



NATIONAL MEDIATION BOARD
WASHINGTON, DC 20572

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In the Matter of the
Application of

AIR LINE PILOTS ASSOCIATION,
INTERNATIONAL

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

involving employees of

ALASKA AIRLINES, INC. /VIRGIN
AMERICA, INC.

44 NMB No. 29

CASE NO. R-7492

FINDINGS UPON
INVESTIGATION-
CERTIFICATION
DETERMINATION

June 5, 2017

This determination addresses the representation consequence of the application filed pursuant to the Railway Labor Act (RLA)¹ by the Air Line Pilots Association, International (ALPA) for the Pilot craft or class at the merged Alaska Airlines, Inc. /Virgin America, Inc. (collectively Alaska Airlines, Inc.).

The National Mediation Board (Board or NMB) extends ALPA's certification to include all of the employees in the Pilots craft or class at Alaska Airlines, Inc.

PROCEDURAL BACKGROUND

On March 17, 2017, ALPA filed an application alleging a representation dispute involving the craft of class of Pilots at the Combined Carrier. ALPA asserted that Alaska Airlines, Inc. (Alaska) and Virgin America, Inc. (Virgin America) constituted a single transportation system. The application was

¹ 45 U.S.C. § 151, *et seq.*

assigned NMB File No. CR-7169 and the Board assigned Cristina Bonaca to investigate.

On May 5, 2017, the Board found that Alaska and Virgin America operate as a single transportation system under the RLA for the Pilots craft or class. *Alaska Airlines, Inc. / Virgin America, Inc.*, 44 NMB 82 (2017). Pursuant to the Board's Representation Manual (Manual) Section 19.6, this determination addresses the representation of those employees.

The Board's May 5, 2017 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

ALPA is the representative of approximately 1,898 employees in the Pilots craft or class at Alaska under the Board's certification in NMB Case No. R-3548. ALPA is also the representative of approximately 747 employees in the Pilots craft or class at Virgin America under the Board's certification in NMB Case No. R-7430.

DISCUSSION

In this case, ALPA currently represents all of the employees covered by its application. 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. *American Airlines/US Airways*, 41 NMB 289 (2014). *See also United Air Lines/Continental Airlines*, 38 NMB 249 (2011); *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./US Airways, above* (The Board extended Allied Pilots Association's certification as representative of the Flight Deck Crewmember's craft or class at American Airlines while terminating the US Airways Pilots Association's certification of the Pilot craft or class at US Airways after the carriers merged). *See also US*

Airways/America West Airlines, 33 NMB 293, 294-95 (2006) (TWU represented Flight Dispatchers on both sides of the single transportation system. The numbers were not comparable so TWU's East certification was extended to cover the entire Flight Dispatchers craft or class on the combined US Airways system, and TWU's West certification was extinguished).

The Board finds that the number of ALPA-represented Pilots at pre-merger Alaska and the number of ALPA-represented Pilots on pre-merger Virgin America are not comparable. Therefore, ALPA's certification in R-3548 is extended to cover the entire Pilots craft or class at Alaska Airlines, Inc. and ALPA's certification in R-7430 is terminated.

CONCLUSION

The Board finds that ALPA is the certified representative of the Pilots craft or class at Alaska Airlines, Inc. (R-3548). The Board extinguishes ALPA's certification issued in R-7430. Accordingly, Case R-7492 is closed.

By direction of the NATIONAL MEDIATION BOARD.



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