



NATIONAL MEDIATION BOARD
WASHINGTON, DC 20572

(202) 692-5000

In the Matter of the
Application of the

**AIRTRAN MAINTENANCE
TECHNICAL TRAINING
INSTRUCTORS**

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

involving employees of

AIRTRAN AIRWAYS

39 NMB No. 14

CASE NO. R-7311
(File No. CR-7018)

FINDINGS UPON
INVESTIGATION –
DISMISSAL

December 8, 2011

This determination addresses the application filed by the AirTran Maintenance Technical Training Instructors (AMTTI) alleging a representation dispute pursuant to the Railway Labor Act¹ (RLA), 45 U.S.C. § 152, Ninth (Section 2, Ninth). The AMTTI seeks to represent the craft or class of “Maintenance Technical Training Instructors and Related,” employees of AirTran Airways (AirTran or Carrier). The International Brotherhood of Teamsters (IBT) represents the craft or class of Mechanics and Related Employees (NMB Case No. R-6455) and the Ground Instructors (NMB Case No. R-6651) on AirTran. The AMTTI asserts that the Maintenance Technical Training Instructors and Related employees constitute a separate craft or class.

For the reasons discussed below, the National Mediation Board (NMB or Board) finds that the Maintenance Technical Training Instructors and Related employees are part of the Mechanics and Related Employees craft or class and covered by the IBT’s certification. Therefore, the Board dismisses the application.

¹ 45 U.S.C. § 151, *et seq.*

ISSUE

Are “Maintenance Technical Training Instructors and Related” employees a separate craft or class or are they part of the Mechanics and Related Employees craft or class?

PROCEDURAL BACKGROUND

On June 20, 2011, AMTTI filed an application alleging a representation dispute among AirTran’s “Maintenance Technical Training Instructors and Related” employees. This application was assigned NMB File No. CR-7018 and Susanna F. Parker was assigned as the Investigator.

On June 29, 2011, the AMTTI submitted a position statement. On July 7, 2011, the Carrier filed the List of Potential Eligible Voters and signature samples with the NMB. The IBT filed a position statement on July 12, 2011. On November 14, 2011, the Investigator requested additional information from the Carrier. AirTran complied with this request on November 16, 2011.

CONTENTIONS

AMTTI

The AMTTI contends that the Maintenance Technical Training Instructors and Related employees are a separate entity from the “AirTran Airways Mechanics and Inspectors class and craft, and are currently covered under a separate contract that was negotiated independently of the Mechanic and Inspectors class and craft.”

The AMTTI submitted a copy of the current Maintenance Technical Training Instructors contract negotiated by the IBT, and a copy of the Certification in NMB Case No. R-6651.

IBT

The IBT does not take a position on whether the Maintenance Technical Training Instructors and Related employees constitute a separate craft or class, but notes that these employees are “currently members of the mechanic and related employee bargaining unit represented by the IBT.”

AirTran

AirTran did not take a position in this matter.

FINDINGS OF LAW

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

I.

AirTran is a common carrier by air as defined in 45 U.S.C. § 181.

II.

AMTTI and the IBT are labor organizations and/or representatives as provided by 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 disputes and shall designate who may participate as eligible employees in the event an election is required.

STATEMENT OF FACTS

In 1996, the Board certified the IBT as the representative of ValuJet Airlines’ Mechanics and Related Employees which includes the Maintenance Technical Training Instructors and Related employees at issue in this case. *ValuJet Airlines, Inc.*, 24 NMB 1 (1996).²

² ValuJet merged with AirTran in 1997.

According to the position description supplied by the Carrier, Maintenance Technical Training Instructors must possess a valid airframe and powerplant (A&P) certificate. Additionally, according to the position description, the responsibilities of the position include:

- Maintaining knowledge of and ensuring compliance with the policies and procedures set forth in the AirTran General Maintenance Manual, Maintenance Read File, Maintenance Training Manual, Fueling Manual, Winter Operations Manual, Drug and Alcohol Manual, and Safety Program Manual;
- Conducting classroom and on-the-job training for initial and recurrent training for technician certification at AirTran manned maintenance bases and maintenance line stations, for maintenance and engineering departments requiring training, for non AirTran maintenance stations (on-call maintenance), heavy maintenance providers, TRAX training, winter operations training, and training for refueling contractors;
- Staying abreast with current training requirements within AirTran including initial and recurrent training for technician certification at AirTran manned maintenance bases and maintenance line stations, required training for maintenance and engineering departments, for non AirTran maintenance stations (on-call maintenance), heavy maintenance providers, TRAX training, for winter operations training, and training for refueling contractor(s) and making recommendations to update existing training and developing new courses based upon changes in equipment and/or industry;
- Assisting in the documentation and maintenance of required training records assuring that all training records are maintained in a current status in accordance with the General Maintenance Manual and Maintenance Training Manual;
- Assisting in determining instructional strategies and establishing learning objectives. Developing and maintaining course curriculums, syllabi, lesson plans, examinations, and supplemental course materials;

- Working line maintenance and/or technical support for a minimum of 40 hours every 3 months unless waived by management;
- Developing and writing maintenance training letters;
- Writing and/or contributing to a maintenance newsletter and other routine, proactive communication materials directed to AirTran maintenance and engineering departments;
- Assisting in the development and administration of apprenticeship programs;
- Assisting in the administration of the Federal Aviation Administration AMT awards program;
- Other duties as assigned by management that will contribute to the promotion of professionalism and quality maintenance of instructor offices and classroom training areas; and
- Conducting classroom and on-the-job training for customer service representatives for the purpose of repositioning aircraft and heating the aircraft for winter operations (brake ride training).

DISCUSSION

The Board makes craft or class determinations based on a work-related community of interest. *Regional Elite Airline Servs.*, 38 NMB 299 (2011); *AirTran Airways, Inc.*, 28 NMB 500 (2001); *National Airlines, Inc.*, 27 NMB 550 (2000). In determining the proper craft or class for employees, the Board is guided by the Representation Manual (Manual) Section 9.1, which states:

In craft or class determinations, the NMB considers many factors, including the composition and relative permanency of employee groupings along craft or class lines; the functions, duties, and responsibilities of the employees; the general nature of their work; and the extent of community of interest existing between job classifications. Previous decisions of the NMB are also taken into account.

The Board examines the actual duties and responsibilities of employees, not merely job titles when determining whether there is a work-related community of interest. *Regional Elite Airline Servs.*, above at 314; *AirTran Airways*, above at 508; *National Airlines*, above at 555.

The Board has found that employees of other carriers performing work similar to AirTran's Maintenance Technical Training Instructors are included in the Mechanics and Related Employees craft or class. See *Federal Express Corp.*, 20 NMB 360 (1993) (Technical Instructors/Aircraft Maintenance and Senior Technical Instructors required to have A&P license, develop and conduct formal training programs and on-the-job training, stay current on maintenance manual revisions and update training materials as necessary, and occasionally perform maintenance functions when conducting on-the-job training or troubleshooting share a community of interest with employees in the Mechanics and Related Employees craft or class); *Frontier Airlines, Inc.*, 7 NMB 84 (1979) (Specialists-Technical Training and the Technical Assistant to the Manager of Simulator Engineering required to have A&P mechanics license, and required to be familiar with specific aircraft components, including being able to instruct others, review maintenance manuals, evaluate suggestions, and troubleshoot actual problems properly included in the craft or class of Mechanics and related employees).

The investigation establishes that the Maintenance Technical Training Instructors and Related employees at AirTran perform work traditionally performed by employees in the Mechanics and Related Employees craft or class. Therefore, the Maintenance Technical Training Instructors and Related employees are not a separate craft or class.

CONCLUSION

Based on the record in this case and for the reasons discussed above, the NMB finds that the AMTTI's application for Maintenance Technical Training Instructors and Related employees is not for a proper craft or class. Therefore, NMB File No. CR-7018 is converted to NMB Case No. R-7311 and dismissed.

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 initial 'M' and a long, sweeping tail on the 'n'.

Mary L. Johnson
General Counsel

Copies to:
Mike Ryan
Joe Harris
Kerrie Forbes
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John Mays
Nick Manicone