

**AGREEMENT BETWEEN THE
FEDERAL AVIATION ADMINISTRATION
AND THE
NATIONAL AIR TRAFFIC CONTROLLERS ASSOCIATION**

This Agreement is made and entered into by and between the National Air Traffic Controllers Association hereinafter (“NATCA” or “the Union”) and the Federal Aviation Administration hereinafter (“FAA” or “the Agency”), collectively referred to as “the Parties.” This agreement, in conjunction with Article 108 of the 2009 Collective Bargaining Agreement and its associated appendices, represents the Parties’ complete understanding related to the administration of the counting, reporting, and processing of air traffic operations data for the determination of the Traffic Count Index (TCI).

Section 1. The Parties agree to establish a National Validation Team (“NVT”) to administer and assess the agreed-upon calculations, formulas, and standards related to ATC Facility Levels. The Parties at the national level shall determine the appropriate number of representatives for the NVT. Each Party shall designate its own representatives. Each Party shall appoint a co-lead to the Team. The purpose of the NVT will be to determine the accuracy of the current Facility Level designation for each Air Traffic Control facility, and to perform the validation of facility level data.

Section 2. The Team shall operate in accordance with the Parties’ Article 48 MOU dated October 21, 2010. It is empowered to resolve issues related to the validation process. The Team shall take the necessary steps to ensure the accuracy of the data relied upon for the facility pay level index calculation. The Team is authorized to interpret the data and make appropriate corrections.

Section 3. Each Party will designate one Terminal and one En Route Representative to monitor the Traffic Count Index (“TCI”), in order to identify facilities for the Validation Process.

Section 4. Validation Process:

RAISING FACILITY ATC LEVELS

The following requirements must be met:

- 1) The facility is required to make every effort to have one full year of complete and accurate data.
- 2) The calculated TCI must be at or above the breakpoint for a period of three consecutive months, as reported on the last day of the month.
- 3) The facility manager must provide a 12-month traffic projection that demonstrates that the activity will remain at or above the break point.
- 4) In circumstances where a facility meets all criteria for upgrade, EXCEPT that a full year of data does not exist, a validation may still take place. If it is determined that the missing data

would have a de minimis impact on the calculation of the TCI, the validation will be conducted as though a full year of data exists.

- 5) The information has been validated by the NVT.

When all of the above requirements have been met, the facility shall be upgraded. The upgrade shall be retroactive to the first full pay period after the first month the facility was at or above the breakpoint or the date that this Agreement has taken effect, whichever is later.

The only exception to this retroactive agreement shall be for Grand Forks ATCT. If the above requirements are met for Grand Forks ATCT, their upgrade shall be retroactive to the first full pay period after the first month the facility was at or above the breakpoint.

LOWERING FACILITY ATC LEVELS

Where the TCI indicates that a lower ATC level might be warranted, the buffer zone will be utilized to prevent a precipitous ATC adjustment.

If the calculated TCI is below the buffer zone for 6 consecutive months, the following requirements must be met:

- 1) The facility is required to make every effort to have one full year of complete and accurate data.
- 2) The facility manager must provide a narrative explaining the reasons for the traffic decreases.
- 3) The facility manager must provide a 12-month traffic projection outlining the probable permanency of the changed traffic. The Facility Manager must consult with the Facility Representative when developing the traffic projection.
- 4) The information has been validated by the NVT.

When all of the above requirements are met, the facility shall be downgraded on the first full pay period after the validation process has been completed. If the administrative process is unable to be completed to meet this time frame, the downgrade will occur as soon as possible.

Prioritizing Facility Downgrades – The NVT will determine the priority, or order, in which facility downgrades are assessed or analyzed,

Section 5. Team members shall be provided with access to computers, phones, and any other resources and information that is required to properly fulfill their roles.


Section 6. The Parties will continue to address the following facilities in accordance with the Parties' 2009 CBA.

1. All Enroute Facilities
2. Honolulu CERAP (HCF)
3. San Juan CERAP (ZSU)
4. High Desert CF (E10)

5. Guam CERAP (ZUA)

Section 7. This Agreement shall remain in full force and effect for the duration of the 2009 Collective Bargaining Agreement.

For the Union:

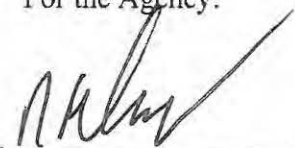


Victor C Santore

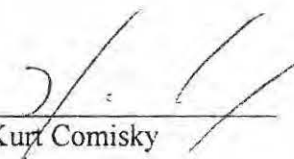


Phil Barbarello

For the Agency:



Walt Cochran

 5/25/11

Kurt Comisky

5-12-2011
Date

Agency Head Review

Towers Without Radar

Min	Max	Buffer	Facility Pay Level
292		277	FPL - 9
232	291.9	220	FPL - 8
172	231.9	163	FPL - 7
111	171.9	105	FPL - 6
79	110.9	75	FPL - 5
46	78.9	43	FPL - 4
0	45.9	0	FPL-3

TRACONS

Min	Max	Buffer	Facility Pay Level
697		662	FPL - 12
465	696.9	441	FPL - 11
325	464.9	308	FPL - 10
209	324.9	198	FPL - 9
130	208.9	123	FPL - 8
88	129.9	83	FPL - 7
46	87.9	43	FPL - 6
0	45.9	0	FPL - 5

Combined Tower and TRACON

Min	Max	Buffer	Facility Pay Level
883		838	FPL - 12
651	882.9	618	FPL - 11
465	650.9	441	FPL - 10
302	464.9	286	FPL - 9
199	301.9	189	FPL - 8
130	198.9	123	FPL - 7
88	129.9	83	FPL - 6
0	87.9	0	FPL - 5

Non-Radar Approach & Tower

Min	Max	Buffer	Facility Pay Level
167		158	FPL - 8
111	166.9	105	FPL - 7
65	110.9	61	FPL - 6
0	64.9	0	FPL - 5

Towers With Radar

Min	Max	Buffer	Facility Pay Level
465		441	FPL - 12
372	464.9	353	FPL - 11
292	371.9	277	FPL - 10
232	291.9	220	FPL - 9
172	231.9	163	FPL - 8
111	171.9	105	FPL - 7
79	110.9	75	FPL - 6
46	78.9	43	FPL - 5
0	45.9		FPL-4

Combined Tracons

Min	Max	Buffer	Facility Pay Level
1395		1325	FPL - 12
930	1394.9	883	FPL - 11
465	929.9	441	FPL - 10
0	464.9		FPL - 9