

42106. Ending effective date.

SUBCHAPTER II—MUTUAL AID AGREEMENTS  
 AND LABOR REQUIREMENTS OF AIR CARRIERS

42111. Mutual aid agreements.  
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SUBCHAPTER III—WHISTLEBLOWER PROTECTION  
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42121. Protection of employees providing air safety  
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AMENDMENTS

2000—Pub. L. 106-181, title V, §519(b), Apr. 5, 2000, 114  
 Stat. 149, added heading for subchapter III and item  
 42121.

[SUBCHAPTER I—REPEALED]

§§ 42101 to 42106. Repealed. Pub. L. 105-220, title  
 I, § 199(a)(6), Aug. 7, 1998, 112 Stat. 1059]

Section 42101, Pub. L. 103-272, §1(e), July 5, 1994, 108  
 Stat. 1157, defined terms in subchapter.

Section 42102, Pub. L. 103-272, §1(e), July 5, 1994, 108  
 Stat. 1158, related to payments to eligible protected  
 employees.

Section 42103, Pub. L. 103-272, §1(e), July 5, 1994, 108  
 Stat. 1159, related to duty to hire protected employees.

Section 42104, Pub. L. 103-272, §1(e), July 5, 1994, 108  
 Stat. 1159; Pub. L. 104-287, §5(9), Oct. 11, 1996, 110 Stat.  
 3389, related to congressional review of regulations.

Section 42105, Pub. L. 103-272, §1(e), July 5, 1994, 108  
 Stat. 1160, related to Airline Employees Protective Ac-  
 count.

Section 42106, Pub. L. 103-272, §1(e), July 5, 1994, 108  
 Stat. 1160, provided ending effective date for sub-  
 chapter.

SUBCHAPTER II—MUTUAL AID AGREE-  
 MENTS AND LABOR REQUIREMENTS OF  
 AIR CARRIERS

§ 42111. Mutual aid agreements

An air carrier that will receive payments from  
 another air carrier under an agreement between  
 the air carriers for the time the one air carrier  
 is not providing foreign air transportation, or is  
 providing reduced levels of foreign air transpor-  
 tation, because of a labor strike must file a true  
 copy of the agreement with the Secretary of  
 Transportation and have it approved by the Sec-  
 retary under section 41309 of this title. Notwith-  
 standing section 41309, the Secretary shall ap-  
 prove the agreement only if it provides that—

(1) the air carrier will receive payments of  
 not more than 60 percent of direct operating  
 expenses, including interest expenses, but not  
 depreciation or amortization expenses;

(2) benefits may be paid for not more than 8  
 weeks, and may not be for losses incurred dur-  
 ing the first 30 days of a strike; and

(3) on request of the striking employees, the  
 dispute will be submitted to binding arbitra-  
 tion under the Railway Labor Act (45 U.S.C.  
 151 et seq.).

(Pub. L. 103-272, §1(e), July 5, 1994, 108 Stat.  
 1160.)

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
42111 .....	49 App.:1382(c).	Aug. 23, 1958, Pub. L. 85-726, 72 Stat. 731, §412(c); added Oct. 24, 1978, Pub. L. 95-504, §29(a), 92 Stat. 1730; Feb. 15, 1980, Pub. L. 96-192, §11(2), 94 Stat. 39; Oct. 4, 1984, Pub. L. 98-443, §9(s), 98 Stat. 1708.
	49 App.:1551(b)(1)(C) (related to 49 App.:1382(c)).	Aug. 23, 1958, Pub. L. 85-726, 72 Stat. 731, §1601(b)(1)(C) (related to §412(c)); added Oct. 24, 1978, Pub. L. 95-504, §40(a), 92 Stat. 1745; Oct. 14, 1982, Pub. L. 97-309, §4(b), 96 Stat. 1454; Oct. 4, 1984, Pub. L. 98-443, §3(a), 98 Stat. 1703.

In this section, before clause (1), the text of 49 App.:1382(c)(1) is omitted as executed. The words “For purposes of this subsection, the term . . . (A) ‘mutual aid agreement’ means” are omitted because of the re-statement. The words “contract or”, “which are par-ties to such contract or agreement”, and “during which” are omitted as surplus. The word “providing” is substituted for “engaging in” for consistency. The words “service in” are omitted as surplus. The words “No air carrier shall enter into any mutual aid agree-ment with any other air carrier” are omitted as sur- plus. In clause (1), the words “For purposes of this sub- section, the term . . . (B) ‘direct operating expenses’ includes” are omitted because of the restatement. The words “for any period” and “during such period” are omitted as surplus. In clause (2), the words “under the agreement” and “during any labor strike” are omitted as surplus.

REFERENCES IN TEXT

The Railway Labor Act, referred to in par. (3), is act May 20, 1926, ch. 347, 44 Stat. 577, as amended, which is classified principally to chapter 8 (§151 et seq.) of Title 45, Railroads. For complete classification of this Act to the Code, see section 151 of Title 45 and Tables.

§ 42112. Labor requirements of air carriers

(a) DEFINITIONS.—In this section—

(1) “copilot” means an employee whose du- ties include assisting or relieving the pilot in manipulating an aircraft and who is qualified to serve as, and has in effect an airman certifi- cate authorizing the employee to serve as, a copilot.

(2) “pilot” means an employee who is—

(A) responsible for manipulating or who manipulates the flight controls of an air- craft when under way, including the landing and takeoff of an aircraft; and

(B) qualified to serve as, and has in effect an airman certificate authorizing the em- ployee to serve as, a pilot.

(b) DUTIES OF AIR CARRIERS.—An air carrier shall—

(1) maintain rates of compensation, maxi- mum hours, and other working conditions and relations for its pilots and copilots who are providing interstate air transportation in the 48 contiguous States and the District of Co- lumbia to conform with decision number 83, May 10, 1934, National Labor Board, notwith- standing any limitation in that decision on the period of its effectiveness;

(2) maintain rates of compensation for its pi- lots and copilots who are providing foreign air transportation or air transportation only in one territory or possession of the United States; and