



# 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

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September 2021

## CONTRACT NEGOTIATIONS

As many of you know, we are set to begin negotiations for the entire OCAP contract. **Our first bargaining session is scheduled for Tuesday, September 21<sup>st</sup> at 4pm at the CCEA office.** Your OCAP bargaining team has met several times to formulate proposals that will ensure the fairest, most equitable contract possible. With the dangers of COVID, a significant amount of unfilled noninstructional vacancies, and an economy that is very competitive for lower wage workers, we feel that it is imperative for the district to come to the table with significant adjustments to the pay schedules to keep up with what is happening in the market. Our sister union, CCEA, has already been to the table with the district and we anticipate that there will be some space between where OCAP wants the financial package to be and where the district is. We feel strongly that the district needs to offset the rising cost of living and inflation while also rewarding the staff for the outstanding work they've done during the COVID pandemic. The bargaining team needs your help to get there! *Now is the time to talk to your non-member peers about joining the union as we need the most unified voice possible at the bargaining table.* We are strongest together! Stay tuned for more updates...

*Adam Schowalter, Executive Director*

## YOUR LEGAL RIGHTS

Most education employees go through their entire careers without facing disciplinary or legal action. But if problems do come up, CCAEOCAP members can access the best and most comprehensive free legal program of any professional association in the state — covering every aspect of their personal, professional and organizational lives. FEA's Legal Services Program protects the employment rights of members with both emergency and long-term legal services ranging from legal representation on employment matters like disciplinary actions and certification issues, to complex legal challenges. In addition to FEA's Legal Services Program, you have basic rights on the job as a union member and have additional rights spelled out in OCAP's contract or Collective Bargaining Agreement. Your right to a duty-free lunch, 15 minute break, overtime, and paid holidays. These are all part of what was legally fought and won by CCAEOCAP for you.

FEA Legal manages all aspects of the legal services programs, but all FEA legal services are initiated at the local level. And just like car insurance, you can't get into an accident and then call State Farm and ask to join.

Any incidents that occur prior to you filling out a membership form are not covered. If you have questions or need legal assistance, please first contact Lyle Farmar at 239-592-7773.

And as a reminder, IF you get called into a meeting by an administrator, you have the right to know the nature of the meeting. I always advice members to put it in writing. Ask, "Is there any chance this meeting could be disciplinary"? If the answer is yes, you can postpone meeting until I can attend.

*Lyle Farmar, CCAEOCAP Member Rights Advocate*

## FMLA DURING COVID

No district employee, whether a 30 year veteran or just hired, has experienced what is happening right now. Stress, strain, and unsafe working environments have never been higher.

OCAP members almost always put their own needs last. If your working conditions reach a point where you need a break you may want to look into FMLA leave.

The Family Medical Leave Act (FMLA) is an important law that allows employees to take leave for medical reasons and not agonize that they will lose their job. FMLA can be used to treat or recover from a serious health condition that incapacitates you for three or more days, for the care for a family member, or for birth or adoption. Serious health conditions include injuries, or illness that involve continuing medical treatment for more than three consecutive days. FMLA can be used for up to 12 weeks a year.

There are two unique sections of FMLA that pertain only to educational employees. One is that summer break does not count towards FMLA. So, if a ESE Assistant took four weeks at the end of a school year for new child leave, she could also take eight more weeks once school resumed. OCAP has contractual language that would allow in certain situations to take the entire year following the birth of a child.

The other situation involves intermittent leave. An employee who needs time off on a reduced schedule basis, which is foreseeable based on planned medical treatment, and who would be out more than 20% of the school days during that period, can be required to choose between:

1. A temporary transfer to a position which has equivalent pay and benefits, or
2. A full time leave for the period in question

OCAP is here to answer all your questions about FMLA. The CCPS contact person for FMLA is Dan Davidson, 377-0360.

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(Cont. from Pg. 1)

Please note, retaliation is not allowed by an employer for someone who takes FMLA leave. If you feel this has happened, contact Lyle Farmar immediately. A non-Union worker must hire a lawyer and sue in court. CCEA members, protected by a contract enforcement, can assert their rights without fear of retaliation. If needed, OCAP can file grievances and take the issue to arbitration.

## OCAP MONTHLY MEETING 2021 - 2022 SCHEDULE

**Oct 21 / Nov 11 / Jan 13 / Feb 10 / Mar 10 / Apr 14 / May 12**



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.


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### TIGER Meeting Schedule

Oct 5 / Nov 2 / Dec 7 / Feb 1  
 Mar 1 / Apr 5 / May 3




Meeting info/details will be sent to your home email address.

### MEMBERS ONLY BENEFIT

Discount Movie Tickets Can Be Purchased at the Association Office (Mon-Fri / 8:30pm—4:30pm)

**\$9.00/ea**



[www.ccea-ocap.com](http://www.ccea-ocap.com)

**Earn some extra cash...**



**Get \$50 for each \*New Member you recruit**

Use the form below or go to [www.ccea-ocap.com](http://www.ccea-ocap.com) to download the enrollment form  
 (\* Not previously enrolled in OCAP)



## 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

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**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 _____