

The Union cites as clear evidence of the parties' intent the Company Proposal of October 20, 2015 shown on an "IBT Term Sheet." This was prior to the Company's drafting of LOA-1. On that document, under the heading "Aircraft Movement" is written "Harmonize aircraft movement to allow flexibility to assign anyone for aircraft movement and related duties." Added, and underlined, is the language "No mixed crews or setup of flight deck. AGREE." The Union is correct that the parties agreed that there would be "no mixed crews." However, neither there, nor in any other document, did the parties define what they meant by "mixed crews."

It is clear to the Board that there was no meeting of the minds on the meaning of "a single intermingled crew." In a contract interpretation case such as this, the Union has the burden of proof to show that the contract has been violated. As discussed above, the Union has not shown that the parties were in agreement, or even discussed, that push back from the gate by a ramp crew, followed by taxiing the aircraft by mechanics, would constitute a single intermingled crew. Without such agreement, or other persuasive evidence establishing that this would be a single intermingled crew, the Company would have the right under LOA-1 to assign the work to two crews, as it has done in the situations which led to the grievance.

Based on the above facts and discussion, the Board of Adjustment makes the following AWARD:

The Company did not and has not continued to violate Letter of Agreement Number 1 to the 2016 United IBT Collective Bargaining Agreement when the Company has and continues to have ramp workers represented by the IAM perform the work of pushing back an aircraft from the gate at Chicago O'Hare with the mechanics represented by IBT performing the work of taxiing the aircraft as alleged in Grievance ORD-16-045.

The grievance is denied.

Dated at Madison, Wisconsin this    day of May, 2021

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Edward B. Krinsky, Impartial Arbitrator

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Thomas Reardon

(I concur/ I dissent)



Robert Clever

(I concur/ I dissent)