

Departures Opinions On Current Issues In Aviation

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It's Time to Enforce U.S. Trade Agreements And Support U.S. Aviation Workers

A thunderous roar of opposition emerged from U.S. aviation workers and the public in the wake of the Transportation Department's (DOT) announcement April 15 of its tentative decision to approve Norwegian Air International's (NAI) permit application to fly to and from the U.S.

Airline employees, passengers, and cargo shippers in the tens of thousands have raised their voices in united opposition because NAI's business plan, which is designed to undermine labor standards and the intent of one of this country's international trade agreements, would erode fair competition, run contrary to U.S. trade policy, and threaten U.S. aviation workers' jobs.

Norwegian Air Shuttle (Norwegian), NAI's parent company, already operates flights to and from the U.S., and currently has the regulatory authority to operate more routes, such as Boston–Cork, should it choose to do so. Its recent attempts to link its NAI application to its Boston–Cork service are nothing more than an effort to hold these new flights hostage and mislead the public, to force the U.S. government's hand in approving NAI.

When Norwegian created NAI as an Irish subsidiary, it was embarking on a flag-of-convenience scheme expressly designed to avoid Norway's labor, tax and regulatory laws. While flagged in Ireland, NAI plans to use flight crews hired on Asian employment contracts in a flag-of-convenience model that is completely at odds with the U.S.–EU Air Transport Agreement (ATA). The ATA includes a labor provision, known as Article 17 bis, that requires the DOT to ensure that opportunities under the agreement are not used to undermine labor standards.

By pursuing this scheme, NAI gains a tremendous competitive advantage over U.S. airlines and their workers, who conduct business under the rules of the agreement. The Air Line Pilots Association (ALPA), along with other fair-market advocates, is simply asking the DOT to enforce its own trade agreement.

The DOT is charged with encouraging fair wages and working conditions, ensuring that U.S. airlines maintain a

strong and competitive position globally, and enforcing the ATA, including its labor provision. Yet the DOT proposes to give NAI its stamp of approval.

Since the tentative DOT decision was announced, aviation workers have mobilized in force. In just two weeks, more than 16,000 ALPA pilots have taken action, sending messages to the DOT and the White House asking them to enforce our trade agreements and reverse this harmful decision. Thousands of concerned passengers, air cargo shippers and other aviation industry employees have joined them. Combined with the nearly 40,000 who have already signed petitions to deny NAI, they are sending a clear message that the fight is far from over.

In addition, U.S. lawmakers recently took action to require the DOT to enforce the ATA. Reps. Peter DeFazio (D-Ore.), Frank LoBiondo (R-N.J.), Rick Larsen (D-Wash.) and Lynn Westmoreland (R-Ga.) stood up for U.S. aviation workers and introduced bipartisan legislation (H.R. 5090) in the House of Representatives that directs the DOT to require foreign airlines to meet the agreed-to standards in U.S. ATA before allowing those carriers to fly to the U.S.

Congress has clearly spoken out, not only because tens of thousands of U.S. aviation jobs depend on these international airline routes, but also because the future of the U.S. airline industry and its workers hangs in the balance. If one company is allowed to ignore the principles of U.S. ATA, others will surely try to do so as well.

Capt. Tim Cannoll is the president of the Air Line Pilots Association (ALPA). Founded in 1931, ALPA is the world's largest pilot union, representing more than 52,000 pilots at 30 airlines in the U.S. and Canada.

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“U.S. aviation workers need the U.S. government to enforce its own trade policies.”