
**NATCA National Executive Board Meeting
January 30-31, 2008**

The meeting was called to order by President Patrick Forrey and the following individuals were present:

Paul Rinaldi, Executive Vice President;
Ricky Thompson, Alaskan Regional Vice President;
Howard Blankenship, Central Regional Vice President;
Phil Barbarello, Eastern Regional Vice President;
Mike Robicheau, New England Regional Vice President;
Scott Farrow, Northwest Mountain Regional Vice President;
Mike MacDonald, Region X Regional Vice President;
Victor Santore, Southern Regional Vice President;
Hamid Ghaffari, Western Pacific Regional Vice President.

Also present were Adell Humphreys, Jimmy Ray Garrett, Dave Riley, Mike Ryan, Dean Iacopelli, Steve Sutcavage, Garth Kolesczar, and Barry Krasner.

Acceptance of Minutes from Previous Meetings:

Robicheau: Motion to approve the minutes from the November 5-8 meeting and the December 7/January 3/January 10/January 18 teleconferences

Farrow: Seconded

Vote: Passed unanimously

Corporate Membership Application: CDO Technologies has submitted an application to become a NATCA corporate member.

Santore: Motion to approve CDO Technologies as a NATCA corporate member

Blankenship: Seconded

Vote: Passed unanimously

Use of NATCA Logo/Licensing Agreements: It has come to the attention of the National Office that companies are embroidering the NATCA logo on garments for resale but have not signed a licensing agreement to use the logo. A licensing agreement was created several years ago, but has not been enforced. Mr. MacDonald suggested that in order to use the NATCA logo, a company would pay a nominal fee and agree to use NATCA's logo on American-made (preferably union made) items only. General Counsel Rita Graf will be asked to draft licensing guidelines for NEB review.

Darrell Meachum joined the meeting at this point.

Budget: Mr. Rinaldi distributed preliminary FY 2007 year-end budget reports. He explained that the final budget numbers would be available by the end of February.

SCI/OSI: Steve Sutcavage reported that he and Don Chapman are working on the SCI/OSI issue. He believes that NATCA should have prepared sooner for this, as there's a great deal of uncertainty on how to deal with this issue that affects every NATCA member. At the suggestion of Dean Iacopelli, Mr. Forrey will put together a small group of NATCA representatives to identify other potential issues that we can expect to see from the FAA in the months ahead. Based on this information, NATCA National will develop an action plan to address potential Agency action before it occurs.

Mike Ryan discussed the union's labor relations strategy. He believes that the membership is extremely frustrated with the massive number of grievances that they are filing under the provisions of the "green book", knowing full well that the Agency is ignoring the grievances when they receive them. He questioned if there is some way NATCA members could file grievances under the provisions of the White Book while not acknowledging that document. Since egregious violations are occurring that are harming our members, he believes we need to address these issues in a manner that can result in some action on the Agency's part.

Mr. Forrey noted that he understands the frustration in the field and explained that the NEB has discussed this matter on a regular basis over the last two years. NATCA Counsel has explained that NATCA must accept either all or none of the White Book provisions. The NEB knew that by taking the current course of action (to not recognize the imposed set of work and pay rules) would create a hardship on the membership in the form of delayed justice. However, the NEB decided that NATCA would never recognize an imposed set of work and pay rules on its membership; we would continue to fight the Agency through all means possible. Mr. Forrey stated that he would have NATCA's Labor Relations and Legal teams review all possible ways to address the FAA's continued violation of their own imposed work and pay rules.

Mr. Rinaldi noted that even if we filed grievances under the provisions of the White Book, there is no assurance that the Agency would take any action on them. The Bush Administration has decimated collective bargaining and have proven through their actions that they don't care about union members, so NATCA's best chance of obtaining relief is through legislation. This is labor's struggle for its future, and it won't be resolved quickly. Frustrated members need to stand strong and united during these tough times, as quitting the union won't help the situation. Mr. MacDonald believes that we must figure out some way to get issues to arbitration, because that's how members see that action is being taken.

Back Pay/MSPB: NATCA Director of Labor Relations Marc Shapiro joined the meeting at this point to discuss the possibility of obtaining back pay. He explained that several years ago, the MSPB ruled against back pay for a member represented by PASS. The case was appealed to the D.C. Federal Circuit Court, at which point the FAA agreed to let the individual keep his back pay. In NATCA's case, the Office of Special Counsel has recommended that we need to keep the issue and remedy distinct and different. Outside

Counsel Sean Lafferty is taking the lead on this matter and trying to get some resolution at this time.

Right to Strike Legislation: Mr. Santore suggests that NATCA work to change the law so that it would be legal for air traffic controllers to go on strike. He admitted that he wouldn't expect any such language to pass through Congress; however, he and his members are incensed that they cannot obtain relief from the FAA, the MSPB, FSIP, FLRA or Congress. He believes that NATCA's asking for the law to be changed in such a manner could help with our issues. Other NEB members believed this could be perceived as a threat. Mr. Robicheau believes we have other options, and that we should pressure Congress to fix the problems we have encountered with the FLRA and FSIP. Mr. Rinaldi believes we need to focus solely on our legislative fixes; if we pursue some other type of relief, Congress could withdraw their support of our issues. Mr. Meachum believes the timing of asking for such legislation is wrong at this time, since the media has picked up on our emphasis on safety in the skies.

OWCP Committee Chair: A vacancy currently exists for the chairmanship of NATCA's OWCP Committee. Jeff Rutledge from the Southern Region and James Deavers from the Western Pacific Region have expressed interest in serving as the chair. After discussion, the NEB selected James Deavers to chair NATCA's OWCP Committee.

BBS Policy: In May 2007, the NEB passed a policy that denied access to the NATCA bbs for NATCA members who have been selected for supervisory jobs. Since that time, there has been interest in disallowing all access to NATCA communications vehicles for such members.

Blankenship: NATCA members who are selected for FAA management positions will immediately be denied access to the NATCA bbs and, as appropriate, all listservs and group email lists and voice mail.

Meachum: Seconded

Vote: Passed unanimously

NATCA Staffing Matrix: Mr. Ghaffari believes it should be a high priority for NATCA to develop a scientifically-valid staffing matrix so that we can give this information to our friends on Capitol Hill in support of our issues. He noted that CAMI has already done some of the work necessary. One problem with conducting a staffing study is that in order for such a study to be valid, access to the facilities is necessary and the FAA will be reluctant to grant such access. Mr. Barbarello will hold a meeting in the near future with his staffing workgroup and start proceeding again with assumptions.

Western Terminal PA Notice: Mr. Ghaffari has already filed an Article 7/Cease and Desist letter on this matter, which affects more than his region alone. He noted that the ODP language has been retracted, but the phraseology language is rather punitive. NATCA has requested a meeting with the FAA to discuss this issue. While it affects only terminal facilities at this point, it could affect all facilities nationwide at some point in the future.

Consideration of Motion:

Ghaffari: Whereas the FAA is continually engaging in direct, and indirect attacks on our representatives; and whereas, NATCA needs to aggressively deal with any attacks against its representatives, past or present; and whereas, John Carr and Bob Marks were intimately involved with and assisted the members of the PHX Local in dealing with FAA management; and whereas, failure to stand beside past or present representatives acting within the scope of their duties would only further the cause of those determined to censure, restrain and ultimately defeat NATCA; and whereas, this would serve to give pause to all NATCA representatives in the performance of their duties and ultimately support the FAA's attacks on NATCA; and whereas, John Carr's and Bob Marks' response to the most recent actions against FAA Supervisor John Gilding were natural extensions of their duties as a former national officer; then be it resolved that NATCA shall indemnify John Carr and Bob Marks in the lawsuit brought about by FAA Supervisor John Gilding.

Blankenship: Seconded

Ghaffari: Motion to split the above motion, creating separate motions for John Carr and Bob Marks

Blankenship: Seconded

Vote: Passed, with Mr. Barbarello, Mr. Forrey, Mr. Farrow, Mr. Santore and Mr. Rinaldi in opposition.

Meachum: Motion to amend the last portion of both motions, as follows: "then be it resolved that NATCA shall indemnify pay legal fees for both John Carr and Bob Marks in the lawsuit brought about against them by FAA Supervisor John Gilding, up to a maximum of \$25,000."

Ghaffari: Seconded

Vote: Defeated, with Mr. Barbarello, Mr. Thompson, Mr. MacDonald, Mr. Meachum and Mr. Ghaffari voting in favor.

Ghaffari: Motion to amend the last portion of both motions, as follows: "then be it resolved that NATCA shall indemnify pay the legal fees for both John Carr and Bob Marks in the lawsuit brought about against them by FAA Supervisor John Gilding."

Meachum: Seconded

Vote: Defeated, with Mr. Barbarello, Mr. Meachum and Mr. Ghaffari voting in favor.

Meachum: Motion to postpone consideration on the motion dealing with Bob Marks until such time that Mr. Marks is named as a charged party in the lawsuit brought about by FAA Supervisor John Gilding.

Santore: Seconded

Vote: Passed unanimously

A vote was taken on the final motion as amended ("Whereas the FAA is continually engaging in direct, and indirect attacks on our representatives; and whereas, NATCA needs to aggressively deal with any attacks against its representatives, past or present; and whereas, John Carr was intimately involved with and assisted the members of the

PHX Local in dealing with FAA management; and whereas, failure to stand beside past or present representatives acting within the scope of their duties would only further the cause of those determined to censure, restrain and ultimately defeat NATCA; and whereas, this would serve to give pause to all NATCA representatives in the performance of their duties and ultimately support the FAA's attacks on NATCA; and whereas, John Carr's response to the most recent actions against FAA Supervisor John Gilding was a natural extension of his duties as a former national officer; then be it resolved that NATCA shall indemnify John Carr in the lawsuit brought about by FAA Supervisor John Gilding."

Vote: Defeated, with Mr. Ghaffari voting in favor.

NAATS Alaska: Al Baker, President of NAATS Alaska, joined the meeting at this point. His members recently overwhelmingly in favor to merge with NATCA. Details remain to be worked out to finalize the merger, including transition issues. NAATS Alaska will become part of the NATCA Alaskan Region. Mr. Baker expressed his thanks and pleasure to be part of NATCA. Their bargaining unit contains 88 members.

Use of Union Hotels: Mr. Rinaldi reminded the RVPs that union hotels should be used for meetings whenever feasible, even if they are slightly more expensive than non-union properties (in accordance with NATCA Standing Rule G-3).

CRM: Dale Wright, NATCA's Director of Safety and Technology, joined the meeting at this point. NATCA recently received an Article 7 notice from the FAA concerning CRM; the Agency subsequently provided a briefing on CRM and agreed to incorporate NATCA's input. In addition, they have agreed to NATCA designating a national representative for CRM. Mr. Forrey noted that the NEB had previously agreed to designate representatives for certain projects. However, Mr. Santore objects to providing NATCA representatives to the Agency until we have a negotiated agreement. Mr. Rinaldi is concerned that until NATCA's issues with the ATSAP program are resolved, the CRM program could have a negative impact on NATCA's members. After discussion, Mr. Forrey said we will discuss this issue with the FAA before taking any further action.

Dues Workgroup: Mr. Rinaldi reported that the dues workgroup has considered a number of options regarding NATCA membership dues. The group's primary concern is that any change to the manner in which NATCA dues are calculated have neutral impact on both the organization's income and the individual member's paycheck. One suggestion being considered is that NATCA's dues structure be based on one hour of pay – one hour's worth of pay would be the amount of dues an individual would pay per pay period. This type of plan would prevent the Agency from having any impact on NATCA's dues structure, as dues would no longer be based on an Agency-imposed pay scale.

Grievance Procedures: Kevin Sills and Marc Shapiro joined the meeting to discuss grievance procedures. These guidelines were developed by a grievance workgroup, composed of members of the Labor Relations staff and the National Executive Board. Concerns had risen in the past as to who would gather the data in support of the grievance

(whether this would be done by the NATCA representative at the local level or the National Office Labor Relations staff). Mr. Shapiro believes the best source for this information would be at the local level, and that the local representative should gather the facts and supporting information. Legal research should be done at the national level, and the two parties should work closely together to develop a viable case. Mr. Meachum believes it essential to have an individual at the national level who ensures that the necessary information is submitted from the local level; if it is deficient, this person would work with the local representative to ensure the proper and necessary information is submitted. Mr. Barbarello and Mr. Meachum will review the proposal from the workgroup and determine if it properly meets the union's needs. This was agreed by consensus.

Mentorship Program: Laura Robinson joined the meeting at this point to brief the NEB on the NATCA mentorship program. She announced that the name of the program has been changed to "NATCA Reloaded - Protecting the Future of Our Union." The program's long-term goal is to mentor new controllers and encourage them to become activists. The program has two parallel avenues to ensure success: one is to encourage new air traffic controllers to join NATCA by having a more senior member take the new person "under their wing" and help them out in the first months of training at the facility. Secondly, the program is designed to provide information to current NATCA activists about encouraging activism among newer members. The team plans to attend six FacRep training classes, four regional meetings, and will be present at the convention to discuss this program. They're also developing a 5-7 minute DVD that includes labor history and current labor issues.

Seniority Guidance: Mr. Blankenship wants to post NATCA's seniority guidance in the policy section of the members-only portion of the bbs. He asked that the NEB review the guidance document that he emailed to them earlier to ensure its accuracy.

IFATSEA Participation: Mr. MacDonald reported that NATCA has sent representatives to the annual conference of the International Federation of Air Traffic Safety and Electronics Association. PASS represents the United States at this conference, but NATCA's attendance and participation has been encouraged. Mr. MacDonald believes attendance at this conference benefits both the engineer and air traffic controller bargaining unit members, as air traffic issues are also discussed at the conference. Funding for this participation would come from the National Office budget.

MacDonald: As NATCA encourages participation in organizations and events that will enhance the status of NATCA as a leader in aviation related matters, NATCA will fund annually, two members (one engineer and one air traffic controller) to attend the IFATSEA General Assembly Meeting.

Robicheau: Seconded

Vote: Passed unanimously

Financial Analysis of IWRs: Mr. Thompson questioned whether we have any idea on the financial toll that the imposed work rules have had on NATCA's members. Mr.

Forrey believes the FAA has probably saved close to \$50 million last year on retirements alone. Mr. Thompson recommends that this information be compiled. He also suggested that a "counter" (or other type of visual representation) be placed on NATCA's website that shows how many controllers have quit the FAA; Mr. Forrey will follow-up with NATCA's Communications Department to see if this would be feasible. He will also talk to Jeff Walukonis to see if IWR cost estimates can be developed.

AEDs: Mr. Forrey noted that we have yet to receive a response from Ventris Gibson concerning AEDs.

Consolidation Workgroup: Mr. Ghaffari discussed his dissatisfaction with the lack of progress on the consolidation workgroup. It appears that the Agency is merely using the workgroup as a public relations tool. Mr. Ghaffari will discuss the workgroup's lack of progress with Rick Ducharme and determine the best course of action for NATCA.

Retirement Seminars: Mr. Ghaffari asked that he and the other Regional Vice Presidents be notified when retirement seminars are scheduled in their respective regions (these seminars are usually coordinated with the local Facility Representative). He will discuss this with NATCA Membership Director Lew Zietz.

Web-Based Training: Tony Yushinsky joined the meeting at this point to discuss a proposed web-based training program for NATCA. Mr. Yushinsky developed this proposed online training course for NATCA activists as his senior project at the National Labor College. He presented a demonstration program to give the NEB an idea of what such training would look like. Programs would have a syllabus that would outline the goals of the program, and assignments would be provided on a weekly basis. Mr. Yushinsky will work with the National Labor College to further develop this program, and will develop a budget for the program for NEB consideration. Mr. Rinaldi wanted to ensure that any online training would be secure so that only authorized NATCA members were able to access the training.