

WHEN IT'S NECESSARY TO WRITE A REBUTTAL TO A NEGATIVE EVALUATION OR CORRECTIVE ACTION

Florida Statutes, as well as your collective bargaining agreement (CBA), give you a right to react to your annual performance evaluation by filing a rebuttal. A rebuttal may also be written as a response to any written or verbal review of a faculty's performance or any form of corrective action.

Rebuttals are written so that the member's impressions, reactions, and additional information are on the record. The rebuttal refutes and counters inaccuracies, misconceptions, erroneous statements, and any statement deemed as misleading or disparate.

The information included in a rebuttal statement may be helpful in some future proceeding instituted against an employee or it may simply correct the record or provide additional information for the evaluator's further review.

GENERAL GUIDELINES FOR EFFECTIVE REBUTTAL WRITING

1. See especially Articles 10 and 11 of the CBA. Before writing any rebuttal, review the contract provisions and/or FSU policies governing appraisal, corrective action, just cause, etc. In some cases, it may not be enough to write a rebuttal. Other avenues such as filing a grievance may also need to be pursued. Watch out for grievance deadlines. **A FORMAL CHALLENGE TO AN EVALUATION MUST BE FILED WITHIN 10 DAYS OF ITS RECEIPT.**
2. Seek advice from your UFF department representative/steward, a Grievance Officer, or UFF staff person in drafting a rebuttal. Contact information is at the UFF-FSU web site. The UFF-FSU Grievance Chair is Dr. Lee Stepina, 644-7847.
3. Carefully analyze the evaluation materials and highlight comments or statements which you believe are not true or accurate.
 - a. Dissect the document thoroughly.
 - b. Utilize the facts as they occurred to develop a statement which is in your best interest. Rebuttals should not be sarcastic or accusative.
4. Prepare an outline listing each item you wish to rebut in the same order as it appears in the evaluation material.
5. Reference the date and subject matter of the evaluation material in your rebuttal's introductory paragraph.
6. Negative comments you wish to comment on may relate to:
 - a. An improper administrative act.
 - b. Failure of the administration to provide proper assistance and/or materials.
 - c. Circumstances beyond the control of the faculty member.
 - d. Inaccuracies, misconceptions, and erroneous, misleading, or disparate statements.
7. Always indicate when administrative assistance was requested but not provided.
8. In the body of the rebuttal statement include your version of the incident or reason why you believe the comments or statements are false or inaccurate.
9. The rebuttal should emphasize any contractual and/or legal violations in the procedures followed by the administration.
10. Lastly, summarize your points briefly explaining again why you feel that the evaluation material is incorrect.

If you ever receive any type of verbal or written personnel evaluation which you believe contains false, inaccurate or erroneous information or allegations with which you don't agree, immediately prepare a rebuttal statement and submit it for inclusion in your evaluation file. Failure to write a rebuttal may be viewed as your acceptance of the evaluation's accuracy and appropriateness.

United Faculty of Florida

FEA/AFT/NEA/AFL-CIO

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