



**AIR TRANSPORT**



**DISTRICT LODGE 142**

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December 31, 2021

Chris Johnson  
Southwest Airlines  
Vice President – Ground Operations  
2195 Research Row  
Dallas, Texas 75235

Dear Chris,

We are writing in opposition to your December 30, 2021 memorandum threatening our Denver based members with immediate termination on grounds that violate our rights under our Collective Bargaining Agreement and Southwest Airlines' policies and that endanger the safety and health of the workers and the flying public.

The IAM has repeatedly demanded that Southwest Airlines address its severe staffing shortages. Indeed, this was a major issue at the bargaining table. We have explained that the employees are exhausted and that simply requiring additional mandatory overtime is not a fix to the staffing shortages.

SWA's staffing shortages are exacerbated by the fact that we have been living in a worldwide pandemic for nearly two years. None of this is new. Nevertheless, rather than fix the root cause of the staffing issues, when a station is hit with multiple agents who have COVID, or are otherwise too ill to work, SWA is now seeking to declare a "state of emergency."

There is no basis in law or otherwise for the airline to decide it is under a "state of emergency" which allows it to violate the Collective Bargaining Agreement, its established policies and labor law.

Your memorandum contends that you have an obligation to "safely and efficiently" run the operations. Nevertheless, your memorandum shows no concern for the safety and health of employees or the flying public when you coerce employees to come to work despite their concerns over possible COVID symptoms. SWA's memorandum places employees in a catch-22. Employees must certify that they do not have COVID or new symptoms of COVID by entering the facility; yet, an employee who is unable to obtain a doctor's note or who turns down mandatory overtime because they cannot make that certification faces termination.

The requirement for a doctor's note as specified in your December 30, 2021 memorandum further violates the CBA and your policies. The CDC has even encouraged employers not to require doctor's notes for employees to return to work because they are taxed with handling cases.

The current Omicron variation of COVID is reported to be much more highly contagious. We fear that there may be many stations that are hit with numerous cases of COVID, especially after a busy holiday travel schedule. This is just one example of why SWA's staffing paradigm needs to be addressed. However, this is not a reason to violate the rights of our members.

In addition to SWA enacting this asserted "state of emergency" without any dialogue with the Union, the memorandum violates the CBA in Articles 7, 13, 17, 20 and others. It also is in direct contradiction to the Attendance Control Policy and past practice.

The IAM always puts the safety of our members first and foremost. That in turn protects the safety of the flying public with whom they come into contact. In the middle of a pandemic, SWA should not be intimidating ill employees to come to work under threat of termination. The IAM reserves its rights to take all legal action should any Denver employees be terminated under the conditions of this memorandum.

Sincerely,



David Supplee  
President/Directing General Chair

*April Butler*

April Butler

*Carrie Lessley*

Carrie Lessley  
General Chairs

*Kenny Champagne*

Kenny Champagne

Cc: Rich Johnsen  
Edison Fraser  
Thomas Regan