



NATIONAL MEDIATION BOARD

WASHINGTON, DC 20572

(202) 695-5000

In the Matter of the
Application of the

INTERNATIONAL ASSOCIATION
OF MACHINISTS AND
AEROSPACE WORKERS, AFL-CIO

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

involving employees of

US AIRWAYS/AMERICA WEST
AIRLINES

33 NMB No. 61

CASE NO. R-7100

FINDINGS UPON
INVESTIGATION-
DETERMINATION OF
CERTIFICATION

September 21, 2006

This determination addresses the representation consequences of the application filed by the International Association of Machinists and Aerospace Workers, AFL-CIO (IAM) for the craft or class of Stock Clerks, employees of the US Airways single transportation system.

The Board finds that the IAM is the certified representative of Stock Clerks in the single transportation system. Therefore, the Board extends the IAM's certification, initially established as part of its certification in NMB Case No. R-4593, to include all the Stock Clerks on the US Airways system.

PROCEDURAL BACKGROUND

On August 2, 2006, the IAM filed an application alleging a representation dispute involving the Stock Clerks. The IAM asserted that US Airways, Inc. (East) and America West Airlines, Inc. (West) (collectively the Carriers) are operating as a

single transportation system known as US Airways. The application was assigned NMB File No. CR-6906.

At East, IAM represents the Stock Clerks craft or class as part of its Board certification in NMB Case No. R-4593. The International Brotherhood of Teamsters, Airline Division (IBT), is the certified representative of Stock Clerks at West pursuant to NMB Case No. R-6684, *America West Airlines, Inc.*, 26 NMB 499 (1999).

On August 22, 2006, the Board determined that East and West operate as a single transportation system for representation purposes and docketed the IAM's application for Stock Clerks as NMB Case No. R-7100. *US Airways/America West Airlines*, 33 NMB 339 (2006). Pursuant to the Board's Representation Manual (Manual) Section 19.6, this investigation addresses the representation of the proper craft or class.

The Board's August 22, 2006 determination stated that the "IAM, IBT, and any other interested organizations have 14 days from the date of this determination to file an application supported by a showing of interest of at least 35 percent of the single transportation system or to supplement the showing of interest in accordance with Manual Sections 19.601 - 19.603." *US Airways, above*, at 358.

On September 5, 2006, the IAM submitted proof of representation of approximately 85 percent of the system in the form of a copy of the IAM-US Airways collective bargaining agreement covering the East Stock Clerks. The IAM requested that the Board certify it as the representative of the post-merger craft or class of Stock Clerks. The IBT did not file an application seeking to represent the craft or class of Stock Clerks.

STATEMENTS OF FACT

At East, the Stock Clerks are represented by the IAM pursuant to part of the Board certification in Case No. R-4593.

The Stock Clerks at West are represented by the IBT pursuant to the Board certification in Case No. R-6684.

East employs 364 employees and West employs 66 employees covered by this application.

DISCUSSION

The Board has consistently extended an organization's certification to cover employees in the craft or class on the entire system when the numbers of employees on each part of the system are not comparable. For example, in *Continental Airlines/Continental Express*, 20 NMB 582 (1993), the Board extended the certification of an incumbent which represented 6,994 Flight Attendants to include 423 unrepresented Flight Attendants. *See also American Airlines, Inc./TWA Airlines, LLC*, 29 NMB 260 (2002); *Continental Airlines/Continental Express*, 20 NMB 580 (1993); *SAHSA/TAN*, 19 NMB 17 (1991); *Air Wisconsin, Inc./Aspen Airways, Inc.*, 18 NMB 336 (1991); *Alaska Airlines, Inc./Jet America, Inc.*, 15 NMB 42 (1987).

The Board finds that the numbers of IAM-represented Stock Clerks on East and IBT-represented Stock Clerks on West are not comparable.

CONCLUSION

The Board finds that the IAM is the certified representative of the entire craft or class of Stock Clerks in the single transportation system. The IAM's certification, initially established in NMB Case No. R-4593, is extended to cover the entire craft or class of Stock Clerks on the combined US Airways system. The certification in NMB Case No. R-4593 now excludes Stock Clerks from the Mechanics and Related craft or class. *US Airways/America West Airlines*, 33 NMB 321 (2006). Accordingly, the IAM's certification as the representative of the Stock Clerks craft or class on the combined US Airways system is now based on the Board's determination in NMB Case No. R-7100; and it hereinafter will

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be referred to as the certification in NMB Case No. R-7100. The Board extinguishes the IBT's certification issued in Case No. R-6684. Accordingly, NMB Case No. R-7100 is closed.

By direction of the NATIONAL MEDIATION BOARD.

A handwritten signature in black ink that reads "Mary L. Johnson". The signature is written in a cursive style with a large, looped "M" and "J".

Mary L. Johnson
General Counsel

Copies to:
E. Allen Hemenway
Robert Roach, Jr.
Thomas Brickner
Carla M. Siegel, Esq.
Don Treichler
Andrew Marshall
Joshua McInerney, Esq.