

INSIDER

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Files Chapter 11 Bankruptcy

It Wasn't the Union That Caused AMR's Bankruptcy

The premise of your editorial "The AMR Union Warning" (Dec. 1) about AMR's bankruptcy filing—that workers and unions are unwilling to address changing circumstances—is simply false.

In 2003, responding to industry challenges following 9/11, members of our union and other workers at American Airlines and American Eagle agreed to reduce our compensation by billions of dollars. These concessions, we reasoned, would help management put the business on a sustainable path.

We Transport Workers Union of America members lived up to our end of the bargain, actually boosting AMR's bottom line by bringing in substantial new business due to the quality of our repair and maintenance work. But management failed to execute. It didn't upgrade the fleet, missed merger opportunities and lost money year after year. While our members were living with reduced incomes, management rewarded

its losing strategy by taking hundreds of millions in executive bonuses. Now it's declared bankruptcy, while sitting on a \$4 billion cash hoard.

If you're wondering why people are fed up with Wall Street, it might be because we're tired of seeing wealthy elites blame ordinary citizens for all the world's financial problems. And we're mad as hell that no matter what the problem, a reduced standard of living for the middle class is always offered as the solution.

James C. Little

International President

(President Little's response to Wall Street Journal editorial, published December 6th, 2011)

AA/AE Bankruptcy Facts:

<http://aa.twu.org/>

In This Issue:

Page 2 - Directors Update

Page 3 - OWS Movement

Page 4 - Member Goes On The Air

Page 4 - A Steward's Toolbox

Page 5 - Refocus Public Perception

Page 6-7 - Critical Incident Stress Management Training

Page 8 - Local 557 Flight Crew Instructors

Page 9 - Veterans Help "Homes For Heroes" Project

Page 9 - International To Expand Veteran Committee's

Page 10 - Joe Tolbert Remembers Family Struggle

Page 10-11 - Bankruptcy Info: Glossary of Terms

Director's Update

AMR Bankruptcy

In the early morning hours of November 29, bankruptcy rumors became reality for thousands of our members employed at American Airlines and American Eagle. We knew that bankruptcy was a serious possibility, we didn't expect AMR to file this early.

At filing, AMR had almost 4.1 billion dollars in their coffers. The company faces future debt payments and pension funding obligations in the years to come. Initial reports said it was AMR's Board of Directors that made the bankruptcy decision. It doesn't matter who made it, our members have been betrayed by promises from a company they sacrificed for and once believed in.

With the possibility of an AMR bankruptcy looming, the TWU retained attorney Sharon Levine of the law firm Lowenstein Sander PC over two years ago. Levine's expertise is airline bankruptcy. I am confident of her legal skills to fight hard representing our members contractual interests throughout the bankruptcy process.

I will be working directly with the legal team to provide documentation required by the court. The entire TWU staff will be supporting our efforts to help protect our members contractual benefits.

Bankruptcy information will be posted on this website as it becomes available. Please stay informed with the facts:

<http://aa.twu.org/>

Nationwide Effort Fights Back We Are the 99 Percent

Last month Ohio voters defeated state Senate Bill 5, a collective bargaining law that barred public sector strikes, limited bargaining rights for 360,000 public sector employees and scraped binding arbitration of management-labor disputes. The bill was the handy work of Ohio Governor John Kasich, and its repeal was a significant win for the middle class and all of labor.

In a recent article by Politico's Glenn Thrush, he writes, "Unions hung a humbling defeat on Kasich, who has

fast become his party's poster boy for conservative overreach, by rolling back Senate Bill 5." I couldn't agree more.

I can't say enough about how well our TWU members responded to our "call to action" against SB 5. Members from all divisions came to Ohio to help fight back. They worked hard for months, door knocking, phone banking, protesting and gathering signatures for petitions to force a public vote on the bill. Thousands of labor activists participated with one purpose – defeat SB 5. By joining forces collectively with our private sector and public sector brothers and sisters, we proved it – we won! I commend all of you for a remarkable effort in holding the line for the American middle class.

Here's an update on the effort to recall Wisconsin governor Scott Walker. Presently the state AFL-CIO offices are working hand in hand with community organizers and labor unions across Wisconsin to gather voter signatures to force a recall election. The recall process started on November 19th when over 50,000 signatures were gathered in just two days. To date, volunteers have gathered over 300,000 signatures. Wisconsinites will need 540,206 signatures over the next 60 days to force an election.

After Walker's anti worker agenda became clear in January 2011, TWU members were involved from the beginning. Many locals sent members to Madison to join the protests in outrage against Governor Walker's legislative attack on collective bargaining rights. And this August, two state representatives that backed Walker's anti worker legislation were recalled in a special election. Now, other state legislators are feeling the heat as the 99 per centers rally throughout Wisconsin. Once again, labor's participation in the recall effort will be pivotal in securing the needed signatures to sanction a recall election in early to mid 2012. Visit the website today to see how you can help: www.wisafclcio.org/

Our Air Transport Division members have a lot at stake in the upcoming funding fight for the Federal Aviation Administration. Current FAA funding expires on January 31, 2012.



Robert Gless
Deputy Director ATD

If long term funding legislation is not agreed on, we could face another FAA shutdown like this summer. That was an embarrassing episode for many congressional lawmakers, but they seem to have forgotten the public angst as a result of their inability to get something done. If there is another short term extension, that would be extension number 23 dating back to 2007.

Additionally, there is a projected shortage of FAA inspectors on the horizon, as over half will be retiring in the next five years. Experienced inspectors are hard to replace and there will be a definite learning curve for the replacements.

We continue to support and fight for inclusion of OSHA regulations for flight attendants and increased vigilance of overseas maintenance facilities. If not seriously addressed by Congress, these two issues could affect many of our members.

Next year's elections will be vitally important to all of us. We need your help to continue fighting back, to protect workers rights and the ability to bargain collectively with employers. Please help us elect legislators that support and value working class Americans - we are the 99 percent.

I wish all of our member's, retiree's and your families a safe and wonderful holiday season.

OWS - Occupy Wall Street

Union members from various TWU locals have participated in the Occupy Protests since the movement began back in September. As a result of OWS protests in Zucotti Park and the Wall Street financial district in New York, hundreds of other "Occupy" sites have sprung up across the country.

Thousands have been arrested and hundreds of protesters have been beaten and severely injured during police attempts to clear out the camps. The movement has no official leaders and proclaims to represent the 99 percent of America's taxpayers who want the government to hold the 1 percent accountable for their greed and corporate corruption. There is no end in sight.

The TWU International issued a statement of support for the OWS movement in October saying, *"It's refreshing to see a growing citizen's movement, which - unlike the Tea Party and its radical anti-government rhetoric - is focused on the real problem: The financial elites whose shady and corrupt trading and business practices nearly wrecked the global economy."*

"Wall Street firms got government bailouts in 2008 and 2009 to prevent an overall collapse of credit and lending, but they've given us precious little in return. The same executives who approved subprime loans and other questionable financial instruments that caused the mess in the first place got to keep their jobs and their obscene bonuses. The rest of us got the shaft: Foreclosure on our homes, a catastrophic drop in our savings and retirement accounts, and cutbacks in public services like transportation and education that are the life blood of the middle class."

They're fight is our fight - we are the 99 percent!



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TWU Member Takes to the Airwaves After FAA Shutdown

In September, Gary Moffitt was a guest on KNON's morning radio show, "The Workers Beat." Moffitt is a member of TWU Local 567 and a Texas State AFL-CIO vice president. Moffitt addressed the FAA Reauthorization funding fight and the need for serious oversight of foreign aircraft maintenance facilities in the Reauthorization Bill. He added that "OSHA inclusion for airline flight attendants is another component" of the bill that needs long term congressional support.



Listeners called in to ask questions and make comments about the politically contentious bill. The "Workers Beat" radio show is hosted by Gene Lantz and airs on Monday mornings at 7:00am in the Dallas - Ft. Worth area.

About KNON 89.3 "The Voice of the People"

KNON is a non-profit, listener-supported radio station, deriving its main source of income from on-air pledge drives and from underwriting or sponsorships by local small businesses.

REGISTER TODAY!

2012 AFL-CIO DR. MARTIN LUTHER KING, JR. HOLIDAY OBSERVANCE

The 2012 AFL-CIO Dr. Martin Luther King, Jr. Holiday Observance will be held January 12 – 16 in Detroit, Michigan at the MotorCity Casino Hotel. The on-line registration has been extended to January 1 and the fee is \$180. Checks must be postmarked by January 2, 2012. Limited guest rooms are still available at the Westin Book Cadillac at \$119 plus 15 percent tax per night (parking is \$10). Complimentary transportation will be provided between the two hotels. Hotel room reservation deadline is December 16. After Dec. 16, availability and rates will be determined by the hotel.

Conference registration and hotel reservations can be made on-line at http://www.aflcio.org/issues/civilrights/index_2012.cfm. We encourage you to register today.



A Steward's Toolbox

Every day, a steward is asked for information. Our members are no different from any other person in America. They want answers and they want them fast. One key role for the steward is to give out accurate information. But in order to get that information out to the membership, the steward needs to know where to find it.

There is nothing worse than giving out incorrect information. A steward can rush to get an answer back to the member and not take time to do the proper research or ask the right question of the local union officer. Take time to get the accurate answer and then get back to the member with it. There is often the temptation to drop the subject when the answer is not the one that is favorable to the member. A member has a right to the correct answer even if it is not the one they want to hear.

Listed below are some of the tools or references that a steward should have or have access to. Most of these sources will enable the steward and member to process any grievance.

- Contract, side agreements, supplements to the agreement
- Copies of employer rules, regulations,

and policies.

- Disciplinary rules and procedures.
- Local by-laws; International Constitution.
- Grievance forms with instructions on how to file it and deadlines.
- Copies of appropriate labor laws such as state statutes, National Labor Relations Act, Railway Labor Act, Workers' Compensation statutes and updated amendments, OSHA, and various federal statutes prohibiting employment discrimination such as the Americans with Disabilities Act.
- Membership cards for new members and COPE cards.
- Dues check-off forms.
- Union pamphlets and publications, such as the local newsletter and TWU Express for new members.
- Seniority list for unit, department, and/or craft.
- Job descriptions for department (this sometimes appears in the contract).
- Membership list of all members under their jurisdiction. The steward should update this regularly with address and phone number changes for the local union
- Reference sources within the TWU such as a list of international departments, local and international website URLs, list of all local union officers with contact information, local committees such as EAP, and dates of membership meetings

and grievance committee meetings.

- Personal grievance file and log.
- Safety and health information.
- Access to company personnel records in order to research and process grievances.
- Access to union records such as previous grievances filed, past practices, arbitration and/or system board decisions.
- List of community resources for supplemental membership assistance.

This list is by no means comprehensive but it should give the steward an idea of the wealth of information out there to assist him/her in doing their job well.

Union Leader Wants to Refocus Public Perception

No. 2 officer at AFL-CIO speaks at state convention

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Written by Chad Livengood

NEWARK -- Labor unions are well known for strikes, picketing perceived unfair business practices and political activism. But the general public doesn't know what they do or who their members are, AFL-CIO Secretary-Treasurer Liz Shuler said Saturday.

Speaking at a Delaware State AFL-CIO convention, Shuler said labor unions need to do a better job telling their story to a skeptical public who blames unions for some of the nation's economic ills. This new effort comes as union membership is declining nationwide and in Delaware.

"With our shrinking density and many people not having first-hand experience with unions, they have no clue what we do," said Shuler, the No. 2 officer at the national AFL-CIO, the largest federation of unions in the nation with 11.6 million dues-paying members.

Unions need to better emphasize their contributions to charitable work and job-training programs that provide apprentices with a pathway to job security in the middle class, Shuler said.

"When we raise our voices for jobs, we're speaking for union and non-union families alike," Shuler said. "That's the labor movement the public needs to know about."

Shuler said labor leaders will try to dispel stereotypes and misinformation with a "repositioning" initiative that spotlights members' work. "Sometimes, it's the strike or the confrontation or us out in the streets angry is mainly what people associate with us," Shuler said.

Shuler said labor unions would still fight for the wages and working conditions of their members, even if they are confrontational.

"But does that have to be the only thing we're known for?" she asked.

"Absolutely not," responded Sam Lathem, president of the Delaware State AFL-CIO.

In the near term, Shuler said, the AFL-CIO will be lobbying Congress to invest billions in road infrastructure projects, including 50 bridges in Delaware that are structurally deficient.

Labor unions need to combat the austerity movement and "deficit hysteria" that has Congress currently considering billions in cuts to programs, Shuler said.

"America isn't broke, but something is broke in America," Shuler said. "Our politics is broken in America."

Shuler delivered the keynote address at the start of the Delaware State AFL-CIO's 32nd Constitutional Convention at the United Auto Workers hall near Newark.

More than 100 delegates from various building trades, private- and public-sector unions who fall under the umbrella of the AFL-CIO, gathered to rewrite bylaws and elect leadership.

Lathem was re-elected to a new term as president. Delegates re-elected Jackie Canada-Reaves



Liz Shuler says unions need to emphasize job training and charity.

secretary-treasurer of the statewide union, which represents 26,000 workers from 110 local unions and councils.

The number of Delaware workers represented by unions fell from 51,000 in 2000 to 44,000 in 2010, according to federal labor data. Delaware State AFL-CIO lost 6,000 members from the closure of the Chrysler and General Motors assembly plants.

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ATD Members Receive Critical Incident Stress Management Training

Like hundreds of other outdoor occupations, airline ground workers are subject to severe injuries and fatalities. Just witnessing an accident that severely injures or kills a coworker can be devastating. While working on the Albuquerque ramp this summer, Fleet Service clerk Rick Lomando witnessed a fatal accident and knows firsthand the helplessness and lingering doubts that he experienced as a result.

Over thirty TWU-ATD members working for American Airlines and American Eagle Airlines took part in the Critical Incident Stress Management training seminar held at the Hurst Conference Center on October 25-26. Those attending included: Employee Assistance Program (EAP) peer coordinators, Veterans Committee members and officers, Working Women's Committee members and local shop stewards. American Eagle System Coordinator and International Representative Jose Galarza attended as well. Galarza is U.S. Army veteran of the Iraq war and works with the ATD Veterans Committee regularly.

The CISM training was conducted by Paul A. Tabor and Brenda Tillman. Tabor works for the Texas Department of State Health Services and is the state's CISM Coordinator. Tillman holds a Master of Arts in Counseling, MSM, HR, and practices in Fort Worth with the Readiness Group International, LLC. Both instructors have years of experience with critical incidents large and small. Tabor was dispatched to Oklahoma City to assist federal workers, fireman and policeman after the bombing of the Alfred P. Murrah Federal building in 1995. Tillman has experience counseling flight attendants and pilots and worked with many flight crew members after the 9/11 terror attacks. Tillman also works regularly with combat veterans returning home from the Iraq and Afghanistan wars.

Tillman explained, "It's not easy because we all respond to trauma differently, but employees should have the opportunity to talk about their traumatic experience sooner rather than later. If addressed in the acute phase of the trauma, you can often mitigate possible long-term effects."

Jeffrey T. Mitchell, PhD., CTS, defines *critical incidents* as, "a traumatic event that causes powerful emotional reactions in people who are exposed to those events." Mitchell states in a special article in his CISM work book that a *crisis* is: "an acute emotional reaction to some powerful stimulus or demand, also known as a state of emotional turmoil. He states that there are three main characteristics to any crisis:

- The relative balance that usually exists between a person's thinking abilities and emotions is disrupted.
- The usual coping methods fail to work in the face of the critical incident.
- There is evidence of mild to severe impairment in the individual or group involved in the critical incident.

In the airline world, examples of critical incidents could be a passenger that dies from a heart attack, or a flight attendant breaking an arm due to severe air turbulence. 9/11 was certainly a CI event for many airline employees. Today, a crowded aircraft cabin stuffed with unruly passengers can lead to incidents of "cabin chaos," when irate passengers assault flight crews or other passengers. Assaulting a flight crew member is considered a federal offense but, it is happening more frequently today.



A critical incident stress debriefing is one part of a group crisis intervention process that follows a CI event. The sessions are held with highly trained professionals and a *trained* CI team member from the workplace. Normally from the specific work group, or groups involved. The team meets with employees after an incident to openly discuss personal impact of the event. The CI team is trained to facilitate discussions, encouraging those involved to talk about their experiences and how they are coping in the aftermath. Presently, American Airlines only requires its pilots and flight attendants to attend CI debrief sessions after an event.

It's all part of understanding and finding ways to cope with the event. Group debriefs offer an opportunity for individuals to gain an understanding of trauma, how to deal with possible intense responses and to provide further assistance if needed. Tillman explained, "It's not easy because we all respond to trauma differently, but employees should have the opportunity to talk about their traumatic experience sooner rather than later. If addressed in the acute phase of the trauma, you can often mitigate possible long-term effects."

CISM Training (Con.)

If the responses are significant and unaddressed, the emotional turmoil can manifest itself in varying ways. For some it may be a temporary mental paralysis that obscures the facts of exactly what happened. Sensory overload can be confusing in these situations. Traumatized victims frequently internalize their grief, blaming themselves, or asking, why they didn't do more to change or stop the incident before someone was hurt or killed. Severe cases may suffer from thoughts of suicide because of their immense grief. The trauma can be much worse when they were good friends with the victim.

Rick Lomando attended the training seminar in Hurst, Texas and remembers the horrible accident in Albuquerque. It took some time for him to process what he had witnessed. After a few days off, Lomando met with union EAP coordinators from Dallas and Los Angeles. "I found that talking with EAP coordinators and my coworkers to be very helpful. The CI debrief made it easier for me to return to my fleet service duties," Lomando said. "The instructors conducting the CISM training were very knowledgeable." Lomando is now a part of his stations EAP team and wants to help others if the need should ever arise.



From L to R:
David Simmons EAP Coordinator Local 568
Fred Torrent EAP Coordinator Local 513
Daniel Wilson EAP Coordinator Local 562
Brenda Tillman - CISM Instructor
Paul Tabor- CISM Instructor
Arizo Gajewski Veterans Committee Local 512
Shirley Kolling Veterans Committee Local 575
Curtis Lyons Veterans Committee Local 514

Oftentimes military combat veterans suffer from post traumatic stress disorder (PTSD) years after returning home. The Veterans Administration has struggled to acquire funding to treat the growing number of affected veterans. Many veterans returning to work have a difficult time dealing with the transition. They have vivid memories and flashbacks of their combat experiences, some of which are horrifying. Critical incidents they experienced in combat can raise new problems at home or in their marriages. Many feel deserted when they leave the military and they need to talk to professionals about their experience and anxieties.

Within our locals, the TWU-ATD Veterans Committee has been partnering with our TWU EAP coordinators, to help returning military veterans. Many have come home to a job and a company that changed drastically in their absence. Trying to decipher veteran's benefits can be a maze of misinterpretations by recently outsourced benefits "experts" who have no idea.

Together, our EAP Coordinators and Veterans Committee members will be alert to members needs and able to direct them to the appropriate professionals. The CISM training was another way for both groups to network and build a better safety net that will help all of our TWU brothers and sisters.

Sam Sadler, TWU EAP Coordinator, recommends that if you witness or are involved directly in a CI event, that you contact your local union officers and the company to report the incident immediately. A critical incident debrief is an important component that benefits our members welfare and is paramount to individual well being and recovery.



Local 557 Flight Crew Instructors Ratify Contract Extension

TWU represented Flight Crew Training Instructors working for Southwest Airlines ratified a three year contract extension in November. The extension will become amendable on December 31, 2015.

“I want to congratulate both sides for ratification of a contract that delivers mutually beneficial enhancements to pay, benefits, and work rules for our Flight Crew Training Instructors, in exchange for increases in productivity and flexibility in scheduling,” said Mike Van de Ven, Southwest Airlines Executive Vice President and Chief Operating Officer. “Reaching an extension allows our Instructors to continue to focus on our current Pilot training needs, as well as prepare for the integration of the AirTran Pilots into the Southwest family over the next few years.”

TWU Local 557 represents more than 70 Southwest Flight Crew Training Instructors.

Florida Airport Opens FAA NextGen Testing Site

Daytona Beach International Airport in Daytona Beach, Fla., opened a testing site last month for the latest NextGen technology at its Federal Aviation Administration center.

The airport is one of three locations in the U.S. serving as a NextGen testing site. “This facility is all about innovation,” said FAA Administrator Randy Babbitt. “The \$22 million of federal funds appropriated for this test bed is probably one of the wisest investments we’ve made in a long time.”

~ ATA Smartbrief

FAA Funding runs out January 31, 2012. Contact your congressman and demand that long term funding be appropriated for the FAA.

Cut Your Health Care Costs...

New and expanded programs from Union Plus now give working families **bigger discounts, more services** and **lower out-of-pocket expenses.**

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- Dental **Savings**
- Doctor and Hospital **Savings**
- Foot and Ankle Care **Savings**
- Medical & Diabetic Supplies **Savings**

*These plans are not insurance. This is not a Medicare prescription drug plan.



Web

For more details, visit UnionPlus.org/Health

Veterans Active In the Community

Local 514 members celebrate Veterans Day with parade in downtown Tulsa, Oklahoma.



ATD Veterans Committee Helps Raise Funds for "Building Homes For Heroes"

On March 12, 2008, Sergeant Tavera was riding in an armored SUV inside the Tallil Airbase in south-eastern Iraq when it was struck by five rockets. The blasts killed three of his buddies. Tavera was thought to be dead as well. He lost sight in both of his eyes, his right leg, four fingers on his left hand, and suffered very serious head trauma and critical burns to 60 percent of his body.

After more than 70 surgeries and nearly four years of hospital care, this extraordinarily courageous young man and his family will be moving into a beautiful 4200 sq. ft., four-bedroom, four-bathroom specially-adapted home designed and constructed by William Ryan Homes to meet all of Sergeant Tavera's special needs. Over 100 contractors, suppliers and vendors donated time material and services to complete the home.

The ATD Veterans Committee helped raise over \$6,500 in donations for the new home.



Above; Sergeant Tavera with ATD Veterans Committee Chair Hank Trujillo; next; Jose Galarza American Eagle System Coordinator/Intl. Rep.; Sgt. Tavera and Trujillo at dedication of the new home for the Tavera family

TWU International to Expand Veterans Committee's

By: Jennifer Proctor
International Liaison Officer
Veterans Affairs



International President James C. Little has asked me to help with the development of a Veterans Committee for the other TWU divisions – rail, transit and gaming. The success of the ATD Veterans Committee will be a model. I am a United States Air Force veteran and I take great pride in helping broaden our union's veterans committees'. As union members, we help one another and protect each other - that is what we do.

Our returning veterans face an uphill battle when they come home. The stress from multiple deployments and extended deployments has devastated many families. Veterans have lost their homes to foreclosure, substance abuse and divorces have skyrocketed and their jobs aren't what they left before being deployed. Some have lost their jobs altogether, the recession has hit the veteran disproportionately hard.

Going back to work should be an easy process, but oftentimes it is not. Confusion over pay scales and company paid medical benefits tops the list with our veterans. The companies and their human resources personnel don't always provide veterans with the pertinent information they need. And they are often the least caring individuals with which to deal.

By having a group of knowledgeable veteran's committee members available to help those in need, we hope to ease the transition for military men and women and their families. It is only the first step. Our Veterans Committee members work hard with the Veterans Administration and employers to stay up to date on changes to all of their hard earned benefits. TWU Benefits Coordinators also work with us to help keep veterans informed of changes to their benefits packages. There will be yet another maze of misinformation from the company benefits personnel because of AMR's recent bankruptcy filing.

By creating Veterans Committees in each division similar to the Air Transport Division, we will ensure that all of our veterans are represented. Eventually, an International Veterans Committee may be established to assist all our divisional committees.

The TWU will be there for our veterans, pre-deployment, during deployment and post deployment. We will protect their benefits while they're protecting ours.

Local 513 member Joe Tolbert was guest speaker at the October ATD Working Women's Committee Meeting

Tolbert shared the story of his grandfather who worked as a railroad porter in the early nineteenth century. In chilling detail Tolbert told of his grandfathers struggle against the racial injustices of the time. Violence and threats against a porters continued employment were some of the normal tactics used by the railroad bosses.

The porters worked for the Pullman Company Railroads, a major employer of African Americans. Known as the Pullman Porters, they eventually sought union representation because of employer harrasment and the rampant racism suffered at the hands of the travelling public. Even the large unions of the time declined to help the porters organize because of their race.

In an effort to help organize the Pullman Porters, they approached a young newspaper man from Harlem named Asa Philip Randolph. The porters hoped that Randolph would write about them and their efforts to organize. Randolph became so ingrained with their cause that he risked everything to join and lead them to victory against the "railroad barons" of the day.

In 1925 Randolph successfully organized the Brotherhood of Sleeping Car Porters and was elected their first president.



Joe Tolbert holds a family portrait of his grandfather, Samuel Strait

AA/AE Bankruptcy Facts:

<http://aa.twu.org/>

Glossary of Terms - Bankruptcy Information

363 Sale - a sale of assets of the debtor's bankruptcy estate, typically free and clear of liens and claims, pursuant to section 363 of the Bankruptcy Code, that may be for a debtor's entire business or just for certain pieces (such as a factory, or a product line)

Automatic Stay - an injunction automatically imposed on creditors (and others) upon the filing of a bankruptcy case, prohibiting them from taking virtually any action against the debtor or property of the debtor's bankruptcy estate

Bankruptcy Code - Title 11 of the United States Code, the body of law that governs insolvency and reorganization proceedings in the United States

Bankruptcy Court - a division of the United States District Court to which bankruptcy matters are automatically referred

Bankruptcy Estate - the separate legal entity that arises when a bankruptcy case is filed, to which all of the debtor's property belongs during its bankruptcy

Bankruptcy Petition - the document filed to initiate a bankruptcy case

Bankruptcy Rules - the body of rules that governs the procedures to be followed in the bankruptcy court, also known as the Federal Rules of Bankruptcy Procedures

Bar Date - a term commonly used to refer to various dates by which creditors must take certain action. (e.g. the "Claims Bar Date" is the last day to file a proof of claim)

Bond Holders - holders of interest-bearing debt instruments, either secured or unsecured, issued by the debtor

Chapter 7 Liquidation - bankruptcy proceeding in which a trustee collects the assets of the debtor, sells the assets, and distributes the proceeds of the sale of the assets to creditors

Chapter 11 Reorganization - a part of the Bankruptcy Code that provides for a reorganization of the debtor. Under Chapter 11, the debtor pays its creditors under a payment plan over a period of time in an amount usually not less than the value of the debtor's assets at the commencement of the case

Claim - a right to payment from the bankruptcy estate

Claim, Administrative - a claim generally based on goods or services provided to the bankruptcy estate

Claim, Objection to - refers to the proceeding by which a party disputes a creditor's claim

Claim, Priority - refers to claims that will be paid prior to general unsecured creditors, typically for wages, rents, deposits, and taxes

Claim, Proof of - a written statement evidencing a claim which is filed with the bankruptcy court

Claim, Secured - a claim based on a valid security interest in real or personal property (or both)

Confirmation Hearing - the hearing at which the court determines if it will approve the debtor's plan

Confirmation Order - a court order entered in a chapter 11, 12, or 13 case approving the debtor's plan

Cram down - a slang term used in the context of a bankruptcy case which refers to the court approving a payment plan over the creditor's objection.

Creditor - an entity that holds a claim

Committee of Creditors - a committee of 3 to 7 of the debtor's unsecured creditors, appointed to represent the interests of all of the unsecured creditors (also known as a Creditors' Committee or Official Committee of Unsecured Creditors, or frequently just Committee)

Debtor - refers to the entity that filed bankruptcy

Debtor-in-possession (DIP) - a chapter 11 debtor that remains in possession and control of the assets of its bankruptcy estate, with the same rights and duties as a trustee

Defined Benefit Plan - pension plan that guarantees a certain level of retirement income, often based on years of service and historical income level

Discharge - in a chapter 7 case, the elimination of a debtor's debts owed to its creditors in a chapter 11 case, the replacement of a debtor's pre-filing debts with the obligations defined in its plan of reorganization, which occurs at confirmation

Distribution - payment of money or other consideration to the creditors from the bankruptcy estate, sometimes referred to as a dividend

Distribution, priority of - the order in which funds of the bankruptcy estate are distributed

ERISA - Employee Retirement Income Security Act of 1974 (29 U.S.C. §§1001-1461), federal statute that, among other things, created a system of pension insurance and established defined-benefit pension plan sponsors' duties with regard to plan funding

Gap Period - the period of time between the filing of the involuntary petition and the entry of an order for relief, during which the debtor can remain in possession of its property, continue business operations, and use, acquire, or dispose of assets unless these rights are denied by the court or an interim trustee is appointed

Insider - a person, relative, or entity that controls or is presumed to control the debtor

Insolvent - a term used to describe an entity whose liabilities exceed the value of its assets (legal insolvency) or that is not able to pay debts as they come due (equitable insolvency)

Involuntary Petition - the commencement of a bankruptcy case by a debtor's creditors

Lien - an interest in property to secure payment of a debt

Lift-Stay Motion - the procedure by which a creditor seeks court permission to take action against the debtor or the property of the estate (also known as a Motion to Terminate the Automatic Stay)

Motion - a request, usually in writing, directed to the court

NLRA - National Labor Relations Act (29 U.S.C. §§151-169)

Order for Relief - a court order entitling the debtor to the protection of the bankruptcy laws, entered automatically upon the filing of a voluntary bankruptcy petition

PBGC - the Pension Benefit Guaranty Corporation, a government agency that regulates and guarantees ERISA-governed defined benefit pension plans

Petition Date - the date on which the debtor filed its bankruptcy petition

Plan (or Plan of Reorganization) - the document that describes the terms and conditions under which creditors in a chapter 11 bankruptcy case are to be paid.

AA/AE Bankruptcy Facts:

<http://aa.twu.org/>

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