



**NATIONAL MEDIATION BOARD**  
WASHINGTON, DC 20572

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In the Matter of the  
Application of the

NORTH AMERICAN AIRLINES-  
FLIGHT ATTENDANTS UNION

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

involving employees of

NORTH AMERICAN AIRLINES

41 NMB No. 19

CASE NO. R-7388  
(File No. CR-7117)

FINDINGS UPON  
INVESTIGATION-  
AUTHORIZATION OF  
ELECTION

May 21, 2014

This determination addresses the application of the North American Airlines-Flight Attendants Union (NAA-FAU) alleging a representation dispute pursuant to the Railway Labor Act (RLA), 45 U.S.C. § 152, Ninth (Section 2, Ninth).<sup>1</sup> NAA-FAU alleged a representation dispute among Flight Attendants of North American Airlines (North American or Carrier).

For the reasons set forth below, the National Mediation Board (NMB or Board) concludes that North American constitutes the proper system for the craft or class of employees covered by the application in this matter.

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<sup>1</sup> 45 U.S.C. § 151, *et. seq.*

PROCEDURAL BACKGROUND

On March 10, 2014, NAA-FAU filed an application alleging a representation dispute involving Flight Attendants at the Carrier. The application was assigned NMB File No. CR-7117 and Norman L. Graber was assigned as the Investigator. The International Brotherhood of Teamsters (IBT) was certified to represent the Flight Attendants craft or class of employees at the Carrier in NMB Case No. R-7052, *North American Airlines*, 32 NMB 228 (2005).

ISSUE

What is the proper system for the craft or class of employees covered by the application?

FINDINGS OF LAW

Determination of the issues in this case is governed by the RLA, as amended, 45 U.S.C. § 151, *et seq.* Accordingly, the Board finds as follows:

I.

North American is a common carrier as defined in 45 U.S.C. § 151.

II.

NAA-FAU and IBT are labor organizations and/or representatives as provided by 45 U.S.C. § 151, Sixth, and § 152, Ninth.

III.

45 U.S.C. § 152, Fourth, gives employees subject to its provisions “the right to organize and bargain collectively through representatives of their own choosing. The majority of any craft or class of employees shall have the right to determine who shall be the representative of the craft or class for the purposes of this chapter.”

IV.

45 U.S.C. § 152, Ninth, provides that the Board has the duty to investigate representation disputes and shall designate who may participate as eligible voters in the event an election is required.

STATEMENT OF FACTS

At the time NAA-FAU filed the application in this case, IBT had a representation application pending before the Board alleging that North American and World Airways, Inc. were a single transportation system for the craft or class of Flight Attendants. NMB File No. CR-7112. Following World Airways' return of its Federal Aviation Administration certificate of operation and cessation of business as a carrier, IBT withdrew its application in that case, and the Board dismissed the matter. *World Airways/North American Airlines*, 41 NMB 65 (2014).

DISCUSSION

The Board assigned an investigator to examine the proper system in this matter because of the issues raised in *World Airways/North American Airlines, above*. Because World Airways ceased operations as a carrier and the single transportation system question involving North American was dismissed, no questions remain regarding the proper system for the craft or class of Flight Attendants in this case.

For these reasons, North American is the appropriate system for the craft or class of Flight Attendants in this case.

CONCLUSION

The Board finds that the proper system for the craft or class of Flight Attendants is North American. Accordingly, NMB File No. CR-7117 is converted to NMB Case No. R-7388.

Pursuant to the Board's March 11, 2014 docket letter, the Carrier has provided the Board with a single alphabetized List of Potential Eligible Voters for Flight Attendants. The Carrier also has provided the Board with signature samples.

The Board finds a dispute to exist in NMB Case No. R-7388, among Flight Attendants of North American, sought to be represented by NAA-FAU and presently represented by the IBT. An Internet and Telephone Election is hereby authorized using the cut-off date of March 1, 2014. Pursuant to Section 12.1 of the NMB Representation Manual, the Carrier is hereby required to furnish, within 5 calendar days, 1" x 2-5/8" peel-off labels bearing the alphabetized names and current addresses of those employees on the List. The Carrier must print the same sequence number from the List beside each voter's name on the address label. The Carrier must also provide to the Board the name and sequence number of those potential eligible voters on military leave who are serving in foreign countries or who reside outside of the United States. The Carrier must ensure that the Board receives the labels within 5 calendar days. The tally will be in Washington, D.C.

By direction of the NATIONAL MEDIATION BOARD.



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