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OFFICE OF NATIONAL AIDS POLICY
EXECUTIVE OFFICE OF THE PRESIDENT
THE WHITE HOUSE

FACSIMILE TRANSMITTAL SHEET

TO:

Guest: Cheryl Bauerle
Room 1835

FROM:

Sarah

COMPANY:

DATE:

July 7, 2000

FAX NUMBER:

27 31 3053504

TOTAL NO. OF PAGES INCLUDING COVER:

6

PHONE NUMBER:

RE:

American Airlines Update



URGENT



FOR REVIEW



PLEASE COMMENT



PLEASE REPLY



PLEASE RECYCLE

NOTES/COMMENTS:

Yo Cheryl,

Attached is the press release from American Airlines - they wanted Sandy to have it and to be covered in case of any press questions. Also, as well, besides, in addition, your friend Tina called from Colorado. She says that I am far cooler and that she will be coming to visit me the first week in August. ☺ Yeah, so anyway, she'll be coming to visit you the first week in August so she wants you to keep that weekend free.

Call if you need...

Say-rah.

736 Jackson Place
Washington, DC 20503
(202) 456-2437
(202) 456-2438 (fax)

American Airlines®

Date: July 7, 2000

To: Ms. Sandy Thurman
White House Office of AIDS Policy
Phone: 202-456-2437
Fax: 202-456-2439

From: Travis Goodyear
American Airlines
Phone: 972-425-7392
Fax: 972-425-6977

Subject: American Airlines Update
Employment Policies and Practices Regarding Medical Conditions

Pages: 5, Including Cover **Client Code:** 60

Sandy,

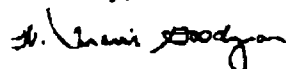
American Airlines is proud of our longstanding commitment to defeating HIV/AIDS, as well as our deep ties in the community. We take this responsibility extremely seriously, and we recognize our obligation to be as forthcoming as possible with you.

In an effort to provide you with the most complete details possible regarding the litigation against American Airlines filed by the Equal Employment Opportunity Commission (EEOC), I have attached a comprehensive update on our policies and practices, particularly concerning employment practices involving medical conditions. I believe you will find the Q&A especially helpful.

We feel it is important that you are immediately and thoroughly briefed, should you or your organization need this background.

If you have any questions regarding these issues please feel free to contact me personally at 972-425-7392. If necessary, I will also be happy to put you in direct touch with our corporate medical director, Dr. David McKenas, who will also be available for your questions.

Sincerely,



National Sales Manager, GLBT Community
American Airlines

American Airlines®

AMERICAN AIRLINES UPDATE EMPLOYMENT POLICIES AND PRACTICES REGARDING MEDICAL CONDITIONS July 7, 2000

BACKGROUND

In 1998, the Equal Employment Opportunity Commission (EEOC) filed a "pattern & practice" lawsuit against AA. It alleged that American Airlines makes "blanket exclusions" for certain physical conditions via medical evaluation of applicants for the flight attendant position. In addition, there have been a handful of lawsuits brought by individual job applicants.

AA has no blanket exclusions at all for medical conditions, including HIV/AIDS.

AA does have appropriate guidelines for evaluating different medical conditions for flight attendant candidates. The company properly performs individual assessments for applicants to be sure they can perform job duties, especially those that are safety related. Some of the reasons an applicant might be rejected are related to asthma, anemia and HIV-related conditions.

Some are rejected because they are taking medications (painkillers), or couldn't pass a "reach test" (attendants must reach high enough where emergency equipment is stored), or are unable to grasp or lift heavy objects (like a 70 lb. window emergency exit).

During discovery process, the EEOC reviewed thousands of rejected flight attendant applicant files, looking for examples of blanket exclusions. It then alleged that 26 American Eagle and 39 AA flight attendant applicants were not hired due to the airline's alleged blanket exclusion (that's just 65 people out of thousands of rejected applicants over the past several years.)

For every condition EEOC identified, however, the company identified people with the same condition who AA and American Eagle did hire. Of the 65 distinct cases, several had incomplete files – in other words, the candidate did not provide all the required information – which is a disqualifier. One applicant was accepted but later failed training, but for no reason related to physical condition.

AMERICAN AIRLINES PRINCIPLES AND PRACTICES

1. A flight attendant's most important job responsibility is the safety of American Airlines passengers. American is committed to hiring flight attendants who will be able to perform the safety-related functions of the job, even in extreme circumstances, like loss of cabin pressure or an evacuation.

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2. In order to evaluate the ability of an applicant to perform a flight attendant's job responsibilities, AA's Medical Department must have a complete understanding of the applicant's abilities and any limitations. They use a set of medically relevant guidelines for each condition; to be sure an applicant can perform required tasks, with priority given to safety.
3. AA employs more than 100,000 people and does not unlawfully discriminate against applicants on the basis of disability or any other inappropriate characteristic. However, American must be sure flight crewmembers can perform both routine tasks and emergency duties in extreme situations.
4. American does not discriminate on the basis of HIV/AIDS status and at no time does the company require applicants or employees to be tested for HIV/AIDS. In fact, without violating any privacy rights, management has confidence there are many American Airlines employees living with HIV/AIDS including flight crew members.
5. AA will continue to seek new advances in knowledge and technology to assess each individual applicant's abilities and limitations.
6. A physical condition or disability does not necessarily disqualify an applicant, if he or she can perform the duties of a flight attendant. The EEOC examined thousands of rejected flight attendant applications, and have questioned just 65 of them. For every condition for which these applicants were disqualified, American Airlines can identify current employees who were hired with that same condition.
7. AA has been recognized by national AIDS services organizations for its enlightened policies on HIV/AIDS in the workplace and the marketplace. During the past six years, American has helped raise millions of dollars for AIDS relief causes around the world. American leads the airline industry in training employees on HIV/AIDS awareness and sensitivity.
8. American Airlines also has a zero-tolerance policy for discrimination and harassment on the basis of sexual orientation. Applicants or employees are never asked their orientation, and orientation is not a factor in hiring, firing or promotion. American was also the first major U.S. carrier to implement equal benefits for the domestic partners of gay, lesbian, bisexual and transgendered employees this past April.

QUESTIONS AND ANSWERS ABOUT AMERICAN'S POLICIES

Why do you ask for so much medical information on in your application process?

The flight attendant job is a safety-sensitive position, and our forms help us to evaluate each person individually to ensure he or she can perform those duties. Our medical history forms are comparable with those of other airlines.

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Some individuals had incomplete application forms. Why does AA disqualify applicants based on incomplete information on their medical forms?

While a disability or physical condition is not necessarily a disqualifier for the flight attendant position, knowingly omitting required information is a disqualifier for all job candidates. AA's medical forms explicitly state that providing false information or omitting information are grounds for disqualification for employment.

What's the big deal about leaving information off a medical form? Some people may be scared or embarrassed, or they may think the question is illegal or an invasion of their privacy.

The issues here are safety and honesty. Our customers trust American Airlines and its employees to provide safe transportation. To fulfill this responsibility, American must insist that job candidates be entirely truthful. If they prove not to be truthful – such as knowingly omitting information from a medical form – American Airlines does not hire them. Many other employers follow this same basic and nondiscriminatory principle.

Is HIV the only disease for which American Airlines performs evaluations?

No. There many conditions that can impact whether an applicant is able to perform the job. Asthma, for example, is one of those conditions that can impact job performance. American will allow passengers to carry their cats with them the cabins of our aircraft and some asthmatic people have strong reactions. If the applicant with asthma can tolerate cats, then asthma is not a disqualifier. The same applies with perfumes – some asthmatics cannot tolerate strong fragrances. Within the confines of a pressurized aircraft cabin, this can especially affect the performance of safety-related duties.

So what happens if an applicant indicates in paperwork that they are, for example, HIV positive?

Like many physical conditions, HIV status itself is not a disqualifier. Each person also is evaluated on his or her ability to perform the duties of a flight attendant, which is a safety-sensitive position. If an applicant indicates they are HIV positive, we do an evaluation to be sure they can physically perform the job. If the evaluation does not indicate a problem, then HIV status is not an issue in eligibility. The same is true of those with other conditions, such as asthma.

So does American Airlines have current employees who are HIV positive? Does the company hire people who are HIV positive?

Yes to both. If their HIV status does not impact their ability to perform duties, whatever the job is, then HIV is not a disqualifier.

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One job applicant apparently alleges AA tested him for HIV without his consent. Is this true?

American Airlines does not test for HIV/AIDS, nor does it require a test be made, for applicants or employees.

Some allege that American Airlines' test for anemia is actually testing for HIV.

The test for anemia is done for solid safety reasons, because an anemic crewmember is prone to fainting in the event of cabin pressure loss. The blood test is only done for anemia testing, and nothing else. If the test indicates possible anemia, American will ask the applicant to go to their personal physician to provide an explanation.

HIV itself is tough enough for some people who live with it. Why can't American Airlines cut them some slack?

This gets back to safety and honesty across-the-board. It would be unfair to apply different standards for certain individuals. And it would violate American Airlines' trust with the traveling public if the company made exceptions for an applicant for a medical condition if they cannot perform the duties required in a safety sensitive job like flight attendant.

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AmericanAirlines®

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