

THIRD DISTRICT COURT OF APPEAL OF FLORIDA

Antonio Major v. Sheriff of Monroe County

No. 3D25-494 · No. 3D25-494 · Decided December 31, 2025

SUMMARY

The Florida Third District Court of Appeal affirmed the Public Employees Relations Commission’s summary dismissal of Antonio Major’s unfair labor practice charge against the Sheriff of Monroe County. The court held that the charge was legally insufficient because it failed to satisfy statutory and regulatory requirements for sworn statements and documentary evidence establishing a prima facie violation.

CASE DETAILS

COURT	Third District Court of Appeal of Florida
WRITING FOR THE COURT	EMAS; LOGUE; GORDO
JURISDICTION	Florida Third District Court of Appeal
DECIDED	December 31, 2025
DOCKET	3D25-494
DISPOSITION	affirmed
PROCEDURAL POSTURE	Antonio Major appealed a Public Employees Relations Commission final order summarily dismissing his unfair labor practice charge as legally insufficient.
STANDARD OF REVIEW	The court reviewed the PERC final order and the record and affirmed the Commission's determination that the charge was legally insufficient.
PRECEDENTIAL VALUE	published
PARTIES	Antonio Major v. Sheriff of Monroe County

TOPICS

- unfair labor practices
- agency adjudication
- administrative law
- judicial review of agency action
- appellate procedure

PRACTICE AREAS

QUESTIONS PRESENTED

1. Whether PERC properly summarily dismissed Major's unfair labor practice charge as legally insufficient under section 447.503, Florida Statutes.
2. Whether an unfair labor practice charge must be supported by sworn statements and, where applicable, documentary evidence sufficient to establish a prima facie violation.

HOLDINGS

1. PERC properly summarily dismissed the charge because it was legally insufficient.
2. An unfair labor practice charge must be supported by sworn statements and, where applicable, documentary evidence sufficient to establish a prima facie violation; a charge that does not meet that threshold may be summarily dismissed.

KEY QUOTATIONS

“In order to establish a prima facie violation, the charge must include the names of the individuals involved in the alleged unfair labor practice, and the time and place of occurrence of the particular acts giving rise to the dispute.” (at 2)

“A factually deficient charge cannot be cured by resorting to the supporting documents.” (at 2)

FACTUAL BACKGROUND

Antonio Major filed an unfair labor practice charge against the Sheriff of Monroe County with the Public Employees Relations Commission. The charge was summarily dismissed because the Commission determined it was legally insufficient. On appeal, the Third District reviewed the record and upheld the dismissal.

PROCEDURAL HISTORY

Major initiated an unfair labor practice charge under section 447.503, Florida Statutes. The Public Employees Relations Commission summarily dismissed the charge, determining that it was legally insufficient. The Third District Court of Appeal reviewed the record and affirmed.

DISPOSITION

affirmed

CASES CITED

- *Gibbons v. State Pub. Emps. Rels. Comm'n*, 702 So. 2d 536, 536 (Fla. 2d DCA 1997)
- *Bertrand Simmons, Charging Party, v. Tampa Bay Area Transit Workers Union, Inc., Respondent*, 42 FPER ¶ 96 (2015)
- *Sch. Dist. of Indian River Cnty. v. Fla. Pub. Emps. Rels. Comm'n*, 64 So. 3d 723, 727 (Fla. 4th DCA 2011)

