

October 2, 2014

AA Flow-Thru Pilots Coalition
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Allied Pilots Association BOD
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Dear APA BOD Member,

It's human nature when a person sees that another is angry toward them, for that person to be angry and combative in return. I am certain it has been said that the AA Flow-Through pilots are angry and demanding, and that if they want something they should ask nicely. In fact the BOD has now taken the position that they will not even talk to these members about their desires to be paid the same as other AA pilots. It is time to get over it, and look at the big picture of what is happening here.

The question begs, why does the AA Flow-Thru Pilots Coalition exist? More succinctly, why would a group of AA pilots / APA members, feel that they need to spend their hard earned money to be heard by, and even worse, to defend themselves from, their own pilot union?

Remember these are pilots who were excited to be AA pilots, and who were looking forward to being APA members. Most were already AA seniority number holding, had satisfied all AMR withholding requirements, and were simply awaiting an AA training class, which they were to be the first pilots to fill.

Then came the TWA acquisition, and then furloughs from TWA LLC. These TWA Pilots, some of which became APA members, were upset that some of the Flow-Through Pilots were senior to them.

The stage was set. So in light of its moral and legal obligations to fairly represent the pilots on the AA seniority list, what did the APA do?

The APA "opened fire" on the Flow-Through Pilots.

In one arbitration after another, and one argument after another, the APA took the position that the Flow-Through Pilots should not be allowed to transfer to AA until when, and if, all junior TWA pilots had transferred to AA, even going so far as to argue that the Flow-Through Pilots should be stripped of their AA seniority altogether, and never be allowed to transfer to AA at all.

While the Flow-Through Pilots emerged from these multiple attacks still holding their AA seniority numbers, they were seriously harmed by the APA's actions. They lost years of AA pay longevity, millions in A-plan benefits, and some were even totally excluded from any bankruptcy payout from either AE or AA.

Don't take my word for it. Below is a synopsis of 6 arbitrations and what each of the arbitrators described as the APA's position in these hearings. If you want to go one step further, links to each one of the unabridged arbitrators awards are available at:
<http://www.aaflowthrupilots.org/documents.html>

FLO-0903 Effect of Addition of Former TWA Pilots on Function of Letter 3 / Supp. W

Arbitrator John B. LaRocco – Award May 11, 2007

APA argued that since Letter 3 / Supp. W never contemplated a merger and that former TWA pilots supposedly never derived any benefit from the agreement, (no mention of the flow-backs) that all TWA pilots should be placed ahead of any flow-through pilot on the AA seniority list and all TWA pilots be allowed to transfer to AA before any Flow-through pilot transfers.

FLO-0903 Supplemental Opinion and Award on Remedy

Arbitrator John B. LaRocco – Award October 20, 2008

In his FLO-0903 award, Arbitrator LaRocco ruled that the pilots that were furloughed directly from TWA LLC were de-facto new hire pilots for the purposes of Supp. W and therefore when they were allowed to attend AA class it should trigger the “1 out of 2” seniority positions being offered to AE pilots as well as allow AE pilots waiting for a new hire class to transfer to AA.

APA then argued that “1 out of 2” actually meant that only 1 out of 3 new hire positions should go to Flow-Through pilots. Additionally APA argued that, contrary to the language of Letter 3 in which AE pilots were supposed to receive the lowest seniority numbers in the class, precedent dictated that the AE pilots be given the most junior seniority numbers in each class. APA then argued that a remedy adhering to the language of Letter 3 which would result in retroactive issuance of proper AA seniority numbers to Flow-through pilots, should not be ordered because it would, “likely create a great deal of conflict and angst” amongst the other AA pilots.

FLO-0107 Effect of Expiration of Letter 3 / Supplement W

Arbitrator Richard Bloch – Award June 30 2008

APA argued that upon expiration of Letter 3 that all AA seniority numbers and transfer rights of Flow-through pilots that had not yet transferred to AA should be forfeited, and these pilots never be allowed to flow-through to AA.

FLO-0108 Flow-through Pilots Wrongfully Withheld from Transfer to AA

Arbitrator George Nicolau – Award October 18, 2009

In FLO-0903 it was ruled that certain former TWA pilots were new hire pilots for the purposes of Letter 3, and therefore seniority number holding Flow-Through pilots had priority in filling AA classes ahead of them. With the concurrence of APA, the TWA pilots were improperly allowed to enter AA classes instead of Flow-Through pilots, and in the ensuing arbitration APA argues once again that TWA pilots should have priority over any Flow-Through pilot transferring to AA.

FLO-0108 Supplemental Remedy Award

Arbitrator George Nicolau – Award April 9, 2010

Despite 2 decisions stating that Flow-through pilots should have been in classes starting in June 6, 2007 that were instead filled with former TWA pilots, APA argues that that an additional 154 junior pilots should be allowed to transfer to AA ahead of any Flow-through pilots. APA then presented off-the-record evidence to Arbitrator Nicolau that influenced the remedy he provided. The remedy Nicolau made was adverse to the interests of the FTP’s and favored the interests of the TWA pilots.

Equity Distribution Challenge

Arbitrator Stephen Goldberg – Award October 15, 2013

It was APA’s direct actions that caused the Flow-through pilots to be wrongfully withheld from AA classes, thereby resulting in their pension years-of-service credit and their Pension Silo calculation to be unfairly reduced. Despite that, APA, argued that the TWA Pilots were eligible for pension credit during the time that they were at TWA, yet Flow-through Pilots were subject to Supp. W and the FLO-0108 Remedy decision, and therefore should not start their A fund credit until they were actually on the AA property, even if that date was improperly delayed by the Flow-through pilots being wrongfully withheld from transfer.

To this date, the APA is still refusing to negotiate for the Flow-Through pilots to be paid in the same manner as other pilots that have transferred to AA from other airlines, despite doing so for every other pilot group on the property, including furloughees.

Let me ask you another question to help answer the first one. If you were a Flow-Through Pilot, how would you feel about the “representation” that you have received so far from the APA?

Gentlemen, as APA leaders you have the power to change the course, from forcing these pilots to set up their own representational entities, to bringing these fellow AA Pilots back to the APA as supportive, contributing, and equally represented members.

Sincerely,

Greg Cordes
AA Flow-Thru Pilots Coalition