

MDD pilots have always been and still are members and employees as per the bargaining agreement, AA LTD PLAN, Arbitral decisions and federal court rulings.

>First of all, our disabled APA members receive collectively bargained disability income in the form of "W-2 Employee Wages" and full "Active Pilot Employee" benefits under the terms the JCBA, Letter KK, and the AA Pilot Long Term Disability (LTD) Plan.

>Second, the LTD Plan defines "Employees" as "any person on the Payroll of the Company or Related Employer whose wages are subject to withholding for purpose of federal income taxes."

> Third, the LTD Plan further defines "Pilot Employees", as an "Employee on the Pilot System Seniority List for such period or periods that he is on such List. Pilot Employee shall include an individual permitted the participate in the Plan [LTD] as provided in the Agreements."

>Fourth, on 3/20/2009 Arbitrator Fishgold issued a Decision and Award on Grievance P-28-08, the 7,300 Cockpit Crewmember Floor Arbitration, which held in part; that pilots on medical disability are both "Cockpit Crewmembers" and "Pilot Employees", because " those on medical disability receive a stream of income, retain seniority rights to return, and are carried on APA's membership database."

>Fifth, on 8/30/2010 Arbitator Fishgold's decision was upheld by US District Court Judge Paul Friedman.

>Sixth, in 2013, Arbitrator ruled that APA ignored its duty to myself and other MDD pilots and treated my grievance arbitrarily.

>Seventh, on 6/30/16 former APA President Keith Wilson issued a Presidential Interpretation of the APA C&B, and declared that MDD pilots are in fact Inactive Members of APA. Sixth, the C&B Art. III, Sec. 7 provides that, "inactive members shall enjoy all the benefits of active membership except the privileges of voting, holding elected office,"

>Eighth, APA Secretary Treasure has recently issued APA membership cards to all disabled MDD members, to allow their attendance at union meetings.

>Ninth, just last week, Federal Judge Hurley, in the case of MDD APA member, Kathy Emery, in Emery v. APA (FLSD, Case No. 14-805518-civ, 1/4/16) held that APA treated its MDD members disparately, and that their exclusion "lock-out" from C&R was an

impermissible infringement of free speech, and an unlawful violation of their LMRDA union member bill of rights. He also, made a finding of fact that that MDD members, are members in good standing, who are entitled to all APA privileges and benefits except voting and holding elected office.

>Tenth, yesterday, Judge Hurley entered an injunction ordering APA to reinstate disabled MDD member Emery's C&R access forthwith, and treat her as an active member.

In the interest of unity the BOD should eliminate this divisive disinformation and declare that all whether Active or Inactive, we are all in fact APA members, and should all be treated equally and fairly!