

Pilots sue Cathay for firing them

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Damon Neich-Buckley and Hendrik Van Keulen filed a writ in the High Court Tuesday against the airline and its subsidiary, USA Basing, accusing Cathay of unreasonably terminating their contracts - and those of 47 other pilots - as punishment for labor action launched by the Hong Kong Aircrew Officers Association.

The incendiary labor relations that plagued the airline struggling during the economic downturn was sparked when negotiations over contractual entitlement broke down between Cathay and the union in the summer of 2001. The HKAOA, representing 1,300 pilots - more than 85 per cent of the airline's cockpit crew - started work-to-rule industrial action on July 3, 2001 and the 49 pilots were sacked on July 9 2001. Two other pilots were also sacked around the same time.

The pilots claim they were fired without having gone through the company's established disciplinary procedures and are seeking compensation for damages.

They are also suing Cathay for defamation, alleging that public statements made by Cathay officers were "calculated to disparage" the pilots.

The company issued a statement Tuesday saying its lawyers were studying the case.

"Along with some others, they took legal action against the company in the USA, but this action failed," the statement added. "They have neither re-joined the company nor accepted the company's financial settlement offer, and it would appear that they are now taking legal action in Hong Kong."

According to the writ, all but one of the dismissed officers were members of the union, which launched the work-to-rule action, dubbed "Maximum Safety Strategy," on July 3, 2001.

With the pilots working strictly by the rule book, hundreds of flights were cancelled and delayed, forcing Cathay to charter aircraft and crews from other airlines.

The pair claim that Cathay management singled out the fired pilots for "exercising their right to take part in the activities of HKAOA."

Neich-Buckley and Van Keulen were heavily involved in union activities, while a disproportionate number of union leaders and negotiators were among the fired pilots, the writ asserts.

Last year, the airline offered the sacked pilots - who were being financially supported by the union - 10 months' severance pay, or about HK\$1 million, and a chance to reapply for their jobs. But the union voted against it.