


MEMORANDUM

To: Michael Fanfalone
Linda Goodrich
Flight Standards RBA's

Fr: Mike Derby, PASS Counsel 

Dt: 7/13/01

Re: ***CERTIFICATE/WORK ASSIGNMENT PROCEDURES***

Enclosed please find a copy of a Settlement Agreement and Certificate/Work Assignment Procedures document relating to the resolution of unfair labor practice charges in various locations around the country involving the distribution of certificates without bargaining with PASS over the impact and implementation of those decisions. The negotiated procedures are intended to insure that certificate/work assignments are based on objective factors so that all bargaining unit employees will have a fair and equal opportunity to receive such assignments. With a few exceptions for Principal ASI positions for major air carriers/operators and large repair stations, and other positions of "high sensitivity or significant public visibility," or assignments that have only minimal impact on working conditions, certificate/work assignments will be made to qualified ASI's based on *Flight Standards Seniority*.

Under the Settlement Agreement, Management is required to take the following action:

1. Implement the Certificate/Work Assignment Procedures in all field offices as soon as training is complete, but in no event later than *October 12, 2001*.
2. In all field offices, allow the PASS representative two hours of official time to conduct informational meetings about the procedures.
3. Reassign three Airbus positions in the U.S. Airways CMO in Pittsburgh using the Seniority Assignment Process.

Based on the Agency's commitments in the settlement agreement, PASS agreed to withdraw all unfair labor practice charges pending as of the date of the agreement.

The Settlement Agreement and Certificate/Work Assignment Procedures represents a new way of doing business in Flight Standards, and is the product of many hours of work at the bargaining table and before the FLRA over the course of several months. Special recognition should be given to Linda Goodrich, who worked tirelessly at FAA Headquarters to keep this project on track, and RBA Doyal Miller, whose FLRA case out of Pittsburgh provided the test case before the FLRA on the negotiability of the procedure. Doyal was also directly involved in the negotiations leading to the agreement on the Certificate/Work Assignment Procedures.

As is the case with most negotiated agreements, the procedure may not contain every feature we might have wished for in this situation. However, it is fair to say that this represents a giant first step toward achieving our goal of insuring that work assignments are made in a fair and objective manner. Together with the recent victory in the FLSA case, the Flight Standards bargaining unit has truly made great gains.

PASS and the FAA have agreed that the Certificate/Work Assignment Procedures will be included as a new article in the Parties' new term agreement. Please carefully review the agreement and procedures and feel free to share them with bargaining unit members in your regions.

Encl.

cc: Doyal Miller (w/encl.)
Jim Kelly (w/encl.)
Mike Doring (w/encl.)