

Memorandum

Date: January 29, 2000

To: National Executive Board

From: Michael McNally, President

RE: Seniority Policy

\*\*\*On another seniority-related issue, the NEB created policy on the swapping of schedules. Here is the guidance:

\*\*\*It has been brought to the Board's attention that the possibility of conflicts with Article 32 exist with regard to swapping regular days off. Accordingly, the National Executive Board agrees by consensus that bargaining unit members are permitted to exchange schedules within 28 days; any change or exchange of schedules outside of 28 days must be in accordance with seniority. For example, if employee #1 wants to swap with employee #5, he/she must gain the approval of employees #2, #3 and #4.

\*\*\*This policy was written in order to protect the national seniority policy. The NEB determined that a schedule change for more than 28 days in advance could possibly circumvent seniority. For instance, a very senior employee may have no desire for a very desirable schedule and may be very happy settling for a schedule that in the bidding cycle may be available to an employee who is considerably junior. A very junior employee may want the desirable schedule, yet obviously does not have the seniority to successfully bid this schedule. Thus the more senior employee would bid the desirable schedule and swap or even sell this schedule to a more junior employee. In doing so, these two employees have circumvented the seniority rights of everyone between them.

\*\*\*In reviewing the contract (dated September 1998) on this issue, Article 32 Section 5 discusses the exchange of shifts and/or days off. This article pertains to swaps within 28 days. Moreover, Article 32 Section 2 states: "...Upon the request of the Union, bidding and/or assignment to the watch schedule shall be according to seniority." Article 83 Section 1 states: "Seniority will be determined by the Union." Therefore, the Union has every right to establish this policy and the FAA cannot object to it.