

## **NWA-AFA MEC Weekly Hotline Message August 21, 2009**

**MEC HOTLINE:** (888) 3-NWA-AFA or [www.nwaafa.org](http://www.nwaafa.org)

**PURPLE RIBBON CAMPAIGN:** Pro-Delta, Pro-AFA [www.deltaafa.org](http://www.deltaafa.org)

### ***NWA AFA MASTER EXECUTIVE COUNCIL IS ON TWITTER***

Want to be the first to know? Out on a trip and don't have immediate access to a computer? Now you can find out news and information from your Master Executive Council as it happens on Twitter. MEC communications on Twitter will give a quick bullet point approach to reaching you wherever you are. The text message format will allow us to send you headlines, breaking news, and direct you to hotlines. Follow us at "nwaafamec". If you don't have a Twitter account, you can sign up at <http://twitter.com/>.

### ***JAPAN FEDERATION OF AVIATION WORKERS SUPPORT***

Mr. Akira Hamashima from the Japan Federation of Aviation Workers' Unions honored us by traveling to MSP last week to express his support for fellow union brothers and sisters at Northwest Airlines in our fight to retain union representation. Mr. Hamashima then joined U.S. airline and railroad industry union leaders in attendance at the [IAM 2009 Transportation Conference](#) in NYC this week. Japanese unionized flight attendants are in an ongoing legal battle with Northwest Airlines (and now Delta Air Lines), which has reached the Japanese Supreme Court, regarding outsourcing within Asia.

The loss of union representation and a legal contract for flight attendants at the world's largest airline, will impact all of us. Visit [www.nwaafa.org](http://www.nwaafa.org) to see some of the support that continues to come in, from unions and organizations throughout the country and the world.

### ***SPLIT LINE NEGOTIATIONS UPDATE***

AFA Split Line negotiations with Northwest representatives ended and the proposed LOA was then presented by Northwest representatives to Delta. We understand that Delta Legal and executives have been examining the proposed Letter of Agreement for the last few weeks, and will have the final say on the company's end. For AFA's part, we feel we have done everything we can to reach an agreement on the implementation of a Split Line Program for flight attendants. We feel this program would be a nice option for our members, and possibly reduce or eliminate the need for any involuntary furloughs of our junior members in the coming months. We anticipate a response from Delta executives in the near future. Please stay tuned to the hotline for the latest information. – MEC President Janette Rook

### ***GRIEVANCE – RESERVE INCREASE ADJUSTMENT & YOUR GUARANTEE***

Last week, MEC Grievance Chairperson Greg Riffle filed an et al MEC Grievance over the Company's announcement, in the September PBS cover letters, that the loss of a Reserve Increase Adjustment (RIA), due to sick or leave, would cause

your Reserve Guarantee to be reduced as well.

Although there is contract language that says your Reserve Guarantee will be reduced for any flight time lost, that language has historic content and application. As we all know and are familiar with, a reserve line is made up of a series of duty days and off days. If you lose flight time due to unavailability on your reserve duty days, your guarantee has always been reduced.

However, an RIA is not a reserve trip assignment given to you by a crew scheduler on your duty days. By our contract, it must operate wholly on your days off, and the hours are isolated from your guarantee and most legalities. Therefore, we disagree with the Company's decision to reduce your Reserve Guarantee for unavailability for an RIA picked up on your days off, and believe that should have no impact on your Reserve Guarantee. We will keep you posted on the progress of this grievance.

### ***LOA 35 ARBITRATION – RULING STILL PENDING***

It has been brought to our attention that there are a variety of rumors circulating as to the potential dollar amount of a possible settlement in the LOA 35 arbitration. Some of the dollar amounts we have heard discussed so far, are in excess of any possible settlement amount in this case. Your AFA attorneys argued persuasively in front of Arbitrator Dana Eischen, that the NWA ALPA grievance settlements which gave rise to pilot contract improvements were clearly over-valued.

However, the rumors of dollar amounts which have been reported to us as possible settlement amounts per flight attendant bear no relationship with the possible dollar amount of the over-valuing of the pilot grievance settlements which were presented in the arbitration. It's also entirely possible that Arbitrator Eischen could direct us to negotiate a specific dollar amount of contract improvements in lieu of cash payments as well.

Finally, there has been no decision issued in this matter. In order to win the case, we first must convince the arbitrator that the value of the pilot grievance settlements were overblown; and he would then have to accept our analysis of those numbers. He may grant us what we have asked for, or he may give us something less. It's also possible he may grant us nothing at all. There is no way to tell at this point. However, when a decision is issued in this case, we will report it as soon as possible.

### ***PLEASE REPORT ALL SUSPECTED ELECTION INTERFERENCE***

Some disturbing reports are coming that appear to be interference and intimidation of union supporters. All instances of perceived interference should be documented on an interference report and sent to AFA. These will be forwarded to the NMB for investigation. We must follow through with these as appropriate, if we are to have a free and fair election process. Please visit

[www.deltaafa.org](http://www.deltaafa.org) and click on [Our Legal Rights](#) for [Interference Incident Report](#) forms, a [Dear Supervisor](#) letter for any supervisor that you feel is interfering in our election process, some guidelines for advocacy and much more. ***This is a stressful time for all of us, but we ask both supporters of a legal contract and those who don't want a contract at Delta to please remember to treat one another with respect. Despite our differences of opinion, and as management comes and goes, we remain and will work together for years to come.***

### ***DELTA'S CONFLICT RESOLUTION PROCEDURE VS. THE NWA AFA GRIEVANCE & ARBITRATION PROCESS***

You may have recently seen an article on the DeltaNet website written by Sandy Gordon, Delta's Vice President of Inflight Services, which attempts to favorably compare Delta's Conflict Resolution Procedure (CRP) to the contractual Grievance and Arbitration process.

To begin, Delta flight attendants are severely limited in the scope of issues which can be brought forward under the Delta CRP process. Only issues involving discipline issued by a manager and termination cases can be addressed. This stands in stark contrast to our ability to file grievances over past practice, policies which harm our members, as well as contractual violations and disciplinary issues.

Ms. Gordon suggests that the Delta CRP process is designed to be "handled more quickly" than the grievance process. It's a little difficult to believe that when the Delta process calls for 5 steps before possibly achieving any resolution of your issue.

Delta CRP has a proceeding called the "Employee Review Panel" (ERP), which is step #4 in their process. It was designed as an alternative to the Arbitration proceeding (System Board of Adjustment) provided to us in our contract. However, the ERP is anything but an alternative to arbitration.

In the ERP, a flight attendant "gatekeeper" asks you for a summary of your testimony in advance. They determine which witnesses you can and can't utilize, and they decide which pieces of evidence are "appropriate" for the hearing. You can't use anyone other than a Delta employee as a witness – no experts, no attorneys. There is no transcript of the proceeding taken, meaning that you won't be able to prove who said what. Finally, you present your case to a panel of Delta employees, not a neutral arbitrator with years of experience chosen jointly by the Union and the Company.

Finally, if you disagree with the findings of the panel of Delta employees who are judging your fate at the ERP, you are entitled to one more step – step #5: You get to present your case to a Delta Vice President.

For a more detailed article outlining the inherent unfairness and limitations of the Delta CRP and ERP process, please follow this link to the [nwaafa.org](http://nwaafa.org) website and choose "Grievance" under the COMMITTEE tab. –Submitted by MEC Grievance Chair Greg Riffle

### ***SURVEY SEEKS TO IMPROVE ILLNESS, INJURY REPORTING***

The AFA-CWA Air Safety, Health and Security Department is working to improve the accuracy of reporting on-the-job injuries and illnesses to the U.S. government. Annual statistics consistently show that occupational injuries and illnesses are declining, indicating that workplaces are becoming safer. However, studies show that government data seriously underestimate the true numbers of workers injured and made sick each year. This is drawing heightened scrutiny by Congress, researchers, and labor unions. In collaboration with the AFL-CIO and many of its member unions, AFA-CWA is collecting information from union members and leaders regarding the reporting of injuries and illnesses by employers to the U.S. Government.

One explanation for the underestimation is that employer policies and programs may discourage workers from reporting injuries or illnesses, such as financial rewards for workers who don't have injuries; discipline for workers who report an injury or illness; and drug and alcohol testing for workers who experience an injury. Such practices not only discourage reporting, but also hide the true numbers of affected workers and ultimately hinder efforts to identify and correct workplace hazards. To help assess the extent and impact of programs and policies that discourage workers from reporting injuries and illnesses, we have created an anonymous (your privacy is assured!) online survey. If you have already completed this survey, thank you! If you have not already done so, please complete the 10-15 minute survey by clicking [HERE](#).

Armed with these survey results from a large cross-section of union members, we will work with government agencies and policy makers to improve the accuracy of on-the-job injury and illness reporting.

### ***THE UNION EDGE TALK RADIO PRESENTS....***

On Thursday, your MEC President Janette Rook and Vice President Daniel Grey spent an hour with The Union Edge and shared our fight to keep collective bargaining in this merger, with the greater labor community. To listen to that interview, please visit [The Union Edge](#) online. On Monday August 24 from 12-1 pm (EST) AFA-CWA International President Patricia Friend and AFA-CWA General Counsel Ed Gilmartin will also be guests on The Union Edge Talk Radio Show. Together with host Charles Showalter, they will discuss our upcoming election, our campaign, and our struggle to protect our collective bargaining rights. Tune in to <http://theunionedge.com/> to hear live streaming audio of the interview.