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MEMORANDUM

TO: TWU Equity Distribution Committee

FROM: TWU Equity Distribution Appeals Panel: Gary Peterson, John Plowman, Sam Cirri and Jim Fudge

RE: Status Report

DATE: November 7, 2013

A Panel of four members of the TWU Equity Distribution Appeals Committee held the Committee's second meeting on November 4, 5 and 6 at the offices of The Labor Bureau Inc., in Alexandria VA. Also present was Administrative Assistant to the Appeals Committee, Michelle Rorie. Financial Advisor, Tom Roth and Legal Counsel, Rich Edelman were not present at all times during the meetings but were available for consultation as necessary.

A. **Nature and Number of Appeals** -- Approximately 214 new pieces of correspondence were received by the Appeals Committee since the first meeting on October 15. The total number of appeals at this point is approximately 1,131 (an additional 83 notices were returned with bad addresses). The following table identifies the categories, the total number of responses to date, and the Appeals Panel's preliminary comments on status.

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Appeals Category	Number	Comment
1. Did not receive any correspondence from the Committee	103	These individuals notified the Appeals Committee that they had not yet received notices. Ms. Rorie confirmed that all of these were filed PRIOR to the actual mailing of the Notice of Appeal and that they subsequently were sent notices. No further action is required at this point.
2. Appeal credit for length of service	298	261 of these individuals filed appeal PRIOR to receipt of revised notice correcting credit for length of service. Ms. Rorie confirmed that these individuals were sent revisions. The balance (37 appeals) were investigated by the Panel and ruled upon using actual PTRs. Notice of the decision will be sent to these 37.
3. Appeal credit for months of medical participation	156	89 of these individuals filed appeal PRIOR to receipt of revised notice correcting credit for months of participation in HMOs. Ms. Rorie confirmed that revisions were sent. The balance (67 appeals) were
4. Appeal reported all-in rate	36	investigated by the Panel and ruled upon. Notice of decision will be sent to these 67. Most of these are Dispatchers; Company record mistakenly omitted premium for higher capacity. The Panel ruled and 36 will be sent notice of decision.
5. Appeal reported FT/PT status	6	These were investigated using actual PTRs; decisions made; 6 will be notified of decision.
6. Appeal eligibility related to retirement, early-out, or stand-in-stead	208	These individuals are appealing terms of Distribution Plan which exclude those retiring, awarded early-out or stand-in stead during eligibility period. The Panel determined to notify all individuals that appeal is denied based upon Plan terms.
7. Appeal eligibility for 757 grievance	126	These appeals are not ripe for consideration by Appeals Panel; final eligibility rules pending clarification of Arbitration Award.
8. Notice filed with inadequate information	85	These individuals filed appeals with blank form or otherwise failed to state claim or articulate basis of claim; 46 of these were investigated by Ms. Rorie using the existing data base to determine status under eligibility rules (the Panel ruled on appeal based upon this investigation); 26 were sent follow-up letter requesting more information on October 24, 2013. (They have 2 weeks to furnish additional information). The additional 11 will be sent the same

9. Appeals related to employees who transitioned from Eagle to American.	22	correspondence. These are individuals transitioned from Eagle to AA during eligibility period and are deemed ineligible under both AA and AE distribution plans. The Panel determined that the appellants are ineligible under the AA Plan; but final decision is pending consideration by all Committee members and consultation with AE Committee.
10. Appeal eligibility related to Title II Cabin Cleaner.	3	These are individuals who accepted early-out but were involuntary separated because job was abolished. The Panel ruled on appeals; Individuals will be notified of decision.
11. Correspondence without realist appeal	29	The Committee received correspondence confirming determination on notice; some individuals were granted maximum medical Tier (i.e. EEPLUS2) but claimed non-existent higher Tier (i.e. EEPLUS 3). The

12. Notice returned with bad address	83	Panel ruled on all 29 and individuals will be notified of decision. Company furnished updated address for 40 individuals; 9 were updated by Locals; 34 are pending. Notices were resent for updated addresses.
13. Pending Discharges	6	Awaiting final disposition of individual grievances; will be notified of status.
14. Deaths	6	Death certificates were requested and received. Estate representative will be notified that appeal is granted.
15. Miscellaneous appeals (e.g.PT appealing terms of Plan, furlough status, hired after 11/29/11, etc.)	47	Panel ruled on appeals and individuals will be notified of decision.

B. Next Steps –

1. Legal counsel to draft form letters for the approximately 500 appellants stating the disposition of their appeal. Ms. Rorie to prepare mail-merge and arrange mailing.

2. The Master Distribution file must be updated and corrected for successful appeals. Mr. Roth to update file and send to Company in time to run distribution simulation on November 11.
3. With respect to category 6 (early-out, et.al) the Appeals Panel determined that it was necessary to request the Company to confirm original list. Records for Dispatchers for example, need to be corrected for those who took early out but were not included on original list.
4. Regarding the 757 grievance, eligibility rules must be finalized.
5. With respect to category 9 – AE transitions – the AE Equity Plan Committee must be consulted re eligibility under the AE Plan.
6. The Committee scheduled the next meeting for November 18 and 19, 2013 at the offices of The Labor Bureau Inc.