

FLIGHT ATTENDANT FAMILY AND MEDICAL LEAVE REVIEW AND/OR APPEAL PROCESSES

As a result of the decision in the Family Medical Leave II Arbitration Award (APFA Presidential Grievance SS-26-2004-APFA-003 FML II), the Company will establish a Review and/or Appeal Procedure for handling the disputes that may arise from the FML application process.

Flight Attendants will continue to follow the Company procedures outlined on Jetnet with regard to the application process for Family Leave. The Company will have trained personnel available through the FML Call Center to handle questions you may encounter concerning administrative and/or medical requests during the application process.

New Option to Speak to AA Medical

When a FMLA application is incomplete and pended for additional information, it is posted on Jetnet under your FML status. Additionally, a 'pending' letter is sent to your home advising the same. The 'pending' letter provides the information required to complete the application prior to the deadline. If clarification is needed regarding the pending status of your application, you will continue to have the option to contact the FML Service Center (1-800-VIP-Crew, option 2, then option 6). New Option - The FML Service Center agents can provide clarification, or if warranted, they will put you through to AA Medical so you can speak to a nurse regarding the required medical information to complete your application.

Notice of FML Arbitration Award Right to Review and/or Appeal Procedure

While APFA recognizes that the Family and Medical Leave Policy is a Company policy, APFA and the Company have agreed to adopt the following Review and/or Appeal Procedures specifically for the timely resolution of possible FML application disputes. The new procedure will be effective November 1, 2006, and is modeled upon the contractual provisions contained in Article 28 – *Dispute Resolution and Grievance Procedures* – with some variations to ensure confidentiality of medical information and to address the procedures recommended by the Arbitrator and Board in the Arbitration Opinion and Award. These procedures will be used instead of the general provisions of Article 28 for resolution of FML application disputes. The Company and APFA will continue to jointly monitor the Review and/or Appeal Process.

General Overview of the New Review and/or Appeal Process

Should your Family leave *not be designated* and if you wish to have the circumstances of your denial reviewed, you will submit a Notice of Dispute (NOD) to APFA, and APFA will file such NOD directly with the Company's Senior Principal of Employee Relations or his/her designee within ten (10) days, exclusive of Saturdays and Sundays, from the date your application was denied. The NOD form should contain an informal statement specifically setting forth the facts and circumstances that you believe support your request that your FML application be approved. You will also need to include with your NOD form

copies of any and all documentation supporting your claim. You must review and sign the NOD form. You must review and sign a HIPPA release form should your supporting documentation and request for review contain *any* medical information.

Administrative Review or Medical Review

The Company will determine whether the NOD is designated as an Administrative review or Medical review, and will forward a copy of the NOD, the signed HIPPA release, and any and all supporting documentation provided by the Flight Attendant to the FML Administrative Review Panel or to the Company's Medical Department. The FML Administrative Review Panel/Company FML Medical Department will have 30 days to approve or deny the Flight Attendant's FML application and shall provide written notice to the Flight Attendant and APFA Headquarters of the disposition of the review.

Composition of FML Administrative Review Panel

The FML Administrative Review Panel shall consist of two (2) APFA representatives designated by the Vice President of APFA as well as two (2) representatives designated by the Company. The FML Administrative Review Panel may, by mutual agreement, request information or participation from any APFA or Company representative as may be necessary to reach a decision during the review process. Only the four (4) designated members of the FML Administrative Review Panel may render a decision. The FML Administrative Review Panel shall meet as mutually agreed by the parties, but no less than quarterly, to review FML Administrative denials. *The FML Medical Review process will not involve APFA representatives.*

Statement of Good Faith and Non Disclosure of Information

It is understood that the actions of each individual involved in this Review and Appeal Process are taken in good faith and in his/her capacity as a member of the FML Administrative/Medical review and appeal process. Each individual involved in the Review/Appeal Process acknowledges and agrees that any and all information pertaining to an individual's Family or Medical leave circumstances will be held in strict confidence and will not be disclosed to anyone not a party to the Review and/or Appeal Process.

Decision of the FML Administrative Review Panel

A unanimous decision by the four (4) members of the FML Administrative Review Panel will be final and binding. The Flight Attendant and APFA Headquarters will be notified in writing of the decision of the FML Administrative Review Panel. If the FML Administrative Review Panel does not reach a unanimous decision, the Flight Attendant and APFA Headquarters will be notified in writing at the conclusion of the review process of the unresolved dispute.

Request for FML Administrative Appeal

At the conclusion of the review process, the Flight Attendant may request that the NOD be submitted as an FML Administrative Appeal to the System Board of Adjustment should a deadlock occur in the panel's decision. If there is a deadlock by the FML Administrative Review Panel such request to file an FML Administrative Appeal must be signed by the Flight Attendant and sent to the Vice President of APFA within five (5) business days of receipt of the decision of the FML Administrative Review Panel.

Decision of the FML Medical Review

The Flight Attendant and APFA Headquarters will be notified in writing of the decision of the FML Medical Review.

Request for FML Medical Appeal

Should the Company's Medical review deny the Flight Attendant's FML application, the Flight Attendant may request that the NOD be submitted as an FML Medical Appeal to the System Board of Adjustment. Such request to file an FML Medical Appeal must be signed by the Flight Attendant and sent to the Vice President of APFA within five (5) business days of receipt of the decision of the Company's Medical review.

Submission to System Board

The submission of the FML Administrative or Medical Appeal shall be submitted as a grievance to the System Board of Adjustment, as provided for in Article 29 of the Basic Agreement. Such submission must be made within thirty (30) days from the date that APFA receives notice of the denial of the Flight Attendant's FML application from the FML Administrative Review Panel or the Company's Medical Review. All decisions of the System Board of Adjustment will be final and binding upon all parties thereto.

Going forward from today, the Company and the APFA have agreed to schedule the first meeting of the FML Administrative Review Panel for November 29, 2006. Company FML Medical Reviews will be handled in accordance with the above procedures. More details concerning the forms and mailing addresses for filing a NOD under the FML Administrative and/or Medical review and/or appeal procedure will be available on the APFA Web site shortly.