

It was the high school debate team that spurred Linda A. Puchala's interest in and commitment to understanding different points of view. Puchala, the newest member of the National Mediation Board, said she could capably argue both sides of an issue growing up in Norway, Michigan, a small town on the state's upper peninsula. She has used this and other skills to become a distinguished labor representative, labor relations professional, and mediator. And when the time was right, President Barack Obama selected her to fill a critical position on the National Mediation Board that requires balance and fairness.

Shortly after her swearing in, Puchala sat down with Bruce York, director of ALPA's Representation Department; Marie Schwartz, director of the union's Communications Department; and Sharon Vereb, editor of *Air Line Pilot*, to discuss the mission, goals, and renewed focus of the NMB under the Obama Administration.

Air Line Pilot: A lot of legacy carrier bargaining took place under the bankruptcy code during the last negotiating cycle, which left the NMB on the sidelines. The Bush administration's labor policy and long mediations in the recent past have caused ALPA and other airline and rail unions to question the effectiveness of, or lose confidence in, the NMB's ability to fairly balance employer and employee interests. What steps can the NMB take to restore confidence in its role and demonstrate that it can facilitate mediation efficiently?

Puchala: I was a mediator when President Bush announced early in his first four years that there wouldn't be any airline strikes during his presidency. That announcement, combined with bankruptcy-related bargaining, could lead to the perception that there has been a chilling effect on the Railway Labor Act bargaining process. Looking forward, my recent experience on the Obama administration's NMB transition team helped me understand where labor was coming from with respect to our mediation practice, but also, where management was coming



The NMB's Newest Member:

Linda Puchala

There's No Substitute For Experience

By ALPA Staff

from. Both sides expressed the need to bring credibility back to the negotiating process, and we're taking that very seriously. We are hopeful that we'll be able to move cases along more quickly. The Board's mediation agenda is increasing daily, so we have to be prepared to distribute our resources accordingly but also use them efficiently to help facilitate agreements.

Can that balance be restored, and can negotiations and mediation proceed more efficiently under the Railway Labor Act, or does the Act need to be changed?

With my long negotiating history under the Railway Labor Act, my view is that

balance can be restored and the Act can work. A lot of the questions can focus on the Board's discretionary authority, how it's been used in the recent past, and how this new Board intends to use it. Frankly, I know that there is an element of your members, and other union members, that feels that we need to revamp the RLA. With my fellow Board members and the NMB staff, I would like the opportunity to breathe some life back into the Act and exercise judicious authority to show both labor and management that it can work.

But as we prepare to celebrate the 75th anniversary of the NMB, this is also an appropriate time to take a serious look at the Railway Labor Act and the way the Board is administering the Act. We have discussed reconstituting a Dunlop-type commission [named after its chair and the former Secretary of Labor John T. Dunlop, who convened industry participants to discuss and recommend changes to the NMB in the mid-1990s] that is representative of both labor and management interests so that the parties can help take a critical look at and offer suggestions and observations to the NMB on the way negotiations and mediation, among other things, are working. All of the Board members have expressed a positive interest in moving forward on that issue.

What characterizes negotiations that move forward successfully versus ones that don't?

Well, I can tell you that a mediator's dream is that we're at the table with a limited number of issues, the right people are at the table, and both sides of the table have the motivation to make a deal. You can't underestimate the need for the parties to be motivated to make a deal.

Our members sometimes worry that the Board weighs in on the kind of deal that should be done rather than focus its attention on facilitating the deal and letting the parties decide what to settle for. More specifically employees worry that the Board puts its finger on the scale in favor of management. Is that concern accurate?

The economic circumstances are always under evaluation by the parties

so it's not surprising that the mediator might also have a view of how the contract that he/she is working on compares with others being negotiated at the same time or recently. But he or she does not favor the position of one side or the other. It may surprise members to learn that we hear exactly the same concerns expressed by management most of the time. That says to me that we're putting equal pressure on the parties.

We're primarily concerned that the parties reach agreement themselves, understand the deal, and believe that whatever they agree to can be ratified. One of a mediator's main areas of concern is to have a contract rejected and have the parties return to the table after economic circumstances have deteriorated. Now management, because of the economic circumstances, is unable to continue to offer that tentative agreement. Those follow-on negotiations are much more difficult. I know that ALPA understands how important it is to stay in constant communications with the members in order to understand what can gain members approval. Our efforts are for naught if the contract can't be ratified.

Your tenure at the Board as a mediator includes lots of work with alternative dispute resolution (ADR). Are there things the Board is planning to do, or can

do, that make it easier to solve industry-labor relations problems generally?

One of the things that has been asked in recent years is whether there are sufficient opportunities for airline labor and management to talk about important or thorny issues away from the bargaining table—things like grievance backlogs, changing

So as a mediator and now as a Board member, what are the typical misperceptions that people who haven't participated have about the bargaining process? What do you think they sometimes don't understand?

Often times folks don't understand why their view of the "right solution" to a problem will not always prevail in

She Was an ALPA Member, Too

Linda Puchala started working in the airline business as a flight attendant with North Central Airlines (which later merged to form Republic) when flight attendants were part of the Steward and Stewardesses division of the Air Line Pilots Association. Within a year of starting work at North Central, she joined the flight attendant Scheduling Committee, later moved to the Negotiating Committee, and eventually became the Master Executive Council chair. From 1979 to 1986, Puchala was the president of the Association of Flight Attendants, AFL-CIO. 🌐

economic circumstances, how bankruptcy overlies and affects bargaining under the RLA, what future trends are developing. I think it's incumbent on the Board to work with the parties to find times to talk about these kinds of issues and make sure that we do it constructively on a regular basis. We have experts on both sides of the table who can offer ideas to the Board about what programs are necessary and can be offered to industry-labor relations participants.

the bargaining process. People sometimes think that if you're just tenacious enough, your proposal will be adopted, and that may not be true—for both sides of the table. There are usually several ways to resolve an issue, and that is why it is a bargaining "process." A common misperception with respect to mediation is that the mediator has the authority to impose a settlement, or that the mediator can strong-arm the other side into accepting one proposal or another. None of those things are true.

How do you disabuse people of that perception?

Well, one of the things that mediators do is talk to negotiators about the proposal that's on the table in detail and discuss with them the other side's view of that proposal. The Board, instead of trying to support one side or the other, tries to identify common ground. Mediators spend most of their time listening, asking questions and trying to be alert to opportunities to build on or expand areas of common ground. We try to link areas of common ground with other issues of disagreement to see if we can help the parties formulate viable alternatives. In short, mediators focus their efforts toward keeping the parties engaged in constructive dialogue. 🌐



PHOTOS: WILLIAM A. FORD

Conducting the interview with Puchala were, left, Bruce York, director of ALPA's Representation Department, and Marie Schwartz, director of the Association's Communications Department.

To read the entire interview, go to www.alpa.org/puchala.