



# The Cathay Pilots Union

## The Price of Appeasement

### Dear Cathay Pilot

In 2005, under the leadership of Murray Gardner, the HKAOA did a deal with management, which resulted in the abandonment of HKAOA support for *The 49ers'* legal cases. *The 49ers* remain the ultimate victims of management intimidation: terminated without either being given any reason or a contractual Discipline and Grievance Procedure. Because of that deal the HKAOA cannot assist *The 49ers* further in their pursuit of justice. A properly-led union would have supported their cause, not walked away from it.

The Cathay Pilots Union was formed on 1st May 2005.

### What about My Contract?

The CPU's primary objective has always been the support and funding of *The 49ers'* legal cases and we have been very careful not to be distracted by industrial issues at the expense of that objective. However, in the past 3 years, the HKAOA leadership has seriously damaged the security of *your* contract by giving away millions of dollars worth of rostering productivity as well as many other hard-won Conditions of Service. They pursued a "*new era of co-operation*" with management, capitulated on Rostering Practices and abandoned *The 49ers*. They did that in return for eventual talks about pay. Unsurprisingly, they got just that: talks about pay.

The so-called Unified F/O pay scales (C-scales for new joiners) are reduced pay scales which undermine those already employed. Sixteen months ago, the HKAOA membership voted overwhelmingly to reject C-scales for new joiners. Despite that, HKAOA representatives, under the current leadership of Steve Turner, agreed to C-scales for new joiners. We went through this in 1994 when B-scales were imposed upon us. Have we not learnt?

As predicted, the appeasement strategy adopted by Murray Gardner and his Committee has clearly failed. Appeasement was never going to work and the result of that failed strategy is glaringly obvious. Management have now taken the opportunity to impose a whole range of detrimental unilateral changes to *your* contract.

*"Appease on your knees"*. All Cathay pilots are now paying the price.

If you don't achieve proper improvements to Pay, Conditions of Service and Rostering when the Company is making money, when exactly do you expect to achieve them? One thing is for certain - it won't be during the next downturn.

### What about Seniority and ASL?

Until 1995, Cathay freighters were crewed by pilots on the Cathay Seniority List. That changed when management unilaterally formed a company called Aircrew Services Limited (ASL). The spin was that CPA could not compete in the freight market due to



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high aircrew costs! ASL was a 100%-owned subsidiary that employed aircrew, including Direct Entry Captains, on much-reduced Conditions of Service. It was a shelf company designed to circumvent Seniority and to cut costs. The hiring of Direct Entry Captains, in particular, was an abuse of Seniority and a disgraceful attack on the careers of pilots at Cathay. Equally disgracefully, long-serving CPA Flight Engineers were fired from Cathay and asked to apply for their own jobs back in ASL on worse conditions. Flight Engineers remain on lesser conditions in ASL to this day.

After a particularly industrially-turbulent summer in 1999, CoS99 was agreed. One outcome was that Cathay pilots achieved contractual provisions to protect the passenger fleet and "ring fence" the freighter operation - the Freighter Aircraft Crewing Agreement (FACA). The Agreement stopped recruitment to ASL, provided a "one-off" opportunity for ASL pilots to join the CPA Seniority List and provided for passenger pilots to fly the freighter on a voluntary basis.

Management have done away with those contractual protections and reneged on the "one-off". They want to keep those ASL pilots who ignored our Seniority List. They are desperate to solve the freighter crewing problem. Management have no intention of implementing proper pay rises - what they want is Cathay pilots flying freighters (and passenger aircraft) on the cheap. Cathay pilots now fly the freighter aircraft but without the contractual FACA protections.

The 7-page FACA was the only contractual document that regulated differences between Passenger Aircraft and Freighter Aircraft flying. Without the FACA, *all* of those differences are negated. For example, what prevents Crew Control calling out a "freighter" pilot to fly passengers back from LAX? Answer - company policy as may be varied from time to time. Did you know your next PC could be done by an ex-ASL Check Captain who has just joined the Company?

The latest changes to your contract were imposed unilaterally; they were not agreed. If these changes really were "beneficial" then they would have been agreed and there would be no need to impose them. What has the HKAOA leadership done about this? Don't be foolish - don't be fooled.

### **But how do *The 49ers* Affect Me?**

How would you feel to be terminated for "no reason", written or otherwise? What about being denied *your* contractual right to a Discipline and Grievance procedure? Is it fair or legal to be terminated or penalised for taking part in union activities or even being a union member? What about having *your* professionalism defamed by your employer? After all that, what if you were then abandoned by your own Association's leaders?

That's what happened to our Cathay colleagues in 2001. It could happen to you. Who will you rely upon to back *you* up? The HKAOA?

*The 49ers* are pursuing their right to justice and The CPU is committed to helping them. By helping us you help support fellow pilots and you help protect your future.



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## Help Us Protect What's Left of *Your Contract*

A big "thank you" to those who have joined, donated or simply helped out. We don't pay millions of dollars for staff and office space and as a result more than 99% of the funding we receive goes directly to where it is needed. *The 49ers'* project is on budget and our costs are tightly controlled. Nonetheless, 2008 will be a high cash flow year for *The 49ers* Legal Team.

Last month we communicated the latest legal update to all our members, donors and benefactors. It looks like 2008 will be a very good year for The CPU and *The 49ers*. We invite you to join our project. The CPU takes confidentiality seriously and your anonymity is assured.

Visit our website:

<http://www.cathaypilotsunion.org>

Donate directly to our account:

Name : The Cathay Pilots Union  
Bank : HSBC  
Branch : 1 Queen's Road, Central  
Account : 808-083075-001

We announce with pleasure that a further "third-party benefactor" has approached us and generously agreed to match - dollar for dollar - any Cathay pilot donation made to The CPU in the Year of the Rat. This is great news; if you donate now you make a "double donation"!

**Kung Hei Fat Choi!**



*Contract Security = Fair Treatment for The 49ers*

*The CPU: pilots helping pilots*