

July 8, 2014
AA Flow-Thru Pilots Coalition
<http://aaflowthrupilots.org>

Who will represent the Flow-through pilots in the SLI process?

The APA has fought consistently since Letter 3 / Supplement W was negotiated to degrade or eliminate the rights of the Flow-through pilots. Most of the incentive to do so came at the behest of the former TWA pilots, who despite being able to enjoy the Flow-back provisions afforded under Letter 3 in great numbers, did not want to recognize the fact that the AA Flow-through pilots had unalienable AA seniority and transfer rights, and that some might happen to be senior to them. It's also important to remember, that all of the TWA Flow-back pilots, who took the most coveted jet CA positions at AE, had much less time at TWA than the AE pilots that they displaced had at AMR Eagle. Yet after all that, this group thinks that you owe them your AA seniority number, and worse, they have been successful in getting APA to do their bidding

What follows is a synopsis of the position that APA has taken in the ensuing arbitrations over Letter 3 / Supp. W. What you want to keep in mind is that APA is supposed to fairly represent all of the AA pilot's interests in the upcoming SLI negotiations. Do you trust they will do so, or will the APA look at this as an opportunity to finally take from the Flow-through pilots what they have attempted to take in arbitration after arbitration?

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, (they forgot about 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 Letter 3 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.

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, your own union, 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.

The above should make it very clear exactly where the APA stands with respect to your AA seniority rights. What is even more concerning is that since these arbitrations, nothing has changed with respect to the APA's motives, actions and intent.

In fact over the last several years APA has never given us any indication that they in any way intend to support the rights of the Flow-through pilots, but they have for other groups. For example in what can only be viewed as an intentional slap in the face to the Flow-through pilots, when we have asked the APA for their support in the upcoming JCBA negotiations to have our LOS for pay adjusted up to the same date as other pilots of equal seniority, we are flatly ignored. At the same time the APA BOD adopted a resolution to bargain for LOS for pay to be adjusted to include time on furlough for the

furloughs. This is very telling when it comes to what sort of treatment we can expect in the upcoming negotiations.

The upcoming SLI will occur in one of several ways; through the APA simply being given the green light to “sort it out” as the sole union on the property, through negotiations between the APA and various pilot sub-groups, or by binding arbitration amongst multiple merger committees, each representing a pilot subgroup. In each of these scenarios there is one thing in common. Unless the Flow-through pilots are successfully allowed to form their own merger committee, the APA will be in charge of representing the Flow-through pilots’ interest, and if unchecked, they will have the ability to bargain away the Flow-through pilots’ seniority rights. Given their record on this issue, do you feel comfortable that the APA will adequately represent and defend your seniority in the upcoming SLI hearings? Imagine waking up one morning, taking a look at the “new” seniority list, and then realizing that pilots that were junior to you yesterday are now 2,000 numbers senior to you today.

Fellow Flow-through Pilots, our careers are at stake and these guys are playing for keeps.