



## **AIRCRAFT MECHANICS FRATERNAL ASSOCIATION**

National Office: 14001 E. Iliff Avenue, Suite 217 • Aurora, CO 80014

Tel: 303.752.AMFA (2632) • Fax: 303.362.7736

### **Mediation Under the Railway Labor Act--What does it mean for you?**

by Louie Key, National Director

Recently AMFA filed notice with the National Mediation Board (NMB) requesting their services to help facilitate negotiations for our Aircraft Technicians at Southwest Airlines (SWA). We have been in direct negotiations with SWA for almost three years and there is no agreement in sight. The Company does not seem committed to the process of working toward a settlement nor are they showing us any indication that continued direct negotiations, without the assistance of a mediator, would have a chance of a breakthrough moment where we can finally get the ball rolling toward resolution. Therefore, your Negotiating Committee believes it is necessary to take this action in order to serve the best interests of our membership. An overview of what this means to you and how the mediation process works is provided below. It is essential to stay informed as we go through the mediation process and not let rumors be your source of information. Take the time to reach out to your Negotiating Committee Representative and make sure your specific questions are answered.

For a comprehensive review of the technical aspects of the mediation processes please visit the National Mediation Board's website at: <http://www.nmb.gov/services/mediation/> There you will be able to thoroughly research the airline collective bargaining process including mediation. Having been through the mediation process several times at various airlines, I can share some of my experiences that go beyond the technical outline of Railway Labor Act (RLA) negotiations.

During conversations I have had with members explaining the mediation process one of the members made the comment, "it sounds like the mediator is a lot like a marriage counselor." I agreed and liked his analogy. Mediators typically come from either Union or Company backgrounds with extensive labor relations experience in the industry. They use a variety of techniques to ensure the parties are being productive in their negotiations and set the schedules and locations for negotiations. They can help the groups find creative ways to break through on areas where they are stuck and can help each side find a compromise that will get the parties closer to a settlement.

It is important to point out that mediators cannot force either side to accept a proposal that they do not agree with. They can offer ideas and suggestions but they cannot dictate that one side, or the other, must accept an offer from the other party.

The cost of mediation services from the NMB is covered by our tax dollars and there is no cost for the Union or Company for their services. We may see additional travel expenses if we have to travel to Washington D.C. for negotiations, but often the mediator will assign locations other than Washington D.C. to conduct negotiations.

Another vital point I want you to be aware of is that during the course of negotiations, no matter how long they take, our current contract does not expire. Under the RLA contracts only become “amendable,” and until they are successfully amended, (meaning you vote to approve the amendments to our current contract under a tentative agreement), the contract you are currently working under is still in place and is binding on both the Union and the Company. You do not have to worry about losing the contract you currently have however long our negotiations take. The NMB calls this the “status quo” provision. Unfortunately, this doesn’t mean we don’t have to continue to fight the Company to enforce our current contract – we do. And, as we’ve seen, the Company is willing to violate our contract, but we’re also ready to hold them accountable whenever they do.

In mediation our members can expect to see negotiations becoming more focused on the Company’s part as the mediator will ensure each side comes to each session properly prepared to work on the designated articles and brings the appropriate stakeholders to the session to work the issues through to resolution.

Certainly mediation is nothing to fear, as it is designed to help the negotiation process along and the mediators are experienced problem solvers that can assist us. They can offer solutions to help us breakthrough areas where we are stuck, but as mentioned earlier, they cannot force us to accept anything we are not willing to agree to. The mediator is there to help coach both sides toward finding an acceptable resolution that the parties can agree to and commit to upholding. After all, once the new contract is ratified it is up to us and the Company to live up to, and enforce, the commitments we made and memorialized in the new Collective Bargaining Agreement.

Mediation is just one more tool that we have to help us finally reach a Tentative Agreement worthy of presenting to you; the membership. Remember that through your vote, you will get the final say. For now please continue to stay focused on your job and continue delivering the outstanding, professional aircraft maintenance you are known for.