



TAMC Nuts & Bolts

Teamsters Aviation Mechanics Coalition Newsletter

Volume 1, Issue 4

TAMC Newsletter Special Edition

As you may know the Teamsters Aviation Mechanics Coalition (TAMC) was formed two years ago for the purpose of advancing our interests in the airline industry. Our first big fight has been the war on outsourcing with a focus on foreign outstations. We have stated from the beginning that foreign MRO standards are lax and thus, those facilities are a real threat to the flying public.

On November 18, the TAMC represented the Teamsters Airline Division and the Teamsters Union by providing testimony before the House of Representatives subcommittee on Transportation Security and Infrastructure Protection. The hearing, titled "Is the Flying Public Protected? An assessment of Security as Foreign Outstations," was focused on the TSA's inability to provide rules governing criminal background checks, drug testing and facility security.

These are issues that have been of major concern to all of us for quite some time and we are now on record with not only our criticism of the current situation but our recommendations to correct the problem. Interestingly, the TSA issued a NPRM on November 16, just two days prior to the hearing which included many of the items we have been lobbying for.

This issue of the TAMC newsletter is a special edition focusing on our testimony given before the House of Representatives subcommittee on Transportation Security and Infrastructure Protection, the TSA's NPRM and other recent events within the airline industry that are worth a second look.

House Subcommittee Hears Teamster Testimony



The House Subcommittee on Transportation Security and Infrastructure Protection heard testimony last Wednesday from the Teamsters Union about security at overseas repair stations. In both written and oral testimony, the Teamsters Union said there should be a single security standard for aircraft repair stations in the U.S. and overseas.

Chris Moore, a Teamster airline mechanic and chair of the Teamsters Aviation Mechanics Coalition, testified that he had witnessed lax security at the Aeroman facility at El Salvador International Airport, which now handles four lines of heavy maintenance for Southwest Airlines. Moore, who has worked for Continental Airlines at George Bush Intercontinental Airport in Houston since 1986, visited Aeroman in June.

Moore told the subcommittee that Aeroman had no electronic card reader to verify that escort badges are valid. In Houston, a card that fails to be verified by electronic card readers will immediately draw a law enforcement officer.

TSA conducts surprise inspections of mechanics in the United States, though Moore saw no such inspections in El Salvador. Further, he saw no patrols of the perimeter, though many other businesses were patrolled by armed guards.

"Is there real control over who is actually working on our aircraft in a developing economy?" Moore said. "When the aircraft is stripped bare and there are literally thousands of places where explosives or other contraband can be hidden, are we willing to take that chance?"

Subcommittee Chairwoman Sheila Jackson Lee (D-TX) thanked Moore for his testimony, calling the utilization of America's workers a "key element of security."

The purpose of the hearing was to determine if security at repair stations is adequate and if further collaborations between the transportation industry and Homeland Security need to be made. The hearing clearly put pressure on the TSA to tighten security restrictions at repair stations. Two days prior to the hearing, the TSA posted a proposed rule to its website focusing on security at airplane maintenance facilities.

Under Pressure



Lax security has long been a concern of both the Teamsters Aviation Mechanics Coalition (TAMC) and the government. For years, both entities have had the same trepidation: terrorists might use repair stations to sabotage airplanes.

In 2003, citing those concerns, Congress passed a law ordering the TSA to tighten security requirements at repair facilities.

Four years later, in 2007, after the TSA failed to meet those requirements, Congress passed yet another law ordering the TSA to put security requirements in place within one year's time.

The TSA finally posted a proposed rule to its website tightening security requirements last week. The posting came just two days before the House Subcommittee on Transportation Security and Infrastructure Protection heard testimony from industry experts about problems lax security might cause.

Though the TSA posted the proposed rule on their website, six years after Congress first required the agency to restrict security, it still isn't a done deal.

TSA Finally Posts Proposed Security Rule to Website

According to the LA Times, industry and other interested parties will have 60 days to comment on the proposal once it's published in the Federal Register. Unfortunately, there is no telling when that will happen.

Nevertheless, the proposal does contain security items that the government and other parties—including the TAMC—have been calling for years: a qualified security program chief, photo identification for employees, controlled access to aircraft and parts, a secure facility and background checks of employees.

In the eyes of the Teamsters, there is still one major loophole in the TSA's proposal: the rule only covers domestic repair stations.

"It's long past time to tighten security at overseas repair stations seven years after an aircraft repair technician who belonged to al-Qaida was arrested in Singapore," said Teamsters Airline Division Director Bourne "Though we applaud the Transportation Security Administration for proposing a new security rule, we think that it should include all foreign air stations."

Bourne added all security standards need to be equivalent to those in the U.S., including background checks.

Nonunion Concern

Much of the security concern has to do with improperly trained or unlicensed mechanics, electricians and other workers working on airplanes at foreign repair stations, many of which use cheaper, nonunion labor.

A survey released last year by the Transportation Department Inspect General found that nine major airlines outsource about 70 percent of their major maintenance work, with more than a quarter of the work performed at foreign repair stations from China to Singapore to El Salvador.

As TAMC Chair Chris Moore testified before the House Subcommittee on Transportation Security and Infrastructure Protection, many foreign repair stations lack the same security standards as their domestic counterparts.

Earlier in the year, Moore traveled to the Aeroman facility at El Salvador International Airport, which now handles four lines of heavy maintenance for Southwest Airlines.

"The only way to ensure security is to raise standards at all repair stations," Moore told the subcommittee last Wednesday. "As long as there is a bottom line in this industry, the race to the bottom will continue. Aviation security and safety shouldn't be about money; it should be about saving lives."

Legal Loophole Allows Non-Certified Mechanics to Work in U.S.

By Dave Saucedo



U.S.-certificated airline mechanics are facing a systematic decline in pay because of immigration law and regulatory loopholes.

I saw firsthand how a foreign-owned aircraft repair firm exploits both those loopholes to drive down airline mechanics' wages – within the borders of the United States.

Singapore Technologies Engineering owns two of the largest MRO facilities in the United States: S T Mobile Aerospace (MAE), in Mobile, Ala., and San Antonio Aerospace (SAA) in San Antonio, Texas.

The company recruits non-certificated foreign workers, bringing them into the U.S. legally to replace U.S. workers at lower pay scales. It can do so because Federal Aviation Administration regulations allow non-certificated mechanics to work on airplane. Also because immigration law allows foreign workers in specialty occupations to work temporarily for employers in the U.S. under H-1B visas.

I visited S T Mobile Aerospace with two other United Airlines mechanics. Combined, we have more than 60 years' experience. We were sent to Mobile to recover an engine for Pratt and Whitney. While we were there, we befriended some of the MAE foreign workers. Combined, these ten or so workers had less than half the years of experience we had.

The MAE workers were assigned to complete the engine pre-shipping process and to help us where needed. We did just fine on our own, but we enjoyed the company.

While there, we marveled at how many of these workers it took to perform even the simplest task like removing a tail cone. We also saw the extraordinary amount of time spent on each job. How can this be a cost savings to the airlines?

We noticed that each crew's tasks were precisely pointed out by the shift supervisor who spoke to only one man. We later learned that man was named the "lead" because he could translate English to other crew members. The shift supervisor would return at infrequent, long intervals to check on the progress and assign tasks. He and he alone, carried the necessary FAA-mandated paperwork.

This maintenance crew at MAE was from the Philippines. They were very pleasant. We made friends quickly and in limited English managed to communicate well enough.

They explained how they used certificates and licenses from their own country to obtain foreign visas and secure guaranteed work even before they left home. I, in turn, explained to them how a jet engine operates. Some were obviously hearing this for the first time but I don't blame them. God bless any worker who does all he can for his family.

According to my new friends at MAE, a contracting company is offered a certain dollar amount to fill a vacancy. The agency, such as Aircraft Workers Worldwide, in Daphne, Alabama, will find people in other countries, like the Philippines, who will leave their homes and family in search of work. After paying a fee, they are then helped to obtain the required and necessary documents, brought to the U.S. and put to work as contractors.

They start at a fraction of the amount paid by the MRO to the original contractor. Then, in some cases, higher paid American workers are put on the street and the process begins again. The contractor walks away with a nice chunk of change in this exchange.

The men I talked to earned anywhere from \$8 to \$12 dollars an hour with the lead earning the top pay. They all realized they were paid only a portion of what the contract company was taking in.

"But what about American workers you put out of a job?" I asked. Their unapologetic answer was simply that "the money here is better than our country. Even if it is lower than what Americans make, our families have to eat too and mostly, we were *invited*."

Unfortunately, that is true. These foreign workers are not to blame for the loss of American jobs. They too are exploited.

Our fight is not against these workers. We are only against them being used to undercut wage standards.

Equal pay for equal work is the answer to this problem. These men should be paid competitive salaries to remove the big profit incentive from the whole system that exploits them and replaces us. The visa system should not be used as a labor discount outlet to supplement the lavish incomes of corporate management.

It's pure greed that drives MAE and SAA to pit us against low-wage immigrant workers. Profits for US airlines are also a big temptation to send work to lower-cost repair facilities within our borders.

We need standards and proper oversight to allow fair and competitive pay and benefits for qualified foreign workers and to end the loopholes that allow the importation of exploitable immigrants. Only then can we stop the race to the bottom.

It's time we remind those in power that all workers, regardless of country of origin, are united in demanding we be treated fairly because *labor does indeed, create all wealth*.

NMB Proposes Changes To Union Election Rules

After 75 years of facing uphill battles, workers in the airline and rail industries who want to join unions may soon have an easier time doing so, thanks to a proposal by the National Mediation Board (NMB) that would bring fairness to union elections.

The proposal, which was announced November 3, would base the outcome of union elections in the airline and rail industries on the majority approval of people who vote. This is the same method used under the National Labor Relations Act and in political elections nationwide.

The current union-election system, which has been in place since 1934, bases the outcome of airline and rail union elections on the majority approval of an entire workgroup and counts those who do not participate in the election as voting against union representation.

This means that workers who do not vote because they never received balloting instructions, have religious objections, forget to vote, are apathetic or make a deliberate choice not to vote, have their votes counted as a vote against unionization. This creates an unfair unequal playing field for workers who want to form a union under the Railway Labor Act. Many commentators have also noted that the unfair voting rules violate airline workers' freedom of association.

A Step In the Right Direction

Teamsters General President James P. Hoffa hails the proposal by the NMB, calling it a step in the right direction.

"Anyone who's been involved in an organizing campaign at a railroad or an airline knows that the deck is stacked against workers who want to form a union," Hoffa said. "The current voting process is an unfair obstacle that discourages workers from exercising their right to form a union."

The Teamsters have led the charge in encouraging the NMB to make rail and airline elections more fair. In fact, the NMB's

proposed rule changes come just months after three Continental fleet service workers, who are currently engaged in a campaign to join the Teamsters, flew to Washington, D.C. to lobby for a fairer union election process.

Reggie Robinson from Houston, Carlos Cuesta from Newark and Scot Moscovits from Cleveland joined Hoffa before meeting with two members of the NMB. Their message to the NMB was clear: reform union election procedures now.

"The current rules are a great injustice to the common working man," Robinson said. "The NMB essentially decides your vote for you. These rules leave no room for neutrality and they don't take into consideration the fact that some people don't vote because of religious purposes, military service or illness."

Standing In Support of Change

The NMB will hold a 60-day mandatory comment period during which parties on both sides of the fence will have an opportunity to challenge or praise the NMB's proposal on December 7 and 8 in Washington, D.C.

Mechanics and related workers in the airline industry are encouraged to send statements to the NMB explaining why a change in rules would benefit workers in America. Statements must be sent by January 4, 2010 and can be made via the NMB website, www.nmb.gov by clicking the "what's new" tab, then following the step-by-step instructions under "Proposed NMB Representation Rulemaking."

"Just because the NMB has opened the door to change the rules doesn't mean our work is done," Robinson said. "As workers we have to stand together and continue to fight to get these rules changes. We aren't doing this just for us; we are doing this for any American laborer who wants a chance at a fair shake."

Senators Call for Fair Elections for Rail & Aviation Workers

WASHINGTON, D.C. – Senators Tom Harkin (D-IA), Chairman of the Senate Health, Education, Labor and Pensions Committee, Daniel Inouye (D-HI), Chairman of the Appropriations Committee and John Rockefeller (D-WY), Chairman of the Commerce Committee joined by a group of 36 Senators today called on the National Mediation Board to provide fair labor elections for rail and aviation workers. Under current election procedures,

a majority of all eligible workers cast a vote for a union in order for those wanting a union to prevail. All workers who do not vote are counted as "no" votes for the union.

Senators Akaka, Boxer, Brown, Burris, Byrd, Cantwell, Cardin, Casey, Dodd, Durbin, Feingold, Franken, Gillibrand, Johnson, Kaufman, Kerry, Kirk, Klobuchar, Lautenberg, Leahy, Levin, McCaskill, Menendez, Merkley, Mikulski, Murray, Reed, Sanders,

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Schumer, Shaheen, Specter, Stabenow, Tester, Tom Udall, Whitehouse and Wyden joined the Senators in signing this letter.

"Aviation and rail workers should not be subject to a different and more onerous process when deciding whether to choose union representation," wrote the lawmakers. "Requiring affirmative votes of an absolute majority of eligible employees in order to recognize a union treats rail and aviation workers differently than employees covered by the National Labor Relations Act and U.S. citizens voting for government officials. We strongly encourage the NMB to use its broad discretion in setting its election

policies to amend its election procedures to allow a majority of those voting to choose union representation."

"On behalf of airline and rail workers across the country, we would like to thank Sen. Harkin and 38 of his colleagues for standing up for fairness by supporting the National Mediation Board's proposed rule change. We are grateful for their support for bringing long overdue change to a broken union election process," said Edward Wytkind, President of the Transportation Trades Department, AFL-CIO.

The full text of the letter follows

The Honorable Elizabeth Dougherty
Chairman
National Mediation Board
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Washington, DC 20005

The Honorable Harry Hoglander
Member
National Mediation Board
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The Honorable Linda Puchala
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RE: Representation Election Procedure: Proposed Rule; Docket No. C-6964

Dear Chairman Dougherty and Members Hoglander and Puchala:

We write in support of the National Mediation Board's (NMB) proposed change to allow for a majority of voting employees to organize under the Railway Labor Act if they so choose.

As you know, current election procedures require a majority of all eligible workers to cast a vote for a union in order for those wanting a union to prevail. All workers who do not vote are counted as "no" votes for the union.

Requiring affirmative votes of an absolute majority of eligible employees in order to recognize a union treats rail and aviation workers differently than employees covered by the National Labor Relations Act and U.S. citizens voting for government officials. We strongly believe that the same

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democratic process that governs other elections – requiring a simple majority of those who cast a ballot – should be extended to workers covered by the Railway Labor Act.

Employees must have a choice to vote for union representation, against union representation, or not to vote at all. There are often reasons for an individual not to vote – they may simply forget, do not have a tradition of voting, or may be unable to vote. A decision to abstain in an election is simply not the same as a “no” vote and should not be treated as voting against union representation.

Further, by counting non-participating employees as “no” votes, the Board has created an incentive to suppress voter participation as employers may seek to influence the election by encouraging workers not to vote. The NMB should be encouraging employee participation in representational elections, not hindering involvement.

We do not believe the Railway Labor Act, which was designed to protect the rights of workers to organize and bargain collectively, requires the NMB to conduct elections in this manner. Further, we see no convincing policy reason to require an absolute majority of all eligible workers to cast a vote for a representational election.

Aviation and rail workers should not be subject to a different and more onerous process when deciding whether to choose union representation. We strongly encourage the NMB to use its broad discretion in setting its election policies to amend its election procedures to allow a majority of those voting to choose union representation.