

NEB Telcon Minutes

April 2, 2013

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
Steve Munroe, Alaskan Regional Vice President
Kevin Peterson, Central Regional Vice President
Phil Barbarello, Eastern Regional Vice President
Bryan Zilonis, Great Lakes Regional Vice President
Michael Robicheau, New England Regional Vice President
Jim Ullmann, Northwest Mountain Regional Vice President
Victor Santore, Southern Regional Vice President
Tim Smith, Southwest Regional Vice President
Hamid Ghaffari, Western Pacific Regional Vice President
Mike MacDonald, Region X Vice President
Barry Krasner, Executive Director

Due to sequestration cuts the FAA announced its intent to close 149 Federal Contract Towers. While we continue our efforts in multiple areas to prevent or mitigate the closures and subsequent impact, we must provide the impacted locals with guidance on inactivating if closures become a reality. In the event towers are closed, we will work towards reopening them. Given the uncertainty of the outcome, and in order to provide a procedure to inactivate locals instead of closing them prematurely, the NEB unanimously passed the following Resolution and changes to the "Local Chartering Rules and Regulations".

Resolution

If, as a result of a closure, a member is laid off, he/she shall be considered to be an active member of the Association for as long as he/she remains in a layoff status. Layoff status shall be considered to have ceased upon a duly executed recall by the Employer, or upon the expiration of any recall provisions as negotiated between the Employer and NATCA. A determination of good standing shall be in accordance Article III, Section 7 of the NATCA Constitution.

Passed Unanimously

Local Chartering Rules and Regulations

In order to charter a Local within the National Air Traffic Controllers Association, the following rules shall be applied, in order to ensure consistency and equitability in addressing these types of petitions. These rules are stipulated as a requirement under Article X, Section 1 of the NATCA National Constitution.

Section 1. This Section covers the Rules and Regulations for chartering Locals, as deemed proper by the National Executive Board:

- A. Two (2) or more qualified persons must petition the National Executive Board (NEB) of NATCA for issuance of a charter constituting such group as a Local Union. Such petition shall have attached to it the applications for membership from each of the qualified persons, unless such membership has already been established.
- B. Upon receipt of a charter petition, the NEB shall cause the petition to be investigated by the National Organizing Committee (NOC), with a report and recommendations submitted back to the NEB within 30 days.
- C. At the next NEB meeting following receipt of the report and recommendations from the NOC, the NEB shall address the petition request and either grant the charter or, if it is determined that chartering a new Local would not be in the best interests of the Union and the membership, deny the charter.
- D. Whether a charter is granted or denied, the petitioners will be notified in writing within thirty (30) days of the decision, including the justifications for the decision.
- E. If a charter is denied, the petitioners may resubmit a request for charter ninety (90) days after the date of the decision.
- F. The NEB shall revoke no charter unless a hearing has been conducted. The affected Local shall receive a minimum of fifteen (15) days notice of the hearing. The hearing notice shall include a written citation of the violated laws, rules, regulations and/or the Constitution.

Section 2. This section covers inactive or suspended Locals:

- A. Should the closure of a facility be imminent, action shall be taken to inactivate the Local. This action shall take place within the 30-day period prior to the anticipated closure. The Local shall not be considered to have their Charter revoked, but shall just be placed***

in an inactive state. Any outstanding finances, if not otherwise lawfully disposed of, shall be remitted to NATCA National for holding.

- B. In the event that a Local does not have at least one (1) local officer, actions shall be taken to suspend the Local, retrieve all outstanding finances, and put the Local into a Trust. The Local shall not be considered to have had their charter revoked, but shall just be placed in an inactive or suspended state.
- C. Any dues rebates accrued under SRD-7 while in an inactive or suspended state shall be remitted to the Local if the decision is made to reactivate the Local under the provisions of the Local Chartering Rules and Regulations. The provisions of SRF-12 and SRF-22 are not applicable while a Local is in an inactive or suspended status.***
- D. Any facility that has been in a suspended, or inactive, state for more than twelve (12) consecutive months shall be considered for revocation of their charter. This process shall begin with an investigation by the NOC, followed by a report and recommendation to the NEB. Unless the charter is actively revoked, then it shall be considered to still apply, whether in a suspended or inactive state.
- E. Any suspended or inactive Local may petition the NEB to request evaluation and revision of their status. This petition request should include applications for membership from each qualified persons, and/or any other pertinent information that the petitioner believes will assist the NEB in addressing the petition. The NEB shall cause the petition to be investigated by the NOC, with a report and recommendations submitted back to the NEB within 30 days. The NEB shall address the petition at the next NEB meeting following receipt of the report and recommendations from the NOC. The NEB shall either:
 - a. Reinstate the Local as active,
 - b. Submit to the Local requirements needed to be accomplished in order to reactivate the Local, or
 - c. Start the revocation of the Charter process, as described above.
- F. The decision on the petition to revise a Local's charter status shall be conveyed to the petitioners within thirty (30) days of the decision being made, including justifications for the decision.

G. In the event the petition to reactivate the Local is denied, the petitioners may resubmit the request for reconsideration ninety (90) days after the date of the decision.

A handwritten signature in black ink, appearing to read 'Patricia C. Gilbert', with a long horizontal flourish extending to the right.

Patricia C. Gilbert
Executive Vice President