

NEB Meeting Minutes September 6-7, 2008

The meeting was called to order by President Patrick Forrey, and the following individuals were in attendance: Paul Rinaldi, Executive Vice President; Ricky 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; Mike MacDonald, Region X Regional Vice President; Victor Santore, Southern Regional Vice President; Darrell Meachum, Southwest Regional Vice President; Hamid Ghaffari, Western Pacific Regional Vice President. Also present were Adell Humphreys, NATCA Chief of Staff; Michael Hull, NATCA SCT; and Barry Krasner, NATCA Executive Director.

Acceptance of Minutes from the July 22-24 Meeting, August 7 & 14 Teleconferences:

Blankenship: Motion to approve the minutes as written

Farrow: Seconded

Vote: Passed unanimously

OLD BUSINESS

Tracking Unresolved NEB Issues: Mr. Robicheau reported that Google has an online application that will assist in tracking unresolved NEB issues; he will email a link to the NEB for their review. He will work with Mr. Krasner to implement this program (Mr. Krasner will serve as administrator). **Open - Robicheau**

OSHA Committee Charter: The charter for NATCA's OSHA committee is being developed, and a first draft was submitted for NEB review. Mr. Krasner will work with Mike Odryna further on this charter, and will submit a final product for NEB review. **Open - Forrey**

ESEP: Mr. MacDonald reported that the Agency is providing an Article 7 briefing to NATCA on September 17 regarding the status of this program. **Open - MacDonald**

Shrinking Engineering Workforce: Mr. MacDonald is awaiting feedback on this issue. **Open - MacDonald**

Web-Based Training: A roll-out of this training is being conducted on October 5 for selected participants. There are still some problems with the podcasts, but this is being resolved. Tony Yushinsky is spearheading this program. **Open - Ghaffari**

SRMDs: We are still waiting for a counter-proposal from Rick Ducharme, and are working with Hank Krakowski to stop the Agency from splitting further tower facilities. NATCA's position remains that we will not move forward on any proposals to split facilities until an MOU has been signed by the parties. **Open - Forrey**

TTAP Update: We have received no response from our first information request, and have no response to our request for a meeting to discuss TTAP. A second information request is being prepared. **Open - Blankenship**

SIRS Program: A congressional hearing has been scheduled for September 17 on the SIRS program. It is still undecided whether Mr. Forrey will testify. **Open - Forrey**

Table of Penalties: Mr. Zilonis has gathered information from other government agencies regarding their tables of penalties. This issue is now being worked by NATCA's Futures Workgroup, and all documents have been forwarded to them for their use. **Open - Zilonis**

CISM Peer Debriefers: Mr. Ghaffari has learned from Jim Ullman that the Agency will no longer provide training to CISM peer debriefers. NATCA is still in need of three peer debriefers, and there is one opening on the EAP committee. **Open - Forrey**

CBA Negotiations/Wage Determination: Discussion ensued on the advisability of pursuing this issue, as it could be used against us by the Department of Labor. It was agreed that this should be considered for future contract negotiations, and Mr. Forrey agreed to work with the National Office staff to develop a proposal for future negotiations. **Open - Forrey**

Web Schedules: Mr. Santore expressed concern with the Agency's use of web scheduling, particularly from a security aspect. This program requires the use of an FAA email address, and will allow employees to bid their schedules via computer from their homes on their own time. Discussion ensued on future implementation of the program. It is agreed that appropriate arrangements and accommodations must be negotiated so that employees can access the program at the facility during duty time; workstations must be provided and made available to employees at their facilities. Mr. Forrey will discuss this with Hank Krakowski in the hope that we can shortly begin negotiating procedures and appropriate arrangements. **Open - Robicheau**

Website Links: Mr. Blankenship noted that not all of the NATCA constitutional interpretations have been posted on the website as of this date. He is waiting further information from NATCA's General Counsel. He will also post NEB policies as they are approved. **Open - Blankenship**

Critical Staffing Levels: Mr. Ghaffari reported that the critical staffing issue at SFO has been successfully resolved. **Closed**

TCAS RA Tracking: Mr. Forrey has yet to receive a response from Hank Krakowski regarding the issue of tracking TCAS RA s. **Open - Forrey**

Timeline for Filings with the OSC: Mr. Ghaffari is working with NATCA's Labor Relations staff to determine if there is a timeline for filing complaints with the Office of Special Counsel concerning retaliation issues. **Open - Ghaffari**

NEW BUSINESS

Employee Free Choice Act: Mr. Meachum and Mr. Blankenship developed a proposed policy statement and implementation strategy for the Employee Free Choice Act (EFCA). While he unquestionably endorses the concept of supporting union families through the EFCA, Mr. Forrey believes that NATCA members should be encouraged to sign up in support of the EFCA through electronic means (i.e., publicizing it on the various listservs and the NATCA bbs), as opposed to sending a mailing to their homes.

Meachum: Motion that 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; and that 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 "Million Member Mobilization" effort to pass the Employee Free Choice Act and pledges to obtain 10 percent of its members to sign a petition in support of workers' rights (as many as possible with pictures and other expressions of personal support), shall promote membership education about the assault on collective bargaining, the assault on the middle class and the

assault on employee unions (and what it means to America); and shall educate, mobilize and enlist NATCA members in the movement to pass the Employee Free Choice Act.

Blankenship: Seconded

Vote: Passed unanimously

NATCA's Executive Vice President shall be responsible for the underlying action items, including overseeing efforts to prepare information and/or materials in support of this resolution. The National Office shall distribute a Call for Action prior to September 30, 2008 and post the Call for Action to the NATCA bbs and each NATCA listserv. NATCA's "Union Busting" presentation will be given at the 2008 Biennial Convention, at regional breakout sessions, and other locations during the Convention as deemed appropriate, to promote the EFCA, obtain signature cards/petitions, gather pictures and other expressions of personal support, and provide information and materials for Locals to initiate education and signature-gathering within facilities. Signature cards and petitions will be circulated, pictures will be taken and other expressions of personal support of the EFCA will be collected at regional dinners to maximize participation by members, family members and friends.

Flight Service Locals: Mr. Thompson announced that the four NAATS Alaska locals became part of NATCA on August 20. The FAA has been notified of this change, and representatives have been designated for the four locals. The locals comprise approximately 75 members at this time. Eight members will attend the NATCA convention in Miami. Training for these representatives will be conducted November 11-13 in Alaska.

Forrey: Motion to appoint Al Baker as National Flight Service Bargaining Unit Representative; Mike Welsh as alternate National Flight Service Bargaining Unit Representative.

Thompson: Seconded

Vote: Passed unanimously

Closed

Communications Committee Vacancy: In accordance with Standing Rule H-3, the Communications Committee has recommended Stephen Ramsden to fill the current vacancy on their committee.

Blankenship: Motion to appoint Stephen Ramsden as a member of the National Communications Committee

Robicheau: Seconded

Vote: Passed unanimously

Closed

Training of OSHA Committee Members as Indoor Air Quality Inspectors: Due to the high expenses being incurred by the use of consultants, Mr. Barbarello believes NATCA should have its OSHA committee members trained on mold remediation and testing procedures. Mr. Rinaldi explained that members would need to be certified in order to have any professional credibility, and this would take a great deal of time to achieve. He suggested looking at other companies that could provide this service. Mr. Barbarello agreed to look into other alternatives. In addition, Mr. Forrey offered to have NATCA's Government Affairs staff

investigate past legislative proposals that would define an air quality standard. **Open - Barbarello/Forrey**

Membership Access to GATS: NATCA members will have access to the GATS system as of September 14. In order to access their information, they will click on a link and fill in certain information; this will be forwarded to the appropriate NATCA regional office. Once membership is confirmed, an email will be sent to the member with further information on the GATS program. **Closed**

ARP-1: Mr. MacDonald noted that the individual who has been nominated for the position of ARP-1 has treated NATCA members very positively in the past, and he questioned whether the union should support this nomination. Mr. Forrey recommended that the union do so, and this was agreed by consensus.

Hurricane Response: Discussion ensued on whether the union should develop a national hurricane response policy, and whether regional/nationwide focal points should be designated. It was noted that natural disasters occur nationwide, including floods, fires and earthquakes. Mr. Santore will work with several Regional Vice Presidents to develop a natural disaster response checklist and reimbursement policy. **Open - Santore**

PCS Problems: It appears that the Agency has changed the travel policy as it affects the NATCA bargaining unit; they will now provide 20% of the PCS funding in advance of the move and will provide the remaining 80% once a lease is signed or an HUD statement is produced. The Agency is also alleging that individuals on a fixed-relocation benefit are not entitled to house-hunting benefits. Mr. Krasner will see if he can resolve this issue through his contacts at FAA headquarters. **Open - Krasner**

Staff Specialist Contract Negotiations: Mr. Krasner reported that the Staff Specialists contract team has entered into negotiations. Ground rules have been signed, and negotiations are slated to begin during the week of September 22. There were 15 articles remaining "on the table" when negotiations stalled two years ago; the Agency now wants to reopen a number of articles due to the elapsed time. In addition, they have asserted a number of issues that they believe are now non-negotiable. A number of significant issues are still open, including pay. It is important that the Staff Specialist pay issue be carefully considered, due to its potential impact on other NATCA bargaining units. Mr. Forrey committed that the NEB would be involved in the negotiating strategy for this contract. **Open - Krasner**

Insurance: ULLICO has yet to make an official determination regarding their coverage of the former NATCA officers who are involved in a defamation lawsuit. Discussion ensued on the insurance coverage of current and former officers, including local facility representatives. **Open - Rinaldi**

UnionWare: Mr. Robicheau reported that NATCA Facility Representatives will have access to NATCA's UnionWare database as of September 14. FacReps will be able to view information for their facilities only and will be able to make limited changes (address, telephone numbers, email addresses). A seniority list will be included in this version of UnionWare (FacReps will not be able to make any changes to seniority). **Closed**

Age 31 Waiver: Several Flight Service employees in Alaska who hold CTO licenses have requested NATCA's assistance in seeking age waivers from the FAA so that they can join the Agency as air traffic controllers. After discussion, the consensus of the Board was that pursuit of these types of waivers should be considered in the future, and will be included during the next round of ATC contract negotiations. **Closed**

Reconsideration of Tuition Reimbursement Denial: Clement Bourg has asked that the NEB reconsider its denial of his recent request for tuition reimbursement. After discussion, the

Board agreed to uphold its earlier decision to deny this request in light of their recently-passed reimbursement criteria. **Closed**

Initiation Fee/Open Season: Mr. Santore questioned whether there was any interest in an open season at this time, as he is particularly interested in having recent FAA Academy graduates join the union without having to pay an initiation fee. Mr. Robicheau noted that NATCA representatives meet with Academy students regularly in Oklahoma City and explain the benefits of joining NATCA. After further discussion, there was no interest in an open season at this time. **Closed**

Harassment of NATCA Activists: Mr. Forrey has spoken to Hank Krakowski about the ongoing harassment of NATCA activists, but it appears no action has been taken. Mr. Forrey will meet with Mr. Krakowski once again on September 16, and he will once again bring up the issue of FAA managers who continue to abuse their authority. **Open - Forrey**

Development of Operating Practice for Future Contract Negotiations: Mr. Barbarello believes a coordinated strategy and bottom-line need to be developed for all future contract negotiations. Mr. Barbarello explained that he doesn't want the NEB to be involved in the day-to-day negotiations process, but he feels it is critical that the NEB approves the direction in which negotiations are proceeding. This was agreed by consensus. **Closed**

Convention Subsidy: Mr. Barbarello suggested that the NEB reconsider the current convention subsidy policy, in an effort to provide more financial relief to the smaller NATCA locals. After discussion, the NEB decided to leave the current policy intact. **Closed**

Budget: Mr. Rinaldi explained that NATCA's fiscal year 2008 revenue is below projections. He stressed that FY 2009 budgets be prepared accordingly. Realistic budgets will be necessary, along with possible cutbacks. **Closed**

PAB: Mr. Robicheau raised concern about the difficulty in obtaining PAC funding for two Senate candidates in his region, both of whom are very supportive of NATCA and labor in general. Mr. Forrey indicated that we would take care of contributions for Jean Shaheen and Tom Allen in their general elections. **Closed**

SCT Consolidation: Mr. Ghaffari noted that SCT currently maintains a five-area configuration, despite traffic that would justify seven areas. He explained that the facility is still dealing with the effects of the Palm Springs consolidation and is training a number of new hires. He has had continuing dialogue with Hank Krakowski, and later with Steve Zaidman. The facility wants to return to six areas, possibly seven. If these discussions do not move forward, they may work with Congress in order to resolve this problem. **Open - Ghaffari**

FDA Letter Campaign: Mr. Meachum noted that former NATCA Northwest Mountain Regional Vice President Carol Branaman is currently battling a very rare form of cancer. She has been traveling at her own expense to Holland for treatment, as this most effective form of treatment has not been approved by the FDA for use in the United States. She has asked that NATCA members send letters to the FDA and encourage the FDA to approve this treatment as soon as possible, as it could have a lifesaving effect on many cancer patients. This was agreed by consensus; in addition, Mr. Forrey will speak to NATCA's Government Affairs staff about working this issue through our Congressional contacts. Mr. Meachum will distribute a draft letter to the Regional Vice Presidents which they can disseminate at their regional convention breakout sessions. **Closed**

ATSAP: Mike Blake briefed the board on the status of the ATSAP program.