



US and AA Merger Questions and Answers



We will have many questions and as we get answers we will post them here and on the Facebook page. www.facebook.com/groups/129649343825439/183354951788211/

What happens to our Union?

The National Mediation Board ("NMB") certified the Union as the representative of US Airways Passenger Service Employees during the merger with America West. That certification remains in effect following the recent US Airways-American Airlines merger announcement and will continue to remain in effect throughout the merger process. In other words, your Union will continue to represent you.

Assuming the merger proceeds as planned, there will come a point where the operations and business activities of US Airways and American are integrated to a sufficient extent that the Union will request the NMB to make a determination that the two airlines constitute a "single carrier." Only the Union or another union with a sufficient showing of interest can ask the NMB to make a single carrier determination. If, after the Union makes the request, the NMB does determine that the operations and business activities of the two airlines have been sufficiently integrated and they are a single carrier, then there will be an election ordered to determine what union, if any, will be the representative of the combined US Airways and American Passenger Service Employees.

What happens to our current negotiations for a new contract?

Your Union bargaining team will continue to bargain with US Airways for a new contract. We currently have several weeks reserved in February, March, April and June for negotiations. We have worked hard over thus far to achieve a new contract, and we will continue negotiations to improve wages, working conditions and benefits.

Will we keep our contract?

The merger announcement does not have any affect whatsoever on our current contract. Our contract stays in effect until the Union and Company come to terms on a new contract that is ratified by a vote of the membership. If you are scheduled for a pay raise you will receive it on your anniversary. To be clear, all the benefits and job protections we negotiated continue in full force and effect.

Once US Airways and American are determined to be a single carrier and the NMB orders an election, which may take a year or longer, then we will be voting not only to keep our Union but also our contract. If the Union wins the election among the combined group, then our contract will remain in place covering pre-merger US Airways employees just as it does today. The pre-merger American employees will be represented by the Union, but will remain without a contract until the Union and new American agree on a contract that covers the entire combined group and that contract is ratified by the combined group. In this scenario, no pre-merger US Airways Passenger Service Employee will ever be without the protection of your Union contract.

What will happen to my Station or Call Center?

We do not have any details on the plans the Company is making for the Stations, Hubs, and Call Centers. We do know that we are protected from any outsourcing while we continue to be protected by our Scope and Recognition language and our Classification language.

How does the NMB determine a carrier is a "single carrier"?

A "single carrier" determination by the National Mediation board ("NMB") under the Railway Labor Act recognizes the integration of several carriers to a single major carrier. The determination reclassifies previously separate employee groups from different carriers as a single unit on one larger carrier. For all practical purposes, only a union can initiate a "single carrier" determination proceeding before the NMB.

The two main criteria for the single carrier determination are whether the previously separate airlines have "substantial integration of operations, financial control, and labor and personnel functions," and whether they have a substantial degree of "overlapping ownership, senior management, and boards of directors". Factors the NMB reviews to make the determination of a "single carrier" transportation system include:

- is a combined schedule published?;
- how does the carrier advertise its services?;
- are reservation systems combined?;
- are tickets issued on one carriers' stock?;
- do signs, logos and other publicly visible indicia indicate one carrier or more?;
- are personnel with public contact held out as employees of a single carrier?;
- are there indications of separate existence on planes and equipment?;
- are labor relations and personnel functions handled by one carrier?;
- are there common management, common corporate officers, and interlocking Boards of Directors?; and
- are separate identities maintained for corporate and other purposes?

Trans World Airlines/Ozark Airlines, 14 N.M.B. 218, 236 (1987).

How will our seniority integration be determined?

Once there is a single carrier determination and the Union wins the election among the combined group, the pre-merger US Airways employees and pre-merger American employees will be integrated on a combined seniority list in a fair and equitable manner. Indeed, both our contract and federal law, *i.e.*, the McCaskill-Bond Amendment of 2007, requires that seniority integration be done on a fair and equitable basis. The manner in which fair and equitable seniority integration is achieved proceeds in two steps. First, the two employees groups will attempt to mutually agree on fair and equitable seniority integration. If the groups are unable to mutually agree on fair and equitable seniority integration, the issue will be submitted to an arbitrator who will decide how the employee groups will be integrated on a single seniority list. This process stems from Sections 3 and 13 of the Alleghany-Mohawk Labor Protective Provisions that are referenced in Article 2.B. of our contract. Here is a link that explains Sections 3 and 13 of the Alleghany-Mohawk Labor Protective Provisions and the McCaskill-Bond Amendment in more detail: www.house.leg.state.mn.us/hrd/pubs/airlinemg.pdf

How can we find out more information?

The Union will continue to update you as we learn more information and post it on this site and the Facebook page. Your Local Unions are in the process of gathering everyone's email and cell number so we can email and text important information to all of our membership. We also plan on having regular town hall calls so that you can find out first-hand what is going on and have the ability to ask questions and share information.