NATCA National Executive Board Meeting

July 14-15, 2011
New York City, NY

The meeting was called to order by President Paul Rinaldi, and the following individuals were in attendance:

Paul Rinaldi, President
Patricia Gilbert, Executive Vice President
Larry Lescanec, Alaska Regional Vice President
Kevin Peterson, Central Regional Vice President
Phil Barbarello, Eastern Regional Vice President
Bryan Zilonis, Great Lakes Regional Vice President
Mike Robicheau, New England Regional Vice President
Jim Ullmann, Northwest Mountain Regional Vice President
Victor Santore, Southern Regional Vice President
Tim Smith, Southwest Regional Vice President
Hamid Ghaffari, Western Pacific Regional Vice President
Mike MacDonald, Region X Vice President
Barry Krasner, Executive Director

Also in attendance were John Bratcher, Scot Morrison, Marguerite Graf, Anna Jancewicz, Jeff Richards, Chris Johnson, Steve Weidner and Jose Ceballos.

Old Business

Seniority: There are 5 more facility seniority lists in hand to be entered into Unionware. (Open-Robicheau)

National LMR Conference: There are similar conferences put on by several entities, like the FLRA, American Arbitration Association, etc that our activists can attend. In the future we may look at holding a NATCA conference. However, with 2012 being a Convention year as well as U.S. elections, it was determined to be the wrong time to entertain this type of endeavor. It is closed but may be brought up and researched at a future time. (Closed-Smith)

HIMS: After a briefing from AMAS, and NEB discussion a decision was made not to pursue a HIMS program at this time. (Closed-Santore)

CIC Pay: A recommendation was made to the CSC members to put the issue back on the CSC agenda in order to have the CIC workgroup get back together to answer some of the CIC situations that they did not answer the first time. At the same time NATCA is moving forward to arbitration on a CIC case. 10-ACT-1 is scheduled for
hearing on September 20th with Mark Wilson and Dean Hall as the advocates. (Closed-Robicheau)

Membership Status: The NEB was presented with an overview of proposed benefits as they pertain to the various classes of membership. Barry Krasner was tasked to convert the overview(s) into actual policy documents, which could then be enacted upon by the NEB. Prior to that being accomplished, changes needed to be made to the Associate membership category to eliminate inconsistencies in the application of the UNUM insurance policy. Those initial changes have been made and duly enacted. The drafting of the proposed policy documents is now being resumed. (Open-Krasner)

Staff Specialists Good Time: Data has been gathered and we are in the process of scheduling a follow-up meeting in August. July was not feasible due to vacation schedules. (Open-Zilonis)

National Office IT: In June we upgraded the National Office bandwidth to increase Internet speed. We are still working on bids to replace antiquated servers. (Open-Robicheau)

LAX Tom Bradley Construction: The local workgroup at LAX continues to meet. However, recent developments at LAX with changes to the workgroup makeup on the management side have raised concerns for NATCA. Paul has discussed our issues with LAWA management. A telcon is set-up for Monday with Rick Ducharme and Walt Cochran on the mixed messages coming from the FAA on the line of sight issues. Facility level management continues to say that the workforce will be working the blind taxiway (S) with ASDE-X and cameras. That is also the understanding of airport management. FAA at the national level is saying it will be a non-movement area. The taxiway is due to open in September. (Open-Ghaffari/Rinaldi)

Middy Position P50: Western terminal recently sent a team to P50 to evaluate the mid-shift operation. We’re waiting to be briefed on the evaluation. Meanwhile, Phil Barbarello continues to have dialogue with Terminal VP Walt Cochran on the mid-shift staffing at P50 (1 CPC and 1 FLM). (Open-Ghaffari/Barbarello)

Controller Refresher Training: The workgroup has met via teleconference and are looking at a rather aggressive timeline to develop a refresher course for controllers. Ham has discussed the importance of quality vs. expediency with our NATCA Training Rep Garth Koleszar who is leading the team. (Open-Ghaffari)

Flight Deck Training: The Flight Deck Training MOU has been signed. The six (6) month notice is being finalized. The FAA continues to work through problems with the CASS (Cockpit Access Security System) and airlines that must change their Ops Manuals to allow us on the Flight Deck. Based on some of these issues, the parties agreed to change the effective date of the program to August 1, 2011. We are trying
to schedule a joint NATCA/FAA telcon on Flight Deck Training for Tuesday July 26, 2011. (Open-Ghaffari)

**Dues Workgroup:** The National Executive Board is proposing to clarify language in the constitution related to the annual dues of regular membership (Open-MacDonald)

**Convention 2012:** Entertainment for closing event is still being negotiated. Invesco Field for the closing event contract is still being worked. We are waiting on required changes from them. (Open-Ullmann)

**ZMA/ZHU update:** Data scrubs have been jointly accomplished at both facilities. The parties are attempting to reconcile differences regarding Oceanic and Domestic Over Water counts (Open-Santore).

**ERAM:** We had several telcons and discussions last week on falling back to HOST at ZSE due to an unmitigated critical ERAM to ERAM issue. Unfortunately senior decision makers have opted to stay up on ERAM after being assured by the Program Office, Lockheed Martin and facility management that would be the safer course of action. The same decision makers visited ZSE this week and spoke to the local NATCA teams and rep. (Open-Ullmann)

**New Business**

**Torrey Reich Tuition Reimbursement:** Torrey Reich’s request for tuition reimbursement was approved in accordance with SRF-14. Seconded by Zilonis. Approved unanimously. (Closed)

**Professional Standards:** There are four of our contracts with the same language contained in Article 52. Discussion ensued with Jeff Richards –National PSC lead on how the structure may be set-up internally for optimum success of the program for all bargaining units. In accordance with our collective bargaining agreements each bargaining unit will establish a Professional Standards Team (3 NATCA/3 FAA). Internally all NATCA teams will report to the initial team set-up under the redbook. This will ensure continuity and appropriate resource support. (Closed)

**Change Efforts “cheat sheets”:** Discussion surrounding a single source resource document that would provide a brief explanation of all initiatives/workgroups that NATCA is involved in. NATCA’s Executive Vice President introduced the idea of adding this to the NATCA app already being developed. The app would host all relevant information that the Union is involved in including a page for all collective bargaining agreements. We will be pursuing the development of this as we develop the NATCA mobile app. (Open-Gilbert)

**Art 67, Sec 2 (Staff Specialists/Flight Services CBAs):** Ham Ghaffari will work with a designee from Staff Specialist and Flight Service bargaining units to craft a
plan on how to improve requirements analysis, foster efficient use of resources, and increase employee involvement in the field of training. NATCA will send notification to the FAA conveying Ham as the NATCA designee. (Closed)

**Unionware online registration for NATCA Academy:** An adhoc committee, chaired by Hamid Ghaffari, will develop a standard operating practice for solicitation and selection of members interested in attending official NATCA training. Additionally, Mike Robicheau will develop an on-line registration. (Open-Ghaffari/Robicheau)

**Internet for smaller locals:** As per the June NEB meeting, the National Executive Board passed a policy to reimbursement up to $50 a month to locals covered by SRF 12 for Internet access. This policy will start on July 1st for service with the complete billing cycle in July. Locals should not send June statements with days in July but rather start with the following billing cycle. Statements/receipts should be sent in to the National Office with a voucher. They can be bundled and sent two to six months at a time. Be advised if six months of receipts are submitted at a time any receipt older than 180 days is no longer a legitimate expense as per the NATCA national constitution. Wireless cards, hotspots and internet in the facility are reimbursable, home service is not. (Closed)

**Aero Medicine Advisory Service (formerly known as VFS) applicability to pilot’s licenses—** Many of NATCA’s members are also private pilots and could benefit from aero medical services when obtaining or regaining their pilot medical certification. John Bratcher, Benefits committee chairman, will research getting a NATCA discount for members who would like to get medical advice and advocacy for a pilot’s certificate, if it is outside of what is required to maintain their FAA Medical for their job. Currently members receive (via their Union membership) advice, council, and advocacy on issues that relate to their FAA Medical as required for their employment with the FAA. (Open-Bratcher)

**Advanced Rep Class beta Dec 5-8:** The class is scheduled for 3 ½ days with 20 students. For the beta class, each region will get two (2) slots for a total of 20 participants. We will be fine tuning the curriculum and then be able to determine the true length of the class and optimum class size. The pre-requisite for attending the advance class is the basic facrep class or the revised basic rep class. (Open-Ghaffari)

**FCT staffing/fatigue:** Discussion regarding the FCT and the fatigue MOU between the FAA and NATCA.

The initial fatigue workgroup was convened as per Article 55 of the ATC/TMU/NOTAM agreement that went into effect on October 1, 2009. Included on the team were NATCA, FAA, NASA and CAMI. The team modeled over 100 different permutations of shifts and schedules. As a criteria, the hours of work that were considered to be unsafe were when the cognitive abilities sank to a level
equivalent to having a blood alcohol level of .04 or higher. The science found that
the only shifts where controllers dipped below the criterion line were on mids.
Therefore, the mitigations were directed towards reducing that risk. The 9-hour
recommendation between an evening shift and a day shift were about reducing the
effect on mids. That extra hour of sleep prior to the first day shift translated into
going into the mid less fatigued at the end of the week.

The Agency chose to make it a 9-hour gap between all evenings to day shift
turnarounds, but really the science was about the effect on the mids. While 9 hours
between an evening and a day shift without mids does likely reduce fatigue, either
way does not translate into reaching the unsafe zone of fatigue.

Any negotiations with RVA would not translate into more bodies; it would likely
translate into closing earlier or opening later. The one area that might be viable
position for NATCA to take with FCTs would be 1-man mids however very few work
mids. We will look further into this issue after discussion with those facilities.

The remainder of the mitigations has to do with sleep apnea, and we will research
that end of it, as far as the impacts on FCTs, as we are working through it with the
FAA (that will be worked by a task force post-MOU, and the work on that piece is
just beginning). (Open-Smith)

NATCA membership effective date:  There seems to be some confusion as to
when NATCA membership is in effect.

Paul Rinaldi - Motion - Membership starts upon receipt of the member’s application
to the National Office.
Tim Smith - Seconded

Motion Passed unanimously

NATCA Academy Classes for 2012: The NEB agreed to the following number of
classes for 2012. (Open-Ghaffari)

Local Officer Training  - Schedule 3 classes, budget for 1
Basic Rep Training     - Schedule 6 classes budget for an
Advanced Rep           - Schedule 2 classes budget for 1
Arbitration Advocate 1 - Schedule 2 classes
Arbitration Advocate 2 - Schedule 1 class budget for 1 additional
OSHA                    - Schedule 1 class
OWCP                    - Schedule 1 class
Drug and Alcohol - Schedule 1 class
Contract Tower - Schedule 1 class
LEAP - Schedule 2 classes

Untimely Business

Collaboration Meeting: September 19-23 in Dallas. The agenda will entail getting all the Regional Coordinators together in one place to share the lessons and experiences in the field on collaboration. Additionally the agenda will focus on fostering a conceptual connection between the RCs, the RVPs and DOs. Time will also be spent on an exit plan for those that have or are close to completing their task as scoped. (Open-Gilbert/Smith)

BWS Negotiations for 2012: The post Article 55 workgroup status
Frank Hatfield has been named as the agency’s lead for the Post article 55 joint workgroup. We are working to have a meeting scheduled before the end of July to get the schedule guidance out to the field. (Open- Barbarello/Zilonis)

NTSB budget:
Trish Gilbert - Motion to increase the NTSB budget #45 by $6000.

With the NTSB increased review of air traffic control incidents the budgeted amount will soon be exhausted.

Kevin Peterson - Seconded

In accordance with SRF-3 the motion passed unanimously to increase the NTSB budget by $6000, which would cover one investigation per month for the remainder of the year. (Closed)

Safety and Technology budget:
Trish Gilbert- Motion to increase the Safety and Tech budget #20 by $32,000.

This year has seen tremendous growth with the involvement of NATCA on many S & T initiatives. NATCA entered into an agreement with the FAA on our participation in the Safety Risk Management Panels (SRMP) after this years budget was already approved. These panels require NATCA funding to attend as a stakeholder. Other areas of increased activity are RNAV, JPDO WX, CFS Tech Rep mtg, FAST, DataComm/RTCA214 and NextGen.

Phil Barbarello- Seconded

In accordance with SRF-3 the motion passed unanimously to increase the Safety and Technology budget by $32,000. (Closed)
**Briefings**

**Labor Relations briefing:** Deputy Director Anna Jancewicz briefed the National Executive Board regarding changes to the Labor Relations department. New administrative processes, weekly staff meetings, shared LR calendars, subject related databases, work product/assignment tracking systems, LR brief bank, arbitration selection guide and a universal electronic filing system are just some of the things being implemented.

**General Counsel briefing:** closed session

**Union Labor Works:** John Glynn & Tim Quis from Union Labor Works briefed the National Executive Board on current and future marketing strategy’s, radio ads and TV spots. Also discussed regional web design and maintenance.

**Benefits:**

- **Retirement Seminars:** John Bratcher briefed the NEB on the current status of scheduled seminars and also pending requests for retirement seminars. The NEB unanimously agreed since we have already reached the budgeted amount of seminars this year, to hold off scheduling further seminars until next year.

- **Health Advocate Benefit Program:** John Bratcher updated the NEB on status of the proposed program from Health Advocate. The board was concerned about cost and usage of the program. John Bratcher is going to get more information for the board on this program so that we can determine if this is a program worth pursuing.

**Organizing:**

**MPA’s:** John Bratcher briefed the board that the FAA had complied with the FOIA request concerning MPA’s and there are several boxes of information to go through at the National office. John questioned what data would be pertinent to our decision on MPA’s. Barry and John are going to work on reviewing the information before the board decides on the status of MPA’s.

**DOD Facilities:** John Bratcher briefed the NEB on several requests from DoD Civilian Controllers requesting NATCA to serve as their representative. Several of these facilities are believed to be a part of AFGE. John briefed that organizing these facilities would be against the AFL-CIO charter and that he had informed the requesting controllers of this. Discussion on the board ensued about the different options and processes in representing DoD facilities and handling requests such as this in the future.
Local Chartering rules: John Bratcher updated the NEB on a new FCT being represented by NATCA. LEE FCT (Leesburg, FL) is currently awaiting for RVA to recognize NATCA as the exclusive representative for LEE which should be accomplished no later than July 30th. The NEB discussed the process in which a Local Charter petition is processed and when this can be accomplished for new bargaining units.

ATC Levels and the National Validation Team (NVT): Scot Morrison and Chris Johnson briefed the National Executive Board on the new NVT MOU and the status of facility upgrade/downgrades. The Terminal/Tower list has 4 upgrades (two became eligible when the parties agreed to adjust the breakpoints by the 7%). 118 are on the downgrade list. The process for validation still needs to be agreed to by the Parties. The Centers and the CCFs will need to be rebaselined before that list is agreed to.

The team is developing a FAQ document for members and planning for a joint national conference call to include facility reps and air traffic managers. Additionally they are working with the FAA to formalize the validation process. The solicitation closed today for those interested in being on the NVT. Selections will follow within the month.

PAC Briefing: Steve Weidner briefed the National Executive Board on future strategies for keeping our PAC strong. A PAC Go-Team has been implemented and available to facilities that are interested in hosting a PAC event. Leadership has set a goal to reach a 5 million an election cycle PAC by the 2012 elections. We are at $4.5 million now, which is the highest it has ever been. The PAC has taken in $385,000 of new money since the beginning of 2011. With losses due to retirement, etc the next gain is approximately $200,000 this year. The retiree PAC program is still being worked with OPM.

Government Affairs Briefing Government Affairs Briefing: Jose Ceballos briefed the National Executive Board on the potential impact the current DC environment could have on our membership. Federal employees salaries and benefits are under attack as a way to lower the deficit and as a political tactic. The debate started in 111th Congress when deficit cutting became a political priority. The Joint Senate / House Commission (Sen. Conrad & Gregg) proposed an 18 member commission of 16 congressmen and 2 from the administration to work secretly with each recommendation slated to get an up or down vote. NATCA strongly opposed many of their recommendations.

Then the Obama Deficit Commission (Simpson/Bowles) worked with a Dec 2010 deadline for package that 14 out of 18 had to be in favor of in order for the recommendations to proceed. Again, NATCA strongly opposed many recommendations, which included:

- Increase FERS contributions
- Change high 3 years to high 5
- 3 year pay freeze
- COLA adjustment (new formula)
- Raise Social Security retirement age (67 & 68 discussed)

These talks then became the template for action in the 112th Congress. The seating of the new Congress in January 2011 immediately targeted the President on spending and the deficit issue took center stage. The Ryan budget was the first piece with the key federal employee issues being:

- 5 year pay freeze
- 10% reduction in the federal workforce
- A 6% increase in employee contributions to their pensions.

NATCA (Leadership, GA & NLC) solidified and created new relationships with the 112th Congress. NATCA staff met with every new member office the week they were sworn in. NLC & grassroots coordination continued with constituent emails/meetings. NATCA is also working with coalitions of Fed/Postal (20 organizations, joint campaigns with AFGE/AFLCIO and FWA (Federal Workers Alliance).

With the deficit issue as the centerpiece, many in Congress were mandating cuts in government spending on any bill that moves through Congress. This played out immediately with the continuing resolution, where the House threatened to shut down government unless deficit reductions were included in the continuing resolution (CR) and is now playing out the same way with the raising of the debt ceiling.

As we move forward, we must be cognizant that Members of Congress via a number of different legislative avenues may target either federal employees, or NATCA as an organization. Our members could be hurt as a result of congressional/White House negotiations (such as debt limit); introduction of unfriendly legislation (we are tracking over 30 bills that could negatively impact all or some of our membership); or by amendments on moving legislation (such as Rep. Gingrey’s attempt to use moving legislation to strip official time—which we were able to defeat).

One immediate concern we are dealing with is the debt ceiling discussions between congressional leadership and the White House. We have worked with friends on both sides of the aisle, as well as coalitions, to fight off some proposals aimed at ALL government employees. It is important to note that NATCA is NOT targeted alone. We have learned that federal employee discussions are centered around increased FERS contributions, a change from a 3-year high to a 5-year high, an extension of the pay freeze (extend 1, 2 or 3), increased premiums or conversion to vouchers for the FEHBP, and a COLA adjustment (new formula). Additional broader issues that would affect our membership include raising the Social Security retirement age, as well as an end to the Social Security Tax Holiday (the ‘temporary Social Security Payroll Tax holiday’ was passed for a year, with workers seeing a 2% deduction in payroll taxes on their checks, from 6.2% to 4.2%--in other words, their take home
pay increased)

Enactment of any of these initiatives could have an immediate effect on the take home pay for all or some of our members. As an example, serious discussion has centered on a 5 percent increase in the FERS contribution. If enacted at its extreme, members covered under FERS would see an IMMEDIATE decrease in their paychecks. Additionally, if the decision is made to end the tax holiday, the social security deduction would be increased from 4.2 to 6.2, meaning another deduction in our members’ paychecks.

NATCA staff has been working aggressively on these issues through our outreach and work with our coalitions. The recent action alert campaigns aimed at Congress was a coordinated effort by the coalition members and had a positive impact in terms of our efforts on FERS. NATCA leadership, staff and field activists continue to work together to educate members of Congress, as well as leadership on the negative impact this will have not only on the workforce, but on the unintended consequences that will result from enactment, such as detrimental impact on aviation safety. There are currently 3,000 controllers eligible to retire – a third of the certified workforce. An additional 1,400 certified controllers will be eligible as of January 2012. An across-the-board cut to federal employee pensions will immediately escalate the retirement of veteran controllers. Additionally, we have made the point that our members already went through a pay freeze and their annuities have already been hit as a result of that pay freeze. Obviously, many additional issues surrounding implementation and impact have been and continue to be presented and these arguments have resulted in some public reports that some of the extreme positions have been recognized as that—extreme positions that unfairly single out federal employees for political gain.

While the NATCA staff and coalitions believe we have again made progress during the debt ceiling discussions, it is clear that the those who want to single out federal employees will continue a path attempting to make cuts on the backs of the federal workforce on all the issues previously discussed.

In addition to the current Congressional/White House negotiations, the staff is carefully tracking pending or dropped legislation. Over 30 bills are currently being tracked and they could ultimately move as an amendment or as a stand-alone bill. The bills we are tracking cover issues such as increased FERS contributions, an end to defined benefit for new hires by 2013, forced furloughs (two weeks), extension of pay freeze, workforce attrition, curtailed us of official time, and elimination of automatic payroll deductions for unions.

As appropriation bills move forward, the Majority of the House of Representatives has used an open process that allows members to offer last minute amendments. As a result, the staff is aggressively monitoring all floor action and carefully scrubbing all of these last minute amendments to thwart efforts against NATCA or its membership.

Ceballos stressed that in terms of impact on our membership, the legislative team has been successful to date on defeating harmful initiatives that specifically target
NATCA or NATCA members. The additional challenge of initiatives targeting all federal employees is one that will only intensify over the next few months.

Paul M. Rinaldi  
President