

## **Suspension/Termination of Training Process**

These notes outline the process that bargaining unit employees can expect if training is suspended. They represent a general guideline for the process.

1. FLM makes a determination that training is suspended.
2. A Training Review Board (TRB) is convened which normally occurs within 30 days of the date training was suspended. (FAAO 3120.4N, 6-7 & 6-9c)
3. TRB results and recommendations are provided to the Air Traffic Manager (ATM). The ATM will review the recommendations of the TRB and makes a determination to accept or reject the recommendations. (FAAO 3120.4N, 6-9a)
4. The employee will be notified in writing of the Manager's decision as soon as possible but not later than 30 days from the date of the suspension of OJT. (FAAO 3120.4N, 6-9c)

*\*(The NATCA representative can assist in the filing of a grievance if appropriate - see Note below.)*

5. Upon making the determination to terminate an employee's training, the ATM shall notify the employee of this determination using a standardized memorandum (Decision Letter). (EMP 1.14 paragraph 6. a)
6. The "Decision Letter" shall describe the specifics of the basis for the determination of failure, what action will be taken, and indicate that if the employee wishes to discuss his or her progress or has questions concerning the notification, he or she may discuss the matter with the facility manager. (EMP 1.14a, Section 6a)
7. Employees shall be given seven (7) calendar days to provide a written response to this notice. Responses may include items such as a commentary regarding the justification for termination of training or expressed desires for continued employment options. An extension to the response deadline may be granted by the Air Traffic Manager should circumstances warrant (e.g., scheduling conflicts, occurrence

of holiday absences). The NATCA representative should help with this process. (EMP 1.14a, Section 6a)

The employee can incorporate requests for geographical areas or specific facilities into this response, or provide a separate letter with such requests, along with any other related correspondence (e.g. letters of recommendation) to the ATM. The NEST will review all related correspondence submitted by the employee. (EMP Section 1.14a, Section 6d)

8. Upon receipt of the employee's response to the notice, or if no response is received within the prescribed time frame, the facility manager will evaluate whether to recommend the employee for termination or to recommend the employee for retention consideration. The facility manager will document either recommendation by completing Parts 1 and 2 of the Retention Assessment Worksheet and forward it to the National Employee Services Team (NEST), along with the following information:
  - Academy training summary
  - Notice of termination of training and employee's response
  - Training Review Board's report and recommendation, including the Air Traffic Manager's (ATM's) decision letter
  - Any other related correspondence submitted by employee, Union or Facility Management

(EMP 1.14a, Section 6c)

The Facility NATCA Representative is encouraged to fill out a similar form with their recommendation, to be included in the submission.

***NOTE: Employees who withdraw from training will be subject to the processes contained within this supplement, beginning with EMP 1.14a, Section 6(d).***

9. The NEST meets approximately once a month. In order to be included in the review for that month, the file must be received by the cut-off date – usually a week before the NEST meets (one week).
10. The NEST will utilize the information provided from the facility to make its retention determination. If such information is not provided, the NEST will ensure it gathers relevant training and employment history information from the field. (EMP 1.14a Section 6. d)
11. If a determination is made to retain an employee, the NEST will determine the level and type of facility for which the employee is best suited. In determining facility level and type, the NEST must carefully examine what skills and abilities have been attained and demonstrated by the employee in order to maximize the likelihood of the individual's success at that facility level and type. (EMP 1.14a Section 6. f)
12. If a determination is made to not retain an employee, the Vice President for Terminal Services will notify the losing En Route/Terminal Executive Staff (ERESITES) of the decision so the losing facility can initiate proper separation activities. (EMP 1.14a Section 6. g)
13. The NEST forwards their decision to the Vice President of Air Traffic Services (VP-ATS), or their designee, who is responsible for rendering a final decision. (Typically within one week of the conclusion of the session).
14. For those retained, the Administrative Services Group (ASG) will conduct an analysis to determine if a vacancy exists at the determined type/level of facility. The ASG will begin the search around the employee's requested geographical preference and work outward from that point. If no vacancies are available for the recommended level and facility type, the Agency will propose termination of employment. (Vacancy search normally occurs one to two weeks after the VP-ATS renders a decision)
15. If vacancies exist, a list of facilities will be furnished to the trainee (typically two to five selections). (CBA Article 61, Section 2.)

16. It typically takes two to three weeks after the NEST meets to find out if the employee is being retained. It then takes two to six weeks to get a list of facilities from which to choose.

**NOTE:** If a grievance has been filed, the grievance process runs parallel to, but completely separate from the NEST process.