

EEOC Update

August 2, 2005

An injunction has been filed in behalf of NAATS employees seeking to Halt the outsourcing of Flight Service Stations. The injunction is a very substantial document and is available from your Director. The text is over 100 pages and has several exhibits including many pages of declarations of employee hardships. The employee hardship information is being safeguarded separately and is not available for public distribution, however if you have any questions on your own personal hardship, direct inquiries to your director. We have requested a hearing date of mid-late August (hopefully August 21), and we will keep you updated as to when the date becomes firm. We expect that after we get the hearing the Judge will decide within 7 days of the hearing on the issue of injunction.

There have been some questions as to what rights employees have as to use of EEOC in regards to RIF and appeal avenues. The answer that I have received consistently from our legal representation is that if you are involved in an age discrimination suit against the FAA, you may not subsequently file another age discrimination suit for the same offense. If an employee is already listed on the Union lawsuit you are not entitled to use EEO for age discrimination, however you may use EEO for any other of its categories. Many of the options available to employees is being provided in an update by Scott Malon.

In a nutshell, the best answer I have is that you may use whatever path you wish to appeal this process, but if you are listed on the Lawsuit you have already used your “one bite at the apple” for age discrimination. You may pursue any other method on your own.

As always use whatever means at your disposal to protect yourself. This is a very complex decision and don't be afraid to get professional help when making this choice.

Mike