



## NATIONAL MEDIATION BOARD

WASHINGTON, D.C. 20572

April 14, 2010

(202) 692-5000

### **Sent via Facsimile and U.S. Mail**

Patricia A. Friend, International President  
Association of Flight Attendants - CWA  
501 Third Street, NW  
Washington, DC 20001

Mr. Mike Campbell, Executive Vice President  
Delta Airlines  
PO Box 20706  
Atlanta, GA 30320

### **RE: NMB File Number: CA-6977 - Delta Airlines & AFA-CWA**

Dear Ms. Friend and Mr. Campbell:

On April 13, 2010, the National Mediation Board (NMB) received an application for mediation from the Association of Flight Attendants-CWA (organization) covering an asserted dispute between that organization and Delta Airlines (carrier), described as the following.

"Minimum crew complement of extended duty flights on new aircraft as provided in Section 5.B.6.d.(2) of the Flight Attendant Agreement."

The application has been assigned **NMB File Number: CA-6977**, signifying a mediation application that requires pre-docketing investigation to determine if it is properly before the Board. This will hereafter be referred to by that number. A copy of the application is attached.

The Carrier and the Organization are both requested to comment on the appropriateness of the application. Comments should be filed with this office with a copy to the other party on or before April 30, 2010.

Sincerely,

Lawrence E. Gibbons  
Director, Office of Mediation Services

CC: Claire Burt, AFA-CWA



**ASSOCIATION OF FLIGHT ATTENDANTS-CWA, AFL-CIO**  
501 Third Street, NW, Washington, DC 20001-2797

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PHONE 202•434•1300 MAIN FAX 202•434•1319 LEGAL FAX 202•434•0690

Larry Gibbons  
Director, Office of Mediation Services  
National Mediation Board  
1301 K Street NW  
Suite 250 E.  
Washington, DC 20005

Dear Larry:

Please find attached our application for mediation at Delta Air Lines, as the successor to the Northwest Airlines Flight Attendant Agreement, including some associated documents. As we discussed, this concerns a Section 6 Re-opener on crew complement for new aircraft.

Thank you for your attention to this matter.

Sincerely,

Clare Burt  
Director, Collective Bargaining  
Association of Flight Attendants-CWA

cc:

Patricia A. Friend, International President  
Janette Rook, MEC President  
Paula Mastrangelo, Staff Negotiator

**INFLIGHT SAFETY PROFESSIONALS**

Form NMB-2 OMB No. 3140-0062 (Expiration Date 04/30/2012)

Mail to: Mediation Department National Mediation board 1301 K Street NW, Suite 250 E. Washington, DC 20005

Or fax to: Mediation - 202-692-5084 email:mediation@nmb.gov



APR 13 '10 PM 3:03 MED

### Application for Mediation Services

TO THE NATIONAL MEDIATION BOARD, Washington, D. C. 20005: A dispute has arisen between the parties shown below which has not been adjusted between them, and the services of the National Mediation Board under Section 5, First, of the Railway Labor Act, are hereby invoked on specific questions set forth below. The approximate number of employees involved is 7,400 in the craft(s) or class(es) of

Flight Attendant

**THE SPECIFIC ISSUE(S) IN DISPUTE** (If necessary extend question on additional sheet or attach exhibit):

Minimum crew complement for extended duty flights on new aircraft as provided in Section 5.B.6.d.(2) of the Flight Attendant Agreement

#### PARTIES TO DISPUTE

Carrier		Organization/Individual	
Carrier Name	Delta Air Lines	Organization Name	Association of Flight Attendants-CWA
L. R. Official/Title	Mike Campbell, Executive Vice-President	Organization Official/Title	Patricia A. Friend, International President
Address	PO Box 20706	Address	501 Third Street NW
City, State and Zip Code	Atlanta, GA 30320	City, State and Zip Code	Washington, DC 20001
Telephone	404 715 2447	Telephone	202-434-0574
Fax	404 715 2462	Fax	202-434-1319
Email	Mike.campbell@delta.com	Email	pfriend@afanet.org

#### WORKING AGREEMENT

If an agreement governing rates of pay, rules, or working conditions is in effect, give name of parties thereto and date thereof. If there is no such agreement, so state See Attachment A

#### COMPLIANCE WITH RAILWAY LABOR ACT

1. If this dispute involves change in the above-mentioned agreement, attach copy of the 30-day notice served by party desiring change and insert date of notice here \_\_\_\_\_
2. If this dispute involves the negotiation of a new or supplemental agreement, attach copy of request made by party desiring same and insert date of request here April 7, 2010
3. If there has been refusal to confer, so state and give reason; otherwise, give date of last conference here See Attachment A

Signed at Washington, DC this 13th of April 2010  
(City and State) (Day) (Month)

	Carrier Official	Organization Official
Name:		Patricia A. Friend
Title:		International President, AFA-CWA
Signature:		<i>Patricia A. Friend</i>

**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 3140-0062. 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.

**Association of Flight Attendants-CWA  
Application for Mediation Services  
April 13, 2010**

**Attachment A**

**Working Agreement: The Agreement between Delta Air Lines as the successor to Northwest Airlines, Inc., and the Flight Attendants in its service as represented by the Association of Flight Attendants-CWA**

**Compliance with Railway Labor Act, 3. Refusal by carrier on April 7, 2010; also, see letter from Mike Campbell dated April 9, 2010 (attached)**



**ASSOCIATION OF FLIGHT ATTENDANTS-CWA, AFL-CIO**  
501 Third Street, NW, Washington, DC 20001-2797

PHONE 202•434•1300 FAX 202•434•1319

April 7, 2010

Richard H. Anderson  
CEO  
Delta Air Lines, Inc.  
1030 Delta Boulevard  
Atlanta, GA 30320

Dear Mr. Anderson,

The Agreement between Delta Air Lines, as the successor to Northwest Airlines, Inc., and the Flight Attendants in the service of Delta Air Lines, as the successor to Northwest Airlines, Inc., as represented by the Association of Flight Attendants-CWA, AFL-CIO (AFA-CWA) contains a provision that provides for the resolution of a certain dispute pursuant to Section 6 of the Railway Labor Act, as amended.

AFA-CWA hereby serves notice of its intent to pursue resolution of the minimum crew complement for extended duty flight(s) on new aircraft types pursuant to Section 5.B. 6.d. (2) of the Agreement, and Section 6 of the Railway Labor Act.

Please have the appropriate Company representatives promptly notify our MEC President, Janette Rook, of what dates are available for them to meet with us. We propose the week of April 12 - 16, 2010.

Sincerely,

Patricia A. Friend  
International President

cc: J. Rook  
P. Mastrangelo  
P. Swanson

**INFLIGHT SAFETY PROFESSIONALS**



**Michael H. Campbell**  
Executive Vice President  
HR & Labor Relations

April 9, 2010

Via overnight delivery and email

**Ms. Janette Rook**  
NWA Master Executive Council President  
Association of Flight Attendants-CWA, AFL-CIO  
8011 34<sup>th</sup> Avenue So., #220  
Bloomington, MN 55425

Re: AFA Proposal for a Global Settlement of Outstanding Disputes

Dear Ms. Rook:

This responds to your letter dated April 7, 2010 to Walter Brill and Susan Kramer suggesting a global settlement of outstanding disputes, as well as to Ms. Friend's letter of the same date to Richard Anderson requesting Section 6 negotiations on minimum crew complement for extended duty flights.

The fundamental problem underlying your suggestion of a "global settlement" is the same problem that underlies AFA's recent "scope" grievance challenging cross-staffing – the fact that the AFA is attempting to affect the work assignments of the 13,000 pre-merger Delta flight attendants and the 12,000 Delta pilots. We will not enter into any agreement with the AFA that affects those flight attendants, whom the AFA has not been certified to represent, or affects the Delta pilots. For these reasons we are proceeding with our plans for cross-staffing beginning May 1 as previously communicated, with flight attendant bids closing next week.

At its core, your letter, as well as the AFA "scope" grievance, raise representation issues that can only be resolved by the AFA filing with the NMB for an election to resolve representation. Of course, had the AFA not withdrawn its July 2009 filing with the NMB for an election, it is highly likely that the question of AFA representation would be resolved by now.

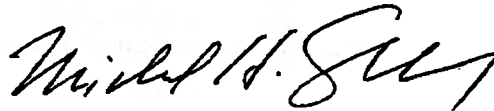
With respect to the specific issues of new aircraft type bidding and crew complement, insofar as those issues do not affect pre-merger Delta flight attendants, there have already been discussions between Delta In-Flight Service leaders and the AFA. We remain willing to continue discussions on minimum crew complement, without conceding that Section 6 negotiations

Ms. Janette Rook  
Page 2  
April 9, 2010

are appropriate with AFA representation unresolved. Also, without conceding that any discussions are required on new aircraft type bidding, we remain willing to continue those discussions as well.

In closing, we welcome your suggestion that the AFA would like to see the merger completed in an efficient and non-disruptive manner and in the best interests of all Delta flight attendants. Delta has had that objective from the beginning.

Sincerely,



cc: Joanne Smith, Senior Vice President – In-Flight Service

*Delta (NWA) Flight Attendant Agreement  
Sec 5B6d (2) New Aircraft Type*

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**d. Extended Duty Flight Provisions**

**(1) Staffing and Crew Complement:**

The Company shall operate each extended duty flight with a minimum crew complement of:

- (a) B747 aircraft: Twelve (12) Flight Attendants
- (b) A330-200 aircraft: Eight (8) Flight Attendants; or nine (9) Flight Attendants if the passenger load is at or above seventy-nine percent (79%) at the time the bid analysis is prepared
- (c) B787 aircraft with scheduled on-duty periods of eighteen hours (18:00) or less: ratio and complement as provided for the A330-200 aircraft
- (d) B787 aircraft with scheduled on-duty periods in excess of eighteen hours (18:00): Ten (10) Flight Attendants
- (e) Should the Company increase or decrease the total aircraft seating capacity on the A330-200 or B787 by ten percent (10%) or more, the parties shall meet for the purpose of negotiating new extended duty staffing requirements for these aircraft types

NOTE: Such minimum requirement shall be posted for bid on the bid analysis and shall not be reduced thereafter, subject to day-to-day operational ability.

**(2) New Aircraft Type**

In the event an aircraft type other than listed above is to be utilized for any extended duty flight(s), the Company and the Union shall meet and confer in an effort to agree on a minimum crew complement. In the event no agreement can be reached, either party may pursue resolution of the dispute in accordance with the procedures of Section 6, Title I of the Railway Labor Act.

**(3) Rest at Layover Station**

Following an extended duty flight segment, a Flight Attendant shall be given a minimum rest period as follows:

- (a) For a scheduled on-duty period of sixteen hours (16:00) or less, no less than fifteen hours and forty-five minutes (15:45), release to report, at his/her layover station.
- (b) For a scheduled on-duty periods of more than sixteen hours (16:00), but equal to or less than eighteen hours (18:00), no less than twenty hours (20:00) of scheduled rest at his/her layover station. Such rest may be reduced to eighteen hours (18:00) on an actual basis.