



NATIONAL MEDIATION BOARD
WASHINGTON, DC 20572

(202) 692-5000

In the Matter of the
Applications of the

**INTERNATIONAL BROTHERHOOD
OF TEAMSTERS, AIRLINE
DIVISION and the AIR LINE
PILOTS ASSOCIATION**

alleging a representation dispute
pursuant to Section 2, Ninth, of
the Railway Labor Act, as
amended

involving employees of

GoJet Airlines, LLC and Trans
States Airlines, Inc.

33 NMB No. 9

Case Nos. R-7069 and
R-7070
(File No. CR-6885)

**FINDINGS UPON
INVESTIGATION**

December 21, 2005

This determination addresses applications filed by the International Brotherhood of Teamsters, Airline Division (IBT) and the Air Line Pilots Association (ALPA) (“the Organizations” collectively). IBT seeks to represent the craft or class of Pilots on GoJet Airlines, LLC (GoJet). ALPA, who currently represents the craft or class of Pilots on Trans States Airlines, Inc. (TSA)¹, requests the National Mediation Board (NMB or Board) to investigate whether TSA and GoJet (“the Carriers” collectively) are operating as a single transportation system.

The investigation establishes that TSA and GoJet do not constitute a single transportation system for purposes of the craft or class of Pilots.

¹ *Trans States Airlines, Inc.*, 20 NMB 347 (1993) (R-6166).

PROCEDURAL BACKGROUND

On September 14, 2005, IBT filed an application alleging a representation dispute involving the Pilots on GoJet. On September 15, 2005, ALPA filed an application for a single carrier determination involving GoJet and TSA. The application was given NMB File No. CR-6885 and assigned to Investigator Cristina A. Bonaca.

On October 7, 2005, TSA and GoJet filed a joint initial position statement. The Organizations responded with their respective position statements on October 17, 2005. On October 28, 2005, the Carriers filed a joint supplemental response.

ISSUE

Are TSA and GoJet operating as a single transportation system? If so, what are the representation consequences?

CONTENTIONS

ALPA

ALPA contends that the wholly-owned airline affiliates of Trans States Holdings, Inc. (TSH), TSA and GoJet, constitute a single transportation system for representation purposes for the craft or class of Pilots. ALPA argues that the two Carriers: share common facilities; have a common main hub; are both wholly-owned by the same individual, Hulas Kanodia; and have overlapping management. ALPA additionally asserts that labor relations at the two Carriers is handled jointly in many respects as evidenced by the facts that: TSA Pilots were offered employment at GoJet with pay and longevity based on their length of service at TSA, up to a maximum of five years; some Pilots who are currently working for GoJet are still on TSA's Pilot seniority list and are officially considered on a "leave of absence" from TSA; recruitment and issuance of flight passes are handled by the same persons for both Carriers; and employees have been hired by one entity and transferred to the other without additional interviews.

In addition, ALPA contends that in August and September 2005, TSA Pilots were flying new routes not previously flown (between St. Louis and Denver, and between Chicago and Tulsa) pending GoJet's receipt of authority to perform scheduled passenger flying. ALPA argues that the flying of these new routes by TSA Pilots coupled with the fact that TSA's Manager of Crew Planning was asked to run sample schedules for GoJet during this period evidences an exchange of flight operations between the two entities.

As the TSA Pilot group is substantially larger than the GoJet Pilot group, ALPA contends that its existing certification should be extended to cover the GoJet Pilot group within the single transportation system. ALPA states further that, at the very least, "the Board must conduct a full investigation and order an evidentiary hearing so that the evidence may be fully and fairly considered."² ALPA provided declarations from two TSA Pilots in support of its position, as well as other documentary evidence.

IBT

The IBT is in agreement with the position of TSA and GoJet and contends that despite their common ownership by TSH, there is no integration of operations or exercise of common control by the Carriers that would support a single transportation system finding. The IBT relies on the evidence submitted by the Carriers and urges the Board to dismiss ALPA's single carrier application and process its application for representation of the Pilots on GoJet.

GoJet/TSA

GoJet and TSA filed jointly in this matter and request the Board to deny ALPA's request for a single transportation system determination. The Carriers explain that GoJet was

² The Board finds that it had sufficient information from the parties' submissions to render a decision in this matter without conducting a hearing.

created as a separate entity to operate 70 seat CRJ-700 aircraft (high capacity aircraft with more than 50 seats) -- aircraft that TSA is prohibited from flying. TSA has an Air Services Agreement with American Airlines (American) that prohibits it from flying aircraft with more than 50 seats, because of a scope clause provision in American's collective bargaining agreement (CBA) with the Allied Pilots Association (APA). Thus, the Carriers stated: "Holdings created GoJet as a way to keep pace with its competitors and expand its business, while simultaneously ensuring that TSA remains compliant with its American Air Services Agreement."

The Carriers contend that the evidence clearly demonstrates that they are operating as two separate transportation systems. TSA and GoJet have: 1) separate Certificates of Public Convenience and Necessity issued by the Department of Transportation (DOT); 2) separate Air Carrier Certificates issued by the Federal Aviation Administration (FAA); 3) separate offices accessible only with an electronic key card, even though both entities are located in the same office building; 4) no interlocking management even though both are owned by the same holding company; 5) separately administered labor and personnel functions, as evidenced by separate websites, employment applications, wage rates, benefits plans, and payroll accounts; 6) separate aircraft, training simulators, and operating and flight manuals; and 7) separate workforces evidenced by separate seniority lists and employee rosters. While GoJet is currently contracting out some functions to TSA on a temporary basis, the Carriers contend that this contracting will conclude as soon as GoJet is fully staffed.

The Carriers provided affidavits and other documentary evidence in support of their position.

FINDINGS OF LAW

Determination of the issues in this case is governed by the Railway Labor Act (RLA), as amended, 45 U.S.C. § 151, *et seq.* Accordingly, the Board finds as follows:

I.

TSA and GoJet are common carriers as defined in 45 U.S.C. § 181, First.

II.

The IBT and ALPA are labor organizations and/or representatives as defined in 45 U.S.C. § 151, Sixth, and § 152, Ninth.

III.

45 U.S.C. § 152, Fourth, gives employees subject to its provisions, “the right to organize and bargain collectively through representatives of their own choosing. The majority of any craft or class of employees shall have the right to determine who shall be the representative of the craft or class for purposes of this chapter.”

IV.

45 U.S.C. § 152, Ninth, provides that the Board has the duty to investigate representation disputes and to designate who may participate as eligible voters in the event an election is required. In determining the choice of the majority of employees, the Board is “authorized to take a secret ballot of the employees involved, or to utilize any other appropriate method of ascertaining the names of their duly designated and authorized representatives . . . by the employees without interference, influence, or coercion exercised by the carrier.”

STATEMENT OF FACTS

Background

TSA is a regional airline that has Air Service Agreements that provide for code-sharing and marketing agreements with a number of major carriers, including American, United Airlines (United), and US Airways. TSA’s Air Service Agreement with American, encompassing a large portion of its business,

prohibits it from flying any aircraft with more than 50 passengers due to a scope clause provision in American's CBA with the APA. Therefore, TSA's fleet is composed entirely of aircraft that fly 50 or fewer passengers. American has the right to terminate its contract with TSA if it operates any aircraft with more than 50 seats. GoJet was created by TSH so that it could expand its business and compete with other regional carriers who are flying higher capacity aircraft.

Corporate Transactions and Representation

TSA is incorporated in Missouri. On April 16, 1993, ALPA was certified as the representative of the craft or class of Pilots on TSA. (R-6166). TSA currently employs 1,534 employees, 646 of whom are Pilots.

GoJet was formed under the laws of Delaware as a Limited Liability Company (LLC), thus it is not incorporated and has no Board of Directors. GoJet began revenue flying on September 22, 2005. As of September 26, 2005, GoJet employed approximately 154 employees, including approximately 30 Pilots in its Flight Operations Division. GoJet's Pilots are currently unrepresented.

TSH, the holding company for GoJet and TSA, is owned by Hulas Kanodia. Kanodia has not been involved with the day-to-day management of TSA for over four years, and has never been involved with the day-to-day management of GoJet.

TSA and GoJet have separate Certificates of Public Convenience and Necessity issued by the DOT: TSA's was issued by Order 89-5-64 on May 31, 1989; GoJet's was issued by Order 2005-8-10 on August 16, 2005. TSA and GoJet also have separate Air Carrier Certificates issued by the FAA: TSA's Certificate Number is RAIA053A, effective 9/29/88, reissued 7/17/02; GoJet's Certificate Number is N6WA249L, effective 9/20/05.

Management and Labor Relations

GoJet's Director of Operations is Daniel E. Reed and he has been in this position since March 15, 2005. Reed was

employed as Vice President of Flight Operations for TSA until December of 2004. GoJet's Chief Pilot is Dennis D. Craig, who was formerly employed at TSA as the Manager of Flight Standards. GoJet's Director of Maintenance is William Scott Reid, who was formerly employed at TSA as the System Fleet Manager. GoJet's Director of Safety is Craig Tompkins, who was previously employed at TSA as Vice President of Safety and Regulatory Compliance. GoJet's Chief Inspector is Jeffrey Craig, who was formerly employed as TSA's Director of Quality Assurance. Daniel E. Reed, Dennis D. Craig, William Scott Reid, Craig Tompkins, and Jeffrey Craig all left their positions with TSA before joining GoJet.

Reed is in charge of Labor Relations at GoJet. David J. A. Hayes, III is the Vice President and General Counsel at TSA and is in charge of TSA's labor relations. Hayes testified that he has no involvement in labor relations at GoJet.

Personnel functions are currently administered separately by TSA and GoJet at every step of the employment process. TSA's website, <http://www.transstates.net/>, has a "Careers" section which lists open positions at TSA; the website does not list any open positions at GoJet. The website lists various "transstates.net" email addresses to which individuals can submit their resumes, depending on the department where the position is located. Individuals interested in applying for TSA Pilot positions are directed to submit their resumes to Eileen Plante, TSA, 11495 Natural Bridge, Suite 212, Bridgeton, MO 63044.

GoJet has its own website, <http://www.gojetairlines.com>, that has a "Careers" section which lists all open positions at GoJet; the website does not list any open positions at TSA. The website directs interested applicants to email their resumes to recruiting@gojetairlines.com or mail them to: GoJet Airlines, 11495 Natural Bridge, Suite 133, Bridgeton, MO 63044.

TSA and GoJet use different personnel forms and employment applications. The Carriers have different terms and conditions of employment, different wage rates, and separate benefit plans. The Carriers also have separate payroll and operational bank accounts.

As GoJet only began revenue flying in September 2005, not all departments are fully staffed but hiring is continuing on a daily basis. Out of 154 current employees, GoJet has personnel working in the following divisions: Crew Scheduling; Customer Service Administration; Flight Control; Flight Operations; Inflight; and Maintenance.

Out of GoJet's 30 Pilots, seven previously worked for TSA. Pilots recruited from other carriers, including TSA, were not asked to officially resign until GoJet received its certification. Prior to GoJet's certification, former TSA employees who accepted positions with GoJet were considered to be on an unpaid leave of absence from TSA. Once GoJet became certified, TSA received letters of resignation from all employees who had left TSA to join GoJet. No GoJet employee remains on TSA's seniority list or has any type of employment relationship with TSA. Reed testified: "None of the former TSA pilots currently employed by GoJet have received compensation or benefits from TSA while employed by GoJet."

TSA and GoJet's workforces are not integrated and the Carriers maintain separate seniority lists and employee rosters. All GoJet and TSA employees have ID badges that identify them as exclusively working for their individual employer.

Recruiting and Training

Reed stated in his affidavit: "Until GoJet is fully staffed, it may outsource certain recruiting and training functions to TSA on an interim basis. While certain functions may be outsourced GoJet has and will continue to perform all of its own interviewing and hiring."

In an effort to recruit experienced Pilots, GoJet offered an incentive package for Pilots working at other carriers. Specifically, GoJet offered any Pilot working for any Part 121 carrier, including TSA, TransMeridian Airlines, Chicago Express Airlines, American Eagle, and Corporate Air, up to five years' longevity credit for pay rates and vacation accrual if they came to work for GoJet.

GoJet's arrangements with TSA and other outside companies for training and recruiting services are controlled by GoJet and a formal contractual services agreement, and GoJet pays the going market rate for all services. When necessary and pursuant to the terms of the contract, TSA employees have carried out certain clerical aspects of the recruiting process as directed by GoJet, such as the collecting of applications, and mailing of offer letters. However, all substantive aspects of the recruiting process, including all interviewing and hiring decisions, are performed exclusively by GoJet's management team and personnel.

GoJet trainers train GoJet employees exclusively, but TSA performs some training functions on a periodic basis for GoJet based on an outsourcing agreement. On occasions when TSA or any other company, like FlightSafety International, Inc. (FlightSafety), performs training functions for GoJet, GoJet will train that company's Instructors with respect to GoJet's procedures. TSA trainers only train TSA employees, except when performing contracting for GoJet personnel.

GoJet leases a flight simulator from FlightSafety and utilizes their instructors pursuant to a written contractual agreement. TSA's Pilots train on simulators at American Eagle's training facility and at several FlightSafety locations. Since GoJet and TSA operate different types of aircraft, the two entities' Pilots do not train on the same simulators and the aircraft have separate operating and flight manuals.

Public Relations and Marketing

TSA and GoJet each have their own website, <http://www.transstates.net/> and <http://www.gojetairlines.com>, which contains significant information about the Carrier, career opportunities, and links to partner airlines. However, neither Carrier's website makes any mention of the other entity and there is no link between the websites.

TSA and GoJet passengers can make reservations and purchase tickets directly through the Carriers' code-share partners. When a customer makes a reservation on the United, American, or US Airways website, flights operated by TSA are

indicated as such. The United website also identifies flights operated by GoJet, as required by DOT regulations. Tickets are issued by the code-share partner on their individual stock.

The Carriers' regional partners dictate what signage and paint schemes will appear on their aircraft. Thus, GoJet and TSA aircraft that fly for United will have United's signage and paint scheme. However, since the Carriers operate different fleet (GoJet operates exclusively 70-seat CRJ-700s, TSA operates the ATR-42, the J4100, and the EMB-145), their aircraft will always be different. Further, in accordance with DOT regulations, GoJet's planes have stickers on the outside of each aircraft which read "Operated by GoJet Airlines." Likewise, TSA's fleet has stickers which read "Operated by Trans States Airlines, Inc."

Offices/Hubs/Equipment

TSA and GoJet are located in the same office building at 11495 Old Natural Bridge Road, Bridgeton, Missouri 63044. The building is owned by the City of St. Louis, and is leased to American which has sublease agreements with TSA, GoJet, and other tenants for office space.

TSA subleases space on parts of the first, second, and third floor of the building. GoJet subleases space on a portion of the third floor, and a portion of the first floor. None of the space leased by either Carrier is available to the other, and office space can only be accessed by electronic cards and/or combination locks which are unique to each Carrier. All employees in the building have access to the third-floor break room and the parking lot.

TSA has hubs at Lambert St. Louis International, Chicago O'Hare, Dulles International, and Pittsburgh International. GoJet's hub is still undecided but is anticipated to be at Chicago O'Hare, since United is currently GoJet's sole code-share partner.

TSA's fleet consists of aircraft which have 50 or fewer seats: one ATR-42, 18 J4100's, and 48 EMB-145's. GoJet currently has a fleet of three 70 seat CRJ-700 jets and expects

to have a total of 10 CRJ-700 jets by the end of 2005. As discussed, fleet signage and paint scheme is determined by the major code-share partner, but DOT regulations require each aircraft to have a sticker identifying the regional carrier operating the flight.

Currently, GoJet contracts out maintenance work for its aircraft to a number of outside entities, including United, Jett Care, ExecAir, Gearhart Aviation Services, BizJet, and TSA. TSA performs maintenance work for GoJet at Lambert St. Louis International Airport pursuant to a contract which sets forth the rates charged for the services performed, and includes termination, indemnification, force majeure, dispute resolution and limitation of liability clauses. TSA also contracts out maintenance work and has contracts in place with AAR Aircraft Services, BizJet, and Air Wisconsin to perform necessary maintenance service on its fleet.

Routes and Schedules

All regional “feeder” airlines, like TSA, GoJet, Mesa, Chautauqua, Sky West, and Shuttle America, have their routes and schedules set by their major airline partners. Accordingly, TSA’s routes and schedules are dictated by United, American, and US Airways. Similarly, United dictates GoJet’s routes and schedules. TSA and GoJet cannot swap aircraft because the American scope clause prohibits TSA from flying aircraft with over 50 seats. Further, “swapping” would violate FAA regulations as well as the DOT-granted operating authority.

Signs, Logos, and Uniforms

The uniforms worn by TSA and GoJet Pilots are determined by the Carriers’ code-share partners. The Pilot uniforms worn by all regional carriers flying United Express, including TSA, GoJet, Mesa, Chautauqua, Sky West, and Shuttle America, are all standard. However, the “brass” worn by Pilots identify the particular Carrier by whom they are employed. Accordingly, GoJet Pilots’ hats and wings read “GoJet”; TSA Pilots’ hats and wings read “TSA.” When TSA Pilots are flying US Airways or American routes, they wear uniforms dictated by those two airlines.

DISCUSSION

I.

The Board's Authority

45 U.S.C. § 152, Ninth, authorizes the Board to investigate disputes arising among a carrier's employees over representation and to certify the duly authorized representative of such employees. The Board has exclusive jurisdiction over representation questions under the RLA. *General Comm. of Adjustment v. M.K.T. R.R.*, 320 U.S. 323 (1943); *Switchmen's Union of N. Am. v. Nat'l Mediation Brd.*, 320 U.S. 297 (1943). In *Air Line Pilots Ass'n, Int'l v. Texas Int'l Airlines*, 656 F.2d 16, 22 (2d Cir. 1981), the court stated, "the NMB is empowered to . . . decide representation disputes arising out of corporate restructurings."

II.

Single Transportation System

The Board's Representation Manual (Manual) Section 19.4 provides that: "Any organization or individual may file an application, supported by evidence of representation or a showing of interest . . . seeking a NMB determination that a single transportation system exists." Manual Section 19.501 provides the factors for making a determination whether a single system of transportation exists.

In *Trans World Airlines/Ozark Airlines*, the Board cited the following indicia of a single transportation system:

[W]hether a combined schedule is published; how the carrier advertises its services; whether reservation systems are combined; whether tickets are issued on one carrier's stock; if signs, logos and other publicly visible indicia have been changed to indicate only one carrier's existence; whether personnel with public contact were held out as employees of one carrier; and whether the

process of repainting planes and other equipment, to eliminate indications of separate existence, has been progressed.

Other factors investigated by the Board seek to determine if the carriers have combined their operations from a managerial and labor relations perspective. Here, the Board investigates whether labor relations and personnel functions are handled by one carrier; whether there are a common management, common corporate officers and interlocking Boards of Directors; whether there is a combined workforce; and whether separate identities are maintained for corporate and other purposes.

14 NMB 218, 236 (1987).

The Board finds a single transportation system only when there is substantial integration of operations, financial control, and labor and personnel functions. *Burlington N. Santa Fe Ry. Co.*, 32 NMB 163 (2005); *Huron and Eastern Ry. Co., Inc.*, 31 NMB 450 (2004); *Portland & Western R.R., Inc.*, 31 NMB 71 (2003); *American Airlines and Reno Air*, 26 NMB 467 (1999). Further, the Board has noted that a substantial degree of overlapping ownership, senior management, and Boards of Directors is critical to finding a single transportation system. *Precision Valley Aviation, Inc., d/b/a Precision Airlines and Valley Flying Serv., Inc., d/b/a Northeast Express Reg'l Airlines*, 20 NMB 619 (1993).

The facts supporting a single transportation system do not exist in this case. Each Carrier has its own management team that is in charge of day-to-day operations. While individuals in GoJet's management team previously worked for TSA, all of those individuals left their employment with TSA before joining GoJet. TSA was incorporated in Missouri while GoJet is an LLC formed in Delaware, and has no Board of Directors. While TSA and GoJet are commonly owned by TSH for Hulas Kanodia, he has no involvement in the management of either entity, and this factor alone will not support a finding of common control. *See Allegheny Airlines, Inc., et al.*, 29 NMB

160 (2002) (Board found no single transportation system despite the fact that the three carriers at issue were owned by the same holding company, noting each carrier's separate control over its labor relations and operations).

Labor relations and personnel functions at GoJet and TSA are handled separately. Each Carrier has its own website which lists only its job openings, and each Carrier has its own employment applications and personnel forms. GoJet and TSA have separate terms and conditions of employment, different wage rates, and separate benefit plans. Further, the Carriers maintain separate seniority lists and employee rosters.

GoJet personnel recruit and interview applicants for GoJet positions; TSA personnel perform the same functions for TSA positions. Any work done by TSA or any other entity on GoJet's behalf is temporary and done pursuant to a contractual arrangement. GoJet's temporary outsourcing of some work functions is insufficient to support a single carrier finding. *See Allegheny Airlines, Inc., et al., above*, at 171 (no single carrier finding even though one carrier performed customer service/ramp functions for the other carriers on a contractual basis).

GoJet's and TSA's operations are clearly separate. While the Carriers both lease space in the same office building, employees for each Carrier have issued ID badges which only allow them access to their respective offices. Each Carrier has its own payroll and operational bank accounts, its own aircraft and operating and flight manuals, and its own training arrangements. While the paint scheme for each aircraft is determined by the regional partner, GoJet and TSA fleet are identified accordingly, pursuant to DOT regulations, by stickers on each aircraft. Further, all Pilots wear the "brass" of their employing Carrier, GoJet or TSA, when dressed in the standard uniform of their regional partner.

GoJet and TSA hold themselves out to the government and to the public as separate transportation systems. Each Carrier was issued its own Certificate of Public Convenience and Necessity from the DOT, as well as its own individual Air Carrier Certificate from the FAA. The fact that the Carriers

hold separate Certificates strongly supports the Board finding separate transportation systems. See *Frontier Airlines*, 24 NMB 635, 643 (1997).

When customers book travel on United, American, or US Airways, it is clearly indicated when the flight is operated by TSA or GoJet. Further, the Carriers fly different types of aircraft. GoJet operates exclusively CRJ-700's, while TSA operates three different type of aircraft with 50 or fewer seats. FAA and DOT operating authority prohibit the two Carriers from swapping aircraft. Further, TSA's agreement with American specifically prohibits it from operating aircraft with more than 50 seats.

While ALPA relies on *Mesa Airlines, Inc., CCAir, Inc., Air Midwest, Inc.*, 29 NMB 359 (2002) for support that GoJet and TSA constitute a single system, the facts of that case are inapposite. In *Mesa*, the Board made a single carrier finding because of the following factors: all three carriers were wholly owned by Mesa Air Group, Inc. (MAG); MAG's website contained information about each of the carriers, including type of aircraft, number of employees, and daily departure schedules -- presenting a public image of a single transportation system; applicants could apply for positions at any of the three carriers online through the MAG website; and labor relations at the three carriers was centralized, evidenced by the fact that the Flight Deck Crewmembers craft or class at two of the carriers were covered by the same CBA, and the heavy involvement of MAG's CEO in contract negotiations and the overall labor relations at the three carriers. *Id.* at 368-380.

Here, while GoJet and TSA are both owned by TSH, there are no other similarities to the facts in the *Mesa Airlines, Inc., above*, decision. GoJet and TSA have their own websites with no information about each other or links to each other. Applicants for positions at either Carrier must apply through the designated web address or mail address, and each Carrier's website lists only its job openings. Additionally, labor relations are handled separately at GoJet and TSA: with separate management teams; separate wages, benefits and terms and conditions of employment; and separate seniority lists and employee rosters.

Based upon the application of the principles cited above to the facts established by the investigation, the Board finds that TSA and GoJet do not operate as a single transportation system for representation purposes for the craft or class of Pilots.

CONCLUSION

The Board finds that TSA and GoJet are not operating as a single transportation system for representation purposes under the RLA for the craft or class of Pilots. Accordingly, ALPA's application in File No. CR-6885 is converted to NMB Case No. R-7069 and dismissed.

The IBT's application seeking an investigation of a representation dispute involving the Pilots at GoJet is assigned R-7070. Pursuant to Section 2.4 of the Board's Representation Manual, GoJet must deliver to the Board's Office of Legal Affairs by 10 a.m., ET, January 6, 2006, three copies of an alphabetized list of potential eligible voters and a copy of the alphabetized list on a diskette or CD as a Microsoft-Excel file. 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 or on the diskette or CD 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. GoJet 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. A sample format follows:

SAMPLE FORMAT OF THE SPREADSHEET LIST FIELDS

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

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 September 14, 2005.³ The list must be alphabetized on a system-wide basis. GoJet must provide a copy of the list to the IBT.

GoJet must also provide one set of signature samples for the eligible voters solely to Investigator Bonaca by January 6, 2006. The alphabetized signature samples must be in the same order as the names on the list of eligible voters. Until an applicable list and the signature samples are received by the Investigator in compliance with the above requirements, the Investigator will continue to accept additional authorization cards.

By direction of the NATIONAL MEDIATION BOARD.



Mary L. Johnson
General Counsel

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³ 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 www.nmb.gov/representation/repman1102.pdf.