

ASSOCIATION OF FLIGHT ATTENDANTS-CWA, AFL-CIO
FORTY NINTH BOARD OF DIRECTORS MEETING
MAY 13-15, 2022
LAS VEGAS NEVADA

SUBJECT: Hearing Board (Article X.D.5 & F.3.)

STATEMENT OF QUESTION: Should electronic means be permitted for the Hearing and Appeals process ?

SOURCE AND DATE SUBMITTED: Strategic Planning Committee (SPC), April 13, 2022

BACKGROUND INFORMATION:

The intent of this agenda item is to clarify that meetings may be conducted as video conferences.

Additionally, this is meant to clarify that the Hearing or Appeal Board retains the discretion to determine the type of venue, as is consistent with existing practice to determine if an in-person or a “paper” hearing is conducted.

PROPOSED RESOLUTION:

THEREFORE BE IT RESOLVED, that Article X.D.5. be amended as follows:

5. If in the opinion of the Hearing Board good cause is shown for accepting jurisdiction to hear the case in the first instance, the hearing shall be held not later than sixty (60) days after receipt by the accused of the Hearing Board's decision to hear the charges against such member and a decision published as soon as possible thereafter, but not later than fifteen (15) days from the date of the hearing. **Hearings, at the discretion of the Hearing Board, may be conducted in-person, by telephone, by videoconference or by other electronic means.**

BE IT FURTHER RESOLVED, that Article X.F.3. be amended as follows:

3. The Appeal Board may hear appeals solely upon the evidence and decision submitted to it. Upon application of any party, or upon its own motion, the Appeal Board may take additional evidence as it deems proper. The Appeal Board shall designate a time and place and any adjournments for the hearing of charges, with notice of the hearing sent certified mail, return receipt requested. **At the discretion of the Appeals Board, hearings may be conducted in-person, by telephone, by videoconference or by other electronic means.** The Appeal Board shall issue its decision no later than one hundred twenty (120) days from the date the charges were initially filed.