

NOTICE TO EMPLOYEES

RC-2017-006

FROM THE STATE OF FLORIDA PUBLIC EMPLOYEES RELATIONS COMMISSION

The attached petition has been filed seeking an election to determine whether certain employees desire to be represented by an employee organization for the purpose of collective bargaining.

If an election is held, a Notice of Election will be posted giving complete details for voting.

YOU HAVE THE RIGHT UNDER FLORIDA LAW:

- To self-organization
- To form, join or assist employee organizations
- To bargain collectively through a chosen representative
- To act together for the purpose of collective bargaining or other mutual aid or protection
- To refrain from any or all such activities

PUBLIC EMPLOYEES RELATIONS COMMISSION

4708 Capital Circle Northwest, Suite 300
Tallahassee, Florida 32303
850/488-8641

**THIS IS AN OFFICIAL GOVERNMENT NOTICE
AND MUST NOT BE DEFACED.**

STATE OF FLORIDA
PUBLIC EMPLOYEES RELATIONS COMMISSION

SANTA ROSA EDUCATION
ASSOCIATION,

Petitioner,

v.

SCHOOL DISTRICT OF SANTA
ROSA COUNTY, FLORIDA,

Respondent,

v.

SANTA ROSA PROFESSIONAL
EDUCATORS,

Intervenor.

Case No. RC-2017-006

NOTICE OF SUFFICIENCY

Thomas W. Brooks, Tallahassee, attorney for petitioner.

Paul R. Green, Milton, attorney for respondent.

Rhonda Chavers, Milton, representative for intervenor.

On March 30, 2017, a representation-certification petition was filed pursuant to Section 447.307(2), Florida Statutes (2016). After a preliminary investigation, the Commission finds reasonable cause to believe that the petition is sufficient.

Accordingly, pursuant to Sections 120.57(1) and 447.308, Florida Statutes (2016), an evidentiary hearing will be conducted on questions concerning representation and unit determination. The Commission has determined that the public interest in prompt resolution of the issues presented by this case requires that the hearing be scheduled within forty-five (45) days from the date of this order. A continuance of a scheduled hearing may be granted only upon a clear showing of good cause based upon events which arose after the hearing was scheduled. A previously scheduled hearing should not be continued for more than fourteen days in the absence of extraordinary circumstances which would impose extreme hardship or undue prejudice on one or both parties if the hearing was not continued. However, the hearing officer may, with the consent of all parties, continue a hearing for a reasonable period of time in order for the parties to file a

consent election agreement and for the Commission to determine whether to approve the agreement. The notice of hearing may include a prehearing order requiring the parties to provide a written statement of relevant issues of fact and law. Fla. Admin. Code Rule 28-106.211.

All parties are advised to review Chapter 447, Part II, Florida Statutes, with particular emphasis on Sections 447.203, .305, and .307. The parties are also urged to review the Uniform Rules of Procedure rules, which can be found in the Florida Administrative Code at Chapter 28, paying particular attention to 28-106.201 through .217. The hearing officer may order the parties to take additional prehearing measures to narrow the issues in the case, including a telephonic prehearing conference. Fla. Admin. Code Rule 28-106.211.

The Respondent shall immediately post copies of the attached Notice to Employees (PERC Form 5) in conspicuous locations where employees will be reasonably apprised of the notice. The notice shall remain posted during the pendency of the petition. The Respondent shall take reasonable steps to ensure that the notices are not altered, defaced or covered by other materials.

The Respondent should also be aware of the following requirements:

(1) Within twenty days after the date of filing of a Representation-Certification Petition, the public employer may file a written answer with the Commission indicating whether it agrees that the unit proposed by the Petitioner is appropriate.

(2) If the public employer agrees to the appropriateness of the proposed unit, it shall further indicate its position regarding execution of a consent election agreement.

(3) If the public employer disagrees with the unit proposed by the Petitioner, it shall describe with particularity the unit which the public employer considers appropriate with a separate listing of all employees in the job classifications specified by the public employer for inclusion and a general description, including job classifications, of employees to be excluded, together with a statement of reasons for each proposed inclusion and exclusion. Where the petitioning employee organization seeks to include employees or job classifications which the public employer contends should be excluded from the proposed unit because they are managerial or confidential, the public employer shall list each such employee or job classification in its response and provide notice.

If the job classifications listed in the proposed bargaining unit in this petition have previously been the subject of bargaining unit litigation in a prior Commission case, ALL PARTIES ARE DIRECTED TO SHOW CAUSE within twenty days of the date the petition was filed why the prior Commission decision on the appropriate placement of these job classifications should not be conclusive in this case.

If there is a presently existing certified bargaining agent for any of the job classifications listed for inclusion in the proposed bargaining unit, that bargaining agent shall automatically be designated an intervenor. The INTERVENOR SHALL HAVE TWENTY DAYS from the date the petition was filed to respond to the petition and to identify any disputed issues of material fact which require an evidentiary hearing.

Any challenges to the registration status of any party - employee organization must be filed within twenty days from the date the petition was filed or within ten days of intervention by an employee organization. Such challenges must allege with specificity the factual and legal reasons for the alleged registration invalidity.

It is so ordered.

POOLE, Chair, BAX and KISER, Commissioners, concur.

I HEREBY CERTIFY that this document was filed and a copy served on each party on April 5, 2017.

BY: *Barry Fedum*
Clerk

/bjk

