

## **Ming Pao – 15<sup>th</sup> Oct 2009**

### **Headline- Pilots sacked by Cathay Pacific – Mr. Philip Chen admitted that it has relation with Industrial Activities**

49 pilots of Cathay Pacific who were involved in the industrial action 8 years ago and had been sacked by the company, 18 of them sued Cathay Pacific for “Unreasonable Dismissal”. The case was heard yesterday in the High Court. The then Chief Operating Officer Mr Philip Chen and the current Chief Executive Officer Mr. Tony Tyler gave statements and denied that it has anything to do with Industrial Activities. The sacking they said was based on individual behavior and poor attitudes. However, under the repeated questioning by the judge, Philip Chen subsequently admitted that the sacking was partially due to industrial activities.

In 2001, the current CEO Mr. Tony Tyler was then the Corporate Director. He has openly published a letter accusing the pilots as “unprofessional” and “held the company to ransom” by delaying the flights. These were therefore regarded as “defamation”. Mr Philip Chen says the pilots have no problem technically except their attitudes which has caused obstructions to smooth operations. He says, after discussions with various departments and based on the individual past performance, and also for the benefit of the company that can no longer rely on these crew members; they have therefore determined to sack them.

After repeated questioning by the barrister who is representing the pilots and also by the judge on the question of whether the sacking has anything to do with industrial activities, Mr. Philip Chen finally admitted that the sacking was partially related to industrial action.

In 2000, HKAOA representing over 1,000 pilots has negotiated with Cathay Pacific on issues of crew benefits, salary and rostering but without success. The pilots then went on “Work Compliance”. In July 2001, HKAOA decided to take industrial action trying to bring Cathay Pacific management back to the negotiation table but on 9<sup>th</sup> July, Cathay Pacific suddenly announced the sacking of 49 crew, which has resulted in this legal action.

As a matter of fact, there had been prior incidents and disputes between both parties. In 1999, Cathay Pacific want to cut cost by asking the pilots to reduce their salary but the pilots doubt the requirement on salary reduction when the company is making huge profits. The pilots then commenced their action of taking “sick leave”, causing hundreds of flights delayed hence the company has to charter over 30 flights to provide the service. In the same year, both parties come into some agreement and settlement. On the other hand, Cathay Pacific flight Attendants’ are filing claim against Cathay Pacific on their holiday pay and the case is still pending for judgment by the court.

## **Apple Daily – 15<sup>th</sup> Oct 2009**

### **Headline – Pilots sacking Case – Mr. Philip Chen gave statements in Court**

In 2001, Cathay Pacific has industrial dispute with their crew, 49 pilots who were involved in the industrial action were then sacked. Thereafter, Cathay Pacific criticized the crew as being “unprofessional”. 18 of this crew now sued Cathay Pacific for “Breach of Contract” and “Unreasonable Dismissals” and also claim for damages. At the time of the incident, the then Chief Operating Officer Mr. Philip Chen and the current Chief Executive Officer Mr. Tony Tyler gave statements in Court, saying that they forgot whether they have said the pilots was “Unprofessional” but admitted that it was partially related to industrial action. They also said these pilots are technically professional. Tony Tyler however says they have lost confidence with these 49 pilots thus for the benefit of the company, they have to sack them.

## **Oriental Daily- 15<sup>th</sup> Oct 2009**

### **Headline - Senior Management of Cathay Pacific admitted that the sacking of pilots are in relation with industrial activities**

In 2001, Cathay Pacific sacked 49 pilots. 18 of them has filed lawsuit against Cathay Pacific for “Breach of Contract” and also “Unreasonable Dismissal”. The case was heard yesterday in High Court. The then COO of Cathay Pacific and the current CEO were summoned to Court. Mr. Philip Chen admitted that the sacking of pilots was partially related to industrial activities.

In summary of their statements, both said they were not involved in the selection of crew who were sacked. They however said the company has taken into considerations the individual performance but considered them “not reliable”. Hence, for the benefit of the company, they have to make such a decision. They also emphasized that it has no relation to industrial activities.

Under repeatedly questionings by the barrister who is representing the pilots, Mr. Philip Chen subsequently admitted that these pilots were technically professional and there was no mistake made in their record. It was due to the industrial activities which is considered as collective action and has caused disruptions and uncertainties to flight operations thus the company decided to sack them. Also, under the questioning by the judge, Mr. Philip Chen eventually admitted that the decision was partially made due to industrial activities.