

Latest on FAA Reauthorization

Dear Brothers and Sisters,

The U.S. Senate is scheduled to vote on FAA Reauthorization legislation late this afternoon, however that vote could potentially spill over into tomorrow. We appreciate the work the Senate has done on this bill in a relatively short timeframe. As you know, authorizing legislation can be very complicated and involves a lot of stakeholders. In the past, Congress has passed extensions rather than move forward on the difficult task of reauthorizing the FAA.

The Senate bill does not reform the structure of the FAA nor its status as a government agency. Stable, predictable, and sustainable funding remains a top priority for us in any long-term FAA bill. However, the Senate Commerce, Science, and Transportation Committee did not have the ability to solve the funding issue, which is why it is not in the bill. Although we have concerns that an 18-month reauthorization is not long enough, we see this vote as a positive step toward ensuring predictability for the FAA.

The bill contains some positives and negatives for our members. We have been working closely with the full Committee and the Aviation Subcommittee members and their staffs as well as other members of the Senate and their staffs. We thank them for their efforts on the underlying bill as well as amendments.

We support new controller hiring language that is contained in the bill. It requires the FAA to recruit experienced controllers, including military and Department of Defense civilian controllers, Federal Contract Tower controllers, and those with prior FAA experience. It provides a path for CTI graduates and military veterans without subjecting them to the FAA's biographical assessment, and separately it provides for a general public recruiting pool. The FAA would be required to refer similar numbers of candidates from the CTI and veteran pool and the general public pool, while CTI graduates and veterans could also apply via the general public pool.

There is also very positive language in the bill regarding aircraft certification and involvement of our aviation safety engineers in that process.

On the other side of the ledger, there are a number of provisions within the bill that concern us. For example, there is a reactionary package of airport security measures following the terror attacks in Brussels last month that targeted the city's airport

and subway system. The Senate bill would create additional restrictions on our members who are required to pass through airport security daily to access their facility.

Additionally, there is language that would essentially endorse the FAA's staffing plan, as well as a pilots' bill of rights provision that could create a chilling effect on submitting ATSAP reports. That language says that in the event a pilot is facing action against their flying certificate, they would have access to FAA flight records such as controller statements including those submitted under ATSAP.

The bill also contains the FAA's requested technical correction (editorial change) to FAA's ATC retirement provisions in order to continue its annuity computation for supervisors and second level managers. This correction would clear up a disagreement between the FAA and OPM regarding supervisor annuities. The Senate Commerce Committee and the Congressional Budget Office (CBO) do not consider this a statutory change, only a clarification of the existing statutory language with no additional cost to the taxpayer. With that said, we are considering our options on how to proceed with this section when the bill is transferred to the House of Representatives. If we pursue an expansion of the existing retirement language that has any effect on

the Federal budget, even nominally, it will be a heavy lift and very difficult to achieve success.

However, much could change on some of these issues before all is said and done. The Senate has an agreed-upon amendment package that may also be voted upon late this afternoon. Passage of this amendment package will require some procedural maneuvering. That package contains a provision that would strike the language we oppose regarding the FAA's staffing plan and add positive language to the provisions on organization designation authorizations. It would also modify the provisions regarding FAA hiring, but not in a negative way.

Regardless of whether the Senate bill passes with or without the amendment package, we will have work to do in the House when it takes up FAA Reauthorization again.

In Solidarity,

Paul Rinaldi - NATCA President

Trish Gilbert - NATCA EVP





To view the NATCA 2015 Annual Financial Report click [here](#).



2016 Election of National Representatives: Nomination Information and Election Timeline

The biennial election of National Representatives provided for in Standing Rule H-1 of the NATCA Constitution will occur over the next few months. National Representatives will be elected to two-year terms that begin on September 1, 2016.

The following bargaining units within NATCA Region X will elect National Representatives:

- (1) Drug Abatement Inspectors and Investigators (AAM-800);
- (2) Aircraft Certification Services (AIR);
- (3) En Route Automation;
- (4) Terminal Automation;
- (5) Airports (ARP);
- (6) Office of Chief Counsel (AGC); and
- (7) Flight Service (FSS).

(Due to NATCA's recent success in the election to determine the exclusive representative for the AFN unit (which has absorbed the Regions and Center Operations (ARC) unit), a National Representative for the ARC unit will not be able to be elected until the organizational realignment of the AFN unit is complete. NATCA is moving expeditiously, in conjunction with the FAA, to facilitate the completion of this realignment, but it is not anticipated that the relevant membership and representational issues will be clarified and resolved in time for the National Representative for the unit to be included in this election.)

A summary of the important dates for the election of the National Representatives is as follows:

April 15, 2016 - Mailing of Notice of Election, Election Rules & Request for Nominations

May 15, 2016 - Nominations due to National Office

June 15, 2016 - Nomination acceptances due to National Office

June 30, 2016 - Mailing of ballots to members

August 15, 2016 - Ballots due to P.O. Box in Washington, D.C.

August 16, 2016 - Ballot collection and tally

September 1, 2016 - National Representatives commence two-year terms

Complete election rules for the election of the National Representatives are as follows (members with questions about this election should contact Region X Regional Vice President Mike MacDonald at mmacdonald@natca.net; NATCA General Counsel Marguerite L. Graf at mgraf@natcad.org; or NATCA Assistant General Counsel Lauren Schmidt at lschmidt@natcad.org):

Notice of Election, Election Rules, & Request for Nominations for the 2016 NATCA National Representative Election

Section 1 - General

A. The election will be held by referendum and all balloting will be conducted with mail-in, secret ballots.

B. Write-in votes are not permitted.

C. The candidate in any contest who receives the highest number of eligible votes cast shall be declared the winning candidate. In the event that two or more candidates receive the highest number of eligible votes cast in any contest, a runoff election shall be held between the candidates.

D. If there is only one candidate for National Representative for a particular bargaining unit, that candidate shall be declared the winning candidate by acclamation; ballots shall not be distributed for that bargaining unit

Section 2 - Nominations

A. To be a candidate for National Representative, an individual must: (1) be an active member, in good standing, of the bargaining unit for which he/she is nominated; (2) be nominated by an active member, in good standing, of the bargaining unit for which he/she is nominated; and (3) properly accept the nomination. Self-nominations are permitted.

B. Nominations must be in writing and include the name and bargaining unit of the nominee, the name and bargaining unit of the nominator, and the home address of the nominator. Nominations must be received by 5:00 pm EDT on Sunday, May 15, 2016. Nominations must be submitted via United States

Postal Service (USPS) Certified Mail, FedEx delivery, or UPS delivery to:

Lauren Schmidt, Assistant General Counsel
NATCA
1325 Massachusetts Avenue, NW
Washington, DC 20005

Section 3 - Nomination Acceptances

A. As soon as practicable following the close of the nominations period, the NATCA Office of General Counsel will notify each nominee via U.S. mail (and email if there is an email address on file) of his/her nomination. The nomination notice shall include instructions on how to properly accept nomination.

B. Nomination acceptances must be received by 5:00 PM EDT on Wednesday, June 15, 2016.

C. Nomination acceptances must be in writing and delivered by mail, fax, or email, to NATCA Assistant General Counsel Lauren Schmidt at: 1325 Massachusetts Avenue, NW, Washington, DC 20005 (Mail); 202-628-6767 (Fax); or lschmidt@natcadc.org (Email).

Section 4 - Mail Balloting Procedures

A. The names of the candidates shall appear in alphabetical order, by last name, on the ballots.

B. Mail ballot packages shall be mailed to members' home mailing addresses via U.S. Mail on Thursday, June 30, 2016. Mail ballot packages shall contain the ballot, a secret ballot envelope, and a postage pre-paid return envelope.

C. Ballots must be returned to the designated Post Office Box by 11:59 PM EDT on Monday, August 15, 2016. Ballots not returned by the deadline shall not be counted.

D. To have his/her ballot counted, a voter must be a member, in good standing, of that bargaining unit as of fifteen (15) days immediately preceding the closing of the balloting (that is, as of July 31, 2016).

E. Voters are not permitted to sign or otherwise make a distinguishing mark on the ballots. A signed or marked ballot shall be ruled ineligible. Ballots must be placed in the secret ballot envelope and returned in the postage pre-paid return envelope to be eligible.

F. Members shall be entitled to a duplicate ballot, provided that they make a timely request for one by contacting NATCA Assistant General Counsel Lauren Schmidt by 5:00 pm EDT on Wednesday, July 20, 2016. In the event that a member casts both an original and a duplicate ballot, only the duplicate ballot shall be counted.

Section 5 - Ballot Collection & Tally

A. On the morning of Tuesday, August 16, 2016, the ballots shall be collected from the designated Post Office Box.

B. Collected ballots shall be returned to the NATCA National Office, and all eligible ballots received shall be tallied. The results of each election shall be published on or before Thursday, August 18, 2016.

Section 6 - Runoff, Election Protests, & Installation

A. In the event of a tie in any contest, a runoff election will be conducted.

B. Any election protest shall be filed in accordance with Article VII, Section 7 of the NATCA National Constitution

C. The term of the new National Representatives will commence on September 1, 2016 or, if an election protest is filed, immediately following the resolution of the election protest. In the event of a runoff election, the term will commence following the completion of the runoff election or resolution of any election protest.



NATCA CONVENTION - REGISTRATION IS NOW OPEN!

NATCA members planning to attend the convention in San Diego this summer (Aug. 30 - Sept. 2) can now register using this [link](#).

Convention subsidy form click [here](#).

Important Notice to All NATCA Members of May 2 Deadline for Submitting Proposed Constitutional Amendments and Resolutions:

Monday, May 2 is the last day that NATCA members may submit proposed amendments to the NATCA National Constitution for consideration by the delegates to the 2016 NATCA Biennial Convention in San Diego. Article XIV of the NATCA National Constitution provides: "All proposed amendments to the National Constitution shall be submitted to the National Constitution Committee through the Executive Vice President one-hundred and twenty (120) days prior to the Convention."

This year's Biennial Convention is scheduled to commence on Tuesday, August 30 with the Opening Reception. Any member wishing to submit an amendment for consideration by the delegates must send their proposal to NATCA Executive Vice President Trish Gilbert either by mail to the NATCA National Office (1325 Massachusetts Avenue, NW, Washington, D.C. 20005) or by email to tgilbert@natcadc.org and it must be received no later than Monday, May 2. Proposed amendments may be accompanied by a supporting argument of 200 words or less. The proposed amendments and their supporting arguments will be printed in a Constitutional Amendment Package and mailed to all NATCA members at the end of June.

Proposals for resolutions (which form the Standing Rules and the Policy & Position Statements of the Association) submitted to the Executive Vice President no later than May 2 will also be published in the Constitutional Amendment Package along with the proposed amendments. No other proposed resolutions will be accepted before the Convention. Resolutions may be submitted at the Convention in accordance with Convention Rules.

Members with questions about submitting proposed constitutional amendments or resolutions should contact a member of the [National Constitution Committee](#) or NATCA General Counsel Marguerite L. Graf (mgraf@natcadc.org).

Article XIV Section 1 of the NATCA Constitution covers this subject.



NATCA Academy Schedule 2016

Basic Representative Training	April 25-29	Las Vegas, NV
Secretary/Treasurer Training	May 4-5	Las Vegas, NV
Office of Workers Compensation Program	May 10-11	Atlanta, GA
Occupational Safety and Health Administration	May 10-11	Atlanta, GA
Drug and Alcohol Testing Representation	May 11-12	Atlanta, GA
Advanced Arbitration Training II	June 6-9	Phoenix, AZ
Federal Contract Tower	June 14-15	NATCA HQ - DC
Training Review Board	September 13-14	Las Vegas, NV
Secretary/Treasurer Training	September 13-14	Las Vegas, NV
Basic Legislative Activism Training	September 19-20	Las Vegas, NV
Basic Representative Training	September 26-30	Las Vegas, NV
Advanced Representative Training	October 17-20	Las Vegas, NV
Basic Representative Training	December 5-9	Las Vegas, NV
Basic Legislative Activism Training	December 7-8	Las Vegas, NV



Contract Negotiations

We have made significant progress in reaching agreement on approximately 90% of the open provisions, which includes articles and mid-term agreements such as MOUs and other practices.

While the number of open items is not high, as is normal during term negotiations, those that remain open until nearing the end are significant and important to both sides. We are continuing our weekly negotiating sessions with the Agency to reach agreement utilizing the principles of interest based bargaining on the remaining articles and provisions.



SAIC is actively recruiting controllers that are eligible to retire and/or those who have retired within the past 5-years, as instructors to help train the future workforce. The [attached flyer](#) provides the information they need to contact SAIC's recruiting staff to learn about how to join their organization.



KEEP CALM I'M AN AIR TRAFFIC CONTROLLER

Attached to this message are the two MOUs that reflect changes to the [C90/N90 Return Rights Agreement](#) and the mid-term change to [Article 61](#) of the red book collective bargaining agreement. Below is a brief explanation of the changes:

C90/N90 Return Rights: changed to reflect that CPC's that do not achieve full certification at C90/N90 will not be processed through the NEST (EMP 1.14a) and will be transferred to the facility at which they were previously certified.

Article 61 MOU: changed to reflect that developmental employees (those that have never achieved CPC status) that withdraw from training may be offered up to 5 facilities for which they are qualified, as determined by

the NEST, if a vacancy exists. All other developmentals that do not achieve facility certification may be afforded a list of all vacancies for which they are qualified, as determined by the NEST.

National Release Policy/ERR SOP: We have completed the first National Centralized ERR Process Team (NCEPT) review. If you had an ERR on file and were from a facility that met the qualification for a Category 1 or 2 release, you should have received a tentative offer letter (TOL) by now. If you haven't received any information, please contact your Regional Vice President and include your name, present facility and facility to which you were seeking reassignment.

The next NCEPT has been scheduled to occur in early June 2016. To be considered in that next session, employees will need to have any ERRs submitted to the appropriate Human Resources Management Division no later than May 19, 2016.

Additionally, A new public KSN site was created which contains information on estimated ERR vacancies and estimated facility status for the next NCEPT. The intent is to provide controllers insight on NCEPT priority and vacancies. Also included is a file that lists facility category and potential losses according to the latest run of the priority tool. We cannot stress enough these are provided

as estimates based on the latest data. They will change monthly.

Please disseminate widely. All controllers should be made aware of the information.

A link is provided from the Facility Placement Dashboard or you can navigate directly to it via this URL:

<https://ksn2.faa.gov/ajg/ajg-r/AJG-R4/AJG-R41/nceptpublic/SitePages/Home.aspx>

If you have any question please contact your **Regional Vice President**.



**National Validation Resolution on
Terminal Buffers**

NATCA and the Agency have reached an agreement to modify the terminal breakpoint buffers to address existing concerns regarding program consistency. The buffers have been adjusted from 5% to 7%. Based on this adjustment, the National Validation Team (NVT) will meet in the near future to conduct facility level reviews. As part of the review process, the NVT will also establish a standard operating practice for future program changes.

As a reminder, facility upgrades are retroactive to the first full pay period after the first month the facility was at or above the breakpoint. By comparison, facility downgrades do not occur until the first full pay period after the validation process has been completed.

In accordance with our collective bargaining agreements, bargaining unit employees who are subject to a downgrade shall be granted facility level retention for two years and pay retention thereafter. Employees assigned to the facility on the effective date of the facility level decrease shall retain their facility's previous higher-level CPC pay level for two (2) years commencing on the effective date of the facility level decrease.

Pay Retention applies to all employees assigned to the facility on the effective date of the facility level decrease and shall continue as long as the employee remains at that facility. For those employees whose basic rate of pay exceeds the CPC band maximum, they will receive fifty percent (50%) of all annual increases as an adjustment to Basic Pay and fifty percent (50%) will be paid as a lump sum.

Transfers with firm offer letters issued before the date of the downgrade shall receive facility level retention expiring at the same time as all employees assigned to the facility on the effective date of the downgrade.

New hires assigned to and transfers with firm offer letters dated after the effective date of the facility downgrade shall be paid in accordance with the new applicable facility pay level.

Contact your Regional Vice President with any questions.



Internet Reimbursement Reminder

As a reminder, in accordance with SRF-22, locals that are covered by SRF-12 (annual dues less than \$4,500) are entitled to \$50 per month for internet access.

SRF-22 Internet for Smaller Locals (3/12) NATCA shall reimburse up to \$50 per month to Locals covered by SRF-12, for internet access. Wireless cards, hot spots, and internet in the facility are reimbursable, home service is not.

Any questions, please contact your [Regional Vice President](#).

STAY CONNECTED



NATCA, 1325 Massachusetts Ave NW, Washington, DC 20005

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Sent by tgilbert@natcadc.org