

CWA LOCAL 3645

Date: January 5, 2023
From: CWA Local 3645

To: CWA Local 3645 members
Subject: System Board Hearings

On January 5, 2023 CWA Local 3645 held the System Board of Adjustment in CLT.

An agent from CLT was appealing a termination for theft of property. The Company said the agent picked up a pair of air pods and instead of turning them in to lost and found, the agent took them home. The Union argued the agent found them and was going to turn them in but forgot and mistakenly left work. The Company called the agent while they were riding home and the agent turned around and turned them in. The Union argued that the agent was a very senior agent, had absolutely nothing in their disciplinary file and they just merely made a mistake that should not cost the agent their career. The Union also produced two other cases where the agents also made a mistake and took an item home and the Company did not terminate them. The Union argued despaired treatment for this employee. After reviewing all the facts, the Board ruled to return the agent to work with 6 weeks of backpay and reduce termination to a level 1 for failure to report and submit the lost item to management.

An agent from CLT was appealing a termination for a workplace performance violation. The agent had an aircraft damage. The Company said the agent hit an aircraft with their lav cart because they were not following Company procedures. Agent was going too fast. Prior to the actual incident, the agent was driving too fast and approached the diamond of safety too fast. The Union argued that although the supervisor stopped the agent to counsel for a previous violation, when the accident happened, the agent was following all the safety protocols. The agent claimed that the brakes failed on the equipment and that had to be why the vehicle kept moving. The Company showed video of two other incidents where the agent was driving too fast and argued that the agent was not safe. The Union presented multiple examples of other disciplinary write-ups for aircraft damage where the agents were not terminated and claimed despaired treatment. The agent only had a level 1 for learning hubs in their file and should not have been terminated. After review of all the facts, the Board deadlocked. This case will be forwarded to the CWA Staff Rep for arbitration consideration.

An agent from CLT was appealing a termination for Travel Violation. The Company terminated the agent because they accused them of bartering and selling their D2 companion pass and letting their parent use their non-rev travel sign in credentials which is a violation of Company policy. The agent argued that their D2 companion was their boyfriend/girlfriend. The Company argued that the pass traveler was married and they were fully aware that the spouse was on someone else's pass. The Company showed evidence of the married couple traveling together using two agents' privileges. The agent testified that they didn't care if their boyfriend/girlfriend was married because that was still their boyfriend/girlfriend. The Company also cited the agent for giving their father the sign-in credentials because the IP settings showed that the father checked in from New York at the same time the agent was at work in

CLT. The agent said they didn't know their father couldn't check in themselves. After a review of all the facts, the Board upheld the termination.

An agent from CLT was appealing a termination for Travel violation. The Company said the agent violated the travel policy by selling their buddy passes. A passenger was traveling non-rev in Dallas and when the passenger was denied boarding due to no seats avail, the passenger became irate and yelled that he spent a thousand dollars for the ticket that was actually valued around \$250. The Union argued that the agent only received the \$250 for the ticket and showed the cash app receipt for the amount they received. The agent helped a friend/coworker out by giving the coworker a buddy pass for their cousin and didn't know that coworker actually sold the pass to the traveler. The Company then argued that the agent was still in violation because you are supposed to personally know the people who use your buddy passes. After a review of all the facts, the Board ruled to uphold the termination.

An agent from AGS was appealing a 1-year travel suspension. The Company said the agent traveled while on medical. The Union argued that the agent had permission to travel from their general manager. The agent was out on medical for a year. When the agent came back from medical, the new general manager filed a travel violation after going through the employees travel profile and saw that they traveled at some point during their medical. The agent testified and showed that they had permission from the previous general manager to travel while on medical and that's what the American Airlines travel policy says is policy. After a review of all the facts, the Board ruled to remove the 1-year suspension. The Company will reach out to AA to inform them the travel needs to be re-instated.

An agent from CLT was appealing a 1-year travel suspension. The Company argued that they agent's buddy pass traveler got into an argument with an American Airlines employee while traveling and it was supposed to be a huge incident that took place. The Union argued that the Company did no investigation and was only going by the travel allegation filed by the participating AA agent. The buddy pass traveler submitted a statement that said the American Airline employee and themselves shared the same baby parent and that the employee lied because nothing was said or happened during their travel. The Union rep also submitted a statement from the airport police saying that there was no documented or reported incident that was in their files for that date at that airport. After a review of the facts, the Board ruled to overturn the 1-year travel suspension. The Company will reach out to AA to inform them the travel needs to be re-instated.

An agent from CLT was appealing a 1-year travel suspension. The Company said the agent traveled while out on medical leave which was a violation of the travel policy. The Union argued that the agent was actually out on a Block Maternity Leave which is covered under the travel policy and allows the agent and their pass travelers to still travel. The Union argued that the Company did not do a proper investigation because they would have known that the agents travel was approved. After a review of the facts, the Board ruled to overturn the 1-year travel

suspension. The Company will reach out to AA to inform them the travel needs to be reinstated.