

TWU NEWSROOM



NEWS RELEASE

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For Immediate Release

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BREAKING NEWS: American Airlines' Largest Union, TWU, Today Files Letter With Federal Authorities Seeking "Self-Help" and Release From the Federal Mediation Process

First Step Toward 30-Day Cooling Off Period and Possible Strike

WASHINGTON— After four years of contract talks and little progress, the Transport Workers Union of America (TWU) today presented a letter to the National Mediation Board (NMB) requesting that the union, which represents 28,000 workers at American Airlines and American Eagle, be released from federal mediation. TWU's action now starts a process where the NMB will determine if the union will be granted "self-help" -- essentially the right to strike.

"While we have reached tentative agreements for some workers at American Eagle and significant progress has been made in recent days for Fleet Service workers at American, overall AMR has not sufficiently demonstrated that they value the sacrifices and hard work of our members," said TWU Air Transport Division Director John M. Conley. "We have been at the bargaining table for years and will continue to work toward agreements, but it's time that we moved the settlement process to the next step." TWU represents 11 bargaining units at American and American Eagle.

Labor laws in the transportation industry are different than the rules for other private sector workers and the right to strike is not guaranteed. Under the Railway Labor Act (RLA), the law pertaining to labor relations for workers in commercial aviation and railroads, unions must request self-help before moving toward a strike. Once a request is made, the NMB will notify the opposing party, in this case, AMR, the parent company of American Airlines and American Eagle of the request for "release." Following notification, a comment period from 10 days to two weeks will be declared for both parties.

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After the comment period, the Board will then review the record and consult with the federal mediators who have been involved in the contract talks and then issue a determination. The Board can propose arbitration, further mediation or suggest other actions. If either AMR or TWU would reject an offer of arbitration, a 30-day countdown or cooling-off period is triggered. The union is granted self-help at the end of 30 days -- unless President Obama intercedes and declares a Presidential Emergency Board or PEB.

During the Obama presidency, airline unions on two occasions have requested release. In the case of Hawaiian Airlines, a settlement was reached without a strike, at cargo carrier Amerijet a strike did occur. TWU is the first union at a major carrier to file for release in the Obama years.

A PEB can occur if the NMB "notifies" the President that in its "judgement" the dispute between a carrier and its employees cannot be adjusted and "threaten[s] substantially to interrupt interstate commerce to a degree such as to deprive any section of the country of essential transportation service." The President may then, "in his discretion," create a board to investigate and report on such dispute. The NMB submits a recommended list of potential neutrals to the President. The PEB usually has 30 days to develop a proposed agreement and present that agreement to the parties for consideration. After the PEB delivers its proposed agreement, there is a further 30-day cooling off period. Under the law Congress also can create a settlement if both sides reject the judgement of the PEB.

While TWU has filed for release, negotiations can continue. Federal mediators had previously asked that negotiations continue through March 11.

Said Conley, "We want equitable and rational agreements, we are prepared to negotiate, but we will not stand by as AMR executives are awarded large bonuses and our members are left with pennies. We will not move aimlessly, we will not go in reverse, as today's filing demonstrates -- we plan to move forward."

Transport Workers Union of America (TWU) represents 200,000 workers and retirees, primarily in commercial aviation, public transportation and passenger railroads, including 28,000 workers at AMR. TWU represents more workers at AMR than any other labor organization. The union is an affiliate of the AFL-CIO.