

FLORIDA EDUCATIONAL NEGOTIATORS

Some employer responsibilities in the RC process.

The employer provides a critical number [see §447.305, (3)(a) FS].

- An employee organization that has been certified as the bargaining agent for public employees must include for each such certified bargaining unit...information and documentation as of the 30th day immediately preceding the date of renewal in its application for any renewal of registration on or after October 1, 2023; the number of employees in the bargaining unit who are eligible for representation by the employee organization.
- Employee organizations and public employers are encouraged to communicate with each other well in advance of the renewal date so that employers are prepared to provide the number of employees in the bargaining unit that coincides with the 30-day look-back period.

Unit descriptions and clarification

PERC will confirm that the job titles and positions identified in the recertification petition are the same as the unit that was certified by PERC.

- If the current composition of the unit needs to be updated, the employee organization should file a unit clarification petition to update that bargaining unit. The employer and the employee organization can stipulate to those job titles/position changes - if they agree. If the parties do not agree, PERC will decide.

The employer should receive a copy of the recertification paperwork [see §447.305, (4) FS].

- The employee organization must provide a copy of its application for renewal of registration relating to a public employer's employees to the public employer on the same day the application is submitted to the commission.
- If the employer disputes anything contained in the recertification petition, the employer can ask PERC to review the application to determine its accuracy and compliance with the statute.

When PERC orders an election.

The type of election

- The Commission's Elections Division determines the type of election. Elections may be conducted by mail, on-site, or by any combined method ordered or approved by the Commission.
- In most cases, the election will be conducted by mail.

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Notice of election:

- The public employer shall, at least seven (7) days before the date set for the election, post copies of the notice of election in conspicuous locations where employees will be reasonably apprised of the election.
- The posting of the notice of election shall be maintained until the balloting has been completed.
- The public employer shall take reasonable steps to ensure that the notices are not altered, defaced, or covered by other materials. Failure to object to the form or content of the notice of election prior to the commencement of the election shall constitute a waiver of the objection.

Election Eligibility – who votes.

- The public employer shall file with the Commission and deliver to each party to the election an election eligibility list containing the names and addresses of all eligible voters not later than fifteen (15) days after the date of the Commission order ordering an election, except that such a list shall provide the work address rather than the home address of any personnel covered by Section [119.071\(4\)\(d\), F.S](#) (statute that exempts the home addresses of first responders and others).
- The list shall include all employees employed in the unit as of the date of the Commission order directing an election.
- Each election eligibility list must be arranged in alphabetical order. Where applicable, the Commission may require that the public employer furnish a separate list to the Commission and to the parties in which the names of the eligible voters are grouped according to polling sites.

Cost of the election.

- PERC estimates current costs including postage, commercial printing costs, and shipping charges at **\$1.65 per ballot**.
- PERC will order the employer and the employee organization(s) to share equally the costs of conducting an election.