



PERC NEWS

Florida Public Employees Relations Commission

October 1—December 31, 2006

Third DCA Upholds Commission’s Decision on Unit Placement and Election Objections

by John G. Showalter, Hearing Officer.

On December 27, 2006, the Third District Court of Appeal affirmed the Commission’s order certifying IAFF Local 4396 as bargaining representative for a unit of rank-and-file firefighters employed by the City of Marathon. *City of Marathon v. Professional Firefighters of Marathon, Inc., Local 4396, International Association of Firefighters*, Case No. 3D06-361 (Fla. 3rd DCA Dec. 27, 2006). In the order directing election, the Commission determined that the City’s full-time firefighter/EMT/paramedics, lieutenants, and on-call volunteers were appropriately included in the bargaining unit. The part-time volunteers were excluded from the bargaining unit because they were not public employees within the meaning of Section 447.203(3), Florida Statutes. In addition, the Commission rejected the City’s arguments that Local 4396 was not properly registered and that its showing of interest was not sufficient because the authorization cards were in the name of the parent organization.

A mail ballot election was conducted and Local 4396 prevailed ten to zero. The City filed a post-election petition objecting to the conduct of the election and to conduct affecting the results of the election. The Commission rejected the City’s objections. The City failed to provide affidavits from any individuals having personal knowledge of the union’s alleged unlawful conduct. In addition, the Commission disagreed with the City that the employees would be confused by the language in the unit description as to who was eligible to vote, particularly because the names of the eligible voters were attached to the notice of election. Thus, on January 18, 2006, the Commission certified Local 4396 as the bargaining agent for the City’s firefighters.

The City timely appealed the Commission’s final order to the Third DCA. In its December 27, 2006, decision, the Third DCA affirmed the Commission’s decision in all respects. The court initially noted that an agency’s action must be affirmed when there is competent substantial evidence in the record to support the agency’s determination of fact and the agency’s interpretation of the applicable law is not clearly erroneous.

The court determined that the Commission’s policy of allowing showing of interest statements in the name of the parent organization to serve as the showing of interest for a petition filed by a subsidiary of that parent organization was not a clearly erroneous interpretation of Section 447, Part II, and thus affirmed the Commission’s holding on that issue. Similarly, the court rejected the City’s challenge to the Commission’s decision on the part-time employees by noting that the record confirmed the existence of competent substantial evidence that the part-time volunteers were properly excluded from the bargaining unit because they did not meet the definition of public employee in Section 447.203(3), Florida Statutes. Finally, the court upheld the Commission’s decision that the City improperly failed to provide affidavits to support the allegations in its post-election petition and agreed that there was competent substantial evidence to support the Commission’s determination that the notice of election was not deficient and did not significantly affect the fairness of the election. Having rejected all of the City’s arguments, the court affirmed the Commission’s definition of the bargaining unit and the certification of Local 4396 as bargaining agent.

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No Blue Light Special

by H. Lee Cohee, II, Hearing Officer.

The Commission reversed the suspension of a correctional probation officer for unbecoming conduct resulting from allegedly impersonating a police officer. Relying upon the dictionary meaning of “impersonate,” the Commission reasoned that in the context of this case it required the element of intent to pretend to be a police officer. The hearing officer found that, while sitting next to a vehicle at a red light, Coopman flashed his strobe/accelerated hazard lights to gain the attention of a driver who had been speeding and driving erratically, and stated, “This is a 45 mile per hour zone.” However, rather than finding that Coopman intended to impersonate a police officer, the hearing officer found that he merely intended to tease the driver, whom he believed to be a friend, about his driving. There were no findings that the strobe lights were blue and, thus, illegal, that Coopman in any way represented himself as being a police officer, or that Coopman detained the driver with whom he spoke. The Commission stated that, even if Coopman had intended to caution the driver about driving in a manner that Coopman believed was reckless, his actions were within the bounds of what any citizen has a right to do upon observing driving that gives rise to reasonable suspicion that the driver is impaired.

Coopman v. Department of Corrections, Case No. CS-2006-264 (Jan. 3, 2007).

PERC NEWS

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Career Service Cases



Russo v. Department of Corrections, 21 FCSR 209b (2006).

Dismissal of psychological specialist for poor performance for habitually failing to meet deadlines and complete paperwork affirmed. Mitigation not warranted due to seriousness of misconduct and where poor performance superseded personal events in employee's life.

Boyett v. Department of Corrections, 21 FCSR 213 (2006).

Appeal of revocation of DOT field supervisor's authorization to supervise inmates dismissed where employee was not an employee of DOC, against whom appeal was filed, and suffered no appealable adverse action.

Thomas v. Department of Corrections, 21 FCSR 217 (2006).

Five-day suspension of correctional officer for failing to report for duty when institution was under emergency status due to hurricane vacated. Supervisor authorized officer to stay home, officer was told the institution was not under emergency status and was adequately staffed, and officer attempted to report for work but was prohibited from doing so by firefighters.

Turner v. Department of Corrections, 21 FCSR 219 (2006).

Ten-day suspension of correctional probation senior officer for negligence for failing to re-submit arrest warrants for parole violators and failing to ensure that violation of parole packet was sent to court, and for failure to follow written and/or oral instructions for not addressing or responding to alarms involving electronic ankle bracelets affirmed. Mitigation not warranted where seriousness of conduct outweighs eighteen-year employment history, and employee failed to prove disparate treatment.

Kinsey v. Department of Corrections, 21 FCSR 225 (2006).

Five-day suspension of correctional officer for failure to maintain proper alertness affirmed. Mitigation not warranted.

Starks v. Department of Juvenile Justice, 21 FCSR 228 (2006).

Dismissal of juvenile justice detention officer for negligence for failure to maintain constant supervision of youth and for insubordination for using profanity and walking away from superior while she was talking affirmed.

Darby, Jr. v. Department of Highway Safety and Motor Vehicles, 21 FCSR 233 (2006).

Demotion of highway patrol captain to lieutenant, with concomitant reduction in pay, for poor performance and negligence for improper supervision of field training program of recruit/trainee affirmed in part; three-day suspension vacated. Mitigation of three-day suspension warranted due to long-term, exemplary employment record, which outweighs seriousness of conduct. Back pay awarded.

Crockett v. Department of Revenue, 21 FCSR 231 (2006); Louis v. Department of Children and Families, 21 FCSR 243 (2006); Nasca v. Department of Corrections, 21 FCSR 246 (2006); Russell v. Department of Corrections, Case No. CS-2006-221 (Nov. 6, 2006); Grimsley v. Department of Health, Case No. CS-2006-269 (Nov. 14, 2006); Weathers v. Department of Corrections, Case No. CS-2006-255 (Nov. 29, 2006).

Appeals dismissed when employees failed to appear at hearings.

Meisenheimer v. Department of Corrections, 21 FCSR 232 (2006).

Appeal filed more than fourteen days after receipt of final action letter dismissed as untimely filed.

Crawford v. Department of Corrections, 21 FCSR 244 (2006).

Dismissal of correctional officer for falsification of forms and records and for conduct unbecoming a public employee by falsifying inmate count sheet and lying about conducting count affirmed. Mitigation not warranted where seriousness of conduct outweighs spotty nineteen-year employment record and employee failed to prove disparate treatment.

Sauls v. Department of Corrections, 21 FCSR 247a (2006).

Appeal dismissed as apparently abandoned where employee failed to respond to

show cause order, and employee's attorneys withdrew because they were unable to contact employee.

Hoff v. Department of Corrections, 21 FCSR 247b (2006).

Dismissal of correctional officer for willful violation of agency rules for threatening co-worker affirmed. Mitigation not warranted where seriousness of conduct and prior discipline for threatening employees outweighs six-year employment record.

Taylor v. Department of Corrections, 21 FCSR 252 (2006).

Extraordinary dismissal of correctional officer sergeant for unbecoming conduct, conduct forming the basis of criminal charge, and violation of law or rules for having inmate build trailer for sergeant's personal use using agency materials affirmed.

Antillon v. Department of Corrections, 21 FCSR 256 (2006).

Dismissal of correctional officer for negligence in handling firearm in careless and unsafe manner and for failure to follow oral instructions to cease engaging in such conduct affirmed. Mitigation not warranted where seriousness of conduct outweighs five and one-half year employment history with prior discipline for similar incident.

Wazar v. Department of Health, 21 FCSR 258 (2006).

Dismissal of epidemiologist for sexual harassment for giving coworker offensive papers affirmed.

Donnelly v. Department of Corrections, 21 FCSR 266 (2006).

Dismissal of correctional probation senior officer for negligence and conduct inconsistent with maintenance of proper security for using technical violation letter in lieu of submitting affidavit, warrant, and violation report on high profile sexual offender classified as threat to the public affirmed. Mitigation not warranted where sixteen-year employment history is outweighed by disciplinary record and seriousness of conduct.

(Continued from page 3)

Noldon v. Department of Corrections, Case No. CS-2006-218 (Nov. 1, 2006).

Dismissal of correctional officer for failing to maintain professional relationship with inmate for sending money to inmate and for willful violation of agency directive or rule for being alone with inmate at the officer's station affirmed. Mitigation not warranted where seriousness of conduct outweighs five-year employment record with prior oral reprimand.

Clark v. Department of Corrections, Case No. CS-2006-218 (Nov. 1, 2006).

Demotion of correctional probation officer-institution to correctional officer for negligence for releasing an inmate from disciplinary confinement without supervisory authority and for failing to follow instructions for gathering victims' information via telephone rather than writing letters to state attorney's officers mitigated to five-day suspension. Officer's twenty-six year employment history with no prior discipline outweighed seriousness of conduct. Agency failed to demonstrate that officer's performance was substandard. Reinstatement and back pay awarded.

Williams v. Department of Corrections, Case No. CS-2006-227 (Nov. 9, 2006).

Dismissal of correctional officer for negligence for failing to aid inmate during inmate's suicide affirmed. Mitigation not warranted where unblemished fifteen-year employment history was outweighed by extremely serious breach of duty and such inaction precluded opportunity to save inmate's life.

Morcom v. Department of Corrections, Case No. CS-2006-228 (Nov. 9, 2006).

Dismissal of psychological specialist for negligence during inmate's suicide vacated where employee did not have authority or physical means to take affirmative action when inmate attempted suicide, and employee had recommended that inmate be transferred to protective dormitory following mental health assessment. Back pay awarded.

Davis v. Department of Juvenile Justice, Case No. CS-2006-254 (Nov. 9, 2006).

Dismissal of juvenile detention officer for inefficiency or inability to perform

assigned job duties based on doctor's recommendation that she could only perform light duty affirmed.

George v. Department of Corrections, Case No. CS-2006-209 (Nov. 14, 2006).

Appeal of five-day suspension dismissed for lack of jurisdiction where agency reduced discipline to written reprimand.

Wick v. Department of Juvenile Justice, Case No. CS-2006-258 (Nov. 16, 2006).

Fifteen-day suspension of detention officer for negligence related to altercation with juvenile affirmed.

Lopenski v. Department of Corrections, Case No. CS-2006-234 (Nov. 19, 2006).

Ten-day suspension of correctional officer for negligence and conduct inconsistent with maintenance of proper security for losing key to recreational area gate lock affirmed. Mitigation not warranted due to fourteen-year employment history riddled with prior disciplinary actions and seriousness of conduct.

Lewis v. Department of Corrections, Case No. CS-2001-200 (Nov. 21, 2006).

Appeal of dismissal of correctional officer sergeant dismissed where employee failed to timely comply with the Commission's order staying case pending outcome of related criminal case. Employee waited four years after resolution of criminal case to request hearing in his career service appeal.

Smith v. Department of Corrections, Case No. CS-2006-213 (Nov. 21, 2006).

Dismissal of clerk typist specialist for falsification of leave forms and giving false statements affirmed.

Blue and Williams v. Department of Juvenile Justice, Case Nos. CS-2006-285 and 289 (Dec. 7, 2006).

Dismissal of juvenile justice detention officers for negligence for using improper techniques during confrontation with youth affirmed.

Lucas v. Department of Highway Safety and Motor Vehicles, Case No. CS-2006-286 (Dec. 8, 2006).

Appeal filed by probationary employee dismissed for lack of jurisdiction.

Whaley v. Department of Children and Families, Case No. CS-2006-257 (Dec. 13, 2006).

Dismissal of human services worker for conduct unbecoming a state employee and violation of laws or agency rules for fighting with coworker vacated where attack was unprovoked, other party was the aggressor, and employee was engaged solely in self-defense. Back pay awarded.

Lee v. Department of Education, Case No. CS-2006-248 (Dec. 14, 2006).

Dismissal of vocational rehabilitation technician for conduct unbecoming a public employee for throwing object at coworker affirmed.

LaMontagne v. Department of Corrections, Case No. CS-2006-201 (Dec. 15, 2006).

Five-day suspension of correctional officer for unauthorized absence during emergency reduced to written reprimand because suspension was outside disciplinary range stated in agency's rules. Mitigation not warranted.

Monroe v. Orange County Board of County Commissioners, Case No. CS-2006-304 (Dec. 15, 2006).

Appeal filed by employee of Orange County Corrections Department dismissed for lack of jurisdiction.

Kozlowski v. Department of Corrections, Case No. CS-2006-268 (Dec. 18, 2006).

Ten-day suspension of correctional officer for negligence and willful violation of rules for improper use of force on inmate affirmed. Mitigation not warranted where seriousness of conduct outweighs three-year employment history.

Peddie v. Department of Business and Professional Regulation, Case No. CS-2006-278 (Dec. 18, 2006).

Appeal filed by employee who resigned dismissed for lack of jurisdiction.

Jones v. Department of Corrections, Case No. CS-2006-282 (Dec. 18, 2006).

Five-day suspension of correctional officer for conduct inconsistent with maintenance of proper security and welfare of institution and inmates for improperly completing and back-dating inmate property

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list affirmed. Mitigation not warranted where seriousness of conduct outweighs four-year employment history.

Taylor, Jr. v. Department of Corrections, Case No. CS-2006-291 (Dec. 19, 2006).

Twenty-day suspension of correctional officer for negligence for failing to confiscate contraband and timely write incident report affirmed. Mitigation not warranted.

Spartz v. Department of Juvenile Justice, Case No. CS-2006-293 (Dec. 19, 2006).

Dismissal of juvenile probation officer for conduct unbecoming a public employee for using profane, demeaning, and threatening language in conversation with coworkers affirmed.

Garzon v. Department of Business and Professional Regulation, Case No. CS-2006-132 (Dec. 20, 2006).

Dismissal of law enforcement captain for negligence for failing to ensure evidence was inventoried and secure and weapons were securely stored mitigated to demotion to lieutenant with reduction in pay. Agency improperly used extraordinary dismissal procedures where captain was already on involuntary leave and barred from office. Agency failed to prove captain intentionally deceived or misled the agency or failed to follow instructions. Fifteen-year employment record and disparity of treatment outweighed seriousness of conduct.

Peak v. Department of Corrections, Case No. CS-2006-253 (Dec. 28, 2006).

Dismissal of correctional officer for making racial remarks toward inmate, giving inmate's personal property to other inmates, vandalizing inmate's personal property, and falsifying reports relating to inmate's property affirmed. Mitigation not warranted where seriousness of conduct outweighs three-year employment history.

Brockman v. Department of Corrections, Case No. CS-2006-271 (Dec. 29, 2006).

Dismissal of correctional officer sergeant for willful violations of rules prohibiting inmate abuse, unprovoked physical assaults on inmates, and battery on inmate affirmed. Mitigation not warranted where

seriousness of conduct outweighs unblemished, eleven-year employment record.



Orlando Professional Firefighters, Local 1365, Inc., of the International Association of Fire Fighters v. City of Orlando, 32 FPER ¶ 202 (2006).

Union failed to establish that city committed unfair labor practice when it transferred union vice president to another duty assignment. Union had alleged that transfer occurred because employee's superiors were upset that he again ran for union office instead of seeking management position within the fire department. Union also failed to establish that two management employees made unlawful coercive statements.

International Union of Painters and Allied Trades, AFL-CIO, Local Union 1010, an affiliate of District Council 78 v. Marion County School Board, 32 FPER ¶ 204 (2006).

School board did not commit unfair labor practice when it denied two employees lay union representation in pre-grievance proceeding because it was only preliminary step, not part of grievance/arbitration procedure.

Federation of Physicians and Dentists/Alliance of Healthcare and Professional Employees v. Jeb Bush, Governor, State of Florida, 32 FPER ¶ 209 (2006).

State committed unfair labor practice when it dismissed physician for engaging in concerted protected activity of raising group concerns related to increased patient load and inadequate office space. Reinstatement of employee was appropriate remedy for state's improper conduct.

Local 1158, Clearwater Fire Fighters Association, Inc., IAFF v. City of Clearwater, 32 FPER ¶ 210 (2006).

City committed unfair labor practice by promulgating and maintaining overly broad no solicitation rule, and by discriminatorily

banning use of e-mail system for union's communications. Union was awarded reasonable attorney's fees and costs.

Bell v. Department of Highway Safety and Motor Vehicles, 32 FPER ¶ 215 (2006).

Commission affirmed General Counsel's summary dismissal of unfair labor practice charge due to lack of jurisdiction over allegations of racial discrimination and where events upon which charge was based occurred more than six months prior to its filing.

Colini v. Federation of Public Employees, A Division of the National Federation of Public and Private Employees, AFL-CIO, Case No. CB-2006-016 (Nov. 17, 2006).

Commission affirmed General Counsel's summary dismissal of charge alleging that union unlawfully failed to timely return employee's telephone calls seeking assistance with her employee rights and with what she could say during meeting. The General Counsel correctly determined that charge was deficient because it was not accompanied by copy of the collective bargaining agreement and employee failed to demonstrate that issue she wanted to discuss with union staff was matter covered by that contract. Additionally, remedy sought by employee, reimbursement of her union dues, was outside authority of the Commission to grant.

United Faculty of Florida v. FAMU Board of Trustees, Case No. CA-2006-040 (Nov. 21, 2006).

University committed unfair labor practice when it unilaterally altered its prior practice of allowing full-time employees to take courses without paying tuition. University had improperly changed its policy by adding requirements that employees first pay tuition and then seek reimbursement, be employed for one year in order to be eligible for plan, take courses related to employee's job duties, and attain grade of C or better in order to be eligible for reimbursement.

Manatee County School Board v. Manatee Education Association, FEA, AFT, Local 3821, AFL-CIO, Case No. SM-2006-035 (Dec. 6, 2006).

Commission majority denied union's opposed motion to stay special magistrate

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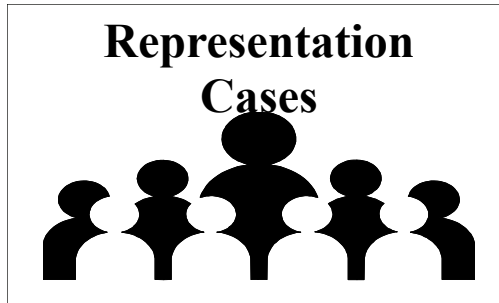
proceedings until resolution of pending unfair labor practice charge alleging that school board failed to bargain in good faith and declared premature impasse. Underlying time sensitive issue at impasse concerned teacher and class scheduling for reading remediation in schools, a matter of current legislative emphasis. The Commission deviated from its normal practice of granting such requests, in part, because the related unfair labor practice case was continued indefinitely due to illness of principal witness. Commissioner Kossuth dissented.

Rogers v. American Federation of State, County, and Municipal Employees, Florida Council 79, Case No. CB-2003-030 (Dec. 19, 2006).

Rogers filed an unfair labor practice charge against union alleging breach of duty of fair representation by failing to timely request arbitration of Rogers' termination by state agency. The case was subsequently stayed due to agreement between union and state to arbitrate issue of whether Rogers' grievance was timely filed. In October 2006, arbitrator issued opinion and award concluding that union had timely appealed Rogers' grievance to arbitration in November 2002. Union thereafter filed motion to dismiss the charge. Inasmuch as the arbitrator concluded that union timely filed Rogers' grievance, there were no further issues for Commission to resolve and the charge was dismissed.

Bell v. Department of Highway Safety, Case No. CA-06-051 (Dec. 20, 2006).

Bell's request that the Commission issue certificate of indigency in appeal of final order was denied where Bell failed to submit financial information required by Section 57.082(1), Florida Statutes.



Coastal Florida Public Employees Association v. Brevard County Tax Collector, 32 FPER ¶ 199 (2006).

Representation-certification petition seeking to represent unit of full-time and part-time non-supervisory employees granted.

St. Pete Beach Professional Firefighters Association, IAFF, Local 2266 v. City of St. Pete Beach, 32 FPER ¶ 203 (2006).

Unit clarification petition seeking to update firefighter unit description with current titles of included positions granted.

Transport Workers Union of America, Local 291, AFL-CIO v. Miami-Dade County Board of County Commissioners, 32 FPER ¶ 206 (2006).

Unit clarification petition seeking to include fifteen employees in transit revenue processing clerk classification into existing bargaining unit of transit operating employees granted.

Florida State Lodge, Fraternal Order of Police, Inc. v. City of West Melbourne, 32 FPER ¶ 207 (2006).

Consent election agreement seeking to represent non-supervisory bargaining unit of police officers and sergeants approved.

Dade County Police Benevolent Association, Inc. v. Miami-Dade County, 32 FPER ¶ 208 (2006).

Unit clarification petition seeking to add two newly created classifications of police complaint supervisor II and police dispatch supervisor II to supervisory unit of law enforcement officers granted.

Pinellas County School Board v. Pinellas County Police Benevolent Association, Inc., 32 FPER ¶ 211 (2006).

Unit clarification request dismissed where the parties filed joint letter requesting modification of bargaining unit. Parties

were required to file unit clarification petition because bargaining unit they wanted to modify was not described in generic terms.

SEIU Florida Healthcare Union Local 1999 v. Health Care District of Palm Beach County, 32 FPER ¶ 213 (2006).

Consent election agreement seeking to represent unit of blue and white-collar employees approved.

Coastal Florida Public Employees Association v. Brevard County Tax Collector, 32 FPER ¶ 214 (2006).

Employer's unopposed motion, filed after order directing election had been issued, to exclude newly created position of P.C. specialist I from bargaining unit as professional employee granted.

Coastal Florida Public Employees Association v. Brevard County Tax Collector, 32 FPER ¶ 219 (2006).

Representation-certification petition seeking to represent unit of supervisory, non-professional employees granted.

Local 2411, Professional Fire Fighters of Stuart, Florida, International Association of Fire Fighters v. City of Stuart, Case No. UC-2006-029 (Nov. 2, 2006).

Unit clarification petition seeking to include classifications of fire support specialist and EMS support specialist into existing bargaining unit of rank-and-file fire rescue personnel granted.

Pinellas County School Board v. Pinellas County Police Benevolent Association, Inc., Case No. UC-2006-031 (Nov. 14, 2006).

Unit clarification petition seeking to add newly created classification of investigations clerk to unit of investigators and dispatchers employed by school board's campus police department granted.

Coastal Florida Public Employees Association v. Brevard County Tax Collector, Case Nos. EL-2006-051 and EL-2006-054 (Nov. 16, 2006).

Commission stayed election for two bargaining units pending outcome of employer's unfair labor practice charge which alleged that union violated law by using its managerial employees to coerce employees into signing authorization cards, overtly demonstrating repeated and

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continuous support for union, and threatening that employees who did not support union would be subject to retaliatory measures.

AFSCME Local 1363 of the American Federation of State, County and Municipal Employees, AFL-CIO v. Jackson Memorial Hospital/Public Health Trust, Case No. UC-2006-033 (Nov. 16, 2006).

Unit clarification petition seeking to add classification of medical specialist to unit of non-professional, nonsupervisory operational service, administrative, and office and clerical personnel dismissed where union asserted that position was inadvertently omitted when bargaining unit was defined in 2002, but failed to explain how such clerical error or mistake had occurred, and employer opposed petition.

Local 4374, Islamorada Professional Firefighters Association v. Village of Islamorada, Case No. RC-2006-044 (Nov. 20, 2006).

Consent election agreement seeking to represent unit of nonsupervisory fire suppression personnel granted.

Florida Regional Council of Industrial and Public Employees, Local Union 2081, United Brotherhood of Carpenters and Joiners of America v. Jacksonville Port Authority v. Federation of Public Employees, A Division of the National Federation of Public and Private Employees, AFL-CIO, Case No. RC-2006-043 (Nov. 21, 2006).

Consent election agreement seeking to represent unit of nonsupervisory, non-professional employees approved.

Florida Police Benevolent Association, Inc. v. Sheriff of Hendry County, Case No. RC-2006-051 (Nov. 21, 2006).

Consent election agreement seeking to represent unit of deputy sheriffs, bailiffs, and investigators approved.

International Union of Painters and Allied Trades, AFL-CIO, Local Union 2301 v. City of Cape Coral, Case No. UC-2006-035 (Nov. 21, 2006).

Unit clarification petition seeking to add newly created classification of pre-treatment supervisor to bargaining unit granted.

Local 3182, Golden Gate Fire Fighters, International Association of Fire Fighters v. Golden Gate Fire Control and Rescue District, Case No. UC-2006-025 (Nov. 29, 2006).

Unit clarification petition seeking to add classifications of administrative captain, training captain, and inspector to bargaining unit of fire suppression personnel granted.

Zephyrhills Professional Firefighters, Local 3884, IAFF v. City of Zephyrhills, Case No. UC-2006-032 (Nov. 29, 2006).

Unit clarification petition seeking to include fire training officers in bargaining unit of fire suppression personnel granted.

Broward Teachers Union 1975, Florida Education Association (FEA), American Federation of Teachers (AFT), AFL-CIO v. City of Pembroke Pines, Case No. RC-2006-047 (Dec. 1, 2006).

Consent election agreement seeking to represent unit of charter school instructional personnel granted.

Knowlton v. Federation of Public Employees, a Division of the National Federation of Public and Private Employees, AFL-CIO v. City of Winter Haven, Case No. RD-2006-007 (Dec. 11, 2006).

Petition to revoke union's certification for bargaining unit of operational services employees granted.

Local 1991 of the Service Employees International Union, AFL-CIO, CLC v. Jackson Memorial Hospital/Public Health Trust, Case No. UC-2006-020 (Dec. 13, 2006).

Unit clarification petition seeking to include newly created classification of hospitalist in bargaining unit of physicians granted.

Florida Police Benevolent Association, Inc. v. Orange County Board of County Commissioners v. Charles E. Brookfield Lodge #86, Fraternal Order of Police, Case No. RC-2006-054 (Dec. 14, 2006).

Representation-certification petition seeking to represent unit of rank-and-file correctional officers granted.

National Federation of Public and Private Employees, AFL-CIO v. City of Margate, Case No. UC-2006-038 (Dec. 21, 2006).

Unit clarification petition seeking to include positions of fleet support specialist and inventory control specialist in bargaining unit of operational services employees granted.

NEW PUBLICATION

The Commission is pleased to announce the availability of a new publication, *Appellate Decisions in PERC Labor Cases*. This publication summarizes Florida appellate court cases involving unfair labor practice and representation cases, as well as veteran's preference, Whistle-Blower's Act, and Drug-Free Act cases, from 1969 to the present. *Appellate Decisions* is available at a cost of \$10.00, including postage and handling. Address inquiries to:

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Public Employees Relations Commission
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Elections Verified and Certifications Issued

Communications Workers of America, AFL-CIO, CLC v. City of Safety Harbor, Case No. EL-2006-046; Election 9/14 – 10/5/2006; Union lost.

Florida State Lodge, FOP v. Town of Melbourne Village, Case No. EL-2006-047; Election 10/5 – 10/26/2006; Union lost.

Florida State Lodge, FOP v. Town of Melbourne Village, Case No. EL-2006-048; Election 10/5 – 10/26/2006; Union lost.

SEIU Florida Healthcare Union, Local 1999 v. Health Care District of Palm Beach County, Case No. EL-2006-053; Election 11/3/2006; Union lost.

Hillsborough County Police Benevolent Association, Inc., d/b/a West Central Florida Police Benevolent Association v. Sheriff of Hillsborough County, Case No. EL-2006-049; Election 10/18 – 11/8/2006; Union won; Certification 1620.

West Palm Beach Association of Fire Fighters, I.A.F.F., Local 727, Inc. v. City of West Palm Beach, Case No. EL-2006-050; Election 10/18 – 11/8/2006; Union won; Certification 1619.

Florida State Lodge, FOP v. City of West Melbourne, Case No. EL-2006-052; Election 10/30 – 11/17/2006; Union lost.

Florida Regional Council of Industrial and Public Employees, Local Union 2081, United Brotherhood of Carpenters and Joiners of America v. Jacksonville Port Authority v. Federation of Public Employees, a Division of the National Federation of Public and Private Employees, AFL-CIO, Case No. EL-2006-056; Election 12/14/2006; Federation won; Recertification of certification 1462.



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