

Teamsters Aviation Mechanics License Protection Program

New Program Offers Free Legal Counsel For FAR Violations

As aviation maintenance professionals, we take safety very seriously. Unfortunately there are times when, due to circumstances we sometimes cannot control, we find ourselves in a position where we are accused of or have actually violated FARs.

Many of our workplaces have robust ASAP and MSAP programs, but they sometimes are not enough. The FAA is taking a more punitive approach to FAR violations and, in some cases, is denying ASAP and MSAP cases they once accepted. They are now vigorously pursuing license action and fines. For those reasons, the Teamsters Airline Division and the TAMC are proud to present, at no cost to members, legal representation for those who find themselves receiving a letter of investigation (LOI) from the FAA.

For more information, contact the license protection program administrator at your local or contact the Teamsters Airline Division at 202-624-6848. More information can be found at www.teamsterair.org.





Fifty + Years of First-Class Service

The Teamsters Airline Division was founded in 1961 in Chicago. Two years before its formation, however, Teamsters General President James R. Hoffa was working diligently to organize airline workers across the country.

The first airline workers to join the Teamsters Union were Pan American World Airways ground crews; they ratified their first contract in 1959. This contract would serve as a model for many future negotiations.

Since that time, the Teamsters Airline Division has provided first-class service to airline maintenance workers around the country and has made great strides in fighting for the rights of industry employees, including:

- Negotiating the first 37 ½ hour work week in the airline industry in 1968;
- Successfully leading members through the murky waters of airline mergers and bankruptcy;
- Fighting outsourcing to save jobs, including bringing back 18 percent of maintenance work at Continental Airlines since 1997;
- Creating the Teamsters Aviation Mechanics Coalition (TAMC), which has been promoting maintenance-specific issues within the Division and on Capitol Hill since 2007;
- Creating and using the Outsourcing Defect Report to catalogue maintenance defects from outsourced, third-party maintenance facilities; and
- Petitioning the NMB in 2009 to change its unfair union election laws under the Railway Labor Act.

Here's How the Program Works

This program is open to licensed and nonlicensed mechanics at no cost to the employee. The TAMC and the Airline Division are committed to providing the best representation in the airline industry.

When a mechanic (licensed or not) receives a LOI from the FAA, he or she should:

- Immediately contact their business agent; and
- Fill out the MSAP/ASAP form. (If the MSAP/ASAP program does not automatically refer your filing to ASRS/NASA, or if your airline does not have such a program, the mechanic should make that filing within 10 days of your knowledge of the incident.)
- The mechanic and their business agent will discuss the circumstances surrounding the LOI, then make a decision about contacting attorney Richard Edelman from O'Donnell, Schwartz and Anderson, a law firm known for their work with the FAA. Only the business agent will make the first contact with the attorney.

If the case is to be referred to the attorney, the mechanic will need to draft a response, explanation or justification for the work the FAA is investigating. The attorney will use this as a basis to answer the LOI.

The attorney may have questions or need additional information that may be requested by phone or e-mail.

Letter Explaining Legal Representation

A letter will be sent from the attorney to the mechanic explaining the arrangement of legal representation through the union.

The attorney will help the mechanic craft their response to the FAA to make sure that the situation is clearly explained. (In many cases, the LOI response ends the investigation.) Should the FAA decide to continue to the next step, the mechanic and the business agent or program administrator will discuss next steps with the attorney.

If the decision is made by the program administrator to proceed to the informal conference step with the FAA, the attorney will:

- Help to prep the mechanic for the meeting, and
- Will be present in person or via conference call for the meeting.

If the matter cannot be resolved at the informal conference and the FAA proceeds with a certificate action before the NTSB, the mechanic, the program administrator and the attorney will decide the best course of action.

Should the parties decide to go in front of the administrative law judge for a hearing, the attorney will represent the mechanic.

