



July 2, 2018

## **FEA files suit to stop unfair law targeting rights of teachers**

TALLAHASSEE — The Florida Education Association, in conjunction with other plaintiffs, filed suit today, July 2, to stop enforcement of a new provision in Florida law that unfairly targets teachers unions — and teachers unions alone — for decertification as local bargaining agents.

This law is a very targeted attack on public school teachers' rights to organize, speak out as a group and advocate for themselves, their students and their schools.

The FEA suit is directed at the Decertification Law now codified in Section 1012.2315(4)(c) of the Florida Statutes (2018) and at the constitutionality of House Bill 7055, the "log-rolled," omnibus bill on education passed by the Legislature this year. Along with legislation on many other subjects, that bill included the Decertification Law.

The lawsuit has been filed in the Circuit Court of the 2nd Judicial Circuit, Leon County. The defendants named in the suit are the chair and commissioners of the Public Employees Relations Commission (PERC), who are being sued in their official capacity.

The Decertification Law, effective July 1, applies to unions with units of "instructional personnel" and specifies that if a unit's membership density is below 50 percent, the union must petition the Public Employees Relations Commission (PERC) for recertification as the "exclusive representative for all unit employees" within a month of applying for renewal of registration. "The certification of an employee organization that does not comply with this paragraph is revoked," the law states.

The FEA lawsuit challenges the constitutionality of the law on several bases, including that it unfairly seeks to target public school teachers unions without touching other public-sector unions, such as those for police and corrections officers.

"Certain interests in this state want to shut our members up and shut us down, and we aren't having it," said FEA President Joanne McCall. "The Florida Education Association and our local teachers unions will continue to be the loudest defenders of public education in this state. We speak up for our students and our schools every day, and we will not be silenced."

The Florida Education has filed suit to stop the Decertification law on behalf of our 140,000 members and in conjunction with other plaintiffs, including several local teachers unions, and individual union members and non-members.

The Decertification Law only comes into play when a local union is up for registration renewal. When that annual renewal date falls varies from local association to local association.

“Frankly, this attack on teachers’ collective bargaining rights has been a boon for membership growth. Teachers want unions,” said FEA President McCall.

**To view the lawsuit, go to <http://www.meyerbrookslaw.com/Litigation.htm>.**

For help contacting local unions, members and non-members involved in the suit, please call or email Joni Branch in FEA Communications, [joni.branch@floridaea.org](mailto:joni.branch@floridaea.org) or 850.201.3223.

The speakers on FEA’s press call today were FEA President Joanne McCall, attorney Ron Meyer, Melissa Rudd of the Wakulla County Teachers Association and Diane Phillips, a teacher from Brevard County who is not a union member.

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*The Florida Education Association is the state’s largest association of professional employees, with more than 140,000 members. FEA represents pre K-12 teachers, higher education faculty, educational staff professionals, students at our colleges and universities preparing to become teachers and retired education employees.*