

Message from the Retirement and Insurance Committee
First Officer Marty Gallagher, PBRB Chairman
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DID YOU KNOW.....a continuing series of informational articles about YOUR Retirement and Insurance Committee.

The Pilot Benefit Review Board (PBRB) is a contractually negotiated committee which is authorized to review cases of crewmembers that have had a benefits claim denied on appeal. The board, made up of fellow crewmembers and Company personnel, is the alternative to engaging in court proceedings against the Company or one of its vendors to settle a claim. The PBRB derives its jurisdiction through the Contract and its decisions are legally binding upon the Company, the Union, and the crewmember.

If you were asking, "When would I want to use the PBRB?" the short answer is, "No one really wants to, but it may be better than going to court." By the time a case reaches the PBRB, the crewmember has gone through the arduous task of having a benefit claim denied, having that denial reconsidered, and then having the reconsidered appealed denied as well. Prior to the PBRB, a crewmember's only option to fight the denied benefit claim was to begin court proceedings to force the Company to pay the claim if the crewmember won the case. The PBRB offers crewmembers a second option with some advantages over taking the case to court.

If the claim denial resulted from some ambiguity in a benefit plan, the PBRB has the authority to interpret plan language. A PBRB hearing normally takes less time and is less expensive to the crewmember than litigation. Also, there is a different legal standard between the two proceedings. A PBRB hearing considers the case as if it's being reviewed for the first time. In a court proceeding, the crewmember usually has the burden of proof, meaning it is up to the crewmember to prove the Company or vendor acted unreasonably or outside of its responsibilities as warranted by the benefit plan.

There is much more to the PBRB process and the tracks a denied benefit case may have to go through before it is resolved. Hopefully, there won't be too many crewmembers who might have to become familiar with the PBRB, but if in the future, you have a benefit you feel was wrongly denied, please remember that the PBRB is an option you can choose to use to fight back.
