



National Air Traffic Controllers Association

National Constitution Standing Rules Policy & Position Statements

Effective April 14, 2006

National Air Traffic Controllers Association Constitution

September 2006

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) 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

- b) 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
- c) any employee in a bargaining unit represented by the Association.

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

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 by the Association.

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

Section 6. When a member of the bargaining unit is reassigned by the Agency to a position outside of the bargaining unit, 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: (1) the employee accepts a permanent promotion to any position outside of the bargaining unit; (2) the employee accepts a temporary promotion to a supervisory position for any length of duration; (3) the employee accepts a temporary position outside the bargaining unit for which an SF-50 or SF-52 is executed.

Section 7. 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 8. 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 between Conventions.

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, Mountain Montana, Oregon, Utah, Washington, Wyoming

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.

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.

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 bargaining units are part of Region X.

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

Section 7. In the event the Executive Vice President or a Regional 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 that office 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 as if he or she had been elected to the position.

Section 8. 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.

Section 7. Charters for all NATCA Committees (including non-standing committees) shall require majority approval of the National Executive Board and shall be maintained by the respective committee chair. Charters for all NATCA Committees shall be kept on file at the

National Office and available to the membership through online resources.

Section 8. All meetings of any NATCA standing committee are open to any member in good standing.

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, Standing Rules, Policy and Position Statements 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 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:

- a) The protesting member must have been eligible to participate in the protested election at the time of the incident giving rise to the protest; and
- b) A written protest is filed with the National Election Committee through NATCA's General Counsel; and
- c) 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 candidates involved in the protested election and, in the case of a local election, the local Election Committee and the Local President 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.

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. 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.

Section 6. Newly-elected officers shall commence their term of office thirty (30) days after certification of the results of the election.

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 active 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 active 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. 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 up to six NATCA members to serve from his/her region. This committee will forward all plans and provisions to the National Executive Board for approval. 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 approved by the National Convention shall form the Standing Rules and Policy/Position Statements of the Association. All Standing Rules and Policy/Position Statements enacted by the National Executive Board shall be published 60 days prior to the National Convention, and be presented to the National Convention for approval or disapproval. Standing Rules and Policy/Position Statements presented by the National Executive Board that are approved by the National Convention shall become Standing Rules or Policies/Position Statements of the Association.

Standing Rules are those resolutions passed by the Convention Body that apply to the day-to-day internal operations of the Association.

Policies are a means for Convention delegates to provide specific direction to the National Executive Board or National Office that are exclusive of the day-to-day internal operations of the Association. Position Statements are resolutions that do not give specific direction for action. The National Executive Board shall report to the membership at least 60 days prior to the next Convention the actions taken by the National Executive Board to comply with the provisions of duly passed Policies/Position Statements and recommend actions to be taken by the delegates.

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 Standing Rules and Policy and Position Statements of the Association. Locals which do not adopt a constitution and bylaws shall be governed by the Standardized Local Union Constitution 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. Write-in votes shall not be permitted for local elections unless specifically permitted in the local's Constitution.

Section 5. All local officers shall be elected by secret ballot vote of the active members in good standing. Each term of office shall not exceed three years. There is no limit to the number of terms served.

Section 6. There shall be no more than one NATCA local per facility.

Section 7. Any challenge to a local election shall be decided by the National Executive Board in accordance with Article VII.

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 active 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 active 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 of this Constitution which allegedly have been violated.

The charges and supporting statements 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) or impeachment (which shall be decided in accordance with Article XII), 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. The grievance must be submitted to the National Executive Board through the General Counsel via U.S. Postal Service certified mail or other accountable, trackable delivery service within 30 days of the event leading to the complaint. At a minimum, to be valid, the grievance shall be in writing, signed by the active member bringing the grievance and include the following: the name and facility of the accused member; a statement containing the specific facts supporting the grievance; all supporting documentation and appropriate witness statements; and the specific provisions violated of any of the following:

- a) Local or National Constitution,
- b) Standing Rules,
- c) Policy and Position Statements,
- d) Other duly propagated Association policies or direction,
- e) Statutes or the collective bargaining agreement, if the accused is an appointed or elected bargaining unit representative or Constitutional Officer and this person refuses to assure performance of collective bargaining agreements or to comply with the other duties of a Constitutional Officer or bargaining unit representative, as appropriate.

The President shall ensure a grievance form that complies with all requirements herein is made available for use, but use of such a form is voluntary.

Section 3. The General Counsel 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 National Executive Board through the General Counsel a written reply to the charges.

Section 4. The National Executive Board shall consider the grievance and any reply as soon as possible, but no later than fourteen (14) days after: receipt of the accused member's reply or the expiration of the thirty (30) day response period, whichever occurs first. 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 remedy 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, and the National Executive Board shall determine the remedy of the grievance. Should the Trial Committee dismiss the grievance, that decision will not be further considered by the National Executive Board.

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 the Trial Committee. The General Counsel shall transmit the decision of the National Executive Board and the reasons thereof as soon as practical to the grievant(s) and charged party or parties.

The text of this decision shall only be published or disseminated by the NATCA National Office or National Executive Board upon individual request of a member, except the decision will automatically be provided to the named parties.

Section 6. Any party aggrieved by a decision of the National Executive Board or the Trial Committee may petition the next National Convention for relief, but the filing of such petition shall not stay the effectiveness of the decision of the National Executive Board or the Trial Committee. 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. 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.

Any party aggrieved by a decision of the Constitution Committee may petition the next National Convention for relief, but the filing of such petition shall not stay the effectiveness of the decision of the Constitution Committee. The decision of the delegates, by majority vote, shall be final. Any interpretations under this section shall be included in the next published National Executive Board minutes.

Section 5. A compilation of all standing rules/policy and position statements 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 are passed, these standing rules/policy and position statements 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 standing rules/policy and position statements that are no longer applicable to the policy of NATCA.

Section 6. Amendments and ratifications to local constitutions shall be in accordance with Robert's Rules of Order, Newly Revised. Interpretations to local constitutions, other than the NATCA standardized local constitution shall be made by the Local President. Any challenges to interpretations of local constitutions shall be accomplished in the same manner as the National Constitution.

Article XV

Seniority

Section 1. The following shall be used to determine seniority for the National Air Traffic Controllers Association:

- a) Cumulative NATCA Bargaining Unit Time;
- b) First Tie Breaker: NATCA Bargaining Unit Time;
- c) Second Tie Breaker: EOD/FAA;
- d) Third Tie Breaker: SCD;
- e) Fourth Tie Breaker: Lottery. The lottery shall be determined at the local level.

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 the total time in a given bargaining unit represented by NATCA and as defined by the FLRA petition for representation of that unit. Cumulative NATCA Bargaining Unit Time is derived by totaling all time together spent in each of the NATCA bargaining units.

National Air Traffic Controllers Association Constitution *Standing Rules*

- A** Seniority
- B** Member Benefits & Retirement
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SECTION A Seniority

SRA-1 Convention Decides Seniority (9/96)

The national seniority policy shall be established by the Convention.

SRA-2 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.

SRA-3 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 & Retirement

SRB-1 Retirement Planning (4/00)

NATCA shall maintain a source that will specialize in information pertaining to retirement. This source will answer NATCA members' questions concerning retirement issues and provide periodic briefings to NATCA members.

SRB-2 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.

SRB-3 NATCA Scholarship Fund (8/94; 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.

SECTION C Constitution & Conventions

SRC-1 Constitutional Amendment Package (9/98; 4/94)

The Constitutional Amendment package shall include rationalizations of 200 words or less from the authors, if so submitted.

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)

SRC-2 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.

SRC-3 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.

SRC-4 Convention Fees (4/06)

No member shall be charged a fee to attend any business session of any convention. This does not preclude being charged a fee for after-hours or non-business events.

SRC-5 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.

SRC-6 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 & Initiation Fees

SRD-1 Annual Membership Dues (6/90)

The annual dues of regular membership in the association is set at 1.5% of the individual members' base pay, step one.

SRD-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.

SRD-3 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).

SRD-4 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.

SRD-5 Termination of Membership (11/91; 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 certified USPS or other accountable, trackable delivery service letter notifying them that their membership has been terminated. Copies of these letters will be sent to the applicable Regional Vice Presidents and Facility Representative.

SRD-6 Dues Rebate (6/90; 4/00, 9/02, 4/06)

The National Office will rebate to the locals, quarterly, ten percent of the dues or \$450, whichever is greater unless a Local has not attended a Regional or National meeting within the previous four quarters, in which case their dues rebate will be ten percent of the dues or \$225, whichever is greater unless a reasonable and acceptable reason exists for being unable to attend the meeting.

SRD-7 Dues Rebate Checks (4/06)

Dues rebate checks shall be withheld for any NATCA Local failing to meet Department of Labor or Internal Revenue Service deadlines for LM forms or IRS reporting requirements. Dues rebate checks withheld under this provision shall be released to the Local once the Executive Vice President receives proof that the Local has complied with all DoL or IRS 990 reporting requirements.

SRD-8 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.

SRD-9 Initiation Fee (5/90 4/94, 9/98, 9/02, 4/06)

No initiation fee shall be assessed for individuals who become members within three 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 8. of the National Constitution, shall not be allowed to rejoin the union without paying an initiation fee.

SECTION E Communications

SRE-1 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.

SRE-2 Email Lists (9/04)

NATCA email lists containing an "faa.gov" address will generate a disclaimer, advising list members that the message may be subject to monitoring by the Agency's network. Faa.gov addresses will not be permitted on any NATCA members-only webboard. Any organization or company requesting access to NATCA email addresses for mass mailing will require NEB approval and shall be coordinated and implemented through the National Communications Committee.

SECTION F Finance

SRF-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.

SRF-2 Association Indebtedness (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.

SRF-3 Budget Expenditure Restrictions (11/97, 4/06)

National Executive Board approval is required before any region, department or committee receives funding over their annual budgeted amount. Funds allocated may only be used to support the mission or purpose of the region, department or committee for which they have been allocated. No funds may be transferred from the budget of one region, department or committee to another without the approval of the National Executive Board.

SRF-4 Local Audits (4/06)

The financial records of every NATCA Local must be audited at least once every three years to ensure compliance with all Department of Labor, Internal Revenue Service, and NATCA financial provisions. Audit reports shall be issued to a Local's President and Treasurer and copied to the NATCA Executive Vice President and appropriate Regional Vice President within thirty (30) days of the completion of the audit. The President shall identify a person employed by NATCA to ensure full compliance with the proceeding provisions. The National Executive Board may withhold dues rebates for any Local failing to demonstrate remedy for any violation of Department of Labor, Internal Revenue Service or NATCA financial provisions within 90 days of receiving the report identifying violation(s). The development and implementation of the necessary procedures and processes to ensure compliance with the proceeding provisions must be accomplished prior to June 1, 2006

SRF-5 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.

SRF-6 Establishment of Regional Offices (11/91; 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.

SRF-7 Regional Office Leases (11/97; 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.

SRF-8 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.

SRF-9 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.

SRF-10 NATCA-Paid Per Diem (9/98)

The National Executive Board shall approve or disapprove any NATCA National-paid per diem arrangements.

SRF-11 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.

SRF-12 Reimbursement for Training/Meetings (9/04, 4/06)

For any local receiving \$3,000 or less in annual dues rebates, transportation and lodging expenses required to attend NATCA training courses or regional meetings will be paid by the region or department hosting the event, in accordance with NATCA's expense reimbursement policy. All such expenses require pre-approval by the individual responsible for the budget before costs are incurred.

SRF-13 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.

SRF-14 NATCA Education Reimbursement Fund (2/98; 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:

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;

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;

if reimbursement is approved by the NEB, the member shall submit original 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);

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.

SRF-15 Contingency Fund Usage (3/99)

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

SRF-16 Contributions to Union Treasury (6/90)

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.

SRF-17 Training or Meeting Cancellation Costs (1/93, 4/06)

Any expenses incurred as a result of an individual's cancellation/ no-show at a NATCA training course or meeting for which they are attending on behalf of their local (except for legitimate circumstances, as

determined by the National Executive Board) will be borne by the respective local.

SRF-18 Charitable Contributions (9/91)

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

SRF-19 Expense Voucher Timelines (4/06)

Vouchers for expenses should be submitted as soon possible after the expense is incurred. Requests for reimbursement submitted more than 180 days after the date of the expense are no longer considered legitimate expenses of the Association and will not be processed for payment.

SRF-20 Local Expense Vouchers (9/04)

All NATCA Locals shall use vouchers to account for their expenses. All NATCA Locals are required to have dual signatures on checks.

For SECTION F Relation See Also SRD-6 , SRD-7 , SRD-9

SECTION G General

SRG-1 Union Logo (4/00; 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.

SRG-2 Use of NATCA Logo (9/02)

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

SRG-3 Use of Union Hotels (9/04)

When using hotel services, NATCA should make a concerted effort to hold meetings and stay at Union hotels when such hotels are available in the immediate area.

SRG-4 Honoraria (4/00)

Any resolutions recognizing individual or group service to NATCA passed by the convention delegates shall be placed in our Policy and Position Statements in a section titled "Honoraria" until the next 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.

SECTION H Committees, Boards, Liaisons & Representatives

SRH-1 Selection of Liaisons, Technical Representatives and Workgroup Members (9/98; 9/02)

All appointments to and extensions of liaisons, technical representatives and workgroup members 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.

SRH-2 Removal of Liaisons, Committee or Workgroup Members (9/04)

No NATCA member shall be removed from any internal NATCA position or office simply because he/she has decided to run for a NATCA elected office; and no statements shall be made by anyone in a NATCA leadership role to any workgroup member, liaison or committee member that should they decide to run for any NATCA elected position, their current status on any workgroup, committee or liaison position may be threatened or terminated.

SRH-3 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).

SRH-4 NTSB Representative/Contract Committee Member Selection Policy (11/88; 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.

SRH-5 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.

SRH-6 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.

SRH-7 OSHA Representation (10/97; 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.

SRH-8 IFATCA & Meeting Reports (4/00; 4/97)

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.

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 I Internal Business

SRI-1 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.

SRI-2 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.

SRI-3 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.

SRI-4 Officers (6/90; 9/98; 09/04)

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 hold office after the next election, or be appointed to a position within the Union, so long as the applicable requirements of the national and the respective local constitutions are met and as long as he/she has no active bid or application for a non-bargaining unit position.

SRI-5 NEB Meeting Attendance by Members (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 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 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.

SRI-6 Minutes of Meetings (6/90, 4/06)

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. Additionally, these minutes shall be posted in an electronic format to allow members-only access via the internet.

SECTION J Pay, Salaries & Compensation

SRJ-1 Reclass Breakpoints (9/99)

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

SRJ-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.

SRJ-3 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.

SECTION K Contracting Out

SRK-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.

SRK-2 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.

SRK-3 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.

SECTION L Labor Relations

SRL-1 Arbitration Policy (12/89; 4/00)

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 likelihood 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.

SRL-2 Use of Outside Counsel (3/90; 4/00, 9/02)

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.

SRL-3 Arbitration Appeals (2/91; 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.

SRL-4 Dissemination of Arbitration Decisions (11/91)

Copies of all arbitration decisions will be sent to NATCA's regional offices.

SRL-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.

SECTION M Membership & Organizing

SRM-1 Membership Recruiting Incentive Programs (2/98)

All future national membership recruiting incentive programs must be approved by the National Executive Board.

SRM-2 Charter Membership (01)

Charter membership is extended to the anniversary date of NATCA, June 19, 1988.

SRM-3 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.

SRM-4 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.

SRM-5 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

SECTION N NATCA Employees

SRN-1 National Officer Salaries (9/96; 4/00; 9/04)

The NATCA National President shall be compensated with an annual base salary of \$220,000.; the National Executive Vice President shall be compensated with an annual base salary of \$210,000.

SRN-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.

SRN-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.

SRN-4 Paid Moves for National Officers (2/91)

It is NATCA's policy to pay for moves of the NATCA President and Vice President only. NATCA will pay for all legitimate costs (excluding real estate losses) associated with the President's and 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 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 Vice President, NATCA will pay for all legitimate moving expenses, consistent with the above paragraph, for the outgoing President or outgoing Vice President, or both.

NATCA will pay to move the outgoing President or the outgoing Vice President to their former place of residence or a distance equal from their formal residence if the outgoing President or outgoing 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.

SRN-5 Regional Vice President Differential (4/94; 4/00)

NATCA's Regional Vice Presidents shall receive a monthly differential allowance in the amount of \$1,000.

SRN-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.

SRN-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.

SRN-8 Nepotism (2/98, 4/06)

NATCA may consider relatives of employees or officers for employment 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.

SRN-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.

SRN-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.

SRN-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.

SRN-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.

National Air Traffic Controllers Association Constitution *Policy & Position Statements*

- A General
- B Member Benefits & Retirement
- C Contracting
- D Legislative
- E Membership & Organizing
- F Working Conditions, Hiring & Staffing
- G Safety, Technology & Equipment
- H Honoraria

SECTION A - General

PSA-1 Opposition to Elimination of COLAs & Return Rights (5/96; 9/04)

NATCA will oppose any action taken by the Agency on elimination on COLAs unless it is replaced with a Locality-based compensation protecting members' salaries. NATCA will also oppose the elimination of return rights for those bargaining unit positions that currently have them.

PSA-2 AFL-CIO Boycott (4/06)

NATCA endorses the economic boycott of those companies listed on AFL-CIO boycott list. NATCA will distribute the AFL-CIO boycott list to all NATCA locals and regional offices.

SECTION B - Member Benefits & Retirement

PSB-1 Benefits for Dues Paying Members (4/06)

It is a priority for NATCA to provide meaningful members-only benefits.

PSB-2 Retirement for Staff Support Specialists (9/04)

NATCA will pursue the ability for Staff Support Specialists to accrue early retirement credit for any time those Staff Support Specialists are required as a condition of employment to maintain operational currency.

SECTION C - Contracting

PSC-1 Facility Consolidations (1/00)

NATCA is opposed to future facility consolidations that would result in creating opportunities for further contracting out.

PSC-2 Contracting Facilities (4/06)

The national office shall spare no reasonable expense in the protection, continuation, and growth of all bargaining unit positions, and shall offer all lawful resistance to out-sourcing, privatization or contracting out.

PSC-3 Contractor-Provided Training (4/06)

NATCA shall seek to ensure that all training provided in air traffic field facilities is performed by FAA employees.

PSC-4 Contract Training/Staffing (4/06)

NATCA opposes the use of bargaining unit members in all FAA initiatives whose objective is to contract out their work.

SECTION D - Legislative

PSD-1 Twenty-year Retirement (9/96)

NATCA will write, pursue, and/or support legislation to provide a true 20 year retirement for air traffic controllers.

PSD-2 Funding of P.L. 92-297/Second Career Program (4/06)

NATCA shall continue to pursue the legislative goal of re-instating funding for the Second Career Program.

PSD-3 Windfall Elimination Provision/Government Pension Offset (4/94)

NATCA shall pursue legislation to rescind the Windfall Elimination Provision/Government Pension Offset.

SECTION E - Membership & Organizing

PSE-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.

PSE-2 Representation of DOD Controllers (4/06)

NATCA will actively pursue organizing eligible DOD air traffic control facilities.

PSE-3 Organizing of Contracted ATC Facilities (4/06)

NATCA will pursue the organizing of all contracted air traffic control facilities.

SECTION F - Working Conditions, Hiring & Staffing

PSF-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.

PSF-2 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.

PSF-3 Career Progression (4/06)

We pride ourselves in working to ensure the American taxpayers reap maximum benefit from the dollars they spend in training air traffic controllers. In recognition of this duty, and to enhance safety, efficiency, and morale, NATCA will seek to ensure the FAA makes every effort to fill vacancies with Certified Professional Controllers who meet the qualifications and who express a desire to relocate to areas where vacancies exist. This policy also ensures the greatest return on investment possible for newly hired air traffic controllers who will, as a consequence, generally be placed in lower level ATC facilities where they have a greater opportunity to be successful

PSF-4 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.

PSF-5 Reduced Work Week (4/06)

The pursuit of a reduced work week is a high priority for NATCA.

PSF-6 Alternate Work Schedules (4/06)

NATCA will take the appropriate steps to ensure that alternate work schedules are made available to bargaining unit employees.

PSF-7 Job/Salary Protection (4/06)

NATCA will make it a high priority issue to protect the jobs and salaries of all of its members affected by consolidation, co-location and outsourcing.

SECTION G - Safety, Technology & Equipment

PSG-1 Radar Displays (4/06)

NATCA will continue its efforts to ensure that air traffic facilities have the necessary equipment and procedures to maintain the world's busiest and most complex air space system. These efforts include the advocacy of modern, efficient and reliable communication, navigation and surveillance systems as well as training and procedures that ensure safety and efficiency.

PSG-2 Primary Radar (4/00)

NATCA should use all available means to retain primary radar coverage throughout the National Airspace System (NAS)

PSG-3 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 (ATSCC), and any other facility which previously had such capability.

SECTION H - Honoraria