

Agenda Item #11-35

Subject: Cargo Cut Out

Resolution #11-30

WHEREAS the Airline Pilot Association has always maintained the unequivocal need for “One Level of Safety,” and

WHEREAS the new Flight Time/Duty Time regulations are in the final phases of the regulatory review, and

WHEREAS during contract negotiations in 2010 FedEx management stated that they were unable to negotiate scheduling issues and major monetary sections of the pilot contract until the FAA published the final rules governing Flight Time/Duty Time, and

WHEREAS The FedEx MEC supported the negotiating committee's position to set aside scheduling issues and major monetary sections during Section 6 bargaining with FedEx that produced the current CBA, pending the publication of the final Flight Time/Duty Time rules under which FedEx and other carriers would operate consistently, and

WHEREAS FedEx management never voiced an intention to seek to operate under different rules than other carriers during the bargaining of the current CBA earlier this year, and

WHEREAS it has been reported that some carriers with special interests are pressuring the FAA to modify the proposed Flight Time/ Duty Time rules to provide for less restrictive regulations that may govern cargo and/or supplemental carriers -- a concept otherwise known as a “cargo cutout,” and

WHEREAS FedEx management, at different times, has expressed support for “one level of safety,” and

WHEREAS the anticipated “cargo cutout” is contrary to the interests of both the FedEx pilots as represented by the Air Line Pilots Association, Int’l and FedEx Express;

THEREFORE BE IT RESOLVED that the FedEx MEC directs the MEC Chairman to send the following letter to the FedEx Express Vice President of Flight Operations without delay. Upon receipt of any response, the MEC Chairman shall brief the MEC as soon as practicable.

*Dear Captain Bowman:*

*As you are aware, the Flight Time/Duty Time rulemaking process is reported to be near completion. Despite considerable efforts by a number of entities including the Air Line Pilots Association and the FedEx MEC, there remains a distinct possibility that the final regulation will include a “cargo cutout.” I believe that such a result would degrade aviation safety and negatively impact the mission of the Company. Based on the recent progress, which the Company and the MEC have made concerning safety programs and responses to threats to*

*safety, I believe that the Company shares the same view concerning the prospect of a cargo cutout.*

*After much analysis and discussion, the MEC has concluded that a joint effort by the Company and the MEC has the potential to positively impact the outcome of both our collective bargaining and the ongoing FAA rule discussions. Accordingly, we ask that FedEx Express oppose the cargo cutout and we request that FedEx management join with ALPA to cooperatively and publicly seek a rule that applies consistently to all carriers and one that provides “one level of safety” for the conduct of air transportation with respect to Flight Time and Duty Time regulation. I look forward to your reply on this time-sensitive issue.*