

## Apple Daily (27Sep2012)

### **Pilots won the Court Case yet hard to forget the bitterness of being unfairly dismissed**

49 pilots in a 11 years legal battle with Cathay Pacific has finally reached a verdict. Pilots finally won but in the course of long battle, some pilots were unemployed, some changed to become a truck driver and some even committed suicide. Although the battle is won, it did not compensate all that they have lost.

In the 2001 Industrial action taken by all the pilots caused the flights tremendous chaos. Cathay Pacific fired 49 pilots and accused them of being unprofessional and trouble makers. Amongst them, 18 pilots sued Cathay Pacific for defamation and unfair dismissal for compensation.

The High Court ruled that the pilots were each awarded \$3.45 million plus one month's pay as compensation but Cathay Pacific appealed and the compensation was then largely reduced by \$2.6 million.

The Final Court of Appeal finally ruled that the pilots can each receive \$850,000 plus one month pay as compensation.

Amongst the affected pilots was previous Senior Captain John Simpson Warham. He was satisfied with the Judgment on Cathay Pacific. He says it was never about money, it was Principles. An experienced pilot expressed that the victory of the pilots in this case is also be the workers' victory. This is the only case that the workers have ever won over the big corporations. (Normally, it goes to the Labour Tribunal and the employers have nearly always won but Cathay Pacific appeals all the time no matter what and it jumps at least to the High Court and involves the legal cost in excess of 30 millions.)

A Canadian experienced pilot Craig Young who was one of the plaintiffs now 50 years of age, says he has sent over 20 letters to various airlines for jobs but he has not been hired. He used to fly for Cathay Pacific but subsequently changed his career to become a truck driver in Canada and the salary is only 10% of what he used to earn as a pilot.

Another plaintiff pilot, Gregory Stephen England, was unemployed during the course of legal action. {It is thought that} he eventually committed suicide. Although the battle is won but defamation does not protect person already deadd thus his family will not get any compensation for defamation.

{Independent translation}