
NEB Meeting Minutes
March 21-23, 2007
NATCA National Office

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

Paul Rinaldi, Executive Vice President
Rick Thompson, Alaskan Regional Vice President
Howard Blankenship, Central Regional Vice President
Phil Barbarello, Eastern Regional Vice President
Bryan Zilonis, Great Lakes Regional Vice President
Mike Robicheau, New England Regional Vice President
Scott Farrow, Northwest Mountain Regional Vice President
Victor Santore, Southern Regional Vice President
Darrell Meachum, Southwest Regional Vice President
Hamid Ghaffari, Western Pacific Regional Vice President

Also present was Adell Humphreys, NATCA Chief of Staff.

Acceptance of Minutes from Previous Meetings:

Meachum: Motion to approve the minutes of the January 31-February 2 meeting, February 22, February 27 and March 1 teleconferences

Blankenship: Seconded

Vote: Passed unanimously

MSPB Constructive Suspensions:

NATCA General Counsel Rita Graf and Labor Relations Director Marc Shapiro joined the meeting to discuss how best to handle constructive suspension cases. NATCA will retain outside counsel Sean Lafferty for the purpose of pursuing constructive discipline cases before the MSPB (cases concerning the forced use of sick leave or LWOP for temporarily medically disqualified employees).

Barbarelllo: Motion to retain Sean Lafferty as outside counsel for prosecution of MSPB constructive prosecution cases (funding to be taken from budget #24/arbitrations)

Robicheau: Seconded

Vote: Passed unanimously

Request for Tuition Reimbursement:

Michael Ball is pursuing a degree through Embry Riddle University and is requesting tuition reimbursement in the amount of \$921 for a class in human factors. Marc Schneider is also attending classes at Embry Riddle and is requesting tuition

reimbursement in the amount of \$1,777 for classes in financial accounting and statistics with aviation.

Zilonis: Motion to reimburse Michael Ball in the amount of \$921 and to reimburse Marc Schneider in the amount of \$1,777 for tuition expenses

Rinaldi: Seconded

Vote: Passed unanimously

Position/Policy on UAVs:

Mr. Forrey recommends that NATCA develop a position/policy statement on unmanned aerial vehicles. He will discuss this issue with Mike Hull and National Safety Committee Chair Vince Polk and ask them to prepare a recommendation for NEB consideration. Legislative Update: Pat McCann and Suzanne Sullivan from McCann and Associates briefed the NEB on their legislative efforts on behalf of NATCA. Also present were Trish Gilbert, Jose Ceballos, Ken Montoya and Frank McCarthy. Discussion ensued on NATCA's legislative strategy.

Phoenix 20:

Mr. Thompson noted that there are a number of "Phoenix 20" controllers in his region who have recently become aware that of several retirement provisions that will negatively affect them. Mr. Thompson will have him discuss these issues with NATCA's new retirement advisors S. Harmon and Associates.

Mold/WonderMaker Expenditures:

Last year, NATCA spent \$68,000 on environmental issues; this year's budget reflected funding of \$25,000 for the entire year. Environmental issues are becoming major problems at facilities throughout the country. Mr. Rinaldi noted that a rough estimate of expenses for the first three months of 2007 is \$25,000. Once our year-to-date expenditures have been accurately determined, Mr. Rinaldi will recommend transfers of funds into this budget for the remainder of the year. However, he believes it is necessary to transfer \$25,000 from NATCA's set asides account at this time into the environmental budget.

Rinaldi:

Motion to transfer \$25,000 from NATCA's set-asides account into the environmental budget

Forrey: Seconded

Vote: Passed unanimously

UnionWare Contract:

Mr. Robicheau distributed the contract prepared by UnionWare. He explained that representatives from UnionWare met at NATCA National earlier this month to discuss

their proposal, which will replace NATCA's membership database with a goal of creating one comprehensive membership database that can communicate with NATCA's various databases (i.e., PAC, accounting, grievances).

Robicheau:

Motion to purchase the UnionWare software at an initial cost of \$33,500, plus \$3,275 per month

Blankenship: Seconded

Vote: Passed unanimously

ETAP Arbitration Strategy:

Mr. Ghaffari recommended that NATCA finalize a strategy for the upcoming ETAP arbitration, recognizing that the outcome of this case will have a significant impact on a number of facilities. Mr. Forrey will follow up with Marc Shapiro to coordinate a meeting to discuss the union's strategy.

Providing Information to Corporations about Retired Members:

Mr. Santore believes that if NATCA's retired members want to be considered for jobs offered by our corporate members, they should be able to indicate this ("opt in") and have it recorded on NATCA's membership database. This would allow the union to provide lists of potential qualified employees to our corporate members who are looking for skilled individuals. The current corporate membership fee is \$500 per year; Mr. Santore believes that providing this type of information to a corporation would justify a significant increase in NATCA's corporate membership fee. He will research what other associations charge for corporate memberships.

NAATS Alaska:

NAATS Alaska has notified NAGE/SEIU of its decision to end its affiliation with them. NATCA has decided to offer NAATS Alaska a merger. NATCA will offer NAATS Alaska the opportunity to be represented by NATCA. These individuals are FAA employees, AT-2152 series. Under NATCA's merger proposal, the NAATS Alaska members working in Alaska would fall under the NATCA Alaskan Region; the NAATS Alaska members serving at the Command Center would fall under the Eastern Region. Mr. Forrey will send a proposal to the president of NAATS Alaska in mid-April after their affiliation with NAGE/SEIU has ended.

Open Season:

Mr. Rinaldi announced that the recent open season was the most successful one in recent history, gaining the union 308 new members. New England won the regional incentive program and will receive \$2,000 toward their expenses at the 2008 Convention; the Southwest Region came in second, winning \$1,500; and the Northwest Mountain Region came in third, winning \$1,000.

Local Officer Training:

The October 15 local officer training class, scheduled to be held at the National Office in Washington, D.C., will be cancelled.

BBS Policy/Approval of Requests to Forward BBS Posts:

Mr. Blankenship noted the current language regarding forwarding of BBS posts reads as follows: "*NATCA BBS participants may not forward or disseminate postings on the NATCA BBS unless (1) they are a Facility Representative disseminating information directly from a national officer or the national office to NATCA members within their Local, or (2) they receive approval from the National Executive Board or each author within a post. At no time may NATCA BBS participants remove the BBS disclaimer when forwarding any emails received via the BBS.*"

Meachum: Motion to amend the policy to read as follows: NATCA BBS participants may not forward or disseminate postings on the NATCA BBS unless they (1) are a Facility Representative disseminating information directly from a national officer or the national office to NATCA members within their Local; (2) are a national committee member or NATCA employee disseminating information to other committee members, national officers or NATCA employees if forwarding that post will promote the mission of of the committee or department; or (3) receive approval from the National Executive Board or each author within a post. At no time may NATCA BBS participants remove the BBS disclaimer when forwarding any emails received via the BBS.

Zilonis: Seconded

Vote: Passed, with Mr. Blankenship, Ghaffari and Thompson voting in opposition.
Committee Meetings: Discussion ensued on the practice of holding committee meetings outside the NATCA National Office. Mr. Rinaldi noted that the National Office has large meeting room space and audio visual equipment available to host such meetings at no cost.

Ghaffari:

All Committee Chairs shall provide justification to and receive approval from the Executive Vice President prior to scheduling any committee meeting outside of the NATCA National Office.

Rinaldi: Seconded

Vote: Passed, with Mr. Blankenship and Mr. Thompson voting in opposition

Executive Session Protocol:

Mr. Ghaffari questioned the protocol of executive sessions during NEB meetings. It was explained that votes are not recorded and published during executive sessions (except in the case of internal grievances, where the results of the votes are published). There is also no public dissemination of the discussions during executive sessions.

Advertising Plan:

Mr. Rinaldi displayed a photo of the diorama that will be displayed in airports nationwide over the next few months. He investigated the possibility of advertising in other airports such as San Francisco, Oakland, Dallas Love, DFW, Houston Hobby and Houston Intercontinental. The additional cost for advertising in these airports would be \$167,100. After discussion, it was agreed to expand the advertising to Houston and Oakland. Mr. Rinaldi also outlined a proposal to sponsor the Ed Schultz show. Ed Schultz is the premiere voice in progressive radio and a champion for the everyday worker. Sponsorship would give NATCA one thirty-second commercial per hour (to be played over the air and on streaming broadcast), one five-second news sponsorship billboard per hour, and page sponsorship of the Ed Schultz personality page on the 1260 Progressive Talk web page. A six month investment would cost \$19,750. Mr. Rinaldi believes this would be a wise investment and recommends that the NEB authorize this expense. This was agreed by consensus.

FLRA 2-Member Board:

Mr. Blankenship noted that since Carol Waller Pope has been recently appointed to the FLRA, NATCA no longer needs to pursue the issue of the lack of appointments to the FLRA.

Developmental Dues Reimbursement:

Mr. Rinaldi explained that, beginning pay period 6, NATCA intends to reimburse the dues overpayments made by developmental controllers. We will need banking information from these individuals in order to accomplish this by electronic funds transfer. Assistance from the FacReps may also be required to determine the members who will be eligible for these reimbursements.

SCT Realignment:

The FAA is still moving ahead with realignment of the SCT airspace, and is doing this at the same time they're incorporating Palm Springs airspace into SCT. Mr. Ghaffari is working with several local Congressmen, as it is essential that proper oversight be conducted to protect the safety of the flying public. Mr. Rinaldi suggested Mr. Ghaffari reach out to AOPA to enlist their support. NATCA's Safety and Technology Department will also work on this with both the National Safety Committee and the National Legislative Committee.

NATCA Employee Retirement Benefits:

Mr. Rinaldi briefed the Board on the new insurance plan being provided to NATCA employees. This coverage includes medical, dental, vision, prescription drug, life, AD&D and short and long-term disability insurance, and the premiums are fully-paid by NATCA. All full-time NATCA employees are covered under this insurance as well as their eligible dependents. It has been recommended that NATCA continue to provide medical and dental insurance and prescription drug coverage to its employees who retire with certain eligibility requirements (i.e., employees who reach the age of 50 prior to retirement and have a sum of age in years plus years of eligibility service equal to at least 80, and employees who reach age 60 prior to retirement and have at least 10 years of eligible service). Based on their years of service, the retired employee would be required

to pay between 25% and 35% of the monthly premium. Discussion ensued on the financial implications of providing medical insurance to NATCA's retired employees.

Downgrade Letter:

Mr. Ghaffari feels it is essential to emphasize the need with the Agency for downgrade letters. He believes the FAA must memorialize downgrades in writing. Mr. Forrey will follow up with Joe Miniace to ensure that the Agency abides by their agreement.

San Jose Indoor Air Quality:

Mr. Ghaffari explained that air conditioning ducts were being sealed at San Jose Tower, but the manager never checked the scope of the work. The contractor used a chemical sealant that affected the vision of several controllers, but the contractor wouldn't stop his work until he was ordered to do so by a supervisor. Air sampling was conducted ten days later, but the chemicals had dissipated somewhat and were below OSHA hazardous levels. It is critical that members file CA-1 forms in situations like this (not CA-2 forms). Mr. Meachum asked Mr. Rinaldi to see how NATCA can ensure that WonderMakers is granted access to facilities to conduct testing and sampling when necessary.

John Carr - Expense Reimbursement:

Mr. Rinaldi advised the NEB that he has received a voucher from former NATCA President John Carr for reimbursement of subsistence expenses for the period February 3-March 5. The Board had previously approved a 60-day extension for payment of subsistence expenses for Mr. Carr, and this voucher represents the last payment due Mr. Carr.

San Francisco Dues Discrepancy:

Mr. Rinaldi confirmed that this dues discrepancy was the result of a typographical error. The FAA will be informed of this error via a letter from NATCA.

Arbitration Dates/Locations:

Mr. Rinaldi will ask Mark Shapiro to include upcoming arbitration dates/locations in the Labor Relations Update, so that NATCA's trained arbitration advocates can attend these arbitrations if they are able to do so.

National Finance Committee Charter:

Andy Heifner, Chair of the National Finance Committee, has submitted a charter for NEB review and approval (see Attachment 1). The NEB unanimously approved the charter as amended.

Membership Benefit Fund:

Mr. Meachum recommends a change to the language in the NATCA Member Benefit Fund provisions, which would extend the fund until the end of calendar year 2009. Meachum: NATCA reserves the right to amend or terminate any benefit under the Member Benefit Fund at any time. Benefit payments under the Member Assistance Benefit will terminate ~~120 days after the end of the term of office of FAA Administrator Marion Blakey~~ on December 31, 2009 unless extended by the NATCA National

Executive Board prior to December 31, 2009. However, loan benefits approved by the Trustees before such date will continue to be payable as otherwise provided under the Plan. Loan repayments will continue beyond the date that benefit payments cease and must continue to be repaid until the terms of the promissory note are satisfied in full.

Barbarelo: Seconded

Vote: Passed unanimously

Repayment of Training/Meeting/Function Costs:

Mr. Meachum has drafted a policy that would require NATCA members who elect to participate in NATCA-sponsored functions to repay the union for expenses incurred on behalf of that member if the member accepts or starts a temporary or permanent non-bargaining unit position with the FAA within 12 months of attending any NATCA-sponsored national or regional training session, meeting or other function (see Attachment 2).

Meachum: Motion to approve the national policy on repayment of NATCA training/meeting/function costs after acceptance or commencement of a non-bargaining unit position with the FAA.

Farrow: Seconded

Vote: Passed unanimously

Email addresses:

In connection with recent bbs discussion, Mr. Forrey explained that "natcad.org" addresses were intended for NATCA members and employees who worked out of the NATCA National Office. He recommends that NATCA members who no longer work out of the NATCA National Office be given 90 days after notification to terminate use of natcad.org addresses. This was agreed by consensus.

NATCA PAC:

The PAC Advisory Board (PAB) evaluate PAC dispersals, goals and priorities. The NEB and the National Legislative Committee recognize the unique access that the PAC provides to our elected officials. NATCA will continue to use the PAC to build and maintain relationships as well as to expand our influence. We are determined to ensure that NATCA's PAC contributions are distributed only to those candidates who embody the spirit of NATCA's PAC mission and support the overall goals of NATCA. Further, NATCA PAC funds will be used to support those members that have specifically raised or addressed NATCA's issues with their colleagues on Capitol Hill. With that direction and under those guidelines, the NATCA PAC has been reopened.

ATC Student Membership:

Mr. Meachum will work with Lew Zietz on the creation of an ATC student membership category within NATCA. This membership will be at no cost to the individual. This was agreed by consensus.

Engineers Contract Negotiations:

Lead Negotiator Barry Krasner has announced that negotiations have been successfully completed on the Engineers contract. At the beginning of their last bargaining session, ten articles remained on the table (including pay), but these articles have now been TAU'd.

Mentorship Program:

Doug Hartman and NATCA Training Manager Allen Figueroa briefed the Board on the proposed mentorship and labor education project. Phase one of this project will encompass a comprehensive membership survey, focus groups, analysis of information and initial educational concepts, and a meeting of the National Labor College and NATCA's National Executive Board to review results and make recommendations for further implementation of the mentorship project.

Barbarelo: Motion to approve the implementation of phase one of the mentorship and labor education project, funding in the amount of \$85,000 to be transferred from the set-asides account to the newly created budget, "Mentorship Training" which will be overseen by the Executive Vice President.

Forrey: Seconded

Vote: Passed unanimously

Audit:

Mr. Rinaldi distributed recommendations from Buchbinder Tunick & Company, NATCA's audit firm. The Department of Labor intends to audit all unions within the next three years. NATCA's auditors strongly recommend that itemized receipts be submitted for meals, including the names of all parties at the meal and the purpose of the meal. Mr. Rinaldi urged the Board to strictly adhere to our current financial policies.

Thompson; Motion to adjourn

Robicheau; Seconded

Vote: Passed unanimously

Attachment 1

NATCA National Finance Committee Charter

The NATCA National Finance Committee, hereafter referred to as the Committee, shall assist the President, Executive Vice President, and Regional Vice Presidents in protecting the assets of the Association, and its members while ensuring that the fiduciary responsibilities of NATCA are upheld.

Composition. The Committee shall be composed of one (1) active member in good standing from each Region in addition to a Chairman. Each Committee member shall be selected in accordance with the NATCA National Constitution/Standing Rules/Policy & Position Statements effective at the time of the selection.

Committee Leadership. The members of the Committee shall elect a Chairman. The members of the Committee shall elect a Secretary. The Chairman and Secretary shall be elected at the Committee Meeting during the Biennial Convention. The length of term for the Chairman and Secretary shall be "Convention to Convention". There is no limit on the number of terms that the Chairman or Secretary may serve.

If the Chair is vacated, the Chair shall be replaced in accordance with the NATCA National Constitution / Standing Rules / Policy & Position Statements effective at the time of the vacancy. If the Secretary position is vacated, the Chairman shall conduct an election among the remaining Committee members to replace the Secretary.

Meetings. The Committee shall meet at least once per year. This annual meeting shall coincide with the November National Executive Board meeting. The Committee shall meet at each NATCA Biennial Convention. Additional meetings may be held when deemed necessary by the Chairman and approved by the Executive Vice President.

Roles and Responsibilities. Review financial reports of the Association. Review the submitted annual budget and make recommendations for change to the National Executive Board. Conduct oversight audits on NATCA Locals and submit reports within 14 days of the audit. Assist Locals in the filing of required DOL, IRS, and NATCA financial documents. Assist the Training Department in conducting financial training at the FACREP Training Class and Local Officer Training Class. Assist Regional Vice Presidents in the development of their Annual Regional Budgets. Assist the Executive Vice President and Regional Vice Presidents in managing Convention Subsidy initiatives. Recommend Financial Policy changes to the National Executive Board. Assist Locals with DOL Audits.

Attachment 2

National Policy on Repayment of NATCA Training/Meeting/Function Costs After Acceptance or Commencement of a Non-Bargaining Unit Position with FAA

In order to facilitate the most productive use of NATCA's limited financial resources and to ensure that those training and/or meeting costs paid or reimbursed by NATCA on behalf of NATCA members who elect to participate in NATCA-sponsored functions are utilized in the most advantageous manner for the organization, the NATCA National Executive Board hereby enacts the following policy, effective as of May 1, 2007:

Any NATCA member who accepts or voluntarily commences a temporary or permanent non-bargaining unit position with the Federal Aviation Administration (i.e., an FAA supervisory or managerial position) within twelve (12) months of attending any NATCA-

sponsored national or regional training session, meeting, or other function for which the costs of the member's attendance were paid and/or reimbursed by NATCA shall repay the full amount, as determined by NATCA, of all travel and other expenditures directly attributable to that member's attendance at the NATCA-sponsored event.

The twelve month period shall commence as of the first day of the NATCA-sponsored training session, meeting, or other function. The obligation for repayment shall accrue as of the date of the member's acceptance or commencement, whichever occurs first, of a temporary or permanent non-bargaining unit position with FAA.

Members shall have sixty (60) days from the date on which the National Office sends notice, via overnight delivery service or certified mail, to the member's home address (as maintained in the NATCA membership database) of the specific amount(s) due as repayment to NATCA.

Members who fail to repay NATCA in accord with the provisions of this policy shall be referred to the NATCA General Counsel for any and all appropriate legal actions necessary by the organization to recover the amounts due and all other appropriate relief, including, where applicable, the recovery of related attorney fees and legal costs.

By incurring expenses paid for and/or reimbursed by NATCA at any activity covered by this policy, NATCA members acknowledge and agree to comply with the provisions of this policy.