

Wonder What's Taking So Long?

It seems for the bulk of our careers, we've been waiting for negotiations to conclude so we can get a new contract. There is the waiting, the rumors, the meetings, then more waiting and more rumors. It's aggravating! We're in the midst of that cycle right now and no one likes it. Maybe it will help to know more about the process.

In 1926, President Coolidge signed the Railway Labor Act. This piece of legislation was designed to stop interruptions of interstate commerce due to labor disputes. It was drafted with input from both Labor and companies. It guaranteed workers the right to organize and collectively bargain and required both sides to exert all efforts to resolve labor disputes. As air transport grew, airlines became regulated under the same legislation, for the same reasons.

Unlike contracts under the NLRB, our contracts don't expire, they become amendable, and we enter into negotiations. Major disputes – wages, benefits and working conditions – if not resolved in negotiations, can be heard by the National Mediation Board (NMB). The NMB is a 3-member board, appointed by the President and confirmed by the Senate, with the power to mediate any dispute between carriers and their employees at the request of either party. There is no time limit by which this mediation process must be concluded. If the NMB gives up, they can ask the union and the company to voluntarily submit to binding arbitration.

If the disputes move to binding arbitration, they are heard by a 7-member board. Three members are selected by the union and three by the company, together they select the seventh. Disputes

are heard and decided upon by the board. Both sides must accept the decisions.

If either sides refuses arbitration, the President can appoint a Presidential Emergency Board (PEB). The PEB does some investigating, there are cooling off periods, recommendations made, more cooling off periods for consideration of recommendations, and ideally an agreement is made. If there is not a PEB appointed, or there is no agreement, either side can engage in acts of self-help – strike or lock-out.

But, it doesn't end there. Under Article 1 of the Constitution, Congress can impose an agreement to prevent the interruption of commerce. In other words, we'd be forced to take what Congress gives us.

This process is more than just time consuming, it's very politically influenced. Ask yourself what kind of recommendations would be given by an anti-union PEB? Or, if the process is exhausted, would a corporate-friendly Congress impose upon us the contract we deserve? It's another reason why votes matter (but that's another article).

I realize this is an over-simplification of a complex process, but I hope it helps ease some frustrations. Right now, we're in the mediation process, and the company still fails to realize how much our members have sacrificed through the hard years and during bankruptcies, I'm certain our negotiating team is doing their best to protect our interests. I'm hoping we can dig-in for the long haul, and offer the committee our unwavering support.

In the end
nobody wins unless WE ALL WIN!!!!!!!!!!!!!!