



# The Watchdog

For Aircraft Technicians and Related

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## Ignorance is NOT Bliss!

As aircraft mechanics we remind ourselves every day that safety is our most important responsibility. Our flight crews and the flying public owe their safe trip to our attention to detail. We take pride in the fact that **FLYING IS CONSIDERED THE SAFEST MODE OF TRANSPORTATION IN THE WORLD** and that means that we are doing our job. The airlines know this and are constantly using this assertion in promoting their services.

It is also a hidden fact that for employees, the air transportation industry has a high rate of serious injuries suffered on the job. Aircraft mechanics are painfully aware of this fact. We know that every day at work we run the risk of suffering a lost time injury. Whether you work on the line or at a maintenance base, hidden dangers are present in the simplest of tasks.

We all recoil in horror when it is learned that one of our own has suffered a serious injury on the job. When this happens we take comfort in knowing that our union contract and workers compensation laws will help us cover medical bills and any pay that may be lost while recovering. However, aircraft mechanics working at the UAL maintenance base in Indianapolis have found those workers compensation Laws vary from state to state.

Briefly, many mechanics working at Indy have transferred from California where the workers compensation Laws are much more protective than that of Indiana. Mechanics that have been injured on the job were rudely awakened to this fact. They looked to their Local Grievance Committee for satisfaction. The Company informed the Committee that they were just following Indiana State laws and that they were not changing their policy. The Committee declared war on the Company by holding protests inside and outside of the maintenance base and at the Indiana State Capitol. On one occasion, the District 141M Chairman made an appearance at one of the off site rallies. An un-elected spokesman for the Committee was severely reprimanded for organizing the show. In short, the Local Committee had created a volatile atmosphere at the maintenance base.

One mechanic, fed up with all the shenanigans decided to hire his own lawyer. The California Workers Compensation judge that heard his case has issued a decision that affects not only the thousands of mechanics at UAL but also mechanics throughout the country.

The mechanic from Indy, on his own, has achieved what the Local IAM Committee was incapable of. The Watchdog is wondering where the "77" IAM lawyers were during the time of need at Indianapolis? All the heartache could have been avoided if the IAM was not ignorant of the laws that protect us at work.

Here is a copy of a portion of Judge Alvin R. Barrett's opinion in the case: "A UAL mechanic" vs. "United Airlines and Alexis Risk Management and RSKCO, defendants":

*"My Opinion is that the place of hire is the primary consideration in determining the California jurisdiction in these two disputed cases and that under Labor Code Section 3600.5(a), the Board may obtain jurisdiction under these circumstances by reference to either the place of hire or the place where the applicant had been regularly employed. Labor Code Section 3600.5(a) states as follows: "If an employee who has been hired or is regularly employed in the state receives personal injury by accident arising out of and in the course of such employment outside this state, he, or his dependents in the case of death, shall be entitled to compensation according to the law of this state.*

*In determining that the California Workers' Compensation Appeals Board has subject matter jurisdiction over the claim in the two disputed cases, I noted that the contract of hire was made in California and, although the applicant had relocated and changed his residence to the state of Indiana, the California Appeals Board is not precluded from asserting jurisdiction over applicants two disputed injuries in the state of Indiana."*

To view a complete copy of this case, visit The Watchdog Website at:

<http://www.geocities.com/watchdoghome/injury>

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