

Amendment No.

CHAMBER ACTION

Senate

House

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1 Representative Gelber offered the following:

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3 **Amendment (with title amendment)**

4 Between lines 2758 and 2759, insert:

5 Section 41. Section 341.3024, Florida Statutes, is created
6 to read:

7 341.3024 Rail corridors; labor union agreements.--The
8 department or any government agency or authority designated by
9 the department to own or administer a rail corridor, and any and
10 all contractors engaged to perform work or service on a rail
11 corridor or to operate or provide commuter rail service on a
12 rail corridor, shall enter a written agreement with any labor
13 union representing employees working on the acquired rail
14 corridor that requests such a written agreement concerning the
15 continued employment of the employees represented by such union
16 and the hiring of other employees to provide work on the rail

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17 corridor under the terms of such labor union's collective
18 bargaining agreement applicable on the rail corridor as
19 employees of a rail carrier, continuation of representation of
20 employees performing work under that collective bargaining
21 agreement by the labor union currently representing such
22 employees, and the binding of any successor or assign or
23 replacement agency or contractor to the terms of the written
24 agreement. Such written agreement shall, at a minimum, contain
25 the following provisions:

26 (1) Provisions requiring that any government agency or
27 authority designated by the department to own or administer a
28 rail corridor to operate commuter rail service, or any and all
29 contractors engaged to perform work or service on a rail
30 corridor or to operate or provide commuter rail service on a
31 rail corridor, shall be a rail carrier under the federal
32 Interstate Commerce Commission Termination Act, the Railway
33 Labor Act, the Federal Employees Liability Act, and the Railroad
34 Retirement Act.

35 (2) Adoption in full of the labor union's collective
36 bargaining agreement as an agreement between the labor union and
37 the department or any government agency or authority designated
38 by the department to own or administer a rail corridor, or any
39 contractor engaged to perform work or service or to provide
40 commuter rail service on a rail corridor.

41 (3) Provisions requiring that any contract operator for
42 the department or any government agency or authority designated
43 by the department to own or administer a rail corridor will
44 agree to be bound by the written agreement referred to in this

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45 section and that any contract between the department or any
46 government agency or authority designated by the department to
47 own or administer a rail corridor and any contractor will
48 include a provision binding the contractor to the written
49 agreement referred to in this section.

50 (4) Provisions requiring that all rates of pay, rules, and
51 working conditions and rights, privileges, and benefits of
52 employees working under the labor union's collective bargaining
53 agreements must be preserved and continued.

54 (5) Provisions requiring that if the department or any
55 government agency or authority designated by the department to
56 own or administer a rail corridor or any contractor for the
57 department or such designated agency or authority contemplates a
58 change which will result in the dismissal or displacement of
59 employees, at least 45 days' written notice will be given to the
60 labor union representing such employees with information about
61 the planned changes and their likely effects on employees and
62 requiring negotiation or arbitration resulting in a new written
63 agreement concerning any such change.

64 (6) Provisions requiring that the written agreement is
65 binding on any and all of the successors and assigns of the
66 department, any government agency or authority designated by the
67 department to own or administer a rail corridor and any
68 contractor engaged by the department to operate commuter rail
69 service or provide other work or service on the rail corridor.

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72 **T I T L E A M E N D M E N T**

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73 Remove line 174 and insert:
74 and the Legislature; creating s. 341.3024, F.S.; providing
75 requirements for agreements with labor unions representing
76 certain employees working on an acquired rail corridor;
77 repealing part III of ch. 343 F.S.;