



TAMC Nuts & Bolts

Teamsters Aviation Mechanics Coalition Newsletter

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VICTORY!

Judge Upholds Ruling, New NMB Rule Starts July 1



A federal judge in Washington, D.C. upheld the National Mediation Board's (NMB) rule change for union elections in the airline and rail industries last Friday. This means the outcome of union elections will be based upon the majority approval of workers who partake in elections.

The rule will take effect July 1.

The rule was originally changed in the spring and set to take effect in June, but airlines and other corporations challenged it, causing a U.S. District Court Judge to hear the legal dispute between the NMB and members of the Air Transport Association trade group of airlines.

Prior to the ruling, workers who didn't vote in union elections were counted as "no" votes, which the Teamsters Union called "fundamentally undemocratic."

"Workers who want to form unions are looking for job security and peace of mind. By changing the rules, the NMB has leveled the playing field, giving workers a fairer chance to form unions," said Teamsters General President James P. Hoffa. "I'm pleased with this decision by the NMB and I'm proud of the work the Teamsters Union has done to ensure this change happened."

Teamster Power

The Teamsters led the charge in encouraging the NMB to make airline elections more fair. In fact, the rule change comes just months after fleet service workers from Continental Airlines, who organized with the Teamsters in March, testified before the NMB in Washington, D.C. One of the workers to do so, James Dolezal from Cleveland, also presented the board with petitions signed by nearly 2,200 fleet service employees at Continental.

The ramifications of the rule change will be seen far and wide. The rule change comes just as mechanics and related workers from Atlantic Southeast Airlines file for their union election to join the Teamsters. The 650-member work group is seeking respect and an end to favoritism in the workplace.

"We've worked really hard to get to this point. I think this will be a great first step toward a partnership with Atlantic Southeast Airlines that will benefit customers and employees alike," said Mitchell Cline, an employee at Atlantic Southeast Airlines.

The Teamsters Airline Division is committed to fighting for the rights of employees at Atlantic Southeast Airlines.

"I applaud mechanics and related at Atlantic Southeast Airlines for the dedication they have shown throughout their organizing campaign," said Teamsters Airline Division Director Capt. David Bourne. "By filing with the NMB, this group is sending a message to the company that they are united on a single front and committed to this cause."

Teamster Airline Division Launches CAL-UAL Merger Page

Webpage to Act as One-Stop Resource Center for Members

On May 3, United Airlines and Continental Airlines announced the two companies had reached a deal for a merger. The merger, if approved, would create the largest airline in the United States.

The possibility of a mega-airline has left many asking questions—including employees of the companies. To help answer questions, as well as to provide the best representation possible to members, the Teamsters Airline Division has created a CAL-UAL merger page for mechanics and fleet service workers at Continental and United.

This webpage will act as a one-stop merger resource center for Continental and United Airlines employees who are Teamster members and will contain documents from the union, the companies and the media. Important information found on the site includes a series of merger plans created for members by the

Teamsters Union as well as a merger flow chart.

“What this merger means for Teamster members is yet unclear, but the Teamsters Airline Division is committed to providing the best service and representation to these workgroups throughout the entire merger process,” said Capt. David Bourne, Teamsters Airline Division Director. “The Teamsters Airline Division intends to make the merger as transparent for members as possible and the webpage will ensure information, representation and answers to questions are easily accessible.”

To access the webpage, CAL and UAL employees can visit <http://teamsterair.org/cal-ual>; the page can also be accessed by going to the Teamster Airline Division Website, Teamsterair.org, and clicking “CAL-UAL merger” in the navigation bar.

Written Testimony: House Committee of Transportation and Infrastructure’s Subcommittee on Aviation

The Proposed United-Continental Merger: Possible Effects for Consumers and Industry



NOTE: This Testimony was submitted by Capt. David Bourne, Director of the Teamsters Airline Division, on June 16, 2010.

Chairman Oberstar, Ranking Member Mica, Chairman Conyers and Ranking Member Smith:

I am honored to answer your invitation to provide written testimony to your Committees pursuant to the hearings you held on

June 16, 2010 with respect to the proposed merger between United Airlines and Continental.

I am providing this testimony on behalf of the Airline Division’s 64,000 members, including the mechanics and related crafts employed by United and Continental and the fleet service employees of Continental.

We recognize that many experts and pundits have offered their considered opinions regarding the legal, economic and consumer issues involved in a merger of the size and scope as the proposed United-Continental merger.

We are carefully studying those opinions and are sure that many more will be forthcoming. We will continue to review and analyze the proposed merger; at this time, however, we prefer to remain neutral with respect to the proposed transaction. In nei-

ther applauding nor opposing the merger, I wish to state for the record that our neutrality is only limited to the transaction itself.

As with all other matters affecting the airline industry, our standard on the merits of this or any merger is the long term job security of our membership. Job security continues to be an increasingly rare commodity in the airline industry. Once a strong and proud component of our nation’s economic engine, our members are now barraged with WARN Act and COBRA notices as managements seek to put American workers on the street, compromising the safety of the traveling public and flight crews as they seek ways to cut costs and increase their bottom line.

Our members’ tools lay rusting and formerly state of the art maintenance facilities lie dormant as their jobs continue to be outsourced to companies that are not required to maintain the same standards as U.S. airlines. Tragically, we are not talking about the distant past; we are talking about something occurring today.

Your committees must ask tough questions and demand honest answers. Why are U.S. certificated airlines sending aircraft to South America to have critical safety checks done that can and should be done by highly experienced, fully qualified employees who work for the airline in the U.S.? How can passengers or a flight crew feel safe on an aircraft sent to India for repair of a stress fracture of an aircraft component that were based upon a digital photograph sent to the repair shop in India? These facilities are not held to the same strict FAA for maintenance compliance and TSA standards employee security, background and drug

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screening for the people who work on these aircraft. Proper, manufacturer-required specific tooling may not be available. Language barriers may create situations where understanding of the work to be accomplished may not be fully understood. Sadly, these practices are becoming the norm rather than the exception.

As your hearings continue, we are living the nightmare of what appears to be safety related shortcuts on an oil rig in the Gulf of Mexico. We each must ask if allowing this practice to continue is worth the potential of losing even one aircraft, its crew and passengers. What affect would it have on the industry and our economy were this to happen? How long would it take to discern the cause? Is it a problem related to a specific type of aircraft or was it an improper repair? In short, would we be able to afford a Gulf like disaster in the airline industry, just to improve the bottom line?

We believe the answer is no. These bad for business and bad for safety practices must be stopped for the safety of the traveling public and our members.

There are other job security issues we believe must also be considered by the committees. Like most airline members, our United members' pensions were terminated through bankruptcy and replaced with 401(k) plans. While these plans were touted at the time, these so-called retirement plan substitutes and replacements have also been compromised and their values destroyed as a result of the nation's economic meltdown. These plans are yet further examples of cruel Wall Street hoaxes imposed on our members who were promised real retirement security, not the entrepreneurial equivalent of gambling accounts that are subject to the uncertain and destabilizing whims and caprices of Wall Street's well-heeled, glorified bookmakers.

In terms of our members' health care costs; they continue to escalate as employers demand workers pay more in premiums, while receiving less care. While members of management and their families continue to receive gold plated care, our members and their families continue to get less, with no relief in sight.

In the workplace, for too long we have witnessed our members numerous attempts to introduce innovative and cost saving work processes to the airline, only to be rebuffed by risk-averse managers intent only on shifting work to cost centers or companies other than their own, and as noted previously, to more and

more off shore locations with substandard oversight.

Honorable Chairmen, Ranking members and committee members, these anxieties and frustrations of our airline members are not unique. They are industry-wide and are shared by all crafts and classes, regardless of their representative status and affiliation.

It is a terribly bitter irony that even worker-friendly experts and advocates who extol the consumer benefits of airline deregulation do so without recognizing that the industry's frontline employees have disproportionately suffered the negative social and economic consequences of a generation of nearly unbridled regulatory policies. – Indeed, although their suffering remains largely invisible to the public, the industry's frontline employees continue to shoulder the burdens of bad business decisions and practices. This is a harsh and unhealthy reality that must change if the industry is to remain stable. And it is for these reasons that, at this time, we remain neutral regarding the proposed merger of these carriers.

We have been encouraged that United and Continental both seem willing and capable of fostering change for the better.

We believe this as we are currently involved in contract negotiations with both carriers for all three of the crafts and classes that we represent (mechanics and related at United; mechanics and related and fleet service at Continental).

We are working hard and productively with both carriers to restore and maintain job security for our members, while ensuring good and safe service for the American traveling public. Our task though, is far from complete.

If, through our negotiations we are able to restore our members' lost jobs and pensions, retool the facilities, and restore the confidence, pride and loyalty to these carriers and the industry, then we – both labor and management – will have helped create a new legacy of industry stability, cooperation and, ultimately success. In the process, the travelling public will benefit from the bargain and management and labor will have forged a new chapter that will hopefully lead to good public policy.

If the proposed United-Continental merger helps foster this much-needed change, then we expect history will favor the merger that your respective committees appear poised to approve.

Thank you again for allowing us the opportunity to comment on this important matter.

Teamsters Tell Horizon Air That ‘Destroying’ Portland Jobs Won’t Fly

Teamsters Demand Transparency On Maintenance Safety, Security Standards

At an Alaska Air Group shareholder meeting, Teamster-represented Horizon Air mechanics and pilots demanded the company disclose the standards used for outsourced aircraft maintenance and how the company enforces those standards.

“Alaska Air Group shareholders know all too well the devastating impact an airline tragedy can have on the security of our nation, the safety of our passengers and the bottom line of business,” said Capt. David Bourne, Director of the Teamsters Airline Division. “That’s why the company’s increased reliance on contract repair facilities, which are not subject to the same regulatory standards as the company’s in-house maintenance operations, is of such great concern to all of the company’s stakeholders.”

This year, Alaska Air Group blocked shareholders from voting on whether the company should disclose its policies related to maintenance standards and oversight procedures, arguing to the Securities and Exchange Commission that it is not a significant public policy issue and therefore not an appropriate issue for investors to consider.

The Transportation Department’s Inspector General has warned that mistakes can be made by untrained and ill-equipped

personnel at aircraft repair shops in the U.S. and abroad. It also has found there to be “security vulnerabilities” – including susceptibility to sabotage – at airport and off-airport repair stations.

In fact, according to a Feb. 2 USA Today article, Congress has barred the Federal Aviation Administration from certifying any new foreign repair station until the Transportation Security Administration (TSA) issues a rule to improve security.

Still, Alaska Air Group outsources all of its Alaska Airline’s heavy maintenance and now seeks to outsource all of the heavy checks for its regional carrier, Horizon Air.

“I don’t want the plane I fly to be maintained by the lowest bidder who is not subject to the same regulatory standards as our own mechanics,” said Capt. Trevor Bulger, a 10-year Horizon Air pilot. “Aircraft maintenance is not the place to cut corners.”

“It’s time that Alaska Air Group adopt and disclose a single, enforceable standard for all aircraft maintenance operations to protect the security of our country, the safety of our passengers, and the best interests of our company,” Bourne said.



TAMC Pushes for FAA Reauthorization

Members of the Teamsters Airline Division, including the TAMC, took to Capitol Hill where they encouraged members of Congress to vote in favor of the FAA Reauthorization Bill. The focus of the visit was to ensure that strong language in the House version of the bill survives the conference process.

The recently-introduced FAA reauthorization bill, H.R. 915, requires the FAA to issue regulations within the next three years providing for a uniform safety standard relating to aircraft maintenance and repair stations, regardless of where such stations are located.

“Among other things, we advocated keeping visits to foreign repair stations in the bill,” said Chris Moore, TAMC chair.

The group also expressed their support for the Express Carrier Employee Protection Act, which would close the loophole at FedEx, making it easier for mechanics at FedEx to form or join unions.

“Simply put, we are asking for a level playing field,” Moore said.

To learn more about the Express Carrier Employee Protection Act or to send a message to our representative about this issue, visit www.fedexdriversarentpilots.com.

FedEx Mechanics, Teamsters Push For Express Carrier Employee Protection Act

As you are most likely already aware, the FedEx worker legislation, The Express Carrier Employee Protection Act, is a hot topic in the halls of Congress in Washington, D.C. We believe we are engaged in the final battles of this monumental fight to see this legislation passed and enacted. The two houses are feverishly attempting to reconcile the two bills into a final piece of legislation that will contain the language that will serve to level the playing field among all package companies in America. Unfortunately, Fred Smith and FedEx are pulling out all the stops to defeat our FedEx Employee Friendly language.

FedEx mechanics and many of their coworkers are continuing to contact senators by mail, phone and email to request their support for the inclusion of the Express Carrier Employee Protection language into the final legislation.

In an effort to promote this legislation, the International Brotherhood of Teamsters recently launched a new website, www.FedExDriversArentPilots.com. The site contains information and videos, helping to show how ludicrous FedEx's claim that everyone should be under the RLA really is. This site serves as one more tool for all of us to focus a spotlight on FedEx's attempt to once again mislead a group of Americans into buying the FedEx Express snake oil. Check it out, get a chuckle, pass it on, but most

importantly, do all you can to help pass this FedEx worker friendly legislation, The Express Carrier Employee Protection Act.

The passage of the FedEx legislation is greatly important and truly touches an even larger matter. The legislation is about the FedEx Express workforce, and the fact that their company served up a huge plate of injustice to over 100,000 American workers. FedEx Express limited and effectively took away a federal right that every other employee in America enjoys. This is not right. It is not fair. We can not let them get away with it.

The passage of the Express Carrier Employee Protection Act will allow the workforce at FedEx Express to fully regain their Federal Rights to Freedom of Association; the rights that the "FedEx Special Deal" of 1996 took away from them.

We ask that you support this effort by helping your coworkers, friends and families to understand the injustice forced upon FedEx Express workers and asking them to pass on the message. Contact a Senator and let them know you want this language included in the final FAA Reauthorization Bill.

Check out the videos at www.FedExDriversArentPilots.com, but don't forget to keep visiting the FedEx mechanics website at www.FedExMx.com also.

What is Just Culture?

By John Fischbach, UAL, Flight Safety Representative

Just Culture starts with the idea that accidents are inevitable. It is an understanding that with any complex system, a failure within that system is inevitable. Just Culture views accidents in a more holistic or systematic manner. The concept of Just Culture states that humans are a part of any system and therefore can be either the cause of a failure or a contributing part of a failure. Just Culture moves beyond the idea of a human as sole cause, too the human being part of a much larger picture. Just Culture reviews all information involved within an accident, and then considers the relevance of that information to the causation of an accident.

Just Culture incorporates two ideas that add value to safety. In any high-risk and complex operation it is advantageous to that operation to know what and where the hazards are in that operation. Often regulators and managers, those who write the policies, try to anticipate the hazards within that operation. Just Culture tries to establish a system of reporting those hazards to the regulators and management. The idea behind the report is so make all parties aware that a hazard exists. If a hazard is visible, it can be mitigated.

The second part to Just Culture is that the person reporting is

treated fairly by the regulator and management. In the past, the way the person reporting the hazard is treated is often the greatest obstacle to the reporting of hazards. Often the person reporting the error, especially an error that they committed, were treated with contempt and considered to be the sole component of the cause of that error. We have all heard the phrase "controlled flight into terrain" or pilot error, or that the "doctor exercised grave negligence" that contributed to the death of his patient. Fair treatment is the consideration that not all errors are exclusive failures of the human component, but also considers that the error may have been unintentional or intentional (shortcuts) with the outcome being not the expected result. Just Culture also considers that policy, procedures, task directions and other events also cause or contribute to error.

The understanding of Just Culture is that with full disclosure of a mistake, the reporter can enjoy some relief from prosecution and or discipline. The benefit to the organization is that a hidden hazard becomes visible. Once the hazard is known the safety of the operation increases.

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The person reporting can also be excluded from the benefits of Just Culture. An intentional act in a negligent manner may not give you access to Just Culture. That word “intentional” is not really that hard to understand, simply put, it means that the act of, or a presences of forethought to do and follow through with an action. If you have your lawyers write up a will giving your children all your worldly property, you signed that will with intent of giving away your estate when you die. If you sign off paperwork without doing the work, so that you can leave early, your intent was not to do the work for a personal benefit, skipping out for the night. In a way that is a form of criminal activity, which will get you booted out of the program too.

Just Culture is affecting us in aviation, especially the commercial air carriers. The establishment of Just Culture is taking place right now. The FAA’s AC120-66b, “the Aviation Safety Action Program, or ASAP,” establishes a system of reporting mistakes, fully disclosing the error, while providing relief from regulatory action. NASA’s “Aviation Safety Reporting System,” the precursor to ASAP, is a very successful program and served as a model for ASAP.

There are some pitfalls to Just Culture. The outline of the program within AC120-92 is vague at best. Just Culture is dependent

on several ethical values within a group being workable. James Reason made these points a formal part of his version of a Just Culture value system. Just Culture is dependent on: the trust of the workforce and knowing and agreeing on the difference between acceptable and unacceptable behavior. The vagueness AC120-92 used explaining what a Just Culture program should be is a form of deregulation. Deregulation lends itself to an abuse of power. Inevitably, the program falls back on blaming the person who is doing the work. This abuse of power can be seen in the “**culpability matrix**” published by some companies. The matrix serves as a mechanism for managers to assign guilt to individuals involved in accidents. Each decision is subject to the hazard of the reviewing officer or manager deciding if an individual preformed in an appropriate manner.

To mitigate a failure in the Just Culture program unions need to be involved from inception of a program. Unions have always supplied a counter balance to the tendency of management and the regulators to take the easy route and revert back to blaming the individual who signed the paper and thus regressing to an Unjust Culture.

Xpress Jet Negotiations Update

Negotiations continued the week of May 17, 2010 in Houston. Tentative agreements were reached on Articles 3, classifications, descriptions, bid areas and work areas; Article 2, definitions and Article 20, grievance procedure.

Article 21, System Board of Arbitration and Article 22, General and Miscellaneous, were also discussed.

The company has requested a postponement of the negotiations scheduled for the week of June 7. With the arrival of the new CEO there are many meetings and behind-the-scenes discussions and decisions being made as to the company’s direction. We understand that with a change of leadership, a period of adjustment is taking place between the new CEO and management.

We will confer with the company and schedule future dates in the upcoming weeks.

In Solidarity,

Bob Luciano
Business Agent/ Trustee, Teamster Local 210
Negotiating Committee Chairman