



## Application for Investigation of Representation Dispute

Date: January 13, 2015

TO THE NATIONAL MEDIATION BOARD, Washington, D. C. 20005: A dispute has arisen among the employees of:

|                   |                        |                        |                        |
|-------------------|------------------------|------------------------|------------------------|
| Name of Carrier:  | Delta Air Lines        | Address:               | P.O. Box 20706         |
| Contact:          | Joanne Smith           | City, State, Zip Code: | Atlanta, GA 30320-6001 |
| Telephone Number: | 404-715-2447           | Fax Number:            | 404-715-2462           |
| E-Mail:           | Joanne.Smith@delta.com |                        |                        |

as to who is the representative of these employees designated and authorized in accordance with the requirements of the Railway Labor Act. The undersigned, one of the parties to the dispute, hereby requests the National Mediation Board to investigate this dispute, and to certify the name or names of the individuals or organizations authorized to represent the employees involved in accordance with Section 2, Ninth, of the Act.

### PARTIES TO DISPUTE

|  |   |
|--|---|
| Petitioning organization or representative:                | International Association of Machinists and Aerospace Workers |
| Organization holding existing agreement, if any:           | Date:   |
| Other organization or representatives involved in dispute: |   |

### CRAFT OR CLASS of Employees Involved - (If more than one craft or class, use a separate application)

| Craft or Class    | Number of Employees |
|-------------------|---------------------|
| Flight Attendants | 20,300              |

Federal Law prohibits knowingly and willfully making materially false, fictitious, or fraudulent statements or representations in any matter within the jurisdiction of the U.S. Government. 18 U.S.C. § 1001. This includes the information provided on this application as well as the accompanying showing of interest.

### EVIDENCE OF REPRESENTATION - this application is supported by:

|              |
|--------------|
| At least 50% |
|--------------|

I declare that the information submitted is true to the best of my knowledge

|                        |  |
|------------------------|--|
| Name and Signature:    | R. Thomas Buffenberger <i>R. Thomas Buffenberger</i> |
| Title:                 | International President                              |
| Address:               | 9000 Machinists Place                                |
| City, State, Zip Code: | Upper Marlboro, MD 20772                             |
| E-Mail:                | tbuffenberger@iamaw.org                              |
| Telephone:             | 301-967-4522   |
| Fax:                   | 301-967-4587   |

Instructions: Continue to page 2.  
Form NMB - I OMB No. 3140-0001 (Expiration Date 08/31/2017)



# Application for Investigation of Representation Dispute

## APPLICANT NOTICE OF APPEARANCE

The International Assoc. of Machinists and Aerospace Workers hereby enters the following names, addresses, (Applicant Organization) phone numbers, fax numbers, and email addresses for the individual(s) designated as the representative(s) of the International Assoc. of Machinists and Aerospace Workers in connection with the Application for Investigation (Applicant Organization) of Representation Dispute:

|                              |                                      |                             |            |
|------------------------------|--------------------------------------|-----------------------------|------------|
| <b>Name &amp; Title:</b>     | Sito Pantoja, General Vice President | <b>Telephone:</b>           | [REDACTED] |
| <b>Address:</b>              | 9000 Machinists Place                | <b>Fax:</b>                 | [REDACTED] |
| <b>City, State, Zip Code</b> | Upper Marlboro, MD 20772             | <b>Email:</b>               | [REDACTED] |
|                              |                                      | <b>Alternate Telephone:</b> | [REDACTED] |

|                              |   |                             |            |
|------------------------------|---|-----------------------------|------------|
| <b>Name &amp; Title:</b>     | David Nelgus, Associate General Counsel | <b>Telephone:</b>           | [REDACTED] |
| <b>Address:</b>              | 9000 Machinists Place                   | <b>Fax:</b>                 | [REDACTED] |
| <b>City, State, Zip Code</b> | Upper Marlboro, MD 20772                | <b>Email:</b>               | [REDACTED] |
|                              |   | <b>Alternate Telephone:</b> | [REDACTED] |

|                              |                          |                             |            |
|------------------------------|--------------------------|-----------------------------|------------|
| <b>Name &amp; Title:</b>     | Timothy Klima            | <b>Telephone:</b>           | [REDACTED] |
| <b>Address:</b>              | 9000 Machinists Place    | <b>Fax:</b>                 | [REDACTED] |
| <b>City, State, Zip Code</b> | Upper Marlboro, MD 20772 | <b>Email:</b>               | [REDACTED] |
|                              |                          | <b>Alternate Telephone:</b> | [REDACTED] |

**Filing Instructions:** File this application in duplicate.

**Additional Sheets:** Use and attach additional sheets as needed.

According to the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number. The valid OMB control number for this information collection is 3140-0001. The time required to complete this information collection is estimated to average 15 minutes per response, including the time to review instructions, search existing data resources, gather the data needed, and complete and review the information collection.



**NATIONAL MEDIATION BOARD**  
WASHINGTON, D.C. 20572

(202) 692-5000

**January 14, 2015**  
**NMB Case No. R-7418**

**VIA EMAIL**

Joanne Smith  
Executive Vice President & Chief  
Human Resources Officer  
Delta Air Lines, Inc.  
1030 Delta Blvd.  
Atlanta, GA 30354

Sito Pantoja, General Vice President  
David Neigus, Assoc. General Counsel  
Timothy J. Klima, Airline Coordinator  
International Association of Machinists and Aerospace Workers  
9000 Machinists Place  
Upper Marlboro, MD 20772

**Participants:**

The National Mediation Board (Board or NMB) received an application filed on behalf of the International Association of Machinists and Aerospace Workers (Organization), for the services of the Board under the provisions of Section 2, Ninth, of the Railway Labor Act. A copy of the application and any cover letter or position statement is enclosed. The applicant alleges a representation dispute involving the following employees of Delta Airlines, Inc. (Carrier):

**Flight Attendants**

This application is docketed as **NMB Case No. R-7418** and will be referred to by that number. Investigator Maria-Kate Dowling has been assigned to investigate this case. All further contacts in this matter should be made only with the General Counsel or the Investigator. These individuals are the only Board employees authorized to make any official statements on behalf of the NMB in this case.

Within five (5) working days of the date of this letter, the representatives of the participants, with the exception of the applicant, must file the enclosed **Notice of Appearance** for up to three representatives. The representative who will be the primary contact for the Board must be included on the Notice of Appearance. This will

facilitate communications with Board personnel and ensure receipt of all pertinent documents and other information.

The following information should be provided by **10 a.m., ET, January 28, 2015**, or as provided below:

1. Our records indicate that the applied-for employees are unrepresented. Any participant that has other information regarding the employees' representation status must promptly notify the Board.
2. The Carrier must provide the Board's Office of Legal Affairs with an **alphabetized list of potential eligible voters as a Microsoft-Excel file**. The Carrier must also submit an attestation by a carrier officer (e.g., vice president of labor relations or equivalent) of the accuracy of the list to the best of his or her knowledge. The format of the list of potential eligible voters must be prepared in five columns or fields exactly as the enclosed sample format displays. There must not be any other information or data in the file except as displayed in the five columns or fields on the sample format. The column or field headers must be contained on one row only. The Carrier must not include any hidden columns or fields in the Excel file. Note that employee middle initials appear with the first name. Do not make a separate column or field for the middle initial. If you have any questions about the correct format for this list of potential eligible voters, contact the NMB Election Administrator at 202-692-5040.
3. The Carrier must inform the Investigator of the date of the last day of its last payroll period prior to January 13, 2015 and the number of employees covered by this application. The list of potential eligible voters must contain all individuals with an employee-employer relationship as of the last day of the last payroll period prior to January 13, 2015.<sup>1</sup> The list must be alphabetized on a system-wide basis. The Carrier must provide a copy of the list to the organization(s).
4. The Carrier must provide one set of signature samples for the eligible voters solely to the Investigator. The alphabetized signature samples must be in the same order as the names on the list

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<sup>1</sup> Section 9.2 of the NMB's Representation Manual defines the categories of individuals with an employee-employer relationship under the Railway Labor Act. That section of the Manual is available at <http://www.nmb.gov/representation/representation-manual.pdf>.

of eligible voters. Until an applicable list and the signature samples are received by the Investigator, the Investigator will continue to accept additional authorization cards.

5. Participants may provide an initial position statement regarding any issue in this case to the Investigator.

Upon receipt of this letter, the Carrier must post the enclosed "Notice to Employees" at all stations.

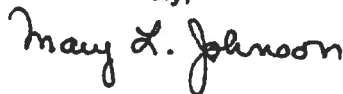
All representation-related documents pertaining to this matter should be filed electronically with OLA except for the following items which are still required in hard copy: 1) authorization cards; 2) signature samples; and 3) employee address labels, which are still required on 1" X 2-5/8" peel-off labels as per the wire.

All electronic submissions should be sent to OLA-efile@nmb.gov and must reference the assigned representation case number, NMB Case No. R-7418, in the subject line of the email so that the document is properly filed. Please do not make submissions to the General Counsel's or assigned Investigator's personal email address.

All electronic submissions must be in Portable Document Format (PDF) format and cannot exceed a 50 page limit. The one exception is that the Carrier must provide the List of Potential Eligible Voters to the Board in Microsoft Excel format. The Microsoft Excel List is for the Board's administrative use only. The Carrier should send a separate alphabetized list in PDF to each of the participants. When a participant has filed a submission at OLA-efile@nmb.gov, they will receive an auto-reply message.

Copies of all submissions to the Board, with the exception of the signature samples and privileged documents, must be served simultaneously on all other participants. A certificate of service must be provided to the Board to verify the simultaneous service. The Board will not consider submissions which fail to comply with these requirements.

Sincerely,



Mary L. Johnson  
General Counsel

- Enclosures -  
MLJ/tyk

**SAMPLE FORMAT OF THE SPREADSHEET LIST FIELDS**

| <b>SeqNum</b> | <b>LastName</b> | <b>FirstName</b> | <b>JobTitle</b> | <b>DutyStation</b> |
|---------------|-----------------|------------------|-----------------|--------------------|
| 1             | Able            | John, Jr.        | Pilot           | Chicago, IL        |
| 2             | Baker           | Mary A.          | Pilot           | Tampa, FL          |
| 3             | Charles         | William J.       | First Officer   | Detroit, MI        |

**NOTICE OF APPEARANCE**  
(Please Print or Type all Information Below)

The Participant hereby enters the following names, addresses, phone and fax numbers, and e-mail addresses for the individual(s) designated as the representative(s) of the Participant.

\_\_\_\_\_  
(Participant Name)

(1)

\_\_\_\_\_  
(Name & Title)

Phone No. \_\_\_\_\_

\_\_\_\_\_  
(Address)

FAX No. \_\_\_\_\_

\_\_\_\_\_  
(City, State, Zip Code)

\_\_\_\_\_  
(e-mail address)

\_\_\_\_\_  
(Alternate Phone/Cell Number)

(2)

\_\_\_\_\_  
(Name & Title)

Phone No. \_\_\_\_\_

\_\_\_\_\_  
(Address)

FAX No. \_\_\_\_\_

\_\_\_\_\_  
(City, State, Zip Code)

\_\_\_\_\_  
(e-mail address)

\_\_\_\_\_  
(Alternate Phone/Cell Number)

(3)

\_\_\_\_\_  
(Name & Title)

Phone No. \_\_\_\_\_

\_\_\_\_\_  
(Address)

FAX No. \_\_\_\_\_

\_\_\_\_\_  
(City, State, Zip Code)

\_\_\_\_\_  
(e-mail address)

\_\_\_\_\_  
(Alternate Phone/Cell Number)

PLEASE EMAIL THIS FORM TO: [OLA-efile@nmb.gov](mailto:OLA-efile@nmb.gov)



**UNITED STATES OF AMERICA  
NATIONAL MEDIATION BOARD  
NOTICE TO EMPLOYEES**

**NMB Case No. R-7418**

This will notify you of an application filed pursuant to the Railway Labor Act involving the following:

**FLIGHT ATTENDANTS  
OF  
DELTA AIR LINES, INC.  
SOUGHT TO BE REPRESENTED BY  
INTERNATIONAL ASSOCIATION OF MACHINISTS AND AEROSPACE WORKERS  
AND PRESENTLY UNREPRESENTED**

This case is assigned to a Board Representative for investigation. **NO DETERMINATION HAS BEEN MADE AT THIS TIME.** If an election is held, a Notice of Election will be posted and sent to all employees giving details for voting.

The Railway Labor Act gives employees the right to select representatives without carrier influence or interference. A portion of that statute provides:

No carrier, its officers, or agents shall deny or in any way question the right of its employees to join, organize, or assist in organizing the labor organization of their choice, and it shall be unlawful for any carrier to interfere in any way with the organization of its employees . . . .

All employees are free to express their desire to be represented by a labor organization or to be unrepresented. The Carrier is not permitted to influence, interfere or coerce employees in any manner in an effort to induce them to participate or refrain from participating in an election should there be one.

Alleged violations may be reported in writing to the **NATIONAL MEDIATION BOARD, Office of Legal Affairs, 1301 K Street, NW, Suite 250 East, Washington, DC 20005.**

DATE OF POSTING \_\_\_\_\_

**THIS IS AN OFFICIAL GOVERNMENT DOCUMENT AND MUST NOT BE DEFACED BY ANYONE. THIS DOCUMENT SHOULD REMAIN POSTED UNTIL THE BOARD'S INVESTIGATION IS COMPLETED.**



1/14/2015

National Mediation Board Mail - I am a Delta flight attendant

NMB



Tonya Kirksey <kirksey@nmb.gov>

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**I am a Delta flight attendant**

1 message

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To: "FOIA@nmb.gov" <FOIA@nmb.gov>

Wed, Jan 14, 2015 at 3:17 PM

During the recent campaign by IAM to recruit my airline I have been inundated with mail, email and phone calls. I am asking you for VERIFICATION please. I want to be certain that my name is NOT included as I NEVER signed a card and DO NOT want union representation. Please respond to my request.

Sincerely,

Sent from my iPhone

1/14/2015

National Mediation Board Mail - IAM's recent filing for representation of Delta Airlines flight attendants.

NMB



Tonya Kirksey <kirksey@nmb.gov>

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**IAM's recent filing for representation of Delta Airlines flight attendants.**

1 message

To: FOIA@nmb.gov

Wed, Jan 14, 2015 at 12:56 PM

I would like to make sure my name does NOT appear on the list of petitioners for IAM representation at Delta Airlines. I NEVER SIGNED A PETITION!

Under FOIA I'm only asking to be sure MY NAME is not included. I will be happy to provide you with my employee number if needed

Thank you for your assistance.

[REDACTED]  
Delta Airlines FA  
[REDACTED]

1/14/2015

Gmail - union card verification



Tonya Kirksey <tonya.y.kirksey@gmail.com>

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**union card verification**

1 message

[Redacted]

Wed, Jan 14, 2015 at 9 17 AM

Hello,

I am trying to verify that NO union card was submitted with my name. I am a Delta Airlines Flight Attendant and have reliable information that the IAM falsified union cards to achieve the correct number needed to call for a vote. How can I insure that no card exists with my name on it?

Thank you, \*

[Redacted]

1/14/2015

National Mediation Board Mail - IAM Election

**NMB**



**Tonya Kirksey <kirksey@nmb.gov>**

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**IAM Election**

1 message

Wed, Jan 14, 2015 at 9:49 AM

[REDACTED] >  
To: FOIA@nmb.gov

Dear Sir or Madame,

I am a Delta Air Lines flight attendant and, given their aggressive tactics so far, I would like to verify that the IAM has not submitted an election request card with my "signature" on it. I have not signed such a card.

Please let me know.

Thank you,

[REDACTED]

1/14/2015

National Mediation Board Mail - IAM Delta Flight Attendants

**NMB**



**Tonya Kirksey <kirksey@nmb.gov>**

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## **IAM Delta Flight Attendants**

1 message

Wed, Jan 14, 2015 at 12:12 PM

[REDACTED]  
To: "FOIA@nmb.gov" <FOIA@nmb.gov>

I would like to verify that my signature was not used for the IAM filing for a union vote for Delta Flight Attendants.

[REDACTED]  
Employee Number [REDACTED]

Thank you.

1/14/2015

National Mediation Board Mail - IAM signed card

NMB



Tonya Kirksey <kirksey@nmb.gov>

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**IAM signed card**

1 message

Wed, Jan 14, 2015 at 11:46 AM

[REDACTED]  
To: "FOIA@nmb.gov" <foia@nmb.gov>

I would like to make sure that my name is not on signed card.  
Who do I contact ? or is this the right e-mail address to verify ?  
Please let me know.  
Thank you in advance.

[REDACTED]  
Delta Flight Attendant

1/14/2015

National Mediation Board Mail - IAM filing at Delta Air Lines

NMB



Tonya Kirksey <kirksey@nmb.gov>

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**IAM filing at Delta Air Lines**

1 message

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To: "FOIA@nmb.gov" <foia@nmb.gov>

Wed, Jan 14, 2015 at 11:56 AM

I am a flight attendant at Delta Air Lines. I am concerned that a card to express interest in representation by the IAM may have been forced and filed in my name. Please advise if there is a card filed for [REDACTED] or Delta employee number [REDACTED]

Thanks,

[REDACTED]

1/15/2015

National Mediation Board Mail - I am a Delta flight attendant

NMB



Tonya Kirksey <kirksey@nmb.gov>

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**I am a Delta flight attendant**

1 message


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To: "FOIA@nmb.gov" <FOIA@nmb.gov>

Wed, Jan 14, 2015 at 3:17 PM

During the recent campaign by IAM to recruit my airline I have been inundated with mail, email and phone calls. I am asking you for VERIFICATION please. I want to be certain that my name is NOT included as I NEVER signed a card and DO NOT want union representation. Please respond to my request.

Sincerely,

  
Sent from my iPhone





**NATIONAL MEDIATION BOARD**  
WASHINGTON, D.C. 20572

(202) 692-5000

January 15, 2015

**VIA EMAIL**

Timothy J. Klima  
Airline Coordinator  
International Association of  
Machinists & Aerospace Workers  
9000 Machinists Place  
Upper Marlboro, MD 20772

Re: NMB Case No. R-7418

Dear Mr. Klima:

This will acknowledge receipt of your letter dated January 15, 2015, enclosing additional authorization cards.

Please be advised that these cards will be added to those previously submitted.

Sincerely,

A handwritten signature in black ink that reads "Maria-Kate Dowling".

Maria-Kate Dowling  
Investigator



**NATIONAL MEDIATION BOARD**  
WASHINGTON, D.C. 20572

(202) 692-5000

January 15, 2015

**VIA EMAIL**

Timothy J. Klima  
Airline Coordinator  
International Association of  
Machinists & Aerospace Workers  
9000 Machinists Place  
Upper Marlboro, MD 20772

Re: NMB Case No. R-7418

Dear Mr. Klima:

This will acknowledge receipt of your second letter dated January 15, 2015,  
enclosing additional authorization cards.

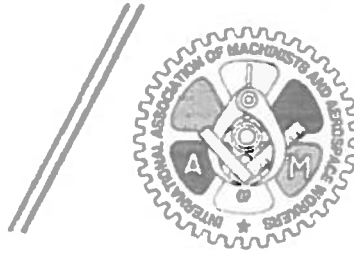
Please be advised that these cards will be added to those previously submitted.

Sincerely,

A handwritten signature in black ink that reads "Maria-Kate Dowling".

Maria-Kate Dowling  
Investigator

**International  
Association of  
Machinists and  
Aerospace Workers**



9000 Machinists Place  
Upper Marlboro, Maryland 20772-2687

Area Code 301  
967-4500



OFFICE OF THE GENERAL VICE PRESIDENT

**January 16, 2015**

**RE: NMB Case No. R-7418  
Delta Air Lines Flight Attendants**

**Ms. Mary Johnson  
General Counsel  
Ms. Maria-Kate Dowling  
Investigator  
National Mediation Board  
1300 K Street, NW, Suite 250 East  
Washington, DC 20572**

**Dear Madams Johnson and Dowling:**

Enclosed are additional signed, original authorization cards to supplement the application of the International Association of Machinists and Aerospace Workers ("IAM" or the "Union") in the above-referenced case for investigation of a representation dispute involving the Flight Attendants of Delta Air Lines ("Delta" or the "Carrier").

Thank you for your consideration.

Sincerely,

**Timothy J. Klima  
Airline Coordinator**

TJK/mt

Enclosure: Authorization Cards

cc: Pantoja  
Tiberi

**Delta Air Lines, Inc./IAM: NMB Case No. R-7418**

**ATTESTATION OF CHRIS COLLINS**

I, Chris Collins, pursuant to Section 2.4 of the NMB Representation Manual, attest that the List of Potential Eligible Voters provided by Delta Air Lines, Inc. in the above-referenced matter is based upon the business records of Delta Air Lines, Inc. and information provided to me by other Delta employees in the In Flight Service and Human Resources departments and is complete and accurate to the best of my knowledge

Dated: January 16, 2015



\_\_\_\_\_  
Christopher Collins  
Vice President, Global HR Services

**JAN 16 '15 01:22 PM**

**Delta Air Lines, Inc./: NMB Case No. R-7418**

**NOTICE OF APPEARANCE**

The Participant, Delta Air Lines, Inc. hereby enters the following names, addresses, phone and fax numbers, and e-mail addresses for the individual(s) designated as its representative(s).

**Participant Name: Delta Air Lines, Inc.**

- (1) Joanne Smith  
Executive Vice President  
Chief HR Office  
1040 Delta Blvd.  
Atlanta GA 30302  
Telephone: (404) 715-1640  
Facsimile: (404) 715-2462  
E-Mail: Joanne.D.Smith@delta.com
- (2) Andrea L. Bowman  
Associate General Counsel  
Delta Air Lines Law Department  
1030 Delta Blvd. Dept. 982  
Atlanta, GA 30302  
Telephone: (404) 715-3586  
Facsimile: (404) 773-2309  
E-Mail: andrea.bowman@delta.com

**THIS FORM WAS EMAILED TO: OLA-efile@nmb.gov**

**JAN 16 '15 01:22 PM**

1/20/2015

National Mediation Board Mail - Fwd: FRAUDULENT AUTHORIZATION CARDS FOR DELTA AIR LINES UNION ELECTION

**NMB**



Tonya Kirksey <kirksey@nmb.gov>

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**Fwd: FRAUDULENT AUTHORIZATION CARDS FOR DELTA AIR LINES UNION ELECTION**

1 message

Tue, Jan 20, 2015 at 7:30 AM

----- Forwarded message -----

From: [REDACTED]  
Date: Sat, Jan 17, 2015 at 11:22 AM  
Subject: FRAUDULENT AUTHORIZATION CARDS FOR DELTA AIR LINES UNION ELECTION  
To: "MEDIATION@nmb.gov" <MEDIATION@nmb.gov>

MR. HARRY HOGLANDER, CHAIRMAN  
National Mediation Board  
1301 K Street  
Suite 250 East  
Washington, DC 20005-7011

National Mediation Board

Pursuant to the Railway Labor Act and the Rules and Regulations of the National Mediation Board

I WISH IT TO BE KNOWN AND I AM STATING FOR THE RECORD THAT I DID NOT SIGN AND / OR SUBMIT AN AUTHORIZATION CARD AS A DELTA AIR LINES FLIGHT ATTENDANT TO THE INTERNATIONAL ASSOCIATION OF THE MACHINISTS REQUESTING AN ELECTION FOR UNION REPRESENTATION. IF A CARD WITH MY NAME EXISTS AND HAS BEEN SUBMITTED BY THE IAM IT IS A FORGERY.

I AM CONCERNED THAT A NUMBER OF FRAUDULENT CARDS MAY HAVE BEEN SUBMITTED. THEREFORE UNDER THE FOLLOWING STATED RESPONSIBILITIES OF THE NATIONAL MEDIATION BOARD I AM REQUESTING THAT YOU UNDERTAKE AN IMMEDIATE INVESTIGATION INTO THE ACCURACY AND CERTIFIABILITY OF ANY AND ALL SUBMITTED CARDS FOR THE ENTIRE PERIOD 2013, 2014, AND 2015 REGARDING DELTA AIR LINES / INTERNATIONAL ASSOCIATION OF MACHINISTS. FURTHER I AM REQUESTING THAT YOU SUSPEND ALL ACTIVITIES RELATED TO PROCEEDING WITH ANY ELECTION UNTIL SUCH TIME AS THE INVESTIGATION INDICATED THAT NO FRAUD OR OTHER ILLEGAL ACTIVITY INFLUENCED THIS INITIAL AUTHORIZATION TO REQUEST AN ELECTION.

1/20/2015

National Mediation Board Mail - Fwd: FRAUDULENT AUTHORIZATION CARDS FOR DELTA AIR LINES UNION ELECTION

The primary responsibilities of the NMB regarding representation are as follows:

- I.  
Initial investigation of representation applications.
- II.  
Determining and certifying representatives of employees.
- III.  
Ensuring that the process occurs without interference, influence or coercion.

Sincerely,

[REDACTED]  
Delta Air Lines Flight Attendant

[REDACTED], Mediation Program Specialist  
National Mediation Board  
Phone: [REDACTED]  
Fax: 202-692-5084

1/20/2016

National Mediation Board Mail - Fwd: FRAUDULENT AUTHORIZATION CARDS FOR DELTA AIR LINES UNION ELECTION

NMB



Tonya Kirksey <kirksey@nmb.gov>

**Fwd: FRAUDULENT AUTHORIZATION CARDS FOR DELTA AIR LINES UNION ELECTION**

1 message

Tue, Jan 20, 2015 at 7:31 AM

----- Forwarded message -----

From: [REDACTED]  
Date: Sat, Jan 17, 2015 at 8:35 AM  
Subject: FRAUDULENT AUTHORIZATION CARDS FOR DELTA AIR LINES UNION ELECTION  
To: MEDIATION@nmb.gov

MR. HARRY HOGLANDER, CHAIRMAN  
National Mediation Board  
1301 K Street  
Suite 250 East  
Washington, DC 20005-7011

National Mediation Board

Pursuant to the Railway Labor Act and the Rules and Regulations of the National Mediation Board

I WISH IT TO BE KNOWN AND I AM STATING FOR THE RECORD THAT I DID NOT

SIGN AND / OR SUBMIT AN AUTHORIZATION CARD AS A DELTA AIR LINES FLIGHT

ATTENDANT TO THE INTERNATIONAL ASSOCIATION OF MACHINISTS REQUESTING

AN ELECTION FOR UNION REPRESENTATION. IF A CARD WITH MY NAME EXISTS

AND HAS BEEN SUBMITTED BY THE IAM IT IS A FORGERY.

I AM CONCERNED THAT A NUMBER OF FRAUDULENT CARDS MAY HAVE BEEN



1/20/2015

National Mediation Board Mail - Fwd: FRAUDULENT AUTHORIZATION CARDS FOR DELTA AIR LINES UNION ELECTION

**SUBMITTED. THEREFORE UNDER THE FOLLOWING STATED RESPONSIBILITIES**

**OF THE NATIONAL MEDIATION BOARD I AM REQUESTING THAT YOU UNDERTAKE**

**AN IMMEDIATE INVESTIGATION INTO THE ACCURACY AND CERTIFIABILITY OF**

**ANY AND ALL SUBMITTED CARDS FOR THE ENTIRE PERIOD 2013, 2014 and 2015**

**REGARDING DELTA AIR LINES / INTERNATIONAL ASSOCIATION OF MACHINISTS.**

**FURTHER I AM REQUESTING THAT YOU SUSPEND ALL ACTIVITIES RELATED TO**

**PROCEEDING WITH ANY ELECTION UNTIL SUCH TIME AS THE INVESTIGATION**

**INDICATES THAT NO FRAUD OR OTHER ILLEGAL ACTIVITY INFLUENCED THIS**

**INITIAL AUTHORIZATION TO REQUEST AN ELECTION**

**The primary responsibilities of the NMB regarding representation are as follows:**

**I.**

**Initial investigation of representation applications**

**II.**

**Determining and certifying representatives of employees**

**III.**

**Ensuring that the process occurs without interference, influence or coercion.**

**Sincerely,**

**[REDACTED]**

**Cc: Senator Johnny Isakson**

1/20/2015

National Mediation Board Mail - Fwd: FRAUDULENT AUTHORIZATION CARDS FOR DELTA AIR LINES UNION ELECTION

**Senator David Perdue**

-  
[REDACTED], Mediation Program Specialist  
National Mediation Board  
Phone: [REDACTED]  
Fax: 202-692-5084

NMB



Tonya Kirksey <kirksey@nmb.gov>

**Fwd: Fraudulent Authorization Cards for DELTA AIR LINES Union Election**

1 message

Tue, Jan 20, 2015 at 7:31 AM

To: [Redacted]

----- Forwarded message -----

From: [Redacted]  
Date: Sat, Jan 17, 2015 at 8:58 AM  
Subject: Fraudulent Authorization Cards for DELTA AIR LINES Union Election  
To: "MEDIATION@nmb.gov" <MEDIATION@nmb.gov>  
Cc: [Redacted]

Mr. Harry Hoglander, Chairman  
National Mediation Board (NMB)  
1301 K Street  
Suite 250 East  
Washington, DC 20005-7011

Dear Mr. Hoglander and NMB,

Pursuant to the Railway Labor Act and the Rules and Regulations of the NMB, I wish it to be known and I am stating for the record, that I - Amy Patres Thibodeaux Hillis - did NOT sign and/or submit an authorization card as a Delta Air Lines flight attendant to the International Association of Machinists (IAM) requesting an election for union representation. If a card with my name exists and has been submitted by the IAM, it is a forgery. I am concerned that a number of fraudulent cards may have been submitted. Therefore, under the following stated responsibilities of the NMB, I am requesting that you undertake an immediate investigation into the accuracy and certifiability of any and all submitted cards for the entire period 2013, 2014 and 2015 regarding Delta Air Lines/International Association of Machinists. Further, I am requesting that you suspend all activities related to proceeding with any election until such time as the investigation indicates that no fraud or other illegal activity influenced this initial authorization to request an election.

The primary responsibilities of the NMB regarding representation are as follows:

- I. Initial investigation of representation applications.
- II. Determining and certifying representatives of employees.
- III. Ensuring that the process occurs without interference, influence or coercion.

Sincerely,

[Redacted]  
Delta Air Lines Flight Attendant

[Redacted]  
National Mediation Board  
Phone: [Redacted]  
Fax: [Redacted]

1/20/2015

National Mediation Board Mail - Fwd: FRAUDULENT AUTHORIZATION CARDS FOR DELTA AIR LINES UNION ELECTION

NMB



Tonya Kirksey <kirksey@nmb.gov>

---

**Fwd: FRAUDULENT AUTHORIZATION CARDS FOR DELTA AIR LINES UNION ELECTION**

1 message

Tue, Jan 20, 2015 at 11:05 AM



----- Forwarded message -----

From: [REDACTED]  
Date: Tue, Jan 20, 2015 at 11:01 AM  
Subject: FRAUDULENT AUTHORIZATION CARDS FOR DELTA AIR LINES UNION ELECTION  
To: MEDIATION@nmb.gov  
Cc: casework@rubio.senate.gov

January 20th, 2015

MR. HARRY HOGLANDER, CHAIRMAN  
National Mediation Board  
1301 K Street  
Suite 250 East  
Washington, DC 20005-7011

National Mediation Board

Pursuant to the Railway Labor Act and the Rules and Regulations of the National Mediation Board

I WISH IT TO BE KNOWN AND I AM STATING FOR THE RECORD THAT I DID NOT SIGN AND / OR SUBMIT AN AUTHORIZATION CARD AS A DELTA AIR LINES FLIGHT ATTENDANT TO THE INTERNATIONAL ASSOCIATION OF MACHINISTS REQUESTING AN ELECTION FOR UNION REPRESENTATION. IF A CARD WITH MY NAME EXISTS AND HAS BEEN SUBMITTED BY THE IAM IT IS A FORGERY.

I AM CONCERNED THAT A NUMBER OF FRAUDULENT CARDS MAY HAVE BEEN SUBMITTED. THEREFORE UNDER THE FOLLOWING STATED RESPONSIBILITIES OF THE NATIONAL MEDIATION BOARD I AM REQUESTING THAT YOU UNDERTAKE AN IMMEDIATE INVESTIGATION INTO THE ACCURACY AND CERTIFIABILITY OF ANY AND ALL SUBMITTED CARDS FOR THE ENTIRE PERIOD 2013, 2014 and 2015

1/20/2015

National Mediation Board Mail - Fwd: FRAUDULENT AUTHORIZATION CARDS FOR DELTA AIR LINES UNION ELECTION

REGARDING DELTA AIR LINES / INTERNATIONAL ASSOCIATION OF MACHINISTS.

FURTHER I AM REQUESTING THAT YOU SUSPEND ALL ACTIVITIES RELATED TO PROCEEDING WITH ANY ELECTION UNTIL SUCH TIME AS THE INVESTIGATION INDICATES THAT NO FRAUD OR OTHER ILLEGAL ACTIVITY INFLUENCED THIS INITIAL AUTHORIZATION TO REQUEST AN ELECTION

The primary responsibilities of the NMB regarding representation are as follows:

- I. Initial investigation of representation applications
- II. Determining and certifying representatives of employees
- III. Ensuring that the process occurs without interference, influence or coercion.

Sincerely,

[REDACTED]  
Delta Flight Attendant

Cc: Senator Marco Rubio

-  
[REDACTED], Mediation Program Specialist  
National Mediation Board  
Phone: [REDACTED]  
Fax: 202-692-5084

1/21/2015

National Mediation Board Mail - Fwd: Fraudulent authorization cards for delta airlines flight attendants union election

NMB



Tonya Kirksey <kirksey@nmb.gov>

---

**Fwd: Fraudulent authorization cards for delta airlines flight attendants union election**

1 message

Tue, Jan 20, 2015 at 5:14 PM

[REDACTED]

Michael Kelliher  
Deputy Chief of Staff  
National Mediation Board  
Phone: (202) 692-5000

----- Forwarded message -----

From: 'Maria' via Mediation <Mediation@nmb.gov>

Date: Tue, Jan 20, 2015 at 5:08 PM

Subject: Fraudulent authorization cards for delta airlines flight attendants union election

To: "mediation@nmb.gov" <mediation@nmb.gov>

Cc: [REDACTED]

MR. HARRY HOGLANDER, CHAIRMAN  
National Mediation Board  
1301 K Street  
Suite 250 East  
Washington, DC 20005-7011

National Mediation Board

Pursuant to the Railway Labor Act and the Rules and Regulations of the National Mediation Board

I WISH IT TO BE KNOWN AND I AM STATING FOR THE RECORD THAT I DID NOT SIGN AND / OR SUBMIT AN AUTHORIZATION CARD AS A DELTA AIR LINES FLIGHT ATTENDANT TO THE INTERNATIONAL ASSOCIATION OF MACHINISTS REQUESTING AN ELECTION FOR UNION REPRESENTATION. IF A CARD WITH MY NAME EXISTS AND HAS BEEN SUBMITTED BY THE IAM IT IS A FORGERY.

1/21/2015

National Mediation Board Mail - Fwd: Fraudulent authorization cards for delta airlines flight attendants union election

I AM CONCERNED THAT A NUMBER OF FRAUDULENT CARDS MAY HAVE BEEN SUBMITTED. THEREFORE UNDER THE FOLLOWING STATED RESPONSIBILITIES OF THE NATIONAL MEDIATION BOARD I AM REQUESTING THAT YOU UNDERTAKE AN IMMEDIATE INVESTIGATION INTO THE ACCURACY AND CERTIFIABILITY OF ANY AND ALL SUBMITTED CARDS FOR THE ENTIRE PERIOD 2013, 2014 and 2015 REGARDING DELTA AIR LINES / INTERNATIONAL ASSOCIATION OF MACHINISTS. FURTHER I AM REQUESTING THAT YOU SUSPEND ALL ACTIVITIES RELATED TO PROCEEDING WITH ANY ELECTION UNTIL SUCH TIME AS THE INVESTIGATION INDICATES THAT NO FRAUD OR OTHER ILLEGAL ACTIVITY INFLUENCED THIS INITIAL AUTHORIZATION TO REQUEST AN ELECTION

The primary responsibilities of the NMB regarding representation are as follows:

- I. Initial investigation of representation applications
- II. Determining and certifying representatives of employees
- III. Ensuring that the process occurs without interference, influence or coercion.

Sincerely,



1/20/2015

National Mediation Board Mail - Fwd: FRAUDULENT AUTHORIZATION CARDS FOR DELTA AIR LINES UNION ELECTION

NMB



Tonya Kirksey <kirksey@nmb.gov>

**Fwd: FRAUDULENT AUTHORIZATION CARDS FOR DELTA AIR LINES UNION ELECTION**

1 message

Tue Jan 20, 2015 at 7:32 AM

----- Forwarded message -----

From: [REDACTED]  
Date: Sat, Jan 17, 2015 at 1:20 AM  
Subject: FRAUDULENT AUTHORIZATION CARDS FOR DELTA AIR LINES UNION ELECTION  
To: MEDIATION@nmb.gov

MR. HARRY HOGLANDER, CHAIRMAN  
National Mediation Board  
1301 K Street  
Suite 250 East  
Washington, DC 20005-7011

National Mediation Board

Pursuant to the Railway Labor Act and the Rules and Regulations of the National Mediation Board

I WISH IT TO BE KNOWN AND I AM STATING FOR THE RECORD THAT I DID NOT SIGN AND /OR SUBMIT AN AUTHORIZATION CARD AS A DELTA AIR LINES FLIGHT ATTENDANT TO THE INTERNATIONAL ASSOCIATION OF MACHINISTS REQUESTING AN ELECTION FOR UNION REPRESENTATION. IF A CARD WITH MY NAME EXISTS AND HAS BEEN SUBMITTED BY THE IAM IT IS A FORGERY.

I AM CONCERNED THAT A NUMBER OF FRAUDULENT CARDS MAY HAVE BEEN SUBMITTED. THEREFORE UNDER THE FOLLOWING STATED RESPONSIBILITES OF THE NATIONAL MEDIATION BOARD I AM REQUESTING THAT YOU UNDERTAKE AN IMMEDIATE INVESTIGATION INTO THE ACCURACY AND CERTIFIABILITY OF ANY AND ALL SUBMITTED CARDS FOR THE ENTIRE PERIOD 2013, 2014 and 2015 REGARDING DELTA AIR LINES / INTERNATIONAL ASSOCIATION OF MACHINISTS.



1/20/2015

National Mediation Board Mail - Fwd: FRAUDULENT AUTHORIZATION CARDS FOR DELTA AIR LINES UNION ELECTION

FURTHER I AM A REQUESTING THAT YOU SUSPEND ALL ACTIVITIES RELATED TO PROCEEDING WITH ANY ELECTION UNTIL SUCH TIME AS THE INVESTIGATION INDICATES THAT NO FRAUD OR OTHER ILLEGAL ACTIVITY INFLUENCED THIS INITIAL AUTHORIZATION TO REQUEST AN ELECTION

The primary responsibilities of the NMB regarding representation are as follows:

I.

Initial investigation of representation applications

II.

Determining and certifying representatives of employees

III.

Ensuring that the process occurs without interference, influence or coercion.

Sincerely

  
Cc: Senator Johnny Isakson  
Senator David Perdue

—  
, Mediation Program Specialist  
National Mediation Board

  
Fax: 202-692-5084

1/20/2015

National Mediation Board Mail - Fwd: FRAUDULENT AUTHORIZATION CARDS FOR DELTA AIR LINES UNION ELECTION

MR. HARRY HOGLANDER, CHAIRMAN

National Mediation Board

1301 K Street

Suite 250 East

Washington, DC 20005-7011

National Mediation Board

Pursuant to the Railway Labor Act and the Rules and Regulations of the National Mediation Board

I WISH IT TO BE KNOWN AND I AM STATING FOR THE RECORD THAT I DID NOT

SIGN AND / OR SUBMIT AN AUTHORIZATION CARD AS A DELTA AIR LINES FLIGHT

ATTENDANT TO THE INTERNATIONAL ASSOCIATION OF MACHINISTS REQUESTING

AN ELECTION FOR UNION REPRESENTATION. IF A CARD WITH MY NAME EXISTS

AND HAS BEEN SUBMITTED BY THE IAM IT IS A FORGERY.

I AM CONCERNED THAT A NUMBER OF FRAUDULENT CARDS MAY HAVE BEEN

SUBMITTED. THEREFORE UNDER THE FOLLOWING STATED RESPONSIBILITIES

OF THE NATIONAL MEDIATION BOARD I AM REQUESTING THAT YOU UNDERTAKE

AN IMMEDIATE INVESTIGATION INTO THE ACCURACY AND CERTIFIABILITY OF

ANY AND ALL SUBMITTED CARDS FOR THE ENTIRE PERIOD 2013, 2014 and 2015

1/20/2015

National Mediation Board Mail - Fwd: FRAUDULENT AUTHORIZATION CARDS FOR DELTA AIR LINES UNION ELECTION  
REGARDING DELTA AIR LINES / INTERNATIONAL ASSOCIATION OF MACHINISTS.

FURTHER I AM A REQUESTING THAT YOU SUSPEND ALL ACTIVITIES RELATED TO  
PROCEEDING WITH ANY ELECTION UNTIL SUCH TIME AS THE INVESTIGATION  
INDICATES THAT NO FRAUD OR OTHER ILLEGAL ACTIVITY INFLUENCED THIS  
INITIAL AUTHORIZATION TO REQUEST AN ELECTION

The primary responsibilities of the NMB regarding representation are as follows:

I.

Initial investigation of representation applications

II.

Determining and certifying representatives of employees

III.

Ensuring that the process occurs without interference, influence or coercion

Sincerely,





**NATIONAL MEDIATION BOARD**  
WASHINGTON, D.C. 20572

(202) 692-5000

January 20, 2015

**VIA EMAIL**

Timothy J. Klima  
Airline Coordinator  
International Association of  
Machinists & Aerospace Workers  
9000 Machinists Place  
Upper Marlboro, MD 20772

Re: NMB Case No. R-7418

Dear Mr. Klima:

This will acknowledge receipt of your letter dated January 16, 2015, enclosing additional authorization cards.

Please be advised that these cards will be added to those previously submitted.

Sincerely,

A handwritten signature in cursive script that reads "Maria-Kate Dowling".

Maria-Kate Dowling  
Investigator



Andrea L. Bowman  
Assistant General Counsel

Delta Air Lines, Inc.  
P. O. Box 20706  
Atlanta, GA 30320-6001  
404-715-3586  
andrea.bowman@delta.com

January 28, 2015

Ms. Mary Johnson, General Counsel  
Ms. Maria-Kate Dowling, Investigator  
National Mediation Board  
1301 K St. NW, Suite 250 East  
Washington, DC 20005-7011

Re: Case No. R-7418  
Delta Air Lines, Inc./IAM

Dear Ms. Johnson and Ms. Dowling:

Delta has received numerous reports from flight attendants that raise questions regarding the validity of authorization cards submitted by the International Association of Machinists in support of its application to represent Delta's flight attendants. In light of the parties' shared interest in ensuring the integrity of all the Board's representation procedures, Delta feels compelled to make the Board aware of these reports.

As the Board has repeatedly recognized, protecting the integrity of the voting process is paramount in fulfilling the Railway Labor Act's mandate to ensure employees can choose a representative "without interference, influence, or coercion." Section 2, Twelfth's new statutory showing of interest requirement affirms the importance of ensuring the integrity of the authorization cards purporting to demonstrate the legislatively-mandated showing of interest, and the Board must take special care in determining whether the requisite valid showing of interest has been made. There is much at stake in a representation election and the Board has a solemn duty to ensure that the RLA's procedures are properly invoked and accessed.

Delta recognizes the Board has long maintained and implemented processes to ensure not only the sufficiency of a showing of interest application but also a careful review of the authenticity and validity of all authorization cards.<sup>1</sup> This process is, undoubtedly, no small task in any application. However, the size of the task in this application—which involves by far the largest number of authorization cards of any application filed since the enactment of the statutory showing of interest standard in 2012—makes the Board's careful review only that much more important because the Board's very authority to proceed with its representation process is dependent on the integrity of this threshold determination. The importance of the Board's careful review is further supported by the fact that the IAM has relied publicly on a specific

<sup>1</sup> In so doing, the Board not only conducts a careful review of the submitted cards against the list of potential eligible voters to identify any duplicate, expired, incomplete, legally insufficient, or ineligible cards but also compares the signatures on the authorization card against the signature exemplar provided by the Company. In conducting the signature review and comparison, the Board and its staff must also identify cards that may be invalid as the result of more nefarious circumstances such as manipulation of the date of the signature, transfer or copying of an otherwise valid signature on a different document to an authorization card, or even outright forgery.

Ms. Johnson and Ms. Dowling  
January 28, 2015

number of cards to claim in its campaign materials that it has majority support among the flight attendants for an election. If invalid authorization cards are used to create a "false picture of the extent of Union support" it can deprive employees of the ability to make a "free and fair choice" regarding representation. See *Dayton Hudson Department Store Co. v. NLRB*, 987 F.2d 359, 367 (6th Cir. 1993).

In support of the Board's careful review, Delta provides the following summary of the reports it has received from flight attendants—each of whom claim never to have signed an IAM authorization card.<sup>2</sup>

- Over 100 flight attendants indicated they received a message from the IAM "thanking" them for signing an authorization card
- Over 100 flight attendants reported they were approached or contacted by the IAM or an IAM supporter(s) asking them to re-sign an authorization card because their "card had expired"
- Over 70 flight attendants reported they were told by an IAM representative or supporter that there was an authorization card with their name on it on file with the IAM

Understandably, receiving such a communication from the IAM when you have not signed a card is quite concerning as it raises serious questions regarding the validity of authorization cards that were in the possession of the IAM.

Delta has also attached to this letter signed statements from five flight attendants that describe the circumstances surrounding their concerns in greater detail. These signed statements indicate that IAM representatives, when questioned by these flight attendants about the authorization cards, have provided inconsistent, and occasionally nonsensical, responses. These responses from the IAM, summarized below, have only deepened the level of concern expressed by these flight attendants.

- A flight attendant was told she received the letter "thanking" her for signing an authorization card because it was sent to flight attendants with similar addresses to those of flight attendants who had signed cards. This response made no sense to this flight attendant. Attachment A.
- A flight attendant was told the letter she received "thanking" her for signing an authorization card was sent in error and was probably meant for someone else, so she should just disregard it. When she continued to request the card with her alleged signature on it to be returned to her, she was advised she would have to write a letter requesting that the card be returned, which was troubling because during the conversation

<sup>2</sup> After several flight attendants raised potential card validity issues with Delta, Delta provided an opportunity for flight attendants—on a completely voluntary basis—to submit an online report if they wished to share concerns about the authorization cards. Delta has summarized the reports in this filing. On a confidential basis and to ensure these flight attendants remain free from harassment and intimidation already exhibited by some IAM supporters, Delta will provide the names and contact information of these flight attendants to the Investigator upon request. Delta has also redacted the names of the flight attendants on the signed statements attached to this letter and will provide their names and contact information on a confidential basis to the Investigator upon request.

Ms. Johnson and Ms. Dowling  
January 28, 2015

she had not previously been told that the IAM had a card with her signature on it.  
Attachment B.

- A flight attendant was told the letter she received "thanking" her for signing an authorization card was the result of "some confusion" and was told that the IAM would not verify whether there was a card on file with her signature. Attachment C.
- A flight attendant who contacted the IAM to request to be removed from its mailing list was told the reason he was receiving information from the IAM was because it had an authorization card on file for him. When he responded that he had not signed an authorization card and that he wanted the IAM to return any card they had with his name on it, he was told me that the IAM could not return the card for reasons of privacy. Attachment D.
- A flight attendant was told the letter she received "thanking" her for signing an authorization card was the result of a "computer mess up." Attachment E.

In sum, these reports raise serious questions that the Board must be aware of as it conducts its careful review. If the Board's careful review of the authorization cards validates the concerns raised by these flight attendants or raises further questions regarding the validity of the submitted cards, Delta submits that additional investigation by the Board would be necessary to resolve these questions before a representation dispute could be found to exist.

Sincerely,

*Andrea L. Bowman*

Andrea L. Bowman  
Assistant General Counsel  
Delta Air Lines, Inc.

cc: Joanne Smith, Chief Human Resources Officer  
Sito Pantoja  
David Neigus  
Timothy J. Klima

BEFORE THE NATIONAL MEDIATION BOARD

In re Delta Air Lines, Inc./IAM

NMB Case No. R-7418

DECLARATION OF [REDACTED]

I, [REDACTED], declare under penalty of perjury and swear as follows:

1. I am employed by Delta Air Lines, Inc. ("Delta") as a flight attendant. I was hired by Delta on [REDACTED] and I have worked for Delta for over [REDACTED] years. I am based at Delta's [REDACTED]. I provide this declaration voluntarily in connection with the above-referenced matter.
2. In August 2014, I received a letter from the International Association of Machinists ("IAM") signed by Timothy Klima thanking me for signing an election authorization card. The letter also contained bag tags and blank authorization cards. I was very concerned about receiving this letter because I had not signed an election authorization card.
3. Due to my concerns that the IAM may have an authorization card that I did not sign, I called Timothy Klima and left a message. He returned my call a few minutes later. I told Mr. Klima that I had received his letter stating that I had signed a card, which I had not, and that I wanted the card with my name on it sent back to me because I wanted to destroy it.
4. Mr. Klima told me that the IAM did not have a signed card from me. He said that the IAM sent thank you letters to people that had signed cards and those with similar addresses also got the letter. I live in a very small community and have a very unique address so his explanation did not make sense to me. When I questioned him about this, he merely repeated that those with similar addresses were sent the thank you letter.



Attachment A

5. Due to my concerns over the above events, I advised my Field Service Manager, [REDACTED], what had occurred. In addition, I contacted the National Mediation Board to report my concern that they may have an authorization card that appeared to be signed by me but was not.

Signed this 21st day of January, 2015.

[REDACTED]

[REDACTED] Delta Flight Attendant

In re Delta Air Lines, Inc./IAM

NMB Case No. R-7918

DECLARATION OF [REDACTED]

I, [REDACTED] declare under penalty of perjury and swear as follows:

1. I am employed by Delta Air Lines, Inc. ("Delta") as a flight attendant. I was hired by Delta in [REDACTED] and I have worked for Delta nearly [REDACTED] years. I am based at [REDACTED] flight attendant base. I provide this declaration voluntarily in connection with the above-referenced matter.
2. In September 2014, I received a letter from the International Association of Machinists ("IAM") at my home address. The letter stated the IAM was in receipt of my IAM authorization card which made me very upset because I never signed an IAM authorization card.
3. Due to my concerns that the IAM may have a fraudulent authorization card with my name on it, I spoke to my Field Service Manager, [REDACTED] and asked her for guidance. She advised me to contact the IAM.
4. I called the IAM and spoke with Melissa Brennan who referred me to Tim Kilma. I stated I had received a letter stating that I had signed a card, which I had not, and that I wanted the card with my name on it sent back to me. I also stated that if the IAM has an authorization card from me, someone forged my name on a legal document which is against the law. Finally, I stated that I had worked for Delta for almost [REDACTED] years and that I have nothing but admiration, support and respect for my company who has always treated me fairly and has always treated me with respect.

Jan 28 2015 1:00PM

Attachment B

5. During our conversation I was told the letter was probably sent in error and was probably meant for someone else, so I should just disregard it. I was also advised I would have to write a letter requesting the card be returned to me. This instruction seemed confusing to me because I never signed anything for them to receive a card in my name, yet, if I wanted the card back I would have to write a letter requesting it.

Signed this 22<sup>nd</sup> day of January, 2015.

[Redacted Signature]  
Delta Flight Attendant

BEFORE THE NATIONAL MEDIATION BOARD

In re Delta Air Lines, Inc./IAM

NMB Case No. R-7418

DECLARATION OF [REDACTED]

I, [REDACTED], declare under penalty of perjury and swear as follows:

1. I am employed by Delta Air Lines, Inc. ("Delta") as a flight attendant. I was hired by Delta on [REDACTED] and I have worked for Delta for almost [REDACTED] years. I became a flight attendant in [REDACTED]. I am based at Delta's [REDACTED]. I provide this declaration voluntarily in connection with the above-referenced matter.
2. In August of 2014, I received a letter from Mr. Tim Klima of the IAM thanking me for signing an election authorization card. The letter also contained bag tags and blank authorization cards. I was very concerned about receiving this letter because I had not signed an election authorization card.
3. In September of 2014, I contacted the phone number on the letter, 301-967-4500, and left a voice mail for an individual named Michelle. Michelle returned my call on September 9, 2014. I advised her I never signed an IAM authorization card and since I received a thank you letter from Mr. Klima, was concerned that one may have been fraudulently submitted for me. I asked her if she could verify if there was a card on file for me. She responded no and claimed "there was some confusion" regarding my receipt of the letter from Mr. Klima but did not explain what the confusion was. More importantly, she never told me whether or not the IAM had a signed card with my name on it.
4. Because of my continued concern about possible forgery, I reported the letter I had received from Mr. Klima to my leader, [REDACTED]. In addition, after I heard that the IAM had filed for an election, I

**Attachment C**

contacted the NMB via email on January 14<sup>th</sup> and advised them I wished to make sure they did not have a signed card of file for me as I had not signed one. I have not received a response.

Signed this 20<sup>th</sup> day of January, 2015.

[Redacted Signature]

**Delta Flight Attendant**

BEFORE THE NATIONAL MEDIATION BOARD

|                       |   |                         |
|-----------------------|---|-------------------------|
| _____                 | ) |                         |
| In re                 | ) |                         |
|                       | ) |                         |
| Delta Air Lines, Inc. | ) | IAM NMB Case No. R-7418 |
|                       | ) |                         |
|                       | ) |                         |
|                       | ) |                         |
| _____                 | ) |                         |

DECLARATION OF \_\_\_\_\_

I, \_\_\_\_\_, declare under penalty of perjury and swear as follows:

1. I am employed by Delta Air Lines, Inc. ("Delta") as a flight attendant. I was hired by Northwest Airlines in \_\_\_\_\_ and began working for Delta following its merger with Northwest in October 2008. I am based at Delta's \_\_\_\_\_ I provide this declaration voluntarily in connection with the above-referenced matter.
2. Approximately one year ago, I was concerned about the number of IAM mailings I was receiving and wondered how they had obtained my home address. I decided to contact the IAM and ask them how they received my contact information and to stop sending me unsolicited materials. I spoke to a female who advised me that the reason I was receiving this information is because they had an authorization card on file for me. I advised the individual that I had not signed an authorization card and that I wanted the IAM to return any card they had with my name on it.
3. The person who I spoke to refused to return the card, claiming she could not for reasons of privacy. Since the card purportedly contained my signature, I was confused as to whose privacy the IAM was protecting.
4. I retained private counsel who wrote a letter to the IAM in February 2014 asking that the card be returned to me. The IAM neither responded to the letter nor returned the authorization card although the IAM mailings ceased coming to me for a time.

Attachment D

5. Recently I began receiving IAM literature at my home again. When I contacted the IAM as to why they were again sending literature to me after I had advised them to stop, they again claimed I had signed an authorization card, which is not true.

6. Because I am concerned that the IAM may have an authorization card containing my forged signature, I reported this situation to Delta.

Signed this 26th day, of January, 2015.

[REDACTED]  
[REDACTED] Delta Flight Attendant

In re Delta Air Lines, Inc./IAM

NMB Case No. R-7418

DECLARATION OF [REDACTED]

I, [REDACTED] declare under penalty of perjury and swear as follows:

1. I am employed by Delta Air Lines, Inc. ("Delta") as a flight attendant. I was hired by Delta in [REDACTED] and I have worked for Delta for over [REDACTED] years. I am based at Delta's [REDACTED]. I provide this declaration voluntarily in connection with the above-referenced matter.
2. In September 2014, I received a letter from the International Association of Machinists ("IAM") signed by Timothy Klima thanking me for signing an election authorization card. The letter also contained a bag tag and a blank authorization card. I was very concerned about receiving this letter because I had not signed an election authorization card.
3. I emailed my leader [REDACTED] to advise her of my concerns that the IAM claimed to have an authorization card from me that I did not sign.
4. I also contacted the number on the thank you letter and Timothy Klima answered the phone. I told him I received his letter and was very concerned that he had a card with my name on it because I did not sign a card. I told Mr. Klima that I would like for him to return the card that allegedly contained my signature.
5. Mr. Klima told me that the IAM did not have a signed card from me. He said that the letter I received was a result of a "computer mess up" and that I should not have been sent the letter. I remain concerned of the possibility that an IAM authorization card exists that I did not sign.

[REDACTED]



Signed this 27th day of January, 2015.

Attachment E


[Redacted Signature]

[Redacted Name] Delta Flight Attendant

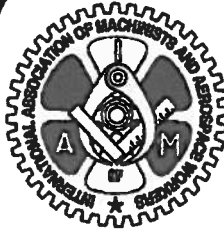
**CERTIFICATE OF SIMULTANEOUS SERVICE**

I hereby certify that I have on this 28th day of January, 2015, simultaneously served a copy of the foregoing letter, a pdf of a submission by Delta in Case No. R-7418, upon the following individuals indicated below via e-file/e-mail:

Sito Pantoja  
David Neigus  
Timothy Klima  
International Association of Machinists  
9000 Machinists Place  
Upper Marlboro, MD 20772  
E-mail: [spantoja@iamaw.org](mailto:spantoja@iamaw.org);  
[dneigus@iamaw.org](mailto:dneigus@iamaw.org);[tklima@iamaw.org](mailto:tklima@iamaw.org)

  
Andrea L. Bowman  
Assistant General Counsel  
Delta Air Lines Law Department  
1030 Delta Blvd. Dept. 982  
Atlanta, GA 30320  
(404) 715-3586

**International  
Association of  
Machinists and  
Aerospace Workers**



9000 Machinists Place  
Upper Marlboro, Maryland 20772-2687

Area Code 301  
967-4500



OFFICE OF THE GENERAL VICE PRESIDENT

CO Delta Air Lines, Inc.

January 29, 2015

*Via email to OLA-efile@nmb.gov*

Mary L. Johnson, General Counsel  
Maria-Kate Dowling, Investigator  
National Mediation Board  
1301 K Street, NW, Suite 250 East  
Washington, DC 20005-7011

Re: NMB Case No. R-7418  
Delta Air Lines, Inc./IAM

Dear Ms. Johnson and Ms. Dowling:

The International Association of Machinists ("IAM") submits this response to Delta Air Lines' January 28, 2015 letter to the National Mediation Board ("NMB" or the "Board").<sup>1</sup> Delta's letter attempts to cast aspersions about the validity of authorization cards submitted to the Board by a majority of Delta Flight Attendants who want a vote on getting a voice at their workplace.

Delta's letter is all rhetoric and no substance. Delta is grasping at straws. Delta is asking the Board to make a "careful review" of the authorization cards submitted by their own Flight Attendants – something that the Board is already doing in fulfilling its mission under the Railway Labor Act. The IAM has every confidence that the Board's experienced and dedicated staff will do its job despite Delta's attempt to influence the process.

Delta is choosing to challenge its own Flight Attendants and is attempting to delay the process in order to buy time to unduly influence eligible voters. The Board should neither condone nor participate in that gambit. In fact, as the Board has noted, "the RLA mandates that the Board resolves disputes 'as expeditiously as possible.'" *Air Tran Airways*, 38 NMB 80, 81 (2011). Any manufactured delay is an injustice to the Delta Flight Attendants who have risked their very careers, and continue to do so, by advocating for a union at Delta Air Lines.

<sup>1</sup> Delta's letter was filed nearly six hours after the deadline for submitting initial position statements set by the Board in its docketing letter.

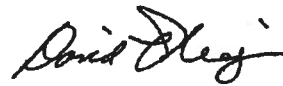
How the IAM Flight Attendant campaign communicated with potential card signers is the business of the campaign; how the Board conducts its investigation of a representation dispute is the business of the Board; and neither is the business of the carrier.

Delta Flight Attendants are neither surprised nor discouraged by Delta's actions. Delta's solicitation of Flight Attendants on DeltaNet (Delta's intranet) to gin up complaints about IAM letters over the past several weeks generated signed statements from only five Flight Attendants, not exactly an overwhelming show of support. Perhaps, that is why Delta is now so desperate to deprive its Flight Attendants of a free and fair vote on representation.

Delta's own actions, on the very day it submitted its remarks to the Board, however, belie its claims to the Board. Delta CEO Richard Anderson sent the attached campaign letter to all Delta Flight Attendants on January 28<sup>th</sup> that unmistakably anticipates a representation election. Attachment A. Despite the influence and coercion such a document from such a high ranking executive has on eligible voters, it is clear that Delta has no faith in its claims submitted to the Board and that Delta knows those claims are without merit.

Delta Flight Attendants remain confident that after the Board's careful review of the cards submitted, the Board will promptly authorize an election. Delta Flight Attendants eagerly await the Board's determination.

Sincerely,



David L. Neigus  
Associate General Counsel

DLN/rc

Attachment

cc: Certificate of Service  
Sito Pantoja  
Timothy J. Klima

**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that a true copy of the foregoing letter was served upon the following parties via email this 29<sup>th</sup> day of January, 2015.

Mary L. Johnson, General Counsel  
Maria-Kate Dowling, Investigator  
National Mediation Board  
1301 K Street, NW, Suite 250 East  
Washington, DC 20572  
[OLA-efile@nmb.gov](mailto:OLA-efile@nmb.gov)

Joanne Smith, Executive Vice President  
Chief HR Office  
1040 Delta Boulevard  
Atlanta, GA 30302  
[Joanne.D.Smith@delta.com](mailto:Joanne.D.Smith@delta.com)

Andrew L. Bowman, Associate General Counsel  
Delta Air Lines Legal Department  
1030 Delta Boulevard, Dept. 982  
Atlanta, GA 30302  
[Andrea.bowman@delta.com](mailto:Andrea.bowman@delta.com)

  
\_\_\_\_\_  
David L. Neigus

# Attachment A



**Richard H. Anderson**  
Chief Executive Officer

January 28, 2015

Dear In-Flight Colleagues:

There is nothing more important at Delta than our people and our culture. So, I'm asking you to take this latest union drive by the IAM very seriously. I know their methods and tactics from personal experience. This union has no place at Delta.

Like you, I am proud to work at a company where the spirit of working together with honesty and integrity has been the hallmark of our success. The IAM creates divisiveness and builds its case on hollow promises and mistruths.

I want what is best for you and our company. I urge you to get the facts, and if the time comes, I urge you to vote no. Representation by the IAM would end the direct relationship between Delta and you, and it is that relationship that has been the foundation of our success.

Sincerely,

A handwritten signature in cursive script that reads "Richard".

4/14/2016

National Mediation Board Mail - Fwd: Meeting this morning

NMB



Tonya Kirksey <kirksey@nmb.gov>

---

**Fwd: Meeting this morning**

1 message

---

Mary Johnson <johnson@nmb.gov>

To: Tonya Kirksey <kirksey@nmb.gov>, Angela Heverling <heverling@nmb.gov>

Tue, Apr 14, 2015 at 10:46 AM

----- Forwarded message -----

From: Mary Johnson <johnson@nmb.gov>

Date: Mon, Mar 23, 2015 at 9:18 AM

Subject: Re: Meeting this morning

To: Carmen Parcelll <cparcelli@geclaw.com>

No problem

On Mon, Mar 23, 2015 at 9:17 AM, Carmen Parcelll <cparcelli@geclaw.com> wrote:

Mary,

Originally I had said that the IAM's General Counsel Mark Schneider would be joining us but unfortunately he had a conflict. In his place, Sito's Chief of Staff Joe Tiberi will be with us. I hope this does not cause any inconvenience.

Thanks, Carmen

Carmen R. Parcelli  
Guerrieri, Clayman, Bartos & Parcelli  
Office 202-624-7400  
Cell 240-441-2796

4/14/2015

National Mediation Board Mail - Fwd: Facebook page screen shot

NMB



Tonya Kirksey <kirksey@nmb.gov>

---

**Fwd: Facebook page screen shot**

1 message

---

Mary Johnson

To:

Tue, Apr 14, 2015 at 10:46 AM

----- Forwarded message -----

From: Carmen Parcelli <cparcelli@geclaw.com>

Date: Wed, Mar 25, 2015 at 2:46 PM

Subject: Facebook page screen shot

To: Mary Johnson <johnson@nmb.gov>

Carmen R. Parcelli

Guerrieri, Clayman, Bartos & Parcelli, P.C.

1900 M Street, NW

Suite 700

Washington, DC 20036

202-624-7400

202-624-7420 (fax)



Facebook page screen shot.docx  
551K





**Bob Baker**

March 19 at 12:42pm · Grand Prairie, TX

**Rumor has it that the National Mediation Board is about to issue an ISI ("Insufficient Showing of Interest") on the IAM's application for Representation Election.**

**Anyone else hear the same??**

Like · Share

Christi Lawson and 90 others like this.



**John Dailey** Which means that a majority of the cards were either forged, faked or otherwise invalid?

March 19 at 12:43pm · Like · 21



**Tonya Cochran** Are you serious????

March 19 at 12:50pm · Like · 5



**Gwen Heath Johnson** Oh, please! please! please!, I hope so!!!

March 19 at 12:52pm · Like · 21



**Jane Mitchell** PRAY!!!!

March 19 at 12:54pm · Like · 15



**Kathryn Van Arsdall** 🙏🙏🙏🙏🙏🙏

March 19 at 12:54pm · Like · 10



**Anna Botha** Please let it not be a rumor but a fact

March 19 at 1:08pm · Edited · Like · 16



**Kathryn Van Arsdall** Mods? Can you find out?

March 19 at 12:59pm · Like · 5



**Sabrina Balthazor** Pls let that be true..

Pls let that be true..

Pls pls pls.

March 19 at 12:59pm · Like · 11



**Debra Wargofcak** Sure hope so, prayers

March 19 at 12:59pm · Like · 8



**Lacy Christensen** I heard from a very reliable source in upper management that the 60% figure number of signed cards was highly exaggerated. If they had to toss out a significant number for forgeries & duplicates, this rumor might turn out to be true. Here's hoping with everything I've got!

March 19 at 1:04pm · Edited · Like · 24



**Julie Pitta Tonner** This former Catholic is heading to the Chapel now!

March 19 at 1:02pm · Like · 33



**Amy Kilby** Keep up the heat..by calling the NMB for verification of forgery...I mean boiling heat...!! The # is 202 692 5040!! I call them quite often !!

March 19 at 1:02pm · Like · 15



**Kathryn Van Arsdall** Lol-no mods on this page

March 19 at 1:02pm · Like · 6



**Bob Baker** Just a rumor, but how many weeks has it been????

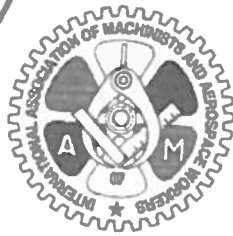
March 19 at 1:04pm · Like · 1



**Lydie Terrisita Jones** That would be the best news ever in my 30 year career with Delta. #pleaseletitbetrue

March 19 at 1:05pm · Like · 38

**International  
Association of  
Machinists and  
Aerospace Workers**



9000 Machinists Place  
Upper Marlboro, Maryland 20772-2687

Area Code 301  
967-4500

OFFICE OF THE INTERNATIONAL PRESIDENT

April 6, 2015

*Via email to OLA-efile@nmb.gov*

Mary L. Johnson, General Counsel  
Maria-Kate Dowling, Investigator  
National Mediation Board  
1301 K Street, NW, Suite 250 East  
Washington, DC 20005-7011

Re: NMB Case No. R-7418  
Delta Air Lines, Inc./IAM

Dear Ms. Johnson and Ms. Dowling:

Please be advised that the International Association of Machinists and Aerospace Workers, AFL-CIO ("IAM") hereby withdraws its application for investigation of a representation dispute filed in the above-captioned matter.

Sincerely,

R. Thomas Buffenbarger  
IAM International President

cc: Schneider  
Neigus



**NATIONAL MEDIATION BOARD**  
WASHINGTON, D.C. 20572

(202) 692-5000

April 9, 2015

**VIA EMAIL**

Joanne Smith, Executive Vice President  
& Chief Human Resources Officer  
Delta Air Lines  
1030 Delta Blvd.  
Atlanta, GA 30354

Andrea L. Bowman  
Associate General Counsel  
Delta Air Lines Law Department  
1040 Delta Blvd. Dept. 982  
Atlanta, GA 30354

Sito Pantoja, General Vice President  
David Neigus, Associate General  
Counsel  
Timothy J. Klima, Airline Coordinator  
International Association of Machinists  
and Aerospace Workers  
9000 Machinists Place  
Upper Marlboro, MD 20772

Re: NMB Case No. R-7418  
Delta Airlines/IAM

Participants:

By direction of the Board, I am enclosing the DISMISSAL-WITHDRAWN DURING INVESTIGATION, in the matter of representation of Flight Attendants, employees of Delta Airlines.

Sincerely,

A handwritten signature in cursive script that reads "Mary L. Johnson".

Mary L. Johnson  
General Counsel



**NATIONAL MEDIATION BOARD  
WASHINGTON, DC 20572**

(202) 692-5000

In the Matter of the  
**REPRESENTATION OF EMPLOYEES**

of

**DELTA AIR LINES**

**Flight Attendants**

42 NMB No. 14

CASE NO. R-7418

**DISMISSAL-  
WITHDRAWN DURING  
INVESTIGATION**

April 9, 2015

The services of the National Mediation Board (NMB or Board) were invoked by the International Association of Machinists and Aerospace Workers (IAM) on January 13, 2015, to investigate and determine who may represent for the purposes of the Railway Labor Act (RLA), as provided by Section 2, Ninth, thereof, personnel described as "Flight Attendants," employees of Delta Air Lines. (Carrier)

At the time this application was received, these employees were unrepresented.

The Board assigned Investigator Maria-Kate Dowling to investigate.

Subsequently, on April 6, 2015 the IAM filed a letter with the Board withdrawing the application.

On the basis of the letter of withdrawal referred to above, the Board hereby dismisses the application and closes its file subject to part 1206.4(b) of the NMB Rules.

By direction of the NATIONAL MEDIATION BOARD.

*Mary L. Johnson*

Mary L. Johnson  
General Counsel



**NATIONAL MEDIATION BOARD**  
WASHINGTON, D.C. 20572

(202) 692-5000

April 9, 2015

**VIA EMAIL**

Joanne Smith, Executive Vice President  
& Chief Human Resources Officer  
Delta Air Lines  
1030 Delta Blvd.  
Atlanta, GA 30354

Andrea L. Bowman  
Associate General Counsel  
Delta Air Lines Law Department  
1040 Delta Blvd. Dept. 982  
Atlanta, GA 30354

Sito Pantoja, General Vice President  
David Neigus, Associate General  
Counsel  
Timothy J. Klima, Airline Coordinator  
International Association of Machinists  
and Aerospace Workers  
9000 Machinists Place  
Upper Marlboro, MD 20772

Re: NMB Case No. R-7418  
Delta Airlines/IAM

**Participants:**

This letter is regarding the matter of the showing of interest submitted to the National Mediation Board (NMB or Board) in NMB Case No. R-7418. On January 13, 2015, the International Association of Machinists and Aerospace Workers filed an application alleging a representation dispute among the employees of Delta Airlines in the Flight Attendant craft or class. On January 16, 2015, Delta filed a list of potential eligible voters and signature samples. The Board has reason to believe that some unknown person or persons knowingly submitted authorization cards with fraudulent signatures in possible violation of federal law.

All individuals, organizations, and carriers subject to the NMB's jurisdiction must understand that the Board regards the integrity of its election process to be a matter of paramount importance since it lies at the heart of the NMB's statutory mission. The Railway Labor Act requires that the Board authorize an election or otherwise determine the representation desires of employees only when a showing of proved authorizations (checked and verified as to date, signature, and employment status) has been received from at least 50 percent of the craft or class. 45 U.S.C. § 152, Twelfth. In all representation cases, the Board follows the provisions of NMB Rules 1206.2 and 1206.3 and Representation Manual Sections 3.1-3.601. The NMB's investigators examine each

card submitted and compare the signature on the card to the signature sample provided by the carrier. When the elections involve large employee groups, the process requires the dedication of the Board's full resources in both time and staff to complete.

The integrity of the NMB's election process also relies on each individual employee only submitting an authorization card that he or she personally signed and dated for presentation to the NMB. The NMB's election process has not been respected in this case. In view of these circumstances, the Board has decided to refer the matter to the appropriate office of the United States Department of Justice for further review.

The Board's voting process must remain credible and trustworthy to ensure that employees can vote freely without fear of interference, coercion, or influence. This is the statutory mandate that binds not only the Board but also individual employees, organizations and carriers. For over 80 years, the Railway Labor Act has succeeded in balancing employees' right to organize with the need to avoid disruptions in interstate commerce. To continue that success, the Board must do everything in its power to protect the voting process. We appreciate the Participants' cooperation and patience in this process.

Sincerely,

A handwritten signature in cursive script that reads "Mary L. Johnson". The signature is written in black ink and is positioned above the typed name and title.

Mary L. Johnson  
General Counsel