

Proposed Amendments and Resolutions



**15th Biennial Convention
Minneapolis, Minnesota
Sept. 30 - Oct. 3, 2014**

Report of the National Constitution Committee

The members of the National Constitution Committee met at the NATCA National Office in Washington, D.C. on June 2-4, 2014, with the following committee members in attendance:

Charlie Akers, Alaskan Region
Heath Wilson, Central Region
Chris Perks, Eastern Region
Rena Hultgren, Committee Chair,
Great Lakes Region
Elisa Muise, New England Region

Drew Stewart, Northwest Mountain Region
Michael Martin, Region X
Chris Perdue, Southern Region
Rick Foster, Southwest Region
Troy Verville, Western Pacific Region

This package contains proposed amendments as written, along with the author's editorial concerning motive, rationale and argument. The Committee studied each proposed amendment to identify conflicts with existing contract provisions, constitutional language, current NATCA By-Laws, federal labor law or regulations. If the Committee identified any conflicts with existing constitutional language, contract provisions, or rule or law, this was noted in the report. This report represents the Committee's findings as required by the NATCA Constitution.

The proposed amendments are listed by Article and Section in the order in which they appear in the NATCA Constitution. Proposed amendments are numbered for identification purposes only. Any text that has been proposed for deletion has been marked in "strikeout" format (~~this is an example of "strikeout" format~~). Any proposed text to be added is shown in a "highlighted" format (this is a sample of "highlighted" format).

The Committee also received resolutions prior to the June 3 deadline. The text of these resolutions begins on page 22. The resolutions are presented in the format in which they were received.

Even the most spirited defenders of our NATCA Constitution and By-Laws understand that these documents are not perfect. It is intended that these documents will always evolve to meet our Union's maturing needs. Amendments, deletions and additions to NATCA's Constitution and By-Laws are neither casual nor without effort, but mechanisms are available to ensure that we, both as individual members and as a Union, have the opportunity to amend and improve the documents that define NATCA's framework and provide guidance to our elected leadership. Any change to these important documents requires our careful consideration and study.

It is the unanimous view of the Committee that all concerned should be commended for the thoughtfulness reflected in their proposals. The Committee acknowledges and appreciates the time, effort and energy that individuals have devoted to our Union and to their proposals. We recognize that these ideas were submitted with a sincere and earnest desire to improve and promote our organization.

Respectfully Submitted,

NATCA National Constitution Committee

Charlie Akers, Alaskan Region
Heath Wilson, Central Region
Chris Perks, Eastern Region
Renae Hultgren, Committee Chair,
Great Lakes Region
Elisa Muise, New England Region

Drew Stewart, Northwest Mountain Region
Michael Martin, Region X
Chris Perdue, Southern Region
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Troy Verville, Western Pacific Region

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1. Article III

AI4-01

REPLACE Article III with the following: **Section 1.** Any employee employed in a bargaining unit represented by the Association shall be eligible for active membership in the Association. The employment requirement shall be waived because of service to the Association, provided the requirement was met prior to the leave of absence or voluntary termination of employment.

Section 2. Only active members, in good standing, shall have the right to vote and hold office.

Section 3. A member shall be considered in good standing if:

- a) The payment of his/her dues is not more than forty-five (45) days in arrears; and
- b) His/Her membership has not been otherwise modified by disciplinary action imposed in accordance with this Constitution.

In the event of the death of an active member in good standing, the member's spouse, if also an active member in good standing, will be granted a waiver from the requirement to pay dues in order to maintain active membership in good standing, and will retain the right to vote and hold office.

Dues shall be waived for active members in good standing while recalled for active military service. These members shall retain all the rights of membership, including the right to vote and hold office.

Section 4. Members not in a duty status but who are in a full pay status (e.g. extended sick leave), or members in a part-time status, shall retain the rights, privileges, and responsibilities of full active membership, including the right to vote and hold office.

Members granted a leave of absence where pay and allowances are not provided, other than for service to the Association, shall be entitled to all privileges and benefits of membership, except the right to vote and hold office. These members, upon their return to full duty and pay status, shall be entitled to full reinstatement in the Association as members in good standing and shall not be required to pay the initiation fee, if any exists.

It shall be the responsibility of each member to keep his/her facility representative informed of his/her status under the provisions of this section.

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Section 5. Should a member in good standing be terminated from his/her bargaining unit position for any reason, he/she shall be considered an active member as long as his/her case is under appeal by the Association and shall be entitled to all privileges and benefits of membership except the right to vote and hold office.

Section 6. When a member of the bargaining unit is reassigned by the Agency to a position outside of the bargaining unit, the Union considers the status of a bargaining unit member terminated. He/She shall not be entitled to representation as a matter of right or be granted access to the negotiated grievance procedure and/or the collective bargaining agreement.

If such an employee is an active NATCA member, he/she shall be divested of all rights, powers, privileges, immunities and responsibilities granted to the Union, including the right to vote and hold office, if any of the following conditions occur:

- a) The employee accepts a permanent promotion to any position outside of the bargaining unit.
- b) The employee accepts a temporary promotion to a supervisory position for any length of duration.
- c) The employee accepts a temporary position outside the bargaining unit for which an SF-50 or SF-52 is executed.

Section 7. A member shall stand automatically expelled if his/her unpaid dues are not paid within thirty (30) days after receipt of written notification that his/her dues are forty-five (45) days in arrears.

Section 8. The Association may accept associate members and other categories of members under rules and regulations established by the National Executive Board. No individual shall be eligible for membership as an associate member if the individual is eligible for active membership.

Any bargaining unit member who was a member in good standing for the twelve (12) months immediately preceding his/her retirement shall be eligible for retired member status. Associate and retired members shall be entitled to all privileges and benefits of membership, except the right to vote and hold office.

Rationale: This is a re-write for clarity and to remove redundancies. This also clearly defines membership categories; there is no such thing as an inactive member. Membership categories in this article are active, associate, and retired. The terms "in good standing" and "not in good standing" are defined in the National Constitution already. This re-write does not alter any meaning or application of this article.

Authors: National Constitution Committee

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<input type="checkbox"/> Withdrawn	<input type="checkbox"/> Tabled	<input type="checkbox"/> No Second

2. Article III, Section 4

A14-02

AMEND: **Section 4.** The Association may accept associate members and other categories of members under rules and regulations established by the National Executive Board. No individual shall be eligible for membership as an associate or retired member if the individual is or becomes eligible for active membership. A Lifetime Retired Member who subsequently becomes eligible for active membership shall have his/her retired membership fee refunded. Such members shall not be entitled to the right to vote or the right to hold office.

Rationale: With the NEB's adoption of a Lifetime Retired Member category, some confusion arose as a result of a Lifetime Retired Member subsequently being employed at a NATCA represented contract tower. Certainly the same situation could arise in the case of a previously retired rehired annuitant. The inserted language makes it clear that an individual who is eligible for active membership cannot satisfy a membership requirement by virtue of status in a different class of membership. It further refunds the previously rendered dues for the no longer eligible category of membership. The last sentence is proposed for deletion as it is misplaced and could otherwise be interpreted as a qualifier for the Active membership referenced in the Section. Since the last sentence of the previous Section of the Article properly lays out the standard, this deletion would not alter the actually intended meaning.

Authors: National Executive Board

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<input type="checkbox"/> Withdrawn	<input type="checkbox"/> Tabled	<input type="checkbox"/> No Second

3. Article V, Section 1

A14-03

AMEND: **Section 1.** There shall be maintained at all times a Constitution Committee, a Finance Committee, a Safety Committee and a Legislative Committee. The Constitution, and Finance and Legislative Committees shall be composed of one (1) active or retired member in good standing from each Region. For the purposes of this Article, retired members shall be considered members of the Region from which they retired. The Legislative Committee shall be composed of one (1) active member in good standing from each Region. The President shall be a non-voting ex officio member of the Constitution, Safety and Legislative Committees. The Executive Vice President shall be a non-voting ex officio member of the Finance Committee.

Rationale: There is great value in having NATCA's Legislative

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representatives be active employees in the NAS. Safety Committee members, as well, should be current, active employees who stay up-to-date in their aviation fields. Constitution and Finance Committee members, however, do not need to be position-rated or current in order to stay knowledgeable about their Committee duties. A retired member in good standing would have more time to perform audits, review Constitutions, attend meetings, etc., and this would give these NATCAvists more options for staying active with the union they love.

Author: Bob Hill (FAY ATCT)

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4. Article V, Sections 1 & 2

A14-04

AMEND: **Section 1.** There shall be maintained at all times, a Constitution Committee, a Finance Committee, an Organizing Committee, a Safety Committee and a Legislative Committee. The Constitution, Finance and Legislative Committees shall be composed of one (1) active member in good standing from each Region. The President shall be a non-voting ex officio member of the Constitution, Safety and Legislative Committees. The Executive Vice President shall be a non-voting ex officio member of the Finance and Organizing Committees.

ADD, Re-number subsequent Sections: **Section 2.** The Organizing Committee shall be comprised of NATCA members and staff as appointed by the National Executive Board. The NEB shall appoint one of the Committee members as Chairperson. The representative makeup of the Committee shall be reviewed annually to ensure its alignment with current organizing goals and strategies.

Rationale: Throughout the course of the 2014 membership open season, few things emerge more axiomatic than the extent to which organizing is the lifeblood of Unionism, and that of NATCA. We have elevated this Organization to be the premier voice on the aviation system and safety related issues. When we speak, we do so on behalf of safety professionals spanning 18 Bargaining Units, and our place at the table is directly proportionate to the breadth and depth of those we represent. While the NATCA Organizing Committee has been long established, true commitment to organizing has been less than consistent over the years. Organizing is not “other duties as assigned”, organizing is organizational, and must be an integral part of everything we do. As we constitutionally declare this Committee to be a Standing Committee, we ensure organizing remains ever-present on our list of priorities.

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Authors: National Executive Board

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5. Article V, Section 3

A14-05

AMEND: **Section 3.** Except as otherwise provided for in Section 2 above, ~~The~~ National Chair of all standing committees shall be elected by the members of each respective committee. Each standing committee shall establish its own election procedures and the length of term to be served, not to exceed three years. There is no limit to the number of terms served.

In the event of a National Standing Committee Chair vacancy, the President shall select from amongst the remaining committee members a replacement until the next scheduled meeting, when a new National Chair will be elected.

Rationale: When the National Organizing Committee Charter was developed, it provided for NEB selection of membership and appointment of the Chairperson. This departure from the traditional committee standard was intentional so as to allow the makeup to remain flexible in the face of shifting priorities and organizing opportunities. With respect to this Committee, it has proven to be highly successful and we believe there is great value in continuing the model as outlined in their existing Charter.

Authors: National Executive Board

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6. Article V, Section 4

A14-06

AMEND: **Section 4.** If any Region has a regional Constitution, Finance, or Legislative committee coinciding with any National Standing Committee, the chair of that regional committee shall be that Region's representative to the National Committee. ~~In a Region where a regional committee has not been established, and if more than one member declares for a National Committee, the Regional Vice President shall conduct an election prior to July 15 of the convention year through the facility representatives to determine the National Committee representative.~~

The National Office shall publish the names and addresses of all standing committee members in the first monthly newsletter after September 1 of each year.

Rationale: When the Standing Committee provisions were originally drafted, they were done so with the belief that holding elections whenever possible for vacant positions was a good way to encourage involvement as well as holding true to the democratic

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precepts of the Organization. While there may be some validity in this regard, we have come to recognize that the work of these Committees is of paramount importance and individuals who serve in these positions should be carefully vetted. If a regional Committee exists, it does so through vetting and appointment on the regional level, and therefore qualifications are carefully considered. If a regional Committee does not exist and there is a need to fill a position on the National Committee, the ability to consider qualifying factors are of no less import and should be handled in a likewise manner. As an additional consideration, the time involved in nominations and elections, the cost of running elections for committee positions, and potential for a high degree of turnover on a regular basis, all serve as impediments to highly functioning Standing Committees.

Authors: National Executive Board

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7. Article V, Section 6

A14-07

AMEND: **Section 6.** When a regional ~~committee~~ member of the Constitution, Finance, or Legislative committee is elected to a National Chair, the Regional Vice President may select an additional committee member to fill the regional position vacated by the National Committee Chair. Vacancies on the Organizing or Safety Committee will be filled in accordance with Sections 2 and 3 above, respectively. The Chair of the National Standing Committees will report to the President.

Rationale: While this procedure has worked well over the years for filling vacancies on Standing Committees, the procedures for doing so on the Organizing and Safety Committees differ due to the makeup, and are otherwise contained in the Section describing the Committee itself. Not amending this Section when the Safety Committee itself was changed was an oversight that needs to be corrected. With the establishment of the Organizing Committee as a Standing Committee, and selections being made by the National Executive Board, it too needs to be articulated differently in this Section.

Authors: National Executive Board

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8. Article VI, Section 7

A14-08

AMEND: **Section 7.** If a member ~~applies for or voluntarily~~ accepts a supervisory or management position within the Agency/company then; he/she shall immediately vacate any elected/appointed Union position currently held, ~~and shall not be eligible to run for office or be appointed to any position with the Union for a period of twelve (12) months after the closing date of~~

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~~the applicable bid (if not selected) or twelve (12) months after returning to the bargaining unit from a supervisory or management position within the Agency/company. If not selected, he/she will remain eligible to run for office or be appointed to any position with the Union. Active members in good standing returning to the bargaining unit will be immediately eligible to run for office or be appointed to any Union position.~~ These provisions shall not apply in the case of an employee that is forced to work a supervisory or managerial position within the Agency/company.

Rationale: We have good bargaining unit members who want to progress through their careers and still support NATCA. We, as a UNION, are punishing them because they applied to a Management position. We need people who are willing to accept a challenging career, and still want to work in collaboration as part of management with NATCA. As aviation professionals, we should work together as one team regardless of work title.

Author: Jean Droz (HTS)

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9. Article VIII, Section 1

A14-09

AMEND: **Section 1.** The Association shall meet in National Convention every ~~two (2)~~ three (3) years at a location to be established by majority vote of the delegates at the Convention ~~four (4)~~ three (3) years previous. A Special Convention may be called by the President upon sixty (60) days notice to the membership.

*This Amendment shall be effective following the 2016 Convention except the Convention venue for 2019 will be chosen in 2016.

Rationale: Over the years the proposed changes to the NATCA Constitution and Bylaws have diminished to the point where it is questionable as to the need to hold a convention every two years. Additionally, convention planning and associated costs in today's economy have placed an increased financial burden on the Association. It is the belief of the National Executive Board that expanding the time frame between conventions would still allow us to hold conventions at sufficient intervals while increasing service to the membership through better prioritization of funding. By continuing the present cycle through the 2016 Convention, the Union would be able to live up to existing obligations. Additionally, the practice of choosing a venue two Conventions previous, while providing ample time if they were to be held biennially, should be reduced if the span between Conventions were to be expanded to every three years. Locking in cities and sites six years out could place the Union in a precarious position based on economies, hotel renovation projects, and other

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unforeseen variables. Choosing a venue three years previous is more than adequate for Convention planning.

Authors: National Executive Board

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10. Article VIII, Section 4

A14-10

AMEND: **Section 4.** Delegates and any alternates shall be determined by ~~elected by secret ballot in accordance with~~ procedures set forth in each Local's constitution and bylaws. The Local is not required to conduct a mail ballot for convention delegates unless specifically required in their local constitution.

Rationale: Each local is required to determine Convention delegates in accordance with their local Constitution. There is no way to enforce the secret ballot provision, except via a challenge to the Convention Credentials Committee report. Procedures for determining a Local's delegates is a local issue and not a national one. This amendment is meant to allow each Local to determine what method works best for their respective Local.

Author: Chris Boughn (ZDC)

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<input type="checkbox"/> Withdrawn	<input type="checkbox"/> Tabled	<input type="checkbox"/> No Second

11. Article VIII, Section 6

A14-11

AMEND: **Section 6.** At least one year prior to any scheduled Convention, the President shall ensure the establishment of a Convention Committee, which shall be comprised of NATCA staff and other designees as appointed by the President and approved by the National Executive Board. At a minimum, appointments shall include two members from the hosting Local(s) and the Regional Vice President from the hosting region, include ~~the Regional Vice President from the hosting region, and the RVP will appoint a minimum of two members to the committee from the hosting Local(s).~~ This committee will forward all plans and provisions to the National Executive Board for approval.

Rationale: At the Denver Convention attempts were made to modify this provision so as to accurately reflect the balance between the expertise of NATCA staff with regard to the logistical side of convention planning and the geographical and membership perspective that can only be incorporated through the inclusion of Local and Regional involvement. The end result, through amendment on amendment, was a provision that could lead to confusion in future application. This proposed amendment not only strikes the balance, but also brings the appointment of this committee in line with the manner in which other committees are formed; the President makes the appointments, and the National Executive Board exercises approval authority.

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Authors: National Executive Board

☐Passed
☐Withdrawn

☐Defeated
☐Tabled

☐Passed as Amended
☐No Second

12. Article IX, Section 13

A14-12

ADD New: **Section 13.** Upon request from the affected member, the Association shall provide a pro-rata rebate of dues to members in a part-time duty status. This rebate shall be based on the percentage of full time hours worked per pay period while in a part time duty status. The affected member shall provide such supporting documentation as required by the Executive Vice President to validate the claim. Such requests may only be made annually, during the month of January, for the preceding calendar year.

Rationale: The current dues assessment process unduly burdens members in a part time duty status. This amendment allows members in a part time duty status to bear the same percentage share of the association's dues structure as their full time brothers and sisters.

Author: Lisa Hall (ZAU)

☐Passed
☐Withdrawn

☐Defeated
☐Tabled

☐Passed as Amended
☐No Second

13. Article X, Section 2 Article XIV, Sections 4 & 6

A14-13

AMEND: **Article X, Section 2.** Locals ~~may~~ shall adopt a constitution and bylaws, ~~provided that such constitution and bylaws do~~ The local's constitution and bylaws shall not conflict with this Constitution or any duly promulgated Standing Rule and/or Policy and Position Statements of the Association. ~~Locals that do not adopt a constitution and bylaws shall be governed by the Standardized Local Union Constitution promulgated by the National Executive Board.~~

AMEND: **Article XIV, Section 4.** Interpretations of this Constitution, Standing Rules, and/or Policy & Position Statements, ~~and/or the Standardized Local Constitution~~ shall be made by submitting the question to the Executive Vice President, who shall forward the request to the Constitution Committee for interpretation. Any challenge to the Committee's interpretation of this Constitution shall be submitted to the National President who shall decide the question.

Any party aggrieved by a decision of the President may petition the next National Convention for relief, but the filing of such petition shall not stay the effectiveness of the decision of the President. The decision of the delegates, by majority vote, shall be final. Any interpretations under this section shall be included in the next published National Executive Board minutes.

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AMEND: **Article XIV, Section 6.** Amendments and ratifications to local constitutions shall be in accordance with Robert's Rules of Order, Newly Revised, and per the provisions of this Article:

- a) All proposed amendments to a local constitution shall, be submitted to the local executive board at least thirty (30) days prior to the meeting during which they will be discussed and voted upon; and
- b) All proposed amendments shall be posted at least twenty-one (21) days prior to the meeting during which they will be discussed and voted upon; and
- c) Adoption of proposed amendments to the local constitution shall require at least two-thirds (2/3) of the votes cast by the voting members as defined by the local constitution.

Interpretations to local constitutions, ~~other than the NATCA Standardized Local Constitution~~ shall be made by the Local President. Any challenges to interpretations of local constitutions shall be accomplished in the same manner as challenges to the National Constitution.

Rationale: The Standardized Local Constitution was designed so newly chartered Locals have a framework to create and adopt their own Local Constitutions. The current version has blank areas intended to be filled-in by Locals and subsequently adopted. The format of the Standardized Local Constitution is in conflict with Article X Section 2 of the National Constitution. A Local cannot be governed by an empty "fill-in the blank" document. There are no parameters for election cycle(s) and term limits of officers.

The NCC was tasked with collecting all Local Constitutions and archiving them into UnionWare. During this process we became aware of the conflict and have been determining if any Local exists without an adopted Local Constitution. Fortunately, we haven't found a Local using the "incomplete" Standardized Local Constitution.

The NCC proposes to eliminate the Standardized Local Constitution, and all supporting references in the National Constitution, to protect a Local (WITHOUT AN ADOPTED CONSTITUTION) from being governed by an incomplete document. We have developed a new document "NATCA Local Bylaw Template" to use in constructing Local Constitutions in the same manner. Removing references to the Standardized Local Constitution will prevent Locals from being misled that a document exists that governs their Local.

Authors: National Constitution Committee

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14. Article X, Sections 4 & 5

A14-14

AMEND: **Section 4.** For each term of office, All local officers shall be elected by secret ballot vote of the active members in good standing. Each term of office shall not exceed three years. There is no limit to the number of terms served.

ADD, Renumber subsequent Sections: **Section 5.** Locals may appoint officers to fill vacancies for unexpired terms of office, provided such procedures are specifically defined in their Local Constitution.

Rationale: Allows a Local to replace officers for partial terms without having a special election.

Authors: National Constitution Committee

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15. Article X, Section 7

A14-15

ADD New: **Section 7.** Locals shall have, at a minimum, two (2) membership meetings per calendar year.

Rationale: Ideally locals would be meeting a minimum of once per quarter. Members deserve better than to only meet once per year. This would be very beneficial for everything from morale to education of member's rights. Some facilities only receive what is forwarded to their email lists and passed to them by management. This would help to mitigate that and provide further opportunities for the FACREP to disseminate and receive information about the goings on of the local.

Authors: Drew Stewart (ZSE), Elisa Muise (ZBW),
Troy Verville (LAS), Rick Foster (DFW),
Michael Martin (EWP)

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<input type="checkbox"/> Withdrawn	<input type="checkbox"/> Tabled	<input type="checkbox"/> No Second

16. Article XV

A14-16

AMEND: **Section 1.** The following shall be used to determine seniority for the National Air Traffic Controllers Association:

- Cumulative NATCA Bargaining Unit Time;
- First Tie Breaker: ~~NATCA Bargaining Unit Time;~~
EOD/FAA;
- Second Tie Breaker: ~~EOD/FAA;~~
SCD;
- Third Tie Breaker: ~~SCD;~~
Lottery. The lottery shall be determined at the local level.

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e) ~~Fourth Tie Breaker: Lottery. The lottery shall be determined at the local level.~~

For the purpose of facility release policies, seniority will be determined by facility time only as a bargaining unit member at that ~~present~~ facility.

NATCA Bargaining Unit Time is defined as ~~the total time in a given time spent as an active member in any~~ bargaining unit represented by NATCA ~~and~~ as defined by the legally recognized petition for representation of that unit. Cumulative NATCA Bargaining Unit Time is derived by totaling all time ~~together~~ spent in ~~each~~ any of the NATCA bargaining units.

Section 2. Re-employed annuitant NATCA bargaining unit employees shall have their ~~initial~~ seniority date adjusted to reflect the date they rehire into any FAA NATCA bargaining unit.

Section 3. ~~Any b~~Bargaining unit members who accepted a ~~supervisor/management position after September 12, 2008 and any~~ management position, temporary or permanent, between September 12, 2008 and September 30, 2009, and subsequently returns to the a NATCA bargaining unit position, will have his/her cumulative seniority date set to the day they return.

Rationale: Interpretation of the current version of Article XV by NATCA's Constitutional Committee has awarded seniority to many who have not earned it. While their position that members should be given seniority credit for time prior to NATCA's original certification date of June 19, 1987 is correct, the unintended consequence of this reading is that seniority has also been credited to members who were once employed in other unrepresented units that have since organized under NATCA. This amendment corrects that by changing the first tie-breaker to EOD/FAA. Simply put, bargaining unit time would accumulate only when one is in a position that is presently eligible to pay dues to NATCA. The proposed change to Section 3 specifically defines a time frame for zeroing out seniority beginning at the date agreed upon by the Convention body in Denver, and ending with the effective date of the Red Book. The language in this proposal will remove gray areas and clearly defines how time accrued as a member eligible to pay dues to this Union will be calculated.

Author: Mike "Iggy" Irving (ZDC)

☐ Passed
☐ Withdrawn

☐ Defeated
☐ Tabled

☐ Passed as Amended
☐ No Second

AMEND: Article IV, Section 7. In the event the Executive Vice President or a Regional Vice President is unable to complete his or her term as designated by the Constitution, or if the position is vacated for any reason prior to the term's expiration as defined by the Constitution, the President shall appoint, subject to

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approval of the National Executive Board, an active member in good standing to fulfill that office for the balance of the term as defined by our Constitution until the next regularly-scheduled election pursuant to Article VII; such person shall possess all the rights, powers, privileges, duties and responsibilities vested with the office as if he or she had been elected to the position.

AMEND: **Article VI, Section 1.** Subject to the provisions of this Constitution, all active members in good standing of the Association shall have the right to nominate candidates, to vote in membership referenda, to attend membership meetings and have a voice and a vote at such meetings, to campaign for and hold office, to freely assemble with other members, and to freely speak on any issue affecting the Association.

AMEND: **Article VII, Section 4.** The President shall appoint a five person National Election Committee at least one year prior to the close of nominations. Members of the National Election Committee shall be active members in good standing, but no candidate for office may serve as a member of the National Election Committee. The National Election Committee shall oversee the tabulation of all valid ballots. Only the ballots of active members in good standing shall be counted. After tabulating the ballots, the National Election Committee shall announce the winning candidates.

AMEND: **Article VII, Section 7.** National/Local Election Protests. Any active member in good standing may file an election protest provided all of the following conditions are met:

- a) The protesting member must have been eligible to participate in the protested election at the time of the incident giving rise to the protest; and
- b) A written protest is filed with the National Election Committee through NATCA's General Counsel; and
- c) In order to be timely, a protest must be received no later than 15 days subsequent to the election date stipulated in the election rules, and within 30 days of the incident giving rise to the protest.

AMEND: **Article VIII, Section 5.** Each Local shall be entitled to one delegate. Each Local shall be entitled to an additional delegate for every 50 active members in good standing over and above 100 members. Each delegate shall be entitled to cast a number of votes equal to the number of active members in good standing in his or her Local thirty (30) days in advance of the opening of the Convention, divided by the number of delegates representing the Local properly registered and credentialed at the time of the vote.

AMEND: **Article IX, Section 3.** Annual audit results shall be made available to each member of the National Executive

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Board and shall be made available to any ~~local~~ active member in good standing upon request.

AMEND: **Article XI, Section 4.** Upon petition filed with the National Executive Board, no earlier than six (6) months after imposition of the trusteeship, any active member in good standing of the Local may request termination of the trusteeship. The National Executive Board, acting on such petition, or at any time on its own motion, may terminate the trusteeship and restore self-government to the Local.

AMEND: **Article XII, Section 3.** If continuation of the impeachment process is recommended by a majority of the delegates responding, a committee consisting of seven (7) active members in good standing, who are neither National Officers nor delegates, shall be appointed to conduct an impeachment hearing. Six of the members of the hearing committee (including the Chairman) shall be appointed by the National Executive Board; the remaining member shall be appointed by the accused.

The hearing committee shall provide the accused with at least twenty-one (21) days written notice of the date, time, and place of hearing. Such hearing shall be conducted no earlier than thirty (30) days and no later than forty-five (45) days after the appointment of the hearing committee. The accused shall have the right to question all witnesses who may testify against him, to call witnesses and present evidence in his defense, and to be represented by a member in good standing.

The National Executive Board shall appoint a member in good standing, from a Region other than that of the accused, to prosecute the case. If the accused fails to appear without good cause at the scheduled hearing, the hearing committee shall proceed as if the accused were present. A vote of 5 members of the hearing committee is necessary to remove the accused from office, or to censure, fine, suspend, expel or otherwise discipline the accused.

No National Officer may be tried twice concerning the same offense.

AMEND: **Article XIII, Section 4.** The National Executive Board shall consider the grievance and any reply as soon as possible, but no later than fourteen (14) days after: receipt of the accused member's reply or the expiration of the thirty (30) day response period, whichever occurs first. The National Executive Board may dismiss the grievance or may refer it for hearing before a Trial Committee consisting of 3 active members in good standing appointed by the President. If, in submitting a reply, the accused admits to the charge, and, the accused waives his/her right to a hearing, the National Executive Board shall have the ability to sustain the grievance.

AMEND: **SRF-14 NATCA Education Reimbursement Fund (2/98, 4/00, 9/02).** An education reimbursement fund, not to

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exceed \$50,000 per year, is established for the purpose of assisting active members in good standing to obtain a Bachelor of Labor Studies degree or any other educational course or certificate as deemed appropriate and approved by the National Executive Board from any NATCA-approved institution or program. Upon completion of the course or program, ~~active~~ members may apply for a portion of the fund, not to exceed \$2,500 per calendar year.

This program shall be implemented under rules and regulations as established by the National Executive Board and may be modified or canceled at any time without prior notice. Members who terminate active membership in good standing within two years after receiving reimbursement from the Educational Reimbursement Fund must repay said reimbursement to the Union.

AMEND: **SRH-5 OWCP Committee (4/00)**. A national Office of Workers Compensation Committee is established and funded by the National Executive Board to establish a network of specialized representatives. The committee shall be comprised of one active member in good standing from each region and shall be chaired by the member appointed by the National Executive Board as the National OWCP Representative.

AMEND: **SRH-7 NATCA Historical Committee (9/08, 9/10)**. The NATCA Historical Committee is established to document the official history of the National Air Traffic Controllers Association. The National Executive Board shall determine and provide the necessary funds and support to the committee so that they may complete their tasks as set forth within the committee charter or as directed by the National Executive Board, which shall include but not limited to documenting history at national, regional and local levels. The committee shall be comprised of at least one RNAV member, one active member in good standing from Region X, and one active member in good standing of the Air Traffic bargaining unit.

Rationale: This amendment does not change anything from the way we operate currently. It clarifies the term "member", and makes the document more consistent.

Authors: National Constitution Committee

☐Passed
☐Withdrawn

☐Defeated
☐Tabled

☐Passed as Amended
☐No Second

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At the 1994 NATCA Convention, the following resolution was passed:

“Resolutions that are submitted to the National Constitution Committee 120 days prior to the convention shall be published along with the proposed amendments (this will not restrict submission of resolutions in accordance with the rules established in Convention).”

Accordingly, the following proposed resolutions are submitted for consideration. The proposed resolutions are listed in the order received.

R14-01 Authors: Howie Barte and Rodney Turner
Proposed Name Change for RNAV (Retired NATCA Active Volunteers)

WHEREAS, for decades a form of electronic navigation called Area Navigation has existed, and

Whereas, Area Navigation has used the contraction “RNAV”, and

Whereas, NATCA has a technical committee that works on Area Navigation issues, a.k.a RNAV issues, and

Whereas, NATCA established an internal organization several years ago for retired active NATCA members, and

Whereas, that organization was initially called the Retired Active NATCA Volunteers, and

Whereas the contraction for that organization coincidentally was also “RNAV”, and

Whereas, there has been some confusion caused by two totally distinct entities both being called “RNAV”, and

Whereas, all retired active members who meet the criteria are now automatically members,

BE IT RESOLVED that henceforth the “Retired Active NATCA Volunteers” shall be known as the

NATCA Retired Active Members (NATCA RAM).

R14-02 Authors: National Executive Board
AMEND SRD-1 Annual Membership Dues: Effective January 11, 2015, the annual dues of regular the
membership in the association is set at 1.5% - 1.4% of the individual members’ base pay, step one locality adjusted salary.

Rationale: Since 1992, dues have been set at 1.5% of the bottom of the individual’s locality adjusted pay band. While this served us well 22 years ago as a fledgling Organization, it has become problematic in recent years. As we discovered in 2006 when the FAA unilaterally imposed lower pay bands, our method of calculating dues left our operating capital wholly within the discretion of the Agency to impact. Despite this obstacle NATCA has continued to mature to the point where we are involved in far more issues than ever before on behalf of the membership. Over the last decade we have gone from a trade Union always on the defensive, to being proactive and emerging as the preeminent voice on aviation matters. It now falls upon the Delegates to determine the future of the Organization. Regardless, this Union will continue to exist, as do others that speak on behalf of their members. But we believe the membership of NATCA deserve the best. You deserve to know that when you speak, the world will listen. You deserve to know that your careers, your children’s careers, and the aviation system will be a better place for us having been here.

R14-03 Authors: National Executive Board
DELETE SRD-2 Academy Graduates and Developmentals: ~~For those members not paid in accordance with a ratified agreement who are required to pay more than 1.5% of their salaries due to FAA’s unlawful, unilateral action of September 3, 2006, and the NATCA National Executive Board’s restoration of the application of Standing Rule SRD 1, NATCA shall rebate the difference in dues, in accordance with established practices, collected above 1.5% of base salary plus locality pay. This action shall not be precedent setting and is only intended as a rebate (not a reduction in dues). This resolution shall remain in effect until the NATCA National Executive Board terminates this resolution or the NATCA membership makes a uniform change in the dues structure of the Association in accordance with the National Constitution~~

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~~and Standing Rules, whichever comes first.~~

Rationale: This resolution was enacted to counteract the effects of the FAA's unlawful imposition of September 3, 2006. By its enacting language it was intended to be rescinded once Academy Graduates and Developmentals were properly compensated in accordance with its provisions. In that it has been fulfilled, the NEB voted on March 12, 2014 to terminate SRD-2 and now seek for the Convention body to ratify its rescission.

RI4-04 Authors: National Executive Board

AMEND SRD-4 Dues Deduction: Active members who pay their membership dues via direct billing must pay such dues on an annual basis in total and in advance due to administrative constraints and in keeping with the FLRA decision (case no. 5-CO-70021). In the event that the Federal Service Labor-Management Relations Statute (5 U.S.C. 7101, et seq.) is amended to prohibit agencies from deducting from employees' pay amounts for payment of regular and periodic dues of the exclusive representative, the National Executive Board shall be empowered to prescribe procedures for additional methods of direct billing and payment of dues.

Rationale: Over the past several years there have been multiple attempts by politicians to weaken unions. One of the tactics used is to prevent the automatic dues deduction from payroll. Should the federal government change the law and restrict payroll dues deductions, current NATCA Standing Rules would only provide NATCA members the ability to make a one time annual payment for their dues. The intent of this amendment is to allow the NEB to take the necessary steps to allow members to pay their dues through some alternate method such as electronic funds transfer (EFT) or other suitable means should payroll deductions be eliminated.

RI4-05 Authors: National Executive Board

DELETE SRH-11 NATCA Reorganization Committee: ~~Within 60 days of the close of the 2010 Convention, a committee of seven people shall be chosen by the National Executive Board to research and develop a reorganization of the Union. The committee shall propose to the delegates of the 2012 Convention a plan for re-organization, including a timeline for implementation. If it is found that a reorganization is not reasonable, or warranted, the committee shall issue its findings in a report that will be submitted to the membership by inclusion into the report of the National Constitution Committee prior to the 2012 Convention.~~

Rationale: The Convention delegates adopted SRH-11 in 2010 as a means to study an issue that was brought before the body. The report, including findings and recommendations, was brought back before the Convention body in 2012, in accordance with the requirements therein. As this action has been completely satisfied, the NEB recommends deletion of SRH-11.

RI4-06 Authors: National Executive Board

AMEND SRL-1 Arbitration Policy: Arbitration Requests. ~~Once a grievance has been denied at the Regional Level and the Regional Vice President decides to continue the process, he/she should forward a complete copy of the file to the Director of Labor Relations at the National Office as soon as possible. The Regional Vice President should provide a cover letter with his own evaluation of the case and his request for arbitration.~~

~~The strengths and weaknesses should be discussed and the cover letter should state the date by which the request for arbitration must be made. File packages received less than ten days prior to this date will not be looked on favorably as there may be insufficient time to review the file and conduct appropriate research.~~

~~Upon receipt of the case file from the Regional Vice President at the National Office, the appropriate data will be entered into the computer to establish the calendar suspense dates for formally requesting arbitration and ensure all necessary information has been provided. The file shall then be forwarded to the Director of Labor Relations or the NATCA Counsel for an early evaluation of the case by the National Office. This review shall include research into appropriate statute and case law to determine the chances for success on the merits of the case. The effect of a positive or negative decision on the membership nationwide should also be considered at this time.~~

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~~At all times, the best possible remedy and/or remedy sought by the initial grievant must be considered. If it is determined by the President that the chance of success in arbitration is tentative or weak with little or no likelihood of any beneficial effect on the union, the decision may be made to deny the request for arbitration. In such event, the President shall write a letter to the Regional Vice President and the Facility Representative where the initial grievance arose, informing them of the decision and the reasons for it.~~

~~The Regional Vice President, upon receipt of the decision and reasons the request for arbitration was denied, shall be allowed to appeal the determination to the National Executive Board. Such determination may be overturned by three-quarters (3/4) of those voting. If the Regional Vice President decides to invoke this measure, arbitration shall be requested and the vote taken at the earliest possible time.~~

~~A decision to go forward and seek arbitration shall be accompanied by an assignment of the case to the Regional Vice President, NATCA Counsel, Director of Labor Relations or trained advocates for presentation of the arbitration. The decision on who shall conduct the arbitration shall rest with the National Office which shall take into consideration the following factors: (a) the degree of difficulty of the case; (b) the cost of direct handling by National Office Staff, (i.e., Director of Labor Relations or NATCA Counsel); (c) the risk or desirability of a precedent-setting decision having an effect on NATCA membership nationwide.~~

~~Upon reaching the decision to seek arbitration, a letter will be sent to the Agency's Director of Labor Relations, requesting arbitration. The letter will state the designated NATCA official who is to present the arbitration case and who should be contacted concerning selection of an arbitrator and hearing date. A copy of this letter shall be furnished to the originating Regional Vice President.~~

~~Any Regional Vice President who is unable or declines to accept an assignment to conduct an arbitration may do so, but should notify the National Office as soon as possible. Additionally, the National Office staff shall be ready to assist any Regional Vice President who requests assistance in the preparation for presentation of an arbitration hearing.~~

When a Regional Vice President or his/her designee decides to pursue arbitration of a grievance, he/she will ensure the completed grievance file has been properly uploaded into the NATCA Grievance Tracking System (GATS) and elevated to the arbitration level no later than fourteen (14) days after the receipt of management's step 2 response, or as appropriate. The grievance file should include, at a minimum, a copy of the grievance, management responses (if any), copy of any local MOU(s) relied upon, copies of any laws, Agency Orders, rules, or regulations violated, SF-50s, pay records, witness statements and all other evidence. In addition, accompanying the grievance file, the Regional Vice President or his/her designee will upload a grievance evaluation, which will include the facts of the case, a summary of the evidence, strengths and weaknesses of the grievance, and a recommendation for moving forward.

Upon receipt of the arbitration request and case file, the Director of Labor Relations may conduct a follow-up with the Regional Vice President or his/her designee to discuss the strengths and weaknesses of the case. The Director of Labor Relations may then direct an analysis of the case by the National Office Labor Relations Staff.

Grievances requested for arbitration will be reviewed by the NATCA Labor Relations Strategy Group. The Labor Relations Strategy Group's review of grievances will include all documentation received through the respective region, as well as the analysis prepared by the National Labor Relations Staff. The Labor Relations Strategy Group will make recommendations for or against arbitration and may also recommend other strategies for resolving the grievance. The Labor Relations Strategy Group will recommend arbitration advocate(s) to present the grievance in arbitration hearing.

NATCA's Director of Labor Relations will present the Labor Relations Strategy Group's grievance recommendations to the NATCA President for final determination. The final determination will take into consideration factors such as the chances for success based on the merits of the case and the risk or desirability of a precedent-setting decision having an effect on NATCA membership nationwide.

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If it is determined that a grievance will not proceed to arbitration, the Director of Labor Relations will communicate this decision to the Regional Vice President and the Labor Relations Strategy Group.

If the request for arbitration is denied, the Regional Vice President may appeal such decision to the National Executive Board. The decision may be overturned by a three-quarters (3/4) vote of the National Executive Board. If the Regional Vice President decides to invoke an appeal to the National Executive Board, arbitration will be requested to protect timelines and the vote taken at the earliest possible time. The Regional Vice President is responsible for communicating the final decision to the grievant and to the Facility Representative where the initial grievance arose.

Once the final determination is made to pursue arbitration, arbitration advocate(s) will be assigned to present the grievance in arbitration hearing. The assigned advocate and second seat, if assigned, will work as a team on all aspects of case preparation, including strategy, witness preparation, case presentation, development of an opening statement and post hearing briefs. The selection of an arbitrator will be conducted by the assigned arbitration advocates from the Regional or National panels, as appropriate.

Selection of Arbitrators. The selection of arbitrators for all cases shall be conducted by the person designated to conduct the arbitration. However, the National Office shall retain the right and responsibility to select the regional panel of arbitrators, pursuant to the contract. The Labor Relations Strategy Group will recommend arbitrators for Regional and National panels. The National Office shall retain the right and responsibility to select and remove arbitrators pursuant to the Collective Bargaining Agreements.

Settlements. Once an arbitration case has been assigned for presentation, the person responsible should become familiar with all elements of the case. This preparation should also enable him/her to discuss settlement of the case with Employer Labor Relations personnel. At all times, NATCA personnel must ensure that the best possible remedy is sought on behalf of the grievant and no personal agenda becomes part of or influences the handling or presentation of a case. The decision to accept a settlement shall rest with the person designated to present the arbitration. The National Office shall remain ready to recommend settlement proposals or opinions on employer proposals to Regional Vice Presidents who desire such assistance. The decision to accept a settlement rests with the arbitration advocate(s) in consultation with the Director of Labor Relations.

Final Determination. When a case is settled or an arbitration decision is reached, the National Office and Regional Vice President should be notified at once. The Regional Vice President should then notify the grievant of the resolution of the case as soon as possible. When a case is settled or an arbitration decision issued, the arbitration advocate(s) will immediately notify the Director of Labor Relations and the Regional Vice President. The Regional Vice President should then notify the grievant of the resolution as soon as possible. Every effort should be made to ensure that the grievant learns of the result from NATCA and not management officials.

Rationale: The original adoption of SRL-1 was in the infancy stage of NATCA. It outlined a basic procedure considering newly formed inexperienced Locals, limited communications methods existing at the time, a small National Office staff and a need for centralized decision making. Subsequent modification attempted to address deficiencies that were identified along the way but the overall tone of the policy remained reactive in the face of an ever-mounting number of outstanding grievances. Through time it was recognized that there was a need for a method to properly categorize and analyze outstanding disputes in a real time consistent manner and it was out of that realization that the Labor Relations Strategy Group was formed. The integration of the Group coupled with an up front approach to grievance adjudication has led to an ongoing database of between 60-100 outstanding grievances at any given time, as opposed to the upwards of 1,000 that had continually existed at all times previously. While the newly adopted methods had been operating within the constraints of the existing SRL-1, the proposed wholesale modifications serve to not only memorialize the current process, but to provide the streamlined flexibility to operate in today's faster paced world.

R14-07 Authors: National Executive Board

DELETE SRL-5 Dissemination of Arbitration Decisions: ~~Copies of all arbitration decisions will be sent to NATCA's regional offices.~~

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Rationale: SRL-5 was enacted at a time when communications were made solely by "snail mail." Since that time decisions are electronically transmitted as a matter of course. Additionally, the requirement for dissemination is previously covered in the provisions of the Arbitration Policy (SRL-1).

R14-08 Authors: National Executive Board

AMEND SRM-5 Retired NATCA Active Volunteers: Any retired NATCA member may elect to join the Retired NATCA Active Volunteers (RNAV). Fifty percent (50%) of the dues collected from RNAV members will be rebated to the RNAV Auxiliary. The RNAV Auxiliary may elect to establish local dues that will be retained by the RNAV Auxiliary. The national president shall appoint an individual to administer the affairs of the RNAV Auxiliary. Members of the RNAV Auxiliary shall have all the rights and privileges of active members, except the right to vote and hold office. ~~A NEB subcommittee composed of the Executive Vice President and two Regional Vice Presidents shall solicit volunteers for, and appoint six RNAV members at large to serve on the initial committee for the establishment of the RNAV auxiliary.~~

Rationale: Subsequent to the modification of SRM-5 in 2008, the President established the subcommittee as provided for. The RNAV Committee was established with a Charter being enacted by the NEB and the Committee has been operational ever since. As the action provided for in the second paragraph has been completely satisfied, the NEB recommends its deletion.

R14-09 Authors: National Executive Board

AMEND PSA-3 Employee's Right to Choose Free Choice Act: The National Air Traffic Controllers Association supports public policy and legislative efforts to ensure, protect and preserve American workers' fundamental rights to choose for themselves whether or not to form a union free from coercion and intimidation. The National Air Traffic Controllers Association, through whatever means the National Executive Board deems appropriate ~~in support of this resolution~~, supports the AFL-CIO's effort to enact legislation in support of this position. ~~pass the Employee Free Choice Act and shall educate and enlist NATCA members in the movement to pass the Employee Free Choice Act.~~

Rationale: NATCA has always supported an individual's right to be represented by a union. While NATCA should continue to support public policy or legislative efforts that preserve American workers' most fundamental rights, the Employee Free Choice Act has continually stalled at various stages of the process. In order to maintain overall support without labeling a specific vehicle, the NEB proposes to maintain support of the overall position while deleting specific references to the Act.

R14-10 Authors: National Executive Board

DELETE PSB-2 Retirement for Staff Support Specialists: ~~NATCA will pursue the ability for Staff Support Specialists to accrue early retirement credit for any time those Staff Support Specialists are required as a condition of employment to maintain operational currency.~~

Rationale: Previous to the introduction of this Position Statement Staff Specialists were often required to maintain operational currency yet were ineligible for early retirement credit. The issue driving passage of PSB-2 was about eliminating the untenable position whereby someone could lose his or her job for loss of medical without the baseline protection of an early retirement system. As a result of grievance settlement, which gave rise to reversal of National policy, the requirement to maintain medical certification has now been eliminated unless necessary to maintain elective currency. And if an individual who does maintain currency loses his/her medical, or chooses not to renew it, the individual cannot be required to regain it. With the requirement for operational currency now eliminated, this Position Statement has been satisfied.

R14-11 Authors: National Executive Board

AMEND PSC-2 Contracting Facilities: The National Office shall spare no reasonable expense in the protection, continuation, and growth of all bargaining unit positions, and shall offer all lawful resistance to out-sourcing, privatization or contracting out.

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Rationale: NATCA has remained steadfast in the belief that air traffic control should not be outsourced or contracted out and has consistently viewed an Executive Order declaring Air Traffic Control to be inherently governmental as the vehicle for ensuring this. Throughout the years however, the lack of a stabilized funding stream and the economic gamesmanship in Washington has cast serious doubts as to ability of the current Government governance model to act in the best interests regarding continued growth and stability of the system. While NATCA should continue its opposition to outsourcing and contracting out of bargaining unit positions, the political will for serious solutions is rapidly growing and NATCA must be involved, from exploration to implementation. As part of the discussions, other nation's Air Navigation System Providers (ANSP) are being studied and explored, including those which employ some measure of privatized governance. To that end, the NEB has passed a resolution, for delegate consideration, outlining the necessary latitudes and protections for our participation in the process. While that NEB resolution fits into the confines of the Constitution and By-Laws, in order to afford the ability to fully explore all potential options, the NEB recommends the deletion of "privatization" from PSC-2.

R14-12 Authors: National Executive Board

DELETE PSD-4 Phoenix 20/RMC Program: ~~NATCA will make it a priority, on both a National and a Regional level, to lobby the Agency and, if necessary, Congress to get permanent positions for controllers working under the Phoenix 20 Program or the Retired Military Controller (RMC) Program.~~

Rationale: The underlying issue giving rise to PSD-4 has been worked continually since its passage in 2008 with little success from an overall program perspective. While we are occasionally able to deal with individual situations, the inability to reach resolution is based on the FAA's position that they will not offer a permanent position to the Retired Military Controller (RMC) Program participants since the mandatory age 56 retirement would prevent consistent application to program participants. The NEB also deems a legislative fix to the issue would directly conflict with NATCA's policy on age 56 mandatory retirement provisions.

R14-13 Authors: National Executive Board

DELETE PSF-4 Midnight Staffing: ~~The NATCA National Office is directed to formally approach any and all parties, as deemed necessary and prudent, to establish that all working shifts at air traffic control facilities be staffed with a minimum of two full performance level controllers. The National Executive Board fully supports NATCA's pursuit of this position through whatever lawful means possible.~~

Rationale: Based on events that occurred shortly after the 2012 Convention involving controller fatigue issues, and coupled with the ongoing work of the Fatigue Workgroup, every FAA facility now has at least 2 controllers on every midnight shift, as well as other provisions intended to deal with fatigue. There are only a few FCTs represented by NATCA that operate on midnight shifts. They currently are still staffed by one person, but because of the way they are funded with the county or municipality paying for the midnight ops, it appears there is no way to mandate the 2-person midnight shift staffing. Any efforts would likely result in closures on the midnight shift vs. increased staffing.

R14-14 Authors: National Constitution Committee

ADD New SRC-7: Within one hundred and eighty (180) days of the closing of each biennial convention, each Local shall review their Local Constitution to ensure compliance with the National Constitution.

Rationale: Article X, Section 2 of the National Constitution allows Locals to formulate Constitutions provided that such bylaws do not conflict with this National Constitution. With the passage of time, many provisions in Local Constitutions that were previously compliant are now in conflict with the National Constitution. Members of a Local should be able to review their Local Constitution as the controlling document for the operation of their Local and have a reasonable expectation that those provisions will be sustained if challenged. The time line identified in the resolution allows for a reasonable period of review after the newly revised National Constitution is published.

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R14-15 Authors: National Constitution Committee

~~DELETE **SRE-2 (h)**: NATCA members who are selected for FAA management positions will be immediately denied access to the NATCA BBS and, as appropriate, listservs and group email lists and voice mail.~~

Rationale: SRE-4 passed in 2010. It better defines the issue and makes SRE-2(h) redundant.

R14-16 Authors: National Constitution Committee

AMEND ~~SRE-4~~ Local Audits: The financial records of every NATCA Local must be audited at least once every three years to ensure compliance with all Department of Labor, Internal Revenue Service, and NATCA financial provisions. Audit reports shall be issued to a Local's President and Treasurer and copied to the NATCA Executive Vice President and appropriate Regional Vice President within thirty (30) days of the completion of the audit. The President shall identify a person employed by NATCA to ensure full compliance with the proceeding provisions. The National Executive Board may withhold dues rebates for any Local failing to demonstrate remedy for any violation of Department of Labor, Internal Revenue Service or NATCA financial provisions within ninety (90) days of receiving the report identifying violation(s). ~~The development and implementation of the necessary procedures and processes to ensure compliance with the proceeding provisions must be accomplished prior to June 1, 2006.~~

Rationale: The deadline for the development and implementation of the procedures has long since passed, so this sentence is unnecessary.

R14-17 Authors: National Constitution Committee

AMEND ~~SRI-7~~ Legal Defense Fund: A legal fund shall be established for the purpose of collection of money and distribution of proceeds such that NATCA members, for whom NATCA is not directly responsible for their defense, may defend themselves from legal action. The fund shall be administered by NATCA's Executive Board (NEB). ~~The NEB shall move to begin to establish this fund no later than the close of business September 12, 2008.~~

Rationale: This fund was established within the timeframe specified, therefore the last sentence no longer applies.

