shall be~~ qualified and
390 entitled to vote at any election held by the commission. The
391 commission may hold a hearing for such purpose upon the
392 provision of due notice.

393 (b)2. Identify the public employer or employers for
394 purposes of collective bargaining ~~with the bargaining agent.~~

395 (c)3. Order an election by secret ballot, the cost of said
396 election and any required runoff election to be borne equally by
397 the parties, except as the commission may provide by rule. The
398 commission's order assessing costs of an election may be
399 enforced pursuant to the provisions of this part.

400 (4) (a) Except as provided in paragraph (b), all elections

401 must be determined by a majority vote of the public employees in
402 the bargaining unit for all petitions for certification,
403 recertification, or decertification filed on or after July 1,
404 2025, as follows:

405 1. In certification and recertification elections, if
406 ~~(b) when~~ an employee organization is selected by a majority
407 vote of the public employees in the bargaining unit voting in an
408 election, the commission must shall certify the employee
409 organization as the exclusive collective bargaining agent for
410 the public representative of all employees in the bargaining
411 unit. If there are three or more Certification is effective upon
412 the issuance of the final order by the commission or, if the
413 final order is appealed, at the time the appeal is exhausted or
414 any stay is vacated by the commission or the court.

415 ~~(c) In any election in which none of the choices on the~~
416 ballot and no choice receives a majority of the votes receives
417 the vote of a majority of the employees voting, a runoff
418 election must shall be held between the two choices that
419 received the most votes according to rules promulgated by the
420 commission.

421 2. In decertification elections, if the bargaining agent
422 fails to receive the votes of a majority of the public employees
423 in the bargaining unit, the commission must revoke the
424 bargaining agent's certification for that bargaining unit. If a
425 majority of the public employees in the bargaining unit vote

426 against decertification, the bargaining agent retains its
427 certification for that bargaining unit.

428 3. An employee organization the certification of which is
429 revoked under this paragraph may not file a petition for
430 certification covering any of the public employees in the
431 bargaining unit defined in the revoked certification for at
432 least 12 months after the date the employee organization's
433 certification is revoked.

434 (b) With respect to bargaining units in which the majority
435 of the public employees are law enforcement officers,
436 correctional officers, or correctional probation officers as
437 those terms are defined in s. 943.10(1), (2), and (3),
438 respectively; firefighters as defined in s. 633.102(9); 911
439 public safety telecommunicators as defined in s. 401.465(1); or
440 emergency medical technicians or paramedics as defined in s.
441 401.23, all elections must be determined by a majority vote of
442 the public employees voting in an election as follows:

443 1. In certification and recertification elections, if an
444 employee organization is selected by a majority vote of the
445 public employees, the commission must certify the employee
446 organization as the bargaining agent for the public employees in
447 the bargaining unit. If none of the choices on the ballot
448 receive a majority vote of the public employees, a runoff
449 election must be held according to rules promulgated by the
450 commission.

451 2. In decertification elections, if a majority of the
452 public employees vote in favor of decertification, the
453 commission must revoke the bargaining agent's certification for
454 that bargaining unit. If a majority of the public employees vote
455 against decertification, the bargaining agent retains its
456 certification for that bargaining unit.

457 (c) Certification, recertification, or revocation pursuant
458 to this section is effective upon the issuance of the final
459 order by the commission or, if the final order is appealed, at
460 the time the appeal is exhausted or any stay is vacated by the
461 commission or the court.

462 ~~(d) No petition may be filed seeking an election in any~~
463 ~~proposed or existing appropriate bargaining unit to determine~~
464 ~~the exclusive bargaining agent within 12 months after the date~~
465 ~~of a commission order verifying a representation election or, if~~
466 ~~an employee organization prevails, within 12 months after the~~
467 ~~date of an effective certification covering any of the employees~~
468 ~~in the proposed or existing bargaining unit. Furthermore, if a~~
469 ~~valid collective bargaining agreement covering any of the~~
470 ~~employees in a proposed unit is in effect, a petition for~~
471 ~~certification may be filed with the commission only during the~~
472 ~~period extending from 150 days to 90 days immediately preceding~~
473 ~~the expiration date of that agreement, or at any time subsequent~~
474 ~~to its expiration date but prior to the effective date of any~~
475 ~~new agreement. The effective date of a collective bargaining~~

476 ~~agreement means the date of ratification by both parties, if the~~
477 ~~agreement becomes effective immediately or retroactively; or its~~
478 ~~actual effective date, if the agreement becomes effective after~~
479 ~~its ratification date.~~

480 (5)~~(4)~~ In defining a proposed bargaining unit, the
481 commission shall take into consideration:

482 (a) The principles of efficient administration of
483 government.

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

486 (c) The compatibility of the unit with the joint
487 responsibilities of the public employer and public employees to
488 represent the public.

489 (d) The power of the officials of government at the level
490 of the unit to agree, or make effective recommendations to
491 another administrative authority or to a legislative body, with
492 respect to matters of employment upon which the employee desires
493 to negotiate.

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

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

497 1. The manner in which wages and other terms of employment
498 are determined.

499 2. The method by which jobs and salary classifications are
500 determined.

501 3. The interdependence of jobs and interchange of
502 employees.

503 4. The desires of the employees.

504 5. The history of employee relations within the
505 organization of the public employer concerning organization and
506 negotiation and the interest of the employees and the employer
507 in the continuation of a traditional, workable, and accepted
508 negotiation relationship.

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

511 (h) Such other factors and policies as the commission may
512 deem appropriate.

513
514 However, a bargaining ~~no~~ unit may not shall be established or
515 approved for purposes of collective bargaining which includes
516 both professional and nonprofessional employees unless a
517 majority of each group votes for inclusion in such bargaining
518 unit.

519 **Section 4.** Section 447.308, Florida Statutes, is repealed.

520 **Section 5.** **Section 447.509, Florida Statutes, is amended**
521 **to read:**

522 447.509 ~~Other~~ Unlawful acts; exceptions; jurisdiction.—

523 (1) Employee organizations, their members, agents, or
524 representatives, or any persons acting on their behalf are
525 ~~hereby~~ prohibited from:

526 (a) Soliciting public employees during working hours of
 527 any employee who is involved in the solicitation.

528 (b) Distributing literature during working hours in areas
 529 where the actual work of public employees is performed, such as
 530 offices, warehouses, schools, police stations, fire stations,
 531 and any similar public installations. This section may ~~shall~~ not
 532 be construed to prohibit the distribution of literature during
 533 the employee's lunch hour or in such areas not specifically
 534 devoted to the performance of the employee's official duties.

535 (c) Instigating or advocating support, in any positive
 536 manner, for an employee organization's activities from high
 537 school or grade school students during classroom time.

538 (d) Offering anything of value to a public officer as
 539 defined in s. 112.313(1) which the public officer is prohibited
 540 from accepting under s. 112.313(2).

541 (e) Offering any compensation, payment, or thing of value
 542 to a public officer as defined in s. 112.313(1) which the public
 543 officer is prohibited from accepting under s. 112.313(4).

544 (2) An ~~Ne~~ employee organization may not ~~shall~~ directly or
 545 indirectly pay any fines or penalties assessed against
 546 individuals pursuant to ~~the provisions of~~ this part.

547 (3) Public employers, their agents or representatives, or
 548 any persons acting on their behalf, are prohibited from:

549 (a) Denying an employee organization or entity governed by
 550 the Florida Not For Profit Corporation Act access to or use of

551 the public employer's meetings, events, facilities,
552 communications systems, mailboxes, computer systems, equipment,
553 supplies, or other resources if the public employer allows
554 another employee organization or any parent organization or
555 affiliate of the employee organization such access or use.

556 (b) Providing any form of compensation or paid leave to a
557 public employee, directly or indirectly, for the purpose of
558 engaging in employee organization activities.

559 (4) Notwithstanding subsection (3), a public employee may
560 do all of the following upon an agreement during collective
561 bargaining between his or her public employer and the bargaining
562 agent:

563 (a) Be granted time off without pay or benefits to engage
564 in employee organization activities. An employee organization
565 may compensate a public employee for engaging in employee
566 organization activities.

567 (b) Use compensated personal leave, whether the leave is
568 the public employee's or is voluntarily donated by other
569 employees in the bargaining unit, to engage in employee
570 organization activities if:

571 1. The leave is accrued at the same rate by similarly
572 situated public employees in the bargaining unit without regard
573 to membership in or participation with an employee organization.

574 2. The public employee may freely choose how to use such
575 leave.

HB 1217

2025

576 (c) Engage in representational employee organization
577 activities on behalf of a bargaining agent while in a duty
578 status without loss of pay or benefits if:

579 1. The bargaining agent reports to the public employer at
580 least biannually the amount of time, in increments rounded to
581 the nearest quarter of an hour, each public employee in the
582 bargaining unit engaged in representational employee
583 organization activities each day.

584 2. The public employer calculates the pro rata value of
585 compensation, including wages and fringe benefits, paid to or
586 accrued by a public employee for time spent engaged in
587 representational employee organization activities and provides
588 an invoice for the amounts calculated to the bargaining agent at
589 least biannually.

590 3. The bargaining agent remits full payment to the public
591 employer within 30 days after receipt of an invoice.

592 (5) Subsections (3) and (4) do not apply to bargaining
593 units in which the majority of the public employees are law
594 enforcement officers, correctional officers, or correctional
595 probation officers as those terms are defined in s. 943.10(1),
596 (2), and (3), respectively; firefighters as defined in s.
597 633.102(9); 911 public safety telecommunicators as defined in s.
598 401.465(1); or emergency medical technicians or paramedics as
599 defined in s. 401.23.

600 (6)~~(3)~~ The circuit courts of this state shall have

601 jurisdiction to enforce ~~the provisions of~~ this section by
602 injunction and contempt proceedings, if necessary. A public
603 employee who is convicted of a violation of ~~any provision of~~
604 this section may be discharged or otherwise disciplined by his
605 or her public employer, notwithstanding any other ~~further~~
606 provisions of law, and notwithstanding the provisions of any
607 collective bargaining agreement.

608 **Section 6. Subsection (3) of section 110.114, Florida**
609 **Statutes, is amended to read:**

610 110.114 Employee wage deductions.—

611 (3) Notwithstanding ~~the provisions of~~ subsections (1) and
612 (2), the deduction of an employee's membership dues deductions
613 as defined in s. 447.203 ~~s. 447.203(15)~~ for an employee
614 organization as defined in s. 447.203 ~~s. 447.203(11)~~ shall be
615 authorized or permitted only for an organization that has been
616 certified as the exclusive bargaining agent pursuant to chapter
617 447 for a unit of state employees in which the employee is
618 included. Such deductions shall be subject to ~~the provisions of~~
619 s. 447.303.

620 **Section 7. Paragraph (w) of subsection (2) of section**
621 **110.205, Florida Statutes, is amended to read:**

622 110.205 Career service; exemptions.—

623 (2) EXEMPT POSITIONS.—The exempt positions that are not
624 covered by this part include the following:

625 (w) Managerial employees and, ~~as defined in s. 447.203(4),~~

626 confidential employees, as those terms are defined in s. 447.203
627 ~~s. 447.203(5)~~, and supervisory employees who spend the majority
628 of their time communicating with, motivating, training, and
629 evaluating employees, and planning and directing employees'
630 work, and who have the authority to hire, transfer, suspend, lay
631 off, recall, promote, discharge, assign, reward, or discipline
632 subordinate employees or effectively recommend such action,
633 including all employees serving as supervisors, administrators,
634 and directors. Excluded are employees also designated as special
635 risk or special risk administrative support and attorneys who
636 serve as administrative law judges pursuant to s. 120.65 or for
637 hearings conducted pursuant to s. 120.57(1)(a). Additionally,
638 registered nurses licensed under chapter 464, dentists licensed
639 under chapter 466, psychologists licensed under chapter 490 or
640 chapter 491, nutritionists or dietitians licensed under part X
641 of chapter 468, pharmacists licensed under chapter 465,
642 psychological specialists licensed under chapter 491, physical
643 therapists licensed under chapter 486, and speech therapists
644 licensed under part I of chapter 468 are excluded, unless
645 otherwise collectively bargained.

646 **Section 8. Subsection (6) of section 112.3187, Florida**
647 **Statutes, is amended to read:**

648 112.3187 Adverse action against employee for disclosing
649 information of specified nature prohibited; employee remedy and
650 relief.—

651 (6) TO WHOM INFORMATION DISCLOSED.—The information
 652 disclosed under this section must be disclosed to any agency or
 653 federal government entity having the authority to investigate,
 654 police, manage, or otherwise remedy the violation or act,
 655 including, but not limited to, the Office of the Chief Inspector
 656 General, an agency inspector general or the employee designated
 657 as agency inspector general under s. 112.3189(1) or inspectors
 658 general under s. 20.055, the Florida Commission on Human
 659 Relations, and the whistle-blower's hotline created under s.
 660 112.3189. However, for disclosures concerning a local
 661 governmental entity, including any regional, county, or
 662 municipal entity, special district, community college district,
 663 or school district or any political subdivision of any of the
 664 foregoing, the information must be disclosed to a chief
 665 executive officer as defined in s. 447.203 ~~s. 447.203(9)~~ or
 666 other appropriate local official.

667 **Section 9. Subsection (5) of section 121.031, Florida**
 668 **Statutes, is amended to read:**

669 121.031 Administration of system; appropriation; oaths;
 670 actuarial studies; public records.—

671 (5) The names and addresses of retirees are confidential
 672 and exempt from the provisions of s. 119.07(1) to the extent
 673 that no state or local governmental agency may provide the names
 674 or addresses of such persons in aggregate, compiled, or list
 675 form to any person except to a public agency engaged in official

676 business. However, a state or local government agency may
 677 provide the names and addresses of retirees from that agency to
 678 a bargaining agent as defined in s. 447.203 ~~s. 447.203(12)~~ or to
 679 a retiree organization for official business use. Lists of names
 680 or addresses of retirees may be exchanged by public agencies,
 681 but such lists shall not be provided to, or open for inspection
 682 by, the public. Any person may view or copy any individual's
 683 retirement records at the Department of Management Services, one
 684 record at a time, or may obtain information by a separate
 685 written request for a named individual for which information is
 686 desired.

687 **Section 10. Subsection (1) of section 447.02, Florida**
 688 **Statutes, is amended to read:**

689 447.02 Definitions.—The following terms, when used in this
 690 chapter, shall have the meanings ascribed to them in this
 691 section:

692 (1) The term "labor organization" means any organization
 693 of employees or local or subdivision thereof, having within its
 694 membership residents of the state, whether incorporated or not,
 695 organized for the purpose of dealing with employers concerning
 696 hours of employment, rate of pay, working conditions, or
 697 grievances of any kind relating to employment and recognized as
 698 a unit of bargaining by one or more employers doing business in
 699 this state, except that an "employee organization," as defined
 700 in s. 447.203 ~~s. 447.203(11)~~, shall be included in this

701 definition at such time as it seeks to register pursuant to s.
 702 447.305.

703 **Section 11. Subsection (6) of section 447.305, Florida**
 704 **Statutes, is amended to read:**

705 447.305 Registration of employee organization.—

706 (6) Notwithstanding the provisions of this chapter
 707 relating to collective bargaining, an employee organization
 708 certified as a bargaining agent to represent a bargaining unit
 709 for which less than 60 percent of the unit employees have
 710 submitted membership authorization forms without subsequent
 711 revocation and paid dues to the organization during its last
 712 registration period must petition the commission pursuant to s.
 713 447.307 ~~s. 447.307(2) and (3)~~ for recertification as the
 714 exclusive representative of all employees in the bargaining unit
 715 within 30 days after the date on which the employee organization
 716 applies for renewal of registration pursuant to subsection (2).
 717 The certification of an employee organization that does not
 718 comply with this section is revoked.

719 **Section 12. Subsection (2) of section 1011.60, Florida**
 720 **Statutes, is amended to read:**

721 1011.60 Minimum requirements of the Florida Education
 722 Finance Program.—Each district which participates in the state
 723 appropriations for the Florida Education Finance Program shall
 724 provide evidence of its effort to maintain an adequate school
 725 program throughout the district and shall meet at least the

726 following requirements:

727 (2) MINIMUM TERM.—Operate all schools for a term of 180
728 actual teaching days or the equivalent on an hourly basis as
729 specified by rules of the State Board of Education each school
730 year. The State Board of Education may prescribe procedures for
731 altering, and, upon written application, may alter, this
732 requirement during a national, state, or local emergency as it
733 may apply to an individual school or schools in any district or
734 districts if, in the opinion of the board, it is not feasible to
735 make up lost days or hours, and the apportionment may, at the
736 discretion of the Commissioner of Education and if the board
737 determines that the reduction of school days or hours is caused
738 by the existence of a bona fide emergency, be reduced for such
739 district or districts in proportion to the decrease in the
740 length of term in any such school or schools. A strike, as
741 defined in s. 447.203 ~~s. 447.203(6)~~, by employees of the school
742 district may not be considered an emergency.

743 **Section 13.** This act shall take effect July 1, 2025.