



Cabin Crew Newsletter

February 2007

Welcome to your first cabin crew newsletter of 2007. Although it is rather long please take time to read it thoroughly. The following months are going to be very challenging in view of the proposed changes that will take place. You can rest assured that as a union we will be involved in all aspects of the process and will be seeking urgent meetings with management to clarify your issues and agree a timetable for these consultation meetings. If you have any queries in the meantime please contact your local rep (contact details on the back page).

Your Amicus CC89 Regional Officer has changed. John Morgan-Evans is replaced by Denise Barber who now has local responsibility for MyTravel. Denise has already been working closely with the MTAE engineers in Manchester and also has responsibility for other airlines operating out of Manchester. Denise is also based locally at the Amicus Prestwich office in Manchester.

Amicus CC89 has maintained a good working relationship with MyTravel management, which has developed over the years since gaining union recognition. We intend to continue this relationship over the coming months and will ensure your views are heard and your issues are brought to the table for discussion.

THOMAS COOK MERGER

Over view

The proposed merger with Thomas Cook is as it says a merger into a new Company, Thomas Cook Group PLC with the equity held 52% by KarstadtQuelle TC's parent company and 48% held by existing MYT shareholders. It has been one of the best-kept secrets in the industry and has left a

jilted First Choice with a big problem of what to do next. Without any doubt this deal is good for MYT shareholders; it is good for the UK travel industry and will bring some stability and security for those that still have a job after the merger is completed. We do believe however that there could be a substantial number of jobs at risk within MYT Airways as a result of this merger.

AIRLINE HEADCOUNT REDUCTION

Naturally when two Companies merge together the objective is to make synergies (efficiencies which save money). The merger statement has already indicated that they expect to make synergies of £75 million across the combined group. **How will that affect the Airline?** An airline only requires one MD and one Director to head each dept and ultimately it will only require one Crewing dept, Rostering Dept, Ops Dept, Cabin Services Dept & BCCM's, Ground Services Dept, Safety & Training Dept, Finance Dept & HR. CC89 expect that these initial and largest savings will be made in these back office functions, selecting the best from each Company.

CC89 believe there could also be a direct impact on Cabin Crew. John Bloodworth has already been announced as the Head of the combined UK operation and he has been quoted at a recent staff meeting at the Accrington Call Centre as saying that he does not foresee a requirement for 45 UK based aircraft and therefore the new Company will not require all the Pilots and Cabin Crew to fly them, however, we believe this could be managed by the seasonal headcount. He does mention that he would hope to redeploy as many as possible in other parts of the Company. CC89 fear that the New Company may use this opportunity to 'bump' Crew out of rank as MYT have

excess numbers in both the C1 & C2 ranks at most bases as a result of previous headcount reductions and agreements with CC89 to permanently promote following 6 months working up rank.

TUPE

Current legislation provides protection of employees' rights when one company 'takes over' another through TUPE. TUPE Legislation may NOT cover this merger and therefore your current Term & Conditions of Employment and other benefits may not be automatically protected. You will need the Union more than at any other time of your career to defend your current benefits, Terms & Conditions. On previous dealings with MYT over 'Headcount', issues have always been resolved innovatively by working together and understanding the mutual interest of both the employee and Company.

UNION RECOGNITION

Cabin Crew have enjoyed Union Recognition at MYT since 2000 and over this time benefits, pay rises, mitigation of headcount reduction and other areas covering Terms and Conditions have been negotiated on Cabin Crews behalf by CC89. Thomas Cook has only just signed a union recognition with Amicus & T&G (23rd February 2007) and doesn't have the benefit of developing a working relationship with management. We believe that terms and conditions in MYT are substantially higher than those at TC.

TERMS & CONDITIONS

MyTravel Airways has now been in existence for over 16 years the benefits and our Terms & Conditions have evolved especially over the last 7 years as a result of CC89 and the productive working partnership we currently share with MYT management. Many of those benefits are now taken for granted e.g.

- 17 pay scales within each Rank
- Excess C1's & C2's at most bases
- Cabin Crew Scheduling Agreement
- The current sickness procedure and the 'Unfit to fly' facility,

- The TAX Free status of Flight Duty Allowances and Ground Duty Pay
- Permanent promotion after 6 months working in a senior position
- Negotiated Pay Deals
- Cabin Crew not required to attend Bond following flights
- Part Time working patterns
- 8 public Holidays for Part Timers prior to 2003

These benefits will be better protected under this merger with a strong and united workforce and the strength of the CC89 Union to negotiate on your behalf throughout the 'Merger Consultation'. Other MYT benefits that could be affected by this Merger include: -

- Holiday Concessions
- Longhaul Short haul Choice
- Employers Pension Contributions
- The CD's Allowance for those that qualify
- Additional Maternity benefits
- Roles of Ambassador, Sales Trainer, Recruiters etc

A 'New' Company will inevitably mean new Terms and Conditions across both companies. We believe that MYT Crew may have most to lose in this merger. We are confident that if we can continue the current relationship shared with MYT to the new Thomas Cook Group then most T&C's could be protected.

100 % MEMBERSHIP

We now believe it is **essential** that we achieve 100% Union membership within MyTravel Airways. Whilst our membership is high in MYT, we are merging with an organisation which has had little experience of working closely with a trade union. It is vital therefore that we achieve that 50%+1 membership level in the newly merged Company from the start in order to ensure the continuation of union recognition and to protect as many of the benefits that you currently enjoy.

TAX FREE FLIGHT DUTY ALLOWANCES

MYT is unique that it is the only Airline to enjoy a Tax Free status on the FDA /SA. It

will almost certainly attract the attention of the Inland Revenue following the merger with Thomas Cook, as they do not have the same status. As a result the Inland Revenue may use the opportunity to Tax a portion of the FDA/SA to bring us into line with their arrangement. CC89 will work with BALPA and the New Company to get the best deal possible should this occur. Following the merger between AMICUS and the T&G should it be successful will attempt to negotiate a National FREA Agreement that covers all Airlines inline with the Agreement negotiated between the Inland Revenue and BALPA on behalf of all pilots.

MEMBERSHIP DETAILS AUDIT

An Audit of Membership details is underway and CC89 and have taken this opportunity to reconcile our member's details with the Drop files at each base. Over recent years crew have either transferred to other bases, moved departments or been promoted to management and have forgotten to notify CC89 of their change of either address or status. This has often found to be the case when crew have missed receiving a communication or more importantly a ballot paper.

This Newsletter will be drop filed to ALL crew at every base as part of the Audit process. If you are not a member of CC89 please read this Newsletter as means of keeping up to date with current issues. A Membership application form has been included. If you are already a member please pass it on to a non member and try to encourage them to join as there has never been a more important time to be a member than now as we enter this merger with Thomas Cook.

PAY TALKS 2007

These are planned to begin on the 15th March, however the merger plans may impact on these dates. As with previous Pay Deals we will be sending out a 'Pay Survey' to our MYT members to seek guidance on what areas you would wish us to concentrate our efforts. Please respond to the Survey, when received, by e-mail if possible.

FTL DELAYED REPORTS AND ONE HOUR 30 MINUTE REPORT FOR DUTY

It has been confirmed at our recent FTL Cabin Crew Scheduling meeting that ALL crew are entitled to 1 hour 30 minutes pre-flight report, this is without prejudice, and it applies to Crew called on Standby or given a delayed report time due to rest. It is a CAA requirement and if crew feel they require the full 1hour 30 minutes it could mean that a flights departure time or passenger boarding has to be delayed to accommodate this. If any Cabin Crew encounter problems they should 'CHIRP' it and speak to their CC89 Rep for discussion at the FTL Meeting. Please continue to complete Irregularity Reports and if possible give a copy to your Base CC89 Rep so that these can be raised at the Base and FTL meetings if necessary. These should be completed for any issues or problems surrounding the Scheduling Agreement, HOTAC or Leave Agreement.

TRAVELLERS CHEQUES / PRE PAID ALLOWANCES

A new system of payment of Longhaul Allowances should be up and running for the summer. The Company have over recent years wanted to find an alternative to the current system of payment with Travellers Cheques, as this is expensive and labour intensive. You will be aware that CC89 have twice resisted the Company proposals to have ALL Allowances paid into salary including those for Longhaul. Crew will now be issued with a personal Allowances Card, which will work in the same way as Debit or Cash cards do now. Allowances will be loaded onto the card and can be drawn out at any ATM machine in the UK or down route in local currency. These cards are not Credit Cards and do not allow an individual to go overdrawn. Management will issue full details nearer the time of introduction. Hopefully this will not be delayed as a result of the Merger with Thomas Cook.

STOP & SEARCH/ BAR DISCREPANCIES

It was raised at the last National Forum meeting that we had agreed to 'Stop & Search' procedures as a means to ending the need for Crew to stand Bar Discrepancies. CC89 believe that many factors contribute to

the bar shortages including Bond security, lack of OBT numbers, incorrect RAM cards, no time for Crew to check bars and Bars left unsecured on the aircraft etc.

The Stop & Search was to demonstrate that discrepancies were not as a result of theft from the Bar by Crew. The biggest impact this procedure has had is to 'Police' Customs regulations, which was never the intention (see article below). Prior to the Stop & Search crew were made to comply with a 'Bar Audit' which often took over 4 hours to complete and Crew had to suffer the indignity of being accompanied to the toilet and were not permitted flush. Crew were even refused the right to make phone calls which we all know even if arrested by the Police everyone is entitled to make a single phone call.

It has been agreed with the Company that a Working Group will be established to look into all aspects of the Bar Discrepancies and report back to the National Forum with its findings. We will continue to keep you updated.

CREW CUSTOMS ALLOWANCES

As a result of the introduction of Stop & Search procedures, which were introduced to demonstrate that discrepancies did not occur as a result of theft by crew, and by enlarge, it has proved to be the case that theft is very rare, the greatest 'side effect' has been to discover Cabin Crew breaching Customs regulations. CC89 have so far successfully defended crew caught in this situation when it could be demonstrated there were mitigating circumstances and will continue to do so. The Company cannot condone the breaking of Customs Regulations and have advised that any Crewmember caught with more than the permitted Crew Allowance would be treated as a 'Gross Misconduct', with immediate suspension and possible dismissal following completion of an investigation and the Disciplinary procedure. Members cannot expect CC89 to continue to defend crew who intentionally breach the permitted allowances. This also applies to carrying through of goods for anyone else and the splitting or sharing of allowances. ***Please do NOT be foolish and put your job at risk, it's not worth it.***

EMPLOYEE OPINION SURVEY

The CC89 National Forum received a presentation of the results of this survey at our Quarterly meeting held at the beginning of February. Unfortunately the return of the survey was very low and representative of only a third of the Crew community. It was suggested there were several reasons for the low return including, mistrust, apathy and the Bar Code & trace ability of the answers given. CC89 first requested a 'Staff Opinion Survey' in 2000 when Julie Irvine was in charge and the Company have never been convinced of the benefits that could be gained from such a survey, until now. CC89 believe that Surveys of this nature are beneficial and help raise standards of management within the Company and thus a greater appreciation of the employees and their views. This has been demonstrated in MYT's Scandinavian Group, which has carried out these surveys over several years and has put them to good use. CC89 encourage Crew to complete and return future Surveys so that a fully representative view of the workforce is obtained and will make the survey 100% effective. CC89 will ensure that the Opinion Surveys are 100% confidential and without traceability to the individual. You can be assured that if we are not convinced of this we will advise you accordingly.

FREA TAX CLAIM

One of the reasons for the delay to publication of a Newsletter has been the unresolved position of the FREA Tax issue. Many thanks to those Crew, over 100, who sent in examples of 'proof of expenditure' during the dates requested.

However the quality of the evidence is not great and would fall well below that which has already been presented as a test in the current on going case. The purpose of the exercise was to select which members we thought would have the strongest admissible 'evidence of expenditure' so that they could make a claim based on the criteria laid down in the test case. Once an outcome of the case presented by Tim Bamber (BALPA) is known we will advise.

If you have provided us with a return envelope the evidence sent to us will be returned for individuals to make their claim. Under the Tax Payers Charter it would be hoped that it would only be necessary for a few to be successful before it would have to be applied to everyone equally. However as time passes we cannot help but feel the chances of the IR paying refunds on the original claim becomes less likely.

DRUGS AND ALCOHOL POLICY CONSULTATION

The Company (MyTravel Airways) have been consulting with the respective Unions, AMICUS Engineers, BALPA Flight Deck and CC89 Cabin Crew and elected reps from the non-unionised ground based staff over several months on the formulation of a Drug and Alcohol Policy and the introduction of Random Testing across the whole Company. The objective is to provide and promote a safe and healthy work environment for ALL employees and customers and to comply with current legislation. The purpose and principles of the Policy are to focus on prevention of use of drugs and alcohol through education, the creation of a supportive culture and to pro-actively assist the rehabilitation of those diagnosed with a dependency. Involvement of the Unions in this Consultation process has ensured that potential concerns have been considered and addressed and the process of testing will be carried out by a completely independent and professional testing organisation. The Company will make further communications in the next few days.

The first part of the process will be to select 'Support Colleagues' who will be trained to NVQ level IV and to provide peer support. We encourage suitable individuals to put themselves forward.

PART TIMERS 'EARLY STARTS'

Those of you who have a vested interest in this topic will be aware that this issue has been continuing unresolved for some time. It stems from the '2003 Life Style' Agreement, which resulted in Part Timers having to begin work at 04.30 following PTO's. Agreement had almost been reached on a resolution to this issue through different options including the logical 'opt-in or opt-out'. Legal views

have now been exchanged without a conclusion. As we go to print we are in the middle of a Collective Grievance in a final attempt to resolve. Should this fail it will be submitted to an Employment Tribunal. CC89 believe that Part Timers do not only suffer a detriment but are also discriminated against as a result of this Policy. Furthermore part-timers are rostered 12 days per 28-day period and paid only for 10.

It would be most helpful if Part Time Crew could calculate from their records using actual rosters how many occasions they have been rostered an 'Early Start' and the preceding 'Rest Day' since June 2003. It would be helpful if you could pass this to your Base Reps along with copies of the Rosters to support as evidence in the case.

HOLIDAY PAY

Since the EU Working Time Directive was extended to include the Transport sector, employees have been entitled to 'Holiday Pay'. Cabin Crew have different variable elements to their pay which are 100% taxable arising from, commission payments, Ground Duty Payments, Trainers Allowances, Recruiters Allowance etc. These payments should be taken into consideration and an allowance should be made for the fact that whilst on leave Crew do not earn any variables in their salary and return from leave suffering a shortfall in normal earnings.

CC89 have been in discussion with Mytravel for the past 18 months on this topic. Legal views have now been exchanged without a conclusion, as we go to print we are in the middle of a Collective Grievance in a final attempt to resolve this issue. Should this fail it will be submitted to an Employment Tribunal. Many other airlines now have agreements on Holiday pay, which have been settled 'out of court'. A claim through Tribunal will hopefully set Industry precedent going forward. We will keep you informed of the outcome.

GROUNDED MATERNITY PAY- CALCULATING YOUR GROUNDED MATERNITY PAYMENT RATE

There are three periods you can use for this calculation. Which option you chose to use is up to you.

- a) The preceding three months
- b) The preceding six months
- c) The preceding twelve months

The commission and taxable elements of variable earnings (including union / training / recruitment day allowances) from the previous three, six or twelve months prior to being grounded. Your pay slips will document your taxable earning for whichever period you chose to use. 3, 6 or 12 to give your average variable earnings per month then divide this figure. This is then divided by the National Average to give you a daily rate for Grounded Maternity Pay.

MATERNITY PAY TRIBUNAL

The calculation of Maternity pay as a result of the 'Tax Free' status of FDP only includes taxable elements of pay i.e. commission and taxable allowances. This will mean that Crew receive differing amounts. Many crew have contacted the Union and felt it was unfair, however the calculation has to be based on an individuals pay rather crew receiving a set amount otherwise it would be challengeable. This has been tested at an Employment Tribunal.

GROUND PAYMENT ALLOWANCE

Crew are reminded that Ground Payment Allowance (currently £12.99) is always paid for any ground based duties that you are requested to carry out.

Provision of sandwiches and or other refreshments, while welcome, is not an alternative to the GDA being paid. Please inform your Rep should an alternative occur.

E-MAILED NEWSLETTERS

It would assist greatly if we could move to electronic newsletters delivered by e-mail on a more regular basis. In order to do this we will require up-to-date e-mail details of all members at each Base. In addition to the Membership Audit being carried out at each Base please could you send an e-mail to Tim Fenton at fenton.1@talktalk.net from the e-mail address you wish to register stating simply your Name, Base, Membership number and e-mail address.

CHANGE OF DETAILS CHECK

Many thanks to all those crew who have already contacted the union with your change of details. If you haven't already done so please complete the Membership Details sheet drop-filed recently to advise CC89/AMICUS of any change of address, status or e-mail address or phone AMICUS CC89 at the Manchester Prestwich Office on **0161 798 8976**

REPS' CONTACT DETAILS

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