



NATIONAL MEDIATION BOARD
WASHINGTON, DC 20572

(202) 692-5000

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

ALASKA AIRLINES, INC./VIRGIN
AMERICA, INC.

44 NMB No. 37

CASE NO. R-7498

FINDINGS UPON
INVESTIGATION-
AUTHORIZATION OF
ELECTION

July 17, 2017

On March 24, 2017, the Transport Workers Union of America, AFL-CIO (TWU) filed an application pursuant to the Railway Labor Act, as amended, 45 U.S.C. § 152, Ninth, alleging a representation dispute involving the craft or class of Flight Dispatchers. The application was assigned File No. CR-7170. For the reasons set forth below, this decision authorizes an election among the Flight Dispatchers.

At the time this application was filed, the Flight Dispatchers on Alaska Airlines (Alaska) were represented by the TWU pursuant to the Board's certification in NMB Case No. R-6020. At Virgin America (Virgin), the craft or class is unrepresented. The National Mediation Board (NMB or Board) assigned Norman L. Graber to investigate.

The Board found in *Alaska Airlines/Virgin America*, 44 NMB 165 (2017), that Alaska and Virgin (collectively Alaska Airlines) comprised a single transportation system for the craft or class of Flight Dispatchers and docketed the case as NMB Case No. R-7498. The Board based this determination on its investigation, including submissions from the participants.

AUTHORIZATION OF ELECTION

Once the Board determines that a single transportation system exists, it examines the potential representation issues. The Board has 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. See *American Airlines, Inc. /TWA Airlines, LLC*, 29 NMB 260 (2002); *Continental Airlines/Continental Express*, 20 NMB 582 (1993); *Air Wisconsin, Inc. /Aspen Airways, Inc.*, 18 NMB 336 (1991).

The Board's investigation establishes that there are 49 Flight Dispatchers on the pre-merger Alaska part of the system, and 29 on the pre-merger Virgin. These numbers are comparable¹ and the Board authorizes an election among the craft or class of Flight Dispatchers of Alaska Airlines, using a cut-off date of March 10, 2017. TWU will appear on the ballot and the count will take place in Washington, DC.

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 of Potential Eligible Voters. The Carrier must print the same sequence number from the List of Potential Eligible Voters 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 who reside outside of the United States.

By direction of the NATIONAL MEDIATION BOARD.


Mary L. Johnson
General Counsel

Copies to:
Chris A. Hollinger
Robert A. Siegel
Maranda W. Rosenthal
John Samuelson
David Rosen
Richard Edelman

¹ See e.g., *United Airlines*, 39 NMB 376 (2012). Although TWU contends that it represents 50 eligible Flight Dispatchers at pre-merger Alaska, this discrepancy does not affect the comparability of the numbers at issue.