

Lawrence M. Meadows  
FO/777/MIA AA# 332713  
203 N. LaSalle St, Suite 2100  
Chicago, IL 60601

May 12, 2015

Federal Aviation Administration  
Office of Audit and Evaluation  
Attn: WBPP Coordinator, Room 911  
800 Independence Ave SW  
Washington, DC 20591

**RE: AIR21 Whistleblower Complaint Against Air Carrier Certificate No. AALA025A  
*Lawrence M. Meadows v. American Airlines, Inc.***

**Filed Electronically and via Certified Mail**

Dear WBPP Coordinator,

I Lawrence M. Meadows ("Meadows"), hereby file this AIR21 Whistleblower Complaint under the Wendell H. Ford Aviation Investment and Reform Act of the 21st Century ("AIR21"), 49 U.S.C. § 42121 against American Airlines, Inc. ("American"). I was a former Air Force pilot, and 20 year veteran pilot of American, until my career was abruptly ended, when I was removed from the pilot seniority list and my employment was terminated without cause, and instead based solely on the existence of my medical disability. However, I have multiple grievances pending, and have successfully appealed my right to have my pilot long term disability ("LTD") benefits reinstated, under American's Pilot Long Term Disability Plan, which currently defines me as both an "*Employee*" and "*Pilot Employee*.", but American has blacklisted me, denied important travel and pension benefits, and refused to rehire me as a pilot or in any other capacity.

Federal Aviation Administration ("FAA") regulations, Title 49 United States Code, § 44702, mandate that, "*When issuing a certificate under this part, the Administrator shall consider the duty of an air carrier to provide service with the highest possible degree of safety in the public interest . . .*" Accordingly, Meadows' files this AIR21 complaint to report that American's deficient policies and practices relating to the treatment of its pilots with disqualifying medical conditions is creating an unsafe aviation environment, and as result American is violating its statutory duty to provide the public air service with the highest possible degree of safety. Most recently I have reported this violation on via telephone to American's Senior Attorney, Ms. Marjorie Powell via telephone on April 15th and again on April 30th, 2015; and once again formally via email and certified mail on May 6th, 2015, along with American's Chief of Corporate Affairs Mr. Stephen Johnson, and its outside labor counsel Mr. Todd Duffield of Ogletree-Deakins, LLP. Immediately, thereafter, American sent me a letter characterizing my statutorily protected whistleblower reporting activity as "harassment", and threatened me with criminal charges and sanctions, and asserted that it will not hesitate to pursue all of its rights and remedies against me if I contact any other American Employee. American clearly meant to intimidate me from engaging in further protected reporting activity.

Specifically, American has created a hostile work environment for its pilots who report, treatable mental illnesses, such as depression, by subjecting them to loss of seniority, firing,

blacklisting, denial of benefits, threats, intimidation, harassment, and refusing to provide reasonable accommodations of reassignment to non-flying jobs. Thereby, incentivizing such pilots to stay in the cockpit and fly while sick, making them reluctant report or seek appropriate medical treatment for their conditions. According to a recent Newsweek article<sup>1</sup>, the Substance Abuse and Mental Health Services Administration ("SAMHSA") data reveals that "*Nearly 1 in Five Americans Suffer From Mental Illness each year.*" Pilots are a cross-section of the general population, and thus, as many as 2,800 of American's pilots could be suffering from some form of mental illness at any given time.

Those American Pilots who are suffering from treatable mental illnesses face a Hobson's choice - either you keep your mouth shut, self medicate and deal with your condition on your own, risking the safety of yourself and others; or report it, and do so at the risk of being treated in a discriminatory manner and risk losing not only present income, but your future aviation career. American's pilots have very good reason the feel this way, and Meadows case is a perfect example, and strongly discourages any other similar situated pilots from reporting. Especially when one further considers, American's notorious history of discriminating and retaliating against such pilots who have come forward and seek pilot LTD benefits, or request any form of reasonable accommodation to other jobs in a non-flying position - in many cases permanently ending these pilot's aviation careers.

Even if these pilots elect to ground themselves, seek medical treatment, and apply for benefits under American's LTD Plan, they will only receive about 25-30% of what they would earn as a Captain in the cockpit. Worse yet, before American's bankruptcy, pilots with a mental illness at least could depend on such benefits payments through age 65, but now those benefits have been gutted and are only paid for two years. American's Pension and HR departments chair a "*Disability Strategy Committee*", whose purpose is to cutback LTD benefits under new plans, and gut existing benefits on older plans, and prematurely terminate as many existing pilot LTD benefits claims as possible based on "*cost savings*" alone; with no regard whatsoever for welfare of pilots suffering from actual disabilities, as otherwise verified by qualified medical authorities. Further, that's assuming these pilot's LTD benefits, aren't initially denied or pre-maturely terminated using a procedurally flawed process facilitated through a fraudulent disability claims reviewer.

Which is exactly what American's Medical Department has done in the past - by improperly terminating many of its disabled pilots benefits, using highly structured actuarial calculations in "*pilot disability cost savings reports*" prepared by a senior budget analyst. This scheme was designed to target its most costly pilot disability plan participants for termination, in effort to aide with its grossly underfunded pension/disability plans. Prior to its November 2011 bankruptcy filing, annual SEC-10k reports showed these plans to be underfunded by as much as

---

<sup>1</sup> NEWSWEEK Article dated 2/28/14, entitled "Nearly 1 in Five Americans Suffer From Mental Illness each year", by Victoria Bekiempis, states, "Every year, about 42.5 million American adults (or 18.2 percent of the total adult population in the United States) suffers from some mental illness, enduring conditions such as depression, bipolar disorder or schizophrenia, statistics released Friday reveal." The data, compiled by the Substance Abuse and Mental Health Services Administration (SAMHSA), also indicate that approximately 9.3 million adults, or about 4 percent of those Americans ages 18 and up, experience "serious mental illness" – that is, their condition impedes substantial day-to-day activities, such as going to work, sleeping or eating.

§3.2B. Meadows reasonably believed this scheme was artificially inflating American's earnings amounting to securities fraud, and he filed a Sarbanes-Oxley Act of 2002 ("SOX") Whistleblower Complaint. The SOX complaint is pending a formal hearing before the Department of Labor, but American filed an objection seeking to disallow this claim through its bankruptcy proceedings, which decision Meadows' has appealed.

Perhaps even more egregious, is the underhand tactics of American's Senior Attorney, Marjorie Powell and former and current Cooperate Medical Directors, Dr. Thomas Bettes and Dr. Jeral Ahtone. When they deem a pilot to be undesirable and a liability due to their "condition", they have provided unsolicited, prejudicial, unsubstantiated medical opinions via ex parte communications to the FAA Federal Air Surgeon ("FAS") in an effort to improperly derail and defeat such pilot's applications. Whereby, they systematically attempt to sabotage pending FAA special issuance medical application of certain disabled pilots. Outrageously, American has even aggressively sought to overturn final FAA-FAS decisions, and request that certain pilot's certificates be revoked after they have already been approved and issued by the FAS. There are known to be 23 such pilots affected by this scheme, three of whom American has sought revocation of their special issuance medicals after the fact. These actions are done with intent, in a knowing and malicious manner to destroy these pilots' future aviation careers not only at American, but industry-wide. Sadly, Ms. Powell and her cohorts, are planting the seeds for the next German Wings disaster.

Additionally, while many of these pilots would be considered medical disqualified under stringent FAA regulations to exercise the privileges of their pilot certificates in an aircraft, most otherwise meet all of the published essential job functions of an American Airlines pilot. Thus, they remain qualified individuals capable of serving in ground jobs in a pilot training or management capacity. Further, American itself has repeatedly argued that the inability of such pilots to hold FAA medical licensure only relates to professional licensure, and has no bearing on establishing the existence of pilot's disability, or their ability to function. Yet, American, refuses to offer its disabled pilots such non-flying positions, depriving them the ability to work and earn full pay as a productive employee asset. Thereby, destroying their lives and career expectations in the process.

Furthermore, American also continues to enforce an unlawful "*no-leave*" policy in violation of the American's with Disabilities Act, which results in the permanent loss of pilot seniority, and termination of employment for pilots who are on sick leave for more than five years. In many cases, it has taken certain medically disqualified pilots much longer than five years, and sometimes over ten years to become medically re-certified by the FAA. Thus, this unlawful "*no-leave*" policy<sup>2</sup> deprives pilots of returning to their rightful spot on the seniority list

---

<sup>2</sup> Government employment statutes, such as the Americans with Disabilities Act ("ADA") supersede any contractual language in into collective bargaining agreements ("CBA"). Further, the ADA prohibits employers from entering into a CBA that discriminates against individuals protected by the ADA. To the extent that such employment laws are not explicitly referenced in the language of the CBA itself, the legislative history of the ADA shows that Congress considered the unique problems created by CBA's, and intended that the provisions of an agreement be dovetailed with the duty of reasonable accommodation under the ADA. Thus, the Company's improper application of a five year maximum sick leave policy based on subjective reinterpretation of CBA Sec. 11.D.1, amounts to an unlawful "no-leave" policy strictly prohibited under American with Disabilities Act. Under the ADA, the Company is in fact

- effectively ending their airline piloting career. Meadows applauds the FAA's approval of the HIM's program and allowance of certain SSRI's, but many pilots won't or don't take advantage of that program for fear of discrimination and retaliation. The FAA must ensure that airlines like American don't undermine that program, and discourage those from seeking their necessary medication and treatment that's otherwise allowed under it.

In sum, unless the FAA acts to ensure that American's unlawful policies and practices with respect to treatment of disabled are corrected, many such pilots will continue to be compelled to fly sick, and not seek appropriate treatment for their conditions. Until then, this *de facto* form of *pilot pushing* will continue, along with its associated adverse impact to aviation safety. Disconcertingly, so long as American Airline's engages in such discriminatory and retaliatory practices against those pilots who come forward and properly report their mental illnesses and seek appropriate treatment, it will continue to foster an unsafe aviation environment to the detriment of traveling public. I implore FAA to aggressively investigate this matter and take whatever action it deems appropriate to ensure the public's safety.

Dated this 12th day of May 2015:

Respectfully Submitted,

BY: /s/ Lawrence M. Meadows  
Lawrence M. Meadows  
First Officer, American Airlines

cc: Marjorie Powell, American Airlines Senior Attorney; Stephen Johnson, American Airlines Chief of Corporate Affairs, Todd Duffield, Esq. Ogeltree Deakins

---

required to provide disabled pilots reasonable accommodation, in the form of reassignment to vacant positions, or provide as much additional medical leave necessary. Just as recently reaffirmed by the Supreme Court on May 28, 2013, when it left intact the 7th Circuit Court's ruling in *EEOC v. United Airlines, Inc.*; which mandated that the airline must reassign disabled employees to vacant positions, even if they are not the most qualified.