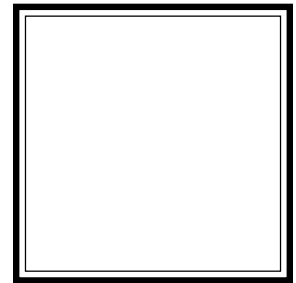




The Rules



*Joe Schewe (PIT)
Chairman, Over 85 Hour Committee*

As promised, included with this article is an updated reprint of the rules governing over 85 hour flying and overbank. I've also included a reprint of the rules associated with Letter #44. These are printed on Jeppesen-size cutouts which outline these rules along with a copy of the form letter you can use to voluntarily report possible deviations before you receive a certified letter. If you have any questions, contact any one of your friends on the Over 85 Hour Committee.

Over 85/90 Hours

Non-international and non-Metrojet pilots are restricted by our current working agreement to 85 hours of pay per month. There are certain contractual provisions where pilots are legally allowed to exceed 85 hours of pay during a given month. In most circumstances, these provisions do not allow a pilot to exceed 90 hours of pay, but there are certain very specific instances where a pilot may even exceed 90 hours. These will be addressed later along with the rules governing international and Metrojet pay. The following information reflects the new Contract language.

Underfly-Section 12(A) and (C)

The current working agreement specifically limits pilots to 85 hours of credited time. The way credited time is defined allows for some flexibility to the pay hours a pilot may accrue in a given month. Credited time is "actual flight time block-to-block" plus any claim time listed in Section 12(C). This includes all duty rig

time, any training, checks, and simulators that are not pay-no-credit, vacation, ALPA flight pay loss, etc. Keep in mind the difference between credited time and pay time.

We all know we are often paid a different amount than what we actually fly, specifically when we underfly the scheduled block time. As an example, if the scheduled block time in a trip pairing from PIT to PHL is one hour and four minutes (1:04) and we actually fly block-to-block (ACARS time) of one hour (1:00), we have underflown four minutes (0:04). Our credited time is one hour (1:00) and our pay time is one hour and four minutes (1:04). Because you are limited to 85 hours of credited time, not pay time, you would now be perfectly legal to accept/fly trips which would result in a total pay time of 85:04 for the month. In fact you can keep a running total all month of the legs you underfly and legally exceed pay time of 85 hours by that total amount. You can keep track of this amount yourself or you can simply check CATCREW, option 5. Compare the two columns headed "ACT MTD" and "TOT MTD," your actual month-to-date and your total month-to-date (see Figure 1). This is also reflected in CATCREW, option 2, as "MTD ACT" and "PAY" (see Figure 2).

“ There are certain contractual provisions where pilots are legally allowed to exceed 85 hours of pay during a given month. ”



ALC: USA EMPL: 99999 SMITH JOHN P MONTH: DATES: 02MAR99 31MAR99
 PRINT: BASE: PIT EQP: F1 POS: CAP CLASS: RSV MAX: 85H

DATE	ACTIVITY	—BLOCK—		——RIGS——					PAY ACT ACT TOT TOT				
		ACT	PAY	DHD	MIN	DTY	PRG	I/O	ADJ	PAY	MTD	PAY	MTD
02MAR	12022/2	604	613	0	0	0	0	0	0	604	604	613	613
04MAR	TRN SPC									400	1004	400	1013
09MAR	PAY ADJ SHOW NO FLY									200	1204		1213
14MAR	SCK									500	1704	500	1713
15MAR	21039/1	431	450	114	0	2	0	0	0	547	2251	606	2319
16MAR	21039/2	403	429	0	0	0	0	0	0	403	2654	429	2748
17MAR	21039/3	522	535	0	0	0	0	0	0	522	3216	535	3323
18MAR	99999/9	317	333	124	103	0	0	0	0	544	3800	600	3923
21MAR	38076/2	114	124	0	236	0	0	0	0	350	4150	400	4323
22MAR	99999/9	310	318	217	0	0	0	0	0	527	4717	535	4858
23MAR	21049/1	429	504	0	0	0	0	0	0	429	5140	504	5402
24MAR	21049/2	340	409	0	0	0	0	0	0	340	5526	409	5811
25MAR	21049/3	49	52	124	341	0	0	0	0	554	6120	557	6408

(PF3/PF4 - MENU) NEXT OPTION ==>>>

Fig. 1.

CAT11165 2 (1.6) US AIRWAYS CATS MONTHLY SCHED VS ACTUAL 04/02/99 11:13:40
 ALC USA EMPL 99999 MTH MAR99 BLOCK R5555 SMITH JOHN P MAXHRS 85H
 SENUM 09999 BASE PIT POS CAP EQ F1 STAT AVL CLS RSV PAYBANK 14FEB

DAY	SCHEDULED	ACTUAL	DAY	SCHEDULED	ACTUAL
02	12022/2		18	99999/9	
03	OFF		19	OFF OFF	
04	OFF TRN		20	OFF OFF	
05	OFF		21	*38076/2 REM	
06			22	*38076/3 DBL 21096	
07			23	21049/1	
08			24	21049/2	
09	BPR		25	21049/3	
10	INV INV		26	OFF OFF	
11	INV INV		27	OFF OFF	
12	INV INV		28		
13	INV INV BPR		29		
14	SO21021/3 SF SCK		30		
15	21039/1		31		
16	21039/2				
17	21039/3 DBL				

PROJ ACT 6120 PAY 6408 MTD ACT 6120 PAY 6408 SCH BLK 6144 PAY 6144

Fig. 2.



The difference between these two numbers is your total underfly for the month. In this example, Captain Smith has two hours and forty-eight minutes (2:48) of underfly (64:08 minus 61:20). Let's say he wants to fly one more four-day trip on the 28th to finish the month. He would be perfectly legal to accept and fly a trip which would result in a total pay time of 87:48 or a four-day with a total pay time of 23:40 or less. He has 64:08 of total pay time and a trip worth 23:40 of pay would bring him to the now magic number of 87:48. Note in the above example that the training, sick, and even a two-hour show-no-fly adjustment are all pay and credited time. At no time does this provision allow you to exceed a total pay time of 90 hours or credited (ACT MTD) time of 85 hours.

Claim on the Last Trip of the Month- Section 12(A), (J)1, 2, 3 and (N)5

A pilot may also exceed 85 hours of total pay time in a month by the amount of claim time in your last trip of the month. The Contract defines this claim time as any deadhead time, duty rig time (1:2, 1:13/4), variable min time, and trip rig time (1: 3 1/2). Trip 21214 (see Figure

3) has a total of one hour and twelve minutes (1:12) of claim time; five minutes (0:05) of variable min time in duty period one, fifty-seven minutes (0:57) of deadhead time in duty period three, and ten minutes (0:10) of trip rig time for the entire trip. You can easily determine the total amount of claim time in a trip by adding the numbers listed as "TCR=" immediately under the duty time (DTY) for each duty period. An interesting feature of our Contract is that it allows you to add this number to the underfly you may have already accumulated in the month. Going back to Captain Smith, if he were to pick up this trip, he would be legal to go to a total pay time for the month of eighty-nine hours (89:00), 85:00 + 2:48 (underfly) + 1:12 (claim). Since the total pay time for trip 21214 is 22:20, Captain Smith would be legal to accept and fly this trip because it would put his total pay time at 86:28 (64:08 + 22:20). This is below his now allowable maximum of 89 hours. Again, this provision along with the underfly provision, whether used alone or together, never allows a pilot to exceed 90 hours of total pay time in a month.

“ You can easily determine the total amount of claim time in a trip by adding the numbers listed as “TCR=” immediately under the duty time (DTY) for each duty period. ”

** PAIRING# 21214		DUTY PERIOD# 1	
ONLY ON SUN MAR 28			
FLT	BLKT	L/O	CITIES AND TIMES
10 1415	1+25	+ 0	PIT 1605 1730 HPN V43/V42
10 755	1+21	+29	HPN 1759 1920 PIT S47/V42
10	1+09	+50	PIT 2010 2119 GRR V43/V42
DTY= 6+29	BLK= 3+55	DHD= + 0	DRG= + 0
TCR= + 5	PAY= 4+00	BRK= 18+39	S1
BEST WESTERN MIDWAY		616-942-2550	
COURTESY VAN		616-942-2550	
ROOM CANC:	1-800-829-7724	EFF: 03/28/99	
PRIOR TO 3PM LOCAL			



** PAIRING# 21214			DUTY PERIOD# 2				
FLT	BLKT	L/O	CITIES AND TIMES				
10 876	1+07	+ 0	GRR	1558	1705	PIT	V43/V42
10 937	1+11	+50	PIT	1755	1906	GRR	S47/V42
10 812 #	1+07	+34	GRR	1940	2047	PIT	V43/V42
10 317	1+14	1+03	PIT	2150	2304	ORF	V43/V42
DTY= 8+21		BLK= 4+39	DHD= + 0	DRG= + 0	MIN= + 0		
TCR= + 0		PAY= 4+39	BRK= 12+36	S1	VM= 4+27		
DOUBLETREE CLUB HOTEL			757-461-9192				
COURTESY VAN			757-461-9192		EFF: 03/28/99		
ROOM CANCEL: 1-800-829-7724			PRIOR TO 3PM LOCAL				

** PAIRING# 21214			DUTY PERIOD# 3				
FLT	BLKT	L/O	CITIES AND TIMES				
93DH341	+57	+ 0	ORF	1140	1237	PHL	V43/V40
10 1010	1+06	+48	PHL	1325	1431	MHT	V43/V42
10 748	1+27	1+02	MHT	1515	1642	PHL	V43/V42
	1+55	1+02	PHL	1744	1939	DTW	S31/V42
10 371	+54	+30	DTW	2009	2105	PIT	V43/V40
	1+13	1+00	PIT	2205	2318	RDU	V43/V42
DTY= 12+53		BLK= 6+37	DHD= + 57	DRG= + 0	MIN= + 0		
TCR= +57		PAY= 7+34	BRK= 11+29	S2	VM= 5+48		
WYNDHAM GARDEN HOTEL			919-941-6066				
COURTESY VAN			919-941-6066		EFF: 03/28/99		

** PAIRING# 21214			DUTY PERIOD# 4				
FLT	BLKT	L/O	CITIES AND TIMES				
10 905 #	+48	+ 0	RDU	1047	1135	CLT	V43/V40
10 370	1+43	2+15	CLT	1350	1533	MEM	V43/V42
10 1856 #	1+27	+42	MEM	1615	1742	CLT	V43/V42
10 607	1+13	+48	CLT	1830	1943	CMH	S47/V42
10 317	+44	+31	CMH	2014	2100	PIT	V43/V40
DTY= 11+28		BLK= 5+57	DHD= + 0	DRG= + 0	MIN= + 0		
TCR= +10		PAY= 6+07	PRG= +10	S1	VM= 5+45		
TRIP= 78+10		DAY=10+22		NIGHT=11+58		PAY=22+20	

Fig. 3

Negative Bank—Section 12(N)4c & 5

Lineholding pilots may use negative bank to bring their monthly total pay up to 85 hours in months where their total pay is less than 85 hours and they either have no positive bank or not enough positive bank to bring their pay up to 85 pay hours. These pilots may use up to 10 hours negative bank per month and can accrue a total of 15 hours negative bank. Any pilot starting a month with a negative bank balance can increase his monthly maximum to 85 hours plus underfly plus claim on the last trip (not to exceed 90 hours) plus his total negative bank balance. This is one of the instances when a pilot may actually exceed 90 hours of total pay time. If Captain Smith had a negative bank balance of 12 hours, he would be legal to go to 101:00 hours, 85:00 + 2:48 (underfly) + 1:12 (claim on the last trip of the month) + 12:00 (negative bank).

Initial Operating Experience and Training—Section 11(F)1a, 1b, & 2a and Section 12(C)3, 4, 12, 13, & 14

Training claims which are not Pay-No-Credit, whether trips missed or two hours and fifty minutes (2:50), or initial operating experience rides (not as an observer) are all paid and credited exactly as a trip flown for purposes of maximizing your time. You are still restricted from exceeding 85 hours total pay time in a month by the provisions stated above and you cannot use any training claims as claim time on the last trip of the month. The only exception to this rule is if you are a lineholder and the last trip in your originally awarded block has claim time and you are claiming trips missed for training. If you are assigned an IOE and this trip will project you illegally over 85 hours, any time in excess of what you may have been legal for will be paid as pay-no-credit to allow you to complete your IOE. In our above example, let's assume Captain Smith had no negative bank and was flying a trip at the end of the month as an IOE that had no claim time and would project him past 87:48 of total pay time, his original legal limit based on his underfly for the month. Let's say the trip projects him to 90:30. He would be legal to accept the trip and complete his IOE and he would be paid as follows. His pay and credit would be 85 hours with 2:48 deposited into his positive pay bank. The rest of the time would be paid as pay-no-credit and included in that month's pay.

B-767 International Flying—Section 18(J)3, 4, 5a, & 6

Blocks for transoceanic international pilots can be as high as 89 hours. Because trip splits are virtually impossible, the Company and ALPA have agreed to the following provisions:

A pilot will be required to fly his last trip provided the scheduled trip results in total pay time of less than 90 hours. If a pilot's last trip of the month will result in pay and credited time in excess of 90 hours but less than 95 hours, the pilot has the option of flying the last trip. Let's say Captain Smith is a transoceanic B-767 pilot. His total pay time is 63 hours. His last trip of the month in his originally assigned block is worth 15 hours, which would put him at 78 pay hours. Captain Smith wants to pick up a trip off the A/I list and still be legal for his last trip of the month. He would be legal to accept a trip worth up to 17 hours and still be legal for that last trip of the month: i.e., 63:00 (total pay hours to date) + 17:00 (A/I trip value) + 15:00 (last trip of the month) = 95:00 hours. All Captain Smith has to do during the month is ensure that his total pay time plus his last trip of the month does not exceed 95 pay hours.

The bottom line here is no transoceanic international pilot may exceed 95 hours of total pay time unless he is flying back sick time or negative bank. There is also a restriction that any time in excess of 85 hours that is deposited in his positive pay bank does not put his total positive bank in excess of 27:30. If he were successful in getting a 17-hour or less trip, Captain Smith would now have the option of flying his last trip of the month because his total pay and credited time plus the value of his last trip of the month is in between 90 and 95 hours. Captain Smith must notify Crew Scheduling of his intentions within 48 hours after completion of his next to last trip. Also, no transoceanic pilot may pick up any trip after he has achieved 85 pay hours in any bid month except, again, to fly back sick or negative bank time.

Metrojet flying — Letter of Agreement #48

Metrojet pilots are not subject to the above rules governing mainline pilots. In fact there is only one contractual provision regarding total pay for the month. There is a rolling three-month cap of 288 hours. This is an average of 96 hours per month but pilots are only limited

“The bottom line here is no transoceanic international pilot may exceed 95 hours of total pay time unless he is flying back sick time or negative bank.”

to keeping any three consecutive months total time to two hundred and eighty-eight hours. Let's say Captain Smith began flying as a Metrojet pilot in January and accrued 101 hours for January and 99 hours in February. His only limitation is now to keep his total pay for March at or below 88 hours. If he flies 86 hours in March, he would now be legal to fly 103 hours in April, and so on.

Of course, Metrojet pilots are still subject to the same over bank rules as mainline pilots discussed below. Also all Federal Aviation Regulations and crew rest requirements apply.

General notes

The only time a non-international pilot is allowed to exceed 90 hours of pay time is with negative bank, pay-no-credit or flying back sick time. Remember, these provisions concern your scheduled legalities. You may exceed these parameters as long as you were originally legally scheduled for your last trip of the month. However, if your block overflowed and made you illegal for your last trip, scheduling can and will split you off the last trip even though it wasn't your fault and even if you flew your block just as it was assigned.

Pay Bank in excess of 27:30

The following is reprinted from the Contract; Section 12(N)3c and d:

Once a pilot's pay bank exceeds or is projected to exceed twenty-seven hours and thirty minutes (27:30), the pilot must immediately take steps to drop time to reduce his pay bank accordingly by notifying Crew Scheduling of his preference of trip(s) to be dropped within the current month and/or subsequent month. The Company will make reasonable efforts to allow the pilot to drop the trip of his choice within the current month. However, if coverage requirements do not permit dropping the trip of choice in the current month, the pilot may be required to drop a different trip in the current month or a trip in the subsequent month. Should the pilot be notified that the trip of his choice may not be dropped, the Company shall, within twenty-four (24) hours of such notification, notify the pilot as to which trip(s) shall be dropped. With notification to Crew Scheduling, the pilot may utilize SAP to reduce his time in the subsequent month. After such notification, should the pilot not elect to utilize SAP or be unsuccessful in utilizing SAP to drop time, Crew Scheduling will notify the pilot of which trip(s) are to be dropped by the 5th of the subsequent month.

Essentially, you can correct it in the current month working with Crew Scheduling, wait and use SAP for the subsequent month, or work with Crew Scheduling before the fifth of the subsequent month. If you do none of these, the time will be adjusted for you by Crew Scheduling. It is important to note you need only notify Crew Scheduling if you would prefer to make the adjustment in the subsequent month, not ask permission or get approval. But you must notify Crew Scheduling of your intentions to preclude a trip being dropped prematurely or without your consent.

For transoceanic pilots there are slightly different procedures regarding pay banks in excess of 27:30. As soon as a transoceanic pilot's pay bank is in excess of 27:30, the pilot must immediately drop time in the current month to reduce his pay time accordingly. The Company will make every reasonable effort to drop the trip of his/her choice. However, if coverage requirements do not permit dropping the trip of his/her choice, the Company will make every reasonable effort to permit the pilot to drop one of his/her trips in the current month. If coverage requirements do not allow dropping a trip in the current month, the pilot will be permitted to drop one of his first two trips in the subsequent month to reduce his/her pay bank accordingly. Coverage requirements dictate which month will be used for the adjustment to a transoceanic pilot's pay bank.

Letter #44

Letter of Agreement 44 of our contract allows the Company relief from many of the contractual constraints regarding our flying activity and pay. There are four separate provisions to Letter #44, which the Company may invoke if certain criteria are met. These four provisions may be invoked together or separately and always apply to specific bases, positions, and equipment. They are: flex cap, vacation sell back, positive paybank sell back, and increasing positive paybanks to 37:30. Each will be discussed separately.

Flex Cap. This allows the company to build blocks in excess of 85 hours and pilots are allowed to exceed eighty-five hours up to a new cap which could be as high as five hours. Also pilots may exceed the new cap by the same rules which allow them to exceed 85 hours in a non-flex cap month. Let's say the flex cap for the month is five hours. Essentially, take all the rules governing 85/90 hour flying and wherever

“ There are four separate provisions to Letter #44, which the Company may invoke if certain criteria are met. ”

it says 85, substitute the number 90. Wherever it says 90, substitute 95.

Under the new scheduling system, a pilot's minimum flying obligation is the value of the pilot's line plus the flex amount, but not to exceed 85 hours plus the flex amount if the pilot does not use SAP. For pilot's using SAP, the following applies: If a pilot's pre-SAP line value is 75 hours or greater, the pilot's minimum monthly flying obligation will be 75 hours plus the flex amount. If a pilot's pre-SAP line value is less than 75 hours, the pilot's minimum monthly flying obligation will be the value of the pilot's pre-SAP line plus the flex amount.

Vacation Sell Back. This provision allows a pilot to sell back vacation in a month where he/she has vacation scheduled. He/she may sell back a maximum of seven days and receive that money in that month's pay and then be allowed to fly a regular month as if there were no vacation days in his line. The only stipulation is that this may be done only once in a calendar year. This is done through Future Crew Scheduling and therefore they must be contacted if you are allowed to and plan on using this provision. A pilot may cash-out any number of scheduled days less than or up to seven and will be paid at the rate the vacation days were originally worth. The remaining vacation days will also be paid at the rate they were originally worth.

Positive Paybank Sell Back. This provision allows a pilot to sell back to the company up to 10 hours of positive paybank. The amount of money will be included in the pilot's pay and he/she will now be allowed to deposit further time in positive paybank up to the current maximum for his base/equipment/position. All that need be done to accomplish this is submitting a PE-39 claims form. Banks do not need to be in excess of 27:30 to take advantage of this. Any hours in the paybank may be used up to a maximum of ten hours

Increased Paybank. Pilots in affected positions will be allowed to increase their paybanks to a new maximum of 37:30. All the rules that apply to positive paybank still apply except substitute 37:30 wherever the current contract says 27:30. Once a base/equipment/position has been designated as increased paybank in a given month, that base/equipment/position maintains that status for the rest of the calendar year. Pilots in that affected base/equipment/position can at any time for the rest of the calendar year maintain their positive paybanks up to the new maximum of 37:30 whether they

take advantage of the provision in the month of designation or not. They must, however, return their paybanks to a maximum of 27:30 in the first month of the new calendar year unless they are re-designated for the next year. This aspect of continuing a designation for an entire calendar year applies only to this provision.

Enforcement

In June 1997, the MEC passed a resolution that stipulates once a pilot has been identified as exceeding 85/90 hours illegally, or not adjusting his positive pay bank according to the above contractual provisions, he will be notified and given a chance to respond within 15 days. An unsatisfactory response or no response and the matter will be forwarded to the MEC Chairman for resolution. The MEC Chairman and the pilot's LEC Representatives will then decide if Article VIII charges are to be brought against the pilot. Article VIII charges can result in fines and removal of a pilot from good standing in the Union.

One final note: If you discover that someone senior to you on your equipment illegally exceeded 85/90 hours or accepted a trip which illegally resulted in a positive pay bank in excess of 27:30, you have a right to claim that trip. Contact your Over 85 Hour Committee representative for assistance in filing the claim.

Conclusion

Crew Scheduling should not assign you a trip that results in a violation. If they do, even if it's by one minute, do not accept the trip and please let us know about it with as much detail as possible. Help us to achieve total compliance and zero tolerance for abusers. Know the rules and comply with the provisions of your working agreement. Thanks in advance from your friends on the Over 85 Hour Committee.



“ If you discover that someone senior to you on your equipment illegally exceeded 85/90 hours or accepted a trip which illegally resulted in a positive pay bank in excess of 27:30, you have a right to claim that trip. ”

Letter #44

Flex Cap. This allows the company to build blocks in excess of eighty-five (85) hours and pilots are allowed to exceed eighty-five hours up to a new cap which could be as high as five hours. Also pilots may exceed the new cap by the same rules which allow them to exceed eighty-five (85) hours in a non-flex cap month. Let's say the flex cap for the month is five (5) hours. Essentially, take all the rules governing 85/90 hour flying and wherever it says eighty-five (85), substitute the number ninety (90). Wherever it says ninety (90), substitute ninety-five (95).



Under the new scheduling system, a pilot's minimum flying obligation is the value of the pilot's line plus the flex amount, but not to exceed 85 hours plus the flex amount if the pilot does not use SAP. For pilots using SAP, the following applies: If a pilot's pre-SAP line value is 75 hours or greater, the pilot's minimum monthly flying obligation will be 75 hours plus the flex amount. If a pilot's pre-SAP line value is less than 75 hours, the pilot's minimum monthly flying obligation will be the value of the pilot's pre-SAP line plus the flex amount.



Vacation Sell Back. This provision allows a pilot to sell back vacation in a month where he/she has vacation scheduled. He/she may sell back a maximum of seven days and receive that money in that month's pay and then be allowed to fly a regular month as if there were no vacation days in his line. The only stipulation is that this may be done only once in a calendar year. This is done through Future Crew Scheduling and therefore they must be contacted if you are allowed to and plan on using this provision. A pilot may cash-out any number of scheduled days less than or up to seven and will be paid at the rate the vacation days were originally worth. The remaining vacation days will also be paid at the rate they were originally worth.



Positive Paybank Sell Back. This provision allows a pilot to sell back to the company up to ten (10) hours of positive paybank. The amount of money will be included in the pilot's pay and he/she will now be allowed to deposit further time in positive paybank up to the current maximum for his base/equipment/position. All that need be done to accomplish this is submitting a PE-39 claims form. Banks do not need to be in excess of 27:30 to take advantage of this. Any hours in the paybank may be used up to a maximum of ten hours



Increased Paybank. Pilots in affected positions will be allowed to increase their paybanks to a new maximum of thirty-seven hours and thirty minutes (37:30). All the rules that apply to positive paybank still apply except substitute 37:30 wherever the current contract says 27:30. Once a base/equipment/position has been designated as increased paybank in a given month, that base/equipment/position maintains that status for the rest of the calendar year. Pilots in that affected base/equipment/position can at any time for the rest of the calendar year maintain their positive paybanks up to the new maximum of thirty-seven hours and thirty minutes (37:30) whether they take advantage of the provision in the month of designation or not. They must, however, return their paybanks to a maximum of twenty-seven hours and thirty minutes (27:30) in the first month of the new calendar year unless they are re-designated for the next year. This aspect of continuing a designation for an entire calendar year applies only to this provision.



OVER 85 HOUR RULES

1. Underfly: You may exceed eighty-five pay hours by the total amount you underfly schedule in a given month. Underfly for the month can be easily checked by referencing CATCREW, option 5, and subtracting the last entry in the column headed ACT MTD (actual month to date) from the last entry in the column headed TOT MTD (total month to date).



2. Claim on the Last Trip of the Month: You may exceed eighty-five pay hours by the total amount of scheduled claim in your last trip of the month. This total can be easily checked by referencing your trip pairing and adding the "TCR=" values listed for each duty period. This total number may be added to your underfly not to exceed five hours. Thus your total pay for a month may be up to ninety hours by using these first two provisions.



3. Negative Bank: After adding the above first two provisions as they apply to your monthly schedule, you may now add any negative bank you have from the previous month. This provision allows you to exceed ninety hours by the total amount of your negative bank added to the above two provisions. Remember to limit the above two provisions to no more than five hours.



4. Pay-No-Credit: Pay-No-Credit times for training do not figure into your monthly maximum for Over 85 hour calculations. Also, if an IOE would illegally project you beyond the Over 85/90 rules, you will be paid any time in excess of you legal monthly maximum as Pay-No-Credit to allow you to complete your IOE at the end of the month.



5. Sick/Vacation/Training that is not Pay-No-Credit: Any pay that falls into these categories must be treated the same as regular flying time for determining your monthly maximum. Training time that is not Pay-No-Credit may not be used as claim on the last trip of the month unless you are claiming trips missed for training and there is claim time on the last trip in your scheduled line. You may then exceed eighty-five hours by the amount of that claim time.



Notes: These provisions apply to your scheduled activity. If you are originally scheduled legally and then overfly on your last trip, that is an acceptable deviation however, you need to notify the Over 85 Hour Committee to preclude receiving a certified letter. Voluntary reporting letters can be found in each crew domicile and can also be found on the US Airways Pilots' website at usairwayspilots.org.

Metrojet



Metrojet pilots are only restricted to a rolling three month pay cap of two hundred and eighty-eight (288) hours. This averages to ninety-six hours a month but the only requirement for a Metrojet pilot is to keep his/her total pay time for any three consecutive months at or under the two hundred and eighty-eight hour pay cap. Metrojet pilots are also subject to the normal over bank provisions of the contract.

International Flying

International pilots are restricted to ninety-five (95) total pay hours for a given month. The only way an international pilot may exceed ninety-five hours is with negative bank or sick time fly back. Also, no international pilot

OVER 85 HOUR RULES (continued)

may accept a trip which projects him/her in excess of eighty-five hours if it will result in a positive pay bank greater than twenty-seven hours and thirty minutes (27:30).

OVER BANK

The following is reprinted from the Contract; Sect. 12, para. (N) 3c. and d:

“Once a pilot’s pay bank exceeds or is projected to exceed twenty-seven hours and thirty minutes (27:30), the pilot must immediately take steps to drop time to reduce his pay bank accordingly by notifying Crew Scheduling of his preference of trip(s) to be dropped within the current month and/or subsequent month. The Company will make reasonable efforts to allow the pilot to drop the trip of his choice within the current month. However, if coverage requirements do not permit dropping the trip of choice in the current month, the pilot may be required to drop a different trip in the current month or a trip in the subsequent month. Should the pilot be notified that the trip of his choice may not be dropped, the Company shall, within twenty-four (24) hours of such notification, notify the pilot as to which trip(s) shall be dropped. With notification to Crew Scheduling, the pilot may utilize SAP to reduce his time in the subsequent month. After such notification, should the pilot not elect to utilize SAP or be unsuccessful in utilizing SAP to drop time, Crew Scheduling will notify the pilot of which trip(s) are to be dropped by the 5th of the subsequent month.”

Essentially, you can correct it in the current month working with Crew Scheduling, wait and use SAP for the subsequent month, or work with Crew Scheduling before the 5th of the subsequent month. If you do none of these, the time will be adjusted for you by Crew Scheduling. It is important to note you need only notify Crew Scheduling if you would prefer to make the adjustment in the subsequent month, not ask permission or get approval. But you must notify Crew Scheduling of your intentions to preclude a trip being dropped prematurely or without your consent.

International Pilots’ Paybanks

For transoceanic pilots there are slightly different procedures regarding pay banks in excess of 27:30. As soon as a transoceanic pilot’s pay bank is in excess of 27:30, the pilot must immediately drop time in the current month to reduce his pay time accordingly. The Company will make every reasonable effort to drop the trip of his/her choice. However, if coverage requirements do not permit dropping the trip of his/her choice, the Company will make every reasonable effort to permit the pilot to drop one of his/her trips in the current month. If coverage requirements do not allow dropping a trip in the current month, the pilot will be permitted to drop one of his first two trips in the subsequent month to reduce his/her pay bank accordingly. Coverage requirements dictate which month will be used for the adjustment to a transoceanic pilot’s pay bank.

Conclusion

A complete explanation of the above procedures can be found in the July 1998 issue of the *US AIRWAVES* and will be reprinted each year. If you have any questions regarding over 85 hour or over bank flying, feel free to contact your local Over 85 Hour Committee representative listed in the directory included in every *US AIRWAVES*. Please make use of the voluntary reporting letters to preclude the committee sending you a certified letter unnecessarily. As always, thanks from your friends at the Over 85 Hour Committee.



US Airways
MASTER
EXECUTIVE
COUNCIL

Over 85 Hour Committee Notification of Potential Violation Form

The ALPA US Airways MEC passed a resolution on June 2, 1997, to investigate and pursue reports of pilots who illegally overfly the 85/90 pay hour provisions of the current working agreement. Disciplinary measures can include the filing of Article VIII charges against the pilot. A complete explanation of the rules associated with legally exceeding 85 hours can be found in the *US AIRWAVES* Magazine dated July 1998 or in every domicile near the ALPA bulletin board.

If you know you are in violation of these rules, you can help ALPA avoid the expense of sending you a certified letter by submitting this form to the Over 85 Hour Committee via the ALPA mailbox in Operations, COMAT at PIT Y110, or via U.S. Mail to:

US Airways MEC
Over 85 Hour Committee
One Thorn Run Center, Suite 400
Coraopolis, PA 15108

I have exceeded 85 hours for the month/year of _____ / _____.

Pilot's Name: _____

Employee Number: _____

Base/Equipment/Position: _____ / _____ / _____

The following totals reflect my time for the above month:

Underfly: _____ }
Claim on last trip: _____ } Sum of these two cannot exceed 5:00 hours.

Negative bank: _____
+ _____ 85 : 00

Total Legal Time: = _____

My actual pay was: _____ (If your actual pay is less than your total legal time, stop here. You do not need to submit this form.)

The reason for the above overfly is:

- _____ 1. Originally assigned a trip legally but the last trip of the month went over schedule. (Please provide trip numbers and your original legal projection.)
- _____ 2. A claim changed after I started my last trip of the month.
- _____ 3. Was illegally assigned and knowingly accepted the trip.
- _____ 4. The overfly was unintentional and the result of ignorance of the contractual constraints.
- _____ 5. Other. (Please explain in detail in the remarks section.)

(over)



Remarks:

Please be as specific as possible and include any supporting documentation; i.e., CATS PAY SUMMARY (Option 5), original trip pairings, actual trip pay summaries (Option 1), etc. Remember, sick, vacation, and Pay-and-Credit training are all credited time and are not valid reasons for overfly.

I hereby affirm the information supplied on this form and any supporting documentation is true and accurate to the best of my knowledge.

Pilot's Signature _____ Date _____

Return this form to the MEC via the ALPA mailbox in operations, COMAT at PIT Y110, or via US mail to:
US Airways MEC
Over 85 Hour Committee
One Thorn Run Center, Suite 400
Coraopolis, PA 15108