



NATIONAL MEDIATION BOARD
WASHINGTON, DC 20572

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In the Matter of the
Application of the

ASSOCIATION OF
PROFESSIONAL FLIGHT
ATTENDANTS & ASSOCIATION
OF FLIGHT ATTENDANTS-CWA

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

involving employees of

AMERICAN AIRLINES, INC. AND
US AIRWAYS, INC.

41 NMB No. 49

CASE NO. R-7401
(File No. CR-7126)

FINDINGS UPON
INVESTIGATION-
DETERMINATION OF
CERTIFICATION

September 2, 2014

This determination addresses the representation consequence of the application jointly filed pursuant to the Railway Labor Act (RLA)¹ by the Association of Professional Flight Attendants (APFA) and the Association of Flight Attendants-CWA (AFA) for the Flight Attendants craft or class at American Airlines, Inc. (the New American).

The National Mediation Board (Board or NMB) extends APFA's certification to include all of the employees in the Flight Attendants craft or class in the New American's single transportation system.

PROCEDURAL BACKGROUND

On June 9, 2014, APFA and AFA jointly filed an application alleging a representation dispute involving the craft of class of Flight Attendants at the New American. APFA and AFA asserted that American Airlines (American) and US Airways, Inc. (US Airways) constituted a single transportation system. The

¹ 45 U.S.C. § 151, *et seq.*

application was designated NMB File No. CR-7126 and the Board assigned Maria-Kate Dowling to investigate.

On July 29, 2014, the Board found that American and US Airways operate as a single transportation system under the RLA for the Flight Attendants craft or class. *American Airlines/US Airways*, 41 NMB 145 (2014). Pursuant to the Board's Representation Manual (Manual) Section 19.6, this determination addresses the representation of those employees.

The Board's July 29, 2014 determination stated the following: "Any Intervenor has 30 days from the date of this determination to file an application supported by a showing of interest of at least 50% of the single transportation system in accordance with Manual Sections 19.601 and 19.603." No Intervenor filed an application in this case.

STATEMENT OF FACTS

APFA is the representative of approximately 15,742 employees in the Flight Attendants craft or class at American under the Board's certification in NMB Case No. R-6869. AFA is the representative of approximately 8,386 employees in the Flight Attendants craft or class at US Airways under the Board's certification in NMB Case No. R-3496.

On February 28, 2014, the AFA-represented flight attendants at US Airways ratified an APFA/AFA Agreement on Bargaining and Representation (ABR) which provided, in relevant part, that "APFA will become the representative of the class or craft of Flight Attendants at the New American." The ABR also provided that, simultaneously with the joint filing of the single carrier application, "AFA will inform the NMB that it will not seek to be certified as the representative of Flight Attendants. At the same time, APFA will inform the NMB that it will seek to be certified as the representative of the Flight Attendants at the New American." In its submission to the Board filed with the joint application, APFA requested that once a single carrier determination is made, the NMB extend its certification at American to cover the Flight Attendant craft or class at the New American. APFA noted that if the number of pre-merger US Airways flight attendants who voted to ratify the ABR were added to the number of pre-merger American flight attendants, the total comprises approximately 84% of the post-merger craft or class. By letter dated June 9, 2014, filed with the joint application, AFA informed the Board "that it will not seek to be certified as the bargaining representative for the post-merger craft or class of Flight Attendants at the [N]ew American Airlines." The New American, by letter dated July 8, 2014, stated its "consent to APFA's certification as the representative of the combined group of pre-merger American and US Airways flight attendants."

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. *United Air Lines/Continental Airlines*, 38 NMB 249 (2011). See also *American Airlines, Inc./TWA Airlines, LLC*, 29 NMB 278 (2002); *American Airlines, Inc./TWA Airlines, LLC*, 29 NMB 260 (2002); *Continental Airlines/Continental Express*, 20 NMB 580 (1993). Additionally, the Board has extended an organization's certification while terminating another organization's certification following a single carrier determination where the numbers of employees represented by the organizations were not comparable. See *American Airlines, Inc./TWA Airlines, LLC*, 29 NMB 293 (2002) (Extending Transport Workers Union's certification as representative of the Mechanics and Related Employees craft or class at American Airlines while terminating the International Association of Machinists' certification of the same craft or class at TWA after the carriers merged); *Southwest Airlines*, 40 NMB 14 (2012) (Extending Aircraft Mechanics Fraternal Association's certification as representative of the Mechanics and Related Employees at Southwest Airlines while terminating the International Brotherhood of Teamster's certification for the same craft or class at AirTran following a merger).

The number of APFA-represented Flight Attendants at pre-merger American and the number of AFA-represented Flight Attendants at pre-merger US Airways are not comparable. AFA has stated that it will not seek certification as the representative of the Flight Attendant craft or class at the New American. The New American does not object to the extension of APFA's certification to cover the post-merger Flight Attendant craft of class. Therefore, APFA's certification in R-6869 is extended to cover the entire Flight Attendants craft or class on the single transportation system and the AFA's certification in R-3496 is terminated.

CONCLUSION

The Board finds that APFA is the certified representative of the Flight Attendants craft or class in the single transportation system (R-7401). The Board extinguishes the AFA's certification issued in R-3496. Accordingly, Case R-7401 is closed.

By direction of the NATIONAL MEDIATION BOARD.



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