

NEB Telcon Minutes

July 5, 2011

The teleconference was called to order by President Paul Rinaldi, and the following members attended the call:

Paul Rinaldi, President
Trish Gilbert, Executive Vice President
Kevin Peterson, Central Regional Vice President
Phil Barbarello, Eastern Regional Vice President
Bryan Zilonis, Great Lakes Regional Vice President
Mike Robicheau, New England Regional Vice President
Victor Santore, Southern Regional Vice President
Tim Smith, Southwest Regional Vice President
Ham Ghaffari, Western Pacific Regional Vice President
Michael MacDonald, Region X Regional Vice President

Also in attendance was Abigail Glenn-Chase.

Fatigue MOU effective July 1: The joint NATCA-FAA workgroup's science-based efforts have resulted in a positive movement to implement the recommendations formulated by the workgroup that was established under the 2009 collective bargaining agreement. A post-Article 55 workgroup will be convened to address scheduling guidelines and policy recommendations for the 2012 Basic Watch Schedules.

A joint telcon on the MOU will be held today at 5 EDT. In approximately two weeks a joint Q & A document will follow to clarify any implementation issues we encounter. The Parties are still not in agreement on the use of electronic reading material between the hours of 10pm and 6am.

- The 9-hours between a day and midnight shift is no longer required, you only need 8 hours, that said there will no longer be a need for the associated 1-hour of excused absence.
- There is no longer a prohibition on swapping a RDO into a midnight shift.
- You are permitted to sleep when no duties are assigned (on a break).
- Bargaining unit employees may now inform the supervisor/OM that they are too fatigued to safely perform operational duties and upon request, be granted leave. When an employee self-declares as too fatigued to perform operational duties they shall, upon request, be granted sick leave. Employee's may also request annual leave or other leave when they self-declare as too fatigued to perform operational duties. Approval of annual/other leave is on a first requested basis. The only prerequisite to approval of annual or other leave is whether there are any other employees who have previously requested leave. Staffing and workload are not prerequisites for the approval of annual or other leave in this instance.
- Employees may also request "other facilities duties" if they are too fatigued to perform operational duties. These duties may be only be assigned upon request of

the employee and if such duties are available. Supervisors/Managers may not direct employees to perform "other facility duties" without a request from the employee.

- The 9-hour time off requirement between a day shift and the preceding shift remains in effect.
- Allows air traffic controllers to listen to the radio and read appropriate printed material in operational areas while on duty during the hours of 10 p.m. to 6 a.m. as long as these activities don't impact their ability to safely handle traffic.

Other portions of the MOU address sleep apnea and the establishment of an ongoing Fatigue Risk Management System to address other issues associated with fatigue among the air traffic controller workforce.

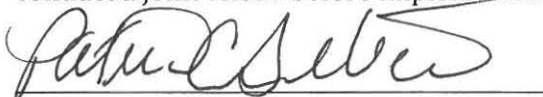
Currently, controllers lose their medical qualification if they are diagnosed with sleep apnea. The FAA will work to develop a process for most air traffic controllers with sleep apnea to quickly regain their medical qualification once they begin to receive proper medical treatment. The FAA's Office of Aerospace Medicine will also develop educational material to raise awareness of the symptoms and the physical effects of sleep apnea.

NATCA is now working with the FAA on efforts to reduce fatigue our membership in Tech Ops .

Workforce Engagement: Russ Miller will focus on the Collaborative Process work he is doing but would like to be replaced on Workforce Engagement. His suggestion is Jerry Johnston from PHX. Without objection the NEB agreed to the change.

OSI: For more than a year we have been advocating to the FAA that if they truly are moving to a Safety Culture and support the tenets of ATSAP then they should restore the OSI for employees (2007 and 2008 regardless whether they filed a grievance) that did not receive it simply because they had an error or deviation. Approximately 9 months ago they agreed to put a joint workgroup together to identify who would have their OSI restored. Essentially the group included everyone whose decertification, and subsequent OSI loss, were based on a single event or where the Agency had failed to establish a documented performance deficiency. Every single case was reviewed on its own merit. The group reviewed over 750 claims of an OSI loss. There were many of those claims that were actually regarding the repayment of a lost SCI. SCI's were not a part of this agreement and are not being covered unless an individual had a separate grievance that had been filed regarding that loss. Attached is the agreement of the group. Approximately 300 individuals are covered by the tenets of the agreement.

Flight Deck Training: The MOU has been signed and the Notice will be out shortly. The program is scheduled to start on July 15th but might easily be pushed to August 1st. We will conduct a joint telcon before implementation.



Patricia Gilbert
Executive Vice President