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ALPA Sets New Course on Age 60

WASHINGTON, D.C.—The Executive Board of the Air Line Pilots Association, International (ALPA) today voted by an overwhelming 80 percent margin to end the union's longstanding support for the FAA Age 60 mandatory retirement age for airline pilots. In the face of concerted efforts to change the rule in Congress and the FAA, the ALPA Executive Board directed that union resources be committed to protecting pilot interests by exerting ALPA's influence in any rule change.

"The Executive Board spoke clearly this afternoon," said ALPA's president, Capt. John Prater. "ALPA pilots will be fully engaged in shaping any rule change. Any legislative or regulatory change needs to address ALPA's priorities in the areas of safety, medical standards, benefit issues, no retroactive application of change, liability protection, and appropriate rule implementation."

ALPA will now turn its attention to working to advocate the following priorities contained in the resolution:

- Appropriate legislative language to prevent retroactive application of a change to the Age 60 Rule, to the effect that: "No person over 60, except active flight deck crewmembers, on the effective date may serve as a pilot (captain or first officer) for a Part 121 airline unless such person is newly hired as a pilot on or after such effective date without credit for prior seniority or prior longevity for benefits or other terms related to length of service prior to the date of rehire under any labor agreement or employment policies of the air carrier."
- Appropriate legislative language to ensure stronger liability protection for airlines and pilot unions in implementing a change to the rule, to the effect that: "Any action in conformance with this Act or with a regulation under this Act may not serve as a basis for liability or relief before any court or agency of the United States, or of any state or locality, nor may any action taken prior to the effective date of enactment on the basis of section 121.383(c) of title 14, Code of Federal Regulations as then in effect."
- Ensuring that, under a defined benefit retirement plan, a change to the Age 60 Rule will not reduce a participant's or beneficiary's accrued benefit nor reduce a benefit to which a participant or beneficiary would have been entitled without enactment of such a change to the Rule.
- Opposing any additional age-related diagnostic medical testing.
- Opposing any attempt by the FAA to obtain greater access to pilot medical records.
- Supporting FAA Air Surgeon Tilton's recommendation to require a 1st Class Medical certification every six months for pilots over age 60.
- Opposing for domestic operation the implementation of the ICAO standard that at least one pilot in the cockpit be under age 60. Once sufficient data on pilots over age 60 becomes available, unless the necessity for this mitigation for the long term is clearly shown, advocate for removal of the ICAO over/under mitigation for all operations.

- Support the ability of a pilot to retire prior to the mandatory age without penalty.

The Board charged that ALPA continue to aggressively lobby for the adoption of the Akaka bill (which would provide full PBGC benefits to pilots who retire at age 60).

The Road to Action

The ground began shifting on the Age 60 rule when FAA Administrator Marion Blakey announced in January 2007 that “the FAA will propose a new rule to allow pilots to fly until they are 65”, and that “(t)he rule we intend to propose will parallel the ICAO standard – either pilot or copilot may fly up to age 65 as long as the other crewmember is under 60.”

In response to the FAA Administrator’s announcement, Prater established the ALPA Age 60 Blue Ribbon Panel “to study the long-range effects of potential changes to the FAA Age 60 Rule and to identify issues connected to possible changes to pilot mandatory retirement age.”

The Panel presented its findings in the areas of aviation safety; collective bargaining; the cost and structure of health care, disability, and retirement benefits; pilot training; medical standards; and scheduling rules to the Executive Council at its April 2007 meeting.

Concurrent to this internal ALPA work, legislative efforts in Congress to change the pilot mandatory retirement age accelerated, including the introduction of S.65 and H.R.1125 – “The Freedom to Fly Act.” The Panel concluded that the provisions in these bills do not sufficiently address ALPA’s issues with respect to a change in the mandatory retirement age.

In response to this conclusion, the Council recommended to the Executive Board that ALPA modify its policy to enable ALPA to influence legislation and regulatory efforts. This became more critical as legislative efforts to change the rule accelerated.

In its deliberations, the Board took into account the high likelihood of rule change through either the legislative or the regulatory process, as well as survey data from ALPA members overwhelmingly affirming that if the rule is going to change, ALPA needs to influence that change. ALPA will now develop a comprehensive legislative plan to do just that.

Founded in 1931, ALPA represents 60,000 pilots at 40 airlines in the U.S. and Canada. Visit the ALPA website at <http://www.alpa.org>.

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