

**MEMORANDUM OF UNDERSTANDING
C90/N90 Return Rights and Priority Release**

This Agreement is made by and between the National Air Traffic Controllers Association (“NATCA” or “the Union”) and the Federal Aviation Administration (“FAA” or “the Agency”), collectively known as “the Parties.” This Agreement represents the complete understanding of the Parties at the national level concerning the establishment of a return rights and priority release policy for employees transferring to Chicago TRACON (“C90”) and New York TRACON (“N90”).

Section 1. The Parties recognize that C90 and N90 are currently two of the most critically staffed air traffic control facilities in the National Airspace System.

Section 2. Employees not currently assigned to C90/N90, who have been selected for transfer to these facilities shall be given priority release dates. Release dates shall be within three (3) months of selection, or at the election of the Employee no later than twelve (12) months. However, unless staffing and workload permit, no more than one (1) employee per facility in each six (6) month period will be released to C90 and/or N90 in accordance with the terms of this Agreement.

Release dates for multiple employees from the same facility will be determined on a first come, first serve basis. In the event more than one (1) employee is selected for transfer to C90 and/or N90 from the same facility on the same date, release dates in accordance with this Agreement shall be determined in order or seniority.

Section 3. Agency initiated release dates beyond three (3) months from selection and employee requests beyond twelve (12) months from selection require approval of the Vice President of Air Traffic Services (VP-ATS). Requests for release dates of longer than three and twelve months respectively must be supported with written justification and will only be approved in unusual circumstances.

Section 4. Transferring employees who are determined to be unsuccessful in training or voluntarily withdraw from training at C90 and N90 shall be offered their prior facility among those vacancies available for reassignment. This “return right” shall be advertised in the Agency’s vacancy announcements for C90 and N90.

Section 5. No local agreement, release policy, nor other decisions may conflict with this Agreement.

Section 6. Priority release dates for employees transferring to C90 and N90 shall not adversely affect the release date for employees that have been established prior to the signing of this Agreement.


Signed this 12 day of February 2014

For the Union



Phil Barbarello

For the Agency



Shelly Mlakar