

MEMORANDUM OF UNDERSTANDING (MOU)
BETWEEN
NATIONAL AIR TRAFFIC CONTROLLERS ASSOCIATION
AND
FEDERAL AVIATION ADMINISTRATION

This Memorandum of Understanding (MOU) is entered into by and between the National Air Traffic Controllers Association, (NATCA), hereinafter referred to as the "Union", and the Federal Aviation Administration (FAA), hereinafter referred to as the "Agency", and collectively referred to as the "Parties". It represents the Parties' agreement concerning National Airspace Redesign.

Section 1. It is agreed that the Airspace Liaison Team, Regional Office Focus Leadership Teams, Facility Focus Leadership Teams, and Facility Design Teams, through consensus, are empowered to deal with matters of development and testing of airspace redesign. This includes the creation of sectors and establishment of flows without regard for existing airspace boundaries. Changes to the National Airspace System should be based on increasing safety, efficiency and capacity. All agreements reached shall be in writing and shall be binding on the Parties.

The definition of National Airspace Redesign, and the structure and management of the process, are provided in the National Airspace Redesign Strategic Management Plan, a document developed collaboratively by the union and agency team members.

The Facility Focus Leadership Teams, with oversight from the Regional Focus Leadership Teams, shall schedule regular meetings internally and with other Facility Leadership Teams in developing National Airspace Redesign initiatives. It is intended that no Facility Focus Leadership Team will develop National Airspace Redesign initiatives exclusive of other National Airspace Redesign initiatives by other affected facilities or regions. The Strategic Management Plan outlines their assigned roles, which includes the responsibility to mitigate conflicts and facilitate communication prior to reaching an impasse.

Section 2. In the event consensus cannot be reached on any issue(s), either party may elevate the issue(s) in the following Alternative Dispute Resolution format to allow for a resolution at the lowest possible level.

- The Facility Focus Leadership Teams of the affected facilities shall try to resolve the differences of the Facility Design Teams and work towards a resolution.

- In the event that the Facility Focus Leadership Teams of the affected facilities are unable to resolve the issue it will be forwarded to the Regional Focus Leadership Team for Resolution. Should this level be unable to resolve the dispute, it shall be forwarded to the Airspace Liaison Team for an outside perspective to localized issues. The Airspace Liaison Team will review all the facilities' data and recommend a solution that conforms to the Strategic Management Plan. It is the Parties' intent that the National Airspace Redesign issues be resolved within the structure of the Strategic Management Plan. However, it may become necessary for inter-regional disputes to be elevated to the NATCA Regional Vice-President(s) and Regional Air Traffic Division Manager(s) who are affected by the proposed changes. They shall work with the Program Director for Air Traffic Airspace Management and the NATCA Airspace Liaison to endeavor to reach a resolution.

Should the parties not agree on a resolution, the Parties are free to pursue whatever course of action is available to them under the Collective Bargaining Agreement and the Federal Service Labor-Management Statute.

Section 3. The Parties recognize that increased efficiency of all airspace may require interaction with other stakeholders (i.e. DoD, NASA, etc.). The Agency commits to provide liaison and coordination assistance to the Airspace Liaison Team, the Regional Focus Leadership Teams, the Facility Focus Leadership Teams, and/or the Facility Design Teams at the appropriate level to facilitate efficiency improvements.

Section 4. The Parties agree that all Union team members will be granted official/duty time and travel and per diem, as appropriate, to participate in committees, workgroups, and/or negotiating sessions. Both parties commit to managing resources effectively. Additionally, all facilities involved in Airspace Redesign shall receive resources to cover absences when required for representatives/members participating in Airspace Redesign activities which would include, but not be limited to, operational overtime, bubble staffing, use of staff personnel, etc. The Parties shall negotiate procedures at the local and/or regional level to facilitate the release of bargaining unit members to participate in these activities. The Parties are free to use preexisting local or regional agreements already in place.

Section 5. Changes in Facility ATC Levels will be made in accordance with existing Pay Rules.

A. Increases in Facility ATC Level will be made in accordance with Pay Rule 54.

B. Decrease in Facility ATC Level will be made in accordance with Pay Rule 53.

C. ATC Level Retention will be applied in accordance with Pay Rule 34.

Section 6. The Parties agree that proposals to move existing airspace boundaries may be a necessary component of airspace redesign. However, if changes affect more than one facility within the same region the decisionmaking group shall at a minimum consist of the affected Air Traffic Managers and NATCA Facility Representatives. In the event that changes affect more than one region, then the decisionmaking group shall consist at a minimum of the affected NATCA Regional Vice President(s) and Air Traffic Division Manager(s). In the event the issue cannot be resolved at the regional level, the issue shall be elevated to the Agency Vice President of Terminal Operations and the NATCA National President for resolution.

Should the parties not agree on a resolution, the Parties are free to pursue whatever course of action is available to them under the CBA and the Federal Service Labor-Management Statute.

Section 7. The Parties acknowledge that staffing changes may be a result of airspace redesign, (i.e. either increased or reduced facility allotments). The parties agree that any negotiations regarding staffing are outside the scope and authority of the Airspace Liaison Team, the Regional Focus Leadership Teams, the Facility Focus Leadership Teams, or Facility Design Teams. Staffing issues will be addressed in accordance with the Parties' Memorandum of Understanding relating to the distribution of NATCA bargaining unit positions in accordance with Article 94 of the collective bargaining agreement, dated November 13, 2000.

Further, the parties agree that all proposed changes in personnel policies, practices and matters affecting working conditions require notice and negotiation with the Union at the appropriate level.

For the Union:



John S. Carr
President
National Air Traffic Controllers Association

Date 17 Dec 03

For the Agency:



David B. Johnson
Director of Air Traffic
Federal Aviation Administration

Date 12-18-03