



September 9, 2008

*This is the final issue of our Merger Q&A series.
Please visit nwaafa.org for a complete list of previously answered questions.*

Merger: Questions & Answers

Question 45: With the threat of “headcount reductions” looming at Northwest and Delta, how will that affect the next representation election? Can furloughed flight attendants vote? Can new hires on probation?

Answer: The National Mediation Board representation manual (Section 9) lists both furloughees and new hires on probation as eligible.

When Delta flight attendants voted in their first representation election, Delta management provided the National Mediation Board with a list of “eligible” employees. AFA-CWA disputes Delta’s numbers, saying Delta inflated the list, knowing that a successful election would require a majority of all eligible voters to cast a ballot, as opposed to a majority of those voting, as in other democratic elections.

Many Delta flight attendants on this list were on extended furlough and were without a reasonable expectation of returning to work, which is required in the NMB’s representation manual to meet eligibility. Delta Air Lines has given no indication that these flight attendants will ever return to work: since Delta flight attendants have no contract – and no protective furlough language – they cannot possibly have any “reasonable expectation” of returning to work – and Delta management knows that. Their names were included to make it difficult for AFA-CWA activists to locate them and harder still to reach the 50% + 1 mandate.

New hires on probation are eligible to vote if they have actually performed flight attendant duties before the eligibility cut-off date set by the NMB for a representation election.

You can see how important it is that everyone who is eligible cast a ballot in the combined representation election. Those seeking representation are at a disadvantage right out of the box at the NMB, since not voting is counted as a “no” vote. Without complete

participation, we stand to lose our union, our contract and our collective bargaining rights in the next election.

Think the election process doesn’t sound fair? Want to take a first, big step toward making representation and a voice at work easier for all Americans? Join the Million Member Mobilization for the Employee Free Choice Act, sponsored by CWA. Visit cwa-union.org/efca/ to sign your name to the petition. With your help, CWA will present the new president and Congress with 1 million signatures urging them to enact the Employee Free Choice Act!

Question 46: I have a scheduling grievance filed with my local rep. When we voted for AFA-CWA in our last representation election, the union took on hundreds of pending cases for the members. If we lost our union in a Delta merger, what would happen to outstanding grievances?

Answer: When AFA-CWA became our collective bargaining agent, all outstanding grievances were transferred to our new union. Since that time, hundreds of grievances have been settled and many flight attendants have returned to work after successful grievance arbitrations. Our MEC Grievance Committee continues work on the daily data collection and evidence gathering for grievances so our flight attendants are fairly represented as provided for in our contract.

Without union representation, outstanding grievances, which are filed under the contract, become null and void, just as our contract would be eliminated on the day we lose our union if we are not successful in the combined election. Pursuing a dispute against the surviving management for unjust discipline, a seniority violation in a scheduling issue, or non-payment of wages in a payroll dispute, would become the sole responsibility of the individual flight attendant without a union or a contract, and would be based on Delta’s unilateral internal procedures, if any, that might apply.

For most disputes, there will be no remedy under Delta procedures or the law, because most of the rights we enjoy are strictly a product of our contract.

It's important to remember, everything we take for granted today – from grievances, to scheduling rules, to our representation and contract rights – would be ripped away from us if we don't participate in the representation vote for the merged flight attendant group. Complacency can have a real impact on our work lives. We all must be certain to vote when the election occurs.

Question 47: I'm still confused about the pension issue. Delta's pension plan has a Social Security "offset," making it perfectly acceptable for the airline to reduce retirement income by the amount a non-union Delta flight attendant receives from the U.S. government. Would we be subject to Delta's pension language, too?

Answer: Our defined benefit plan (from the time of the pre-bankruptcy freeze) is not subject to the offset that

Delta has mandated for its pension fund participants, regardless of whether Northwest Airlines or Delta Air Lines is the plan sponsor.

The Employee Retirement Income Security Act of 1974 (ERISA), a federal statute, protects pension benefits once the benefit is accrued under the

terms of the plan. So, the language in Delta's pension plan has no effect on our accrued benefits, earned while working for Northwest Airlines.

While ERISA secures benefits already earned under a company's retirement plan, it does nothing to help improve retiree benefits as the costs of retirement rise. That's one huge advantage of maintaining a voice during future contract negotiations – having the right to negotiate things like increased employer contributions to our Retirement Savings Plan (contract Section 30 – Retirement Plan Agreement) and improvements to retiree healthcare (Section 29 – Insurance), for example, is critical to Northwest flight attendants, especially to those who retire before age 65 and are not yet eligible for Medicare. These legally enforceable contract protections are negotiated benefits, made possible only through our AFA-CWA union contract.

We won't lose our accrued benefits in a merger, that is a fact. Those pension plan earnings are protected. What is open to "executive decision" if we are left without a

union, a legal voice at the bargaining table, is our right to negotiate better pension benefits – even a chance to eliminate the Social Security offset in the future – as employees of Delta Air Lines.

Question 48: That leaves one unanswered question about my potential to earn greater pension benefits as a Delta employee. Are you saying that without a union contract, all pension decisions – from retiree health insurance, to offsets, to the amount of employer contributions in my defined contribution plan – are left up to the benevolence of Delta management?

Answer: The short answer is, "Yes." Delta executives have unilateral control over their non-union employees' retirement programs. Retiree health insurance has changed dramatically since the airline's bankruptcy, and is subject to change again whenever Delta executives deem such change necessary. In fact, Delta's non-union retirees have been saddled with extraordinary increases in health insurance premiums, well above what was promised upon retirement from the company, since benefits are not negotiated but are controlled solely by Delta management.

Our AFA-CWA contract (Section 29 – Insurance) was negotiated to include benefits for flight attendants retiring who meet "the eligibility criteria for a Disability, Early or Normal Retirement under the Northwest Airlines, Inc. Pension Plan for Contract Employees." These benefits continue until the first day of the month in which the retiree becomes 65 in most cases, and are extended to the retiree's spouse or domestic partner and eligible dependent children as well. Rates of monthly premium are based on years of benefit accrual service and age at retirement (see Section 29.c.(2.)a.i. through iii.); rates are capped at a 7% increase annually.

The Delta Air Lines Retirement Committee (online at dalrc.org) has much information online about promises made and broken by Delta management to non-contract employees, a workforce dedicated to service at the airline even while executives drove it into bankruptcy. The Delta pension plan includes a lower employer contribution than our negotiated plan (in your contract, Section 30.D.), and there is nothing preventing Delta from lowering that contribution further whenever management decides it needs the cost savings from lowering or eliminating employees' benefits.

For many Northwest flight attendants, our next contract will be our last shot at securing an improved employer contribution to our defined contribution pension plan, our final push to improve retiree health insurance coverage, and our benefits blueprint into and throughout our retirement after devoting most of our working lives to this company. We must be sure our right to negotiate retirement benefits remains as secure as our government-protected pensions. We can do this by voting to maintain union representation at the "new" Delta after

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the merger. Our future in retirement depends on our ability to negotiate with Delta.

Question 49: Northwest and Delta are pushing this merger through the regulatory process like there really is no tomorrow. With all of our SLIP leave flight attendants going off the line, and all of our early-outs gone, will we still have enough to trigger a representation election of the combined group after a merger transaction is complete?

Answer: The number of flight attendants on the roster at Northwest Airlines will not change simply because SLIP participants go on leave of absence. According to the NMB's current representation manual (online at <http://www.nmb.gov/representation/representation-manual.pdf>), employees on leave of absence with "a reasonable expectation of returning to work" are eligible to vote in a representation election, just as are those on furlough or probation. All flight attendants on our seniority list – as of the qualifying date set by the NMB prior to the election – will be eligible to vote.

The key element in the paragraph above is that those are the rules in the current representation manual, as written and recorded today. The National Mediation Board is an appointed body with little governance other than its loyalty to the current administration and former employers. In fact, President Bush's appointed Chairman of the NMB, Read Van de Water, was once Northwest Airlines' government affairs director! (Read Read's bio right from the NMB website at <http://www.nmb.gov/directory/vandewater-bio.html> .)

The NMB can and does change the rules of the game whenever it chooses. Case in point: on July 15, 2008, the NMB began seeking public comment on its intent to "revise and/or clarify" sections of the current representation manual. Of particular interest to Northwest flight attendants and AFA-CWA, the NMB is prepared to add this qualifying statement to manual Section 19.7.:

"Where there is a certified representative on one of the affected carriers but no certified representative on the other(s), the Board will exercise its discretion and extend the certification only where there is more than a substantial majority, as determined by the Board. Authorization cards may only be used to supplement the showing of interest necessary to trigger an election; they may not be used toward getting a certification extended."

Coincidental, isn't it, that this change is being considered on the eve of a representation election that would preserve or destroy our collective bargaining rights in a merger between Delta and Northwest Airlines? The NMB Chairman's former colleagues have certainly called in some chips of late, perhaps even promising a future at the New Global Airline when Ms. Van de Water's appointment expires.

AFA-CWA will submit comment on this and other proposed changes to the NMB's representation manual before the end of the public comment period. In the meantime, we have joined with our partners in the Transportation Trades Department (TTD, online at <http://www.ttd.org/>) of the AFL-CIO in issuing this statement to the NMB:

"Requiring a union to demonstrate membership of "more than a substantial majority, as determined by the Board" before certification is extended creates an ambiguous and artificially high burden on workers who simply want to enjoy the benefits of collective bargaining. Furthermore, the timing of this proposed change, coming after the merger between Delta and Northwest has been formally announced and is now pending, is especially suspect. We simply see no justification for this change and the Board has offered no explanation for why it is needed or issued any guidance on how the new policy would be implemented."

Complacency can have a real impact on our work lives. We all must be certain to vote when the election occurs.

The TTD and AFA-CWA have asked for an extension of the public comment period to 60 days from 30, citing the summer recess of both the House and Senate, whose members deserve ample time to address the Board.

Although some of the Board's proposed representation manual changes are "ambiguous" and "suspect," what is crystal clear to AFA-CWA and the TTD is that government appointees can too easily affect policy that could be devastating to our collective future and our careers. It is critical that we reverse the tide against our profession and elect a president who will appoint credible representatives to the NMB and to the Department of Labor. Visit the Government Affairs page of our website, nwaafa.org, to read about the importance of your vote and to find out how to register in your state.



Two Traditions, One Global Airline Destination: Representation

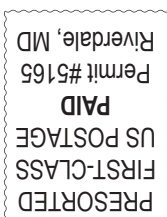
The Northwest/Delta **Campaign Coordination Committee (C3)** – which consists of four Northwest and four Delta flight attendant activists and our Northwest MEC Member Engagement Committee – has launched a fifty state joint organizing campaign in advance of our representational election at the new Delta Air Lines.

Each state will have at least one flight attendant representative from both Northwest and Delta who will oversee groups of **Phone Info Reps** and **Visibility Info Reps** in their respective states.

Phone Info Reps are responsible for contacting up to ten people on a “calling tree,” updating Northwest AFA-CWA members and Delta flight attendants with vital, timely information regarding the campaign. Volunteers who are already part of our Member Engagement **IMPACT** team will be transitioned into this program and continue their activism as joint campaign **Phone Info Rep** leaders.

Visibility Info Reps will be responsible for carrying informative literature while flying and sharing it with other flight attendants, an essential part of our on the job, grass roots effort to make sure **all members remain informed** during our campaign.

If you would like to help **protect our future in a merger by securing union representation at the world’s largest airline**, join our campaign by e-mailing our Member Engagement team at impact@nwaafa.org or call the C3 office at 952-241-4108.



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