



# THE SEAGULL POSTSCRIPT

The Official Newsletter of the Collier County Association of  
Educational Office and Classroom Assistant Personnel (CCAEOCAP)



Affiliated with the Florida Education Association/NEA/AFT

Vol. LV, Issue No. 1, January 2019

## WHY WRITE A REBUTTAL?

Many times, I counsel OCAP members to make sure they write a rebuttal letter, whether it be your evaluation, a Conference Summary, letter of reprimand, or anything else placed in your file in which you don't agree with. Rebuttals are written so that a member's impression, reactions, and additional information are "on record." The rebuttal refutes and counters inaccuracies, misconceptions, erroneous statements, and down-right falsehoods placed there by administration. Let's face it, no CCPS administrator who places a disciplinary letter in an employee's file is going to write it from the OCAPer's point of view. It is up to you to set the record straight.

The information you write in your rebuttal may be helpful in future proceedings against you or it may simply correct the record and/or provide additional information. ***Failure to write a rebuttal can be viewed as admission of guilt.***

### GUIDELINES FOR EFFECTIVE REBUTTALS

1. Seek advice from CCAEOCAP staff or your OCAP President.
2. Before writing any rebuttal, review the contract and CCPS Board policy.
3. Respond to each bulleted point you disagree with, even if it is a minor difference.
4. Reference the date and subject matter in the opening paragraph.
5. Comment on any:
  - Improper administrative act
  - Failure of management to provide proper assistance
  - Circumstances that were beyond your control
6. **ALWAYS** indicate when administrative assistance was requested but not provided.
7. Tell your side of the story.
8. Summarize your points at the conclusion of letter, explaining again why you feel what was written is incorrect.

Call the CCAEOCAP office at 239.592.7773 for assistance in writing any rebuttal!

## FMLA:

### WHAT YOU NEED TO KNOW

Since it became law in 1993, the Family and Medical Leave Act (FMLA) has saved countless jobs for union members and non-members. The law prevents employers, like CCPS, from firing or disciplining employees who must miss work for serious medical issues or care for family members. In most cases, CCAEOCAP-eligible members can take up to 60 days of leave (12 work weeks) within a 12 month period. The law can also be used to bond with new children. Not surprisingly, employers and the so called specialists they hire to run FMLA, frequently misapply the law and deny leave or impose discipline.

CCAEOCAP staff works very closely with our members through the entire process and make sure they receive the proper entitlements due to them under the law. If you are an OCAP member considering FMLA leave, contact the union office. A summary of the law is below:

- CCPS can demand a doctor's signature on the leave form.
- An authorized provider includes physicians, chiropractors, clinical psychologists, social workers, nurse practitioners and physician assistants.
- The initial request for FMLA must be in writing.
- CCPS must allow you 15 days to submit the request. Additional time must be allowed if the doctor does not complete the form in a timely manner.
- CCPS must approve the leave when a doctor certifies the form, even if they disagree with the opinion of the doctor.

It is important to know your rights. This is another case of the union fighting for what is right, even for those who are not members.

**OCAP MEMBERS  
WE NEED YOUR HELP!**

We had a great membership drive last year when the legislature threatened all unions under 50% with nullification. We were able to increase our membership to 54%.

Since that time, almost 100 OCAP eligible employees have been hired, and 90 of them have not joined our ranks.

Please be on the lookout for them. Your union building rep has the list, we need your help in signing them up.

Remember, you get \$50 as a recruiter bonus for each new member you get to join.

There is a blank membership form at the bottom of this sheet. Make sure you put your name on the recruiter line.

**DISCOUNT MOVIE TICKETS**

**\$9.00/ea \*OCAP Members Only\***

Purchase tickets at the **Association Office**  
6710 Lone Oak Blvd Naples, FL 34109  
Monday - Friday / 8:30am - 4:30pm

The Seagull Postscript is the official publication of the Collier County Association of Educational Office and Classroom Assistant Personnel located at 6710 Lone Oak Blvd., Naples, FL 34109.

Office Hours: 8:30am - 4:30pm Monday - Friday

Phone: (239) 592-7773

Fax: (239) 592-6484

E-mail: <http://colliercea.fea.aft.org/>

Website: [www.colliercea.fea.aft.org](http://www.colliercea.fea.aft.org)

**Connie Steed** President/Editor  
(SteedCo@collierschools.com)

**Jonathan Tuttle** Executive Director  
(Jonathan.Tuttle@floridaea.org)

**Lyle Farmar** Member Rights Advocate  
(Lyle.Farmar@floridaea.org)

**CALENDAR OF EVENTS**

- 1/17 **TIGER Meeting** 4:30pm Assoc. Office
- 1/21 **SCHOOLS CLOSED**
- 2/14 **OCAP Monthly Meeting** 5:30pm Assoc. Office

**OCAP MEMBERS . . .**

**GET \$50 FOR EACH NEW MEMBER  
YOU RECRUIT**

\* Does not include anyone previously enrolled \*

**Collier County Association of Educational Office & Classroom Assistant Personnel (CCAEOCAP)  
MEMBERSHIP ENROLLMENT FORM**

\_\_\_\_\_  
Last Name                      First Name                      Middle Initial

\_\_\_\_\_  
Mailing Address                      City                      State                      Zip Code

\_\_\_\_\_  
Phone                                              Original Hire Date

Home E-Mail Address: \_\_\_\_\_

Employee ID: \_\_\_\_\_

School Worksite: \_\_\_\_\_

Payment Plan:  
\_\_\_\_ Cash [Check # \_\_\_\_\_ ]  
\_\_\_\_ Payroll Deduction

**FOR OFFICE USE ONLY**

DB: \_\_\_\_\_

CCPS: \_\_\_\_\_

RB: \_\_\_\_\_

I hereby authorize the District School Board of Collier County, according to arrangements agreed upon with the CCAEOCAP, to deduct from my salary and transmit to said Association such dues as annually certified by said Association. I hereby waive all rights and claims to said monies so deducted, except as noted below, in accordance with this authorization and relieve the School Board and all its officers from any liability therefor. This authorization shall remain in full force and effect for all purposes while I am employed by this school district or until revoked by me upon thirty (30) days advance written notice to the School Board's Business Office and said Association. The annual dues payments earmarked for the Collier County Education Association may be deductible as a miscellaneous deduction for federal income tax purposes.

Employee Signature \_\_\_\_\_

Date \_\_\_\_\_

Recruiter's Name \_\_\_\_\_

Date \_\_\_\_\_