

Opening Remarks by Capt. John Prater, ALPA President
106th Regular Executive Board Meeting
May 4, 2010

“Hurry Up and Wait”

As we gather this morning for the 106th meeting of the Executive Board, I want to be the first to recognize our newest pilot groups. Since our last meeting in October, ALPA welcomed Air Transport International and North American Airlines pilots into our ranks due to overwhelming support from the pilots and crewmembers at these airlines.

More than 90 percent of the pilots at both ATI and North American voted for ALPA representation. And at North American, in the 90-day membership drive following the election for ALPA representation, *every single pilot* joined this union.

The pilots at Compass, while not new to ALPA, now join this governing body. At our January meeting, ALPA's Executive Council established the Compass MEC, which operates today as a single council under the seniority block representation system.

Would the ALPA leaders and representatives in the room from Air Transport International, North American, and Compass please rise. Please join me in welcoming our newest ALPA leaders to their first Executive Board meeting.

Thank you.

Just over a year ago, I spoke to you about the difference a government could make when it was not afraid to say the word “union.” In the first 100 days, the administration confirmed nominees to the National Mediation Board. They confirmed a former ALPA leader as the FAA administrator, and a new effort to revise 50-year-old flight-time/duty-time regulations soon began.

The AFL-CIO presidents met with Secretary of Transportation Ray LaHood to request a Federal Advisory Committee on aviation. Capt. Paul Rice and I met regularly with the international officials from the departments of transportation and state during the Stage II EU-U.S. negotiations.

They have initialed a tentative agreement with no change in cabotage and no change in ownership and control provisions, and for the first time ever, our government included a labor article in the air transport agreement between the U.S. and the EU.

The FAA Reauthorization Bill—with safety and increased pilot certification standards—passed in both houses of Congress and now faces a final test to resolve the differences.

We prevented a provision calling for management to monitor CVRs and testified before Congress on various matters, ranging from aviation safety to oil speculation.

This month, Capt. Linda Orlady will testify on volcanic ash, and I will once again testify on the need for this country to reform its bankruptcy laws. Legislation to protect our members' jobs during international joint ventures is well under way. And I stand before you to tell you we are just getting started.

If there is one phrase that encompasses the last six months of our union's work, however, it is one that our military veterans and those pilots that fly non-scheduled operations can appreciate most: *Hurry up and wait*. Well, I'm here to tell you that I'm running out of patience.

And looking around this Board, I don't see anyone else here who thinks our members have any patience left with managements that want to hang onto bankruptcy-era concessions.

The last time I addressed this group, we had 17 ALPA pilot groups in contract negotiations. Today, that number stands at 16, with several more gearing up for battle later this year or early next year. Of the 16 groups in negotiations, 10 are in Section 6 mediation with the National Mediation Board and 3 in Canada are in conciliations.

What does it mean when a large number of our airlines are in mediated talks? After all, mediation is supposed to help both groups reach an agreement more quickly. Well, let's start with the good news.

Following ALPA's request for a proffer of arbitration and the Board's strong push, our Hawaiian brothers and sisters demonstrated their solidarity and kicked off the new year by completing a contract that puts them at the top of the industry scale. The company continues to hire pilots as it begins a wide-body fleet replacement program.

The Hawaiian contract, along with the single Delta/Northwest and Alaska contracts before it, set the bar for higher pay, stronger work rules, and better health and retirement benefits. This developing contract pattern paves the way for other ALPA carriers—Spirit, AirTran, Continental, and United, to name just a few—which are all deep into Section 6 negotiations.

Evergreen pilots reached the second tentative agreement of the year last month. The TA reflects current book compensation and benefits and implements other contract provisions agreed to during lengthy bargaining sessions. The TA does not contain the concessions demanded by management and includes a short duration, so that bargaining will begin again late next year after our MEC has a chance to evaluate company efforts to refinance its very large debt load.

AirTran pilots are getting close to the end of an almost 5-year negotiation, although they've been with ALPA for less than a year, and they are now voting on a strike ballot. The Negotiating Committee is currently discussing key contract sections—scheduling, scope, compensation, retirement, insurance, and duration. The NMB, despite its very lengthy mediation efforts, is devoting significant resources to this mediation.

Continental pilots are in direct bargaining and recently received a company comprehensive proposal. United pilots are bargaining under NMB mediation. Now, of course, each of those MECs will analyze and act on the details of their managements' decisions to merge the carriers.

Other pilot groups facing extreme opposition are moving more slowly through the mediation or negotiating process. Management committees at Capital Cargo, ATI, PSA, Piedmont, CommutAir, and Colgan don't yet seem to fully appreciate the value that could be derived from expediting the negotiating process and achieving greater employee satisfaction. However, even here, we are seeing recent positive signs at several of these carriers.

While some of our pilot groups are definitely feeling the pain of "*hurry up and wait*," closer examination of the way these mediation sessions are being conducted, along with other steps that the NMB has taken, shows how far we've come this past year.

Yesterday, the NMB proffered binding arbitration to resolve the contract dispute at Spirit. I will meet with Capt. Sean Creed and the Spirit MEC and respond to the Board's proffer by May 10th. Full strike operations are spooled up in south Florida, so ALPA members will have weekly opportunities to join Spirit pilots on the picketing line in Fort Lauderdale, Detroit, and Atlantic City.

Our Strategic Preparedness and Strike Committee, under Capt. Mike Donatelli's lead, will coordinate with each and every MEC to show Spirit management what ALPA unity really means. While we hope this management team wakes up soon and avoids a strike, there's no doubt in my mind that all 53,000 ALPA members will support our Spirit brothers and sisters if their management makes a mistake and chooses to take us on.

Sean, please stand and be recognized. Your pilot group is on the point of the spear for this union. Let's show our support as our Spirit brothers and sisters enter the end game.

At Trans States, direct participation by the NMB chairwoman forced management to bargain seriously for the first time. While major differences still need to be bridged, we're much closer to the end of the NMB process—and a contract—than we were a year ago.

Even at Pinnacle, the NMB authorized the bargaining parties to meet directly and appears willing to use its resources next month to help resolve the remaining open issues. These new direct negotiations—following the rejection of the first TA—led to revised and improved provisions in the areas of scheduling, vacation, and hours of service. I believe recent progress will provide needed momentum for a final push toward an agreement in June, which our Pinnacle pilots so rightly deserve.

While it may look like *hurry up and wait*, and with my lack of any further patience, the NMB's strong push to finish Hawaiian, proffer arbitration at Spirit, and convince Trans States management to step up and bargain shows that this NMB is conducting itself differently than the Board under the previous administration.

The NMB, with ALPA's strong support and participation, has also taken other steps to expedite mediation services and conclude negotiations more quickly. The NMB established a committee of experts, known as the Dunlop II Committee, to review possible improvements.

ALPA raised issues and made recommendations related to delays that pilots encounter in mediation, the failure of the NMB to use the full range of tools available to motivate bargaining parties to conclude contracts, and additional process changes authorized under the Railway Labor Act.

Listen, it's not a silver bullet. But it is a step in the right direction. We've now seen steady progress by the NMB to change the way bargaining and mediation are conducted and to conclude some of those long-standing existing cases. Capt. Paul Rice will brief you more thoroughly on the Dunlop II Committee.

In Canada, we have three pilot groups in conciliation. At Jazz, the minister of labour appointed a federal conciliator in March to help the parties reach an agreement. Under Canadian law, it's possible that pilots will be free to strike in mid-June if management doesn't start to realistically address pilot needs and concerns.

Like others, JAZ pilots have no tolerance for management's regressive pay and retirement proposals. In fact, the conciliation process expires on May 22, and the MEC is preparing to take a strike authorization vote by their pilots very soon.

Wasaya pilots began bargaining their first contract in May 2008, and after 20 months, only 10 sections were tentatively agreed. The minister of labour appointed a federal conciliator in December, and since then the parties have TA'd 11 more sections.

Unlike Jazz, however, the Wasaya pilots are readying themselves for binding arbitration, since Canadian law and regulations regarding *essential services* will prohibit a strike or lockout if conciliation fails.

Finally, Air Transat filed for conciliation just weeks ago. The parties had made great progress in resolving many quality-of-life issues, but problems arose when ALPA presented a scope proposal that would protect these pilots from outsourcing their flying to foreign carriers.

On the organizing front, ALPA enjoyed overwhelming success at both Air Transport International and North American. Now our union's working with several pilot groups for further organizing opportunities on the horizon.

While a group of pilots formed an organizing committee at Allegiant Air, momentum slowed recently when the company doled out substantial pay raises. ALPA continues to answer questions and assist an internal organizing committee at Horizon. And JetBlue organizing is advancing rapidly, with interest building and a growing core organizing committee. We're training the pilot volunteers on the core committee now.

With Canada Board leadership we are also considering recent contacts in Canada to determine, just like in every organizing campaign, whether several pilot groups are ready to join ALPA and fit well with our union's strategic objectives.

The Association, through the AFL-CIO and the Transportation Trades Department, also worked hard to make it easier for groups to organize under the Railway Labor Act. In December, I [testified](#) at a National Mediation Board public hearing in support of the Board's [notice of proposed rulemaking](#), which would change the way the NMB counts votes in airline representation elections.

Under this proposal, the Board would no longer count all nonparticipants as "no" votes, allowing the elections to be decided by the majority of those who actually cast a vote. It's a change that's 70 years past due, and we expect the NMB to publish this long-awaited rule in the near future.

For the past three years, I have served on a federal Labor Advisory Committee, which provides us with opportunities to weigh in on trade negotiations involving the United States. Along with five other union presidents, I participated in two meetings of the Labor Advisory Committee with Secretary of Labor Hilda Solis and U.S. trade representative Ambassador Ron Kirk. I explained our concerns about the outsourcing of jobs in connection with joint ventures and revenue-sharing arrangements with foreign airlines.

I also requested that the Labor department participate in the federal advisory committee that Secretary of Transportation LaHood commissioned to examine the airline industry's competitiveness. The Future of Aviation Advisory Committee will present information, advice, and recommendations to the secretary on the U.S. aviation industry's capability to address the evolving transportation needs, challenges, and opportunities of the global economy.

You may recall that ALPA submitted its [top five issues](#) to the Transportation department for the committee's consideration this past December. While we've been waiting for the department to announce the committee appointments, I displayed my lack of patience yet again—albeit respectfully—and I believe that Secretary LaHood will announce the appointments soon. I can also guarantee you that ALPA's and the TTD's collective voices have been heard in that process.

ALPA waged several battles on the Hill and in Parliament to protect the profession, and we've seen some success. We stopped unfavorable language in various pieces of legislation, such as those proposals to monitor CVRs and install cockpit video cameras. We also secured funding for programs like HIMS that keep pilots flying the line, and we successfully lobbied to get the Family Medical Leave Act amended to include pilots. We defended the Safety Management Systems in Canada, which leads the industry in a proactive approach to aviation safety.

We did most of that together, through ALPA's Call to Action program. To date, ALPA members sent nearly 10,000 messages to members of Congress regarding the issues that matter most. I hope you will continue to encourage your members to participate in our Calls to Action as they arise.

As members of Congress enter the fall election season, our Political Action Committee is also geared up to play an active role in helping to elect pro-pilot candidates, which could include *14 ALPA pilots* who are running for office. I encourage you to visit our website, which has links to these ALPA members' campaigns for Congress.

We kicked off the 2010 Annual Giving Campaign in January, and together we raised over \$245,000 in the first quarter. While it's certainly a good start, we can't let up between now and the elections.

ALPA-PAC launched several programs to assist you in your efforts to strengthen voluntary funding of our Political Action Committee, including a new credit card program where you and your members can back the PAC 24/7 with just a few clicks on your computer. Remember that ALPA-PAC check-off remains our most reliable source, and you and your local council reps are the union leaders who can show our members the benefits of supporting the PAC. Make sure your MEC has a badge backer when we get to the Board of Directors meeting this fall. Let's get this done.

Late last week, Congress passed another "short-term" extension to continue the operations of the FAA through July 4th. That's the *11th time* Congress has extended this bill. I get a lot of questions about the differences between the House and Senate bills and what this means going forward, so let me bring you up to speed.

In some areas, such as National Airspace System modernization, runway-incursion prevention, and a handful of other safety initiatives, the provisions in each bill are identical or similar enough that we can assume the final product will be very beneficial. In other areas, however, we are still working to improve what will be in the final legislation.

For example, the House position on pilot training and qualifications—passed as H.R. 3371, the Aviation Safety and Pilot Training Improvement Act, and now being considered as part of the FAA Reauthorization legislation—is stronger than the Senate provisions. Existing laws allow pilots with as few as 190 flight hours to obtain a commercial rating.

While the FAA has an Airline Transport Pilot (ATP) license, the agency does not require it to fly as a first officer in airline operations. Simply put, ALPA supports the House bill because it would require an ATP for every pilot in airline service. I've said before, to Congress and the media, and I'll say it again: being an airline pilot is not an entry-level job.

On FOQA and ASAP, the House bill *encourages* the programs rather than *requiring* them—a critical difference that needs to be retained in the final bill, as we all know these programs work precisely because they are *voluntary*. The Senate bill includes a requirement for FOQA and ASAP, but it also includes important protective language. We are advocating that the final bill include the House language, plus the Senate protective language, to ensure that voluntary

programs have expanded protections for those who voluntarily report safety issues.

On fatigue, both House and Senate bills include a mandate that the Federal Aviation Administration publish a rule updating flight and duty regulations. We continue to push for a hard deadline for a *final* FTDT rule. Administrator Babbitt has testified on Capitol Hill that a final rule will be published by the end of 2010. Despite recent rumors that the date for the *proposed* rule has slipped yet again to September, we are focused on seeing that the administrator's deadline is met.

Led by Capt. Don Wykoff and stacking seven ALPA pilot reps strong, we completed our part on the fatigue Aviation Rulemaking Committee in September, right on schedule, when the ARC made a series of recommendations for improvement.

Listen, we have been down this road too many times, with the status quo always prevailing. Well, ***not this time***. The fatigue issue for our pilots is too important to be sidetracked by industry claims of economic woes. Since some parties on the fatigue ARC have conveniently changed their tune, ALPA has suggested to the decision makers on Capitol Hill that the FAA bill should include a hard 12-hour cap on duty day and 8 hours' flight time if a final rule isn't published by January 1, 2011.

Here's the deal: we need, deserve, and demand a strong *final* rule on FTDT, without exemptions or carve-outs for supplemental carriers or anyone else crying about the economy. We need the FAA and Congress to get it done this year. There is no basis in science, nor is there a true operational need, to have separate rules. And that goes for our Canadian brothers and sisters, too.

The ALPA Flight Time/Duty Time Committee for Canada met with Transport Canada in December to discuss the need to update their regulations with a science-based approach, which would address compliance issues with ICAO standards. In response, Director General of Transport Canada Martin Eley activated the Canadian Aviation Rulemaking Advisory Committee (CARAC) to determine if changes are warranted.

This committee will hold its first meeting in June, where ALPA and other participants will discuss the feasibility of implementing an alternative regulatory framework to manage crew fatigue related to flight operations. And yet again, ALPA is the union that will come prepared to meet those challenges.

The FTDT Committee for Canada held a meeting in April with other Canadian pilot unions to review current regulations. However, the CARAC option can take

years to yield regulatory change, and Canada—like the U.S.—needs to make changes now, *not years from now*.

While the industry constantly whines about costs of safety initiatives, I remain optimistic that we will have a strong FAA Reauthorization bill on the president's desk later this year.

After a hectic six months for ALPA's National Security Committee, I was thrilled to see that some of the initiatives from our [white paper](#) on trust-based security systems made their way into the Department of Homeland Security's changes to screening procedures that are used for international passengers traveling to the U.S.

Following the Christmas Day terrorist action against NWA 253, ALPA met with DHS and TSA senior officials to discuss the ALPA initiatives, and our ideas not only received a warm welcome, they changed the way our government does business. We also held similar discussions with the Royal Canadian Mounted Police. In fact, ALPA Canada Board president Capt. Dan Adamus testified before the members of Parliament on this and other top safety and security concerns in April.

While there are other security improvements that ALPA will continue to push, such as our calls for increased funding of the FFDO program, you should be proud that the TSA recognized our union's expertise when adopting these security changes.

And now we are seeing the results of our efforts. During the recent security incident aboard United Airlines Flight #663, Air Traffic Control alerted the flight decks of nearly 5,000 aircraft of an ongoing security incident and advised the need for additional caution.

We're also making headway with CrewPASS, another item that fulfills the *hurry up and wait* criteria to a T. And all of us know how much our members want, and deserve, CrewPASS. The TSA tested and approved the system for implementation last summer. Since that time, not one single airline has purchased the CrewPASS service because of the high costs associated with its single vendor.

Addressing these economic concerns, ALPA hosted a series of CrewPASS consortiums, bringing together pilots, airline management, and security representatives to create operating standards that ensure seamless compatibility between different types of equipment and to compare presentations from several biometric service providers interested in competing for CrewPASS contracts with our carriers.

Once again, our efforts are showing results. The TSA vetted the new technical and operating standards document created by ALPA, which the airlines can now use to solicit requests for proposals with the confidence that the TSA will approve the design if it complies with the standards that we wrote. Plus, more vendors showed an interest in marketing a CrewPASS service to the airlines, which lowered the proposed cost.

In fact, I fully expect one ALPA airline to confirm the implementation of CrewPASS very soon. And I was so impressed by L-1 Identity Solutions' proposal for nationwide deployment that I forwarded it to you, and to each of our U.S. airlines' presidents, for further consideration.

I strongly encourage each of you to directly follow up with your company on this matter, so that we can make CrewPASS a reality for all of our members. If you have any questions or need any assistance, our security committee and staff are standing by to help you bring CrewPASS to your pilots this year.

I will close with the immortal words of Mother Jones—"Pray for the dead," she said, "and fight like hell for the living." Listen, our leaders and members have plenty of fight in us. It's been maddened by long years of inaction by our managements, for stonewalling negotiations; and by our federal governments, for letting them get away with abuse of bankruptcy and labor laws. And it is unconscionable that basic safety legislation that would protect our pilots and the traveling public has been stuck on the tarmac by those crying that safety improvements just cost too much.

Well, let me tell you this: we're teetering on the cusp of change in every arena that matters most to our proud members flying the line, and what little patience we might have once had has long disappeared. We're advancing on each and every issue, and we're ready to let these final battles begin.

We'll pounce on what we deserve with every resource this union can throw at them, and we come bottled up with years of fight boiling through our blood. It has been your leadership that has convinced our members to demonstrate the power and disciplined militancy of 53,000 union pilots.

We have broken out of the lost decade, and with your continued leadership and dedication, I assure you that ALPA will fight our members' every battle until we break the bitter status quo. And NO ALPA pilot group will ever fight their battle alone.

As ALPA leaders, these are just a few of the initiatives you and our Board of Directors set to build a better tomorrow for our pilots. And as our Board prepares

to meet this fall to update our strategic plan, it's time to proudly lead our pilots through this industry-changing era.

Together we have laid the most solid foundation for those successes. Now is our chance to fight for what we've lost, or, in far too many cases, what too many of our brothers and sisters have never had. So, patience be damned. Fellow ALPA leaders, let's get it done.