

STUDENT SENATE BILL 2023-1121

TITLE: Resolution Condemning Florida Senate Bill 256/House Bill 1445 (2023) and their Attacks on Public-Employee Unions

AUTHOR(S): Senator Anghelo Gangano

SPONSOR(S): Judiciary Chair Jonathan C. Stephens, Senator Antonio Hendricks, Senator Bryan Garcia-Ramos, Senator Asif Islam, Senator Wavid Bowman, Senator Raj Mia, Senator Anamika Naidu, Senate President Oscar Santiago Perez, Senator Colin Lasch, Senate President Pro Tempore Nathan McGinnis, Senator Hunter Monson, Minority Party Leader Bronson Allemand

WHEREAS, on May 9th, 2023, Florida Governor Ron DeSantis signed SB 256 into law, taking effect on July 1st, 2023 [1]; and,

WHEREAS, SB 256 forbids public employee bargaining organizations from collecting dues and uniform assessments from the salaries of said employees, and must instead be paid directly from the employee to the employee bargaining organization [1]; and,

WHEREAS, SB 256 specifically exempts law enforcement officers, correctional officers, probation officers, and firefighters from said salary deduction restrictions [1]; and,

WHEREAS, SB 256 introduces multiple new requirements which public employee bargaining organizations must meet in order to maintain registration as a public employee bargaining organization [1]; and,

WHEREAS, said new requirements include but are not limited to: the number of employees in the bargaining unit who are eligible for representation by the employee organization, the number of employees in the bargaining unit who have submitted signed membership authorization forms without a subsequent revocation of such membership, the number of employees in the bargaining unit who paid dues to the employee organization, the number of employees in the bargaining unit who did not pay dues to the employee organization, documentation provided by an independent certified public accountant retained by the employee organization which verifies the information provided [1]; and,

WHEREAS, SB 256 specifically exempts law enforcement officers, correctional officers, probation officers, and firefighters from said new requirements [1]; and,

WHEREAS, SB 256 mandates public employee organizations must also provide a copy of its application for registration to the public employer on the same day the application is submitted to the commission [1]; and,

WHEREAS, SB 256 mandates public employee bargaining organizations having less than 60 percent of the employees eligible for representation in the bargaining unit paying dues during its last registration period must petition the commission pursuant to Florida Statute 447.307, and failure to do so will result in revocation of public employee organization status [1]; and,

WHEREAS, SB 256 specifically exempts law enforcement officers, correctional officers, probation officers, and firefighters from said 60 percent membership threshold [1]; and,

WHEREAS, the U.S. Bureau of Labor Statistics reported the average union membership rate of public-sector workers was 33.1 percent in 2022 [2]; and,

WHEREAS, the U.S. Bureau of Labor Statistics reported the highest unionization rates in the country were among workers in protective service occupations (34.6 percent) and education, training, and library occupations (33.7 percent) in 2022 [2]; and,

WHEREAS, the U.S. Bureau of Labor Statistics reported that union membership was highest in local government employing police officers, firefighters, and teachers in 2022 [2]; and,

WHEREAS, the U.S. Bureau of Labor Statistics reported that Black workers are more likely to be members of a union than White, Asian, or Hispanic workers in 2022 [2]; and,

WHEREAS, the U.S. Bureau of Labor Statistics reported that the average weekly earnings of non-union workers was only 85 percent of the earnings of workers who were union members in 2022 [2]; and,

WHEREAS, the U.S. Bureau of Labor Statistics reported the average union membership for full-time workers (11.0 percent) was double than that for part-time workers (5.5 percent) [2]; and,

WHEREAS, the U.S. Bureau of Labor Statistics reported that 16.0 million workers were represented by a union in 2022 [2]; and,

WHEREAS, the U.S. Department of Labor reported that wages for both union and non-union workers rises and falls with enrollment of workers in unions [3]; and,

WHEREAS, the U.S. Department of Labor reported that unions close the gender pay gap and ensure equitable pay for women because unions collectively bargain wages and pay scales that are transparent to all workers and apply to workers in the same job equally [3]; and,

WHEREAS, the U.S. Department of Labor reported that union White women, Black women, and Latina/Hispanic women make 100 percent, 99 percent, and 103 percent the average weekly earnings of non-union White men respectively [3]; and,

WHEREAS, The U.S. Department of Labor reported that non-union White women, Black

women, and Latina/Hispanic women make only 80 percent, 73 percent, and 75 percent the average weekly earnings of non-union White men respectively [3]; and,

WHEREAS, the U.S. Department of Labor reported that 93 percent of unionized workers in private industry have access to employer-sponsored retirement plans, compared to only 66 percent of non-union workers [3]; and,

WHEREAS, the U.S. Department of Labor reported that 84 percent of unionized workers in private industry with access to retirement plans participate in those plans while only 49 percent of non-union workers who have access do [3]; and,

WHEREAS, the U.S. Department of Labor reported that workers who are represented by a union are far more likely to receive paid vacation time, paid sick time, and paid leave for doctor's appointments from their employer than non-union workers [3]; and,

WHEREAS, the U.S. Department of Labor reported that workers with a union have greater protection against retaliation when they report workplace safety and health concerns and when requesting a government inspection, as a result, enforcement of safety and health laws is stronger at unionized workplaces [3]; and,

WHEREAS, the U.S. Department of Labor reported that the average non-white union member has 385 percent more wealth than that of a non-white non-union member [3]; and,

WHEREAS, the state of Florida is a "right to work" state, and therefore prohibits unions from receiving "fair share" fees from workers who are represented by a union and covered by a collective bargaining agreement [4]; and,

WHEREAS, in "fair share" states, unions and employers can negotiate the rules that require all workers covered by a collective bargaining agreement to pay either union dues, (if they are a member of the union), or a fair share fee, (if they are not a member of the union) [4]; and,

WHEREAS, In "right to work" states said "fair share" agreements are illegal, though in all states, unions are required by law to represent all workers covered by a collective bargaining agreement, regardless of whether the worker is a member of a union or not [4]; and,

WHEREAS, in "right to work" states, unions must provide comprehensive representation without receiving "fair share" compensation thus creating a "free rider" problem which weakens unions [4]; and,

WHEREAS, in the 17 lowest union density states, all 17 states have "right to work" laws, and had an average minimum wage of \$8.10 and median household income of \$63,212 [4]; and,

WHEREAS, in the 17 lowest union density states 18 percent of unemployed workers received unemployment benefits and 11.3 percent of people were without access to paid health insurance

[4]; and,

WHEREAS, in the 17 highest union density states, 2 states have “right to work” laws, and had an average minimum wage of \$11.40 and a median household income of \$75,786 [4]; and,

WHEREAS, in the 17 highest union density states 37 percent of unemployed workers received unemployment benefits and 6.8 percent of people were without access to paid health insurance [4]; and,

WHEREAS, current U.S. approval of labor unions is at an overwhelming 71 percent, the highest point since 1965 [5]; and,

WHEREAS, the Florida Education Association represents over 150,000 teachers and school staff across the state of Florida, including PreK-12 teachers, higher education faculty, and students/graduate students at Florida colleges and universities [6]; and,

WHEREAS, the Florida Education Association along with 3 affiliated unions, (the Alachua County Education Association, the United Faculty of Florida, and the United Faculty of Florida-University of Florida), has filed a federal lawsuit against SB 256 [6]; and,

WHEREAS, said lawsuit asserts that SB 256 “violates educators’ rights to freedom of speech and association under the First Amendment, and equal protection of laws under the 14th Amendment of the U.S. Constitution” [6]; then,

THEREFORE, LET IT BE RESOLVED that the University of Florida Student Senate recognizes that SB 256 cripples the ability for public-employee unions to function by mandating an arbitrary 60 percent membership for registration, implementing costly annual audit requirements, and removing the ability for employees to conveniently allocate union dues directly from their pay.

THEREFORE, LET IT FURTHER BE RESOLVED that the University of Florida Student Senate recognizes that SB 256 unjustly attacks teachers, the largest union member labor force in the state, and specifically exempts law enforcement from the same requirements without due reasoning.

THEREFORE, LET IT FURTHER BE RESOLVED that the University of Florida Student Senate recognizes the overwhelming positive impact that labor unions have on closing racial pay gaps, closing gender pay gaps, improving worker’s benefits, wages, healthcare, workplace safety, and access to financial stability in retirement.

THEREFORE, LET IT FURTHER BE RESOLVED that the University of Florida Student Senate recognizes that there is a direct correlation between union membership and worker’s wages, unemployment benefits, and access to healthcare.

THEREFORE, LET IT FURTHER BE RESOLVED that the University of Florida Student Senate recognizes that labor unions directly benefit the well-being of all workers in states with or without right to work laws, and not just those who pay dues to the labor union.

THEREFORE, LET IT FURTHER BE RESOLVED that the University of Florida Student Senate supports the work that the labor union Graduate Assistants United does for graduate students at the University of Florida, including negotiating and enforcing the collective bargaining agreement which covers appointment letters, GatorGradCare health insurance, and stipends/fee relief.

THEREFORE, LET IT FURTHER BE RESOLVED that the University of Florida Student Senate demands Governor Ron DeSantis reverse his position of support for said bill and acknowledge the harm this bill will inflict upon tens of thousands of workers in the state of Florida.

THEREFORE, LET IT FURTHER BE RESOLVED that the University of Florida Student Senate implores University President Ben Sasse, the University of Florida Board of Trustees, and University administration to speak out against the injustice this union-busting bill presents, and works to secure worker's rights across our University of Florida campus.

THEREFORE, LET IT FURTHER BE RESOLVED that the University of Florida Student Senate urges all branches of the Student Government and Student Body President Olivia Green to issue public statements that stand in solidarity with the labor unions that represent teachers and graduate students at educational institutions across the state of Florida.

THEREFORE, LET IT FINALLY BE RESOLVED that the University of Florida Student Senate strongly condemns the passing of SB 256 and its union busting attacks on public-employee labor unions across the state of Florida, and the University of Florida Student Senate stands in solidarity with the Florida Education Association, the Alachua County Education Association, the United Faculty of Florida, and the United Faculty of Florida-University of Florida and their work to secure worker's rights.

Proviso: A copy of this resolution shall be sent to University President Dr. Ben Sasse, UFF President Andrew Gothard, Graduate Assistants United Co-Presidents Bryn Taylor and Eva Garcia Ferres, Governor Ron DeSantis, Secretary of State Cord Byrd, Speaker of the Florida House of Representatives Paul Renner, Florida Senate President Kathleen Passidomo, Board of Trustees Members Morteza Hosseini, David L. Brandon, Richard P. Cole, Christopher T. Corr, Olivia E. Green, James W. Heavener, Daniel T. O'Keefe, Rahul Patel, Amanda J. Phalin, Marsha D. Powers, Fred S. Ridley, Patrick O. Zalupski, Anita G. Zucker, Interim Provost Scott Angle, Senior Vice President of Health Affairs David R. Nelson, Interim Vice President of Advancement Maria Gutierrez Martin, Chief Diversity Officer and Senior Advisor to the President Marsha McGriff, Vice President and General Counsel Amy Hass, Vice President of Government and Community Relations and University Secretary Mark Kaplan, Vice President of

Research David Norton, Vice President for Strategic Communications and Marketing Steve Orlando, Athletic Director of University Athletic Association Scott Stricklin, Vice President of Business Affairs Curtis Reynolds, Vice President and Chief Information Officer Elias Eldayrie, Vice President of Human Resource Services Melissa Curry, Vice President of Student Life Heather White, Vice President of Enrollment and Management and Associate Provost Mary Parker, Deans Chimay Anumba, Glenn Good, Forrest Masters, Onye Ozuzu, Michael Reid, Hub Brown, David Richardson, Merrit McAlister, Saby Mitra, Isabel Garcia, Colleen Koch, Debra Lyon, Peter Swaan, Beth Virnig, Dana Zimmel, Elaine Turner, Andra Johnson, Robert Gilbert, Chair of the Florida Board of Governors Brian Lamb, Vice-Chair of the Florida Board of Governors Eric Silagy, Florida Board of Governors Members Timothy M. Cerio, Manny Diaz Jr., Aubrey Edge, Patricia Frost, Edward Haddock, Ken Jones, Darlene Luccio Jordan, Alan Levine, Charles H. Lydecker, Craig Mateer, Deanna Michael, Jose R. Oliva, Steven M. Scott, Florida State University Student Body President Jack Hitchcock, Florida International University Student Body President Alexander P. Sutton, University of South Florida Student Body President Nithin Palyam, Florida Atlantic University Student Body President Pierce Kennamer, University of Central Florida Student Body President Brandon Greenaway, Florida Agricultural and Mechanical University Student Body President Londe Mondelus, Florida Gulf Coast University Student Body President Emory Cavin, University of North Florida Student Body President John Grosso, New College of Florida Student Body President Grace Keenan, Florida Polytechnic University Student Body President Melia Rodriguez, and University of West Florida Student Body President Ariauna Range.

[1]:<https://www.flsenate.gov/Session/Bill/2023/256/?Tab=BillHistory>

[2]:<https://www.bls.gov/news.release/union2.nr0.htm>

[3]:<https://www.dol.gov/general/workcenter/union-advantage>

[4]:<https://www.dol.gov/general/workcenter/unions-101>

[5]:<https://news.gallup.com/poll/398303/approval-labor-unions-highest-point-1965.aspx>

[6]:<https://feaweb.org/release/fea-files-federal-lawsuit-against-sb-256/>