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In the Matter of the Seniority Integration of

The Pilots of US Airways, Inc.

and

The Pilots of America West Airlines, Inc.
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The ALPA Arbitration Board

George Nicolau, Chairman
Captain James P. Brucia, Pilot Neutral
Captain Stephen Gillen Pilot Neutral

CONCURRING AND DISSENTING OPINION

Having been chosen to serve in the capacity of a Pilot Neutral under the provisions of ALPA Merger Policy in the above referenced matter, I have elected to confirm my concurrence with most matters decided upon by the Arbitration Board while dissenting from the decision of my fellow members of the Board on one important aspect of the Award.

The two pilot groups involved in this merger had marked similarities but they also had wildly disparate issues separating them. The similarities were manifested in the areas of compensation for the narrow body aircraft that both airlines utilized, route structure and work rules and many other lesser items. However, there were some glaring dissimilarities. The US Airways pilots brought with them long haul International flying and routes and the associated wide body aircraft to perform that flying. America West had no similar flying, routes or aircraft. The Chairman's wisdom and experience dealt with these and many other issues in a fair and equitable manner. The one aspect of the Award where I differ with my fellow members of the Board is in the area of credit that should be given to a pilot based on date of hire and the pilot's resulting length of service.

As noted in "The Background" section of the Award, US Airways had a significant number of pilots on furlough at the time the merger was announced while America West had none. The most senior furloughed US Airways pilot (Colello) was hired in 1988 and had accrued 16.4 years of service as of the date of announcement of the merger. He was furloughed in 2003. Below Colello, there were over 440 pilots on furlough with at least 15 ½ years of tenure and well over 12 years of credited length of service. The remaining furlougees (not including the CEL pilots) had at between 5 years and 15 years of tenure and from 1 ½ to 6 years of service.

The junior 305 pilots on the America West seniority list all had less than 2 years of service when the merger was announced on May 19,2005. In fact, the bottom 150 pilots on the America West list were hired less than 1 year before the announcement. I do not agree with the Board's decision, in the particular circumstances of this case, to integrate only working pilots as of the date announcement, leaving all those on furlough

at that date on the bottom of the combined seniority list. As a consequence of the Board's decision, America West pilot Odell, who was hired less than 2 months before the merger was announced, has been placed immediately senior to US Airways pilot Colello who was hired more than 16 years earlier and who had over 16 years of credited length of service. I disagree with this placement, which disregards Colello's substantial service time.

There is no dispute in this case that the US Airways pilots as a group are considerably older than the pilots on the America West list. The record is replete with discussion by both committees relating to age-related attrition, with both groups claiming entitlement to advance in seniority as a result of age-based attrition. The Board did not adequately take into account the realities of the "new" airline, the return of furlougees that has already taken place and the much greater rate of age-based attrition at US Airways as compared to the rate at America West. The vast amount of age-related attrition that has occurred within the US Airways pilot group caused the recall of over 300 US Airways pilots between March 2006 and the first week of January of this year. The pace of recalls is brisk and has continued. During the hearings we learned that additional recalls were taking place and there was testimony that stated at the current pace it was possible that all US Airways pilots would receive recall notices before the end of 2007.

At a minimum, it is my opinion that the US Airways pilots, who had already received notice of their opportunity to return to work from furlough, should have received some consideration for the substantial time they have already invested in their airline. In the event that the "new" company again decided to furlough pilots in the near future,

conditions and restrictions could have been used to insure a measure of protection for the junior America West pilots to protect them from furlough for some period of time. In fact such a restriction was part of the US Airways Pilot's integration proposal in this case. I believe that this approach would have better balanced the equities that each pilot group brought to this merger.

Finally I would like to reaffirm my opinion that the Chairman Nicolau demonstrated exceptional judgment and wisdom working through many very difficult and challenging issues including the disparate aircraft types, routes, compensation systems, and pilot staffing formulas to mention just a few. It has been a privilege to work together with Chairman Nicolau and Captain Gillen on this Opinion and Award.

Dated: May 1, 2007

Captain James P Brucia
Pilot Neutral