



Transport Workers Union of America, AFL-CIO  
Air Transport Division  
Local 555  
Southwest Airlines Ramp, Operations, & Provisioning



## FMLA ADVISORY

April 18, 2007

### COMPANY FMLA CHANGES THAT ARE AGAINST PAST PRACTICE

**Past...**The company would take your last hours (less than 8 hours) of FMLA and cover the last day that you called out FMLA without penalty, likely because it was the right thing to do and the SWA culture to take care of the employee and do everything in their power to help out for the good of morale.

**Present...**On a Southwest Airlines memo dated April 9<sup>th</sup>, the company advised that, *“Employees are responsible to verify and track the availability/usage of their FMLA hours. If an employee does not have enough FMLA hours to cover his/her shift; the remainder of the shift without FMLA will be and absence under Employee’s applicable attendance policy.”* Yes, you would incur a point for the uncovered part of your shift.

It’s sad to say that this is now in effect; it’s even sadder to know that it is not illegal. In a time when the work load is increasing, weight of packages and luggage is increasing and more work is being done with fewer agents, the company continues to increase restrictive practices and make it harder and harder to enjoy the benefits that were freely given just a couple of weeks ago. **In an effort to help you know where you are at all times, when asked, the station admin or supervisor will advise you of your attendance points, FMLA hours used and FMLA hours available. We should not be the only ones feeling the pressure of an increased work load. Ask the company where you are on a regular basis and stay on top of your FMLA hours used/available, it’s your contractual right.**

### The Right Words to Use

In a memo dated April 9<sup>th</sup> the company advises that, *“Whether an absence/tardy if FMLA related or not, employees must comply with the call-in requirements outlined in the applicable collective bargaining agreement, attendance control program or attendance rules, unless it is not practicable to call-in under the circumstances.”*

This one, we can also organize against. If you have an FMLA approval and are calling out, there is legal protection in the words **“as soon as practicable”**.

The call-out would sound like this.

**“This is agent John Doe, I am calling out FMLA and this is the first opportunity I had to call because of my/my family members’ illness. Thank You.”**

## Educated = Empowered