



NATIONAL MEDIATION BOARD
WASHINGTON, DC 20572

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In the Matter of the
Application of the

**TRANSPORT WORKERS UNION
OF AMERICA, AFL-CIO**

alleging a representation dispute
pursuant to Section 2, Ninth, of
the Railway Labor Act, as
amended

involving employees of

**US AIRWAYS/AMERICA WEST
AIRLINES**

33 NMB No. 49

CASE NO. R-7094

**FINDINGS UPON
INVESTIGATION-
DETERMINATION OF
CERTIFICATION**

July 13, 2006

This determination addresses the representation consequences of the application filed by Transport Workers Union of America, AFL-CIO (TWU) for the craft or class of Flight Crew Training Instructors, employees of US Airways.

The Board finds that the TWU is the certified representative of Flight Crew Training Instructors in the single transportation system. Therefore, the Board extends the TWU's certification issued in NMB Case No. R-5852 to include all the Flight Crew Training Instructors on the US Airways system.

PROCEDURAL BACKGROUND

On March 22, 2006, the TWU filed an application alleging a representation dispute involving the Flight Crew Training Instructors. The TWU asserted that US Airways, Inc. (East) and America West Airlines, Inc. (West) (collectively the Carriers) are operating as a single transportation system known as US Airways. The application was assigned NMB File No. CR-6900.

On June 5, 2006, the Board determined that East and West operate as a single transportation system for representation purposes and docketed the TWU's application for Flight Crew Training Instructors as NMB Case No. R-7094. *US Airways/America West Airlines*, 33 NMB 221 (2006). Pursuant to the Board's Representation Manual (Manual) Section 19.6, this investigation addresses the representation of the proper craft or class.

The Board's June 5, 2006, determination stated that the TWU "has 14 days from the date of this determination to support its application with [a] showing[] of interest of at least 35 percent of the craft[] or class[] of the single transportation system in accordance with Manual Sections 19.601 - 19.603." *US Airways, above*, at 240.

On June 15, 2006, the TWU submitted proof of representation of approximately 91 percent of the system in the form of a copy of the TWU Seniority Roster for the Flight Crew Training Instructors craft or class at East. The TWU requested that the Board certify it as the representative of the post-merger craft or class of Flight Crew Training Instructors.

STATEMENTS OF FACT

At East, the Flight Crew Training Instructors are represented by the TWU pursuant to Board certification in Case No. R-5852. The Flight Crew Training Instructors at West are not represented.

East employs 108 employees and West employs 11 employees covered by this application.

DISCUSSION

The Board has consistently extended an organization's certification to cover employees in the craft or class on the entire system when the numbers of employees on each part of the system are not comparable. For example, in *Continental Airlines/Continental Express*, 20 NMB 582 (1993), the Board

extended the certification of an incumbent which represented 6,994 Flight Attendants to include 423 unrepresented Flight Attendants. *See also American Airlines, Inc./TWA Airlines, LLC*, 29 NMB 260 (2002); *Continental Airlines/Continental Express*, 20 NMB 580 (1993); *SAHSA/TAN*, 19 NMB 17 (1991); *Air Wisconsin, Inc./Aspen Airways, Inc.*, 18 NMB 336 (1991); *Alaska Airlines, Inc./Jet America, Inc.*, 15 NMB 42 (1987).

The Board finds that the numbers of TWU-represented Flight Crew Training Instructors on East and the unrepresented Flight Crew Training Instructors on West are not comparable.

CONCLUSION

The Board finds that the TWU is the certified representative of the entire craft or class of Flight Crew Training Instructors in the single transportation system. The TWU's certification in NMB Case No. R-5852 is extended to cover the entire craft or class of Flight Crew Training Instructors on the combined US Airways system. Accordingly, NMB Case No. R-7094 is closed.

By direction of the NATIONAL MEDIATION BOARD.



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