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**NATCA National Executive Board Meeting**  
**Washington, DC**  
**November 13-17, 2006**

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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  
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 was Adell Humphreys, NATCA Chief of Staff.

**Acceptance of Minutes from Previous Meetings:**

Meachum: Motion to approve the minutes of the September 19, October 12, October 17, October 25, October 31 teleconferences and the September 28-29 meeting.

Ghaffari: Seconded

Vote: Passed unanimously

**Request for Tuition Reimbursement – Weiland:** Randy Weiland is pursuing an advanced degree through the National Labor College. His tuition expenses to date are \$6,596, and he is requesting tuition reimbursement in the maximum annual amount of \$2,500.

Santore: Motion to reimburse Randy Weiland in the amount of \$2,500

Farrow: Seconded

Vote: Passed unanimously

**Annual Leave Carryover:** Due to an extensive workload over the past calendar year, Bob Taylor has asked to roll-over 45.25 hours of annual leave into calendar year 2007.

Forrey: Motion to approve Bob Taylor's request to roll-over 45.25 hours of annual leave into calendar year 2007.

Robicheau: Seconded

Vote: Passed unanimously

**Investments:** Mr. Rinaldi reported on NATCA's investments. This money resides in a number of conservative investment vehicles through Stacey Braun and Associates.

NATCA has earned a reasonable return over the last two years, but a more aggressive investment strategy could have yielded higher returns. Mr. Rinaldi requested NEB input as to the union's overall investment policy.

Phil Barbarello, Eastern Regional Vice President, joined the meeting at this point.

**NAATS Alaska:** Mr. Thompson and Lew Zietz recently met with the local presidents of NAATS. These employees have expressed strong interest in joining NATCA, but they must first separate from NAGE/SEIU. Mr. Forrey will ensure that a NAATS point of contact is designated in NATCA's Labor Relations Department.

**Subscriptions:** Mr. Robicheau expressed interest in consolidating various subscriptions among the Regional Offices – for such items as EEO, OWCP, FLRA and arbitration publications, as well as computer software. He will develop a proposal for NEB consideration for consolidation of subscriptions at a cheaper rate.

**IFATCA Listserv:** The IFATCA Americas Region Vice President wishes to continue the use of a Listserv that had been created on the NATCA email system several years ago. NATCA's National Communications Committee had created this Listserv for IFATCA's use, but it has been inactive recently. This action would have no impact on the bandwidth of NATCA's servers. After discussion, it was agreed by consensus to allow continuation of the IFATCA Listserv; however, participation on this Listserv by NATCA members must be approved by the NATCA President.

**Long-Range Planning:** F. Lee Riley (NATCA ZTL) and Gary Stephens (retired NATCA member) joined the meeting at this point. In connection with the NEB's goals and objectives, Mr. Riley presented a briefing on training and other initiatives. He believes there is a vast untapped market of associate memberships that could bring significant income to the union. He also recommends that NATCA create a company that could compete with WCG for training opportunities.

**FLRA:** Mr. MacDonald noted that after three weeks, we have yet to receive a response from the FLRA on the Region X relocation matter, despite the fact this is an expedited issue. He reported that a settlement with the FAA may be imminent – an agreement that would allow our members to select a reporting date as late as May 28 of next year, along with a fixed relocation allowance of up to \$25,000. Should this settlement actually occur, we will withdraw our FSIP submission and FLRA complaint.

**Special Events Participation:** Discussion ensued on NATCA's participation at "special events" like Sun 'n Fun and Oshkosh. It was agreed that NATCA's presence at such events should be increased by obtaining larger exhibit booth space. Mr. Santore will talk to Dennis Lamy, Vince Polk and Kelly Richardson regarding NATCA's booth at Sun 'n Fun.

Mr. Forrey left the meeting at this point to attend a Political Committee meeting at the AFL-CIO. Mr. Rinaldi assumed the chair.

**National Position on OE Discipline:** In the Western Pacific Region, management is now maintaining that operational errors reflect inattention to duty and is a conduct issue, not discipline. Mr. Ghaffari believes that the Agency may now begin suspending controllers who have an OE, and believes there should be a strategy on how to deal with this situation. If documentation is necessary to combat this, it is necessary to let our members know what documentation will be required.

**Anchorage Office Lease:** The rent in Mr. Thompson's office is being increased by \$50 per month, and he is requesting NEB approval to extend his current lease until November 30, 2009.

Rinaldi: Motion to approve the extension of the Alaskan Regional Office lease until November 30, 2009

Ghaffari: Seconded

Vote: Passed

**Grievance Program:** Concern has been expressed over contingency planning regarding NATCA's grievance database. Mr. Robicheau believes a written contingency plan should be mandatory. In the interim, he will work with National Office IT specialist Ed Phipps to ensure that Mr. Phipps has access to critical database information.

**Grievance Tracking System MOU Update:** Mr. Rinaldi reported that issue remain regarding the elevation of grievances – the Regional Administrative Assistants believe that the Regional Vice Presidents and FacReps should elevate grievances uniformly nationwide. However, the RVPs determine how grievances get elevated. Mr. Rinaldi is still negotiating the final details on the MOU and will keep the RVPs apprised of progress. Discussion ensued on whether or not a date would be set that would mandate use of the grievance tracking system at the local level.

**Dues:** Mr. Rinaldi intends to create a flat-rate dues concept that will explain to the Agency exactly how to calculate dues deductions for NATCA 2152 members. Discussion ensued on the viability of a flat rate vs. a percentage of base pay rate structure for dues. It was agreed that a dues structure should be developed that would be immune to FAA meddling; the dues structure should apply to all NATCA bargaining unit members; it should be cost-neutral to the organization; and will need to incorporate some sort of annual adjustment mechanism.

**Retirement Planning:** NATCA's Director of Membership and Marketing Lew Zietz joined the meeting to discuss the union's retirement planning and counseling service. NATCA's contract with IDPM (its current provider) will expire in December 2006, and a new provider for this service must be selected. An RFP was sent to 16 firms, and 9 responses were received. Three of the most promising proposals were discussed; questions were raised, and Mr. Zietz agreed to obtain answers.

**Discussion on Appropriate Remedy for Cases Dropped by NATCA:** The Board discussed this matter in closed session.

**Tuesday, November 14**

**National Benefits Committee:** Mr. Forrey noted that a National Benefits Committee was created several years ago, composed of representatives from each region, to study possible benefits for NATCA members. However, a new, similar committee has been formed to study this as well – the NATCA Benefits Trust. After discussion of the purpose of the two groups, it was decided by consensus to disband the old National Benefits Committee. Those former committee members who wish to work with Lew Zietz on potential benefits may continue to do so on an ad hoc basis. Mr. Meachum will rewrite the committee's charter, changing it to a three-person ad hoc committee; the RVPs will solicit their members to determine interest in serving on the committee.

**NMI:** The NEB has several amendments that they would like to have made to the NATCA Membership Investments, Inc. bylaws, specifically dealing with the number and term of office of the NMI directors and the manner by which bylaws can be amended or repealed or new bylaws can be adopted. NATCA General Counsel Rita Graf joined the meeting to discuss these proposed amendments.

**Collocation/Consolidation:** NATCA's Consolidation Team has had several meetings via teleconference. The board discussed its long term goals with respect to Collocation/Consolidation and how it relates to the work being done by the Consolidation team. We want to try to include language in an Omnibus bill that would prevent further consolidation and Collocation projects. Alternatively, we could attempt to get the Hastings legislation passed by the Senate.

**Legislative Update:** The members of the National Legislative Committee joined the meeting to discuss the union's legislative activities and future strategies. Ken Montoya (NATCA Director of Political and Legislative Affairs), Jose Ceballos (NATCA Policy Director) and Rita Graf (NATCA General Counsel) also joined the meeting. Mr. Forrey commended the NLC on their efforts in connection with the recent Congressional elections. Trish Gilbert, NLC Chairman, noted that the NLC is still trying to determine what is most legislatively feasible to obtain in the 110<sup>th</sup> Congress, and they would like input from the NEB on this matter. Ken Montoya explained that a Continuing Resolution is likely to be passed, which will continue the budget authorization process into calendar year 2007.

**FY 2007 Budget:** The National Finance Committee joined the meeting at this point. Andy Heifner, National Finance Committee Chair, presented the committee's proposed budget recommendations for fiscal year 2007. The annual income figure is under dispute; the National Finance Committee projects income at \$18,800,000, while the National Executive Board estimates income at \$20,000,000. After discussion, it was agreed by both parties to change the projected dues income to \$19,500,000

Barbarellero: Motion to approve the Fiscal Year 2007 budget as proposed (Attachment A)

RVP Vote: Passed unanimously

NFC Vote: Passed unanimously

**Wednesday, November 15**

**RVP Interaction with National Office Staff:** Mr. Forrey explained that the National Office staff occasionally runs into work prioritization issues when they receive work assignments directly from the Regional Vice Presidents. He asked the RVPs to route any work requests through him or Mr. Rinaldi, so that they can ensure that the work gets done but doesn't conflict with higher priority needs. Mr. Rinaldi emphasized that all employees need to be treated with respect at all times, and that any individual problems with the staff should be brought immediately to his attention or to Mr. Forrey.

**Facility Upgrade Arbitrations:** Rita Graf (NATCA General Counsel), Marc Shapiro (NATCA Director of Labor Relations), Bill Osborne and Natalie Moffet of Osborne Law Offices joined the meeting at this point to discuss facility upgrade arbitrations. Discussion ensued on the possibility and wisdom of combining facilities in an arbitration. Mr. Shapiro agreed to have his shop take the lead on this and move forward. Mr. Forrey will follow up and ensure that a position and strategy is developed as soon as possible.

**Legislation Regarding Oversight of the FLRA:** The Federal Labor Relations Authority was created by an act of Congress as an independent authority to resolve governmental disputes. As such, the FLRA should act as a neutral party, but our recent experience with them has proven otherwise. Mr. Santore believes the FLRA's blatant rulings against NATCA creates significant evidence that they are not doing what the government expects them to do, and questioned how this could be brought to the attention of the legislators on Capitol Hill. Mr. Forrey suggested that this be brought up through the AFL-CIO, and will discuss it with the AFL's Political Committee. He noted that this action could also impact the FSIP and the NLRB.

**Enforcement of FMLA Entitlements:** The FAA continues to restrict its employees and deny them necessary FMLA leave. Rita Graf is reviewing this; we may be able to pursue this through the courts, but further research is necessary.

**AOPA:** Kelly Richardson, NATCA Staff Researcher, discussed NATCA's recent participation at the AOPA conference. During this conference, he worked with AOPA's Air Safety Foundation, and NATCA's ASI Chairman Darren Gaines spoke at several seminars at the conference. The Air Safety Foundation expects to hold about 100 seminars over the next six months, with approximately 150 pilots attending each seminar. They have requested that NATCA provide a local controller to speak at each seminar. AOPA currently has more than 400,000 members nationwide. As NATCA's participation in this program would give the union tremendous positive visibility, Mr. Richardson requested the NEB support of this effort. Mr. Santore agreed to coordinate this effort with Mr. Richardson.

**Virtual Flight Surgeon:** Mr. Rinaldi distributed a proposed renewal contract from Virtual Flight Surgeons (VFS), the company that assists in maintaining FAA medical qualifications of NATCA members. The 2007 annual budget that was approved for

membership benefits (such as VFS) is \$498,000; VFS's proposed contract for 2007 comes to \$395,000, leaving only \$103,000 available for other benefits (such as retirement seminars). Mr. Rinaldi noted that there are several other companies that provide similar service, and he believes we should meet with these other vendors before we sign a contract with VFS. Mr. Rinaldi will work with Quay Snyder of VFS to determine if his contract price can be adjusted.

**Staffing Standard:** Mr. Barbarello provided a briefing on the status of the staffing standard project. He reported that ATO Finance has been given the responsibility for creating the staffing standard. NATCA will request joint participation with the FAA in the development of a staffing standard.

**New Building:** Mr. Forrey would like to explore purchase of a new, larger building. Mr. MacDonald, Mr. Thompson, Mr. Meachum and Ms. Humphreys agreed to work on this.

**Open Season:** Mr. Thompson believes there could be value in holding an open season for membership early next year, despite the fact that there are a relatively limited number of individuals who could take advantage of such an open season due to the provisions in the NATCA Bylaws. He believes a proactive internal public relations effort for the union would be a good idea to increase membership, and agreed to take the leadership position for this effort.

Ghaffari: Motion to have an open season for the month of February 2007

MacDonald: Seconded

Vote: Passed unanimously

**Communication Committee Recognition:** Mr. Blankenship wishes to acknowledge the tremendous efforts put forth over the last several years by Doug Laughter, Mike Reyes and Tim Casten of the National Communications Committee.

Blankenship: Motion that \$2,000 travel gift certificates be awarded to Doug Laughter, Mike Reyes and Tim Casten

Robicheau: Seconded

Vote: Passed, with Mr. Ghaffari and Mr. Meachum voting in opposition

**Union Labor Works:** John Glynn of Union Labor Works joined the meeting to give a presentation on advertising opportunities for NATCA. He presented information on in-flight advertising, airport advertising, sports sponsorship and local and national public radio spots. The NEB discussed the presentation and the merits of the various advertising options.

The National Legislative Committee joined the meeting at this point to discuss the union's imminent legislative strategy.

**Committee Charters:** Mr. Meachum will review and revise, as necessary, all outstanding committee charters. He will present them to the NEB for their review and approval at a future meeting.

**Budget:** Mr. MacDonald noted some discrepancies in his budget figures, and asked for guidance on how best to deal with this. Mr. Rinaldi agreed to review Region X's budget and expenses year to date. He also encouraged the Regional Vice Presidents to conserve their spending through the end of the year.

**RDOs:** Mr. Blankenship reported that management failed to use seniority when assigning RDOs at Kansas City International. This appears to be happening at other facilities nationwide. Mr. Blankenship is going to the FSIP for assistance; Mr. Barbarello reported that, in his region, the FAA would not work with the FSIP, so they have filed grievances in these instances.

**Downgrade MOU:** Mr. Ghaffari questioned the possibility of negotiating an MOU with the Agency that would spell out how downgraded facilities would be treated. Mr. Forrey agreed to follow up.

**Regional Meeting:** Mr. Thompson reported that the Alaskan Region will hold a FacRep meeting on December 1 in Anchorage at the Captain Cook Hotel. All Regional Vice Presidents are welcome to attend.

**Listserves:** Discussion ensued on various Listservs, specifically, the justification for inclusion/exclusion on such Listservs. At this time, there is no policy that covers Listservs. The purpose of these Listservs is to share information, and they are not intended to be private communications vehicles. Discussion ensued on the benefit of having a moderator or list manager determine who should be on their various Listservs.

**Thursday, November 16**

**Mentorship Program:** Doug Hartman of ZAU and Allen Figueroa (NATCA's Training Manager) gave a presentation on a mentorship and labor education program that would provide an individual mentor to every newly-hired controller. The intent of this is to build an appreciation of labor and to "unionize" new employees through a socialization process. The expectation is that member participation and activism will increase through these efforts. The NEB gave its approval to the work done thus far, and Mr. Hartman was encouraged to continue this project.

**FLSA Violations:** Greg McGillivary and Keith Nickerson of Woodley & McGillivary joined the meeting at this point to present an analysis of the potential viability of FLSA claims for NATCA members.

**Investments:** Mr. Santore recommends that a portion of NATCA's savings, currently invested conservatively with Stacey Braun & Associates, be transferred into an S&P 500 vehicle. Mr. Rinaldi agreed to talk to Stacey Braun and other companies regarding investment strategies for NATCA's savings, and he will report back to the NEB in January.

**Grievance Tracking System:** Due to its critical importance in tracking and processing grievances, it was agreed that the new grievance tracking system be incorporated into FacRep training immediately.

**NATCA Benefits Committee Charter:** Mr. Meachum has reviewed and revised the NATCA Benefits Committee Charter.

Forrey: Motion to amend item #1, to reflect that the NEB will solicit volunteers for the committee and that the President shall select up to three active or retired members

Rinaldi: Seconded

Vote: Passed, with Mr. Barbarello and Mr. Meachum voting in opposition

The revised charter (Attachment B) was returned to the floor for approval.

Vote: Passed unanimously

**Web-Based Training:** Mr. Ghaffari believes it should be a high priority for NATCA's Training Department to integrate web-based courses into its curriculum. Mr. Meachum reported that this is in progress.

Mr. Forrey left the meeting at this point.

**Collocation/Consolidation Committee:** Mr. Barbarello requested that Steve Sutcavage of PIT be a member of the Collocation/Consolidation Committee. This was agreed by consensus.

**Teleconferencing:** Questions have arisen recently regarding the viability of web-based teleconferencing services. Mr. Blankenship will investigate this further.



**Dues Discrepancies:** Mr. Santore reported that many of his members are questioning whether they should write checks to NATCA for the discrepancy in their dues payment. Mr. Rinaldi reported that guidance will be forthcoming from the National Office within the next few days regarding the dues discrepancy issue.

**Friday, November 17**

**ONE U:** A tentative agreement has been reached with ONE U. Employee briefings will be conducted in early December, and a ratified contract is expected to be implemented early next year.

Santore: Motion to adjourn

Rinaldi: Seconded

Vote: Passed unanimously

## **Attachment A**

### **NATCA Fiscal Year 2007 Budget**

TOTAL INCOME \$19,500,000

#### **EXPENSES**

##### Fixed Expenses

AFL-CIO Affiliation Fees \$ 240,000

Dues Rebate 2,145,000

NMI Loan 82,408

Set-Aside Account (2%) 390,000

Convention 2008 Set-Aside 453,500

##### Regional Expenses

Alaskan Region \$ 59,000

Central Region 76,000

Eastern Region 225,000

Great Lakes Region 220,000

New England Region 84,000

Northwest Mountain Region 133,000

Region X 177,000

Southern Region 240,000

Southwest Region 200,000

Western Pacific Region 208,000

##### National Office Expenses

National Headquarters \$ 9,864,000

Arbitrations 284,000

Communications Department 562,000

Labor Relations Department 190,000

Political & Legislative Affairs Department 111,900

Membership & Marketing Department 100,000

Safety & Technology Department 32,000

##### Standing Committee Expenses

National Constitution Committee \$ 16,032

National Finance Committee 41,860

National Legislative Committee 150,000

National Safety Committee 23,000

##### Other Expenses

Air Safety Committee \$ 24,697

Benefits to Members 498,000

Communicating for Safety 60,000

Communications Committee 54,290

Contract Negotiations (non-ATC bargaining units) 250,000

Election Committee 16,950

Environmental Protection 25,000

Leadership Training 300,000

Legal Research 500,000  
Legislative Initiatives/Lobby Week 265,363  
NEB Meetings 109,000  
NTSB 18,000  
OSHA Committee 10,000  
OWCP Committee 14,000  
Scholarship 40,000  
Advocacy 1,000,000  
Trial Committee 7,000  
Furniture & Equipment Expenses \$ 0  
TOTAL EXPENSES \$19,500,000

## **Attachment B**

### **NATCA Benefits Committee Charter (11/06)**

The NATCA Benefits Committee (NBC) shall be an ad hoc committee chartered for the exclusive purpose of assisting the NATCA Membership Department in researching and analyzing potential benefits for the NATCA membership.

To meet this purpose, the NBC is tasked with the following:

1. Suggest, investigate, review, evaluate and assess suitable benefit options that may be offered to the NATCA Membership. Such research and assessment will consist, at a minimum, of full and complete consideration and analysis of all available options within a category; benefit desirability; legal and financial feasibility; and the application of due diligence and record-keeping within all phases.
2. Report and make recommendations to the National Executive Board (NEB) concerning potential benefits. Such reports, at a minimum, shall identify the options considered, summarize the research and analysis undertaken, provide a cost determination including a worst case scenario, frame the legal and financial issues, and provide specific recommendations and associated rationale, including a copy of the General Counsel's review and recommendation.
3. Convene at the discretion of the NATCA Membership Department.

#### Composition of the NBC

1. The NEB shall solicit volunteers and the President shall select up to three active or retired NATCA Members to serve on the NBC.
2. The Director of the NATCA Membership Department shall serve as chairperson of the NBC.
3. Normal and typical reimbursement of expenses for committee activities shall be borne by the NATCA Membership Department.
4. The resources and assistance of the NATCA General Counsel and NATCA Comptroller are available to the NBC, through the Director of the NATCA Membership Department, as well as other tools and counsel which the President determines is necessary to fulfill the committee's function.
5. No Member of the NBC shall derive any financial gain from his/her position on the NBC, apart from any privilege or benefit made available to other NATCA Members. Once a new NATCA Member benefit is approved and implemented, the NATCA Benefits Trust, the NBC, or other entity as required by Statute or determined by the NEB, will monitor, manage, and maintain the benefit, to the extent required by Statute or determined by the NEB.