

IAM jetBlue

GO CREWMEMBERS HAVE NO PROTECTION AGAINST UNJUSTIFIED DISCIPLINE AND TERMINATION; AN IAM UNION CONTRACT WILL FIX THAT

Crewmember Blue Book (CBB)

jetBlue

Separation of Employment

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Separation of Employment

4.1 Employment-at-Will

Last Revised: 2023-04-27

The guidelines presented in the Blue Book are not intended and will in no way be considered to be a contract of employment between JetBlue and any Crewmember. With the exception of particular Crewmembers who have executed specific employment agreements with JetBlue, no Crewmember of JetBlue has a contract of employment. JetBlue does not enter into "oral agreements" or "understandings" with any Crewmember regarding job tenure and reserves the right to accept a resignation or to separate the employment relationship at any time within the Company's discretion based on the situation at hand. Further, JetBlue specifically reserves the right to immediately separate a Crewmember in the event of a serious or direct violation of Company guidelines in accordance with terms or conditions of an employment or collective bargaining agreement (CBA). JetBlue management has the sole prerogative and discretion to determine the seriousness of violations.

"EMPLOYMENT AT WILL" MEANS AN EMPLOYER CAN END THE EMPLOYMENT RELATIONSHIP AT ANY TIME FOR ANY REASON, JUST AS LONG AS THE TERMINATION DOES NOT VIOLATE TITLE 7 OF THE CIVIL RIGHTS ACT, WHICH PROHIBITS DISCRIMINATION BASED ON RACE, COLOR, RELIGION, SEX OR NATIONAL ORIGIN.

The doctrine of "Employment at Will" is one of the many reasons why JetBlue management fights against GO Crewmembers efforts to unionize. JetBlue management likes the power that they wield over Crewmembers. Under Employment at Will, management doesn't need any reason whatsoever to terminate a Crewmember's employment.

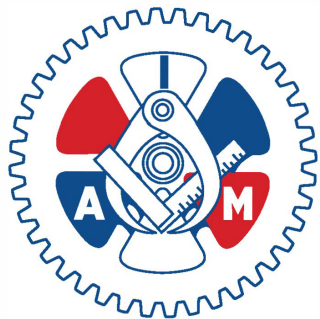
However, with a UNION CONTRACT, that will change.

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"Just Cause" compared to "Employment at Will"

Union contracts protect workers against unjust discipline and termination due to "Just Cause" provisions. What is "Just Cause"? The doctrine of "Just Cause" has 7 tests, and if those tests are not met, then an employer cannot discipline or terminate an employee.

THE 7 TESTS OF JUST CAUSE:

1. FAIR NOTICE—AN EMPLOYER MAY NOT DISCIPLINE AN EMPLOYEE FOR VIOLATING A RULE OR STANDARD WHOSE NATURE AND PENALTIES HAVE NOT BEEN MADE KNOWN.
2. PRIOR ENFORCEMENT—AN EMPLOYEE MAY NOT BE PENALIZED FOR VIOLATING A RULE OR STANDARD THAT THE EMPLOYER HAS FAILED TO ENFORCE FOR A PROLONGED PERIOD.
3. DUE PROCESS—AN EMPLOYER MUST CONDUCT AN INTERVIEW OR A HEARING BEFORE ISSUING DISCIPLINE, AND MUST TAKE ACTION PROMPTLY. ONCE ASSESSED DISCIPLINE MAY NOT BE INCREASED.
4. SUBSTANTIAL EVIDENCE—CHARGES MUST BE PROVEN BY SUBSTANTIAL AND CREDIBLE EVIDENCE.
5. EQUAL TREATMENT—AN EMPLOYER MAY NOT ISSUE STRONGER DISCIPLINE TO ONE EMPLOYEE THAN IT HAD AGAINST ANOTHER EMPLOYEE WHO COMMITTED A SIMILAR OFFENSE. NO FAVORITISM.
6. PROGRESSIVE DISCIPLINE—ASIDE FROM EGREGIOUS OFFENSES, AN EMPLOYER MUST ASSESS PROGRESSIVE DISCIPLINE AND OFFER AN EMPLOYEE TIME TO IMPROVE.
7. MITIGATING AND EXTENUATING CIRCUMSTANCES—DISCIPLINE MUST BE PROPORTIONAL TO THE OFFENSE AND TAKE INTO ACCOUNT MITIGATING AND EXTENUATING CIRCUMSTANCES.

American Airlines ramp contract

- F. An employee covered by this Agreement will lose his seniority status and his name shall be removed from the seniority list under the following conditions:
1. He quits, resigns, or retires.
 2. He is discharged for just cause.

United Airlines ramp contract

ARTICLE 9: INVESTIGATIONS, GRIEVANCES & ARBITRATION

A. Investigations

1. An employee who has completed their probationary period will not be disciplined or discharged without just cause. Except for attendance/dependability matters below the level of termination warning, the Company will conduct an investigatory meeting with an employee to discuss charges that, with reasonable foreseeability, could result in discipline. The Company will provide written notice to the employee of any such action, and will copy the Union's Local Committee on all such notices. An employee who has completed their probationary period will have access to the grievance process.