

APFA

BOARD OF DIRECTORS MEETING

SPECIAL BOARD OF DIRECTORS MEETING

May 6-8, 2015
Embassy Suites DFW South
Irving, TX

Resolution Tally Sheet

Resolution #: 11
Maker: Martin
Second: Morgan
Date: 05/08/2015
Time: 15:35

Resolution Name: Dues Obligation

AFFECTS POLICY MANUAL:

YES = Yes	ABS = Abstain	PXY = Proxy Vote
NO = No	N/A = Absent	REC = Recuse
PASS = Pass		

COMMENTS: Add new section to Article II, Section 4.B of the Constitution

	B O S	C L T	D C A - A A	D C A - U S	D F W	L G A	L A X	M I A	O R D	P H L	P H X	R D U I	S F O	S T L	PRES - Tie- Breaker
	Milenkovic	Bossi	Valenta	Kolackovsky	Bedwell	Eherts	Nikides	Trautman	Wroble	Morgan	Clark	MacPherson	Adair	Martin	Glading
YES	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
NO	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
PASS	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
ABS	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
N/A	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
PXY	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
REC	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

YES: 14 **NO:** 0 **ABSTAIN:** 0 **ABSENT:** 0

Status: *Passed* *Failed* *Tabled* *Withdrawn* *Show of Hands*

WHEREAS, the APFA Board of Directors is the governing body of the APFA; and

WHEREAS, under Article III, Section 1.A(1) of the APFA Constitution, the Board of Directors may by a two-thirds (2/3) vote of the Voting Board of Directors, recommend to the membership that the Constitution be amended; and

WHEREAS, under Article III, Section 1.B of the Constitution, any change must be approved by a majority of those active members in good standing who return valid ballots; and

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WHEREAS, on January 7, 2010, the APFA membership amended the dues provisions of the APFA Constitution regarding dues obligations while on unpaid status (“the Constitutional Changes”); and

WHEREAS, effective January 8, 2010, the Constitutional Changes made Flight Attendants dues obligated while on these leaves (“newly-obligated status”); and

WHEREAS, after these Constitutional Changes were adopted, a number of implementation questions had arisen; and

WHEREAS, when these provisions were adopted on January 7, 2010, there was no contemplation that significant numbers of flight attendants would be impacted; and

WHEREAS, on June 18, 2014, the APFA membership amended the dues provisions of the APFA Constitution regarding dues obligations while on unpaid status; and

WHEREAS, beginning on the effective date of this provision, a member in good standing will remain in good standing and will be exempt from his / her dues obligation to the APFA when the member is in an unpaid status from his / her employer in excess of thirty (30) consecutive days by:

- a. termination by the employer and the member is seeking reinstatement as provided for in the applicable Collective Bargaining Agreement or through an administrative or judicial proceeding;*
- b. suspension/withhold by the employer and the member is seeking reinstatement;*
- c. unpaid sick status;*
- d. unpaid Injury on Duty (IOD);*
- e. hardship as approved by the Executive Committee or by the Board of Directors;*
- f. approved military leave of absence; and/or*
- g. furlough by the employer.*

WHEREAS, the Constitution further provides that if a member is so exempt from his/her dues obligation, in order to exercise the rights of membership the member must pay the dues that otherwise would have accrued during the unpaid status (and otherwise is in good standing); and

WHEREAS, when the Constitutional Changes were adopted in 2010, there was no contemplation that significant numbers of flight attendants would be in an unpaid status and continue to be in an unpaid status; and

WHEREAS, as a result of the dues obligation during an unpaid status for those years, many members lost the benefit of being entitled to exercise the rights and privileges of APFA membership; and

WHEREAS, your APFA leadership has heard the growing concern that the membership have voiced regarding the dues balances accrued during unpaid status from January 8, 2010 to June 18, 2014; and

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WHEREAS, it is in the best interests of APFA and our members that all members be entitled to exercise the rights and privileges of APFA membership; and

WHEREAS, under the historic merger between American Airlines and US Airways, APFA and AFA produced an agreement that puts all flight attendants first and will allow us to blend the cultures of our two proud workgroups and unions; and

WHEREAS, legacy US Airways flight attendants were exempt from their dues obligation during a similar unpaid status, and these flight attendants are now members of APFA; and

WHEREAS, any legacy US Airways flight attendant who took a leave of absence for any reason which exceeded ninety (90) days continued in active status and paid dues for the first ninety (90) days of said leave of absence; and

WHEREAS, any legacy US Airways flight attendant on a leave of absence which exceeded ninety (90) days could opt to remain on active status for the duration of said leave, providing that member continued to pay membership dues; and

WHEREAS, the strength and unity within the APFA are fundamental to the successful resolution of any endeavor the Union may undertake: and

WHEREAS, the APFA Board of Directors concludes that relief from dues balances that accrued under the Constitutional Changes is necessary to strengthen our union, and to provide all members the rights and privileges of APFA membership;

THEREFORE BE IT RESOLVED, that the APFA Board of Directors recommends to the membership for ratification a new section to be added to Article II, Section 4.B. of the Constitution:

- (4) If a member was on unpaid status at any time between January 8, 2010, and June 18, 2014, and has a dues balance accrued pursuant to Article II, Section 4.B(3) of the Constitution in effect during that time period, that balance will be forgiven if within three (3) months of the effective date of this Section 4.B(4), the member makes a one-time payment to APFA of \$123.00 or the unpaid dues balance accrued during that period, whichever is smaller. That payment will not be applied to any dues balance.

and

BE IT FURTHER RESOLVED, that the Board of Directors also authorizes the inclusion in the referendum of any technical corrections required by this proposed language, for example, deletion or modification of references in other sections of the Constitution; and

BE IT FURTHER RESOLVED, that this proposed Constitutional amendment be sent to the membership for ratification no later than September 1, 2015; and

BE IT FURTHER RESOLVED, that except for the dues forgiveness described in the Constitutional

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amendment proposed above, a Flight Attendant will remain responsible for all dues accrued – whether before, during or after the Constitutional Changes – on a status that was dues obligated; and

BE IT FURTHER RESOLVED, that upon making the one-time payment described in the Constitutional amendment proposed above, the member shall be considered to be in good standing so long as he/she is not more than sixty (60) days in arrears for any other dues balance.