

GRIEVANCE COMMITTEE UPDATE JANUARY – MARCH 2018

By Joni Kashiwai, LEC Grievance Committee

Happy Easter everyone! This is our first Grievance Update of 2018. These quarterly reports include updates for System Board of Adjustment aka Arbitration, LAX Grievances heard & pending, as well as every Scheduling Clarification filed by LAX FAs within the 3-month period.

One of our most recurring and frustrating issues is the inability to trade with Open Time. In our efforts to get a better understanding and explanation of how this process works and why it's so difficult to do a seemingly simple day for day trade we compiled a list of questions for Crew Planning. Our questions and their answers with charts entitled "Q&A re: Reserve Coverage & Trading With Open Time" is being sent as a separate document as it was too lengthy to be attached in this Update. Happy reading!

System Board of Adjustment (SBA):

- We have approximately 16 grievances pending SBA -- 5 MEC, 11 LEC.
- A pending SBA grievance re: FMLA/540:00 credited hours case was settled with the Company in our favor.
- The Company has agreed to pay pending SBA grievances regarding "trips published but not flown" and will work on language in Section 6 Negotiations.
- The Company has agreed to pay pending SBA grievances regarding "diurnal rest" and subsequent grievances will be held in abeyance pending Section 6 Negotiations.
- Currently nothing is slated for arbitration but we have asked our AFA Staff Attorney Jay Trumble to set up a date to strike for cases with the Company.

Grievances:

- **46-47-02-01-18 – Section 3.L. Holiday Pay.** Grievance filed for FAs on Standby Reserve not offered available flight assignments on Christmas day. Seeking pay protection for missed opportunity to earn Holiday Pay per Section 3.L. Grievance heard on February 20, 2018, grievance denied, appeal filed, appeal hearing to be scheduled.
- **46-47-02-02-18 -- Sections 7.X.3., Section 12.J.1. End of Month Legalities.** Grievance filed for FA denied pick up of HNL grouping departing the end of December 2017 overlapping into the beginning of January 2018. Grievance heard on February 20, 2018, grievance denied, appeal filed, appeal hearing to be scheduled.
- **46-47-02-03-18 – Sections 3.M.1.b., Section 31.D.1. DIRTD Pay.** Grievance filed on behalf of 2 bid FAs denial of DIRTD pay due to waiving rest per Section 31.D.1. to return to domicile. Grievance heard on February 20, 2018, AFA prevailed, affected FAs compensated for DIRTD pay owed making them whole.
- **46-47-02-09-18 – Sections 8.C., 7.I.1., 7.K.2.a.(6) Request For Pay Protection, Reserve Utilization.** Grievance filed for Standby Reserve FA not afforded the opportunity to work available flight assignments. Grievance heard on March 22, 2018, awaiting decision from the Company.

- **46-47-02-12-18 – Section 3.L. Holiday Pay.** Grievance filed on behalf of 2 bid FAs that missed the opportunity to earn the Holiday Pay they bid for due to operational reasons through no fault of their own per Section 3.P. and miscommunication/misinformation from Crew Scheduling. Grievance heard on March 22, 2018, awaiting decision from the Company.

Scheduling Clarification Requests (SCR):

- **01-04-18 Section 12.N.2. Open Time Pick Up.** SCR filed questioning the award of available trip in Open Time to a Reserve FA before processing requests by Bid FAs. The Company's reply agreed the trip should have been awarded to the Bid FA and pay protected the Bid FA for the missed opportunity to pick up the flight assignment. The reply to this SCR is accepted.
- **01-06-18 Section 3.L. Holiday Pay.** SCR filed for denial of credited holiday pay due to operational reasons through no fault of their own. The Company pay protected the affected FAs for the credited time of the trip but not for the holiday pay. Grievance filed, see above.
- **01-07-18 Section 7.I.1. Recall Bypass.** Reserve FA filed for recall bypass however the Company's reply stated the voluntary recall must be offered on a red circle day off as opposed to a non-red circle day off which would be an involuntary recall. The reply to this SCR is accepted.
- **01-08-18 Section 7.I.1. Recall Bypass.** SCR filed for recall bypass when a bid FA was offered a second recall assignment in a matter of a few days. The Company agreed that recall bypass occurred and the next legal and available FA was compensated with pay no credit for the missed recall assignment. The reply to this SCR is accepted.
- **01-10-18 Section 8.C.1. Reserve Utilization.** SCR filed by a Standby Reserve FA not given the opportunity to fly available flight assignments on Christmas Day. The Company credited the FA for the flight assignment however not for the missed holiday pay. Grievance filed, see above.
- **01-23-18 Section 2.AN. Rest Period.** SCR filed by FA for failure to get required rest when traveling from domicile to recurrent training. Training Department agreed to compensate FA 2:00 hours for the :30 minutes of missed rest at the hotel. The reply to this SCR is accepted.
- **01-26-18 Section 8.C. Reserve Utilization.** SCR filed by Standby Reserve FA questioning why a flight assignment was given to a Standby Reserve with lesser seniority. The Company agreed to pay protect the FA for the missed opportunity to work. The reply to this SCR is accepted.
- **01-28-18 Section 8.C.2. Reserve Utilization "Call Me First".** SCR filed by Standby Reserve FA questioning why a flight assignment was given to a Standby Reserve with lesser seniority in addition to the "Call Me First" request. The Company agreed to pay

- protect the FA for the missed opportunity to work. The reply to this SCR is accepted.
- **01-28-18 Section 8.C. Reserve Utilization.** SCR filed by Standby Reserve FA questioning why Reserve FAs were not used and voluntary recall was implemented. The Company's reply agreed that Reserves should be exhausted before recall is offered however declined to pay protect the Reserve FA for the missed opportunity to work. Grievance filed, see above.
 - **02-06-18 Section 7.I. Recall Bypass.** SCR filed for missed opportunity to accept available recall assignments. The Company agreed that recall bypass occurred and compensated the affected FA with pay no credit for the missed recall assignment. The reply to this SCR is accepted.
 - **02-08-18 Section 7.I.3. Voluntary Recall.** SCR filed for Crew Scheduling's offering then rescinding of voluntary recall. The Company's reply acknowledged confusion and the error in offering the voluntary recall when realizing that there were reserve FAs that still needed to be utilized. The reply to this SCR is accepted.
 - **02-15-18 Section 7.I. Recall Bypass.** SCR filed for missed opportunity to accept available recall assignments. The Company agreed that recall bypass occurred and compensated the next legal and available FA with pay no credit for the missed recall assignment. The reply to this SCR is accepted.
 - **03-13-18 Section 8.C.2. Reserve Request Not Honored.** SCR filed by Standby Reserve FA for request of specific grouping not being honored. The Company agreed to compensate and credit the affected FA with the difference between the groupings. The reply to this SCR is accepted.

Any questions? Please reach out to any LEC officer or LAX LEC Grievance Committee members:

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