

**MEDIATION/ARBITRATION PANEL  
SUMMARY OF BENCH DECISION**

**SOUTHWEST AIRLINES CO.**

**and**

**TRANSPORT WORKERS UNION  
LOCAL 555**

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**Grievance No. LAX-O-1001/19**

**Grievant: [REDACTED]**

**William L. McKee, Ph.D.  
Arbitrator**

**REPRESENTATIVES**

**For the Union:**

Mike Roach  
District 7 Representative  
Local 555

**For the Company:**

Debbie Grieg  
Manager, Labor Relations  
Ground Ops

**DATE OF HEARING**

July 23, 2019

**PLACE OF HEARING**

Dallas, TX

**I. ISSUE**

Did the Company have just cause to issue the Grievant a Letter of Warning (“LOW”) on April 4, 2019? If not, what is the appropriate remedy?

## **II. BACKGROUND AND POSITIONS**

Grievant [REDACTED] is a two-year employee who works as an Operations Agent at LAX. On April 3, 2019, she worked Flight 2356 to BWI, which boarded at Gate 14. While the flight was boarding a TSA inspector was able to sneak around the line and gain access to the aircraft without presenting a boarding pass. Following an investigation, the Company concluded that the Grievant failed to secure the boarding door, thereby violating Rules 14, 28, and 32 of the SWA Ground Operations Basic Principles of Conduct.

The Company presented video evidence of the incident, which was recorded by a SWA employee who was assisting the TSA inspector on a routine test of the boarding process between A and B boarding groups. Grievant [REDACTED] testified that Flight 2356 was a full flight and that she requested assistance but received none. After the A group boarded, a man in a blue shirt who had missed his A-56 boarding spot approached and presented his board pass at the same time she was attempting to board approximately ten families with children. There were problems with the man's boarding pass, and the families were not lined up in an organized fashion. One of the families had three children, including an autistic child whose mother necessitated some negotiation with the Grievant about boarding. The Grievant decided to scan all the family's boarding passes from the mother's hand rather than having the children present their own boarding passes. There were no stanchions with lines set up to organize the line of passengers boarding.

### ***Company Argument***

Ms. [REDACTED]'s negligence resulted in a serious safety and security breach. Her job is to protect the boarding door, irrespective of any chaos in the boarding area, and she should have closed the boarding door until the passengers lined up at her instruction. Stanchions do not solve all problems. She did not use the tools at her disposal to control the situation.

***Union Argument***

The Grievant was set up for failure by the chaotic situation and the lack of response to her requests for assistance. Stanchions could have helped. The Company has subsequently put stanchions in place for this purpose.

**III. ANALYSIS**

Both parties bear some responsibility for the TSA inspector's unauthorized access to Flight 2356 on April 3, 2019. The Grievant was responsible for securing the boarding door and failed to do so. However, she recognized that she had a chaotic boarding situation and requested help. Her request went unanswered. Stanchions could have helped to prevent the inspector from sneaking around the line without being seen while the Grievant dealt with multiple passenger issues.

**IV. AWARD**

The Grievance is upheld in part. The LOW is reduced to a Discussion log entry.



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William L. McKee, Ph.D.  
Arbitrator

July 29, 2019