

COMMO CHECK!

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Dedicated to the proposition that a career in aviation is not something you do, it's something you survive!

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The Official Newsletter of the Professional Helicopter Pilots Association, OPEIU Local 102

Student Critiques: The Untold Story by Dave Oltmans

We have had a couple of suspensions this year due to poor student critiques. I know that this is a touchy topic, especially since management and the COR only see the student's side of the process until something bad happens. Only then do we as IP's get to present our side of the issue. The Good Book tells us, "Let's each of you look out not only for his own interests, but also for the interests of others".

Our working groups are pretty tight. We know each other pretty well because our flights are small. We are in the perfect position to see behavioral changes in our work mates that may have an effect on their quality of work and how they interact with their students. We know that something is wrong with our fellow employee, but we do not know how to relate to his/her suffering without being labeled a busy body. Let's not worry about that. We work in a death defying occupation and outside distractions and internal or mental turmoil, be it an impending layoff, domestic pressures or the unexpected or even expected death of a loved one are guaranteed to affect us. We may not be fit to fly only we don't know it. We have a blind spot and can't see, or worse, we have identified the problem but think that we can handle it by ourselves. We are pilots after all and everybody knows that pilots can solve anything, especially personal matters.

I have a friend in AF division who saw that I was not ready to fly. My mind was not engaged. My mother-in-law had been admitted to the hospital and was in serious condition. I came to work and I should not have. I am thankful that I had a wingman to gently challenge my fitness for flight. He was right and we turned the aircraft back and I went home. But what if that had been a student pilot? I have zero confidence that an SP would have challenged his IP's fitness for duty. Now suppose that my distraction caused me to lose focus, or my temper in the cockpit? There exists a high probability that the SP will submit a less than favorable critique. What I'm writing about is a preemptive intervention that will defuse misunderstandings between the IP and the SP. It is too late after the fact. You will be sanctioned and time off will be given. The quality of your mitigating circumstances will be evaluated and remediation expected. Wouldn't it have been better to not get to that point in the first place? Isn't that poor critique a self-inflicted wound?

The CRM concept demands that we consider every risk we take and **honestly** communicate and mitigate those risks. We need to see ourselves as wingmen for our fellow employees and monitor each other for those blind spots. We owe it to ourselves to be honest about what is bothering us. We owe it to our SP's to deliver the best instruction that is in us uncluttered by the personal issues that would degrade that effort. The IP's who got time off are not bad IP's. Both had a history of good critiques that slowly eroded. That my friends is every one of us. We all have the potential to unintentionally degrade our learning environment. I hope that I could count on each one of you to "look out after my interests."



President

Ron Arsenault
PPHA Local 102

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GENERAL MEMBERSHIP MEETING November 14, 2013

The meeting was called to order at 6:32 PM by President Ron Arsenault. Richard White is on SLOA. There were 21 members present. Recording Secretary: The October meeting minutes were read by Jim Guy and the minutes were approved as read. Secretary-Treasurer: Rod George gave the Treasurer's report and the report was approved as read. There are 287 members.

Trustees' Reports:

Primary Division: Barry Martin had nothing to report.

Advanced Division: Lee Murphy had nothing to report.

BWS Division: Rick Boylston reported that an instructor in BWS was written up by a student after the end of the class. The student took his critique directly to Brigade. This automatically generated an Army investigation. The process was completed and passed thru the JAG office. We are not allowed to review the details. This student initially had an issue with his original instructor and asked the Flight Commander for an IP change. The Flight Commander granted the change and the heard no more from the student until the end of the class. The student attempted to submit a critique alleging that his new instructor did not properly follow established procedures during training. The Flight Commander would not accept the critique because he told the student that he had no opportunity to fix any problems at his level concerning the new IP. The student rewrote his critique without the negative comments. The student then filled out another critique with the original comments as well as a statement about the Flight Commander and submitted it directly to Brigade. The instructor was given 5 days off without pay and chose not to challenge the punishment. The Flight Commander was given 3 days off without pay.

Trustee at Large: Rod George reported that they had an issue with students becoming disruptive during classes. The issue was brought up to Bob Price. Mr. Price visited the class unannounced and promptly handled the problem.

Vice-Presidents Report

Dave reported that an IP in primary will receive a day of IL per Bob Price due the being used improperly in relation to the Bridge Agreement. He was floated to another flight to fly and try to solo two students while he had one assigned student taking a check ride and one student being finished with the course. He did have one empty seat for that day.

The issue about helping employees that become laid off has been brought up several times. One thing that we decided to do was to start a "PHPA Compassionate Fund". Unemployment benefits are paying about \$238 per week right now. We would like to establish a fund to help these employees with addition cash. There will be an article in this month's Commo Check detailing the plan.

Old Business

250 lb. Weight Limit Lawsuit: Paperwork is still with the judge but there has been no movement on the issue. We have finally received some documents in relation to our FOIA request. We received a TH-67 Operator's Supplement and three e-mails. There are obviously dozens of e-mails that led up to the three we received but they are not giving them up. One e-mail from the COR to the Brigade Commander stated that he wanted to add the 250 lb. weight limit to the new contract. After accepting this recommendation there was a single word at the end -**NICE!** This speaks volumes about this issue.

LTD Update: We have accepted an offer to renew our current plan for another year at \$1.56 per \$100. Our old plan is currently at .52 cents per \$100 which is unrealistically low. The new rate will start January 1st, 2014.

2:1 IP Student Ratio: The Bridge Agreement ends at the end of January. Ron stated that you become a "float" when your students are checking unless they are checking with the Military (CEP or QAE). All PL requests have been approved since this began. We are only midway thru the test period and should get more data on the agreement during the next two months. You cannot be used as a "float" if your students are soloing that day.

Layoffs and White Book Numbers: The new numbers are in but they change frequently. Right now they show student numbers going from 36 to 42, then up to 50 for a few classes, the back down to 42 thru the next fiscal year. The Army is trying to fill as many slots as possible. / An update on the IFE instructors, they do not have

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November Minutes *(Continued from page 2)*

bumping rights in another division if the course is cancelled. They knew this going into this job. / Right now there are 14 members being laid off in primary. / The Company is pushing some early retirement incentives up to corporate level. The CBA is currently very restrictive. We will keep the membership informed.

Open Enrollment for Company Benefits: Make sure you check all beneficiaries on your plan. Also make sure you look closely at your flex spending account if you have one. This needs to be updated every year. / Ron reminded all members that to be covered as much as possible everyone should have 60 days of sick leave banked, 8X Salary on life insurance, \$500K AD & D, \$200 on the Mutual Fund Program, and all beneficiaries up to date. / Open enrollment on Union Benefits will be coming soon. / Remind your flights that the open enrollment period for company benefits ends at 11:00pm on November 15th.

New Business

Concerning the motion that was brought up last meeting about refunding membership dues to laid-off employees, we have learned that the OPEIU by-laws do not allow this option. We discussed paying the \$5 associate member fee for them but it was decided to just table the motion at this time.

From The Floor

The question came about asking the Company to keep the layoffs on the payroll until after the holidays. This decision is being made from Corporate and we have no influence on the timing. We will ask the Company. The question was brought up about having part-time employees working when IP's are getting laid off. This doesn't sound fair. It was noted that the part timers are being used very rarely so far and they have no effect on full time Instructor numbers.

The issue was raised about having a lawyer on retainer concerning issues about the solo flight liability. The members were reminded that as long as we follow all rules outlined in the POI that the Army regulations will cover us. Solo flights have been going on since 1973 and there have been no issues. Make sure you follow all the rules and don't take any shortcuts.

The question was raised concerning MOI instructors being moved back to the regular workforce. If the Army changes the contract to allow fewer MOI Instructors, the Company must comply. They will move into the IP workforce at their seniority number.

The winning draw in the raffle took home \$78 at this meeting. Last month's winner received \$70.

Meeting adjourned at 7:50 PM.

The PHPA Compassionate Fund

Our bargaining unit has received a lot of disappointing news these past two months concerning the reduction of flying hours here at Ft. Rucker. The good news is that the cuts will not be as deep as first announced. The bad news remains there will still be layoffs. Of course we all realize that any reduction of training hours equates to a possible or proposed reduction in force for URS. Layoff notices have been sent out and even now we have employees in a layoff status with more layoffs to follow. There has never been a convenient timing for a layoff, but with the approaching holiday season, these layoffs are doubly unsettling.

During last month's General Membership meeting we discussed what could be done for those in a layoff status. Suggestions ran from a canned food drive to a dues rebate for those who have been laid off. Neither of these suggestions, though good in and of themselves, can generate the means necessary to meet the needs of those who have been laid off. Many of these employees have young families, the children of which will have a very disappointing Christmas if we, the membership of PHPA, do not step up and meet the holiday needs of our fellow employees.

Therefore, PHPA proposes to its membership and requests its involvement in the establishment of the "PHPA COMPASSIONATE FUND". One does not have to be a member to contribute to, or to be eligible for the Compassionate Fund benefit. We are first and foremost fellow employees.

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Compassionate Fund (Continued from page 3)

1. The monies contributed to this fund will be used to purchase gift cards to help defray the basic expense needs of our fellow employees.
2. We need sponsors, as individuals or as a group, for all of the children of our laid off employees to ensure that they get something for Christmas.
3. Those employees on layoff, or who are facing layoff, please register your family with PHPA at the office. Your name will be placed on a Sponsor's list.
4. To seed this fund, it is requested that all members bring their loose change jars to PHPA and empty it into the "COMPASSIONATE FUND" box as soon as possible. PLEASE DO NOT TAKE IT TO THE CREDIT UNION COIN SORTER. We will try to get a waiver of the 4% handling fee.
5. PHPA is requesting that non-perishable food items be brought to the PHPA office. Please check the "use by date" before your drop off.

Thank you in advanced for your care, concern and compassion as we reach out to our affected fellow employees and their families.

LAY OFF BRIEF

The purpose of this letter is to provide the most commonly asked questions concerning the negotiated procedures for Final Pay after being laid off, your Seniority and Recall rights to return to work, all of which are described in Appendix E and Article IX (9) of the Collective Bargaining Agreement. Also covered will be the questions concerning Union membership, benefits, such as Long Term Disability Insurance, and the obligations of the member described in the OPEIU Constitution concerning those members in a layoff status. Please note that non-membership with PHPA does not exclude any bargaining unit employee from enjoying the rights guaranteed by our CBA. The CBA will be applied equally to members and non-members alike.

Space prevents the inclusion of all individual situations and circumstances which the employee will face during this lay off period, but if a question is not addressed here, feel free to contact a PHPA official for an explanation of your particular circumstances. If your Flight Rep. or Division Trustee cannot answer your questions to your satisfaction, please e-mail Dave Oltmans at vp.opeiu-local102@hotmail.com, or Ron Arsenault at pres.opeiu-local102@hotmail.com. Both of these officers can be contacted at the PHPA business office at 598-4121.

Questions:

I have received a lay off letter. What happens now? You have five days to clear after your last day of work, none of which are paid days.

How does clearing work? You must turn in all government provided special clothing, equipment and ID's/ Computer Access Card. The Company will take your URS ID. You will also process your final pay with the Company.

Do I have to out process with PHPA?

Yes. We have to stop your dues deductions and inform you of what you can keep current by monthly payment, such as life insurances, and what is not transportable while you are in a lay off status. PHPA will issue an OPEIU Withdrawal Card that you can carry to your next OPEIU local. This card waives your initiation fees with the new OPEIU local.

I have scheduled annual leave that I would like to use before my lay off to seek employment. Can I take it?

Yes you can, if it is already scheduled before your layoff date, if not you may be able to cut a deal to take it ASAP to accomplish your goal, but do not rely on that happening.

What about my final pay? Your final pay, to include any unused Annual leave, and up to 15 days of SL at the employee's option, will be computed to the day of your lay off.

When can I expect to receive my Final Pay? Your final pay with the Company will be on the pay period after the layoff date. For example; If your layoff date were to fall on Friday the 13th, that would be the close of

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Lay-Off Brief (Continued from page 4)

that pay period. Saturday is the first day of the next pay period. Expect your final pay, including SL and AL, on Friday the 27th. **Note:** Your AL and SL will be paid by a separate check. Since your final SL and AL pay-outs are considered salary, there will be no excessive government withholding taxes on that check.

What about my Seniority?

Since you have **not** resigned your position, you will retain your seniority rights for twenty-four months, at which time it will expire. Any time during that 24 month period your number can be adjusted upwards as those above you resign, die or otherwise become disqualified. You can only lose your seniority rights if you are discharged for just cause, quit, resign, or retire. You can lose your seniority rights while on lay off if you fail to give notice of intent to return to work after recall within the time period specified, or if you fail to return to work on a specific recall date. Once you have been notified of your recall and you have accepted the recall, you must report eight calendar days later.

You must keep the company informed of your current address, e-mail address and phone number.

What about my Recall Rights?

The CBA prohibits the Company from hiring any new employee while there are qualified employees in a lay off status. The Company is required to recall employees in the inverse order of layoff. There are some qualifiers: You maybe be recalled for at least 15 days, but not more than 30 days. This is a Short Term Recall. You may **refuse** to answer a short term recall. To "refuse" sounds harsh, but it is allowed and does not affect your seniority recall rights unless you are the only employee left on the layoff list. In this case you **must** accept the recall or **resign** from the company. In addition to the above explanation, you do have the right of refusal for a recall that is expected to be less than 120 days. Remember, however, that you must answer the recall if you are the last one called on the layoff roster.

What if I find work elsewhere?

If you were to seek and find employment with another aviation company, like AirMethods or another air evac company, you will be expected to sign a one year training agreement. If during that one year timeframe your seniority number came up for recall, you can request to be excluded from the recall without sacrificing your position on the seniority roster for no longer than 120 days. In other words, you do not have to accept a recall of a duration shorter than 120 days unless you are the last employee called by the company. You must answer the recall or resign. If you do neither, the company can terminate you for not answering the recall.

You can request to be excluded from recalls that are not expected to exceed 120 days. There must, however, be someone qualified below you who answers the recall. This process is sort of like an overtime roster. The most senior employee gets first bid for the overtime opportunity. If every employee subsequently refuses the overtime opportunity, then the last junior employee **must** take it. The Company understands that this part of the CBA lacks flexibility for the Company and the employee. The Union and the Company will try to agree to a workaround to this requirement.

If you are close to the completion of your training agreement with your new company, the company and union are working on a method by which you can complete that contract before you answer the recall. The best advice is to keep the company informed as to your obligations so that your personal circumstances can be worked out in advance of your layoff recall.

What about my LTD? Your LTD is terminated the last month in which a payment is made. Usually this will cover the month after your layoff. You will be considered part of the group until that month ends. When you are recalled, there is no waiting period to reapply and there is no preexisting condition or medical examination required.

What about my other Union Sponsored Insurances? All other union group plans are transportable and effective so long as the premiums are paid up.

How do I maintain my Union membership?

The OPEIU Constitution requires membership dues during periods of lay off, but you can maintain an association membership to keep your Union life insurances so long as you pay the premiums.

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CHECKLIST

PH[A General Membership Meeting 6:30 PM December 12, 2013.

MEETING AGENDA

1. Meeting called to order.
2. Officer Reports.
3. Old Business.
4. New Business.
5. Discussion.

RETURN SERVICE REQUESTED



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