



PROTECTING COLLECTIVE BARGAINING RIGHTS OF FAA WORKERS

American workers are suffering in an era when their bargaining rights are under assault at every turn. While we have come to expect irresponsible conduct from anti-worker corporate giants like Wal-Mart, American workers should not have to endure the same underhanded tactics from the federal government. Unfortunately, that is the situation faced by the employees of the Federal Aviation Administration (FAA), members of the National Air Traffic Controllers Association (NATCA), the Professional Airways Systems Specialists (PASS), and the American Federation of State, County, and Municipal Employees (AFSCME).

The FAA, instead of committing to a fair and balanced approach in negotiating new agreements with its workers, is intent on unilaterally imposing unfair terms and conditions on its workers. FAA employees are responsible for overseeing the safe travel of more than 90,000 flights each day – 24 hours a day, 365 days a year. In the world of aviation, there is scant room for error and these workers are the backbone of an enormous air travel system which safely moves nearly 600 million people per year. Apparently, the FAA fails to see the value of its own workers in carrying out the agency's aviation safety mission. Rather than working collaboratively with the employees in a good faith effort to produce fair agreements, the FAA has embarked on a campaign to malign its workers and impose pay and working conditions outside the normal bargaining process.

TTD condemns the conduct of the FAA and urges the agency to stop this "scorched earth" approach to collective bargaining.

When Congress gave the FAA the flexibility to institute personnel reform in 1996, it expected the agency to sit down and negotiate fair agreements with its employees. The agency's plan to prematurely declare impasse to justify unilaterally imposing contracts on its workers is a clear indication of the FAA's disdain for fairness and its own bargaining obligations. It has already imposed contracts on several bargaining units and is poised to continue the same strategy unless the FAA Administrator commits to a fair bargaining process or Congress intervenes with a fair legislative solution.

The FAA is pursuing a dangerous course. Imposing contracts with no real bargaining will only create additional acrimony and distrust among FAA employees who are so critical to the safe and efficient movement of aircraft. It is unconscionable that the FAA would be so short-sided to put cost-savings ahead of safety. Undoubtedly, the FAA's actions will lead to increasing problems with employee retention and recruitment. If the FAA is allowed to force its unfair contract terms on employees, the exodus of skilled employees will outweigh any recruitment efforts. At a time when the air traffic controller workforce ranks are facing a wave of mandatory retirements, nearly 40 percent of the already understaffed inspectors are eligible to retire by 2010, and FAA systems specialist staffing remains below the minimum of 6,100 employees, the FAA's position is not only unfair but also risky.

Even the Department of Transportation's Inspector General and the General Accounting Office have criticized the FAA's attention to air safety. The FAA's mismanagement of the looming staffing crisis means fewer controllers have to manage more airplanes and work longer hours, creating a dangerous situation for the planes they steward. Furthermore, despite its own calls for modernization, the FAA has abandoned, canceled or significantly cut programs that would improve the safety and efficiency of our aviation system, including updating an outdated communications system and a collaborative labor-management program which developed safety innovations like runway safety technologies.

It is difficult for the labor movement to trust the FAA's motives. Last summer, at the same time it was crying poor, the agency embarked on a 22-city media tour with the sole purpose of discrediting its workforce and launching its bargaining campaign. FAA press releases and press conferences are no substitute for the agency's responsibility to negotiate and collaborate with its employees and their unions. Unfortunately, as Defense Department and Department of Homeland Security employees already know, this is more of the same from an Administration intent on attacking federal workers' bargaining rights.

Members of Congress have recognized that fairness and balance must be restored if we are serious about inspiring true bargaining. Senator Barack Obama (D-IL), along with Senators Daniel Inouye (D-HI), Patty Murray (D-WA) and Frank Lautenberg (D-NJ), introduced S. 2201, the FAA Fair Labor Management Dispute Resolution Act of 2006. Identical legislation (H.R. 4755) was introduced in the House by Representatives Sue Kelly (R-NY) and Jerry Costello (D-IL) with over 30 bipartisan cosponsors. These bills would simply prevent the FAA from unilaterally imposing contracts by establishing a three-step process for resolving bargaining disputes: first, calling on the services of the Federal Mediation and Conciliation Service; second, giving Congress the option of resolving disputed portions of a contract; and third, if Congress takes no action within 60 days, submitting the bargaining dispute to binding arbitration. Members of the U.S. Congress understand that fair bargaining is in the best interest of a strong and safe aviation system. Despite the inflammatory rhetoric being heard in the halls of the FAA, these bills would only accomplish one thing: ensure fairness and accountability in the bargaining process.

TTD endorses S. 2201 and H.R. 4755 and stands shoulder to shoulder with the FAA employees. We will continue to fight for a fair bargaining process for these dedicated workers. For federal employees, especially those who are entrusted with ensuring the safety of the flying public, the right to a fair process is not too much to ask. The Obama and Kelly-Costello legislation is a simple, reasonable remedy to a badly poisoned process that is unfair to workers and threatens aviation safety.

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