



FROM THE DESK OF THE MEC PRESIDENT

APRIL 2, 2023

Dear Fellow Flight Attendants,

This past week's work by the AFA leadership has been focusing on the entire grievance process at our carrier. Our AFA Contract provides specific timelines for the various types of grievances and outlines the process in which AFA grievances are handled. However, much of the structure surrounding how this is actually done differs from one AFA carrier to the next. As part of my desire for transparency and accountability across our AFA Hawaiian administrative restructuring, the LEC Presidents and I proceeded to take a look at the current AFA practice and see if there may be a better way to support and strengthen our Grievance procedure. Before I get into the nitty gritty of this "audit" of our Grievance process, I want to give you all a very brief explanation of how Grievances are done.

[In the Beginning, Part 1.](#) There are basically two types of Grievances. One is the **Contractual Grievance**. This grievance is where the Union believes the company may have violated a provision in our Contract. As an example, a Contract Grievance could start from conflicts with the scheduling of Flight Attendants (FAs). In this instance, the FA would submit a Scheduling Clarification Report (SCR) and a Crew Scheduling Manager would review the SCR and either grant relief (no grievance) or provide an explanation to why the FA was scheduled that way. The AFA LECs gets a copy of the SCR. If the LEC identifies a Contractual violation, it will file a grievance seeking a hearing with Hawaiian Airlines on the matter. During the Initial Hearing the Union presents its case and requests a remedy. The company will give a decision on the Grievance, either by approving or disapproving AFA's case. If a settlement is not achieved in favor of the AFA, the AFA requests an Appeal Hearing; all of this takes place at the LEC level. If the company's decision is still not satisfactory, then it goes to the MEC level for final action.

[In the Beginning, Part 2.](#) The other type of grievance is the **Disciplinary Grievance**.

As the name suggests, this is a grievance that seeks remedy for a FA who has been given a particular discipline: letter in file, non-compliance with company policy, suspension, termination, etc. This type of grievance is often very personal to the affected FA and as such, privacy concerns dictate that the details of the case are confidential. For the Disciplinary Grievance, the company schedules an Initial Hearing. If the company's hearing decision is not satisfactory to the Grievant, the AFA requests an Appeal Hearing. If the company's decision is still not satisfactory, then it goes to the MEC level for final action.

[In the End, All Roads Lead to the MEC.](#) Now that either the Contractual or Disciplinary Grievance has exhausted the procedure of an Initial and an Appeal Hearing without a satisfactory result, the MEC will review the case and decide on the next action. It may include:

1. Submit within 30 days, the case to a three-person System Board of Adjustment (SBA). This Board consists of one AFA-designated member, one Company-designated member and an Arbitrator which is selected from a Panel of 7 Arbitrators listed in our Contract in Section 24.H.1. Since the AFA and Company-designated SBA members generally cancel each other out, it is the Arbitrator who will issue the final decision on the Grievance.
2. Hold the Grievance in abeyance (set aside and removed from the 30-day timeline requirement in the Contract) in order to collect more information and have a "Settlement" discussion with the company before submitting to SBA.
3. Withdraw the Grievance completely and close the case.

[State of the AFA MEC Grievance Committee.](#) So now that the basic lay of the land for Grievance handling has been explained, I want to be transparent on the state of MEC Grievances since my election and my thoughts on where I feel we should be going forward. Frankly speaking, it is not where I want it to be. The previous MECs may have had the philosophy to utilize Option 2 above, that is to hold many Grievances in abeyance, in order to reach a mutually acceptable decision. Whatever their reasons, there should not be a list of hundreds of Open Grievances. When I first saw this list, I was startled. There were cases dating more than a decade. After reviewing the Grievances on the list, many were already settled, paid off, or withdrawn and never recorded and closed. Those are now removed. In spite of this initial culling, a still very large number needs to be addressed. There is no option but to go over every case on the list and clear the backlog. Our AFA Staff Attorney, Richard Wrede was in Honolulu so along with the MEC Grievance Chair Melissa Teshima, a spreadsheet was created with an action plan for each grievance. These actions included:

- a. follow-up on whether the company had paid-out or otherwise settled the Grievance
- b. have the AFA Legal Department weigh-in on the case progressing due to legal concerns
- c. discuss the merits of moving the cases forward with the LECPs and myself
- d. withdraw the case (e.g. deceased Grievants, no AFA jurisdiction, FA request, etc.)

These are just a few of the considerations in dealing with these cases. Some of these MEC grievances may be on the Open Grievance list due to sloppy accounting, but the lack of action on the remaining close to a hundred cases has given us a lot of catch-up work to do.

[Organization.](#) In my review of the Grievance work, it became apparent to me that each Local Executive Council, HNL and LAX, are handling grievances in a professional and timely manner. The problem is that once the grievances are heard locally, they are then moved to the MEC level for final disposition. However, once those grievances hit the MEC Grievance desk, they appear to languish. This is not meant to be an indictment on the previous MECs, but rather an opportunity to build back better and stronger.

[Future Policy and Process.](#) Most of the restructuring of our MEC Grievance procedure is based simply on what our Contract and AFA Constitution & By-Laws prescribe.

- First a screening of MEC grievances should take place each month or as needed. The screeners should include the LECPs, MECP, MEC Grievance Chair and Staff Attorney.
- Cases that make it past the screening are then submitted to the SBA and letters are sent to the Grievant to inform of the AFA submission.
- While awaiting an Arbitration date, AFA and Hawaiian should try to see if there is any possibility of settling the case.
- The arbitration is scheduled and heard. The arbitrator's decision is generally the final decision.

I would also like to see all Contractual Grievances posted on an MEC Grievance calendar that is visible to all AFA members. This kind of transparency reveals the hard work of the AFA and also holds MEC leaders accountable.

[In conclusion.](#) This Sunday message was mainly a deep dive into the world of Grievance handling at AFA. This was the focus the past week in looking at this most critical work of our Union; without it our Contract has no teeth. Of course, the regular work of dealing with various issues were addressed, but I'll report out on those ongoing items next week. So until next Sunday, stay healthy and safe.

[In Unity,](#)

Ka'imi Lee, MECP