

ASSOCIATION OF FLIGHT ATTENDANTS-CWA, AFL-CIO
FORTY FOURTH BOARD OF DIRECTORS MEETING
MAY 23-24, 2016
ATLANTA, GEORGIA

SUBJECT: Flight Pay Loss (FPL) Accountability

STATEMENT OF QUESTION:

Should existing policies be further refined to ensure compliance with the Constitution and Bylaws and Federal Regulations?

SOURCE AN DATE SUBMITTED: International President - April 15, 2016

BACKGROUND INFORMATION:

Article XV.A. of the AFA-CWA Constitution and Bylaws (C&B) states the following:

Every AFA-CWA officer and representative, whether elected or appointed, has a high fiduciary duty and sacred trust to serve the best interests of the members honestly and faithfully.

It is recognized that union work is voluntary in nature, and that for the most part, Officers and Representatives contribute much of their time voluntarily. In reality, it is also recognized that there is a need to reimburse individuals for flight hours lost due to performing union work. Finally, it is well understood that FPL is typically the highest cost incurred in any budget.

A high priority for AFA is that the use of FPL is beyond ethical reproach, and done so in a manner fully compliant with our C&B. Further, DOL requirements highlight the need to keep real-time records of FPL expenditures. To guide us, there are various Articles and Sections of the C&B that contain provisions related to reimbursements of Flight Pay Loss (FPL) and Expenses. These include the following:

Articles

- I.R. There shall be no salary for any Officer, except per Article IV.H.
- IV.H. Salary provisions for International Officers

Sections

- IV.B. No Salaries for MEC Officers
- IV.D. FPL Reimbursement Procedures
- IV.D.4. Return of Lost Vacations
- IV.E. Time Limitations for Submissions

These constitutional provisions and other policies and procedures are designed to ensure accountability and transparency.

Due to some potential problems brought to the attention of the International Officers, it may be desirable to further delineate some procedures related to FPL administration. These would ensure the following:

- Must ensure compliance that Flight Attendants doing union work are not salaried employees of the Union
 - o FPL must relate to normal earnings of the F/A member
 - o There must be a connection between FPL hours and normal flight hours lost
 - o If hours are not “lost” in sense of trips released, FPL hours must relate to schedule that could have been held given seniority in base to ensure reasonableness
 - o There must be a balance between FPL Hours; Flight Hours Lost; and Hours Worked on behalf of the membership

- Must ensure budgetary compliance
 - o FPL should be charged to the budget under which work is performed
 - o FPL must be moderated and monitored to ensure over budget conditions are not created

- Must ensure transparency
 - o This enables members to hold leaders accountable

- Must ensure proper documentation
 - o This is necessary to ensure compliance with C&B and budgetary limitations
 - o This provides the basis for reporting to the DOL
 - o DOL would expect certain procedures to document that FPL is used in accordance with C&B and for the benefit of the membership
 - o This enables transparency so members can hold leaders accountable
 - o Activity Reports will document that union work was performed (An online portal could be developed to facilitate and simplify the record-keeping process to document FPL hours, hours worked, and project that was worked.)

PROPOSED RESOLUTION:

WHEREAS, maintaining a high fiduciary duty and sacred trust to serve the best interests of the members honestly and faithfully is principle of utmost priority; and,

WHEREAS, Flight Pay Loss (FPL) is not only one of the highest costs encountered by the Union, but a necessity to ensure that union Officers and Activists recoup the pay associated with flight hours lost due to performance of union work; and,

WHEREAS, various Articles and Sections of the AFA-CWA Constitution and Bylaws (C&B) as well as the Department of Labor (DOL) regulations both provide guidance on acceptable practices and procedures; and,

WHEREAS, compliance with C&B provisions and DOL regulations would be further assisted by more detailed guidance within the AFA-CWA Policy Manual;

THEREFORE BE IT RESOLVED, that Section IV.D.1. be amended as follows:

D. Reimbursement Procedure

1. Flight Pay Loss Reimbursement Procedure

a. Reimbursement for Flight Pay Loss (**FPL**) directly from the Union is accomplished by submitting a record of trips lost on a Union Report of Flight Pay Loss form which may be obtained from the Local Council President or the Accounting Department at the International Office. Such Report of Flight Pay Loss shall be submitted by the member at the time of trip(s) dropped and s/he shall be immediately reimbursed. Company pay vouchers for the month during which a trip(s) were lost must be submitted when received by the flight attendant.

b. Authorizing a number of hours of FPL for an individual must recognize that per Article I.R., FPL should not be considered a salary from the Union. Instead, FPL is a reimbursement for flight hours lost due to work performed for the Union on behalf of the membership, FPL hours must not only relate to flight hours lost, but must relate to hours of work performed and any applicable budgetary limitations.

c. Approved FPL hours must be charged to a budget that would normally be associated with the work performed.

d. Documentation of FPL hours is the responsibility of the person receiving the FPL, as overseen by LEC President, MEC President, or other individual responsible for the applicable budget. Documentation should be sufficient to substantiate that work on behalf of the membership was performed, and should be collected on a monthly basis through activity reports to correlate to the FPL billing period.