



# THE PELICAN POST

Collier County Education Association—Affiliated with FEA/NEA/AFT  
Serving the Education Community of Collier County

Vol. XXXX No. 1

JANUARY 2019

## FROM THE PRESIDENT'S DESK

The last words I left you with were, "...may 2019 be amazing!" Two weeks into the new year, the second largest school district in the nation is on strike for better learning conditions for their students, reducing class size, and adding more support staff are just a couple of issues at the heart of the matter, in addition to better pay. As their union president Alex Caputo-Pearl stated, "We're in a battle for the soul of public education." Thank you to those who wore red on January 14<sup>th</sup> and shared social media posts to show support for our L.A. colleagues.

I had the opportunity to participate in two tele-conferences with union leaders across the nation prior to the UTLA going on strike. Our own state's FEA President Fed Ingram spoke to the group on the second call, as there is a legislative agenda in Florida to promote charter schools and/or vouchers to private schools, which funnel money from our traditional public schools. In fact, Governor DeSantis echoed words in his inaugural address we have heard the past four years from previous local school board members "...our education systems needs to empower parents to choose the best possible school for their children."

We must be informed and we must advocate for traditional public education. With that said, I've written several asks for each of you this school year. In August, I asked you to make sure you were registered to vote. I also asked that you make sure CCEA has your correct contact information. In September, I asked you to take care of yourself. In October, I asked you to step up and do something simple. In November, I asked you to take advantage of your Faculty Advisory Council. For 2019 I am asking you to stand up for public education. We all have a sphere of influence and I am asking you to use it to advocate for our students and the future of public education. For a start, please join us at a TIGER Roundtable before May.

In Unity,

*Lisa Hicks*

## STAND UP FOR STUDENTS

In the movie world when there is a classic battle between good and evil, the audience knows the good guys wear white and the bad guys wear black. In the world of politics versus public education, it's the dark suits against the #RedForEd T-shirts.

According to an article on racked.com, the wearing of red began as a grassroots' movement in 1989 by union workers in New York state, and 'Wear Red to Support Public Ed,' was later adopted by teachers' unions that "aimed to push for more funding of public education, and striking teachers have taken to wearing 'Red for Ed' shirts as a result." Red symbolizes passion, anger, and a fiscal crisis in the business world, which many school districts are facing due to a dismantling and underfunding of traditional public education. Wearing a conspicuous color such as red creates solidarity and a visible sea of color that reveals strength in numbers.

Thus, woefully underpaid, working in dilapidated schools in overcrowded classrooms, by 2018, tens of thousands of passionate and angry teachers hit their limit and began walkouts. It began in the spring of 2018 in Arizona, and soon other states joined the #RedForEd movement to fight for funding of public education. Teachers in Colorado, Oklahoma, Kentucky, West Virginia, North Carolina, and now Los Angeles, went on strike to show they aren't going to sit down and remain silent any longer. Public school teachers in Denver may be next to wear #RedForEd T-Shirts in picket lines.

In Florida, we, too, are facing a grim future as traditional public school educators. Although we cannot strike, we can display our strength in numbers by visibly participating on the 4<sup>th</sup> Tuesday of each month by wearing red. As defenders and advocates of our vocation, our schools, and our students, we can stand together as one voice and send a pointed message to those who want to dismantle public education by starving it to death. We can signal that we've had enough. Think of it as holding up a stop sign. The #RedForEd message is "STOP underfunding our schools!"

*Annette Hall, First VP*

**CCEA MEMBERS...**  
**EARN A \$50 BONUS FOR EACH NEW\* MEMBER YOU RECRUIT**

\* EXCLUDES ANYONE PREVIOUSLY ENROLLED IN CCEA \*



## WHY WRITE A REBUTTAL?

Many times, I counsel CCEA members to make sure they write a rebuttal letter, whether it be in response to your CTEM evaluation, a Conference Summary, letter of reprimand or anything put in your file in which you don't agree with 100%.

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 teacher'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 CCEA office staff or your CCEA 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 end of letter, explaining again why you feel what was written is incorrect.

**Call the CCEA office at 239.592.7773 for assistance!**

*Lyle Farmar, Member Rights Advocate*

## 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, CCEA 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 specialist they hire to run FMLA, frequently misapply the law and deny leave or impose discipline.

CCEA staff work 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 a CCEA 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.

### **What FMLA is NOT:**

- ◆ A tool to avoid or delay disciplinary action from the district.
- ◆ A "paid" time off. FMLA is unpaid leave.
- ◆ Available to everyone. You must have previously worked at least 1,250 hours to qualify, so FMLA is not available to new hires.

*Lyle Farmar, Member Rights Advocate*

## KNOW YOUR RIGHT TO REPRESENTATION

### **CALLED TO A MEETING WITH YOUR SUPERVISOR?**

**REMEMBER:** If a reasonable person would believe that discipline could resort from the meeting... ***You have the right to representation.***

**ASK:** "WHAT IS THE PURPOSE OF THE MEETING?" Could discipline result from the meeting? If so...

**STATE:** "I WANT UNION REPRESENTATION" You can ask for representation at anytime during the meeting.

### **DO NOT BE INSUBORDINATE IF DENIED REPRESENTATION**

- ◆ Attend the meeting
- ◆ Keep asking for union representation
- ◆ Take good notes
- ◆ DO NOT sign or agree to anything
- ◆ DO NOT make or write statements

***CALL the CCEA Office immediately for assistance  
239-592-7773***

## STRIKE OUT

### The Florida Constitution and Florida Statutes: Chapter 447.505, Prohibit Public Employee Strikes.

As nationwide walkouts take place, we see that the decade long attacks on public education, it's employees and our unions have motivated activists to take action. But in Florida, activist options for teachers and education staff professionals are somewhat limited.

Walking off the job or reporting to work late is not an appropriate action and it comes with harsh consequences. It is important for all FEA members to follow the law.

Both the Florida Constitution and statutes expressly prohibit public employee strikes. A strike is defined broadly to include any concerted action or omission by employees that adversely affects the performance of their duties or the delivery of services by their employer. That includes concerted stoppages and slowdowns, absence from or abstinence of duties, and resignations. Even preparing for, instigating, or supporting a strike is prohibited.

The penalties placed on public employees who strike are swift and severe. If you strike, you can be terminated, action may be brought against your certificate, you will lose all of your retirement benefits, and if you are ever reemployed, it will be on probationary status for 18 months and your salary will be frozen for at least 1 year at the level it was when you began the strike.

Penalties against the union are also harsh. The union will be decertified, lose the right to dues deduction and be penalized the greater of \$20,000 a day or the cost to the public for the strike. Additionally, officers and employees could face \$50-\$100 daily fines.

So as difficult as the times are, we urge you not to be misled into taking action which could potentially harm you personally and the local and state organizations which represent you. In other words, **do not strike** or take other illegal actions.

*Taken from a 2012 FEA article*

## In Memoriam

Terry Clark, former CCEA Executive Board member and LES Building Rep, passed away last week after a courageous fight with a long illness. Terry's passing left us reflecting on the legacy he leaves behind. Terry never hesitated to stand up for what he thought was right. His colleagues and students came to rely on him to help defend their rights and be their advocate. He embraced his calling and executed it with passion. Terry believed in the purpose and importance of a teachers' union. Terry made a positive difference for his students, colleagues, and this organization, and he will be missed.

*Karen Pelletier & Patti Jones Ragusa*

## PRINCIPAL ASSESSMENT SURVEY

Every year, the CCEA provides a method for all teachers to evaluate their principals. This Principal Assessment Survey is the only such instrument in the county that allows teachers to grade their principals professionally and without fear of reprisal. It is our hope that CCPS principals will view the results of this survey in the constructive manner in which it was created.

The results and comments are shared with principals and select personnel at the Martin Luther King Center and will be available at the CCEA office for any member to come and review. Please bring your identification with you to the office so we may verify membership. No copies will be permitted.

- ◆ Our goal is to have the **survey results available for viewing previous to the Transfer Fair on March 6th.**
- ◆ In order to facilitate this, we need a quick turnaround. Hopefully each school will come up with a plan to get these **completed and delivered back to CCEA by 2/1/19.**

CCEA staff can assist if absolutely necessary, but with 50 schools and only 2 staff members available to travel, we hope each school can find a way to deliver them to us.

Thank you in advance for your assistance with this important project.

## FULL CONTRACT OPEN FOR NEGOTIATIONS!

Every three years, CCEA's entire Collective Bargaining Agreement is open for negotiations. This is our opportunity to make important changes in any article we choose. Please email any suggestions and rationale to [jonathan.tuttle@floridaea.org](mailto:jonathan.tuttle@floridaea.org).

## CCEA BUILDING MEETINGS

In a perfect world, all CCEA Building Meetings would be well-attended at every worksite in the district on a regular basis. Clearly, with all the demands on teachers every day of the week, this is simply not the case. CCEA Staff is ready, willing, and able to visit every school, but there must be a balance.

It costs CCEA time and money to travel to our many work sites in such a large district; therefore, CCEA Staff will attend worksite meetings only if our members want or need such meetings and attend them, as well.

Moving forward, Rhonda will include a RSVP request in her meeting reminders to members at the worksites. If fewer than 7 positive responses are received, staff will not be in attendance. Please contact your Building Rep if our Staff does not visit your school and you would like them to do so.

*Jonathan Tuttle, CCEA Executive Director*

**PELICAN PAYROLL 2.0**Get Active with CCEAEarn **PELICAN BILLS**Shop the **PELICAN'S NEST**Check the CCEA Bulletin Board at  
your School for More Details**TIGER ROUNDTABLE****With Guest Roy Terry**

Thursday, February 21, 2019

5:00pm CCEA Office

**CALENDAR OF EVENTS**

- 1/29 **DROP Workshop** (5:00pm / CCEA Office)
- 2/5 **School Board Meeting** (4:30pm / Ad Ctr)
- 2/12 **CCEA Exec. Board Meeting** (4:30pm / CCEA Office)
- 2/19 **Social Security Workshop** (5:00pm / CCEA Office)
- 2/21 **TIGER Roundtable** (5:00pm / CCEA Office)
- 2/21 **TIGER Exec Board Meeting** (6:00pm / CCEA Office)
- 2/26 **CCEA Rep Council** (4:30pm / CCEA Office)

The Pelican Post is the official publication of the **Collier County Education Association** located at 6710 Lone Oak Boulevard, Naples, FL 34109.

**Hours:** 8:30am - 4:30pm Monday - Friday**Phone:** (239) 592-7773**E-mail:** collier@floridaea.org**Fax:** (239) 592-6484**Website:** ccea-ocap.com**Facebook:** <https://www.facebook.com/CCEAOCAP/>**Lisa Hicks**

President/Editor

Lisa.Hicks@floridaea.org

**Jonathan Tuttle**

Exec. Dir./Asst. Editor

Jonathan.Tuttle@floridaea.org

**Lyle Farmar**

Member rights Advocate

Lyle.Farmar@floridaea.org

**Rhonda Shimel**

Office Manager

Rhonda.Shimel@floridaea.org

## Collier County Education Association, Inc. (CCEA)

### 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 CCEA, 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 \_\_\_\_\_