

Tentative Agreement

Article 28 – Retirement Plan

A. ~~A. Unless specified otherwise, the terms outlined in this Article will be effective for pay received on or after DOS. All eligible Passenger Service employees, as defined in Paragraph D below, will participate in the American Airlines, Inc. 401(k) Plan (“American 401(k) Plan”), a tax qualified, defined-contribution retirement plan under Section 401(a) of the Internal Revenue Code (“Code”), with a cash or deferred arrangement that qualifies under Section 401(k) of the Code, that complies with the requirements of Section 404(c) of the Employee Retirement Income Security Act of 1974, as amended (“ERISA”), or an equivalent plan; provided, however, that no later than January 1, 2017, the Passenger Service employees participating in the US Airways, Inc. Employee Savings Plan (“ESP”) will become participants in the American 401(k) Plan. The ESP will either be merged with the American 401(k) Plan or the Passenger Service employee accounts in the ESP will be spun-off and transferred to the American 401(k) Plan, as determined in the sole discretion of the Company. The Company, subject to any laws limiting the amount of benefit which can be contributed to or accrued under a plan qualified under Section 401(a) of the Internal Revenue Code of 1986, as amended from time to time, and its regulations, will provide contributions to eligible Passenger Service employees, as defined in Paragraph D below, under the American 401(k) Plan and ESP. All eligible Passenger Service employees will participate in the American Airlines, Inc. 401(k) Plan (“American 401(k) Plan”), a tax qualified, defined-contribution retirement plan under Section 401(a) of the Internal Revenue Code (“Code”), with a cash or deferred arrangement that qualifies under Section 401(k) of the Code, that complies with the requirements of Section 404(c) of the Employee Retirement Income Security Act of 1974, as amended (“ERISA”), or an equivalent plan.~~

B. Auto-Enrollment

~~1. Effective no later than January 1, 2017, as determined in the sole discretion of the Company, Passenger Service employees on the American Airlines System Seniority List immediately preceding, but not less than thirty (30) days prior to the effective date, who do not have an American 401(k) Plan or ESP contribution election on file on that date will be auto-enrolled at an Employee Before-Tax Elective Contribution rate of three percent (3%) of Compensation, as defined in the American 401(k) Plan.~~

1. Passenger Service employees hired at American the Company on or after the effective date in Paragraph B.1 above, shall be auto-enrolled at an Employee Before-Tax Elective Contribution rate of three percent (3%) of Compensation, as defined in the American 401(k) Plan. Auto-enrollment will occur as soon as administratively feasible but not less than thirty (30) days following the Passenger Service employee’s DOH.

2. ~~Passenger Service employees on the American Airlines System Seniority List, who have an American 401(k) Plan or ESP contribution election on file as of the effective date in Paragraph B.1 above, will remain or be enrolled in the American 401(k) Plan and their previous election will remain in place.~~

C. Employer Contributions The Company, subject to any laws limiting the amount of benefit which can be contributed to or accrued under a plan qualified under Section

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401(a) of the Internal Revenue Code of 1986, as amended from time to time, and its regulations, will provide contributions under the American 401(k) Plan, as follows:

- ~~1. For pay received after DOS, eligible Passenger Service employees, as defined in Paragraph D.1 below, shall receive Employer Matching Contributions in an amount equal to one hundred percent (100%) of the member's Employee Before-Tax Contributions and Employee Designated Roth Contributions up to a maximum Employer Matching Contribution equal to five and one-half percent (5.5%) of their Eligible Compensation, as defined in the American 401(k) Plan.~~

Eligible Passenger Service employees shall receive Non-Elective Employer Contributions in an amount equal to five percent (5%) of their Eligible Compensation, as defined in the American 401(k) Plan. Eligible Passenger Service employees will also be eligible to receive Employer Matching Contributions in an amount equal to one hundred percent (100%) of the member's Employee Before-Tax Contributions and Employee Designated Roth Contributions up to a maximum Employer Matching Contribution equal to four percent (4%) of Eligible Compensation, as defined in the American 401(k) Plan.

- ~~2. Subject to Paragraph B above, for pay received during the period from DOS through December 31, 2015, eligible Passenger Service employees, as defined in Paragraph D.2 below, shall receive Non-Elective Employer Contributions in an amount equal to three percent (3%) of eligible compensation as defined in the ESP.~~
- ~~3. Subject to Paragraph B above, for pay received on or after January 1, 2016, eligible Passenger Service employees, as defined in Paragraph D.3 below, shall receive Employer Matching Contributions in an amount equal to one hundred percent (100%) of the member's Employee Before-Tax Contributions and Employee Designated Roth Contributions up to a maximum Employer Matching Contribution equal to five and one-half percent (5.5%) of eligible compensation as defined in the ESP.~~

D. Eligibility

1. Employer Matching Contributions: All Passenger Service employees must satisfy the one (1) year service requirement, as defined in the American 401(k) Plan, to be eligible to receive Employer Matching Contributions in the American 401(k) Plan. Provided, however, that all Passenger Service employees who are on the American Airlines System Seniority List as of DOS and who are not eligible to receive Employer Matching Contributions as of DOS shall have all prior service with the Company and/or AAG recognized for purposes of determining eligibility for post-DOS Employer Matching Contributions to the American 401(k) Plan.

2. Non-Elective Employer Contributions: All Passenger Service employees must satisfy the one (1) year service requirement, as defined in the American 401(k) Plan, to be eligible to receive Non-Elective Employer Contributions in the American 401(k) Plan. Provided, however, that all Passenger Service employees who are on the American Airlines System Seniority List as of DOS and who are not eligible to receive Non-Elective Employer Contributions as of DOS shall have all prior service

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with the Company and/or AAG recognized for purposes of determining eligibility for post-DOS Non-Elective Employer Contributions to the American 401(k) Plan.

- ~~1. Effective DOS, Passenger Service employees who are on the American Airlines System Seniority List, participating in the American 401(k) Plan, and complete one (1) year of service, as defined in the American 401(k) Plan, are eligible to receive Employer Matching Contributions.~~
- ~~2. Effective DOS through December 31, 2015, Passenger Service employees who are on the US Airways System Seniority List, participating in the ESP, and satisfy the ninety (90) day employment requirement, as defined in the ESP, prior to the transfer of their account to the American 401(k) Plan are eligible to receive Non-Elective Employer Contributions.~~
- ~~3. Effective January 1, 2016 and subject to Paragraph B above, Passenger Service employees who are on the US Airways System Seniority List, participating in the ESP, and satisfy the ninety (90) day employment requirement, as defined in the ESP, are eligible to receive Employer Matching Contributions.~~
- ~~4. Subject to Paragraph B above, Passenger Service employees whose ESP accounts transfer to the American 401(k) Plan will at that time be eligible to receive Employer Matching Contributions in the American 401(k) Plan, regardless of their length of service.~~
- ~~5. All new Passenger Service employees on or after January 1, 2017 must satisfy the one (1) year service requirement, as defined in the American 401(k) Plan, to be eligible to receive Employer Matching Contributions.~~

E. Vesting

1. Employer Matching Contributions: All Passenger Service employees with two (2) or more years of vesting service, as defined in the American 401(k) Plan, shall be one hundred percent (100%) vested in their Employer Matching Contributions. Provided, however, that all Passenger Service employees who are on the American Airlines System Seniority List as of DOS and who are not vested in their Employer Matching Contributions as of DOS shall have all prior service with the Company and/or AAG recognized for purposes of determining vesting for post-DOS Employer Matching Contributions to the American 401(k) Plan.

2. Non-Elective Employer Contributions: All Passenger Service employees with two (2) or more years of vesting service, as defined in the American 401(k) Plan, shall be one hundred percent (100%) vested in their Non-Elective Employer Contributions. Provided, however, that all Passenger Service employees who are on the American Airlines System Seniority List as of DOS and who are not vested in their Non-Elective Employer Contributions as of DOS shall have all prior service with the Company and/or AAG recognized for purposes of determining vesting for post-DOS Non-Elective Employer Contributions to the American 401(k) Plan.

- ~~1. Effective DOS, Passenger Service employees who are on the American Airlines System Seniority List, participating in the American 401(k) Plan, with two (2) or~~

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~~more years of vesting service, as defined in the American 401(k) Plan, shall be one hundred percent (100%) vested in their Employer Matching Contributions.~~

~~2. Effective DOS, Passenger Service employees who are on the American Airlines System Seniority List, participating in the American 401(k) Plan, with less than two (2) years of vesting service, as defined in the American 401(k) Plan, shall be zero percent (0%) vested in their Employer Matching Contributions.~~

~~3. Effective DOS, Passenger Service employees who are on the US Airways System Seniority List, participating in the ESP, with two (2) or more years of vesting service, as defined in the ESP, are one hundred percent (100%) vested in their Non-Elective Company Contributions.~~

~~4. Effective DOS, Passenger Service employees who are on the US Airways System Seniority List, participating in the ESP, with less than two (2) years of vesting service, as defined in the ESP, are zero percent (0%) vested in their Non-Elective Company Contributions.~~

~~5. Notwithstanding Paragraphs E.1 to E.4 above, and subject to Paragraph B above, Passenger Service employees whose accounts transfer from ESP to the American 401(k) Plan will, at the time their accounts transfer to the American 401(k) Plan, become one hundred percent (100%) vested in their Non-Elective Company Contributions and/or Employer Matching Contributions.~~


F. The Company reserves the right to amend the American 401(k) Plan and ESP at the Company's sole discretion.

G. The American 401(k) Plan is not incorporated in this Agreement.

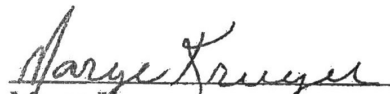
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For the Company:

For the Union:



Lynn Vaughn
Managing Director of Labor



Marge Krueger
Co-Chair, CWA-IBT Association

12/18/23
Date

12/18/23
Date

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Jerry Glass
Jerry Glass

Kimberly Barboro
Kimberly Barboro
Kimberly Barboro
Co-Chair, CWA-IBT Association

12/19/23
Date

12-19-23
Date

