



THE FAA PLAYING POLITICS WITH AVIATION SAFETY

Our nation's air traffic controllers, technicians and other employees work together to safely guide nearly 90,000 planes each day. These highly skilled men and women work tirelessly to ensure the safety of our nation's skies 24 hours a day, 7 days a week, 365 days a year.

As the Federal Aviation Administration (FAA) engages in collective bargaining with air traffic controllers and other dedicated public servants who operate, maintain and support our air traffic control system, the agency must commit itself to a process that will result in a resolution that ensures the safety, efficiency and integrity of the aviation system. The FAA must recognize the critical role that its own employees play in ensuring the safety of the traveling public. Unfortunately, early salvos and maneuvers by the FAA Administrator and her management team indicate they are prepared to put politics before safety.

In fact, the FAA has already engaged in an expensive and carefully orchestrated campaign to attack their own employees, questioning the competence and dedication of air traffic controllers who operate the safest air traffic control system in the world. Furthermore, the FAA appears intent on using a tortured and questionable interpretation of federal law to allow it to use Congress to unilaterally impose contract terms at its discretion. This is not true collective bargaining, and creating an environment of mistrust and hostility is a dangerous path. Transportation labor urges the FAA to reverse course and to come to the bargaining table ready to negotiate, and not attack, its own workers.

Agency Maligns its Own Workers

Inexplicably, the FAA believes that it can somehow operate without working with or supporting its own employees. This summer, at the same time the agency said it lacked the funding to modernize its air traffic control technologies, the FAA Administrator and her deputies embarked on an expensive and carefully coordinated 22-city press tour and media blitz to malign controllers and their union. Transportation labor is outraged that the FAA is publicly scapegoating its own workers, but worse, American taxpayers should question the appalling use of federal dollars for a misinformation campaign – especially at a time when delays are increasing, modernization and expansion programs are underfunded, and the safety and security of our air space is a paramount concern.

This extensive public relations campaign is intended to deflect attention from problems related to the FAA's own mismanagement and bad decision-making. The FAA's stewardship of air safety and air traffic modernization has drawn sharp rebuke from the Department of Transportation's own Inspector General and the Government Accountability Office, Congress' watchdog agency. The FAA continues to mismanage a looming staffing crisis. A GAO study noted that nearly 7,500 controllers – more than half the current workforce – would leave through retirement or attrition between 2002 and 2011. Yet, last year the FAA hired only 13 new controllers. As the controller population continues to age in the

next two years, approximately 2,181 controllers will retire. Fewer controllers mean that remaining controllers have to manage more airplanes and work longer hours, creating a dangerous situation for the planes they steward. This crisis is already affecting some of the nation's busiest air traffic control facilities. Los Angeles Center, for example, is authorized to have 310 controllers, but only 262 are on board.

Modernization Put on Back Burner

Despite its own repeated calls for modernization, the FAA has abandoned, canceled or significantly cut programs that would improve the safety and efficiency of our aviation system. For example, the agency canceled a critical update to the antiquated analog radio system currently used for air traffic control communications. The program, called NEXCOM (Next Generation Air/Ground Communications), would have replaced the outdated system, upgrading an overworked infrastructure. The FAA terminated funding for the program in 2004 without a specific plan to replace this aging technology.

In late June, via a terse 79-word fax, the FAA unexpectedly terminated the Controller Liaison program. This program, enabling cooperation between the controllers responsible for air traffic safety and the managers who oversee them, had previously resulted in a host of important innovations like en route modernization programs and runway safety technologies. In a report issued in June, the GAO criticized the FAA for not involving controllers in modernization efforts, stating that the FAA's refusal to work with air traffic controllers, "contributed to the inability of four of the 16 major system acquisitions to meet their cost, schedule or performance targets."

Earlier this year, as a result of staffing shortages and the cancellation of overtime, operational errors began to increase at New York's TRACON. A constructive response to this situation would have been to assemble a joint labor-management team which could truly get to the bottom of the problem and perhaps develop viable solutions. The FAA could have also called upon the DOT Inspector General to evaluate the problem. Instead, the agency assembled a one-sided management team whose findings predictably deflected attention away from legitimate safety issues and instead blamed the workforce. The agency then released the report at a press event held at a restricted location, and prevented their own employees from attending or even seeing the report until shortly before the press conference.

Refusal to Bargain in Good Faith

In short, the FAA's game plan appears to be focused solely on discrediting its own workers and then unilaterally imposing a contract without ever having entered into real negotiations. Unfortunately, this would not be the first time the FAA has refused to bargain in good faith and imposed contract terms on its workers. On June 10, the FAA unilaterally imposed work and pay rules upon 1,900 of its employees who perform important safety-related support positions including aircraft certification and computer technicians. The FAA's other bargaining units, including those represented by the Professional Airways Systems Specialists (PASS) and the Association of Federal, State, County, and Municipal Employees (AFSCME) could be subject to the same tactic if the FAA succeeds in its current round with NATCA. While we expect anti-worker corporations like Wal-Mart to engage in bad faith negotiations, we expect more out of our government.

Transportation labor will stand full force behind FAA employees in stopping the agency's leadership from creating an environment of hostility and distrust with its own employees and jeopardizing the safety and efficiency of the air traffic control system in the process. The FAA must commit to serious collective bargaining, acting fairly and in good faith. It must refrain from unilaterally imposing a contract on its employees, and it must end the strong-arm tactics that are making a mockery out of the bargaining process. We call on the FAA to advance modernization, address the severe and well documented staffing shortage, honor its collective bargaining obligations, and stop demonizing its employees at a time when so much is at stake in managing the expansion of our aviation system.

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