



2018 International Vice President's Report



International Vice President Report Board of Director's Meeting 4-9-18

Training:

New Leader Orientation and Training

August represented the last category election cycle training class. Since 2016 when this cycle of category elections began, we've trained approximately 100 new leaders. This number includes leaders from both regularly scheduled elections as well as those from special elections. It has been both a pleasure and a privilege to welcome these leaders and assist them as they enter their new roles within our union.



I've initiated an important change to the traditional New Leader Orientation and Training. Historically, the same training has been provided to all newly elected leaders. This practice however, did not take into consideration the differences and unique circumstances between regular Local Councils and MECs with a collective bargaining agreement and that of Transitional Local Councils established on a newly organized carrier without prior Union representation and a collective bargaining agreement.

Transitional Local Councils have only two Officers; President and Secretary. Committee structure is focused on only those necessary to member communications and negotiations. This sets up a much different dynamic from that of a Local Council with a full complement of Officers and committees and a collective bargaining agreement to defend. Therefore, our customary training was re-tooled to ensure these Transitional Local Council Officers received training targeted to meet their specific and unique needs. Leaders from Transitional Councils will be taught in classes together with other leaders who share the same status.

Online Learning Academy

Our new online learning academy (OLA) is up and running. (training.afacwa.org) The Leadership Development Committee identified an initial list of course offerings and the order in which they should be developed. Please reference a copy of the LDC report for a list of trainings. This platform allows us to do more than just create courses in which learners read through text. Adult learners absorb knowledge in different ways and our interactive software allows us to create various forms of intellectual content that will appeal to all. Course content can be delivered using electronic devices such as computers, tablets or phones and will allow us to broaden our opportunities for training that will reach both leaders and members outside a traditional classroom setting. Online education courses will further expand our ability to promote member engagement. The OLA also provides us with a way to identify who is accessing the academy and evaluate their proficiency with the training.



Grievance Week

We conducted an Advanced Grievance Training and System Board Training in Chicago on October 18-20, 2017. Training was attended by approximately 25 leaders and advocates. We contracted with Arbitrator Steven Bierig and participants had the opportunity to engage directly with him and gain insight into how an arbitrator reaches decisions on grievance disputes.

Advanced Leadership Training

Last year the Board passed a budget which proposed the scheduling of an Advanced Leadership Training for the fall of 2018. The Leadership Development Committee, the ISRs and I have begun preparations for this skill based training. We've selected the Sheraton Gateway LAX hotel as the training venue and the dates are September 25-27, 2018. Please mark your calendars.

We have a format that offers a variety of workshops developed in consultation with the Leadership Development Committee. Leaders can select from any number of different workshops which match their specific interests. Standard workshops like public speaking, conflict management and financial operations will be offered and we'll introduce new workshops on topics like diversity, time management and life balance, modern member mobilization and volunteerism vs. mentoring.

Please review the Leadership Development Committee report for a comprehensive description list of workshops and learning objectives. We are requesting the Board's feedback prior to full curriculum development.

Field Training

We offer field training for leaders and activists throughout the year most, but not all, of which are upon request. Since last year's Board meeting, we've conducted the following leadership/member trainings:

- New Leader Orientation/Training – 2
- Mobilization: 16
- Chaos: 4
- Basic Grievance: 2
- Advanced Grievance: 1
- System Board: 1
- Pre-BOD New Delegate: 1
- Online Grievance Finals: 30
- MEC and MEC Committee Building: 8
- LEC/LC Meeting: 10

MEC Grievance Chair Calls

We strive to schedule quarterly calls during which the MEC Grievance chairs from each carrier bring forth topics for group discussion. This sharing of information has proven beneficial for those seeking input/solutions to certain issues at their carrier and to provide a general sense of trends in our industry.

Strategic Planning Committee

AFA International Secretary/Treasurer Kevin Creighan has been doing the heavy lifting with the committee's work and I've played a supportive role during our meetings and conference calls. Topics are thoroughly discussed from every angle. Following this process the committee has concluded that some issues will require no action while others have been placed into agenda item format for the Board's consideration.

Paid Family Leave-Paid Sick Time

While Federal Legislation providing for both Paid Family Leave and Paid Sick (Healthy Families Act) remains the best solution for Flight Attendants, it is unlikely to happen under this administration or Congress. Therefore, we continue to research existing State laws to determine eligibility for our members and to try and proactively urge lawmakers and other stakeholders, in states with pending, to consider language to include coverage for aviation workers and Flight Attendants specifically. I'd like to extend a special thank you to Council 9 President Ken Kyle and Council 19 President Terry Taylor for their efforts in advocating on behalf of Flight Attendants in the states of Colorado and Washington. Their involvement is putting focus on the need to include language in their state's legislation to ensure that the unique work we perform as Flight Attendants is recognized and that our members will benefit from paid sick and family leave laws in those locations.

Obtaining the right to take paid family leave is a no brainer. But why do we care about paid sick leave laws when our contracts already provide for paid time off? While all of our contracts provide for paid sick leave, state laws typically expand the use of the earned sick time to cover a range of family members and they carry no penalty from the employer. In other words, you can use your earned paid sick leave to care for family members or for your own illness, without fear of management reprisal.



As part of our ongoing research, AFA General Counsel Ed and AFA Benefits Attorney Mary Lou Savage and I, met in New York with a women's advocacy group named "A Better Balance". The founders of "A Better Balance" are a group of lawyers who successfully worked together on a variety of women's rights and economic issues and sought to forge a comprehensive multi-strategic approach to addressing the work-family dilemma. While their attorneys are well versed in the various paid family leave and paid sick day State laws, they do not have experience with aviation workers and the Railway labor act. We've come together and formed an information sharing relationship that will benefit both of us. From our dialogue we've identified...

- Generally, most of the paid sick and paid family leave laws, base eligibility upon where you work, not where you live. Therefore, Flight Attendants eligibility would be determined upon where they are based.
- States with paid sick laws generally determine eligibility based on an accrual model. Before an employee can realize the benefit of the law, she/he must have worked a specific number of hours. Because these laws were premised on a 40 hour work week, it is difficult to estimate how eligibility hours for Flight Attendants would be calculated.
- States with paid FMLA laws generally use an eligibility model that is similar to that of either the unemployment or workers compensation laws of that particular State. If an employee is eligible to receive benefits under one of these categories, then they are eligible to also receive paid family leave benefits.
- In the states of California, New Jersey and Rhode Island if you qualify to receive unemployment benefits from the state, then you are eligible to receive paid family leave.
- The state of Washington paid family leave insurance legislation which goes into effect in 2020 and has a different model. The cost of the new program will be shared between the employer and the employee through a payroll tax. Workers will pay 63 percent and employers will pay 37 percent of the premiums. Employees there are eligible for family and medical leave benefits after working for at least 820 hours in employment during the qualifying period. The hours are cumulative and not tied to any one employer. For example if the employee had two jobs within the qualifying period,

the combined hours worked for each employer will be used to determine eligibility. We do not yet know how the 820 hours “worked,” will be measured for Flight Attendants. Since the law has not yet gone into effect, we have the opportunity to be proactive in terms of remitting our comments and concerns to State legislators. I’ve taken steps to ensure we are able to do this during the Washington State Employment Security Department (ESD) rulemaking process. The first in-person rule making meeting was December 12th and we had an AFA staff attorney present.

- The state of New York is part of different model still. Paid Family leave in this state went into effect January 2018. Part of our research initially indicated that airline workers would be excluded from the act. However, with the help of Mary Lou Savage, we began a dialogue with the state to find out how they reached that determination particularly in light of the fact that the statute itself does not expressly exclude airline workers.

It appears, government officials there may have mistakenly believed that airlines are covered by the Railroad Unemployment Insurance Act. It is true that airlines and airline workers are covered by the Railway Labor Act for purposes of Labor Relations -- supervising and certifying representation elections and supervising collective bargaining. But, airlines and airline workers are not covered by the RUIA. That program is limited to railroad workers.

As a result of our intervention, officials have now indicated that airline workers based in New York and contributing to TDI (temporary disability insurance) are eligible to receive paid family leave benefits once the law goes into effect in January 2018. The paid family leave part will be added automatically to the disability coverage. Envoy, Cathay Pacific, Norwegian and Endeavor all presently have bases in New York and we have confirmed Flight Attendants there will be eligible to receive paid leave.

In the midst of all of this, state protections are being challenged on at least three fronts that we’ve become aware of. BNSF Railroad management has filed suit arguing that because railroad workers are covered under the RLA that federal law pre-empts state laws and workers should therefore not be entitled to reap the benefits where such benefit is greater than that provided under federal law.

The next is a bill recently introduced in the House by 4 Republican congresswomen Mimi Walters of California, Elise Stefanik of New York and Cathy McMorris Rodgers of Washington. All of these states have paid leave laws. The stated intent of the legislation is to address the complexities of multi-state leave law compliance. ERISSA contains a pre-emption from state law provisions so an employer who sponsors a compliant “Workflex Plan” would not have to comply with state or local paid leave laws.

Lastly, the Air Transport Association of America (“A4A”), the trade association representing most of the largest airlines in the US, filed a lawsuit to overturn the recently enacted “Washington Paid Sick Leave Act” which requires all employers operating in the State of Washington to provide one hour of paid sick leave to employees for every 40 hours they work. Significantly, the Act prohibits employers from counting sick-leave related absences toward discipline. AFA will intervene in the case as an interested party to protect the rights of our members employed in Washington State.

Each MEC and LEC should have labor affiliations. If not we strongly recommend affiliating in your state and local federations and being involved in your central labor councils. Our presence/input will place the issue of paid leave on everyone’s radar and allow us the ability to communicate the unique nature of our work group to stakeholders and others involved in the legislation. It’s time to ensure our issues are understood and awareness raised. While there is Federal legislation that’s been introduced, the real movement on this issue is happening on the state level. **I strongly encourage you to have members get involved at the state and local levels.**

**For the Washington Family Care Act rehearing “en blanc”.*

AFA is eagerly awaiting the decision of the US Court of Appeals for the Ninth Circuit in a case involving an AFA

member who used the Washington Family Care Act (“WFCA”) to take accrued vacation leave to care for a sick child. AFA won in the district court but lost in the Court of Appeals. AFA and Washington State asked for a re-hearing “en banc”; which is a request to have the case re-argued before all the judges in the Ninth Circuit due to the important legal questions presented. In a rare move, the Ninth Circuit did agree to hear the case and an oral argument was held on September 2017. A decision in AFA’s favor will allow our members to continue to use the WFCA when their collective bargaining agreement does not provide for a requested leave.

A more detailed list of State legislation being considered can be viewed at: paidleave.us/statetracker

Here are the states that considered paid sick days bills in 2017:	Here are the states that considered paid leave bills in 2017:
<ul style="list-style-type: none"> • Alaska • Arkansas • Connecticut • Georgia • Hawaii • Illinois • Indiana • Maine • Maryland • Massachusetts • Michigan • Minnesota • Nevada • New Jersey • New York • North Carolina • Oklahoma • Oregon • Pennsylvania • Rhode Island • South Carolina • South Dakota • Texas • Virginia • Washington 	<ul style="list-style-type: none"> • Arkansas • Colorado • Connecticut • Delaware • Georgia • Hawaii • Illinois • Indiana • Iowa • Kentucky • Maine • Massachusetts • Michigan • Minnesota • Mississippi • Missouri • Montana • Nebraska • Nevada • New Hampshire • New Mexico • North Carolina • Oklahoma • Oregon • South Dakota • Texas • Utah • Vermont • Virginia • Washington • Wisconsin

Human Trafficking

Through our partnership with DHS we have a new piece of co-branded material. We now offer an on duty reference pocket guide and an off duty recognition and reporting guide. Additionally, the complete DHS Blue Lightning Human Trafficking training is now available to leaders and members on our on-line learning academy site. Both the pocket guide and the complete DHS training can be found at: (training.afacwa.org).

AFA was asked to participate in two different panel discussions to highlight our work on Human Trafficking in October 2017. I was honored to represent us at both venues. The first was an international panel including fellow panelists from UNODC and IATA which took place in Geneva. The second was more local in nature and was conducted during the annual Family Court of the District of Columbia Superior Court conference. I was joined by fellow panelists from the FBI and the HHS.

Upcoming Goals

- Development of training and materials for leader use which target member education about our Union.
- Revising our current Leadership and System Board Manuals
- Full Roll out of Online Learning Academy and courses contained therein
- Development of a standardized template for New Hire Presentations which can be tailored to meet each carrier's specific needs
- Continued preparation for Advanced Leadership Training in the fall of 2018
- Updating/revising curriculum within our New Leader Orientation and Training in anticipation of the next round of category elections

WHAT IS HUMAN TRAFFICKING?

Human trafficking
involves the use of
force, fraud, or coercion
to obtain some type of
labor or commercial sex act*

Victims can be transported using all modes of transportation, including airways, either alone or with a trafficker.**

Victims can be of any gender, age, background, citizenship (including U.S.), or have any immigration status.

*Any minor (under the age of 18) engaged in commercial sex is a victim of human trafficking according to federal law, regardless of whether there is force, fraud, or coercion.

**Trafficking does not require movement, border crossing, or transportation

IN THE EVENT OF AN EMERGENCY

call **911** or contact **local authorities**

Report human trafficking 24 hours a day,

7 days a week by calling

1-866-347-2423

(U.S./Canada)

+1 802-872-6199

(International)

For more information about combating human trafficking, visit

dhs.gov/bluecampaign

The **Department of Homeland Security** and **Department of Transportation's Blue Lightning Initiative (BLI)** trains U.S. commercial airlines and their employees to identify potential human trafficking victims and notify federal authorities. BLI, one of the lines of effort within the DHS Blue Campaign, is a joint initiative led by **U.S. Customs and Border Protection** and the **Department of Transportation**.

The United States Department of Homeland Security and the United States Department of Transportation are Federal agencies of the United States Government and are separate and distinct entities from this Association.

BLI.org 800-335-2375

