

IN THE MATTER OF)
)
SOUTHWEST AIRLINES CO.)
)
and)
)
TRANSPORT WORKERS UNION OF)
AMERICA, AFL-CIO, LOCAL 555)

Case No. PHX-O-3932/19
[REDACTED]
Med-arb

Before Matthew M. Franckiewicz, Arbitrator

Discussion

Grievant [REDACTED] was issued a Letter of Instruction on September 19, 2019, citing No. 14 and 28 of the Ground Operations Basic Principles of Conduct.

[REDACTED] incorrectly entered the fuel weight for Flight 1581 on September 5, 2019 on the Power Weight and Balance as 29,600 pounds. She caught and corrected the error after the plane had pushed back from the gate, but before takeoff. This resulted in a Dispatch Advised, and the captain was informed of the correct fuel weight prior to takeoff.

There is no doubt that an incorrect fuel weight on the Weight and Balance Report has safety implications.

Two competing considerations contend in this case. The Company has a legitimate business and safety interest in discouraging employees from making mistakes. Nonetheless, all employees are human beings who do make mistakes, and when they do so, they should be encouraged to correct them rather than ignore or attempt to hide them.

Certainly the Company may discipline an employee for an uncorrected mistake. But there are also situations when a correction comes too late. The Company acknowledges that if the Grievant had corrected the error before the plane had pushed, no discipline would have issued. Such a timely fix would completely obviate any safety issues. Conversely, the Company presumably could have administered discipline even if the Grievant had discovered and corrected the error some time while the plane was in the air,

This case in essence involves a very narrow slice of time, between push and takeoff. Although the risks from an incorrect Weight and Balance Report are greater while the plane is in the air, there are adverse safety implications even while the plane is taxiing. It therefore is not unreasonable for the Company to determine that the time when a mistake can be corrected with impunity ends at the point when the plane pushes from the gate.

I therefore conclude that the grievance should be denied.

Award

The grievance is denied.

Issued January 20, 2020

Matthew M. Francher