

History of the Allied Pilots Association

About the Allied Pilots Association

<http://www.alliedpilots.org/Public/AboutAPA/Background/history.asp>

Headquartered in Fort Worth, Texas, near Dallas/Fort Worth International Airport, the Allied Pilots Association (APA) serves as the certified collective bargaining agent for all American Airlines pilots. APA was founded in 1963 by a group of American Airlines pilots who broke away from the Air Line Pilots Association (ALPA). With more than 12,000 members, APA is the largest independent pilots' union in the world.

APA provides all of the traditional union representation services for its members. This includes the lobbying of airline pilots views to Congress and government agencies. In addition, it devotes more than 20 percent of its dues income to support aviation safety.

Organizationally, APA is led by three national officers -- a president, a vice president, and a secretary-treasurer -- elected by the membership at large to serve three-year terms working out of the association's headquarters office. The Board of Directors serves as the policy-making body of the association. The board is comprised of the chairman and vice chairman from each of the nine domiciles (Boston, Chicago, Dallas/Fort Worth, Los Angeles, Miami, New York, St. Louis, San Francisco, Washington, D.C.). The board meets at least three times each year, with the fall meeting constituting the annual meeting. The association has numerous active committees made up of pilot volunteers that focus on key facets of a pilot's working life. These committees include: Aeromedical, Appeal Board, Benefits Review, Captain's Authority, Check Airman, Committee for the Armed Defense of the Cockpit, Communications, Contract Administration, Family Awareness, Financial Audit, Flight Time/Duty Time, Hotel, Information Technology, International Alliance, Jumpseat, Legislative Affairs, Membership, Negotiating, Pension, Pilot Mutual Aid, Political Action, Professional Standards, Safety,

Scholarship Fund, Scope, Security, Strategic Campaign, Strike, Technical Analysis & Scheduling and Training.

A 45-member professional staff works in the headquarters offices providing a wide range of services, including legal representation, contract administration, accounting, public relations, benefits administration and clerical support.

The Beginning

It is said History repeats itself! Mistakes can repeat too, if something is not learned the first time.

A brief history of the American Airlines pilots' contribution to solid unionism may be helpful in understanding your roots, and why the Allied Pilots Association now represents you.

Prior to the 1930s, there was no protection at all for pilots. They were at the mercy of Company management who would fire them at will. They were pushed to fly in weather against their better judgement. They sometimes had to fly more than 120 hours a month. The pay was ridiculously low. It was cut even further when the job market could provide enough pilots willing to work for less. Not many dared speak up. If they did, they were fired.

David L. Behncke, a great leader and a pilot's pilot, was the founder of the Air Line Pilots Association (ALPA). In 1930, he swore a small group of pilots to secrecy and they met to set up an organization. They would have been fired if their names became known. Officially and publicly, ALPA was born April 1, 1931.

The AAL pilots were well-represented among the key men and founders. Their stories of the early days, the hardships and sacrifices, the many problems to overcome, the guts it took to survive, would fill volumes. Many of these pilots were still flying on AAL in the forties and fifties. Knowing them, flying with them, learning first hand of their experiences, was a stirring influence. Six of the twelve pilots who signed the formal copy of the ALPA's AF of L International Charter were AAL.

Soon after its formation ALPA would be tested. In the midst of the depression, E. L. Cord, owner of Century Airlines, began cutting salaries. In February 1932, the first airline strike was called. The pilots stood fast and, after many months, prevailed. Through stock manipulation, E. L. Cord would later gain effective control of American. He placed C. R. Smith in charge of operations. Pilots closed ranks.

Early in September of 1933, airline operators formally announced they were instituting a new lower pay system; ALPA be damned. They also wanted pilots to fly up to 140 hours per month, 160 hours for copilots. Behncke threatened a national strike. It was a desperate gamble, one which would have destroyed ALPA if it had actually come off and was lost. The National Labor Board (NLB) agreed to take on the airline pay dispute. The strike was called off.

After the crisis, Behncke admitted that if there had been a strike, ALPA would be finished. He also said: "I believe American Airways was the best balanced. They were pretty much together, and I believe they would have walked out to the last man. TWA would have collapsed completely, and I know that on United everything south and east of Chicago would have gone out, and west of Chicago it would have been just about half. The only way you can keep a striking element in line is to keep them informed. I figured it would cost \$1,000 a day to conduct a strike, and our treasury had \$5,000, so we would have lasted about five days. After that, our communications would have been cut, we would have been completely broken." Behncke carefully laid plans to enhance and secure the professional status of all pilots including their working conditions and overall safety.

Behncke's plan required protective Federal legislation to set safety rules, minimum salaries, and flight time limitations. He used clever public relations and political savvy. His many contacts with politicians were of great help. The fight went on through the period of the airmail cancellations of 1934 when one third of ALPA's membership was out of work. This led to Decision 83.

NLB hearings in 1934 before Judge Bernard Shintag of the New York State Supreme Court resulted in a decision which became the basic cornerstone of how first pilots should be paid. Copilots were rather overlooked. It did set the monthly maximum flight time at 85 actual hours.

This was a real victory for Behncke.

Decision 83 written, by reference, into the Airmail Act of 1934 was without real legal standing. It became law in 1938 as part of the Civil Aeronautics Act. The next step was to be included under the Railway Labor Act (RLA) for a means

of settling disputes. Behncke, with foresight, knew that without improving the formula, pilots would not share in productivity gains from newer, faster, heavier equipment. This problem would be tackled later, as would Behncke's constant pleas for more consideration for copilots, which up to now had gone unanswered.

The American pilots has always been Behncke's tough guys. His solid supporters. They were the first to organize 100%, and the first to negotiate a contract in May of 1939. They were called "the Rock on which ALPA was built." The first seniority list on AAL in November of that year showed 309 names. Eastern did not sign their contract until two years later. The last of the major carriers' contract to be signed was not until 1945 on Pan American.

Things were rather quiet in ALPA until after the war. Patriotically, the maximum flying hour limitation was increased from 85 to 100. The number of ALPA members increased from 1,400 in 1940 to 5,730 at the end of World Ward II. 90% of all airline pilots were members. American doubled its number to over 1,200 pilots.

The President of American Airlines, Ralph Damon, (C. R. Smith was made a General during the war) gave us his written word on December 3, 1945, that "in order to place four-engined aircraft into operation as promptly as possible, and to do so without harming the rights of either party, we will expect our pilots to fly such equipment under the pay rates applicable in our domestic pilot's agreement during negotiations, and we pledge the settlement of the question of pay for pilots of four-engined aircraft retroactive to the date such aircraft were first placed into scheduled operation." They repudiated their word during negotiations that had begun in 1945. We began mediation on January 7, 1946. The company had DC-4s which had been operated on our overseas contract operation, but now were assigned back to domestic. The trouble began.

In 1944, we copilots had only ½ a vote in ALPA and were limited as to what offices could be held. Prior to 1939 they had no vote We were still "second class citizens" for sure. We had to change the situation in ALPA before we could hope to catch up pay-wise. Most senior pilots in ALPA considered copilots only apprentices, as did the Chairman of our own Negotiating Committee, W. H. Proctor.

Since 1934, Dave Behncke had done all he could to help the copilot's cause and was in our corner. Our Master Executive Council (MEC), similar to the Board of Directors of APA, decided to beef up the copilot representation on our Negotiating Committee. I was added as a member in 1945.

Much time was spent at the home office in Chicago talking with Dave about all the problems. He had had a crash landing in 1934 and landed in a tree. Ten years later almost to the day, my DC-3, after a mid-air collision, landed in a snow bank. He had also been a test pilot. We had a lot in common.

TWA was the most advanced through the steps in the RLA in 1946. They had completed direct negotiations and mediation, turned down arbitration, so finally a Presidential Emergency Board was appointed by Harry Truman.

The Board's report was confusing and unclear. They refused to interpret their own findings. ALPA's comment in rejecting the report said: "Never in the history of RLA has there been a more marked failure to settle any dispute." The pilots of TWA were forced to strike on October 21, 1946. On November 16, the strike ended after three weeks with an agreement to arbitrate. (George Spater represented TWA, a senior TWA pilot for ALPA, and a neutral, F. M. Swaker.) After agreement by the parties, the judge reviewed the copilots settlement and said "you sure screwed them."

The TWA settlement did little to advance negotiation on AAL, as we were now faced with the Company's determination for industry-wide bargaining, which Behncke would have nothing to do with. Still no help for copilots.

The 1946 ALPA Convention, its ninth, was convened February 18 to 24, 1947 in Chicago. The TWA affair and Behncke's health problems contributed to the delay. There was a surprise in store because Proctor of AAL came from the floor running for President of the Association against Dave Behncke. Proctor did not have all of our senior captains backing him, and certainly got very few of those ½ votes.

Our copilot problems would have to wait until the 1948 Convention when we got the full vote, but only after four years of service. At the next Convention, in 1950, the full vote would be obtained for all. Hopefully, no more discrimination within ALPA after that, but more patience

would be required in securing our pay and benefits from the Company.

Behncke made another plea for copilots: "Special consideration should be given the copilots" he told the company, "for four important reasons: 1) copilots are a vital and important part of the pilot-copilot team; 2) they are in the status of copilot for a much longer period of time now than formerly; 3) the copilots have had too little pay for too long a period of time, and; 4) greater skill and responsibility requirements of flying the larger and faster equipment must be and is shared by the copilot."

We were in mediation for more than a year with our first contract after the war, and it was not signed until April 18, 1947. We had to battle the industry-wide bargaining ploy headed by Ralph Damon, acting as Chairman of the Airlines Negotiating Conference. We had been saddled with the TWA copilots settlement and could do little about it. The captains did a bit better, but at least we all returned to the 85 hour maximum month. The industry had fought hard to retain the 100 hour maximum after the war. They forgot their promises.

American began what they called a "screening" program. It was suppose to take another look at the pilots who were hired during the war, some with minimum qualifications, although they were well past probation. It turned out to be designed as a "washout" program, not just for copilots, but for some very senior captains as well. Captain Wayne Allison of our System Board, with Behncke's strong support, turned this into a humiliating defeat for the Company. Nobody was fired except Allison, at a later date.

After the war, American had purchased American Overseas Airlines for their European routes. The pilots gave C. R. Smith such a hard time concerning the merging of seniority lists that he finally sold the routes to Pan American.

The 1948 negotiations were concluded on July 17 after five months of negotiations, during the Mediatory Process. This time, we had strong support from the captain members of the Committee. Important gains were made for copilots in working conditions and some in flat pay increases. The most welcome change was to be able to bid "trips" on the same basis as captains. This was a first! Rules were added for copilot qualification on equipment, protection of base

seniority, moving expenses, sick leave, meal expenses, and vacation allotments. The problems on AAL were much more acute than on other airlines. We were the largest and had lots of big plans, with more coming fast. The pilots were regrouping as a solid force. There had been massive furloughs on AAL in the late forties and we were hurting.

Dave Behncke had spent many days and weeks working closely with us during these negotiations. He was well known as a skilled negotiator. We had time to learn much about him, and from him: technique and strategy; leadership and determination; patience and timing; wait for the right opportunity; seize the initiative; hold on like a bulldog in your own best interests; know when the iron is hot! It was said about him: "he never gives up fighting, but a defeat today, only prolongs the battle, for he will be back to fight another day." Solid support is essential and necessary. Things we never forgot.

The Airline Pilot Magazine of March 1949, carried an article by Dave Behncke saying: "Technological unemployment is quite visible here, probably most notably on American Airlines whose large, faster, and more productive equipment has resulted in the reduction of pilot personnel from 1,265 to 753 without any reduction in route mileage. On other airlines the trend is the same. Out of necessity the airline pilots will soon project a realistic plan to meet this situation which will inevitably become industry-wide."

The September 1949 issue contained these words: "The selfsame situation is unmistakably being evidenced in 1949 as was so clearly evidenced in 1934 and it remains for the same group to do something about it in 1949 as met the issue so staunchly and so unflinchingly in 1934." Further on quoting from the preamble to the actual Decision 83 by Judge Shintag, dated May 10, 1934: "If pilots were to fly in the future the same number of hours as in the past and were paid on the same monthly basis, their monthly earnings would be greatly increased. Similarly, were the mileage basis to be continued and the hours of actual flying reduced, there would be no change in monthly earnings, notwithstanding the sharp reduction in monthly hours." The article ends with "The airline pilots have been patient, but their patience like the sand in the hour glass of time, has run out and now there must be a change and the work 'must' is all significant."

Mileage Limitation, Mileage Increase Determination, whatever terminology was used at the time, meant only one thing - a reduction in the number of flying hours per month with no loss in pay. It was intended to mitigate the effects of the more productive, faster equipment, now and in the future. The idea was scoffed at, not only by airline managements as unnecessary at this time, but by some senior pilots of other airlines as impossible of attainment. It might cost them an opportunity to advance their own earnings.

Our contract was amendable on July 1, 1949. It took 28 months to reach an agreement. We had direct negotiations, mediation, arbitration rejected by the Company, strike date set, and a Presidential Emergency Board appointed by President Truman on January 13, 1951. David L. Cole was appointed Chairman. We encountered every conceivable delay along the way. We had to negotiate a Korean airlift agreement on short notice. We had to threaten not to train on or fly the new DC-6 B, arriving soon. This latter problem was ultimately given to the Cole Board for resolution.

The major issues on AAL had been reduced hours and copilot pay. The reduced hours were denied as well as a pay increase for first pilots. Our captains were content to receive the same pay for the reduced hours, and had not asked for an increase. That was the Board's reasoning for denial. It did find, however, that when the Company ordered planes with a speed of more than 325 MPH that a study should be made to determine the effects it would have on unemployment. The copilot's pay findings were very good. The Board recommended incentive pay on the same type formula as first pilots; equipment differential for the first time, that after two years copilots be paid 55% of captain's flight pay. The Board issued its finding on May 25, 1951. It would take until November to finally arrive at an agreement satisfactory to all pilots.

The copilots, with Behncke's help, and because of actions taken at the 1950 Convention, were now at full voting parity. The makeup of the Executive Board was reduced in size so that only one member from each airline would represent the whole group. A captain and a copilot would alternate years. The year 1951 saw copilots representing all the pilots of the two largest airlines, AAL and UAL.

Behncke was working closely with us on our presentation before the Board in New York, while trouble was brewing back at Headquarters in Chicago. Clancy Sayen, a Braniff copilot, had been made Executive Vice President of ALPA at the 1947 Convention. During our hearings, he was directed to handle the staff problems which were getting out of hand. They insisted on their own union within a union. A committee of senior captains, not American, got in the act.

Together with Sayen, staff members, and the outside legal counsel for ALPA, they were quite formidable. While our hearings were in full swing, Behncke was forced to return to Chicago. That was the first step toward his ouster as President of ALPA. Political power was being utilized to the fullest. The ultimatum to Behncke was much the same as that which the AAL pilots would receive in 1962. They sent Sayen and a watchdog committee to New York to make sure our hearings continued as they wished. We were shot down!

Usually, personal friends can unite to fight common problems but with the political charged atmosphere of the "Behncke Barbeque," as it was called, we were poles apart. Each airline group is normally loyal to the best interests of its own airline, i.e., team spirit, right or wrong, informed or not. This time, the senior "heavyweights" from other big airlines had it well-orchestrated. They were good. When the Executive Board was called into session on June 12, recessed to July 12, 1951, the staff fronted for the movement. The second act for Behncke's demise would soon begin.

The Executive Board represented some fifty airlines in ALPA. When in session, each airline had only one vote, unlike the Board of Directors who when in session (Convention), voted their entire membership. Under the By-Laws, the Executive Board was simply an advisory committee. Six small airlines with only a handful of pilots could negate the vote of six of the largest airlines with 90% of the membership. Only 20 representatives were present on June 12. The purpose of the meeting was supposedly to discuss the Cole Board decision on AAL. That discussion never took place. The thrust immediately turned to an attack on Behncke personally, and why he should not be allowed to continue as President of ALPA. The staff was allowed to take over and the massacre was on. The senior "big guns" made sure of the outcome.

While we went back to our negotiations to rectify the gross inequity of the first pilot pay recommendations of the Cole Board, Behncke was in the fight of his life. He still managed to give us every support in our endeavor, even while the so-called "revolutionaries" were organizing an intensive campaign against him. They stole membership mailing lists from Headquarters and grubbed up every farfetched bit of dirty linen they could imagine.

A special meeting of the Board of Directors to meet in Convention was hastily called for July 16, 1951. Under the By-Laws, this was the only group who could recall Behncke. Most of the Board arrived totally uninformed, but were soon set straight by the revolutionaries. Behncke was recalled and Clancy Sayen put in as President. This did not stop Behncke's struggle for survival. The legalities of the tactics used, some very questionable, were taken to court. The legal battles continued for over a year. Behncke put up one hell of a fight. At one time, the group supposedly in charge attempted to set up a new pilots union called Air Transport Association. The end was near.

Our negotiations continued while ALPA's legal entanglements played out. AAL was adamant in following the Cole Board's recommendations precisely. In a letter to all pilots on September 17, 1951, C. R. Smith stated: "In the meantime, ALPA has made an agreement with Eastern Airlines. That agreement says, in net effect, that the position of ALPA is that the money should be divided between the copilot and the first pilot; that ALPA is willing to accept less for the copilot if the first pilots also receives an increase." The letter further stated the position of the Company: "If ALPA insists on a substantial increase for the first pilots, there should be an opportunity to reevaluate the copilot scale, and the relationship between compensation for the first pilot and copilot. (This was evidently ALPA policy in the Eastern Airlines agreement.)" We on the Negotiating Committee did not find ourselves in a very comfortable situation. We were had, again! The captains on AAL had helped us in 1948 and we were not going to let them down this time. Nothing was going to destroy our solidarity. The copilots did get formula type pay and equipment differential, but not 55%. Captains did get their raises. Probably the only time we ever gave anything back. We would later recoup that and more. The agreement was signed on November 5, 1951. Improvements in the working

conditions area included 48's, maximum duty times, and minimum off duty breaks.

Sayen had taken over ALPA and set up the regularly scheduled 1952 Convention for October 8. Behncke had lost his last fight. He was tired, sick and alone, almost. He was pressured to resign but he never admitted that the "rump" sessions were either legal or binding. The Behncke era was finished. Six months later he died, most old timers believed, of a "broken heart." ALPA would never be the same again. The AAL pilots' influence within ALPA would not be either. We tried for ten years but never made it.

H. Bart Cox, a well respected AAL pilot, challenged Sayen for the Presidency at the 1952 Convention. Unlike Proctor, he had the wholehearted support of all of us. He lost to the "power block" behind Sayen. The "lip service" paid to "democratizing" ALPA would only solidify that power behind the throne. They controlled the Super Weapons: communications and committee appointments.

The 1953 contract negotiations on AAL headed by Wylie Drummond, as Chairman of the Committee, secured improvements for copilots. They were tied directly to first pilot pay in all respects, by a fixed percentage. This would make future negotiations easier. The Company could no longer play one group against the other. There were improvements for all pilots in working conditions and benefits; pay for all exceeded industry standards.

1954 brought another crisis down on AAL. We had the DC-7 nonstop coast-to-coast flight which could not be flown westbound under eight hours. The eight hour rule stemmed back to 1931. The Company was flagrantly violating the rule, as did TWA and UAL. When American and the industry attempted to get the rules changed in Washington and continued to operate the trips over eight hours with no consideration of the pilot concern over violation of long-standing rules, the pilots revolted. Although all three airlines took strike votes, it was scheduled only on American. The strike started on August 1. AAL pilots were rock solid. This was the first strike on AAL and we lost it. The Company brought actions in court against ALPA.

There was the weak link. The strike was terminated by Headquarters on August 21, which led to the submission to the Neutral, David Cole, of the issues raised in this

controversy. Reference his Interim Report and Preliminary Recommendations of October 25, 1954:

1. For all flight hours scheduled in excess of eight, the pilots be given a credit for all purposes as to both pay and flight time, of twice the amount of these excess hours;
2. That an additional pilot be assigned to such flights qualified to relieve part of the time the captain, the copilot, and the flight engineer.

These were listed as two of the possible terms or conditions to be applied to the nonstop flights scheduled in excess of eight hours. Neither one of these recommendations were included in the settlement. Only the time over eight hours was paid on the basis of \$1.50 an hour for first pilots and \$1.00 an hour for copilots. One and one half pay for overtime versus the two for one recommended. There would be no additional crew member. Pilots thought the principle had been sold out for a pittance, after such a strong stand by AAL pilots.

A letter to the President of ALPA, by a TWA pilot sometime later, expressed it well: "When the eight hour nonstop agreement was signed on AAL a number of years ago, many of AAL's pilots felt they had been sold down the river. There were pilots on other carriers who felt equally strong about the eight hour rule. For reasons which you know as well as I, we lost the eight hour fight."

The negotiations, which began late 1955, were significant in the fact that it was the first contract on AAL to be signed in direct negotiations with our Company without the intervention of the Mediation Board or a neutral. It did take 14 months to complete, but there were many new benefits: Pay increases for first pilots; 2% added to the copilot relationship; full retroactivity; a duty time formula; reassignment protection; and improvements in most all benefit related areas. Working conditions had been targeted as a "must" item for improvement. Retirement was another critical item that had to be addressed. Improvements were made there too, adding a "B" or variable fund to the Company plan. Two of the negotiators on that committee were pilots who will be heard from many times again, Paul G. Atkins and Nicholas J. O'Connell, Jr.

The 1956 ALPA Convention was held in Chicago, November 5 through 12. Wylie Drummond, a previous negotiator and Master Chairman on AAL, was enthusiastically endorsed to run against Clancy Sayen for the Presidency of ALPA.

Drummond came close, but the usual opposition was effective. A previous Master Chairman said it correctly: "The AAL pilots' previous dominance produced something of a backlash that manifested itself by the late 1940s in an almost automatic anti-AAL voting block in most Conventions." Wayne Allison, who had done so much for the AAL pilots back in 1947, had been fired because of a long-standing vendetta by top management. Despite pleas by Drummond and our entire group for consideration of his case, the Convention washed its hands of the affair.

Sayen's well-known attempts to undermine and go around the AAL pilots' elected representatives did not set well with the rank and file. Our Master Chairman, Gene Seal, said some rather unkind things about Sayen. It was only what most of our pilots wanted to express themselves, and did whenever they had the opportunity. This tenuous relationship carried over to our next negotiations.

In 1956, AAL purchased procedural trainers for simulator type training for which we had no contractual provision. UAL had such an agreement covering simulators as a result of their pilots refusing training. That hard stand had accomplished for them what we needed. Our MEC gave the Negotiating Committee a mandate to secure such coverage before any pilot of AAL would take the training.

A message contrary to what was requested was sent out of the home office to all AAL pilots. Take the training but under protest. It went out over my signature as Chairman of the Committee. No such authorization was ever given or for the use of my name. We demanded a retraction and the proper instructions were then sent out. We had a tough group on the Negotiating Committee and made it clear to Headquarters that they were not running our show. American later sold the trainers without them ever being used. That was only round one. Before a new basic contract would be agreed to for 1957, there would be other disagreements with Headquarters, all steps of the RLA, a Presidential Emergency Board, and a strike. We won that one, although we went through another 18 months of battling on all fronts.

Our main thrust in this negotiation was for a quick contract with few open issues. We wanted our turn at bat. Money for present equipment was the major item. New or different approaches to industry problems would not be tried on AAL at this time. For pilot solidarity, we sent frequent Bulletins so that everyone was kept fully informed of all the facts and happenings. The Company's insistence on enlarging the issues created much delay. Jets were still down the road in 1957, but Sayen wanted us to include the crew complement issue as part of any settlement. This we refused to do. Several other airlines soon concluded agreements on present equipment and soared past us in pay and working conditions.

Our position: pay and working conditions on equipment we are now flying and implemented first. Then, work on the preparation, discussion and negotiations concerning jets. We had been through several steps of the RLA, and did not want to repeat the built-in delays of the Act. Of course the thorny crew complement issue was in Sayen's mind, and he did not agree with our approach. We liked our timing, the right opportunity for reduced hours would not be until later. We would not agree to compromise our legal position. We had pressures from the Company, the National Mediation Board, and from ALPA. We had to hang tough!

A strike date was initially set for April 16, 1958. A Presidential Emergency Board was created on June 19, 1958, James J. Healey, Chairman. Although the Board found that the problem of turbine powered equipment was not a part of this controversy, it also found that the jet issue should be "faced up to." It recommended further negotiations. The Board's final report was not issued until September 3, 1958. We had, up to this time, been through at least four Mediatory Sessions. We refused any arbitration. We had learned that lesson. We took strong objections to the Company's "Positive Pay Plan," which was an attempt to do away with the increment pay system built up over the years. Each of their proposals grew regressively worse, and more arbitrary. American had announced a proposed merger with Eastern Airlines, which was a topic of discussion at ALPA's 15th Biennial Convention in Miami, Florida from November 3 to 9, 1958.

Our MEC was becoming very demanding of a strike date. It was finally set for November 25, 1958. Paul Atkins, the new Master Chairman on AAL, and myself, worked very hard on

Sayen for the date. He was reluctant. The Company secured an injunction in court against the strike, which meant further delay. We were released from that on December 9.

There was a mutual assistance pact in the picture at this time among the large airlines. Under its terms, if one airline lost money during a work stoppage, the others would make up for some of that loss. ALPA, of course, would fight this arrangement. It smacked of the old Industry Wide Bargaining Ploy. There had been a previous strike on Capital Airlines by the flight engineers. This was happening on other airlines as well. Eastern Airlines flight engineers struck the Company on November 24, 1958. The Board of Directors voted strike benefits for those pilots with the reasoning that they were out because they were protecting ALPA policy on Crew Complement. The Executive Committee composed of all National Officers and five regional Vice Presidents, did not appreciate the AAL pilot situation. The Boeing 707s were sitting on the AAL ramp and pilots were being threatened to take training. We were to be first domestically to fly them. This was our opportunity!

The Company's strategy was to bargain jets against our present equipment, a losing proposition. We had no alternative but to stick to our guns. After several more days of everybody trying to get into the act, there were attempts to go around the Negotiating Committee. We met with the Company in the presence of Leverett Edwards, Chairman of the National Mediation Board. The attempt for any last minute "give" on the part of the Company was futile. The strike at one minute to midnight on Friday, December 19, was on. The AAL pilots would receive no strike benefits from ALPA during this strike!

The AAL pilots, 1,491 in number, did everything just right.

They had a long wait but they were solidly there when we needed them. Our MEC was called into Washington, available and ready at all times, while the Negotiating Committee wrestled with the Company and the NMB, and some of the Executive Committee's interference, which was aided by the chief Council of the Association. Twenty-two days after the strike began, we had a contract on January 10, 1959, and a back to work agreement. We had broken new ground in several areas.

American agreed to three qualified pilots on our 707s "plus" a Professional Engineer, a crew of four. That solved two problems; (1) we would take care of any pilot layoffs, and (2) we had provided ALPA with a way to avoid all the unpleasantness with the flight engineers while conforming to ALPA policy. PAA, EAL, TWA soon followed by adopting the four man crew concept. We also obtained the highest rates of pay in the industry on present and future equipment, fully retroactive, the top copilot pay raised to 63% of captain pay. Working conditions, duty time, and away from home relationship credits comparable to the best negotiated anywhere. All credited hours would count toward the 85 hour maximum month. The Company agreed, as a condition of going back to work, that they would honor System Board decisions, past and future. This was a sticky point that, by itself, could have caused another strike action.

Our foot in the door for reduced hours was particularly important. Pilots flying jet aircraft could opt for 75 hours if they so desired. We had won a big one. The solidarity of the AAL pilots made possible the biggest gains ever accomplished in any one negotiation. It would be to the benefit of all pilots in the Association, but certain political concerns within ALPA did not find the AAL approach acceptable. Two intangibles were established: AAL management was now aware they would have to deal directly with the elected AAL pilot representatives; ALPA could not push us around forever.

The next round of negotiations would be most interesting. The contract was amendable July 21, 1960. It would take over three years to accomplish. ALPA would not be the representing organization to sign it. They had thrown five of the AAL pilots out of that organization. The MEC and the vast majority, over 90% of the AAL pilot group, felt thrown out too.

Future history will have to judge where the wisest decisions were made and by whom. It is ironic, however, that the men of great influence within ALPA were still there making the decisions at that time. They were the so-called "big guns" and visionaries of the future who made policy for ALPA. They were from Braniff, Continental, National, Pan American and especially Eastern, which had the largest number and had more say and control.

The five members who would be expelled for life from ALPA in 1963 were Nick O'Connell, Paul Atkins, Bob Guba, Joe Garvey, and Dick Lyons.

The Details and Documentation

The threat of a strike is normally the most effective weapon we have. The strike itself can be a double-edged sword, anticlimactic! (The Air Traffic Controllers learned that 10 years ago.) When forced into it, and we were in 1958, we had to go for broke. We gave it everything we had.

First we made damn sure the troops were solidly behind us and that our chances of winning were good, real good. The pilots are the only group that can shut an airline down completely.

We were not only successful contractually in 1958-1959 but also in the sense that there was a marked change in the attitude of the Company. C. R. Smith, the President of American Airlines, a guest of the AAL MEC and Negotiating committee on July 22, 1959 said:

"Our basic respect and affection for the Pilots of American should not be in doubt. It is easy and pleasant to recall the earlier days of air transportation, when the majority of our employees were either Pilots or Mechanics, and when we welcomed the opportunity to work together. Those were the really pleasant days in this business, and we should do our best to bring back the spirit which made them pleasant.

I early formed the conclusion, and I have the same opinion today, that the privilege of friendship with the Pilots of American is one of the most refreshing experiences which can come from association with this business.

We have not done well in our mutual relationship of late. We have drifted apart and we have become critical of each other. We have often failed to give the other credit for honest intention. It would be well for us to do better, because it would make our own work more enjoyable and it

would provide a better opportunity for us and for our Company. We have wasted too much of our time quarreling with each other. While we have quarreled, our competitors have profited from our lack of attention to the business. That we cannot afford.

The forthcoming competitive situation is going to end up with some financial wrecks. We want to make sure that American will come out in one piece. The days ahead deserve and require the best of our attention, and if American is to succeed, it would be well for us to go down the line together.

Life is short and we should have some pleasure from it. Those who work deserve at least two things: 1. Pay for their work, with which to pay the bills; 2. The pleasure of association and accomplishment, coming from the work of the day.

It is difficult to have pleasure from the work unless there is respect for the Company with which you are associated. If you feel obligated to knock your employer at the beginning of the day, that day is not likely to turn out to be a pleasant one. You should have respect for your Company, a pride in what it is doing and a feeling of respect for your associates.

There is an equal obligation that your associates should have respect for you. None of these things can be enforced, but they will come readily if they are deserved. We want the Pilots of American to work in an atmosphere of confidence and respect. They deserve that, they should have that and we will do our best to bring it about.

Our meetings with you during the week have been refreshing. They are going in the right direction. This could be the opening of a period of new and better relationship, and I hope that it is. Whether or not this can and will come about depends largely on our willingness and ability to put into practice the splendid objectives which we have discussed together. You

can count on it that American will do its part and I am sure that you will do equally well."

Pilots can fight their Companies bitterly, but when it is over, extend their best efforts to enhance the overall welfare of their Companies. We always did that on AAL. It makes real good sense, as our fortunes are so closely entwined.

There were several negotiating sessions in 1959 and 1960 after the strike to handle the many interim problems that arose. We needed supplemental agreements to cover assignment and training on the jet equipment; second officer rules, duties, and training; equipment lock-ins; refinements and improvements to our "E" and "F" rules and credit application; procedures for the closing of two of our bases; copilot bumping rights; rules covering the interchange with Delta Airlines; DC-8 rates of pay; and a "freeze" for the pilots who would be trained on that equipment.

The atmosphere in which our interim negotiations were conducted and concluded reminded us of the "good old days" on American when we could say: We work for "America's leading airline," and deserve the best contract. We had every confidence in our pilots' ability to retain that leadership and respect. They exhibited true professionalism. The opportunities were present to stay ahead of the pack.

On August 1, 1959, one whole year before our contract would be amendable, we negotiated a pay increase and rules improvements which made us again "first" in the industry. All this on our own. The contract was extended to June 1, 1961. Sayen could not prevent it. Other airlines had signed contracts subsequent to ours using us as a springboard. They historically scheduled their contract dates to fall after ours. They made some gains. This time we made it work for us.

We scored no points with the Executive Committee of ALPA. Back when our first strike date was set on April 16, 1958, and we were voted strike benefits, we were aware of their insistent interference in our negotiations. The Executive Committee, being composed of very competitive and politically motivated pilots of other airlines, felt we should toe their mark and function at their direction. They

did not relish American or the American pilots being out in front. This is how it was in the power group's arena. Everyone for their own airline's interest. In some cases, for their own prestige. They were liable of being pressured or rewarded by their Company for undermining the competition. Some later assumed management positions.

Our Master Chairman, Gene Seal, in early 1958 had asked the AAL membership for their thinking concerning negotiations. He wrote a letter covering the responses on March 24, 1958. He included some of his personal observations and copied the MEC and Negotiating Committee. The recent substandard contract on National Airlines was mentioned, the adverse effects it could have on us, and the mess the Association was creating by its crew complement policies. He observed that problems would follow and effect many airlines. His analysis would prove prophetic. His letter in conclusion recommended: "Continue our attempt to establish a strike date to obtain an adjustment of rates, rules, and working conditions on present equipment," and "we call an early convention to establish ALPA policy of a reduction in hours on the jets and resolve the flight engineer problem."

The Master Chairman of EAL and DAL brought charges against our Master Chairman in May of 1958 because of the letter. They demanded that he be expelled from ALPA. They further requested that his hearing be held before the Executive Committee. This was against Association policy, as that stated such hearing be handled by local base officers. Following all this, one of the regional vice presidents from another airline sent Sayen a letter of resignation.

"In view of grave personal misgivings concerning the matter of implementation of our policy regarding the third crew member on turbine driven aircraft, I feel I am no longer in a position to properly act as an officer of the Association, therefore I wish to return to my previous status of active member in good standing.

I would like to make one point clear - I do not differ with our basic policy on this matter and subscribe whole-heartedly to its purpose and intent. I do think however, that like the Supreme Court ruling on integration, the implementation must proceed in accordance with the principles of wisdom, justice, integrity and tolerance.

It is my feeling that in some areas a certain amount of brainwashing and thought control is being exercised. I also feel there has been complete neglect and disregard of intelligent minority thinking, and a continuing suppression of all forms of divergent opinion. Perhaps this has to be, but I find myself unable to subscribe to this approach to our problems.

I hereby tender my resignation as ALPA Vice-President, Region IV to become effective immediately on receipt of this letter."

Our MEC passed the following resolution:

"WHEREAS, it is the opinion of this MEC that such charges are unwarranted, without proper foundation, and serve only to undermine the relationship of all pilot groups - lending itself to some purpose not spelled out in such charges, and

WHEREAS, Mr. Seal is the duly elected Chairman of this MEC, we feel that any charge against Mr. Seal is not a charge against an individual, but a charge against the entire AAL pilot group,

THEREFORE BE IT RESOLVED, that this MEC gives their unqualified support to Mr. Seal regarding such charges and that any further action by any individual or group against a Master Chairman on AAL will be dealt with as an attack on the entire AAL pilot body."

One of our pilots wrote to Hopkins and Sheridan:

"Your 'preferring charges' letters of May 1 and May 6 against our Master Chairman Seal are masterpieces of ALPA Politics.

Our Mr. Seal, a Master Chairman with initiative and backbone, is truly representative of all his American Airlines fellow pilots. He has my wholehearted support. He is well thought of by other AAL pilots, both Captains and Copilots, met daily over our system and I am sure the majority

of all the American Airlines pilots support his actions as do I, a 24 year pilot and ALPA member.

It might be pointed out that some of your own EAL and Delta pilots, in conversation with AAL pilots, at home and abroad, voice similar opinions as I.

It is my opinion that you would represent your own constituents better by dealing with your own problems rather than being led afield."

Gene was with us all the way, helping to obtain an early strike date. On his request, after the 1958 Convention, he was succeeded as Master Chairman by Paul G. Atkins from our Committee.

The Executive Committee had injected itself into our negotiations in early January of 1958. By resolution, they told us in effect we had to negotiate "Jets" and crew complement. Board members from UAL and PAA so advised the AAL Negotiating Committee in no uncertain terms.

When we had our next meeting with the mediator from the National Mediation Board on January 15, he asked us whether or not we had the benefit of the conferences of the previous two weeks between Mr. Sayen and Mr. Kayser. Kayser was the Vice President of Personnel from American and now in charge of negotiations. This was the first time we had heard anything about this. We had to set things straight with Sayen, not so politely! Sayen of course was in the Executive Committee's web. This would not be the last time that crucial information would be withheld from us or that underhand or behind our back meetings would take place.

There was substantial evidence that our Company was led to believe our Committee could be controlled and there would be no strike. Later, after there was a strike, that it would be ended by the first of the year. The proposed merger between AAL and EAL was very much in the picture at that time. Sayen and the EAL pilot committee used the idea which had been prevailed on C. R. Smith, for a fourth crew member and quickly settled with Rickenbacker of EAL on January 1, 1959. We were on strike for much more than that substandard settlement.

After the "threat" advantage had been taken away from us we had to "gut" it out. The Executive Committee representatives came to Washington to keep the pressure on us. (Shades of 1951) They passed resolutions on December 31, 1958:

"The Executive Committee has examined in detail the strike situation on American Airlines, the unresolved issues between the parties, and the proposal of the National Mediation Board to resolve the dispute, and has evaluated these problems against the overall industry situation as it affects the present and future welfare of the pilots of American Airlines, the members of the Association, and the piloting profession as a whole," further: "Therefore, the Executive Committee is of the opinion that every possible effort should be made to bring the strike action against American Airlines to a conclusion as soon as possible, consolidating the gains that have been made to date and acquiring such additional gains as may be possible without seriously jeopardizing the position of the Association, its reputation, its financial integrity, its prestige, and the position of the pilots of American Airlines."

"The Executive Committee recommends that the President of the Association and the pilot representatives of American Airlines conclude an agreed program to accomplish the foregoing as soon as possible and proceed in accordance with the foregoing philosophy and recommendations with the understanding that the Executive Committee will review the entire matter again within ten days or less."

The AAL MEC became aware of what was happening. They alerted the Negotiating Committee, and fortified the stand necessary for us to complete our assignment. It took another ten days to convince our Company Management that the strike would continue until a satisfactory agreement was reached with the pilot-elected AAL Negotiating Committee. It was only then that most of our gains were achieved.

While our MEC was in the process of ratifying the contract and the back to work agreement, three members of the Executive Committee visited our meeting. One was the same person who had previously brought charges against our Master Chairman. Another was a UAL pilot who had been made Vice President from the Western Region V. Due to the questionable conduct surrounding the election, the AAL member of the Ballot Certification Committee refused to sign the results of the election. There was a tie vote. Mr. Mac Murray broke the tie. Mac Murray was a former UAL pilot, now inactive, who Sayen hired as his Executive Vice President after becoming President. The Secretary of the Association was also a UAL pilot. UAL had a powerful influence on the Executive Committee.

These gentlemen were asked why the AAL pilots had not received their strike benefit checks that had been previously voted them by the Board of Directors. They told our MEC that the matter was being studied by a sub-committee they had appointed on December 15, 1958. We would be told when the sub-committee completed its task. That committee was chaired by another UAL pilot. It did not report back until the Convention in November of 1960. We did not get our benefits, but we were fully assessed for benefits paid the EAL pilots, who were not on strike. We questioned the assessments. These were also against policy in force during our strike. The AAL pilots went out on strike without any knowledge of a change in the rules.

Several MEC Resolutions were passed attempting to correct the retroactive denial. Our MEC remembered what was said by the Board of Directors in their resolution of 1958 concerning benefits paid Capital Airlines pilots: "Whereas lack of any benefits would seriously undermine the organization of the Capital Airlines pilots at a time when unity within the Association is of vital concern to all members."

Our strike was publicly announced on November 21 to occur on November 25, 1958. The flight engineers and mechanics struck EAL November 24. Our date was delayed by injunction. Sayen sent a ballot to the Board of Directors after that on December 5 which in effect denied us the benefits which they had previously voted us. It was so worded that a vote for the EAL assessment was automatically a vote against AAL receiving benefits even though we were on a legitimate work stoppage. Not half of the ballots were returned by the

deadline. It was decided by a majority of those sent in. This was long before any study was made. Was the Board's previous concern for unity within the Association still so vital? Our pilots wondered.

In summary for our appeal, since the MEC felt they had been treated unfairly and inequitably, presented the following reasons:

1. "National, Western, Capital and Eastern pilots received benefits when they were out of work as a result of another craft being on strike.
2. When the AAL strike ballot was circulated, benefits were authorized and computed in a different manner.
3. The computation of benefits were charged in a manner which adversely effected only the AAL pilots.
4. The rules were changed before a committee authorized by Convention action had an opportunity to study and recommend policy on this problem.
5. The rules were changed only after a strike date was stopped by injunction action.
6. Rules were changed by a ballot containing more than one question with only one allowable answer.
7. Rules were changed by a ballot allowing only a week for members to be advised and express their opinions.
8. An assessment was levied against the AAL pilots while they were on strike, in violation of existing policy."

In strike benefit policies, administration, and payments were creating an open rebellion throughout the entire membership of ALPA, by being denied complete and accurate facts. A large segment of the Association was being placed in bad standing and ultimately expelled. On AAL alone we had 27 pilots expelled in one week. Our number of non-members, so far, grew to 166.

Four pilots, three from other airlines, UAL and TWA with our Wylie Drummond, formed a group called the "Airline Pilot Group" designed to correct the situation and give back to the pilots control over their own affairs in ALPA.

They were former Chairman, Master Chairman, and Vice Presidents. Wylie had been Region V Vice President in the mid fifties. They wished to change the "pay up or get out" edict. The group claimed that 80% of the membership was in bad standing because of non-payment of one or both of EAL and Capital assessments, whose pilots were not on strike themselves.

Protesting did no good so the Group, now including pilots from other airlines, filed an injunction to prevent the start of expulsion proceedings against the non-paying pilots. They encouraged those pilots to pay the assessments during the injunctions so they would stay in ALPA. When the injunction was lifted, this effort had been somewhat successful.

On September 15, 1959, the UAL Master Chairman, among others, filed charges against the four original protestors and fifteen of the co-plaintiffs who replied:

"On September 15, 1959, charges were filed by TWA, OZA, and UAL MEC chairman against the four original protestors and fifteen of the co-plaintiffs.

In accordance with ALPA By-Laws, three LEC's heard these charges and found all members heard (9 out of the 19) as not guilty as charged. However, these hearings were declared null and void by the hearing board and the appeal board on the basis that the LEC's did not have jurisdiction. The hearing board then held its hearing and found all nineteen charged members guilty. Their decision for all co-plaintiffs to the lawsuit was a \$100 fine and a one-year suspension; for the four original protestors a \$500 fine a two-year suspension. During the period of suspension the suspended members are to pay dues but will receive no representation regarding violations, grievances, etc.

To prevent a repetition of the chaotic condition that existed in 1959, we make the following recommendations:

1. Clarify our constitution and by-laws to limit what the membership can be assessed

- for. We strongly recommend that you exclude benefits to those pilots who are out of work due to actions beyond the pilots' control.
2. Clarify the constitution and by-laws and make it mandatory that a majority vote of the total Board of Directors is necessary for any assessment against the membership when requested by mail ballot. (Not a majority of ballots returned as was the cause in the EAL assessment.)
 3. Include a new section in the constitution and by-laws that requires that each ballot will include only one proposition for each vote. (A vote for the EAL assessment in 1958 was automatically a vote against AAL receiving benefits even though AAL was on a legitimate work stoppage in furtherance of their own agreement.)
 4. Amend the constitution and by-laws to require a hearing by the LEC in the first instance with an appeal to the hearing board and the appeal board. (The appeal board to be appointed by the Board of Directors when in convention.)
 5. Separate judicial functions from the legislative and administrative by creating a regional board of justices to interpret the by-laws whenever an internal dispute arises. An internal unbiased hearing board will then exist to handle all internal grievances and prevent wholesale disregard of the by-laws as the Illinois Court recently ruled regarding the illegal trusteeship imposed by our President and Executive Committee on ALSSA [ALPA stewardess organization].

You should carefully look into the matter of voting policy changes which find a way into our policy manual which, in turn, negates and nullifies our constitution and by-laws. The constitution and by-laws should be hard and fast rules of procedure which cannot be easily and frivolously changed.

Regarding the charges against us and the decision of the hearing board as it stands today, we want you to know that the co-plaintiffs had absolutely

nothing to do with the filing of the lawsuit, and they did not participate in printing or distribution of the publications of the Air Line Pilots Group. That has all been done by the four of us. Even though certain provisions of the constitution and by-laws were not followed in the processing of these charges, it was made clear by the hearing board in their decision what the real charge was, and it is'. . . and shall cease all publications. . . .'

We fear the future for our ALPA with officers bent on stamping out any dissident group by placing a fine and suspension on the right to disagree, and we take this opportunity here and now to say to you that we are not paying one penny for this right or accepting one day of suspension. If this is the type of ALPA you support, then we will take it to mean that you are expressing the will of the majority of all members and we will take our leave of such an organization.

We were motivated by a desire to protect those who had not paid the Capital and Eastern assessments in order to maintain maximum ALPA membership, and protect the integrity of our constitution and by-laws. We do not believe it will be healthy to have a large group of non-member pilots flying the airlines. This can only lead to a union or agency shop (ALPA presently requesting such on PAA). This, in our opinion, will further lower the prestige of the airline piloting profession.

You will be making some important decisions for the future of ALPA and it is our sincere wish that you look into the items covered in this letter seriously and carefully.

The Air Line Pilots Group was never at any time organized as a political setup. It does not and it has not endorsed any candidate for any office, and whether we agree or disagree with some candidate or particular policy presently being carried out is a matter which we answer individually. As a group, we have fought for the

right to dissent and freedom of speech within ALPA. We have been told these rights do not exist as a condition of continuing our membership. The future of ALPA will be in your hands at the November Convention."

Paul Atkins, our Master Chairman, wrote to all AAL pilots on September 4, 1959:

"Many of you have expressed dissatisfaction over some actions of the Association. The MEC and myself have done our best to represent you in this regard. No one represents the Association to be perfect and able to satisfy the opinions of every pilot on every issue. With maturity we recognize that no Council Chairman, no Negotiating Committee, no MEC, no Master Chairman, no Association, no organization, nor any political party can satisfy all the people they represent in each and every instance. Knowing this, all members must exercise their vote to see that democratic processes are utilized to every extent possible in determining majority opinions. You *must* be a member to exercise your vote. A fighter does not throw in the towel just because he has lost one round unless he is so badly beaten he can not continue. Surely none of you are in such sad shape.

The MEC, fully recognizing the situation, passed the following resolution at its last meeting:

BE IT RESOLVED that the MEC strongly recommends that AAL pilots promptly pay all dues and assessments, as this is necessary to maintain our strength and unity."

We wanted to be at full voting strength during the 1960 Convention.

We had to contend with the grounding of the Electras, introduction of the 990s, and a bad business slump in 1960. We learned of a furlough coming on AAL. Fifty-three pilots would be furloughed October 1, 1960. There were about 1,000 pilots on furlough in the industry with several hundred more expected within the next few months. Available figures

showed EAL, PAA, TWA, BNF, CAP, NWA, NAL and WAL hurting too. Many had predicted this.

Other airlines had started to awaken to the problems in ALPA, particularly among the more junior pilots. Some Eastern pilots had formed a committee to encourage James M. Landis to run against Sayen for President. They were joined by sponsors from sixteen other airlines. Landis was a former Harvard Law School dean who was well connected politically. He was an in-house advisor to President Kennedy and a former CAB Chairman. He was denied mailing lists of the Board of Directors as had members of the Board themselves been denied.

There was an all out attempt to discredit him. He mentioned in his campaign newsletter handed out at the Convention, which was held in Miami Beach beginning November 14, 1960:

"Finally I am disturbed by the excessive centralization and domination that characterizes your Association. Fair play should characterize it if you expect to achieve fair play from others. For example, my supporters have been denied access not only to the list of your membership but to the list of your Board of Directors as well as the right to communication through your Association to you on the utterly spurious ground that I am not a "bona fide" candidate. This appears an utter disregard of the responsibilities placed upon your Association by the Landrum Griffin Act.

More than this, however, this domination and centralization is producing interference with local elections, with communication between various pilot groups on matters of mutual concern and even between members of the same local council, with the handling of grievances at the local level at a time before they become festering sores. Such centralization is not only unnecessary but works against efficient operation. It stemmed from early origins, but appears now to me to continue as a means to insure control. My whole record of administration runs counter to such policies."

The AAL pilots would have enthusiastically supported him if he had been allowed to run. Because he was not a pilot, 2/3 approval of the Board was necessary under the procedures used. He was denied even a chance to speak to the Convention while in session. The old power bosses and the Executive Committee worked overtime and prevailed on a voice vote. We certainly wanted a chance to vote for somebody who would not "knuckle under" to ALPA's internal politics or to airline managements, but Sayen was reelected President.

The Convention prevailed in a move to take stewardesses into ALPA. Braniff, United and TWA stewardesses, with the help of their pilots, were the main advocates. The AAL stewardesses would not be involved. On the regional and national level, flight attendants would have a full voice in all Association affairs. Their members would vote in the elections of Regional Vice Presidents. Flight attendant's Master Chairman would be members of the Executive Board. They would have a full voice in the election of ALPA Officers as well as a place on the Executive Committee. The AAL pilots fought hard against this but lost again. ALPA would be sorry later, after a tremendous cost.

The most important issues for the AAL group were (1) a change in policy to recommend a straight reduction in monthly flying hours, and (2) a clarification of the Crew Complement policy with some "give." We accomplished nothing here either.

The Wage and Working Conditions Policy Committee was composed of some of the same pilots who had been on the committee establishing ALPA policy in 1956. Their report to this Convention stated: "Flat reduction and mileage limitation have far reaching implications and are such complex subjects they should *not* be put to the membership for a vote or decision *unless and until accompanied by a complete factual background* of the record. Both of these items have actually been live issues as far as some members are concerned but dead issues as far as hopes of accomplishing anything *in these specific ways* is concerned since about 1951." Whether it was pride of authorship, belittling Behncke's approach, or just a slap at the AAL pilots; we suspected all three. They touted the Board that a reduction in hours could very well worsen working conditions at a cost to most of the pilots; that little was

owed to the furloughed pilots; and that anyway it would be impossible to obtain.

That Committee was hand-picked by the President and the Executive Committee, as were all Convention Committees. Our MEC recommendations of AAL pilots to be on such Committees were usually ignored. They would put a pilot of AAL on some Committees, but one who had no following, no chance of every being recommended for anything to do with representing our pilots' interests. This was especially provoking. We did manage to get Paul G. Atkins elected as Secretary of ALPA. Paul was so well thought of on many airlines that the power brokers, in this instance, were ineffective. Paul was the second stalwart AAL pilot to be on the Executive Committee. Wylie Drummond was the first. Nicholas J. O'Connell, Jr. was elected to take Paul's place as Master Chairman of our MEC.

With the little "end run" on Sayen in August of 1959 which he could not refuse to accept, we were now behind the pack in contract timing. We had a new opening date of June 1, 1961. The openers were due April 1. The pilots were polled for their input and direction. The survey put working conditions, reduced hours, and retirement out front as "musts." The AAL pilots always put working conditions first, unlike some other airlines. Top pay was never forgotten but was down the list. Tax free benefits, such as retirement and time off, were more important.

ALPA was embroiled in one of the worst periods of its history. It would bring on near bankruptcy and the fight would become bloody. A jurisdictional battle erupted because of the successful Class and Craft election on UAL.

The flight engineers feared it would spread to other airlines and they would lose their identify and representation rights. There were more pilots than flight engineers.

The Flight Engineer International Association (FEIA) shut down seven airlines for six days on February 17, 1961. They were PAA, EAL, NAL, TWA, AAL, WAL, and Flying Tiger. President Kennedy established a commission on February 21, 1961, Professor Nathan P. Feinsinger, Chairman, to "recommend solutions to the complex issue which have created discord among flight engineers and pilots for the past 5 years." UAL had a strike of 51 days in 1955, CAL 93

days in 1960, EAL 39 days in 1958-1959; WAL an elongated disruption with 130 flight engineers fired after a wildcat strike; and trouble too on NAL.

The Commission in its report of May 24, 1961, reviewed the background and made recommendations. In their background discussion they point out the different approaches the airlines took in their hiring practices since the flight engineers came on board in 1948. Some airlines have three-man crews, not necessarily all pilots. On UAL there is dual representation. Others have the four-man crew concept. They described the industry pattern today as patchwork, quoting: "The carriers, ALPA and FEIA all agreed before the Commission that safe operation of turbojets requires no more than a crew of three men. The disagreement arises over the proper qualifications of the third man. The cost of carrying a fourth crew member is substantial and places American, Eastern, Pan American and TWA at a significant competitive disadvantage in the industry. These carriers are, understandably, anxious to reduce their jet crew from four to three men." They observed that there must be a just and lasting settlement, fair and equitable to all parties giving due consideration to individual job equities and the human values involved. "The controversy has been marked throughout by irresponsibility and unreasonableness." "The most obvious solution to this problem is merger or some form of consolidation. In the considered opinion of the Commission, neither peace nor safety on the airlines will be fully assured as long as there are two unions in the cockpit." "It is important that this merger approach has received the repeated endorsement of the AFL-CIO. Every disinterested observer, governmental or private, who has expressed an opinion to the Commission shares the view that the flight crew should be represented by one union."

"This is ALPA's 'fail safe' flight crew, one in which every member is fully qualified to perform all flight duties. This concept was adopted as mandatory policy at ALPA's 14th Biennial Convention in 1955, following the form: Be it further resolved that the Board of Directors are the 14th Convention adopt as mandatory ALPA policy, that no turbo-prop or jet turbine powered aircraft will be operated unless and until it is manned at all flight stations, by a qualified pilot in the employ of the Company as a pilot..."

"In 1958, ALPA amended this policy to eliminate the requirement of three qualified pilots on turboprop equipment, although this was retained as a policy objective. A minimum of three pilots on pure jets was continued as mandatory policy."

"In their discussions with the Commission and in meetings with representatives of both unions and the Commission, the other carriers (not including Western) also stated that the third crew member of jet aircraft need not possess any qualifications or ratings other than those required by FAA regulations, and more specifically that he needs neither a pilot license nor an A&P license. These carriers agreed with National that the ALPA position unnecessarily involves the carriers in substantial training costs."

Among the Commission recommendations: "The Commission's recommendations provide a framework for negotiations looking toward a final peaceful settlement of all issues in dispute. The Commission asks at this time that the parties undertake to bargain within that framework." "Broadly speaking, the Commission's recommendations do not effect a displacement of any employees from their current jobs, whether pilots or flight engineers."

"The Commission endorses the proposal of the Carriers for reduction of the present four-man crew on turbojet equipment to a three-man crew, as is the fact in the remainder of the industry." They also tie that in with adequate protection for displaced crewmen. "The Commission recommends the establishment of a 'Joint Committee on Inter Union Cooperation' by ALPA and FEIA." That each airline form such a committee. Conclusion: "The Commission will not at this time go beyond recommendations in the nature of guidelines for bargaining among the three groups involved. Implementation of those recommendations will require bargaining not only between the Carriers and their two unions but between the two unions as well. In our considered judgement, intelligent bargaining, including a measure of restraint and using the Commission's recommendations as a framework for negotiations, can produce a

settlement which will constitute a significant step in the direction of enduring peace in the cockpit." "Finally, it may be observed that at times it may take more courage to say "yes" than to say "no." This may be such an occasion, courage accounts for the magnificent job performed by the pilot and the flight engineer in his occupation. The public trustfully places its lives in their custody. Today, the Commission entrusts a formula for long-range peace in the cockpit in that custody."

There was no recommendation that an flight engineer presently on jets need a Commercial and Instrument (C & I). It said: "Specifically, with respect to the flight engineer now occupying the fourth seat on the turbojet, that employee will retain his job on the jet and will not be required to take any pilot training." A final report of the Commission would come later. It was submitted to the President on October 17, 1961. It recommended a C & I. This would result in further disruptions by FEIA particularly on EAL.

The negotiations on AAL had gone very slowly. The company was stalling to see what Feinsinger would recommend. We had not opened on the Crew Complement issue and we were content with our four-man crew. On June 5, 1961, the Company advised the Government that it had accepted the Feinsinger Report. The Negotiating Committee assured the pilots protection of their job security and job opportunities.

This would become our prime objective. We would keep that promise.

Working with the Commission we had meetings with the Flight Engineer Negotiating Committee. Nothing much was resolved but it was friendly. We had always enjoyed the most harmonious relationship with our flight engineers. In fact, it was the best in the industry. What was happening on other airlines gave us deep concern. It was obvious that working conditions and other benefits were being sacrificed to Crew Complement. PAA and TWA were involved with various Boards, fact finding and arbitration.

We went back to negotiations to arrive at an agreement covering an Interchange of Equipment with EAL pending the outcome of the merger. We had previously tried to negotiate

rules to cover a shuttle type service but were unsuccessful. The Company would not bargain realistically on our basic working conditions and retirement proposals. They were obsessed with Crew Complement and industry pattern. On November 9, 1961, the NMB docketed our case.

Many sessions were held in Mediation but now were recessed until after the Convention in 1962.

There was trouble within the Executive Committee itself. Arguments were bitter, ugly and quite heated. Sayen had threatened to resign the Presidency. During a meeting of the Committee they refused to adjourn unless Sayen stepped down immediately. This he refused to do, as John Carroll (TWA) was the First Vice President and would automatically, under the By-Laws, become President. Sayen did promise to call an early Board of Directors meeting for May of 1962 and resign in mid-term. This he formally advised the Board on October 31, 1961. Paul Atkins, a member of the Executive Committee, kept us fully informed. Paul at this time was elected to fill a vacancy on our Negotiating Committee by our MEC.

Before Convention time we had an exchange of correspondence with Sayen. PAA was allowed to arbitrate certain issues in their negotiations which we became aware of. The Negotiating Committee wrote him:

"We have studied the issues to be arbitrated by this Board and one of these issues and we quote: "Qualifications which will be required on the job which will replace the two jobs in question."

"Pilot jobs are in jeopardy. The Flight Engineers remain on the airplane without even being a party to the arbitration or being bound by the Board's findings. Finally, we still have two unions in the cockpit. We cannot see how the Association's mandatory policy on crew complement could, under ALPA policy, be put by the Association to a binding arbitration.

Despite the action taken in this dispute, you can be assured the American Airlines Negotiating Committee has no intention of negotiating away, or placing the job rights of 200 American Airlines pilots to a determination by any

Arbitration Board. No other pilot group should be bound by the arbitration decision, nor will the American Airlines pilots consider themselves a party to these proceedings. We insist, under Association policy, on the rights to bargain for our own pilots, on our own property. We regret that your actions are making this extremely difficult. We are aware of ALPA policy on individual bargaining and we are aware of ALPA policy to avoid public judgements.

In view of your handling of this matter, as President of our Association in the Pan American dispute, we consider it necessary to bring these facts to your attention."

Sayen's reply:

"I am certain that you must also be aware that I have a full comprehension of Association policy as do the pilot representatives for the pilots of Pan American Work Airways. You must also be aware, since representatives of the American pilot group participated in joint meetings with the other Master Chairman involved in this problem, that our position throughout its entire course has been that the problem had to be processed under our historical practice making agreements on an air line by air line basis and on a bilateral basis between the pilots and the company. The Pan American agreement is precisely such a document."

The 1962 Convention convened in Miami on May 29. The big question was, who would replace Sayen? We were solidly behind John C. Carroll of TWA. Paul Atkins was running again for Secretary. We were 100% behind him. We lost on both counts. There would be less representation of our interests on the Executive Committee, although Harold Miller from our Negotiating Committee would be elected Region IV Vice President on July 1, 1962. A stewardess was now on the Executive Committee as a result of the 1960 Board action.

The politics of the convention were fierce. Sayen was determined that Carroll not be President. All stops were pulled out for character assassination. He pulled in all

his markers. The old bosses from the Behncke days, who always showed up, were active long before the Convention.

The Capital-UAL merger had just gone through which made UAL the largest carrier with the most pilots. They would retain that position until 1988, when AAL would again be #1. They had to find someone to run against Carroll. They tried Chuck Beatley, now on UAL, a former Captial pilot. He was luke-warm. Some big guns from PAA, EAL, and NAL brought to the floor Charles H. Ruby from NAL. Ruby had been a stalwart in the 1948 strike on NAL and was well-known. He said he was somewhat reluctant to run but was pressured into it. He won the Presidency. We knew him as honest and tough, an honorable guy, straightforward with a pilot's type thinking. He admitted being somewhat unprepared for the job. We hoped he could negate some of the politics rampant in ALPA. The AAL MEC was first to call for the vote to be unanimous and we promised our cooperation and support. Paul Atkins would not have lost his bid for Secretary-Treasurer but for the fact we had 300 pilots in bad standing who could not vote. The margin was less than that.

The EAL flight engineers went out on strike June 23, 1962. It took three ballots of the Board of Directors before the EAL pilots finally were voted strike benefits. TWA was trying to get an agreement ratified which was not completely in conformance with policy. PAA engineers were under a court restraining order. The hearings concerning the EAL-AAL merger ended June 20.

The NMB after more mediation in our case proffered arbitration, which we refused. A ballot went out from President Ruby to all AAL pilots for a strike vote with a return deadline of July 30, 1962. We seemed to have a good rapport with Ruby. He had successfully put an end to the two plus year old strike of Southern Airlines. He had gotten a handle on the financial mess the Association has been suffering. We were optimistic.

Our Negotiating Committee was requested to meet with Secretary of Labor Goldberg in Washington, D. C. on Monday, July 16, 1962. Impressive was the urgency of bringing this whole controversy between flight engineers and pilots to a lasting and honorable settlement. We had several weeks of meetings with the AAL Flight Engineer Negotiating Committee. Our relationship was very much different than

that on EAL. It was as good as theirs was bad. There was a common goal of encouraging the Company to bargain realistically. It appeared to us that if we could convince the Company that pilots and flight engineers would get together in the same union, it would not only solve ALPA's problem, but put pressure on the Company to "deal."

There were so many changes in the company's spokesman during these negotiations that nothing much had been accomplished. When Mr. Whitacre became Vice President - Personnel and Mr. A. DiPasquale, Assistant Vice President-Labor Relations returned, things seemed to get a little better but a long way to go. Mr. Whitacre was tough to deal with but realistic. We had dealt with DiPasquale since 1947. He did not always give us the answers we wanted to hear, but he was always straightforward and imaginative, a man of his work. He probably knew the determination of the Committee better than anybody else in the Company. Nothing but a superior contract would do!

After the successful strike vote there was a thirty day "cooling off" period. During this time the NMB requested further meetings in a process called "Super Mediation." Chairman Leverett Edwards of the NMB was present during these negotiating sessions where some progress was made. There were further separate meetings with the flight engineer Committee and with the Company. A framework for a solution was taking shape. The Company had signed a long-term agreement with the FEIA. They would honor that commitment. The Company had made a corporate decision to reduce to a three-man crew on jet aircraft as had other airlines, except PAA who retained four. We had made a commitment to our pilots that their jobs would be protected. The Government agencies were committed to peace in the cockpit, so Leverett Edwards was the personal representative of the Secretary of Labor to protect the public interest.

The crew problem on AAL was different than that of any other airline. AAL had some 600 flight engineers who were basically mechanic trained. Originally, the mix was half and half, but the furloughed pilot flight engineers were later recalled as pilots. Going to a three-man crew would create some 200 surplus pilots. Our solution was a reduction in flight hours.

During our discussions with the Company and NMB, "facts of life" were brought forth. There were strikes and bloodshed on other airlines. AAL could be put in that same box. Different Boards on other airlines had recommended possible solutions to their peculiar situations. Their non-binding suggestions were not always followed but led to negotiated settlements. These recommendations in no way could apply to us. Court cases had been won on this point. The cost of providing a C & I for the flight engineers on American would be much greater than that of any other airline, unless of course you figure in their costs of strike involvement. A quick C & I for a mechanically oriented flight engineer was such that airlines which had recently provided that training, somewhat questionably, would not allow such "qualified pilot" to "legally" sit in a pilot's seat or touch any of the primary controls. There had been flexibility of interpretation of ALPA's policy in the past and other airlines had been allowed to handle their own problems in their own fashion. There were several policy exceptions made. The costs already encountered by ALPA, if repeated, would break it financially. We thought Ruby would understand and agree.

We continued our efforts to juggle all the balls in the air. It was not easy. Time, patience, and a hell of a lot of cajoling was necessary. A tentative understanding for a complete solution to the Company's problems, the flight engineers and our own, was reached. It was taken to our MEC and explained thoroughly. They liked it and sent us back to complete the job. They passed a resolution: "that this MEC disagrees completely with the Executive Committee's position that public bodies, public judgments, and settlements made in 1962 establish a new and different policy from that adopted in 1956, and directs the Master Chairman to use all proper means to convince the Executive Committee and all other pilots of the correctness of our position, the soundness of our approach, the benefits to all pilots, and of the requirement that our crew complement be solved for once and for all."

The Executive Committee had tried to take over our negotiations on October 24, 1962, while we were attempting to work out a merger with our engineers. They had been told by Nick O'Connell of our priorities when he was summoned before them the previous day. They passed a resolution: "that the Executive Committee in keeping with its responsibilities inform the MEC Chairman O'Connell and the

American Airlines Negotiating Committee that Association policy with respect to the qualifications of the third crew member in a three-man jet crew requires a Commercial and Instrument Rating and a level of training comparable to those articulated in the Decision and Award of the Arbitration Board on PAA composed of George Taylor, Edgar Kaiser, and George Meany dated May 21, 1962, and this concept must be met prior to operation of jet aircraft with a three-man crew." Our collision was not far off.

Negotiations continued and much progress was being made with the Company and the NMB. We were at a very critical stage when in late November the Executive Committee turned up the heat. They removed Hardenrider, the Association staff Negotiator and Coordinator assigned to our Committee.

They wired the NMB to suspend our negotiations. The NMB would not oblige ALPA. They summoned our Committee to meet with them and wired us that negotiations were recessed. ALPA staff members were sent to our Company to negotiate in our place.

There was already an agreed-to document concerning crew complement reduction from four- to three-man crews. The flight engineers would join ALPA. All future hires would be pilots. It was initialed by the Company, Manning, the President of the Flight Engineers, and our MEC Chairman on December 1. It was given to the NMB and our MEC was called into session.

They met with President Ruby and presented cogent arguments why he should accept our approach. He did like the one union in the cockpit concept, but he was hung up with new interpretations of the policy. One union was the basic motive for the ALPA policy from the beginning which nobody would admit. Two unions in the cockpit, either one of which could shut an airline down, just could not be tolerated. The MEC had directed our Chairman to use all proper means to make available to the Board of Directors the full story. It was not possible as mailing lists were denied us. The MEC felt there was a good chance of convincing Ruby if it were possible to get around the Executive Committee.

The negotiations were recessed until January 1963. The company was told that negotiations would be resumed on the same basis as before the recess by direction of our MEC. All AAL pilots were sent thorough and factual information

of what had been so far accomplished in negotiations and the stand of the Executive Committee.

The MEC was invited to meet in joint session with the Executive Committee. This meeting took place January 8 through 11, 1963. Nick reported on his meeting with twelve other MEC Chairmen on December 19. There was no solace there. They had been well programmed. The joint meetings with the Executive Committee lasted some eight hours over two days. When asked what their solution was, the executive Committee proposed that we negotiate for a C & I rating at this time and pick up the reduction in hours four or five years down the road. They added that it was our problem and we should work it out. The MEC argued our solution was more in line with the original policy than any other so far; that one union and peace in the cockpit would be a reality instead of the bitterness still rampant elsewhere; that the training we proposed for the flight engineer would be more "fail safe" than what they had negotiated in other contracts; that our settlement would be in line with what the Secretary of Labor and the AFL-CIO had recommended for labor peace. They stated there would be no argument or debate.

The MEC passed unanimously a Resolution: "that the AAL MEC, speaking for the entire AAL pilot group, goes on record as authorizing the AAL Negotiation Committee to conclude a contract and further to advise AAL management that the AAL pilots are agreeable to implementation of said contract with or without formal approval of the ALPA." A further Resolution: "that any charges preferred against the Master Chairman of the American pilots and/or the Negotiating Committee are to be considered charges against the American Airlines MEC and the American Airlines pilots they represent." The meeting was recessed rather than adjourned.

Negotiations were resumed by NMB direction and participation until a final document was ready for signing by ALPA. Ruby refused to sign. The Executive Committee cut off all expenses and flight pay loss for the MEC Chairman and the Negotiating Committee. Strike benefits previously voted were rescinded. They demanded that our Negotiating Committee cut two members to a total of three. They sent ALPA staff to negotiate with our Company. Those tactics were rebuffed by AAL. Ruby wrote numerous letters to all AAL pilots. This did him more harm than good as much of what was said was not quite factual. Our pilots knew

better, resented it, and stiffened their stand. Letters and wires were sent to the NMB, Company, and the Flight Engineer Group, stating that any negotiations with our pilot committee were illegal and would not be recognized by ALPA. This would delay our getting together with the flight engineers, but not prevent it.

The forces at Headquarters were reinforced by the old clique who were there during the Behncke debacle in 1951. The same type ultimatum was given the AAL pilots. The Executive Board confirmed ALPA's position. The futility of recourse through the Association procedures had been clearly learned by what happened to the Drummond, et al, appeals.

The AAL-EAL merger was disapproved, fortunately, as our Master Committee had informed us we would be stuck with ALPA's merger procedures. The EAL Master Chairman had written that EAL pilots would not fly with our three-man arrangement.

The Air Transport Association was fighting our reduction in hours with every means at their disposal. American Airlines felt the heat. The pilots of other airlines were led to believe that our approach to a Crew Complement solution through a reduction in hours was not in their best interests.

Many attempts by the Company and by us were made to have ALPA sign our agreement. Perhaps it was expected of us to come "begging." The AAL pilots would never do that. There were others who attempted, without success, to influence Ruby. John Carroll, former First Vice President and a member of the original Crew Complement Policy Committee wrote to him on February 2, 1963. Part of what he said:

"You have made quite a point of the recommendations of the various boards as to third man qualifications. I can scarcely believe that David Cole, Dr. Feinsinger and associates or Professor Taylor and friends ever contemplated that this third man should be forced to learn to fly and then be forbidden to ever do so. Having attended most of the Feinsinger hearings as an observer, I heard them repeatedly stress that labor peace and one union in the cockpit was a prime objective to be obtained.

So, one can see that we are far from realizing our 1956 policy objectives even on the so-called "all pilot" airlines.

In your letters, you have quoted extensively from various policy proceedings. I hope you have been provided more accurate information than has apparently been given to you on modification of our crew complement policy on Turbo-prop equipment. I contest that our policy has actually been modified to allow a mechanic flight engineer to serve on Turbo-prop equipment. The only ballot of which I have any knowledge is the one circulated to the Board of Directors at the time of the EAL Emergency Board decision. It was specifically and sharply confined to the EAL situation so as to allow for solution of the pure jet crew issue. As you point out, FEIA rejected the EAL Emergency Board decision but accepted our giving up the turbo-prop. ALPA seems to have just given up elsewhere without ever amending the policy. I would surmise that we never actually amended the policy because the outcome of that EAL decision was so embarrassing.

Although my bringing up the circumstances surrounding ALPA's surrender of the Turbo-prop policy is certain to revive bitter old memories, the main point is to demonstrate my belief that the actual current *existing Turbo-prop policy is not as you have described it.*

In summation, my major premise is simply that we are far removed from true implementation of ALPA crew complement policy. Our January 14, 1963 News Bulletin states "at the close of 1962, American was the only major carrier left with the crew complement problem." To me this means only that they have not yet signed a three-man agreement with the same type of non-compliance as some of the others. Without any implication that it applies to the current problem, General Counsel Weiss has stated that it would indeed be miraculous for us to obtain a uniform solution of the crew complement problem on all airlines. My view coincides with his; I think that reality dictates that the most we can now obtain in the

way of uniformity of settlement is one union in the cockpit and certain fail-safe training for the third man.

The Association has always provided each MEC with a certain degree of latitude in representing their own pilots. We have always had some "States Rights" or autonomy on each airline.

The present pressures which have been exerted on the AAL pilot group without giving them the same forum for presentation of their side of the story will inevitably destroy the Air Line Pilots Association."

A past MEC Chairman and Jet Committee Chairman on TWA wrote to Ruby on February 3.

"As I understand the proposed AAL Agreement the third man would at least be a member of ALPA. This is certainly more than has been accomplished on some other carries, including our own.

In essence I am trying to point out that the AAL group are not the only pilots who have not complied with policy.

Our By-Laws very specifically give the Board of Directors the final authority in matters of policy. It does not seem consistent with the By-Laws for the MEC Chairman of the trunk carriers to interpret policy. It seems equally inconsistent with the By-Laws for these same MEC Chairmen to attempt to impose limitations and conditions on any Negotiating Committee.

I recognize that the By-Laws give broad powers to the Executive Committee. It does appear unusual that six years after the Board adopted its crew complement policy that the Executive Committee believes qualified pilot means Commercial and Instrument rating. Has this now become the law of ALPA or an opinion of the Executive Committee?

Mr. Ruby, I am not inferring a complete endorsement of the actions of the American pilots. I do believe that the membership has only

been presented one side of the story. Before the American pilots are adjudged guilty I would like the Board of Directors and the entire membership to understand just what has happened on UAL, PAA, TWA as far as crew complement is concerned.

There has been unrest and dissension in our ranks since 1956. I believe democracy is a slow and painful process. I believe the democratic processes have not been fully utilized in the present crisis. I believe it would be unwise to drive the American pilots away from the Association over a policy which has been bent and twisted beyond all recognition by various other airlines. I am a great believer in principle, but I believe equally strong that in a democratic organization there must be compromise. It will be a sad day if the Association founders on the rocks over this issue."

Manning responded to Ruby that because of the disagreement between ALPA and the pilots, the engineers could not presently consider a merger. He referred with some bitterness to ALPA's "failure to intervene" at EAL, where pilots took over the jobs of the flight engineers. He warned that for ALPA to "press" its disagreement with the American pilots might lead to a strike or to lengthy litigation, either of which would be "unfortunate," and he suggested a request for help to the Secretary of Labor and to Chairman Edwards.

Our flight plan needed an alternate. Seven former AAL Master Chairmen, going back to the early forties, reviewed the situation and gave Nick O'Connell a written statement declaring that "nothing should be allowed to delay or interfere with the implementation of this agreement." Much of what is said here comes from the official records of the "Opinions of the District Court." The case was heard before Judge Inzer B. Wyatt. There were 21 days of testimony and 3,200 pages of transcript. Nick did a great job of defending our position in court. A summary judgment in favor of the defendant and of the additional defendants against plaintiffs was granted on August 12, 1963. ALPA appealed the decision. That was denied but ALPA attempted an appeal to the Supreme Court.

In the written opinion of the Court is found:

"To give the ALPA national organization, controlled by employees of other airlines, a veto power over contracts negotiated by the American pilots who must work under the contract is not consistent with democratic procedure on the American air line system 'itself'."

"There is no evidence that the Company suggested, encouraged or even knew in advance about the determination of the American pilots to leave ALPA over the 'C and I' issue and from their own organization."

The appeal Judge found no interference or coercion.

The MEC met in New York City at the Commodore Hotel on March 19, 1963. They were presented a completed agreement containing the hourly reduction and the improved retirement benefits agreed to on March 15. This covered the flight engineers as well and was prepared for Ruby's signature. Two days of thorough discussion followed. Nick's meetings with the past Master Chairmen; Mr. Kirkland, Assistant to Mr. Meany AFL-CIO; Leverett Edwards, Chairman National Mediation Board; and Ruby were reviewed. The Flight Engineer Negotiating Committee and their lawyer; Marion Sadler, President of AAL; and Ruby were asked to address the meeting separately. The agreement was unanimously ratified. Ruby was asked one more time to sign it. He refused and stated that ALPA would not recognize any agreement negotiated by the pilots committee, and that he could not and would not sign any agreement that did not provide for a C & I for flight engineers.

The MEC passed several more resolutions: Set up a temporary organization, chose the name Allied Pilots Association (APA) to become the representing entity for the AAL pilots; the Agreement to be ratified by all AAL pilots after a "road show" explanation; assess our pilots to cover all expenses necessary; circulate Authorization to Act cards for NMB approval; provide for temporary officers, Nick O'Connell President, Bob Hoyt Vice President; and Paul Atkins Secretary-Treasurer.

Authorization to Act cards were sent out on April 12, 1963. The cards returned initially showed 84% of our pilots desired APA. The numbers climbed quickly and reached into the high nineties. By May 3, there were 1,285 of our

members in bad standing or expelled from ALPA. On April 24, an application was filed with the NMB for recognition as the collective bargaining agent of the pilots on AAL.

On April 26, five of us were expelled from ALPA; Nick O'Connell, J. R. Lyons, Paul G. Atkins, Joe Garvey, and Bob Guba. We had continued to negotiate with the Company. This was against the orders of the Executive Committee, backed up by the Executive Board. It violated their policy.

After the March meeting the MEC was now a temporary Board of Directors of APA. The engineers would have no part of a joint agreement. We went back to negotiations to secure the benefits previously agreed to, for the pilots alone. All references to flight engineer were deleted. The engineers went back to their own negotiations.

Marty Seham, a young New York lawyer fresh out of Harvard, was hired to represent our legal needs. He was taking a chance with us as we had very little money to pay him at the time. It proved to be a very fortunate relationship. He has been protecting and advising us to this day. Ralph Harkenrider was hired by us, since he had been fired from ALPA over our situation. He was of invaluable assistance with all the administrative tasks we would be facing. A Board of Directors meeting on June 4 and 5, approved John Reddington's proposal for Loss of License insurance with Mass Casualty. Jim Quinlivan provided the other insurances.

They still provide these valuable insurance services and benefits for APA's pilots and retirees.

There was a request by ALPA that the NMB defer passing on the certification application of APA until after a decision by the Court. On May 24, the NMB denied their request. On June 12, the NMB reported that of the 1,571 pilots eligible to vote, APA had authorization from 1,334. The NMB ordered an election. ALPA took injunctive action against the NMB.

It was denied and lifted by court action on September 16.

Our By-Laws were adopted, pending ratification by all pilots on AAL, during our Board meeting on October 22 through 25, 1963, in San Francisco. The proposed By-Laws were put together in Joe Gumber's bar, The Swinging Door, by Bob Hoyt and Chick Luna among others. George Hof wrote

the Preamble. They were ratified by the membership on November 26 and became official.

Although the official certification would not be given APA until November 13, 1963, American Airlines recognized APA as the collective bargaining representative for all AAL pilots and copilots on July 9, 1963 by signing our contract. We had accomplished the first hourly reduction, with no reduction in pay, since 1934. The 75 hours would be phased in on the jets first. Later we would include all equipment. There was a dues check-off provision included in our contract which would alleviate our financial bind and stop the temporary assessment setup. Our Retirement Plan was made completely non-contributory with a 10% "B" plan.

The Negotiating Committee had an "opportunity" when the Company placed the BAC 111 in service in late 1963. The Company wanted to fly it with a two-man crew. By mutual consent, the contract was opened early for this purpose as well as bringing our Electra and piston pay up a bit. An agreement was signed unanimously on November 19, Nick's birthday, which brought pay on all equipment to the highest in the industry. It was estimated to cost the Company in excess of 4% increase in payroll.

A Board of Directors meeting in Phoenix, February 18, 19 and 20, 1964, set up various committees and named nominees for the election of National Officers. The elections by the entire membership were verified by the Honest Ballot Association and the first elected National Officers were Nicholas J. O'Connell, President; J. Richard Lyons, Vice President; and Paul G. Atkins, Secretary-Treasurer. On June 1, APA moved into its new home office in the Chrysler Building in New York City.

Negotiations had been going on for some time during late 1963 and most of 1964 in an effort to complete the full understanding which would settle once and for all the Crew Complement question on American Airlines. We had told the court we did not want the flight engineers in our union unless it be of their own free will.

The eventual agreement (known as the "Tripartite"), exactly as written in the Supplemental "C" of the current agreement, was signed by all three parties on December 11, 1964. This peaceful settlement after years of public hearings, strikes, threats of strikes, and acrimony on

other airlines was a tribute to all concerned including American Airlines and the NMB. It was the first permanent settlement in the industry. Basically, the flight engineer pay is a fixed percentage of copilot pay; they accept the same rules and working conditions as we may negotiate for our pilots and pay a service fee. There is a no strike clause for the flight engineer. All future hires are pilots on the pilots seniority list and are represented by APA. The engineers did not want to join the pilots retirement plan, so they negotiated that feature by themselves and otherwise just conformed their contract with ours. As part of this settlement, the American pilots have agreed to respect the independence of the flight engineers and their Association. This arrangement has worked well for 25 years, with no problems.

During the many negotiating sessions held to accomplish the Tripartite agreement, we negotiated several additional benefits in the working condition area, i.e., the Substitution of Equipment protection. We obtained an additional 1% of a pilot's gross earnings to be put in the pilots "B" fund for a total of 11%, July 1, 1965. A nice little "kicker" just before the amendable date of July 8, 1965.

The next three contracts put us well ahead of the industry in all departments while we doubled our pilots numbers. Basically, the same team of Negotiators were there from the fifties. It has been 30 years since the last strike on American Airlines. The "prophets of gloom" were wrong.

Next: 25 years of success for APA Presidents
Nick O'Connell 1963-1976; J. R. Lyons 1976-1979;
Robert Malone 1979-1985; Fred Vogel 1985-1991;

(Since Written) Richard T. LaVoy 1991-1994; James G. Sovich 1994-1997; Richard T. LaVoy 1997-2000; John E. Darrah 2000-Present

25 Years of Success

APA was set up so as to allow the American Airlines pilots to govern their own destiny in a democratic way, and to be responsive to the membership, which has the final control.

The proposed Constitution and By-Laws of our Association contained recommendations from Chicago, New York, and Los Angeles, where committees were active, plus participation from every base. All AAL pilots were represented. The By-Laws have been added to only infrequently over the years attesting to the wisdom and thoroughness of the framers.

Popular acceptance was established. The officers are charged with fostering and administering programs and policies with sound planning and foresight. The governmental powers are vested in the Board of Directors and the Officers in accordance with the Constitution and By-Laws. The objectives of our non-profit Association are set forth in Article 1. There has been marked success over the years.

We progressed along with American Airlines through some trying times, but it was always the future that counted most. Our achievements were made possible with strength and with dignity. The active and loyal participation of our members, as well as responsible leadership, was a necessity. Those achievements have had a dynamic impact on the entire industry which the pilots of other airlines have benefited. There is a community of interest among all pilots, i.e., Safety and Regulation. Each carrier pilot group must be free, however, to solve its own problems in its own way and not be bound by inflexible rules formulated by others to serve the purpose of other groups of hierarchies.

The first year was a tough one for APA. The early monies to get started came from volunteers, as did the help with mailings and office work. A small cubicle of space on 114 East 40 Street, New York City, served as our first Headquarters. We owe a debt of gratitude to the Officer's wives and to all the New York pilots as well as the pilots around the system who, when on layovers in New York, pitched in to help out.

Things rapidly improved after our dues check-off procedure was in gear and our move to the 54th floor of the Chrysler Building. Mona Householder joined us there. She is still maintaining a professional office staff through five different Presidents. She deserves a lot of credit for our efficiency over the years.

By March of 1965, all understandings and agreements of the past two years were in place, including the Tripartite and our Flight Officer category. Full explanations were given our Board and at local meetings. We had completed our assignment just in time for a new Committee to prepare the Opener due May 8, for the 1965 contract. The Officers of the Association being ex-officio members of the Negotiating Committee, Joe Garvey became Chairman.

With Marion Sadler, President of American Airlines and C. R. Smith, Chairman of the Board, our relationship with the Company remained very positive through the next two contracts. The Spater era would be somewhat more difficult.

The pilot hiring program which had begun in 1964 was rapidly expanding our seniority list with projections of more to come. The training load for upgrades and new equipment was recognized as a problem both for us and the Company. A novel approach was taken for temporary relief called the Temporary Relief Duty Period (TRDP). The TRDP was essentially that all pilots would work one extra duty period each month with pay but no credit. We did not want to bastardize our basic 75 credited hour maximum month.

There was a definite one-year limit: September 1, 1965 until August 31, 1966. Pay protections were built in for all pilots so that no one could lose from any status or equipment changes. Tight rules were written into this temporary Letter of Agreement. It worked well.

This document was approved by our Board of Directors on August 5 and 6 along with the 1965 contract. We were so far ahead of the industry in all provisions that it was estimated it would take many years for other pilot groups to catch up. President Sadler's statements to the Board commending the AAL pilots' professional performance and his desire to maintain his pilots in a position of leadership were well received. The Company committed to 1,050 new hire pilots.

Lest there be a misconception, this negotiation was no pushover, nor would the next one, but it was obtained in direct negotiations after a lot of hard bargaining.

While we were enjoying the benefits of our contract, ALPA was still having problems with the jurisdictional dispute with the flight engineers. Quoting from Aviation Daily of

October 21, 1965: "FEIA President William A. Gill, Jr. said, the union is planning to fight what he called ALPA raids on FEIA membership at Pan American, National and TWA" . . ."that ALPA was seeking a craft and class determination on TWA and had taken steps on National and Pan American to start such action." The article further quoted: "Representatives of the National Mediation Board are of the opinion that a solution of the problem could be found if ALPA would agree to a solution along the lines of APA's Tripartite Agreement."

In 1966 American participated in a Military Air Charter (MAC) operation. Five weeks of continuous negotiations led to an agreement covering such flights. In December, we became an all turbine airline. The Electras left a couple of years later.

1967 saw great growth on AAL. We had 3,358 pilots on our roster as of June 30, compared with the 1,580 in 1964. National Officer elections were held. Nick O'Connell was again elected President, J. R. Lyons as Vice President, and Paul Atkins as Secretary-Treasurer. All National Committees were very active. We added an Astrolog and a Supersonic Transport (SST) Committee.

The 1967 contract would be opened in May and not concluded until December 20. Part of the delay could be attributed to what was happening to top management on American. President Sadler underwent major surgery during the summer. George Spater was named Vice Chairman of the Board, a position which would lead to the Presidency of AAL in early 1968.

Both C. R. Smith and Sadler announced their retirements. Spater was a different breed. He did not get along that well with his own people in top management. He was a professorial type, reminiscent of Sayen, who never understood how to communicate with his employees. We had an array of different people to negotiate with. We were able, however, to reach a quite satisfactory contract with some help from the NMB. We agreed to a very good training section and to commence discussions on the Trans Pacific Operation in May of 1968. American was expecting a route award. AAL did not get quite what it wanted and delays followed.

APA had to make plans for the future with our growing numbers and problems down the road. Two members were added

to the home office staff: an attorney, and a man to help in the areas of air safety, training, new equipment, etc. We were becoming a large organization.

In 1969 we would be looking to another round of negotiations, the establishment of our overseas contract, and the introduction of the 747 and DC-10 equipment. The Spater influence would be felt. There had been TWU-Mechanics strike which had shut down the whole airline for a short period. We felt we had a better hammer. We did have to rattle the cage a bit. As it turned out, even though delayed, our contract agreement reached on May 29, 1970 was one we could be proud of. It was once again the best in the industry, including International; a 4-1/2 hour minimum day; a Credit Account Plan (CAP) which places time in excess of 75 hours in an account at the rate of 1-1/4 - 1-1/2 or two minutes for each one minute above 75 hours to be repaid to the pilot only in terms of removal with pay for a trip to be flown by a fellow pilot - a new "first;" more vacation in upper and lower seniority brackets; Company paid life insurance; and pay, the highest in every category on all pieces of equipment. Nick stated in his annual report that year: "It has been reassuring to me, attending various domicile meetings, to note the interest, enthusiasm and willingness to serve evidenced by all our members. Our success during this past year must be attributed to the unity of our group. Unity displayed and practiced by all from the oldest to the youngest, the most senior to the most junior, an understanding of and dedication to the welfare of all, bodes well for the future of our group."

The period of the 70s would see some rough times for the airlines and the economy. Other airlines were experiencing layoffs in the early 70s but we had not, yet. APA membership climbed to over 99%. The next contract would face many problems and Spater. There was infighting at the top on AAL. The impact of which would funnel down through all ranks, including the pilots. There were assaults on our contractual rights and many grievances filed. Before Spater left AAL on September 18, 1973, there was general chaos and a bit of scandal. We may have provided some fuel for the fire.

In 1970 the merger bug bit American. It bought Trans Caribbean Airlines (TCA) and made an offer of merger with Western Airlines (WAL). This was the first time a pilot group has been faced with the merging of two other

seniority lists at the same time. Our Merger Committee had plans well in advance and became very active. The WAL merger was turned down, but the TCA deal went through. We spent over three years and a lengthy arbitration before all problems were resolved.

1970 found APA's new Headquarters comfortably situated in Arlington, Texas. We had moved from New York by action of the Board of Directors. There were elections for National Officers. Nick O'Connell remained President, W. H. "Bud" Barry became Vice President, and W. M. Culbertson Secretary-Treasurer.

By 1972 there were furloughs on most airlines. TWA saw their seniority list depleted by over one thousand numbers. We were hit on AAL as well, but later. Our Association cushioned the blow. In 1971 an accommodation agreement was reached that kept all pilots on the payroll during the worst of the recession. The consideration for the Company was an extension of our contract for a period of ninety days. This had a desirable effect of putting us behind some other pilot group contracts, which we could build on. They had historically done this to us.

Over 300 APA members were active in committee work either on a local or national level. Skyjacking was a major concern during the early 70s. Marty Seham was actively representing us in Washington before the CAB. There were two proceedings which could vitally effect us. The carriers proposed setting up an organization called "Air Conference" which would have the power to represent all member carriers in their dealings with various labor organizations. One of the organizers, Spater of American, reminded us of the 1940s. The other matter concerned the carriers Mutual Aid Pact, with origins in 1958, which allowed operating airlines to subsidize other carriers which are on strike. Both these ventures would eventually disappear.

The 1972 contract negotiations carried over to 1973 before a settlement was reached on April 2. It was not easy. A strike vote had to be taken. Nick could have landed in jail, if he could have been found. Negotiations continued under the auspices of the NMB and the U.S. Labor Department Conciliation Service in Washington, D.C. George Warde had been made President of AAL during 1972, under Spater. This helped to end the ordeal in April of 1973.

APA celebrated its tenth anniversary shortly thereafter with a good contract, the TCA arbitration nearly completed and 3,444 pilots on the payroll. All furloughed TCA pilots had been recalled plus approximately 199 new hires were added to our list. We were financially sound. Our very democratic ways had served us well and was our strongest forte. Some had predicted otherwise. The Incumbent National Officers were returned to office.

With Spater's resignation from American in September, C. R. Smith returned as Chairman for a short time to straighten out the mess at the top. We were not sorry to see Spater leave, but Warde had been a friend. C. R. Smith went outside the Company and picked Albert V. Casey as President of American Airlines. C. R. Smith quit and Casey became President February 20, 1974.

Casey proved a very good choice. He was a take charge kind of guy and personable. Donald Lloyd-Jones was a Senior Vice President. We had two men at the top level with whom we could communicate. Within two months Casey was made Chairman of the Board as well as President.

During the latter part of 1973 while C. R. Smith was still around, APA negotiated a Supplemental Agreement to stem the massive furloughing. The Mid-East oil boycott had reversed American's plan for expansion to one of pilot overages. The Agreement accepted by the APA Board of Directors spread the misery somewhat and saved 354 of our members from furlough. It did not make everybody happy, but it was about the best that could be made of a lousy situation.

American's Pacific routes, which were money losers, were exchanged for some of Pan American's Caribbean destinations in 1974. APA fought against this but to no avail.

The 1975 contract was signed well before the amendable date with little difficulty. Our relationship with management was better than it had been in years. The fortunes of American Airlines were on the upturn and we were going with them.

American had the best safety record in the industry. The first accident in ten years happened in 1976 at St. Thomas. There would be much effort spent in protecting the crew and shutting down the St. Thomas operation on AAL as unsafe under those airport conditions. The National Officer

elections of 1976 found J. R. Lyons President, Robert Malone Vice President, and William Culbertson Secretary-Treasurer. One of the first orders of business was the successful investigation and handling of the St. Thomas matter.

The 1977 contract was signed before the amendable date. This was a first instance that two back-to-back agreements had been reached in record time. Our continuing good relationship with management made it possible. We still maintained the best overall agreement in the industry. Charles A. Pasciuto, Vice President Labor Relations, handled the negotiations for the Company. He had been around for some time. He was tough but someone we could trust and work with. We had to be just as tough. Somehow we always managed to surmount the troubled areas.

The recall of all furloughed pilots had been completed and the newly hired had brought our seniority list to 3,715. Copilot pay percentages had been increased in this contract as well as pay of reserve pilots and much improved deadhead pay and credit provisions. We wanted no member to feel left out. We had the best retirement provisions of any airline. In 1978 we added the agreed-to option of Lump Sum.

The Company, after the shutdown at St. Thomas, wanted to operate a service that did not involve our pilots or aircraft. The Agreement that let them accomplish this, on a limited basis, led to the new "Scope" agreement which we now have in the Contract. Marty Seham was very instrumental in accomplishing and authoring the contents of our Supplemental Agreement at that time.

During late 1978 and the 1979 period, American Airlines was making a corporate decision to move their Headquarters to the Dallas/Ft. Worth area. It was done during the summer of 1979.

As of June 30, 1979 we were in good shape financially, we had 4, 228 pilots on our seniority list, a retirement "B" fund which had increased from some \$41 million in 1964 to over \$500 million in 1979. (Today it is nearly \$1.5 billion.) We had done a little fore-sighting in that area.

Our position of a "best" contract for the pilots of America's leading airline was always maintained. Protection of the basics was the primary objective in negotiations;

the 75 hour credited monthly maximum, the benefits package, and especially working conditions. Future effects were always considered as well as overall content. Any week spots in our agreements were ultimately beefed up. Patience was sometimes required as it took considerable time to accomplish some of our desires. We did, though, with the solidarity and support of all the AAL pilots. If we are to expect the best, we must give our best.

Pilots hired in the 1960s were encouraged to actively participate in Association affairs. They did. The Officers elected in 1979 were Robert Malone President, Fred Vogel Vice President, Francis Fosdick Secretary-Treasurer.

The governmental forces were busy with "deregulation" of the airline industry. They were not sympathetic with the role of commercial pilots and their position of influence. It would be a new ball game. What this would mean to the airlines and the pilots would be felt in the 1980s.

Robert Crandall was made President of American Airlines on July 16, 1980. No doubt that American will continue to be the "best" airline in the free world and that APA can and will be the best pilot group in the industry.

It was gratifying to get back to just flying airplanes the last year of my career with American. The story of the 1980s can best be written by those who were there. The Association is in good hands. You have doubled your numbers again. The future is up to you. If this brief history of the earlier days can in any way be helpful, I will be pleased.

August, 1989

J. R. Lyons

About The Author

J. R. Lyons learned to fly in 1940 while attending the University of Michigan. He taught acrobatics and instrument programs, and was a test pilot on B24s at Willow Run.

Hired by American Airlines in late 1943, he was given company seniority on January 12, 1944. He received the Distinguished Service Award from AAL in March of 1945 which states "Radioed circumstances and then landed aircraft

practically out of control after being damaged in a mid-air collision over Saline, Michigan - December 24, 1944."

He was elected senior copilot representative of the New York Domicile in 1945 and to the Negotiating Committee that same year. As a member of the Board of Directors of ALPA, he began a period of 35 years of continuous service on behalf of his fellow AAL pilots. He retained these positions until moving to San Francisco in 1952. There, either as senior copilot representative or as chairman of the San Francisco domicile, he was on ALPA's Board of Directors until APA was formed in 1963.

In 1956, he was elected Chairman of the Negotiating Committee, a position held until becoming the first elected vice president of APA in 1964 which he held for two terms. He served several terms as chairman of the SFO domicile prior to his election as president of APA in 1976.

Captain Lyons retired in October of 1980. He has consulted for APA and has attended all Board meetings since.