



ASSOCIATION OF FLIGHT ATTENDANTS – CWA, AFL - CIO

HAWAIIAN AIRLINES LOCAL EXECUTIVE COUNCIL 43

WEBSITE: HALAFA.ORG * FACEBOOK: HAWAIIANLEC * APP: HALAFA

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It is very important to understand the complexity, scope and details of the Fight for 10 campaign. First and foremost, the 10 hour rest rule was a part of the FAA Reauthorization Bill which was inclusive of a great number of provisions to improve the working conditions and safety of Flight Attendants across the nation. While the 10 hour minimum rest provision was certainly a highlighted point, this Act included protections that benefit every Flight Attendant no matter what carrier you work for. The AFA fights for the betterment of the industry and this legislation pertains to every airline, and NOT specific to Hawaiian Airlines.

Summary of AFA Safety Initiatives included in the FAA Reauthorization Act of 2018:

- 10-hours Minimum Rest and a Fatigue Risk Management Program- FRMP for Flight Attendants
- No knives on planes ever again
- Ban of Voice Calls on Planes
- Emotional Support and Service Animal Standards
- Air Quality: Technologies to Combat Contaminated Bleed Air
- Protect Customer Service agents from assaults
- Cabin Cyber Security Vulnerabilities
- Secondary Cockpit Barriers
- Safe Transport of Lithium Batteries
- Study on Cabin Evacuation Certification
- Increase Civil Penalties for Crew Interference from \$25,000 to \$35,000
- Banning Electronic Cigarette Smoking on Planes
- Congressional Focus on Addressing Sexual Misconduct on Planes
- Establish National Inflight Sexual Misconduct Task Force
- Require DOJ to Establish Reporting Process for Sexual Misconduct
- Prioritize Support for Flight Attendant Drug and Alcohol Program (FADAP)
- Requiring Privacy for Nursing in the Airport
- Evaluation and Update of Emergency Medical Kit Contents

INFLIGHT SAFETY PROFESSIONALS

INTERNATIONAL TRANSPORT WORKERS FEDERATION

- Oxygen Mask Design Study
- Develop Guidance for Non-Toxic Prevention of Transporting Insects
- Exit Row Evaluation and Verification
- Required notification of Insecticide use
- Promoting Women in Aviation
- TSA Authorization
- Continue Crewmember Self-Defense Training
- NTSB Reauthorization
- Improve Consumer Notification of Insecticide Use
- Expanded Human Trafficking Training for Airline Personnel
- Authorization of Essential Air Service

The importance of the rest provision is based on science and research that speaks to the effects of fatigue. Between 2009 and 2012, The FAA Civil Aerospace Medical Institute (CAMI) considered a series of reports which concluded that changes to flight attendant work rules are necessary and that reform is needed to combat fatigue. The CAMI reports recognized several contributing factors to flight attendant fatigue, including scheduling and missed meals.

As, Flight Attendants continually seek recognition as Aviation's First Responders. As safety professionals we must be able to think clearly and respond quickly in the event of an emergency. It is proven, that fatigue contributes to slower reaction times and reduced cognitive function. This is the very reason pilots legislated and received improved rest provisions of their own and why flight attendants should as well. Congress mandated improved rest for pilots following the crash of Colgan Air flight 3407. The new 14 CFR Part 117, Flightcrew Member Duty and Rest Requirements requires that a pilot be given a rest period of at least 10 consecutive hours preceding a flight duty period or reserve assignment. Ensuring proper rest is simply one aspect of protecting our health and well-being as Flight Attendants.

The introduction of these provisions goes back to (at least) 2015. The bill as it stands today was finally passed on October 5th, 2018. Considering the timeline of this legislation you will find the Company had more than ample time, literally years, to seek an exemption where it could have been more carefully and realistically considered. However, they did not. The Company came to the AFA at the last moment to garner support for this exemption. A meeting was held on August 2, 2018 to discuss their reasoning for a carve out/exemption from the 10 hour rest provision. Needless to say the bill proceeded without the carve out because the timeliness of introducing and incorporating new language was unrealistic.

There were a number of reasons we chose to support the FAA Reauthorization Act, which included the 10 hour rest rule. This provision says a FA would receive 10 hours free from duty and it cannot be reduced for any reason.

Would this change our flying? Yes, it would to some degree. That is the general reason the Company wanted a carve out. However, all factors were taken into consideration when the collective decision was made not to support the exemption.

On a June 19, 2018 an email response from the Negotiating Committee was circulated to leadership as an FYI per the norm at that time. (Members of the Negotiating Committee include: Sharon Soper, Martin Gusman, Diana Huihui, Ka'imi Lee and Jeff Fuke.) The member's inquiry pertained to the Fight for 10 rule and the Negotiating Committee offered the following reply:

"Thanks for writing in with your question about AFA's current legislative agenda regarding the "Fight for 10". The provisions are currently in a House bill and separate Senate bill. The ten hours minimum rest requirement is "free from duty". This will align us with the pilots' rest guarantee. AFA attempted to advance this legislation last year; however, the proposal was not passed into law.

AFA has always fought to advance protections for Flight Attendants and the Flight Attendant profession. This effort is a continuation of that mission. While 10 hours of rest may preclude some current flight combinations, AFA's broader goal is to put in place minimum protections for Flight Attendants who currently struggle against inadequate and unfair scheduling abuses at other airlines.

The NC is aware of this legislation and we have taken it into consideration. If this legislation is passed the company may decide on its own to alter the IB/OB times to accommodate two-day trips since those would be the most productive for the company."

To reiterate, this provision simply aligns our rest requirements with the pilots. The Company has the ability to adjust the flight schedule, inbound and outbound times in order to accommodate the rest provision. They did it for the pilots and have the ability to make the same adjustment for Flight Attendants. Unfortunately, as we saw it, the Company's request for a carve out expressed that they did not want to make those same accommodations for Flight Attendants. Our rest, and health was less of a priority than the flight schedule. We were seeking what would have been another industry standard and the Company was asking for an exemption from that.

There have been numerous Scheduling Clarifications that have been submitted to the LEC that cite rest violations. Having a law that protects and governs our rest requirements, relieves some of the need for negotiated contractual language and in this case would set that base line requirement higher.

One of the ways the AFA International office gathered support for this ruling was by collecting supportive data. Your Air Safety, Health and Security Committee worked with the LEC Grievance Committee to collect scheduling clarifications that fell into the category of rest violations. From these SCRs (personal information redacted) a report was compiled. This information was sent to AFA International who used it to come up with recommendations on priority areas for fatigue research for CAMI- The FAA Civil Aerospace Medical Institute.

The point of this communication is to share and help you understand that there is a much, much bigger picture than what has been alluded to. Supporting the "Fight for 10" was not a frivolous choice in any respect. There were considerations that would not work for all but we had to look at the big picture. That included making some tough decisions that some may not agree with but ultimately it is about what is best for everyone, not just a select few. To reiterate the MEC's response release earlier this morning; "The MEC had extensive discussions and collectively determined that the AFA would not pursue and exemption/carve out." Decisions of the AFA are made collaboratively amongst leadership and not the sole responsibility of one person. Working collaboratively is the conscientious choice of your LEC leadership and something we strive for daily.

For more information visit <http://fightfor10.org/>

In unity,
Jaci-Ann, Kahea, Kerri and the LEC Leadership Team