



communications@usairlinepilots.org

From the President

November 17, 2011

President's Message - Our Seniority Dispute

USAirlinePilots.org

USAPA

200 E. Woodlawn Road, Suite 250
Charlotte, NC 28217

US AIRLINE PILOTS ASSOCIATION

Fellow Pilots,

We all recognize that our pilot group has so far been unable to bridge our internal differences regarding the best way to address our collective seniority concerns. Seniority is perhaps the most important issue facing our Union. Not a day goes by that we have not been focused on seeking a just resolution of that issue. I have spoken with many of you about this problem looking for collaborative solutions and believe that it is time for us to think outside the box to resolve the crisis that prevents us as a union from working together to achieve our primary goal -- an industry standard contract. We must find a way for us all to come to an agreement on a single integrated seniority list. I recognize that this is the "electric third rail" at USAPA, but I am prepared to embrace it because I know that tackling this festering, longstanding, and seemingly impossible problem head-on is the only way for us -- all of us -- to move forward.

Every pilot knows that it is our collective failure to find a resolution to this issue that prevents us from moving forward. (While, as we have stated many times, the Company is absolutely free to sign a joint contract at any time, the Company uses the lack of an agreed-upon seniority system as a convenient excuse to delay negotiations.) We cannot be effective unless we are able to work together. No one can realistically believe that we can either reach agreement with the Company on a new contract or persuade the NMB to give us a release unless we find a solution to the seniority issue that has the general support of all our pilots.

There is no magic solution. We cannot sit waiting for some prophet to appear and hand us the answer. Six years have passed since the merger was announced and there has been no resolution.

Likewise, litigation is not the answer. Collectively we have spent too much on legal battles that have taken years without finding any answer. The Declaratory Judgment action may or may not decide either that USAPA has the authority to negotiate something other than the Nicolau Award or not. But even if there is a decision, and even if it comes sooner rather than later, neither alternative will solve the problem. If USAPA prevails, the West pilots will not magically drop their opposition to a DOH-based list. If the West pilots prevail, the East pilots will not magically embrace an award that puts probationary West pilots ahead of East pilots with 16 years of service. We will still need a contract and that contract will still need to be ratified. And no one can realistically believe that ratification is possible unless we agree -- together -- on an integrated seniority list with appropriate restrictions and conditions.

For these reasons, I have proposed to the Board of Pilot Representatives, and the BPR (with the Phoenix Representatives recusing themselves) has agreed, to direct our legal representatives in the Phoenix Declaratory Judgment to ask the Court to urge the parties -- the West Pilots and USAPA -- to enter into a process of mediation aimed at producing a mutually agreeable integrated seniority list. *This process would not impose a solution.* It would be a voluntary process where parties would *mutually* agree upon a nationally recognized mediator and any result of the mediation would require the independent approval of both parties. In other words, the mediation could only conclude successfully if both the West pilots and USAPA (representing those pilots not in the "class", i.e., the East pilots) agreed to the mediator's suggested solution. In the event the process did not create a *mutually* agreed solution, both sides could still avail themselves of the available legal process.

This is a serious proposal. It is not window dressing. Nor should it be taken as a sign that USAPA has any less conviction that the Court will decide that seniority is a mandatory subject of negotiations. Quite the contrary, we are confident of the eventual legal outcome, however we also understand just how long that process may take, and I don't believe any of us can afford to wait for a legal decision that, even if it comes, will not solve our problem.

I believe this process provides the best vehicle for finding an answer. We must find a solution that will permit the majority of all of our pilots, East and West alike, to move forward with a mutually satisfactory seniority solution behind us. Once that has been achieved, we will be able to work together to deal with the true impediment to all of our career expectations: US Airways management that has for so long been indifferent to the needs of our pilot group and would no longer be able to capitalize on the internal issue that has handicapped us all for far too long. The people of Northern Ireland managed to put years of bitter fighting aside and find a solution to a long and violent dispute. I believe that if they can do it, there is something in each of us and all of us that allows us to put aside these years of differences and work together for the good of all. Let's check the intransigent rhetoric at the door; let's go secure our collective future. I urge all pilots - East and West - to support this process and indicate to their Representatives that they do so as well.

Sincerely,



Captain Mike Cleary
President

To adjust your email preferences or to opt out of communications, please visit the [My Settings](#) section of the website.