



FOR IMMEDIATE RELEASE

August 27, 2018

AFA Files for Mediation

After nearly 21 months of negotiations without reaching an agreement, the Negotiating Committee and the MEC decided it was time to file for mediation.

Dear Fellow Flight Attendant:

September will mark our 21st month without a new contract. We all expected that we would be close to reaching an agreement with the company by this time. However, progress during these negotiations has been slow. Several weeks ago your Negotiating Committee came to the conclusion that continuing these negotiations without making significant changes would only allow them to drag on. *Our position is we want a contract now.*

We raised our concern about the lack of progress with senior management and told them we would be filing for mediation. They agreed that negotiations would benefit from the assistance of a mediator and accepted our offer to file the request jointly.

Late last week we filed a request for mediation with the National Mediation Board (NMB). In the coming weeks we will be assigned a mediator by the NMB and we will begin to schedule joint bargaining sessions. In the mean time we will continue to meet with the company. Our next scheduled session is slated for September 5-12.

We are committed to getting a new contract and to keeping you informed of our progress every step of the way. We've put together the following Q & A in anticipation of some of the questions you may have regarding mediation. We realize that you may have other questions, so please feel free to email us at afacontract2017@halafa.org.

In Solidarity,

Sharon Soper, Diana Huihui, Ka'imi Lee, Martin Gusman, Jeff Fuke and Paula Mastrangelo, AFA Senior Staff Negotiator

About AFA-CWA

The Association of Flight Attendants-CWA (AFA-CWA) is the world's largest labor union organized by flight attendants for flight attendants. AFA represents nearly 50,000 flight attendants at 18 airlines, serving as a voice for flight attendants at their workplace, in the industry, in the media and on Capitol Hill. Simply put, the goal of flight attendants who become part of AFA-CWA is to negotiate better pay, benefits, working conditions and work rules at their airline, and to improve their safety on the job.

Email address: afacontract2017@halafa.org

Mediation Questions & Answers

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Negotiations Overview Video

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What is Mediation?

Mediation is a process used to resolve labor disputes within the airline industry. A mediator is provided by the National Mediation Board (NMB), which is an independent federal government agency.

How does mediation work?

The NMB appoints a mediator whose job is to assist the parties in reaching an agreement. He or she is an employee of the NMB, is non-partisan and can only make suggestions (though sometimes quite strongly). The parties retain control over the process; however the mediator can determine where and how often the parties meet. The mediator can have the parties meet together, or stay separate and shuttle back and forth between caucus rooms.

What does the mediator do?

The most the mediator can do is persuade the parties to compromise or otherwise accept the other's proposals. The mediator does not have the authority to force us or the company to agree to anything, or to reach a contract that we don't find acceptable.

What led up to the decision to file for mediation?

Your Negotiating Committee was concerned over the length and difficulty of the 787 negotiations. We have become increasingly frustrated by the slow pace of negotiations and management's lack of response at the bargaining table during negotiations.

Two sessions ago, AFA gave management's team a full proposal on all non-economic items in an attempt to speed up negotiations. At the next session management's counter proposal included items such as eliminating ER rest (18-36 hours today) down to FAR minimums (9 hours), and not counting Ground Holding time with passengers as duty time. Those proposals were completely inappropriate and counter-productive to negotiations. *These are not concessionary negotiations!*

Was filing for mediation avoidable?

All indications pointed to us being able to quickly conclude an agreement under normal circumstances: Our company is in good financial shape, the economy is humming, AFA has no outrageous proposals on the table, and the relationship between AFA and management is cordial and productive. We filed for mediation because talks were not productive and we saw the process dragging on and on. Hopefully, the addition of an objective, neutral 3rd party will accelerate the pace and renew management's focus on reasonable proposals.

When will mediation start?

The NMB will assign a mediator, who will then contact AFA and the company to find mutually agreeable dates to meet. In the meantime, management's team has agreed to meet during our pre-scheduled September session, which we take as a positive sign.

How long will mediation last?

That cannot be predicted. The Railway Labor Act does not provide any time limits. The NMB will keep both parties meeting in mediation until we either have a contract or cannot make any further progress.

Do we start with a "clean slate" in mediation?

No. We pick up right where we left off in direct negotiations. All the tentative agreements that we reached in direct negotiations remain as they are. We will most probably continue forward and address only the open issues. That being said, tentative agreements are precisely that—tentative. Any of them may change as we move toward a package agreement.

Are negotiations in mediation secret?

No. We will be able to give you just as much information on our progress during mediation as we did in direct negotiations.

How does mediation differ from direct negotiations?

In mediation, the mediator is part of the process and works as a neutral facilitator. Other than that, we will be discussing the same issues with the same people, trying as always to reach a mutually-acceptable contract. You probably won't notice much difference, other than seeing the mediator mentioned in our updates. However, we sincerely hope it brings a marked improvement in the pace of negotiations.

What happens if we don't reach a Tentative Agreement in mediation?

The NMB would first "proffer arbitration," which is an offer to submit our outstanding issues to "interest arbitration." This means that all outstanding issues would be decided by an independent arbitrator and those decisions, combined with tentatively-agreed to contract sections would become our new contract. AFA almost always rejects interest arbitration because of the loss of control and because members would not get to vote on the Tentative Agreement. If that happens, we will keep you informed of the next steps.