



# Negotiation Update – May 4, 2010

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## Merger is Discussed

The Union negotiating committee met in Chicago on May 3<sup>rd</sup> and May 4<sup>th</sup> to discuss the many aspects of the merger announced by United and Continental on May 3<sup>rd</sup>. The committee discussed the impact that such a merger will have on seniority issues, including the legal process and practical matters relating to seniority integration and NMB “single carrier” determinations.” The committee also discussed various negotiating scenarios and tactics now that the merger has been announced. The committee also developed questions for inclusion in a “Q &A” memo that the Airline Division will distribute to both the United and Continental mechanics’ groups. The Continental mechanics are also developing questions for inclusion in the memo.

According to press reports, if the Government approves the merger, such approval will not come until late this year or early next. In the meantime, independent United and Continental negotiations are continuing. We are working with UAL to secure future negotiation dates and expect that we will be back at the table shortly. Continental negotiations are set for the week of May 24<sup>th</sup> to the 28<sup>th</sup>.

Concerning the possible merger with United, the negotiating committee is working in conjunction with the IBT Airline Division and the IBT Legal department to address the membership’s concerns with a “Q&A” memorandum. The current UAL collective bargaining agreement does address Successorship and Mergers in Article III. In addition to the information found there we have included Sections 3 and 13 of the Allegheny Mohawk LPP’s.

Section 3. Insofar as the merger affects the seniority rights of the carrier’s employees, provisions shall be made for the integration of seniority lists in a fair and equitable manner, including, where applicable, agreement through collective bargaining between the carriers and the representatives of the employees affected. In the event of failure to agree, the dispute may be submitted by either party for adjustment in accordance with section 13.

Section 13. (a) In the event that any dispute or controversy (except as to matters arising under section 9) arises with respect to the protections provided herein which cannot be settle by the parties within 20 days after the controversy arises, it may be referred by any party to an arbitrator selected from a panel of seven names furnished by the National Mediation Board for consideration and determination. The parties shall select the arbitrator from such panel by alternatively striking names until only one remains, and he shall serve as arbitrator. Expedited hearings and decisions will be expected, and a decision shall be rendered within 90 days after the controversy arises, unless an extension of time it is mutually agreeable to all parties. The salary and expenses of the arbitrator shall be borne equally by the carrier and (i) the organization or organizations representing employee or employees or (ii) if unrepresented, the employee or employees or group or groups of employees. The decision of the arbitrator shall be final and binding on the parties.

(b.) The above condition shall not apply if the parties by mutual agreement determine that an alternative method for dispute settlement or an alternative procedure for selection of an arbitrator is appropriate in their particular dispute. No party shall be excused from complying with the above condition by reason of having suggested an alternative method or procedure unless and until that alternative method or procedure shall have been agreed to by all parties.

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**In Attendance for the IBT:** Clacy Griswold Chairman, Paul Alves Airline Division Representative, Ed Gleason IBT Attorney, Business Agents: John Hennelly, Paul Stripling, Dave Elmore, Paul Molenberg, Negotiating Committee: Roger Apana, Rick Barnes, Larry Calhoun, Dion Cornelius, Bob Fisher, Kevin Giegoldt, George Graham, Dominic Gullely, Ramon Gonzalez, Ken Meidinger, Harvey Wright