



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. 50

CASE NO. R-7095

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 Simulator Engineers, employees of US Airways.

The Board finds that the TWU is the certified representative of Flight Simulator Engineers in the single transportation system. Therefore, the Board extends the TWU's certification issued in NMB Case No. R-5916 to include all the Flight Simulator Engineers on the US Airways system.

PROCEDURAL BACKGROUND

On March 22, 2006, the TWU filed an application alleging a representation dispute involving the Flight Simulator Engineers. 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-6901.

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 Simulator Engineers as NMB Case No. R-7095. *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 70 percent of the system in the form of a copy of the TWU Seniority Roster for the Flight Simulator Engineers 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 Simulator Engineers.

STATEMENTS OF FACT

At East, the Flight Simulator Engineers are represented by the TWU pursuant to Board certification in Case No. R-5916. The Flight Simulator Engineers at West are not represented.

East employs 39 employees and West employs 17 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 Simulator Engineers on East and the unrepresented Flight Simulator Engineers on West are not comparable.

CONCLUSION

The Board finds that the TWU is the certified representative of the entire craft or class of Flight Simulator Engineers in the single transportation system. The TWU's certification in NMB Case No. R-5916 is extended to cover the entire craft or class of Flight Simulator Engineers on the combined US Airways system. Accordingly, NMB Case No. R-7095 is closed.

By direction of the NATIONAL MEDIATION BOARD.



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