NATCA National Executive Board Resolutions

Article VIII, Section 7 of the NATCA Constitution states that 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. The following constitutes those Standing Rules and Policy/Position Statements enacted by the National Executive Board from the close of the 15th Biennial National Convention through May 27, 2016. Any Standing Rules and/or Policy/Position Statements enacted by the National Executive Board after May 27th but prior to the start of the 16th Biennial National Convention will be published and disseminated to the delegates in accordance with the provisions of Article VIII, Section 7 of the NATCA Constitution.

1. **Unfair Labor Practice Charges (*Enacted 2015*)**

The National Executive Board establishes the following policy for the analysis and processing of unfair labor practice charges ("ULPs" or "charges") by federal sector employees before the Federal Labor Relations Authority ("FLRA") and Federal Contact Tower employees before the National Labor Relations Board ("NLRB"):

> When a Facility Representative seeks to file a ULP with the FLRA or NLRB, he or she should consult with the Regional Vice President before filing. The consultation with the Regional Vice President will address: the appropriate charging party, the issues raised by the charge, the appropriate FLRA/NLRB region for filing, potential supporting evidence for a charge, the relief sought, whether a grievance or a complaint in another forum rather than a ULP is appropriate, whether a charge is impacted by a previously filed grievance, and any other relevant issues. If upon consultation, the Regional Vice President and Facility Representative determine that the Union is the appropriate charging party, the following process must be utilized.
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> When a Regional Vice President or his/her designee decides to pursue a ULP, they should forward the complete case file to their Labor Relations Strategy Group designee who will share the file with the Labor Relations Strategy Group. The complete case file will include supporting evidence and documents for the ULP, including a witness list, witness statements, and a draft charge utilizing FLRA Form 22, available at http://www.flra.gov/webfm_send/3, or NLRB Form 501, available at http://www.nlrb.gov/sites/default/files/attachments/basic-page/node-3040/nlrbform501.pdf.
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> The Director of Labor Relations may then direct an analysis of the case by the National Office Labor Relations Staff. ULPs submitted through this process will be reviewed by the NATCA Labor Relations Strategy Group. Unless the Labor Relations Strategy Group expresses a concern with the validity of the charge the ULP will proceed.
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> Settlements. The decision to accept a settlement of a ULP rests with the advocate(s) assigned to the ULP case in consultation with the Director of Labor Relations.

2. **Platinum Lifetime Retired Membership (*Enacted 2015*)**

Any bargaining unit member who was an active member in good standing for 20 continuous years immediately preceding his or her retirement or was a charter member that was a continuous member up to and immediately preceding his or her retirements shall be eligible for a lifetime retired member status at no further cost to the member. In units certified subsequent to initial NATCA recognition, this membership type is open to any bargaining unit member who became an active NATCA member within 6 months of the respective unit certification and remained so up to and immediately preceding his or her retirement.

3. **Electronically Stored Information (*Enacted 2015*)**

NATCA shall maintain a policy regarding the retention of the Union's electronically stored, business-related information. This policy shall be maintained under the rules and regulations as promulgated by the National Executive Board.

4. **Participation in the Disability Insurance Plan (*Enacted 2015*)**

Eligibility to participate in the UNUM LTD program ceases for any individual who is either not a member in good standing or has not joined as an Associate Member within 120 days of leaving a bargaining unit position.

5. **Conflicts of Interest for Nationally Appointed NATCA Representatives, Committee Chairpersons, and National Executive Board (*Enacted 2015*)**

WHEREAS, some NATCA members are appointed and/or elected to positions where one of their essential responsibilities is to represent the interests of NATCA during interactions with aviation community organizations (that include, but are not limited to, aviation-related corporations, nonprofit associations, and policy groups) engaged in the study, development, and implementation of air traffic control equipment, processes, metrics, standards, and related matters; and

WHEREAS, a recognizable potential conflict of interest exists for any such NATCA member contemplating, seeking, or offered employment from such an aviation community organization with which that NATCA member interacts upon the conclusion of his or her position as:

i. A nationally-appointed representative under any article of any NATCA-negotiated agreement, or
ii. A chairperson of a NATCA committee, or
iii. A member of the NATCA National Executive Board, and

WHEREAS, NATCA seeks to ensure that any such NATCA member operates at all times with the highest integrity, concern for, and commitment to the policies and positions of NATCA and its collective membership and without regard to the impact the advocacy of policies and positions that are in the best interest of NATCA may have on the potential for such NATCA member's future employment with such an aviation community organization;

THEREFORE, be it resolved, as follows:

1. Any NATCA member serving as (a) a nationally-appointed representative under any article of any NATCA-negotiated agreement, or (b) a chairperson of a NATCA committee, or (c) a member of the NATCA National Executive Board shall sign an Agreement pledging to prevent a conflict of interest by refraining from seeking or accepting employment with an aviation industry organization with which that member interacts on behalf of NATCA (including, but not limited to, aviation-related corporations, nonprofit associations, and policy groups) for a period not to exceed twelve (12) months from the immediate conclusion of his or her NATCA position.

2. The Agreement provided for in Section 1 shall include remedial provisions for violations of the Agreement requiring repayment of any funds, as determined by NATCA, paid and/or reimbursed by NATCA for travel, lodging, meals, and other related expenses during the twelve (12) months immediately preceding the conclusion of his or her NATCA position. Members shall have sixty (60) days from the date on which the National Office sends notice,

via overnight delivery service or certified mail to the member's home address (as maintained in the NATCA membership database), of the specific amount(s) due as repayment to NATCA to submit such payment to the National Office. Members who fail to repay NATCA in accord with the provisions of this policy shall be referred to the NATCA General Counsel for any and all appropriate legal actions necessary by the organization to recover the amounts due and all other appropriate relief, including, where applicable, the recovery of related attorney fees and legal costs.

3. NATCA shall establish a committee consisting of the NATCA President or Executive Vice President, a Regional Vice President appointed by the National Executive Board, and the NATCA General Counsel to consider any appeals to application of this policy on an individual basis. No member of the committee may consider an appeal that he or she submitted on his or her own behalf. The committee shall consider the position held by the affected NATCA member, the aviation community organizations with which that NATCA member interacted while representing the interests of NATCA, and the nature of any post-NATCA employment with an aviation community organization that NATCA member or employee may be considering.