



AIRCRAFT MECHANICS FRATERNAL ASSOCIATION

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Memorandum

To: AMFA AMTs of Southwest Airlines
From: National Executive Council
Date: November 12, 2015
Re: Federal Lawsuit Regarding Brake-Riding Decision

At the direction of the Aircraft Mechanics Fraternal Association (AMFA) and with full support and solidarity from AMFA Locals 4, 11, 18 and 32, union attorneys have filed a lawsuit in federal court in Dallas, Texas to set aside or “vacate” an arbitration ruling received on October 19, 2015 in the “Brake Rider” arbitration.

Under the AMFA & Southwest contract, and under the Railway Labor Act, arbitration rulings are to be “final and binding.” Even arbitrators are expected to treat final awards as binding when they are presented with them and they are applicable to the issue. In the case of the recent Brake Rider ruling, a major case involving job security and outsourcing, AMFA relied upon an earlier System Board award. It dealt with the same issue and should have been applied. Instead, while the arbitrator recognized the earlier System Board award he refused to apply it. In doing so the arbitrator exceeded his jurisdiction. The arbitrator was not free to ‘cut out’ of the contract the rule making awards final and binding.

To allow any arbitrator to go beyond the limits of their jurisdiction imperils the only system for contract enforcement the union has under law, labor arbitration. For this reason the Association determined it was left with no real choice but to seek the only remedy allowed at law, a federal lawsuit to vacate the ruling. Because not just one case is at issue but fundamental rights affecting all members in the future, AMFA is resolved to fight.

We will update you when progress is made or relevant information comes to light. Please be patient as we go through this arduous process and continue to vigorously support our Association. If you have any questions please contact your Local Airline Representative.

Fraternally,

National Executive Council