

Flying Through Age 60 Law Change

After several years of congressional pressure for change, the new ICAO standard, and the FAA's decision to change the rule, the mandatory retirement age for airline pilots in the United States is now 65. Whatever your view on the change, every ALPA line pilot should be proud of our union—not because the rule was changed, but because our union shaped that change to protect our members.



When the Fair Treatment of Experienced Pilots Act raised the mandatory retirement age for pilots engaged in FAR Part 121 operations from 60 to 65, it codified legislative proposals that the ALPA Executive Board endorsed, I advocated as ALPA's President, and ALPA lobbyists transmitted to Congress.

After meeting with eight Senate and House aviation leaders in the spring and learning that six of them backed change, I told the Executive Council and Board that we were duty-bound to fully engage in shaping the looming legislation. The passage of the final bill by a 390–0 vote in the House and by unanimous consent in the Senate demonstrates the vast support for change. [See "From the Hill," page 34.]

While Capt. Duane Woerth and I, as well as the Executive Air Safety Chairman and other ALPA pilots, served on the FAA's Age 60 Aviation Rulemaking Committee, ALPA did not participate in the FAA administrator's decision in early 2007 nor in the actions of certain congressional leaders who clearly predicted an increase in the age limit.

However, ALPA single-handedly and successfully lobbied for modified language that addresses a number of critical issues for all airline pilots. Without these provisions, Age 65 would be problematic for pilots regardless of age, status, or airline. They are necessary to guarantee fair, equitable, and expeditious implementation. Here are a few examples:

- **No unilateral changes to pilot contracts:** The law requires that any amendments necessary to conform labor agreements or benefit plans to the new law or any regulation issued to carry out this law must be by agreement between management and ALPA.
- **No retroactivity:** Pilots older than 60 flying as "required flight deck crewmembers" in FAR Part 121 operations (e.g., flight engineers or second officers) on the enactment date may continue to fly and bid into a pilot seat based on seniority provisions in their contract. Pilots who reached age 60 before Dec. 13, 2007, may be rehired, or hired by another airline, with no retroactivity.
- **No domestic "over/under" split:** The law provides for an "over/under" split for international operations, as ICAO requires: one pilot can be over 60 (up to 65) if the other pilot is under 60. But that split does not apply to domestic operations.

- **No additional medical testing:** The law requires only that pilots older than 60 hold a first-class medical certificate, although additional line or simulator evaluations may be required.

Previous lobbying attempts by independent, special-interest pilot groups resulted in a grossly oversimplified bill that would have created more problems than it solved. No independent pilot union had any measurable effect on advancing or preventing the current legislation. At least one op-

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posed to change revealed the futility of its lobbying efforts by resorting to costly, ineffective advertising.

ALPA, however, brought together an internal Blue Ribbon Panel with the expertise of pilots and staff necessary to examine collateral issues that accompany rule change and devise effective strategies to address them. The MEC chairmen who make up the Executive Board reviewed that work, considered the effects of the rule change, and directed ALPA's efforts.

In the end, ALPA had the lobbying power, strong congressional support, and long-term stature on Capitol Hill to convince key leaders in the House and Senate to adopt the necessary language. This is just the latest issue to demonstrate how the strength of 76 years and 60,000 ALPA members can advocate for our profession.

ALPA remains in the game on Capitol Hill and in Canada's Parliament—the only pilot union fighting for increased PBGC payments, modifications to the Bankruptcy Code, and changes to tax laws that punish employees at formerly bankrupt companies. Our union has a representative present during negotiations on Open Skies, cabotage, and foreign control. Only our pilot union holds a seat on the AFL-CIO Executive Council, IFALPA, and the Department of Labor Advisory Committee.

We are pilots from 42 airlines in two countries bound together to fight for our profession in one union. ALPA: The Pilots Union, Our Union.

A handwritten signature in blue ink that reads "John Prater". The signature is written in a cursive, flowing style.