

MEMORANDUM

To: All American Mechanic and Related, Stores, and Fleet Service Employees
Represented by the TWU/IAM Association

From: Joshua M. Javits, Neutral *Joshua M. Javits*

Date: May 13, 2020

Subject: Seniority Integration Process

As you know, pursuant to an agreement between American Airlines and the TWU/IAM Association, I was appointed as a Neutral to assist the parties in the seniority integration process resulting from the merger between American Airlines and US Airways.

Following an extensive fact-finding process, which included reviewing over 800 written comments from members, I issued proposed integrated lists on December 27, 2016, along with a Report and Recommendations setting forth the process that was followed and the reasons for my recommendations regarding seniority integration. In accordance with the parties' Agreement Regarding Seniority List Integration dated April 24, 2013, to the fullest extent possible, employees were integrated based upon their date of entry into their classification, which is equivalent to the Occupational Seniority date for LAA employees and the Classification Seniority date for LUS employees. As discussed in my Report, a tie between a single LAA employee and a single LUS employee was broken first by hire date and, if necessary, by the last four digits of each employee's social security number. In the case of ties involving multiple LAA and LUS employees, a ranking method based upon the last four digits of employees' social security numbers was adopted and applied so as to preserve the existing tie-breaking order at each pre-merger Carrier. This method was explained in detail in my Report at pages 31-34. A copy of my Report can be found at www.twu-iam.org.

After publication of the proposed integrated lists in late 2016, affected members were given 45-days to submit protests regarding their placement on the proposed lists for my determination. Over 1,500 protests were ultimately received. The vast majority of the protests raised general issues similar to those raised during the earlier comment period and which had been addressed in detail in my December 27, 2016 Report. The remaining protests claimed that individual dates on the integrated seniority lists were incorrect or that

tie-breaking rules had not been correctly applied. After reviewing the necessary records to resolve those protests and make any necessary corrections to the lists, final seniority lists published on June 15, 2017. By agreement of the parties and in accordance with federal law, however, the integrated seniority lists were not to go into effect until the parties had negotiated Joint Collective Bargaining Agreements (“JCBA’s”).

In March 2020, JCBA’s were reached and ratified by an overwhelming majority vote of the membership. Before implementing the final integrated lists, however, certain updates needed to be made to account for changes due to the passage of time, including the recall of hundreds of furloughed employees or re-entry of employees into the classifications who were not on the original integrated lists, which only included active employees. Accordingly, I was asked by the TWU/IAM Association and American Airlines to oversee this process for the Fleet, AMT, GSE, Cleaners and Stores seniority lists.¹

I was tasked with incorporating employees who had since returned to active status in the classifications since the initial lists were published based on the method used to establish the original lists. As discussed above, these employees were added to the list based on their original date of entry into classification, with ties broken in accordance with the method outlined above and in my 2016 Report. In some instances, application of this tie-breaking method to incorporate the returning employee would result in the reordering of employees on my original list. In those cases, I slotted the returning employees into the pre-existing ties based solely on their pre-merger seniority order. This alternative tie-breaking method served to both preserve the pre-merger order of these employees, as well to maintain the order established on my original list.

I note that employees hired after the creation of my original lists, have been added to the integrated lists in accordance with the method agreed upon by the parties in the 2013 SLI Agreement and new JCBA’s, that is by their date of entry into the classification, with any ties broken by date of hire and then by the last four digits of the employees’ social security numbers.

¹ With the exception of the Planners list, the other lists were not included in my review process because they either did not involve returning employees, or because they involved a ranked list, such as the premium classification seniority lists, in which new additions to the list were simply added to the bottom of the ranked list using their basic classification date. With respect to the Planners list, two recalled employees needed to be inserted into my original ranked list, and this was done according to their pre-merger seniority order with respect to their pre-merger peers so as to maintain both the pre-merger seniority order of the employees on this list, as well as the order of the original integrated list.

Upon posting of the revised integrated lists, new employees on the lists or employees who have had their date changed from the original integrated lists, may file a seniority protest within thirty (30) days of posting in accordance with the seniority protest provisions outlined in Article 11 of the new JCBA's. Questions about this process should be directed to your appropriate Association representative.

With the publication of these revised lists, my role as Neutral in this process has formally concluded. Again, I wish to thank the TWU/IAM Association, American Airlines, and the law firm retained to assist me in this process, Guerrieri, Bartos & Roma for their hard work and cooperation in this thorough and intensive process of achieving a seniority integration that is fair and equitable to all Association-represented employees affected by this merger.