



National Air Traffic Controllers Association,
AFL-CIO

Constitution and By-Laws

September 2002

National Air Traffic Controllers Association Constitution September 2002

PREAMBLE

As the working men and women who make up our nation's air traffic control system, we play a critical role in the provision of safe and efficient air transportation in the United States. Deserving recognition for our contributions to modern aviation and desiring a strong voice in matters bearing on our work lives and the safety of the flying public, we have formed the National Air Traffic Controllers Association ("the Association"). The Association will seek to advance the status, professionalism and working conditions of all air traffic controllers and other aviation-safety-related employees through collective bargaining, political action, and other lawful concerted activity. The Association will also dedicate itself to furthering the public's interest in safe and efficient air transportation. We hereby establish this Constitution to govern us in these efforts.

ARTICLE I

Name and Objectives

Section 1. This organization shall be known as the National Air Traffic Controllers Association.

Section 2. The objectives of the Association shall be:

(a) To preserve, promote and improve the working conditions of air traffic controllers and other aviation-safety-related employees;

(b) To preserve, promote and improve the safety of air traffic within the United States, its Territories and Possessions;

(c) To preserve, promote and improve the professionalism and competence of air traffic controllers and other aviation-safety-related employees;

(d) To preserve, promote and maintain the best interests of the United States of America and particularly her leadership role in the aviation community; and

(e) To preserve, promote and improve the rights of its members through all lawful means, including collective bargaining, political action, and contributing to such civic and charitable organizations as the National Executive Board deems in the best interests of the Association.

ARTICLE II

Affiliations

The Association may be affiliated, at the discretion of the National Executive Board, with the AFL-CIO on such terms and conditions as are mutually agreeable to the AFL-CIO and the National Executive Board of the Association. The National

Executive Board has the authority to pursue and enter into other affiliations as are beneficial to the Association.

ARTICLE III

Membership

Section 1. Any air traffic controller, and any other employee employed in a bargaining unit represented by the Association shall be eligible for membership in the Association.

Section 2. An active member shall be:

(a)(1) an air traffic controller employed as a civilian by the United States Government whose proficiency has been certified by the FAA within the preceding twenty-four (24) months; or

(a)(2) a developmental air traffic controller employed as a civilian by the United States Government who is involved in the training program to become a fully qualified Air Traffic Controller; or

(a)(3) any employee in a bargaining unit represented by the Association.

(b.) The requirements of employment and proficiency shall be waived because of service to the Association provided that the conditions of (a) (1), (a) (2) and/or (a) (3) have been met prior to leave of absence or voluntary termination of employment from the FAA.

(c.) Should a member in good standing be terminated from his/her bargaining unit position for any reason, he or she shall be considered an active

member as long as his or her case is under appeal.

(d.) Only active members, in good standing, shall have the right to vote or hold office.

Section 3. Any bargaining unit member who was a member in good standing for the 12 months immediately preceding his or her retirement shall be eligible for retired member status. Retired members shall be entitled to all privileges and benefits of membership, except the right to vote and the right to hold office.

Section 4. The Association may accept associate members and other categories of members under rules and regulations established by the National Executive Board. No individual shall be eligible for membership as an associate member if the individual is eligible for active membership. Such members shall not be entitled to the right to vote or the right to hold office.

Section 5. Members not in a duty status but who are in a full pay status (e.g. extended sick leave) or members in a part-time status shall retain the rights, privileges and responsibilities of full active membership.

Those members who are granted a leave of absence where pay and allowances are not provided, other than for service to the Association, shall be entitled to all privileges and benefits of membership, except the right to vote or hold office. Said members, upon their return to full duty and pay status, shall be entitled to full reinstatement in the Association as a member in good standing and shall not be required to pay the initiation fee, if any exists.

It shall be the responsibility of the member to keep the facility representa-

tive informed of his or her status under the provisions of this section.

Section 6. A member shall be considered in good standing if:

(a) The payment of his or her dues is not more than 45 days in arrears, except that in the event of the death of an active member in good standing, the member's spouse, if also an active member in good standing, will be granted a waiver of the payment of dues; or in the event that an active member in good standing is recalled to active military duty, his/her dues shall be waived during the time during which he/she is called to active duty.

(b) His or her membership has not been modified by disciplinary action imposed in accordance with this Constitution.

Section 7. A member shall stand automatically expelled if his or her unpaid dues are not paid within 30 days after receipt of written notification that his or her fixed dues are 45 days in arrears.

ARTICLE IV

Organizational Structure and Officers

Section 1. The National Convention shall be the Supreme Body with full and complete authority over all the affairs of the Association.

Section 2. The officers of the Association shall be the President, the Executive Vice President and the Regional Vice Presidents. These officers together shall constitute the National Executive Board. The National Executive Board shall be responsible for the creation of policy for the organization.

Section 3. The Regions shall cover the following geographic areas:

Alaskan: Alaska

Eastern: Delaware, District of Columbia, Maryland, New Jersey, New York, Pennsylvania, Virginia, West Virginia

Central: Iowa, Kansas, Missouri, Nebraska

Great Lakes: Illinois, Indiana, Michigan, Minnesota, North Dakota, Ohio, South Dakota, Wisconsin

New England: Connecticut, Massachusetts, Maine, New Hampshire, Rhode Island, Vermont

Northwest Mountain: Colorado, Idaho, Montana, Oregon, Utah, Washington, Wyoming

Region X: Employees in bargaining units in the United States, its territories and

possessions, and other countries/territories where NATCA bargaining unit members are employed, as determined by the National Executive Board.

Southern: Alabama, Florida, Georgia, Kentucky, Mississippi, North Carolina, Puerto Rico, South Carolina, Tennessee, Virgin Islands

Southwest: Arkansas, Louisiana, New Mexico, Oklahoma, Texas

Western Pacific: American Samoa, Arizona, California, Guam, Hawaii, Marshall Islands, Nevada.

Section 4. The President shall be the chief executive officer of the Association and shall be responsible for implementing all policies established by this Constitution, the National Convention and the National Executive Board.

He or she, subject to the authority of the National Executive Board, shall be empowered to employ any person or organization he or she deems necessary and to direct, manage and supervise any affairs of the Association.

He or she shall preside at all National Conventions and meetings of the National Executive Board, and shall chair or direct the chair of the Association's Negotiating Team.

Section 5. The Executive Vice President shall preside at any Convention or meeting from which the President is absent, and in the case of a vacancy in the office of President, the Executive Vice President shall succeed to the Presidency until the next regular election.

The Executive Vice President shall be responsible for keeping the minutes of all National Executive Board meetings and for the maintenance and protection of all records, books, papers and contracts, including financial reports, of the Association, and shall receive, hold and keep a proper account of all monies of the Association, pay all legitimate bills, and render annual financial reports to the National Executive Board.

Section 6. The Regional Vice Presidents, subject to the discretion of the President, shall administer the affairs of their respective Regions, and shall implement all policies established by this Constitution and the National Executive Board.

The National Executive Board makes the determination of which bar-

gaining units are part of Region X.

They shall provide guidance and assistance to locals and local officers in their respective areas.

Section 7. The National Executive Board shall have at least two regularly scheduled meetings a year at such times and places as shall be designated by the President. Advance notice of the meetings shall be published at least 30 days prior to the meeting unless the meeting is an emergency meeting. A copy of the minutes of all meetings shall be sent to all facility representatives within two weeks and made available for review by any member in good standing. A quorum of the Executive Board shall be at least two-thirds of its members.

The National Executive Board may conduct business via teleconferences, provided these meet the minutes criteria of regularly scheduled meetings, but these teleconferences do not satisfy the requirements as regularly scheduled meetings.

ARTICLE V

National Standing Committees

Section 1. There shall be maintained at all times a Constitution Committee, a Finance Committee, a Safety Committee and a Legislative Committee. Each of these committees shall be composed of one (1) active member in good standing from each Region.

Section 2. The National Chair of all standing committees shall be elected by the members on the committee. Each standing committee shall establish its own election procedures and the length of term to be served, not to exceed three years. There is no limit to the number of terms served.

In the event of a National Standing Committee Chair vacancy, the President shall select from amongst the remaining committee members a replacement until the next scheduled meeting, when a new National Chair will be elected.

Section 3. If any Region has a regional committee coinciding with any National Standing Committee, the chair of that regional committee shall be that Region's representative to the National Committee. In a Region where a regional committee has not been established, and if more than one member declares for a National Committee, the Regional Vice

President shall conduct an election prior to July 15 of the convention year through the facility representatives to determine the National Committee representative.

The National Office shall publish the names and addresses of all standing committee members in the first monthly newsletter after September 1 of each year.

Section 4. The National Finance Committee shall review the financial reports and annual budget, as submitted by the Executive Vice President, and make recommendations for change as necessary.

The annual budget requires approval by a majority vote of the Finance Committee and a majority vote of the Vice Presidents, excluding the Executive Vice President, for passage.

Section 5. When a regional committee member is elected to a National Chair, the Regional Vice President may select an additional committee member to fill the regional position vacated by the National Committee Chair. The Chair of the National Standing Committees will report to the National Office.

Section 6. There shall be maintained a charter for each Standing Committee. This charter will clearly delineate the roles and responsibilities for each Standing Committee. This charter requires majority approval of the National Executive Board.

ARTICLE VI

Rights and Responsibilities of Members

Section 1. Subject to the provisions of this Constitution, all members in good standing of the Association shall have the right to nominate candidates, to vote in membership referenda, to attend membership meetings and have a voice and a vote at such meetings, to campaign for and hold office, to freely assemble with other members, and to freely speak on any issue affecting the Association.

Section 2. The National Agreement negotiated between the Association and the FAA shall be sent to the membership for ratification. Ratification shall require a majority of the votes cast.

Section 3. It shall be the responsibility of each member to comply with the Constitution, Bylaws and all duly established policies of the Association. Subject

to the procedures of Article XIII a member may be expelled or suspended for any breach of his or her responsibility to the Association.

Section 4. No officer or agent of the Association shall have business or financial interests which conflict with his or her duty to the Association.

Section 5. No person shall be discriminated against by the Association or any of its members on account of race, color, sex, creed, national origin, age, handicap, or sexual orientation.

Section 6. All regular and special meetings of the Association shall be governed by this Constitution and by Robert's Rules of Order Newly Revised.

ARTICLE VII

Nomination and Election of Officers

Section 1. The President, the Executive Vice President, and the Regional Vice Presidents shall be elected once every three (3) years by a secret ballot mail vote. All members in good standing shall be eligible to vote for the President and the Executive Vice President, and all members in good standing of each respective region shall be eligible to vote for the Regional Vice President of that region. The candidates for each office receiving a majority of the eligible votes actually cast shall be declared the winning candidate. In the event no candidate receives a majority of the votes cast, a runoff election will be held between the two candidates receiving the most votes.

Section 2. To have his or her name placed on the ballot, a candidate for National Office must be nominated by an active member in good standing and must accept the nomination. Nominations must be in writing and must be delivered via certified mail to: National Election Committee at the Association's headquarters. All candidates for office must be active members in good standing for at least one year prior to the close of nominations.

Section 3. The National Election Committee shall designate the dates for nominations, acceptance of nominations and for the distribution and tabulation of ballots, and shall so notify the membership in a timely manner. The

last date for acceptance for nominations shall be at least sixty (60) days before the mailing distribution of the ballots. The last date for receiving and tabulating of ballots shall be at least thirty (30) days after the ballots are distributed.

Section 4. The President shall appoint a five person National Election Committee at least one year prior to the close of nominations. Members of the National Election Committee shall be active members in good standing, but no candidate for office may serve as a member of the National Election Committee. The National Election Committee shall oversee the tabulation of all valid ballots. Only the ballots of members in good standing shall be counted. After tabulating the ballots, the National Election Committee shall announce the winning candidates.

Section 5. Election Protests. Any member in good standing may file an election protest provided all of the following conditions are met:

(1) The protesting member must have been eligible to participate in the protested election at the time of the incident giving rise to the protest;

(2) a written protest is filed with the National Election Committee through NATCA's General Counsel, via certified mail; and

(3) in order to be timely, a protest must be received no later than 15 days subsequent to the election date stipulated in the election rules, and within 30 days of the incident giving rise to the protest.

Upon receipt of an election protest, the National Election Committee shall notify all members in good standing who were eligible to participate in the election of the protest and the nature of the charges. At the request of a member in good standing, the National Election Committee shall provide a full and complete copy of the filed protest to the requesting member.

If the protest claims an illegal denial of the right to vote, which is found to be valid by the National Election Committee, the National Election Committee shall permit such member to cast a vote on such terms as may be practical if prior to the close of the election. In the event the protest is found to be invalid, the National Election Committee shall dismiss the protest and so inform the protesting member via certified mail on the day of

dismissal.

For any other protest, NATCA's General Counsel shall, within seven (7) days, serve a copy of the protest to all candidates in the affected election, and in the case of a protest to a local election, the local President.

The National Election Committee shall verify that the member has followed the required protest procedures, review the allegations raised in the protest, and conduct a thorough investigation, including, but not limited to, interviewing all parties involved. If the allegation does not constitute an election irregularity, the National Election Committee need not pursue the allegation further. After all allegations have been reviewed and the facts determined, the National Election Committee shall, within 7 days, recommend to the National Executive Board what action is appropriate under Department of Labor guidelines.

Within 15 days, the National Executive Board shall meet, via teleconference if desired, to decide on the challenge. The National Executive Board, through NATCA's General Counsel, shall notify the protesting member and affected candidates of the decision in writing, regardless of whether a protest is denied or a decision is made to rerun the election or take other corrective action. If a protest is denied, the General Counsel shall advise the protesting member of the basis for the decision.

If, because of a timely protest, an election is found to be invalid, all members in good standing who were eligible to participate in the election shall be notified within 15 days by the National Executive Board, through NATCA's General Counsel, of the decision to invalidate the election. Each local affected by the decision shall be sent a full and complete copy of the minutes from the National Election Committee's meeting and National Executive Board's meeting in which the decision to invalidate the election was made.

Section 6. Newly-elected officers shall commence their term of office thirty (30) days after certification of the results of the election or after all protests pertaining to their office are resolved by the Election Committee and the National Executive Board, whichever is later.

Section 7. A National Officer may serve an unlimited amount of terms in the same office.

ARTICLE VIII

National Conventions

Section 1. The Association shall meet in National Convention every two (2) years at a location to be established by majority vote of the delegates at the Convention four (4) years previous. A Special Convention may be called by the President upon sixty(60) days notice to the membership.

Section 2. Only duly elected delegates or their alternates may conduct the business of the Convention. Any member in good standing may attend the Convention and speak on any issue.

Section 3. Delegates must be members in good standing of the Association and of their respective Locals. No paid employee of any Local or of the Association, other than duly elected officials, shall be a delegate.

Section 4. Delegates shall be elected by secret ballot in accordance with procedures set forth in each Local's constitution and bylaws.

Section 5. Each Local shall be entitled to one delegate. Each Local shall be entitled to an additional delegate for every 50 members in good standing over and above 100 members. Each delegate shall be entitled to cast a number of votes equal to the number of members in good standing in his or her Local thirty (30) days in advance of the opening of the Convention, divided by the number of delegates representing the Local.

Section 6. The President shall appoint a Credentials Committee for each National Convention. The Credentials Committee shall be composed of at least three (3) active members in good standing, of which no two (2) members may be from the same NATCA Region. Prior to the start of the Convention, the Credentials Committee shall meet and issue a report listing the names of all eligible delegates and their alternates and the number of votes that each delegate is entitled to cast.

The Constitution Committee shall be the Rules Committee for each National Convention.

Other committees shall be established as deemed necessary by the President or by the voting delegates at the National Convention.

Section 7. Resolutions and policies approved by the National Convention shall form the Bylaws of the Association. All policies enacted by the National Executive Board shall be presented to the National Convention for approval or disapproval. Policies established by the National Executive Board need approval by the National Convention prior to becoming bylaws of the Association.

ARTICLE IX

Finances

Section 1. The fiscal year shall commence on the first day of January and expire on the last day of December. Final budget approval shall be accomplished prior to the beginning of each fiscal year. No monies may be drawn against the funds of the Association until a final budget is approved.

Section 2. The National Office shall mail to each Local an annual financial report as soon as practical after the confirmation of the annual audit, but in any case no later than April 30. The annual financial audit shall be undertaken by an independent public accounting firm.

Section 3. Annual audit results shall be made available to each member of the National Executive Board and shall be made available to any local member upon request.

Section 4. Any officer or employee of the Association may sign in its behalf bills, notes, checks, negotiable instruments, or other evidences of obligation only when he has been authorized to do so by the National Executive Board within limitations determined by the Board and described in writing to be signed and issued by the President. All checks drawn against the funds of the Association shall be countersigned by the President or the Executive Vice President.

Section 5. The National Finance Committee shall review the salaries of the National Officers annually. The voting delegates shall act upon the committee's recommendation at the National Convention.

Section 6. The Association may pay the expenses of any National Officer, Voting Delegate, and National Committee Member whose duties require his attendance at a convention.

Section 7. Any changes to the national dues of all the active members of

the Association shall be proposed to the National Convention by the National Executive Board. After 120 days notice to the membership, membership dues shall be set by a majority roll call vote at the Convention.

Section 8. An initiation fee for new members may be established by majority vote at the National Convention.

Section 9. Retired member dues, individual associate member dues, and corporate associate member dues shall be set at a rate per annum set by the National Executive Board.

Section 10. A dues rebate in the minimum amount of ten (10) percent shall be returned to the locals.

Section 11. Special assessments for extraordinary purposes may be imposed by secret ballot majority vote of active members in good standing.

Section 12. The National Finance Committee shall have access to review all financial records of the Association.

ARTICLE X

Locals

Section 1. The National Executive Board shall be empowered to charter local unions under such rules and regulations as it may deem proper.

Section 2. Locals may adopt a constitution and bylaws, provided that such constitution and bylaws do not conflict with this Constitution or any duly promulgated Bylaws of the Association. Locals which do not adopt a constitution and bylaws shall be governed by the Standardized Local Union Constitution and Bylaws promulgated by the National Executive Board.

Section 3. Each Local shall have the following officers: President, Vice-President, Secretary-Treasurer. Locals may provide in their constitution and bylaws for additional offices or for combining local offices into not less than one (1) position.

Section 4. All local officers shall be elected by secret ballot vote of the members in good standing. Each term of office shall not exceed three years. There is no limit to the number of terms served.

Section 5. There shall be no more than one NATCA local per facility.

Section 6. Any challenge to a local election shall be decided by the National Executive Board.

ARTICLE XI

Trusteeship

Section 1. The President, with approval of the National Executive Board, may place any Local in trusteeship for any of the following reasons:

(a) To uphold the Constitution of the Association.

(b) To correct corruption or financial malpractice.

(c) To assure performance of collective bargaining agreements or other duties of a bargaining representative.

(d) To otherwise carry out the legitimate objects of the Association.

Section 2. A trustee selected by the National Executive Board shall assume immediate control and authority of any Local placed in trusteeship, and shall have full authority over the officers and property thereof. The trustee shall continue to act in such capacity for the duration of the trusteeship.

Section 3. Upon petition filed with the National Executive Board, no earlier than six (6) months after imposition of the trusteeship, any member of the Local may request termination of the trusteeship. The National Executive Board, acting on such petition, or at any time on its own motion, may terminate the trusteeship and restore self-government to the Local.

ARTICLE XII

Impeachment

Section 1. A National Officer may be impeached for serious misconduct in office only in accordance with this Article.

Section 2. Any member may prefer charges of serious misconduct against a National Officer. Such charges shall be in writing, signed by the accusing member and accompanied by a statement containing the specific facts supporting the charges. The statement shall include the date, place and time of the alleged misconduct, the names of all persons involved, and reference to specific article(s) and section(s) of this Constitution which allegedly have been violated.

The charges and supporting state-

ments shall be submitted to the National Executive Board. The National Executive Board shall, within thirty (30) days after receipt of the charges, determine whether they are valid. If the National Executive Board determines that the charges warrant further investigation, it shall prepare a written complaint and serve it upon the National Officer against whom the charges were filed.

The accused may respond to the National Executive Board in writing within thirty (30) days of receipt of the complaint.

The complaint and response thereafter shall be mailed to the delegates from the last National Convention who represented the Region of an accused Regional Vice President or to all delegates in a case concerning the President or the Executive Vice President.

Within (30) days after receiving the complaint and response, each delegate shall advise the National Executive Board, in writing, whether he or she recommends continuing the impeachment process.

Section 3. If continuation of the impeachment process is recommended by a majority of the delegates responding, a committee consisting of seven (7) members in good standing, who are neither National Officers nor delegates, shall be appointed to conduct an impeachment hearing. Six of the members of the hearing committee (including the Chairman) shall be appointed by the National Executive Board; the remaining member shall be appointed by the accused.

The hearing committee shall provide the accused with at least twenty-one (21) days written notice of the date, time and place of hearing. Such hearing shall be conducted no earlier than thirty (30) days and no later than forty-five (45) days after the appointment of the hearing committee.

The accused shall have the right to question all witnesses who may testify against him, to call witnesses and present evidence in his defense, and to be represented by a member in good standing.

The National Executive Board shall appoint a member in good standing, from a Region other than that of the accused, to prosecute the case. If the accused fails to appear without good cause at the scheduled hearing, the hearing committee shall proceed as if the accused were present.

A vote of 5 members of the hearing

committee is necessary to remove the accused from office, or to censure, fine, suspend, expel or otherwise discipline the accused.

No National Officer may be tried twice concerning the same offense.

ARTICLE XIII

Internal Grievances

Section 1. Should any active member have any grievance or complaint concerning the actions of the Association, its officers or any fellow member, excluding a protest concerning the conduct of an election (which shall be decided in accordance with Article VII), he or she shall raise that grievance under the provision of this Article and shall not resort to any outside forum for resolution of his or her grievance.

Section 2. Any active member may file a grievance within 30 days of the event complained of by submitting to the Executive Vice President a written specification of the acts complained of and a statement of the specific portions of this Constitution, duly promulgated bylaws, or Association policies violated. Documented, substantiated proof must be offered (e.g., notarized affidavits, other documents).

Section 3. The Executive Vice President shall serve a copy of the grievance on the accused member or officer. Within thirty (30) days of receipt of the grievance, the accused may file with the Executive Vice President a written reply to the charges.

Section 4. The Executive Vice President shall present the grievance along with any reply at the next meeting of the National Executive Board. The National Executive Board may dismiss the grievance or may refer it for hearing before a Trial Committee consisting of 3 members of good standing appointed by the President. If, in submitting a reply, the accused admits to the charge, and, the accused waives their right to a hearing, the National Executive Board shall have the ability to sustain the grievance.

Section 5. The Trial Committee shall, after reasonable notice to the grievant and the accused, conduct a hearing on the grievance. After such hearing the Trial Committee shall render a written decision dismissing the grievance or sustaining the grievance and recommending such

relief as it may deem proper. Should the Trial Committee sustain the grievance, its report shall be submitted at the next meeting of the National Executive Board. The National Executive Board shall determine the final disposition of the grievance.

Section 6. Any party aggrieved by a final decision of the National Executive Board may petition the next National Convention for relief, but the filing of such petition shall not stay the effectiveness of the final decision of the National Executive Board. The decision of the delegates, by majority vote, shall be final.

ARTICLE XIV

Interpretation and Amendments to the Constitution

Section 1. All proposed amendments to the National Constitution shall be submitted to the National Constitution Committee through the Executive Vice President 120 days prior to the Convention. All proposed amendments shall be reported out of committee, shall be submitted to the membership at least sixty (60) days prior to the Convention, and shall be considered at the National Convention.

Section 2. An untimely constitutional amendment may only be introduced at the National Convention by a three-fourths vote of the delegates actually voting.

Section 3. Adoption of the proposed amendments to the Constitution shall require at least two-thirds (2/3) of the votes cast by the voting delegates in attendance at the Convention.

Section 4. Final interpretations of this Constitution shall be made by the National President. Any challenge to the President's interpretation of this Constitution shall be submitted to the Constitution Committee which shall decide the question, and any appeals from the Committee's interpretation shall be made under the terms of Article XIII.

Section 5. Amendments, ratifications, and challenges to interpretations of local constitutions shall be accomplished in the same manner as the National Constitution.

National Air Traffic Controllers Association

By-Laws

September 2002

Section A - Seniority

1. National Seniority (9/96) A national seniority policy is established.

2. Convention Decides Seniority (9/96) The national seniority policy shall be established by the Convention.

3. Seniority Policy (9/98; amended 9/02) The following shall be used to determine seniority for the National Air Traffic Controllers Association:

- ♦ NATCA Bargaining Unit Time
- ♦ First Tie Breaker: EOD/FAA
- ♦ Second Tie Breaker: SCB
- ♦ Third Tie Breaker: Lottery. The lottery shall be determined at the local level.

Any bargaining unit member that leaves the bargaining unit shall be, for the purpose of seniority under the provisions of Article 83 of the NATCA/FAA Agreement, assigned a bargaining unit time date that is adjusted to reflect a deduction for all time spent outside the bargaining unit after September 30, 1996, unless a member returned to the bargaining unit without loss of seniority under the provisions of the national seniority policy enacted by the convention body in 1996.

For the purpose of facility release policies, seniority will be determined by facility time only as a bargaining unit member at that present facility. NATCA bargaining unit time is defined as that time an individual was or is employed as an air traffic control specialist in either the terminal or center option and in an assigned position as described in the FLRA designation of the NATCA bargaining unit.

4. Leave Bidding Process (9/02)

When seniority is used to govern a leave bidding process, a Local Bargaining Unit may elect to bid by rounds, provided each round is bid in order of seniority. When bidding in rounds, any conflicting requests shall be resolved by seniority within that round.

5. Seniority Policy Administration (9/98) The National Office shall administer the national seniority policy. The National Office shall make known to all NATCA members their national seniority

status, and to each local the seniority status of all employees of that local.

Section B - Member Benefits and Retirement

1. Retirement Specialist Position (4/00) NATCA will create a retirement specialist position. This individual will answer NATCA members' questions concerning retirement issues and provide periodic briefings to NATCA members.

2. Benefits for Dues Paying Members (9/98) NATCA should make it a priority to obtain meaningful benefits to dues paying members only. NATCA will initiate this effort within 120 days of the close of the 7th biennial convention.

3. Airfare Program for Dues Paying Members (9/98) NATCA should again show its leadership and make it a priority to obtain a free or reduced airfare program for its members. NATCA will initiate this effort within 120 days of the close of the 7th biennial convention.

4. Membership Trust Fund (4/00) NATCA shall create such trust fund(s) as may be necessary or desirable to hold, manage, and invest all net income derived from NATCA Membership Investments, Inc., and shall use such income and earnings thereon for the exclusive purpose of providing benefits to members of the Union and defraying reasonable expenses of administering the trust funds. Any change and/or amendment to this resolution must be through a three-fourths vote of returned ballots of the entire NATCA membership.

5. NATCA Scholarship Fund (8/94; amended 4/00) A scholarship fund is established for the children, stepchildren & legally-adopted children of active, retired and deceased NATCA members with continuous membership in good standing of at least two years. NATCA will administer the award of twenty national scholarships of \$1,000 per annum, based on a lottery system administered by the NATCA National

President.

These scholarships are for full-time attendance at accredited colleges and universities within the United States and its territories, in an undergraduate degree program. Applicants must apply in writing to the NATCA National President no later than May 1 annually for the college/university attendance within that calendar year, and submit a qualifying 500 word essay.

6. Associate Member Benefits (9/98) Membership benefits offered by NATCA may be, at the discretion of the National Executive Board, extended to Associate and/or Retired Members.

7. Associate Member Dental Benefits (11/98) The Union Privilege Dental Plan benefit is extended to NATCA's Associate Members.

8. Airfare Program for Retired Members (4/00) NATCA will endeavor to obtain from the various members of the airline industry participation in a flight benefit program for retired NATCA members in good standing.

Section C - Constitution and Convention Resolutions and By-laws

A compilation of all pertinent resolutions/bylaws still in effect will be made. This compilation will be distributed to all NATCA locals within 120 days of the close of each convention.

At any future official meeting of the National Convention/ Executive Board where resolutions/bylaws are passed, these resolutions/bylaws will be published and disseminated within 120 days as a change to the foregoing.

The Constitution Committee, at least once every two years, will review said compilation and recommend for deletion all resolutions that are no longer applicable to the policy of NATCA.

1. Constitutional Amendment Package (9/98) The Constitutional Amendment package shall include rationalizations of 200 words or less from the authors, if so submitted.

2. Advance Publication of Proposed

Resolutions (4/94) Resolutions that are submitted to the National Constitution Committee 120 days prior to the convention shall be published along with the proposed amendments (this will not restrict submission of resolutions in accordance with the rules established in convention).

3. Convention Committee (4/94)

A Convention Committee shall be formed at least one year prior to any scheduled convention. The committee members will be selected as follows:

The National President will appoint up to two National Office Members; the Regional Vice President, whose region is hosting the convention, will appoint six NATCA members to serve from his/her region. This committee will forward all plans and provisions to the National Executive Board for approval.

4. Past Presidents Attending Conventions (4/00) NATCA shall formally invite all past national presidents who remain members in good standing and their spouse/significant other to its national conventions, and be responsible for all the financial arrangements associated with transportation, hotel and meals.

5. Convention Attendance (4/00) The spouse/significant other of the current National president and executive vice president shall be invited to the national Convention. NATCA is responsible for financial arrangements with respect to transportation, hotels and meals.

6. Ownership and Use of Convention Logo (11/95) The convention host local(s) will own the exclusive rights to any NATCA Convention Logo and/or Theme. Individuals and/or Locals may reproduce such Logo or Theme only upon payment of a fee of no more than \$500 to the convention host local(s) {fee to be determined by the convention host local(s)}. Provisions of this policy do not apply to NATCA National.

7. Use of NATCA Logo (8/93) All items bearing the NATCA name or logo that will be sold at a NATCA convention must be union made or, at a minimum, American-made; no foreign-made products may be sold.

Section D - Dues and Initiation Fees

1. Annual Membership Dues (R92-003) The annual dues of regular member-

ship in the association is set at 1.5% of the individual members' base pay, step one.

2. Membership Dues/Home of Record (11/94) Any member(s) on LWOP for service to the association shall pay dues commensurate with their home of record.

3. Associate Member Dues (1/99) The annual Associate Member dues structure for FAA non-bargaining unit personnel is \$100.00; all others pay \$50.00 per year. Associate members will not be allowed to participate in NATCA's new dental plan, but those currently enrolled will be grand fathered.

4. Dues Deduction (6/90) Active members who pay their membership dues via direct billing must pay such dues on an annual basis in total and in advance due to administrative constraints and in keeping with the FLRA decision (case no. 5-CO-70021).

5. Dues Payment by Mail (3/91) NATCA National will advise all members who pay their dues by mail of their upcoming obligation no later than 30 days prior to the expiration of their membership.

6. Termination of Membership (11/91; amended 4/00) When an individual's automatic dues deduction falls into arrears for two pay periods, the National Office will send them a bill for their dues. Once their dues fall 90 days overdue, they will be sent a letter notifying them that their membership has been terminated. Copies of these letters will be sent to the Regional Vice Presidents.

7. Dues Rebate (R90-013; amended 4/00, 9/02) The National Office will rebate to the locals, quarterly, ten percent of the dues or \$450, whichever is greater. (See D-8 , "Minimum Dues Rebate")

8. Minimum Dues Rebate (R92-006) The minimum dues rebate is increased proportionately with any dues increase (for example, a 50% increase in dues will result in a 50% increase in minimum rebate) (See D-7 , "Dues Rebate").

9. Dues Rebate Analysis (4/94) The NATCA National Office shall supply, concurrently with each local's quarterly dues rebate, a complete accounting of the statistical analysis used to derive the dollar figure for that rebate, i.e. how many members at each grade level.

10. Initiation Fee (90 amended 4/94, 9/98, 9/02) No initiation fee shall be assessed for individuals who become members within six months of being eligible for the first time for membership. In addition, individuals who were members when they left the bargaining unit shall not be assessed an initiation fee if they become members within sixty days from the date that they return to the bargaining unit.

All potential members who do not meet the above requirements shall be assessed at the sum of one years dues at the pay grade of the individual when joining, or within six months after the effective date of the first collective bargaining agreement covering these employees, whichever is later.

The National Executive Board shall have the authority to declare open seasons, not to exceed thirty days at a time, no more often than once per year.

Any active member who resigns from the union or is automatically expelled because of non-payment of dues, in accordance with Article III, Section 7 of the National Constitution, shall not be allowed to rejoin the union without paying an initiation fee.

11. Initiation Fees from Non-Chartered Locals (11/91) Initiation fees paid by members in non-chartered locals will be retained by the National Office.

12. Grace Period for Transferring DOD Controllers (11/91) Controllers who transfer from the Department of Defense will receive no grace period during their transfer period. When automatic dues deductions are not received, these members will receive a bill for their dues; once their dues fall 90 days overdue, they will be sent a letter notifying them that their membership has been terminated. If DOD controllers terminate their membership at any point, they will be required to pay an initiation fee to rejoin NATCA.

Section E - Communications

1. Communications Projects (1/00) The NATCA Communications Department shall not be allowed to move forward on any project without direct approval of the National Executive Board.

2. The NATCA Voice Newsletter (9/98) The NATCA Voice shall be designated the official grassroots newsletter of NATCA. The NATCA Voice shall continue to

be governed primarily by the independent editorial board already in place. NATCA shall provide a minimum annual budget of \$44,000. Any increase above this amount must be approved by the National Executive Board.

3. NATCA Voice Articles (7/99) No article or submission in the NATCA Voice will be published unless it has the author's true name associated with said article/submission (no article or submissions will be published by "anonymous" or "entity authors").

4. Media Policy following an Accident (5/91) Following an aviation accident, NATCA will make no public statements which could be construed as speculation as to the accident's cause. Any decision to divert from this policy shall be made only by the President or Executive Vice President.

The NATCA Facility Representative shall refer all media calls to the National Office and shall not make any statements to the press and/or public without first consulting the National Office. Concomitant with this policy shall be an aggressive effort on the part of the NATCA President and Executive Vice President to meet at the earliest opportunity with the individual NTSB Board members and establish a strong working relationship.

A decision shall be made by the President or Executive Vice President as to what, if any, NATCA media action is warranted at the NTSB formal hearing on the accident.

Section F - Finance

1. Financial Bonding of NATCA Locals (9/02) Beginning in fiscal year 2002, NATCA National will pay the premium for a \$5,000 bond for all NATCA locals (which will cover funds up to \$50,000). NATCA Locals with treasuries in excess \$50,000 must obtain a separate bond for any amount over \$50,000.

2. Association Indebtedness (formerly ASW Resolution #4) (12/90) No further indebtedness of any kind shall be solicited or accepted by NATCA National. This proposal is not meant to inhibit or in any way curtail normal NATCA National office management (e.g., office maintenance contracts, etc.).

Exigent circumstances requiring the negotiation of additional debt between NATCA and any entity shall require an emergency NATCA National Executive

Board meeting and consequently require the approval of the NATCA National Executive Board.

3. Budget Expenditure Restrictions (11/97) National Executive Board approval is required before any region, department or committee receives funding over their annual budgeted amount.

4. Establishment of Regional Offices (11/91; amended 4/00) Regional Vice Presidents are authorized to establish and maintain regional offices and to pay the reasonable expenses of setting up and operating such offices.

5. Regional Office Leases (11/97; amended 4/00) Regional Vice Presidents may sign leases for office space whose terms extend past the expiration of their term of office only with prior approval of the National Executive Board.

6. Standing Committee Financial Authority (4/94) Each national standing committee chairperson shall, subject to the discretion of the President, administer funds budgeted for their respective committees. Each standing committee chairperson shall be accountable solely to the Executive Vice President in the administration of these funds.

7. F&E Purchases (11/98) All national or regional F&E (furniture and equipment) purchases in excess of \$300.00 must be approved in advance by the Executive Vice President. Any budgeted entity cannot use their budgeted funds for furniture and equipment purchases without prior approval of the Executive Vice President.

8. NATCA-Paid Per Diem (9/98) The National Executive Board shall approve or disapprove any NATCA National-paid per diem arrangements.

9. Financial Oversight Reports (9/98) The National Executive Board shall receive copies of oversight reports prepared by the National Finance Committee, as well as the Executive Vice President's response to such reports.

10. Local Assistance (R92-045) The National Executive Board may authorize not more than \$1,000 per year for the purpose of covering telephone communications with the appropriate Regional Vice President and for the purpose of assisting such remote

locals in attending and participating in regional union functions.

11. Outstanding Cash Advances and Expenses (2/96) All NATCA members, officers and employees shall provide a full accounting of all advances and expenses by the filing of vouchers and paid receipts within 30 days after the completion or cancellation of travel or incurrence of the expense.

If no such accounting is accomplished, the NATCA Comptroller shall send a certified letter to the individual involved stating the amount due and requesting the individual contact his/her office to make acceptable arrangements for repayment within 21 days; failure to do so will automatically result in referral to a collection agency to recoup the amount of the indebtedness. In the event that the collection agency is unsuccessful within 90 days, the individual shall be reported to the next NATCA National Convention for a determination by the convention body of an appropriate penalty to be imposed, up to and including expulsion from the union and referral to the Department of Labor for possible criminal prosecution.

12. NATCA Education Reimbursement Fund (2/98; amended 4/00, 9/02) An education reimbursement fund, not to exceed \$50,000 per year, is established for the purpose of assisting active members in good standing to obtain a Bachelor of Labor Studies degree or any other educational course or certificate as deemed appropriate and approved by the National Executive Board from any NATCA-approved institution or program. Upon completion of the course or program, active members may apply for a portion of the fund, not to exceed \$2,500 per calendar year, in the following manner:

a) The member shall submit to his/her Regional Vice President a copy of degree, transcripts or report card (to verify successful completion of the program), copies of paid receipts for tuition, books, and/or paid receipts for items or fees directly related and required to complete the degree, course or receive the certificate;

b) The Regional Vice President shall submit the copies of paid receipts, as submitted by the applying member, as an agenda item for reimbursement consideration/ approval/disapproval;

c) If reimbursement is approved by the NEB, the member shall submit origi-

nal paid receipts to the Executive Vice President, through normal and customary vouchering methods for approval (if original documents are not available, Department of Labor/Internal Revenue Service requirements and regulations shall apply); and

d) This program shall be implemented under rules and regulations as established by the National Executive Board and may be modified or canceled at any time without prior notice. Members who terminate active membership in good standing within two years after receiving reimbursement from the Educational Reimbursement Fund must repay said reimbursement to the Union.

13. Contingency Fund Usage (3/99)

All transfers from the Contingency Fund must be approved by the National Executive Board.

14. Contributions to Union Treasury (R90-011)

Any member who desires to do so may, in a complete and voluntary manner, be permitted to contribute to the treasury of this union in such self benefit to the purposes we as an organization have dedicated ourselves.

These contributions are free and clear unencumbrances that may be applied if so directed by the member and that no act or intent of repayment to the member is expressed or implied. Such contributions by the member are received by the union and perceived as statements of support for the organization.

15. FacRep School Cancellation Fees (1/93)

Any fees incurred as a result of an individual's cancellation/ no-show at NATCA's Basic or Advanced FacRep Training (except for legitimate circumstances, as determined by the National Executive Board) will be borne by the respective local.

16. Charitable Contributions (9/91)

All charitable contributions from NATCA National must be approved in advance by the National Executive Board.

Section G - General

1. Union Logo (04/00; amended 9/02)

No change may be made to the logo of the Association except by majority vote at the National Convention.

Modification of NATCA Logo: Any NATCA local or member who wishes to use the NATCA logo or the name in another font or format must receive prior National

Office approval.

2. Use of NATCA Logo (9/02)

All items bearing the NATCA name or logo be union made or, at a minimum, American made.

3. Non-discrimination (9/96)

NATCA urges the FAA to remove any and all references to race, gender, ethnic background, religion, sexual preference, and physical ability from any and all hiring applications/lists, and any and all promotion bids/lists.

4. Opposition to Diversity Program (4/94)

NATCA opposes the current Federal Aviation Administration's Diversity Program and associated training. Further, NATCA asks that no employees participate in any of the Federal Aviation Administration's Diversity Training Programs unless such programs are the result of the work of the joint NATCA/FAA EEO Committee.

5. Opposition to Elimination of COLAs and Return Rights (5/96)

NATCA will oppose any action taken by the Agency on elimination on COLAs and/or return rights for those bargaining unit positions that currently have them.

6. AFL-CIO Boycott (09/02)

NATCA endorses an economic boycott of those companies as listed on the AFL-CIO boycott list. NATCA will distribute a copy of this resolution and the AFL-CIO boycott list to all NATCA locals and regional offices within sixty (60) days of the close of the 2002 convention.

Section H - Honoraria

1. Honoraria (4/00) Any resolutions recognizing individual or group service to NATCA passed by the convention delegates shall be placed in our bylaws in a Section titled "Honoraria" until then ext biennial convention; after the succeeding convention, the resolution(s) shall be removed from the bylaws and the individual(s) name shall be placed on a plaque to be displayed in the National Office recognizing their service.

2. Recognition-Jeffries (9/02)

NATCA's Southern Region asks all of NATCA's members, delegates, share in celebrating Terri Jeffries 10 years of service to NATCA during this, our 9th Biennial Convention.

3. Recognition- Neumeier (9/02)

The 9th Biennial convention hereby

recognized Ms. Christine Neumeier for her dedicated service to making our Union stronger.

4. Recognition- Glasserman (9/02)

The supreme ruling body of this union recognizes John Glasserman with grateful thanks for his support and sacrifice.

Section I - Internal Business

1. Executive Vice President Vacancy (11/92)

In the event the Executive Vice President is unable to complete his or her term as designated by the Constitution, or if the position is vacated for any reason prior to the term's expiration as defined by the Constitution, the President shall appoint, subject to approval of the National Executive Board, a member in good standing to fulfill the office of Executive Vice President for the balance of the term as defined by our Constitution until the next regularly-scheduled election pursuant to Article VII; such person shall possess all the rights, powers, privileges, duties and responsibilities invested within the office of Executive Vice President as if he or she had been elected to the position.

2. Regional Vice President Vacancies (10/92; amended 4/00)

In the event a Regional Vice President is unable to complete his or her term as designated by the NATCA Constitution, or if the position is vacated for any reason prior to the term's expiration as defined by the NATCA Constitution, the President shall appoint, subject to the approval of the National Executive Board, a member in good standing to fulfill the office of Regional Vice President for the balance of the term as defined by the NATCA Constitution until the next regularly-scheduled election pursuant to Article VII; such person shall possess all the rights, powers, privileges, duties and responsibilities invested within the office of Regional Vice President as if he or she had been elected to the position.

3. Alternate Regional Vice Presidents - Official Time Allocation (6/98)

In accordance with Article 3, Section 2 of the 1998 NATCA/FAA Collective Bargaining Agreement, the Great Lakes, Southern, and Western Pacific Regions will receive 40 hours official time per pay period for their Alternate Regional Vice Presidents. The Eastern, Northwest Mountain, and Southwest regions will receive 24 hours of official time per pay

period for their Alternate Regional Vice Presidents. The Alaskan, Central, and New England regions will receive 16 hours of official time per pay period for their Alternate Regional Vice Presidents.

4. Contractual Authority (4/94)

No individual shall have the authority to enter into financial agreements which are binding upon the National Union without the express written approval of the President.

5. Election Guidelines (3/93) Any member seeking election to a union office or position may not accept nomination or run for more than one elected position during any single election.

6. Officers (R90-002; amended 9/98)

In the event any officer/representative of the Union applies for and/or is selected for a temporary or permanent non-bargaining unit position, he/she shall immediately vacate the elected/appointed office presently held. He/she shall be eligible to run for office at the next election so long as the applicable requirements of the national and the respective local constitutions are met.

7. NEB Meeting Attendance by Members (formerly AGL Resolution #3) (12/90) A period of not less than one hour will be reserved within the agenda of National Executive Board meetings, during which time any member in good standing may address the Board. Such members may address the Board on any topic in order to give an opinion and/or solicit information. Such members will be limited to five minutes, unless time is extended by the Chairman.

If more than twelve members wish to speak, the Chair may, at his option, allow additional time, allocate specific time to certain topics of common interest, or devise another equitable method to accommodate the members. Scheduling of the member forum period will be as close to mid-day as practicable so as to allow for round-trip travel.

Any members desiring to address the National Executive Board shall inform the National Office at least 24 hours prior to the start of the meeting. At the time notice is given to the National Office, a number indicating the sequence in which the member is to speak will be provided. The topic of the address may be requested if the number of those requesting to speak exceeds twelve (12).

Members are expected to promptly notify the National Office if they cannot

attend as requested. Members are entitled, as per Article VI Section 1 of the NATCA Constitution, "...to freely speak on any issue affecting the Association". However, any grievance concerning the actions of the Association or its officers shall be processed under Article XIII, Internal Grievances.

This does not in any way inhibit a member from using this forum for soliciting information to determine if an internal grievance is or is not warranted.

8. Minutes of Meetings (R90-109)

The National Executive Board and all standing committees shall publish minutes, including a record of how each member of the Committee or Board voted (in other than unanimous decisions) A copy of the published minutes and voting record shall be sent to all facility representatives within two weeks following the close of the meeting.

9. Internal Grievance Policy

(6/90) When an internal grievance is duly presented to the National Executive Board by the Executive Vice President, the National Executive Board shall hear the grievance and either dismiss the grievance or forward to the Trial Committee for decision.

Due to the sensitive nature of grievances, the minutes of the National Executive Board shall only state the names of the grievant(s), charged party or parties, and whether the grievance was dismissed or forwarded to Trial Committee. The Executive Vice President shall transmit the decision of the National Executive Board and the reasons thereof as soon as practical to the grievant(s) & charged party or parties.

10. Publication of Trial Committee Decisions (2/92; revised 5/92) The text of decisions of the Trial Committee will not be published or disseminated except by individual request, with exception to the named parties and the National Executive Board, and only by the NATCA National Office. The Board may choose, however, to publish the Committee's findings and recommendations in the Board minutes, which is consistent with the publication with which such grievances have formerly received.

Section J - Committees, Boards, Liaisons and Representatives

1. Standing Committee Meetings

(R90-003) All meetings of any NATCA standing committee are open to any member in good standing.

2. Selection of Liaisons, Technical Representatives and Workgroup Members (9/98; amended 9/02) As the union and its membership benefit from having members serve as liaisons, technical representatives and as members of workgroups, and since it is important to include a diverse group of individuals in these positions, all appointments to and extensions of these positions will require the approval of the National Executive Board.

Liaison/Technical Representative/Work Group Member Selection Process: The President shall provide the National Executive Board notice of the end of the term of a liaison, technical representative or work group member.

The President shall provide the National Executive Board the qualifications necessary to fill the anticipated vacancy. The National Executive Board will submit the names of members they recommend to fill the vacancy. The President will present the selected name to the National Executive Board for confirmation prior to the date of anticipated vacancy. (Note: The President can obtain information from any source he/she deems appropriate prior to making a selection for a position, i.e.; Director of Safety and Technology, National Safety Chair, Director of Labor Relations, etc.)

Term Length for National Liaisons and Full-Time Technical Representatives: National liaisons and full-time technical representatives will be asked to serve a term of two years, unless extensions are approved by a ¾ majority vote of the National Executive Board. No national liaison or full-time technical representative will be allowed to transfer from one position to another.

Term Lengths for Work Group Members and Part-Time Technical Representatives: Technical representatives and part-time work group members will be asked to serve until such time as the respective project/team/work group they serve on has completed its work.

Any national liaison/technical representative/work group member who is unable or unwilling to complete his/her

term will be asked to provide at least a 120 day notification to the President of his/her intentions. The National President may remove an appointed liaison/technical representative for such cause as will promote the efficiency of our Union. In these cases, a majority vote of the NEB is necessary to confirm the removal and a replacement will be found as soon as possible. Liaisons and full-time technical representatives will provide regular written updates at each National Executive Board meeting.

3. National Legislative Committee Charter (10/97) The NATCA National Legislative Committee, hereafter referred to as the Committee, will seek to advance the status, professionalism, benefits & working conditions of all air traffic controllers and other safety-related employees through political action. The Committee shall assist the President, Executive Vice President and National Executive Board in defining the roles and responsibilities of the National Legislative Affairs Department.

The Committee shall be the focal point for all grassroots legislative activity in the United States. By working closely with the National Legislative Affairs Department, the Committee shall serve as a resource to the membership, National Office and National Executive Board. The Committee shall coordinate grassroots efforts on national issues as directed by the National President and Legislative Affairs Department.

The Committee shall identify the legislative training needs of the membership and take steps to ensure that adequate training programs are developed. The Committee shall promote the growth of NATCA PAC through member education and ongoing efforts to solicit new PAC members and increase contributions. The members of the Committee shall make recommendations to the National Legislative Affairs Department on the distribution of PAC funds.

The Committee shall receive guidance from the National President, Executive Vice President and the National Legislative Affairs Department. The Committee, through the Chairperson or his/her designee, shall brief the National Executive Board on Committee activities, including Lobby Week and other national legislative training, strategy for promoting grassroots activism, and annual goals of the committee.

There shall be at least four meetings of the Committee during the calendar year, or as deemed appropriate by the National President and/or the Committee Chair.

4. Air Safety Investigation Committee Charter (9/02) The NATCA Air Safety Investigation Committee (ASIC) shall be an ad hoc committee responsible to the National Executive Board through the Director of Safety and Technology. Its purpose is to be the focal point for the Union all policy and procedural matters related to NATCA participation in National Transportation Safety Board (NTSB) aircraft accident investigations.

The NATCA ASIC shall consist of a Chair, two full performance level en route air traffic controllers, two full performance level terminal air traffic controllers, and one member from the Engineers and Architects, Aircraft Certification, Airports, and Automation Specialists (AOS) bargaining units, respectively.

All NATCA ASIC members shall be current members of the Union. Candidate ASIC members shall be nominated by their Regional Vice-President and approved by a simple majority of the National Executive Board (NEB). NATCA ASIC members will serve two-year terms, which may be extended in one-year increments by a two-thirds majority vote of the NEB. In the event that an ASIC member is unable to complete a term, a replacement will be selected (as outlined above), to complete the term of their replacement.

All NATCA ASIC members shall be trained as Union air safety investigators, and must either participate in an on-site NTSB investigation or attend an accredited formal aircraft accident investigation training course within one year of appointment. Upon leaving the ASIC, they may continue to serve as Union air safety investigators as needed.

The NATCA ASIC shall meet at least twice a year, or as deemed necessary by the President.

The Director of Safety and Technology and/or the National Safety Coordinator shall serve as ex officio members of the NATCA ASIC only if they possess investigation experience or training as specified above.

The NATCA Air Safety Investigation

Committee shall, through the Department of Safety and Technology, (a) coordinate the activities of, and provide support and training to NATCA air safety investigators; (b) facilitate interdiction between NATCA air safety investigators through Internet-based information sharing, regional or national meetings, conference calls, and other means as appropriate; (c) prepare an annual report on NATCA air safety investigator participation in NTSB investigations for the National Executive Board.

5. Benefits Committee Charter (9/02) The NATCA Benefits Committee (NBC) shall be an ad hoc committee chartered for the exclusive purpose of determining benefits to be made available to NATCA membership through a NATCA membership trust fund.

The primary functions of the NBC are to suggest, investigate, review, evaluate and assess suitable benefit options that can be made available through a membership trust fund. Such assessment will consist of consideration and analysis to benefit desirability as well as legal and financial feasibility.

The NBC shall report to and make recommendations to the National Executive Board on appropriate and desirable benefits, which said fund may purchase.

The NBC shall only convene at the discretion of the National Executive Board. Each Regional Vice President shall have the opportunity to designate one individual from his/her region to the NBC. There are no quorum requirements for the NBC to conduct business. In the event that a Regional Vice President has not selected a designee or the designee becomes otherwise unavailable, the NBC is empowered to act in her/his/their absence. All members of the NBC shall be NATCA members in good standing as defined by the NATCA National Constitution. All members of the NBC shall derive no financial gain from his/her position on the NBC apart from any privilege or benefit which is made available to all members of NATCA. The Director of Membership and Marketing shall serve as the non-voting committee chair and a liaison to the committee. The NBC shall also have resources available through the NATCA General Counsel and the NATCA Comptroller as well as other tools and counsel as necessary by the President to fulfill its function.

6. Classification Adjustment Board Charter (9/02) The NATCA Classification

Adjustment Board (hereafter referred to as the Board) will, through a review and classification adjustment process established by the Board, investigate and make recommendations to the National Executive Board in regard to the Position Classification Standard.

Any facility through its facility representative may make a request to the Board. This review process may be used whenever the Standard Appeal process does not apply. The request for review shall use the process established by the Board. The request for review may also deal with a conceptual issue within the standard that needs to be investigated. This classification adjustment process is separate from the Appeal Process contained with the Position Classification Standard. The Board shall have a Chairperson elected from their members by a majority vote of the members. The Board shall report to the National Executive Board through the Board Chair whenever deemed necessary by the National President. The Board shall receive guidance from the National Executive Board.

7. Communications Committee (2/99) A National Communications Committee is established, responsible for providing input on all communications methods between the National Office, National Executive Board, and NATCA membership and empowered to enact communications changes (with direction from the National Executive Board).

The National Communications Committee will consist of two Regional Vice Presidents (as determined by the National Executive Board), a representative of the National Communications Department, and five NATCA members (selected by the National Executive Board based on recommendations from the National Communications Committee).

8. NATCA Historical Committee (4/00) The National Executive Board shall create a committee to write the official history of the National Air Traffic Controllers Association.

Furthermore, the National Executive Board shall provide the necessary funds and support to said committee so that they may complete the written history of the National Air Traffic Controllers Association's first 10 (ten) years by the next National Convention.

9. National Communications Committee Charter (9/02) The NATCA National

Communications Committee has been established to (a) construct and coordinate the communications infrastructure for NATCA; (b) enable the rapid and efficient distribution of information, both publicly and privately, for NATCA; and (c) effect appropriate participation of NATCA officers, members and employees in the usage of NATCA communication resources.

The Committee's primary functions are to (a) advise the NATCA National Executive Board (NEB) on matters pertaining to the information technology (IT) required to support communications; (b) inform the NATCA membership concerning the IT resources available to them; (c) coordinate with the NATCA National Office, NATCA Departments, and NATCA Committees on the content and distribution of information throughout NATCA's communication resources; (d) provide information and guidance for such offices, departments, and committees; (e) plan for and support the evolution of NATCA's IT; (f) perform such other duties as are required to support the development and distribution of NATCA's communications needs; and (g) take any other action as directed by NATCA's NEB toward the benefit and advancement of NATCA and air traffic control in the United States and throughout the world.

The membership of NATCA National Communications Committee consists of seven NATCA members. One committee member will be elected to serve as Committee Chair for a term of three calendar years. The committee will meet at a minimum three times a year

10. NTSB Representative/ Contract Committee Member Selection Policy (11/88; amended 4/00) The professional competence (knowledge of subject matter, interpersonal and work group skills) of the member serving on a committee is the primary prerequisite for his/her selection.

Balance in selection, as it relates to region and option will be pursued but is subordinate to professional competence. Review of past practice in selection activities shall be accomplished no more frequently than once every year to determine if there is a trend towards an imbalance. This will permit the large number of committees and work groups to be considered as a

whole. While serving on a National Committee, the member will convey and represent the national interests of the Union, unless specifically authorized otherwise by the National Office.

It is the policy of NATCA to provide exposure to committee activities for the purpose of developing the skills of its members whenever possible. The use of "internships" or observers at committee proceedings are options to be considered.

NATCA's EEO policy will be used as it relates to non-discrimination committee selections. Further, it will encourage participation of all groups on committees through active solicitation of members.

Committee openings will be made known in the most open manner that time permits.

Position selections will be made as follows: Contract Committee nominations will be made by the Regional Vice Presidents with final selection made by the President; NTSB selections will be made by the Regional Vice Presidents, subject to the approval of the President.

The President has discretionary power to remove a committee member for cause or to protect the interest of the Union. The National Executive Board shall be informed of any such removals.

Potential of committee activity adversely affecting existing Union responsibility would be a basis for non-selection. Actual detrimental impact on pre-existing responsibilities would be cause for replacement.

11. OWCP Committee (4/00) A national Office of Workers Compensation Committee is established and funded by the National Executive Board to establish a network of specialized representatives. The committee shall be comprised of one member from each region and shall be chaired by the member appointed by the National Executive Board as the National OWCP Representative shall work in conjunction with the PCS Committee.

12. Radar Tower Advisory Committee Charter (9/02) The NATCA Radar Tower Advisory Committee will act as an advisory board regarding air traffic control terminals which provide traffic advisories, spacing, sequencing and separation services to VFR and IFR aircraft operating within the vicinity of the airport using a combination of radar and direct observation.

The Committee will (a) identify and provide recommendations to the NATCA

National Executive Board on issues specific to towers with radar; (b) design and propose a training curriculum specific to towers with radar; (c) recommend the most suitable equipment and course curricula for tower simulators and training aids specific to towers with radar; and (e) evaluate and recommend changes to future programs, procedure and equipment specific to towers with radar.

The Committee will work within the confines of the NATCA Constitution and its bylaws. The Committee shall meet at least three times during the calendar year, or as deemed appropriate by the NATCA President and/or Committee chair.

13. Classification Adjustment Board (4/00) A Classification Adjustment Board shall be chartered for the purpose of investigating and recommending reclassification adjustments to the National Executive Board.

At a minimum, the charter shall include a mechanism that allows a facility to make an appeal on its classification index number. A two-thirds affirmative vote is required for the Classification Adjustment Board to investigate the appeal and forward a recommendation to the NEB for consideration.

The Board shall be composed of one member per region, and that composition shall include a representative from every option covered by the classification standard.

Committee reports must be submitted to the membership annually.

NATCA shall pursue the Agency's full participation in this effort so that the Parties can enter into binding agreements.

14. NATCA Liaisons (9/98) All appointments to and extensions of liaison positions require approval of the National Executive Board.

15. IFATSEA Representation (9/02) NATCA shall immediately undertake an effort to team with PASS to form a more diverse group to represent the United States in IFATSEA.

16. OSHA Representation (10/97; amended 4/00) In the event of environmental problems or concerns, NATCA locals are directed to contact their NATCA OSHA representative, in conjunction with their Regional Vice President prior to any consultation with WMI or other outside environmental contractors. Only the NATCA National Executive Board has the authority to authorize and engage the

services of WMI, as well as any outside environmental contractor or specialist paid for out of NATCA National funds.

17. Representation of FAA Budget Policy (4/00) NATCA will seek and maintain representation on all Government councils, committees, and work groups that formulate and decide FAA budget policy for the modernization and improvement of the United States air traffic control system.

18. IFATCA (4/00) NATCA will pay for travel expenses for any member who serves as a standing committee member or elected official of IFATCA. NATCA will compensate up to five days of LWOP per calendar year to attend meetings in an official capacity (unless otherwise approved by the National executive Board)

Any member who serves as a standing committee member, chairman, or elected official of IFATCA shall submit a written report to the NEB outlining proposals, decisions, or potential issues within the scope of their particular positions. These reports will be submitted with receipts for travel or requests for reimbursement for LWOP.

19. IFATCA Meeting Reports (4/97) Reports will be prepared whenever a NATCA representative attends an IFATCA meeting, and will publish within 30 days of the close of the event.

Section K - Contracting Out

1. Charters from Level 1 Facilities (9/96) The Charters from every Level I facility shall be recovered (or reproduced) by the National Office as that facility is lost to NATCA due to the Federal Contract Tower Program. These Charters shall be permanently displayed on the walls of the NATCA National Office.

2. Facility Consolidations (1/00) NATCA is opposed to future facility consolidations that would result in creating opportunities for further contracting out.

3. Contracting Level I & II Facilities (R90-006) NATCA National will represent the views of Level I and II air traffic controllers during negotiations on the proposed contracting of Level I and II air traffic control towers and/or the contracting of retired military personnel to operate Level I and II air traffic control towers. It is the member-

ship's desire to take a position of opposition to either proposal.

4. Contracting Facilities (9/96) The National Office shall seek, through all appropriate and lawful means, and shall spare no reasonable expense, in the protection and continuation of any FAA terminal or en route air traffic facilities and shall offer all lawful resistance to the "out-sourcing", "privatization", or "contracting out" of any FAA terminal and en route air traffic facilities.

5. Federal Contract Tower Placement (4/94) NATCA shall grant the appropriate waivers for Article 42 Promotions of the NATCA/FAA Contract only for the Direct Placement Plan (DPP) formulated as a result of the Federal Contract Tower (FCT) program. The DPP will be instituted for the placement of the Level I Controllers under the FCT program and upward movement of Level II, III, and IV Controllers to create openings for subsequent contracted Level I Controllers, in the event NATCA is unsuccessful in fighting the FCT program.

6. Contracting of FAA Engineering and Architect Positions (9/98) NATCA does not support any programs to contract FAA engineering and architect functions. NATCA will actively pursue recovering all engineering positions lost through contracting.

7. Contract Tower Relief Fund (5/97) A Contract Tower Relief Fund is established, which will be funded primarily by the solicitation of contributions from within the membership. This fund is intended as a means of mitigating short-term impact to contract tower air traffic controllers who may be the victims of reprisal as a result of their organizing activities on behalf of NATCA.

The fund may be accessed only by majority vote of the National Executive Board. NATCA hereby authorized the transfer of \$2,200 for the establishment of this fund.

8. Contractor-Provided Training (R90-009) NATCA's National Executive Board shall request the FAA to terminate contractor-provided air traffic control training at field facilities at the earliest possible date, no later than January 31, 1991. The NATCA President will oversee a coordinated NATCA effort to further influence this decision.

9. Contract Tower Training/Staffing (4/94) NATCA will oppose all efforts to use BUMs to provide training for and to

temporarily staff all contract towers.

Section L - Legislative

1. NATCA Lobby Week Funding (4/94) Sufficient funds shall be allocated, separate from the budget for the Legislative Department and Committee, for the purpose of an annual Lobby Week for Legislative Committee members and NATCA activists, to ensure that NATCA's presence on Capitol Hill and grassroots political activity will be maintained.

2. Twenty-year Retirement (9/96) NATCA will write, pursue, and/or support legislation to provide a true 20 year retirement for air traffic controllers.

3. FERS Annuity (9/02) NATCA promote and support legislation that would give FERS controllers 2% per year added to their annuity for years of service past 20 as incentive pay.

4. Funding of P.L. 92-297/ Second Career Program (9/96) NATCA shall immediately take all steps, methods, and means at its disposal, and utilize such resources as necessary to:

- a. influence the FAA to seek the funding to implement P.L. 92-297 and
- b. to lobby the United States Congress to provide such funding, and insure implementation of P.L. 92-297.

5. Windfall Elimination Provision/ Government Pension Offset (4/94) NATCA shall pursue legislation to rescind the Windfall Elimination Provision/ Government Pension Offset.

Section M - Membership and Organizing

1. Organizing FAA Bargaining Units (7/99) NATCA will pursue organizing the rest of un-represented bargaining units within the FAA, with priority on air traffic services employees.

2. Representation of DOD Controllers (2/95) In addition to an internal organizing drive, NATCA will actively explore the possibility of making all DOD air traffic controllers an "appropriate unit" for purposes of NATCA representation. This will include coordination with AFGE and the DOD.

3. Organizing of Contracted ATC Facilities (5/96) NATCA will pursue the organizing of all contracted air traffic control facilities. PATCO Local 6881 will be notified of such intent.

4. Membership Recruiting Incentive

Programs (2/98) All future national membership recruiting incentive programs must be approved by the National Executive Board.

5. Charter Membership (R88-01) Charter membership is extended to the anniversary date of NATCA, June 19, 1988.

6. Corporate Membership (3/90) All corporate membership applications must be received by the National Office Membership Department for initial handling. Any applications for corporate membership received elsewhere should be forwarded to the National Office for processing. Upon receipt by the Membership Department, a letter to the corporation desiring membership will be sent acknowledging the application and stating that the application is being scheduled for review by the National Executive Board (NEB)

No further action should be taken until the meeting and decision of the NEB.

Applications for corporate membership shall be submitted to the NEB for review at the next regularly scheduled meeting for disposition. The NEB will determine if any conflict of interest and/or detrimental effect could result from acceptance of such application.

After completion of discussion by the NEB, a vote shall be taken to accept or reject the application for membership. In order for an application to be accepted, a 2/3 majority of those NEB members present must vote in favor of approving corporate membership.

After the final vote on the application for corporate membership, the Membership Department shall take prompt action to advise the corporation of the results and to process those applications accepted. Those applications rejected shall be returned to the corporation, along with any dues tendered, accompanied by a letter stating the reasons why corporate member status could not be given. All actions under this section must be completed within two (2) weeks of the vote by the NEB.

7. Associate Member Recruiting (6/98) Associate membership campaigns will be limited to FAA employees ineligible to be in the NATCA bargaining unit and/or individuals interested in aviation; recruiting families of NATCA

members will cease.

8. Retired Member Participation (4/00) The NATCA National Executive Board shall establish rules and regulations for a category of membership to be made available to retired members that allows expanded participation in the Union.

9. Retired NATCA Active Volunteers (9/02) Any retired NATCA member may elect to join the Retired NATCA Active Volunteers (RNAV). 50% of the dues collected from RNAV members will be rebated to the RNAV Auxiliary. The RNAV Auxiliary may elect to establish local dues that will be retained by the RNAV Auxiliary. The national president shall appoint an individual to administer the affairs of the RNAV Auxiliary. Members of the RNAV Auxiliary shall have all the right and privileges of active members, except the right to vote or hold office.

10. Article III Loophole (3/91; amended 4/00) Bargaining unit members are from time to time reassigned or assigned various duties for differing reasons, and since the Union recognizes the Agency's right to assign employees in accordance with 5 U.S.C. Chapter 71, and since it is in the best interests of all bargaining unit membership understand their status at all times relative to representational rights and responsibilities, the Union considers the status of a bargaining unit member terminated and shall not be entitled to representation as a matter of right or be granted access to the negotiated grievance procedure and/or the collective bargaining agreement. If such an employee is an active NATCA member, he/she shall be divested of all rights, powers, privileges, immunities and responsibilities granted to the Union, including the right to vote and hold office, if the following conditions occur:

a. The employee accepts a permanent promotion to any position outside of the bargaining unit.

b. The employee accepts a temporary promotion to a supervisory position for any length of duration.

c. The employee accepts a temporary position outside the bargaining unit for which an SF-50 or SF-52 is executed.

Section N - NATCA Employees

1. National Officer Salaries (9/96; amended 4/00) The NATCA National

President shall be compensated with an annual base salary of \$165,000.; the National Executive Vice President shall be compensated with an annual base salary of \$160,000. The salaries will be adjusted and increased at the same rate as air traffic controllers in the Washington, D.C. area (i.e., locality and cost of living adjustments).

2. Transition Period (8/91) A 30-day transitional period is created, whereby replacing and replaced national officers will work in tandem. This 30-day period shall commence immediately from the new officers' first day in office, and shall expire 30 calendar days thereafter.

3. Federal Retirement Funding - National Officers (9/96) As of September 1, 1997, NATCA shall fund only the employer's share of the federal retirement program held by the President and Executive Vice President.

4. Paid Moves for National Officers (2/91) It is NATCA's policy to pay for moves of the NATCA President and Executive Vice President only. NATCA will pay for all legitimate costs (excluding real estate losses) associated with the President's and Executive Vice President's moving expenses, as in accordance with the current Department of Transportation travel manual (excluding the relocation program)

In the event this policy conflicts with specific expenses covered in the DOT travel manual, the provisions of this policy shall prevail. NATCA will only pay for the move from the new President's or new Executive Vice President's place of residence at the time the election results are announced. In the event that there is a new President or new Executive Vice President, NATCA will pay for all legitimate moving expenses, consistent with the above paragraph, for the outgoing President or outgoing Executive Vice President, or both.

NATCA will pay to move the outgoing President or the outgoing Executive Vice President to their former place of residence or a distance equal from their formal residence if the outgoing President or outgoing Executive Vice President decide to relocate to an area different than their former place of residence.

The payment of legitimate associated moving expenses shall be authorized from the budget of the fiscal year immediately following the election year. All completed vouchers shall be submitted to the NEB

for final scrutiny prior to payment. Any alleged excess in any voucher area shall be voted on individually by the NEB.

5. Regional Vice President Differential (4/94; amended 4/00) NATCA's Regional Vice Presidents shall receive a monthly differential allowance in the amount of \$1,000.

6. Authority to Hire/Fire Employees (8/97) NATCA's President must receive majority approval of the NEB prior to the hiring or removal of any NATCA employee from his or her employment status with NATCA.

7. Use of Consultants/ Contractors (4/94) Individuals not considered day-to-day employees of the Association are defined as external (independent) consultants or contractors, and shall be required to render services pursuant to a written (contractual) agreement. Any individual or company so defined (excluding normal and occasional vendor services) shall be under such written (contractual) agreement signed by the NATCA National President and the contracting party.

8. Nepotism Policy (2/98) NATCA will consider relatives of employees for part-time employment of up to 24 hours per week if the applicant meets the requirements of the position for which he/she is applying.

However, relatives will not be considered for a position, which would require one to direct, review, or process the work of the other. In the case of the marriage of one employee to another, both may retain their positions if they do not have:

- a) the same supervisor;
- b) a supervisor/subordinate relationship; or
- c) a job which has influence over the other's employment or status.

9. Retirement Contributions (7/96) NATCA will continue to make employer contributions for individuals in its employ who participate in the CSRS retirement program & will make employer contributions for individuals in its employ who participate in the FERS retirement program as if that authority were the individual's employing Federal Agency under the provisions of 5 USC 8432(c) or other appropriate law.

10. Compliance with Title V & 19 C.F.R (7/92) NATCA shall provide relief to FAA LWOP personnel employed by

the union in regards to the adverse impact of maintaining their federal health insurance at high cost until federal health open season allows these NATCA employees to reduce the cost of such services.

11. Annual Leave Carryover (9/02) Elected officials and NATCA employees may carry over no more than 240 hours of annual leave per year without prior approval of the National Executive Board.

12. Sick/Annual Leave Cash-out (9/02) Elected officials and NATCA employees cannot cash-out sick or annual leave prior to termination of employment without prior approval of the National Executive Board.

Section 0 - Working Conditions, Hiring and Staffing

1. Rehire on Contract Tower employees (4/97) NATCA will seek to ensure that as contract towers represented by NATCA become upgraded to higher-level facilities and revert back to the FAA, the employees at those facilities will be given the opportunity to be hired by the FAA and remain at their facility.

In the event NATCA is successful in its pending lawsuit pertaining to contracting out and any facilities represented by NATCA are reverted back to the FAA, NATCA will seek to ensure that the existing controllers are given an opportunity to be hired by the FAA and will have first priority to remain at that facility.

2. Rehire of Fired Controllers (R90-008; amended by 4/94) The members of NATCA will support actions that would allow former air traffic controllers that were fired because of the strike in 1981 to be rehired as air traffic controllers.

3. Contract Tower Employees as Hiring Source (4/97) NATCA will work with the FAA to use our contract tower controllers as a hiring source and shall actively seek age waivers for those who held an FAA issued CTO prior to their 31st birthdays.

4. Career Progression (R92-008; amended by BL-022) NATCA is adamantly opposed to the placement of newly-hired (into federal civil service) GS-2152 candidates in Level II, III, IV and V facilities, unless bids (including slant bids) have been put out for these facilities and no qualified candidates have subsequently bid to those facilities.

5. Engineers and Architects Staffing (9/98; amended 9/98) NATCA shall make

it a priority to take every reasonable and prudent means to facilitate an increase in staffing of the engineers and architects, and to have a measurable staffing standard that shall include the full needs of each facility. The staffing would be adequate for all required technical and enhanced interpersonal training, meetings, Union obligations, official time, and annual leave.

In consideration of the health, safety, and welfare of the public, and in consideration to providing our Air Traffic and Airway Facilities partners with the highest level of service, a priority of NATCA will be to increase staffing and professional development of NATCA Engineers and Architects. NATCA shall make a priority of recovering professional engineer and architect positions to the bargaining unit who were unilaterally removed by the Agency.

6. Reduced Work Week (4/94)

When upgrades and reclassification become a reality, reduced work week shall become a high priority of NATCA.

7. Alternate Work Schedules (4/94)

NATCA will take the appropriate steps to ensure that all types of AWS are made available to all bargaining unit employees represented by NATCA.

8. Career Progression (7/96)

NATCA will continue to make every effort to ensure that the FAA will place all newly-hired air traffic control specialists into Level 2 and 3 facilities, thus allowing controllers presently laboring in Level 1, 2, 3 and 4 facilities a reasonable opportunity for career progression.

Section P - Pay, Salaries and Compensation

1. Reclass Breakpoints (9/99)

Breakpoints cannot be changed without a ¾ majority vote of the National Executive Board.

2. Reclassification/Pay Issues (1/99)

No further decisions will be made concerning reclassification or pay associated thereof without the approval of the National Executive Board.

3. Wage Determination Scale for Contract Tower Employees (4/97) As current regulations require a minimum wage for contract tower personnel that is comparable to those individuals in direct federal employ, the NATCA National Executive Board will work with the Department of Labor's Wage Determination Division to

ensure that the new wage determination scale for contract tower personnel is comparable to the appropriate reclassification standard.

4. Pay Reform Circumvention (9/98) No NATCA members, without the approval of the National Executive Board, shall attempt through negotiations or lobbying to circumvent the pay reform system.

5. Job/Salary Protection (9/98) NATCA will make it a high priority issue to protect the jobs and salaries of all its members affected by the consolidation and/or co-location of air traffic facilities.

6. Pay Inequity - Level I & II Towers (R90-007) It is the desire of the NATCA membership to represent to FAA and Congress the need to elevate the current grade structure of Level I and II air traffic control towers to be commensurate with that of our flight service counterparts.

Section R - Safety, Technology and Equipment

1. Radar Displays (9/98) NATCA will make the utmost effort to ensure that every ATC facility is equipped with a radar or equivalent display.

2. Primary Radar (4/00) NATCA should use all available means to retain primary radar coverage throughout the National Airspace System (NAS).

3. Information Display System (9/02) The NATCA National Office is directed to formally approach any and all parties, as deemed necessary and prudent, to establish that such an information display system is deployed immediately.

4. ASDE Funding and Deployment (8/97) NATCA advocates the agency's funding and deployment of airport surface detection equipment systems.

5. Local Retention of Auto-mation Patches (6/97) NATCA Advocates the ability to effect site-specific upgrades to automation systems in order to provide local flexibility so as to ensure that the air traffic control system is able to operate at maximum efficiency.

6. NAS Equipment Shutdowns (9/02) The NATCA National Office is directed to formally approach any and all parties, as deemed necessary and prudent, to ensure that NAS equipment shut-

downs for routine maintenance, preventive maintenance, hardware or software upgrades, testing, or any other purpose, whether or not specifically related to the immediate operational functionality of the NAS shall not be effected except at times when properly certified technicians are physically available at the facility to ensure restoration of the NAS equipment and specific coordination, to be determined on a facility-by-facility basis, has been completed.

7. Uninterruptible Power Supplies and Power Conditional Systems (6/97) NATCA advocates the inclusion of uninterruptible power supplies and power conditioning systems on all communications, navigation, surveillance, and weather processing systems for the purpose of precluding power interruption-caused equipment failures which result in reduced safety and efficiency in the National Airspace Systems.

8. Low Level Wind Shear and Microburst Prediction and Detection (8/97) NATCA supports the expeditious development, deployment, implementation and inclusion in the National Airspace System (NAS) as a critical system of reliable, redundant, and accurate equipment for the prediction and detection of low level wind shear and microbursts. NATCA further supports making available to air traffic controllers the ability to provide real-time runaway-specific surface wind information obtained from such equipment to pilots.

9. Center Weather Service Units (6/97) NATCA supports weather forecasting service capability by certified meteorologists in all Air Route Traffic Control Centers (ARTCC), Center Radar Approach Control Facilities (CERAP), the Air traffic Control System Command Center (ATCSCC), and any other facility which previously had such capability.

10. ASOS Opposition (6/96) NATCA supports every coordinated effort that will gain public, Congressional, media and Government support to halt the deployment of ASOS and require the National Weather Service to comply with their public mandate of supplying accurate and reliable weather to the flying public.

11. TCAS Statement (R92-005) NATCA strongly opposes any FAA policy that requires pilots operating in the U.S. air traffic control system to comply with Resolution Advisories received from the current TCAS system that is inconsistent

with the current ATC clearance, or subsequent ATC instructions issued.

As the working men and women who play a critical role in providing safe and efficient air transportation in the United States, we morally object to this change in our known responsibility as guardians of the air traffic system. This position will be communicated consistent with this Association's National Constitution.

12. Midnight Staffing (5/93)

The NATCA National Office is directed to formally approach any and all parties, as deemed necessary and prudent, to establish that all working shifts at air traffic control facilities be staffed with a minimum of two full performance level controllers. The National Executive Board fully supports NATCA's pursuit of this position through whatever lawful means possible.

13. Training of Radar Tower Controllers (4/98; amended 9/02) NATCA will pursue the appropriate means and support to ensure radar tower controllers are properly trained with a course curriculum designed to meet their needs; and be it further resolved that NATCA will pursue the completion of the tower simulator which has been built for this very specific training and ensure controllers are a part of the course design and subject matter curriculum.

The Radar Tower Coalition will work with NATCA's Safety & Technology Department to define necessary training requirements, and that the National Executive Board will use this information to pursue training needs in accordance with this bylaw.

14. Technical Training Program Changes (7/96) The following changes should be made to the technical training program for air traffic controllers as soon as possible: (a) combine the ATTE and OJTI CADRE courses, where feasible; (b) restructure the OJTI training and OJTE certification process; and (c) OJTI workshops should cross regional boundaries, where feasible, to better utilize training funds. The NATCA National Training Committee will design a restructured OJTI/OJTE certification process for review by the National Executive Board.

15. ICAO Suffixes (6/97) It is in the best interest of the NATCA membership that NATCA become more active and involved in dealing with IFATCA on international issues.

Section R - Labor Relations

1. Arbitration Policy (12/89; amended 4/00) Following is NATCA's national policy and procedure which provides continuity and consistency in the handling of grievances that rise to the level of requests for arbitration and actual arbitration.

The following is intended to provide guidance to members and Regional Vice Presidents as to what information should be forwarded to the National Office and where responsibilities and duties rest in this process.

Arbitration Requests Once a grievance has been denied at the Regional Level and the Regional Vice President decides to continue the process, he/she should forward a complete copy of the file to the Director of Labor Relations at the National Office as soon as possible. The Regional Vice President should provide a cover letter with his own evaluation of the case and his request for arbitration.

The strengths and weaknesses should be discussed and the cover letter should state the date by which the request for arbitration must be made. File packages received less than ten days prior to this date will not be looked on favorably as there may be insufficient time to review the file and conduct appropriate research.

Upon receipt of the case file from the Regional Vice President at the National Office, the appropriate data will be entered into the computer to establish the calendar suspense dates for formally requesting arbitration and ensure all necessary information has been provided. The file shall then be forwarded to the Director of Labor Relations or the NATCA Counsel for an early evaluation of the case by the National Office. This review shall include research into appropriate statute and case law to determine the chances for success on the merits of the case. The effect of a positive or negative decision on the membership nationwide should also be considered at this time.

At all times, the best possible remedy or remedy sought by the initial grievant must be considered. If it is determined by the President that the chance of success in arbitration is tentative or weak with little or no likeli-

hood of any beneficial effect on the union, the decision may be made to deny the request for arbitration. In such event, the President shall write a letter to the Regional Vice President and the Facility Representative where the initial grievance arose, informing them of the decision & the reasons for it.

The Regional Vice President, upon receipt of the decision and reasons for arbitration denied, shall be allowed to appeal the determination to the National Executive Board. Such determination may be overturned by three-quarters (3/4) of those voting. If the Regional Vice President decides to invoke this measure, arbitration shall be requested and the vote taken at the earliest possible time.

A decision to go forward and seek arbitration shall be accompanied by an assignment of the case to the Regional Vice President, NATCA Counsel, Director of Labor Relations or trained advocates for presentation of the arbitration. The decision on who shall conduct the arbitration shall rest with the National Office which shall take into consideration the following factors: (a) the degree of difficulty of the case; (b) the cost of direct handling by National Office Staff, (i.e., Director of Labor Relations or NATCA Counsel); (c) the risk or desirability of a precedent-setting decision having an effect on NATCA membership nationwide.

Upon reaching the decision to seek arbitration, a letter will be sent to the Agency's Director of Labor Relations, requesting arbitration. The letter will state the designated NATCA official who is to present the arbitration case and who should be contacted concerning selection of an arbitrator and hearing date. A copy of this letter shall be furnished to the originating Regional Vice President.

Any Regional Vice President who is unable or declines to accept an assignment to conduct an arbitration may do so, but should notify the National Office as soon as possible. Additionally, the National Office staff shall be ready to assist any Regional Vice President who requests assistance in the preparation for presentation of an arbitration hearing.

Selection of Arbitrators. The selection of arbitrators for all cases shall be conducted by the person designated to conduct the arbitration. However, the National Office shall retain the right and responsibility to select the regional panel of arbitrators, pursuant to the contract.

Settlements. Once an arbitration case has been assigned for presentation, the person responsible should become familiar with all elements of the case. This preparation should also enable him/her to discuss settlement of the case with Agency Labor Relations personnel. At all times, NATCA personnel must ensure that the best possible remedy is sought on behalf of the grievant and no personal agenda becomes part of or influences the handling or presentation of a case.

The decision to accept a settlement shall rest with the person designated to present the arbitration. The National Office shall remain ready to recommend settlement proposals or opinions on Agency proposals to Regional Vice Presidents who desire such assistance.

Final Determination. When a case is settled or an arbitration decision is reached, the National Office and Regional Vice President -should be notified at once. The Regional Vice President should then notify the grievant of the resolution of the case as soon as possible. Every effort should be made to ensure that the grievant learns of the result from NATCA and not management officials.

2. Use of Outside Counsel (3/90; amended 4/00, 9/02) In order to better utilize the legal services available through the General Counsel and Executive Counsel at the NATCA National Office, and to conserve and spend the Union's limited financial resources appropriately, the following guidelines shall be adhered to by all Union officials and members.

Grievance Handling and Processing. This process can and should be handled almost exclusively in the field by Facility Representatives, with advice and assistance available from the Regional Vice President. Should assistance not be available from the Regional Vice President, -the party seeking assistance should contact the National Office's Labor Relations Department.

It is imperative that Facility Representatives and members keep their Regional Vice Presidents aware of issues requiring assistance, and that the Regional Vice Presidents are contacted first before contacting the National Office, as much as practical.

Use of Outside Counsel. The general rule is that outside counsel shall not be utilized except in extraordinary circumstances such as where the courts require

"local" counsel or immediate injunctive relief is required. In those circumstances, the Facility/Regional Vice President-shall request in advance the approval of the National Office's Legal Department and the President or Executive Vice President.

The Representative should be prepared to justify the need for and benefit of utilizing of labor relations. Where an attorney on this list is available and upon such a request, the General Counsel shall contact the proposed attorney or other competent attorney versed in the appropriate field of law, check and verify his/her credentials, and negotiate the appropriate rate of charge or retainer fee. Thereafter, all legal bills from such outside counsel will be sent directly to the General Counsel's office for review before submission for payment.

Outside counsel shall be answerable to the General Counsel, who shall monitor the expenditures and performance of outside counsel in handling NATCA's legal business. The General Counsel shall review all documents prepared in the course of pursuing NATCA's legal business and statements for services rendered, which must be submitted in detail by outside counsel before payment can be authorized. The General Counsel retains the right to dismiss outside counsel who may be deemed to be ineffective or wasteful of NATCA's resources or have a deleterious effect on the Union.

Use of Outside Counsel for Arbitration. While it is anticipated that the majority of arbitration cases shall be handled by Regional Vice Presidents or the Director of Labor Relations, all arbitrations where legal counsel are involved on behalf of NATCA shall be undertaken by the General Counsel or Executive Counsel from NATCA's National Office. The reason for this is to ensure quality, conserve resources, and to process all arbitration cases on a consistent, uniform basis that ensures continuity on a nationwide level.

Under no circumstances will the arbitration process be turned over to members or non-members with their own personal legal counsel, regardless of whether or not the grievant is willing to pay the fees for such counsel. To agree to such an arrangement would be tantamount to NATCA "sub-contracting"

its exclusive bargaining agent (or representative) status and would create a serious risk of adverse national precedents.

3. Arbitration Appeals (2/91; amended 4/00) In the event an arbitrator's decision is deemed by a Regional Vice President to be unfavorable/detrimental to the best interests of the organization, the following procedures shall be followed before proceeding to appeal:

a. The National Executive Board member requesting review for appeal shall forward copies of the decision being questioned to the entire NEB.

b. After ensuring that each NEB member has reviewed the material, the individual requesting appeal shall inform the National President who, in turn, shall schedule an emergency meeting of the NEB (via teleconference if necessary) at which time discussion may ensue and a vote will be taken to determine whether or not an appeal will be filed.

c. This process will be completed in no more than ten days, to allow for the timely processing of any such appeal. The determination of the NEB shall be final and, in cases where appeal is denied, no further processing of the case under review shall be attempted.

All costs associated with any such appeal shall be applied against the budget approved by the NEB for Labor Relations Department.

4. Dissemination of Arbitration Decisions (11/91) Copies of all arbitration decisions will be sent to NATCA's regional offices.

5. Allocation of Arbitration Expenses (12/90) Any and all expenses associated with all arbitrations, regardless of whether they are national, regional or local matters, shall come out of the National Labor Relations budget.

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