

# INTERNATIONAL BROTHERHOOD OF TEAMSTERS

**JAMES P. HOFFA**  
General President

25 Louisiana Avenue, NW  
Washington, DC 20001



**C. THOMAS KEEGEL**  
General Secretary-Treasurer

202.624.6800  
[www.teamster.org](http://www.teamster.org)

November 23, 2009

To: Continental Mechanics

Dear Brothers and Sisters:

Continental Airlines has again contacted the International Brotherhood of Teamsters claiming that a job action is occurring at numerous locations throughout the system. Although Continental has not yet supplied any solid evidence of an ongoing job action, it is apparently convinced that there are unusual levels of write-ups occurring, and the company is clearly trying to gather evidence of this. It has threatened to seek legal action against the IBT and our members if the purported job actions do not cease immediately.

If Continental follows through with its litigation threat, it will probably seek an injunction against the IBT and its members. An injunction is an order from a court directing people to do or stop doing something. A person who violates such an order is in "contempt of court" and may be subject to serious damage awards or other penalties – even jail time. Continental could also seek an injunction against the IBT too. In addition to imposing harsh remedies against individuals who are found to have engaged in unlawful activity, a judge could also order the IBT to cease and desist from engaging in or encouraging unlawful job actions, and could punish the IBT for violating its order with significant monetary penalties.

Regardless of whether it is focused on individuals or the IBT as an institution, being placed under an injunction is one of the worst things that could happen to us. It means being placed under a legal microscope, possibly for the remainder of bargaining, and impeding our ability to communicate with one another. Even minor variations in maintenance activity levels could end up with the IBT being

November 23, 2009

Page 2

summoned before a federal judge, having to defend its members and leaders from contempt of court charges that would carry with them major penalties. An injunction could name individual mechanics as defendants, subjecting them to fines if they do not comply with court orders. Worst of all, it could order the IBT to take punitive measures against its own members if they do not comply with the court's instructions. For many reasons, an injunction could strain our ability to conduct negotiations from a position of strength.

This example of a job action by IAM-represented mechanics at United in 2000 shows how an injunction can be used to destroy labor unity: <http://laws.lp.findlaw.com/getcase/7th/case/004220.html>. Continental would like nothing better than to get an injunction against us, and anyone who gives Continental an excuse to ask a judge for one in the end is helping the company, not mechanics, in the ongoing negotiations.

Accordingly, if anyone is under the misguided notion that job actions like unnecessary write-ups are productive, or are sanctioned by the Teamsters, you are deeply mistaken. Job actions are counterproductive, they are unlawful, and they run the risk of giving the company a very powerful tool against all of us.

That does not mean there is nothing you can do to assist us in getting a good contract. The company needs to understand that we mean business and will do everything it takes, and will use all forms of self-help if we are released from the NMB mediation process, from legal Chaos-like campaigns to a lawful strike, to lawfully achieve a contract we can be proud of. To demonstrate that we are disciplined and united in our goal of getting a good agreement, we are planning to begin informational picketing against the company. While the details are not in place, our picketing will be coordinated throughout the system, and combined with other ways of demonstrating our unity and resolve. I urge you to support these efforts with your time, energy and ideas.

In solidarity,



David P. Bourne, Director  
Teamsters Airline Division