



2016 FAA-NATCA CBA Joint Guidance



Joint Guidance – Article 24 (Annual Leave)

Q1: How are “pre-approved” leave opportunities affected when new employees transfer into or out of a facility after the bidding has been completed?

A1: The amount of pre-approved leave opportunities is based on the number of employees participating in the bidding process and the amount of leave they will accrue in the upcoming leave year. The amount does not require adjustment based on length of shifts, holidays, or gain and loss of employees. However, leave for employees that did not participate in the bidding process will be addressed in accordance with Article 24 Section 13.

Q2: Does cancelled annual leave within a pre-approved leave opportunity remain available as pre-approved?

A2: Yes, cancelled annual leave within a preapproved leave opportunity remains available as a pre-approved opportunity until 30 days prior to the posting of the watch schedule.

Q3: Will the Facility Representative need to be aware of all BUE leave accruals and accumulated balances, including any change to mid-year leave earning category (4/6/8).

A3: Yes. This information is necessary for the collaboration required in Article 24 Section 4 on the amount of pre-approved leave opportunities and the administration of bidding in accordance with Article 24 Section 11.

Q4: Can employees request to substitute credit hours for annual leave in the 2016 leave year?

A4: Yes, provided credit hours are requested and approved in advance and will not put them in a use or lose annual leave status.

Q5: Can the Parties at the local level collaboratively agree to approve pre-approved leave opportunities in excess of the amount of leave the employees will accrue in the leave year?

A5: In accordance with Article 24 Section 7, the amount of pre-approved leave opportunities must equal the total amount of leave the bargaining unit employees will accrue in the leave year. The local parties cannot increase or diminish the amount of pre-approved leave opportunities.

Q6: Are the Parties at the local level permitted to add pre-approved PTL/NPTL leave opportunities that exceed the total amount of leave accrued by bargaining unit employees for the sole purpose of accomplishing the bid process?

A6: Yes. Pre-approved opportunities that exceed the sum of leave accrued by bargaining unit employees may only be offered during the bidding process if the excess opportunities are removed and no longer available as preapproved in accordance with the following:

- a) After round one prime time bidding; and/or
- b) At the conclusion of bidding; and/or
- c) Anytime the total accrued leave is reached selected during the bid process.

The offering of these additional opportunities does not affect the ability to collaborate on the redistribution of unselected primetime opportunities after Round One of bidding. Offering additional opportunities can be done:



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- d) When additional opportunities are necessary to ensure compliance with the contract (opportunity for all employees to bid two consecutive or non-consecutive weeks) during the PTL period; and/or
- e) When there is less than one (1) preapproved leave opportunity per day to be distributed; and/or
- f) When the distribution of preapproved leave opportunities results in an unequal amount of preapproved PTL/NPTL opportunities for bidding.

When establishing opportunities in excess of accrued leave to equalize the opportunities offered the Parties should only round up to the next whole number.

In addition, the Parties need to be cognizant of the overall affect of rounding up for the bidding of preapproved NPTL while simultaneously increasing the PTL opportunities to ensure opportunity for two consecutive weeks. Overtime exposure may be a consideration in determining when to remove any excess pre-approved opportunities.

In no instance can the result of preapproved opportunities selected and remaining in accordance with Article 24 Section 12 exceed the total of accrued leave for the bargaining unit employees participating in the bid process. It is intended that all bidding be complete prior to the posting of the January 2017 watch schedule. Absent mutual agreement of the local parties on the use of the additional opportunities, they shall not be utilized.

As an example:

Facility XYZ has 12 employees that each accrue 20 days of annual leave per year.
 $12 \times 20 = 240$ days of accrued leave.

Scenario 1:

The Parties agree to a PTL period that is 90 days in length
 $12 \text{ employees} \times 10 \text{ days of PTL} = 120 \text{ days of PTL.}$
 $120 \text{ days} / 90 \text{ day PTL period} = 1.33 \text{ slots per day.}$
 $120 \text{ days} / 275 \text{ day NPTL period} = .43 \text{ slots per day.}$

The Parties may collaborate to offer additional PTL opportunities to ensure all employees have opportunity for two consecutive or non-consecutive weeks during the PTL period and/or as a result of an unequal amount of pre-approved leave opportunities that need to be distributed.

In this scenario, the Parties have collaboratively agreed to the following:

- Round up to 2 or the recommended buffer to ensure sufficient leave slots per day to meet contractual obligation during the PTL period and
- Round up to 1 preapproved leave slot per day for bidding the NPTL period.
- Additional PTL opportunities that were offered as a result of rounding up would be removed at the conclusion of round 1 bidding and not redistributed into the NPTL preapproved opportunities.
- Employees will bid the remaining rounds into the NPTL that consists of pre-approved leave opportunities that have been rounded up to 1 leave slot per day.

In this scenario, in addition to the removal of preapproved opportunities after round one, the unused pre-approved leave opportunities that were offered in excess of what will be accrued would be removed at the conclusion of bidding or when the total accrued (240 days) has been bid.



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These decisions will vary depending on the unique circumstances in each facility. The Parties should have a clear and joint understanding on use and removal of excess opportunities before they are used.

Scenario 2:

The Parties agree to year round PTL period.

The Parties may agree to offer additional PTL opportunities as result of having less than one (1) preapproved leave opportunity per day to be distributed. In this scenario, the unused additional pre-approved leave that was offered in excess of what will be accrued would be removed at the conclusion of bidding or when the total accrued (240 days) has been bid.

Q7: When should leave requests in excess of the pre-approved leave opportunities be acted on?

A7: There is no predetermined time for acting upon such leave requests. In accordance with Article 24, Section 13, such requests will be approved/disapproved subject to staffing and workload and as soon as practicable.

Q8: Can a facility continue a practice that allows for NPTL requests to be submitted 365 days in advance?

A8: Yes. The Parties at the local level may develop procedures for addressing NPTL requests in excess of the pre-approved leave opportunities.

Q9: Are NPTL requests submitted prior to the posting of the watch schedule but within the 30 days prior to being posted, subject to staffing and workload?

A9: Yes. In accordance with Article 24, Section 12, leave requested inside of 30 days prior to the posting of the watch schedule, including pre-approved leave opportunities, is subject to staffing and workload, and shall be addressed as soon as practicable.

Q10: If CPCs and CPC-ITs/Developmentals bid separately, are two separate leave accrual totals calculated?

A10: Leave accruals for each category would be determined separately for the purpose of bidding leave.

Q11: Can employees bid a NPTL opportunity during Round 1?

A11: Yes. An employee may bid annual leave within any designated preapproved opportunity.

Q12: Can the prime time period be all year long?

A12: In accordance with Article 24, Section 5, the Parties at the local level shall negotiate the length of the prime time period(s).