A Learning Experience at JFK

By Rene Foss, NYC Council 91

The Delta Air Lines flight attendants' representation election is now in its final days. The results of this election will not only impact Delta flight attendants, but Northwest flight attendants as well. I seized the opportunity to participate in a visibility campaign at JFK International Airport in New York last week so I could spread the word about union representation.

I worked with three other Northwest flight attendants and four New York-based Delta flight attendants who want to be represented by AFA-CWA. We had permits to stand outside the Delta crew lounge to answer questions, share information and chat with our Delta counterparts. Initially, I thought much of this work would involve educating *them* on facts about our contract and our union. In the end I was surprised to discover that *I* was the one who received the education. Boy, did I learn a thing or two.

I feel compelled to share with you some of what I discovered about the way things work at Delta Air Lines and how I came to further appreciate and understand why we **must** have union representation if and when we merge with Delta.

SENIORITY

FOR BIDDING:

This subject was an eye opener for me. *Delta flight attendants do not have open access to their seniority list!* Section 20 (Seniority) in our ***contract*** guarantees us the right to view and challenge our seniority list. At Delta, junior flight attendants sometimes receive trips that should have been awarded to more senior flight attendants. The company will choose, for one reason or another, certain flight attendants for a particular trip even though their seniority doesn't warrant holding that trip. If you want to ascertain whether or not you could have held the trip there is no way to investigate because you do not have access to that information.

There is no published book with the monthly flight attendant trip awards, like we're afforded in our contract, Section 6.C.4. (Posting of Bid Awards). Even if you were able to find out that a junior person held a trip for which you bid, there is no recourse: you cannot grieve it, you will not be compensated for it and you really can't complain about it.

If the company wants a particular flight attendant on a trip for any reason (language qualified, nice personality, or any reason under the sun) scheduling can award the trip without regard to seniority.

FOR REDUCTIONS IN FORCE:

With regard to seniority in case of furlough, under our ***contract***, in Section 14 (Reduction in Force and Recall), legally binding furlough language states that furloughs are offered in seniority order, but forced in reverse seniority order. However, at Delta there is ***no contract*** and flight attendants can be furloughed in any order. In fact, previous furloughs have resulted in language-qualified flight attendants being skipped, with more senior flight attendants being involuntarily laid off.

There are no "bumping rights" per se at Delta Air Lines. In the event Delta should close any base – a possibility in a merger because of base redundancies in New York, Los Angeles and Boston - they could simply be furloughed, without the opportunity to exercise seniority and transfer to another base, as we currently have in our contract Section 14.C. (Reduction in Force – Base Excess) and Section 12 (Filling of Vacancies). Without our contract protecting us, management could simply announce it is closing a base and if you happen to be based there, you would be subject to involuntary furlough. At Delta Air Lines:

When it comes to **bidding**, seniority doesn't always count.

When it comes to **layoffs**, seniority doesn't always count.

COMPANY CONVENIENCE LEAVES

We have negotiated with Northwest and established a contractual program to address occasional temporary overages in staffing known in our contract as Convenience Leaves of Absence (Section 18 – Leaves of Absence). Legally binding language benefits the company by allowing it to have fewer flight attendants on the payroll for a predetermined duration. It also benefits the flight attendants by allowing us an opportunity to have a known period of time away from flying for personal reasons. We will return to our jobs – and continue to accrue seniority while off payroll - when the leave expires. There is specific binding language in our contract regarding cancellation of leaves and our right to exercise seniority in that event.

Delta does offer something similar to our "company convenience leave" program, however, unlike our program, Delta flight attendants are not guaranteed a position when the leave expires. Prior to taking a short- or long-term leave, they are required to sign a document with quite a lot of fine print stating they can return *if there is a position available for them at the time of their scheduled return.* That certainly gives new meaning to the term *company convenience!* In fact after 9/11, many people at Delta signed up for such a program only to find out that at the end of the set time period they were no longer employed by Delta.

DISCIPLINE

Flight attendants at Delta, just like flight attendants at Northwest, can be disciplined in areas like attendance, work performance and reliability. But when a Delta flight attendant is reprimanded or called into the office they go in alone. There is no witness to what transpires behind the closed door. There is no one else to legally represent you and there is no one to ensure the manager is acting within company guidelines, or for that matter even within the law.

If we lose this election at Delta, or lose a second election for the combined flight attendant workforce at the time of the merger, we would end up without a union and a contract. Northwest flight attendants would then be subject to this very different approach to the disciplinary process. There would be no grievance procedure, no one to represent us when we are sitting across the desk from management. Furthermore, Delta management is under no contractual obligation to show flight attendants any definitive information on any disciplinary issue. Our contract has very specific language requiring management to disclose the content of complaint letters (Section 21.C. – Employment Files). Delta may claim you have numerous complaint letters, but management is not required to show these letters to you. In other words it would be your word against the company's.

THE MOST SHOCKING NEWS

We all have a right to our opinion, but I am distressed to hear a few of our very own Northwest flight attendants suggest that we do not need a union – even encouraging Delta flight attendants to reject AFA-CWA. Some of our own members mistakenly believe we would be better off without the protections of our union. When I have asked why they feel this way they say things like, "I never get in trouble." While one purpose of the union is to represent you if you are "in trouble" that is just a small part of what our union is all about, as you have read here already. There is so much more to the benefits of being part of a union.

After talking with Delta flight attendants at JFK I began to see how vulnerable they are to the whims of management, not to mention the whims of the economy. I began to appreciate more and understand the many aspects of our contract that I've taken for granted:

1. Our contract protects me from flagrant seniority violations and provides me a mechanism for recourse in the event an error is made.

2. Our contract protects me from unfair layoffs with specific procedures to handle a reduction in force that honors seniority.

3. Our contract protects me from outsourcing, which is a real possibility given that Delta currently has a reservations call center in India. They have also had foreign national flight attendant bases in India, Poland and Israel.

4. Our contract holds management accountable to keeping its promises.

5. Our contract gives me the opportunity, though collective bargaining, to preserve my job, improve my working conditions, defend my rights and have a voice in my future.

We all owe a great debt to the flight attendants who have stood up against injustice in the workplace over many years through union representation at our airline and at other carriers. We must continue that proud tradition of being an equal partner at the negotiations table by retaining our collective bargaining rights and finally bringing our colleagues at Delta into our strong union family.

Whatever the result when the votes are counted next week, I hope we'll each be able to say that we did all we could during this election to defend our contract and promote the benefits and protections of AFA-CWA representation among our peers.

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Volunteer at a Visibility Campaign or Call Center! Contact gotv@deltaafa.org.