

AFA Washington, D.C.: McDonald v. UAL Case Records
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1980-1989 (bulk 1980-1989)

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Related Material: AFA Chicago/Rosemont: McDonald v. UAL Case Records

Abstract

McDonald v. UAL was part of a series of legal cases involving United Air Lines (UAL), their former flight attendants, and the Association of Flight Attendants (AFA). The cases centered around flight attendants who lost their job due to UAL's no-marriage policy of the 1950s and 1960s in which the company insisted that their female flight attendants remain unmarried. Upon hiring a woman as a stewardess, UAL made them sign a form which stated they could only work as a flight attendant if they remained unmarried. If a flight attendant married they had to transfer to a ground job, were forced to resign, or were fired. For years flight attendants had no legal basis to protest this employment clause, but in 1964 the Civil Rights Act was passed with Title VII prohibiting sex based discrimination. The Equal Employment Opportunity Commission (EEOC) was founded that same year, and ALPA's Steward and Stewardess Division (the precursor to the AFA) began fighting UAL's no-marriage policy, which the company finally revoked in 1968. In 1965 the EEOC declared UAL's no-marriage policy in violation of Title VII and opened the legal system to flight attendants seeking reinstatement. The first case in this series was Mary Sprogis v. UAL, 1966. This case led to a class action suit by Carole Romasanta in 1975. The Romasanta case, however, only included stewardesses who had been fired and those who had protested their removal from the flight attendant position. The narrow classification of the Romasanta case left a void, as hundreds of stewardesses had been forced to resign because of the ruling and hadn't protested either because they were unaware of the grievance process or they didn't believe they could win a grievance against a company policy. In 1977, Liane Buix McDonald filed another class action, this one to include all stewardesses who were fired, resigned, or transferred from the flight attendant position due to the no-marriage ruling.

Prior to the McDonald case the AFA backed flight attendants protesting the marriage rule and helped them to regain their jobs, seniority, and back pay. The McDonald case changed the AFA's mind; the sheer number of flight attendants gave the Association pause. The lawyers for the McDonald class estimated between 1100 and 1700 stewardesses lost their positions as flight attendants between 1965, when the EEOC declared UAL's policy in violation of Title VII, and 1968, when UAL revoked this policy and allowed flight attendants to marry. Unlike previous cases where individuals or small classes of plaintiffs were to be reinstated, returning such a large number of flight attendants to the line would put a major stress on the UAL seniority system as it stood. Many of the stewardesses in the class had only worked 1-2 years and, if their original seniority were to be reinstated, would be placed above flight attendants who had been working 13 years or more. Thus, amid protest from its membership, who were worried about losing their seniority and possibly their jobs, the AFA decided to work against the McDonald class.

The case lasted from 1977 to 1989. During that time much effort was spent on entitlement hearings to decide who should belong to the class, and who should be reinstated. The litigation also covered back pay, seniority rights, and how to reintroduce qualifying class members into the seniority list and back on active flight duty. In 1986, the court awarded \$37,972,500 in back pay to be divided equally among the qualifying class members. The court also ruled that those who wished to be reinstated were to retain their original company seniority for compensation and benefits, but their bidding

seniority was based on the time actually worked before they were forced to leave, and a percentage of the time which elapsed between their removal from flight attendant duty and their reinstatement. Reinstated flight attendants were sent to training and returned to the line on an individual basis whenever their case was approved so there was no mass return of flight attendants. Many from the original class did not qualify and many did not wish to return to flying so only a percentage of the class actually returned as flight attendants. This approach minimized the litigation's impact on the seniority list, while still ensuring reimbursement for the class for their losses due to UAL's unfair employment practice.

These records originated from the AFA's Washington, D. C. Legal office and cover the period of 1980-89 and include court documents, correspondence, research and UAL seniority lists.

Important Subjects:

Airlines—Employees—Labor unions
Association of Flight Attendants (U. S.)—Trials, litigation, etc.
Flight attendants—Labor unions—United States
Sex discrimination—United States
Stewardesses, Airline
United Airlines
Women's rights—United States

Important Individuals:

Barr, Joyce
Bigelow, Mark
Erp, Michael
Herman, Peter
McDonald, Liane Buix
Moldof, Stephen
Moran, James B.
Purogel, Linda
Rhode, Susan
Savelson, Robert
Tschirhart, Paul

Arrangement

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