



NATIONAL MEDIATION BOARD
WASHINGTON, DC 20572

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In the Matter of the
Application of the

**INTERNATIONAL BROTHERHOOD
OF TEAMSTERS, AIRLINE
DIVISION**

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

involving employees of

ALLEGIANT AIR, INC.

50 NMB No. 21

CASE NO. R-7613
(NMB File No. CR-7239)

FINDINGS UPON
INVESTIGATION -
DISMISSAL

June 16, 2023

FINDINGS UPON INVESTIGATION

This determination addresses the application of the International Brotherhood of Teamsters, Airline Division (IBT or Organization) alleging a representation dispute pursuant to the Railway Labor Act (RLA), 45 U.S.C. §152, Ninth (Section 2, Ninth)¹, among “Line Maintenance Planners” at Allegiant Air, Inc. (Carrier or Allegiant). The IBT is the certified representative of the Mechanics and Related Employees craft or class at Allegiant. *Allegiant Air, Inc.* 45 NMB 48 (2018) (NMB Case No. 7507).

¹ 45 U.S.C. §151, *et seq.*

The IBT asserts that the Line Maintenance Planners belong in the Mechanics and Related Employees craft or class.

For the reasons set forth below, the National Mediation Board (NMB or Board) finds that the Line Maintenance Planners are already covered under the IBT's certification. Therefore, the Board dismisses the application.

PROCEDURAL BACKGROUND

On February 16, 2023, the IBT filed an application alleging a representation dispute involving Line Maintenance Planners at Allegiant. The IBT requested that the Board accrete the employees to the Mechanics and Related Employees craft or class. The application was given NMB File No. CR -7239 and Josie G.M. Bautista was assigned as the Investigator.

On March 10, 2023, the Carrier filed the List of Potential Eligible Voters (List) containing the names of seven Line Maintenance Planners² as well as its initial position statement. In its position statement, the Carrier opposed the accretion of the Line Maintenance Planners to the Mechanics and Related Employees craft or class. Further, the Carrier asserted that the Board should decline to consider the position of Aircraft Routers for potential inclusion because the Board has repeatedly held that that position is not part of the Mechanics and Related Employees craft or class and that Aircraft Routers do not share a sufficient community of interest with mechanics. Additionally, the Carrier requests that the Board revisit its policy concerning accretion elections.

On March 20, 2023, the IBT requested to file a response to the Carrier's position statement. The Investigator granted IBT's request and gave the IBT until April 7, 2023 to file its response.

On April 4, 2023, the Carrier informed the Board by letter that it was withdrawing its objections to IBT's application to accrete Line Maintenance Planners to the craft or class of Mechanics and Related Employees. The Carrier also withdrew its request that the Board revisit its policy concerning accretion elections. The Carrier maintained its objections to the inclusion of Aircraft Routers in the craft or class of Mechanics and Related Employees.

On April 4, 2023, IBT responded to the Carrier's letter and confirmed that it is not seeking to accrete the position of Aircraft Routers to the craft or class of

² The List contains one individual with the title Senior Planner, Line Maintenance.

Mechanics and Related Employees.³ IBT reaffirmed its position that the work-related community of interest, job duties and position descriptions of Line Maintenance Planners clearly support their inclusion in the Mechanics and Related Employees craft or class.

ISSUE

Are Allegiant's Line Maintenance Planners part of the Mechanics and Related Employees craft or class?

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.

Allegiant is a common carrier as defined in 45 U.S.C. § 181.

II.

IBT is a labor organization and/or representative 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 the purposes of this chapter."

IV.

45 U.S.C. § 152, Ninth, provides that the Board has the duty to investigate representation disputes and shall designate who may participate as eligible voters in the event an election is required.

³ Since the IBT is not seeking to accrete the Aircraft Routers to the Mechanics and Related Employees craft or class, the Board finds it unnecessary to resolve the Carrier's objection.

STATEMENT OF FACTS

On March 7, 2018, the Board certified the IBT as the representative of Allegiant's Mechanics and Related Employees craft or class in NMB Case No. R-7507.

The job description of Line Maintenance Planners includes the following responsibilities:

- Conducts short-term, mid-term, and long-term forecasting based on expected utilization and analyses.
- Schedules all maintenance within time limits while accounting for manpower, ground time, tooling parts, and facility requirements.
- Forecasts workload to ensure timely publication of daily workload.
- Acts as liaison across operations departments to ensure logistics and planning are streamlined.
- Handles incremental workload associated with engineering orders, action requests, et.al.
- Supervises routing and tracking or aircraft positioning to designated maintenance facilities to satisfy projected induction dates.
- Manages in real-time operational changes and flexes/adjusts due to delays and cancellations.
- Accomplishes all projects and duties assigned by manager.

The job description of Senior Line Maintenance Planners includes the following responsibilities:

- Responsible for the efficient planning of Line Maintenance, and Special Maintenance Tasks including Engine Changes, aircraft modifications, and other maintenance events as directed by Maintenance Planning Leadership.
- Reviews, develops, and modifies, as required, both short-term and long-term forecasted aircraft planning and maintenance schedules while considering the following: availability of staff, required tooling, equipment, parts and materials, skill set and hours to complete the assigned tasks. This includes the 120-day, 30-day, 10-day, 3-day, and current planning requirements for all routine and non-routine tasks using the Maintenance Forecast.

- Complete review of all Minimum Equipment List (MEL) items for required parts and communicate the need to requisition any parts or tooling needed to work MEL items.
- Complete review of all long terms Deferred Maintenance Items (DMIs) for required manpower, parts, and tooling.
- Coordinate with Material Planning and Aircraft on Ground (AOG) Buyers to ensure that required parts arrive in time to complete scheduled or unscheduled maintenance.
- Plan and coordinate the sequencing and allocation of daily workload for efficient use of staff, skill level, ground time, and facilities.
- Assist in planning and scheduling work to achieve compliance for all engineering orders (EOs), Engineering Authorizations (EAs) and Fleet Campaign Directives (FCDs) issued by Engineering.
- Assist in ensuring that department personnel, including this position, are properly trained, qualified and current to perform their assigned tasks.
- Participate in continuous briefings of a daily fleet-wide mechanical status to members of management.
- Review and modify departmental processes regularly to address inefficiencies or risks within current procedures.
- Become a subject matter expert and system administrator for line maintenance planning modules within Allegiant's Maintenance information System (i.e. Allegiant Information System (AIS), TRAX, etc.).
- Serves as a backup to the Manager of Line Maintenance Planning and assists in creating/redeveloping departmental processes.

The Line Maintenance Planner is required to have a combination of education and experience, Bachelor's Degree in Related Field and/or a minimum three years of experience of aircraft maintenance or related operational or analytical planning experience. The Senior Line Maintenance Planner is required to have a Bachelor's Degree or a high school diplomas plus one or more of the following:

- 1) Certification of completion of accredited aircraft maintenance field;
- 2) Knowledge of AC systems and Air Transport Association (ATA) codes; and/or,
- 3) Prior experience working with big data.

Although not required, Line Maintenance Planners are preferred to have an Airframe and/or Powerplant certificate (A&P); aircraft maintenance certification; the ability to handle big data and logically apply in real time environment; extensive computer skills, and the ability to work under pressure in a team environment.

DISCUSSION

Craft and Class Determination

In determining the proper craft or class for a group of employees, the Board considers a number of factors, including functional integration, work classifications, terms and conditions of employment, and work-related community of interest. *Southwest Airlines*, 42 NMB 110 (2015); *Endeavor Air*, 41 NMB 281, 285 (2014). The factor of work-related community of interest is particularly important. *US Airways*, 31 NMB 324, 334 (2004). To evaluate this factor, the Board examines the actual duties and responsibilities of the employees, the environment in which the employees work, and the interaction among the employees involved. *American Airlines*, 10 NMB 26, 39 (1982). The purpose of the community of interest test is to ensure that a particular grouping of employees “possess a sufficiently distinct community of interest and commonality of functional characteristics to ensure a mutuality of interest in the objective of collective bargaining.” *Continental Airlines/Continental Express*, 27 NMB 99, 109 (1999).

The Board has examined the scope of the craft or class of Mechanics and Related Employees in numerous decisions. *AirTran Airways*, 31 NMB 45 (2003); *United Parcel Serv. Co.*, 30 NMB 84 (2002). “The related employees . . . while of different skill levels from the mechanics, nonetheless are closely related to them in that they are engaged in a common function – the maintenance function” *Eastern Airlines*, 4 NMB 54, 63 (1965). It is this ‘functional’ connection between mechanical classifications and those employees who perform maintenance related operations that has historically formed a basis for this identity as a single craft or class.” *Id.*; *Federal Express Corp.*, 20 NMB 360 (1993).

The Board has consistently found employees who perform the duties similar to those of Allegiant’s Line Maintenance Planners are properly part of the craft or class of Mechanics and Related Employees on the basis of work-related community of interest. *See Hawaiian Airlines*, 29 NMB 308, 315 (2002); *United Airlines*, 28 NMB 533 (2001); *US Airways*, 28 NMB 104 (2000). In *Hawaiian Airlines, above*, the Board found that Maintenance Planners are responsible for the general maintenance of Hawaiian’s fleet of aircraft, including supporting,

controlling, and coordinating aircraft maintenance, which is “work traditionally performed by the Mechanics and Related Employees craft or class.” *Id.* at 310-311. In *United Airlines, above*, the Board found that the Maintenance Planners were properly part of the Mechanics and Related Employees craft or class because “they analyze workload forecasts or other planning data and develop plans for manpower, parts, equipment or documents to satisfy the requirements of aircraft maintenance elements.” *Id.* at p. 557. In *US Airways, above*, the Planners who made forecasts on manpower and material usages, coordinated and reviewed engineering orders, and coordinated placement and disposition of parts were found part of the Mechanics and Related Employees craft or class. *See also American Airlines/US Airways*, 42 NMB 35 (2015). The record in this case demonstrates that the Line Maintenance Planners at Allegiant perform duties similar to those performed by the Planners at the carriers discussed above.

In *AirTran Airways, above*, the Board held that the Maintenance Planners’ duties of forecasting maintenance and scheduling vendor support for heavy maintenance checks were duties of employees in the Mechanics and Related Employees craft or class. In that case, the Board noted that the fact that AirTran Planners are not required to have an A&P license is not determinative of whether they are a part of the Mechanics and Related Employees craft or class because they are clearly performing the maintenance function and other groups in the Mechanics and Related Employees craft or class were not required to have the license. In the instant case, the Line Maintenance Planners at Allegiant are not required to have an A&P license but similar to the AirTran Maintenance Planners, are clearly performing the maintenance function that requires inclusion in the Mechanics and Related Employees craft or class.

Accordingly, the Board finds that the Line Maintenance Planners at Allegiant are part of the Mechanics and Related Employees craft or class.

Accretion

The Board’s broad discretion to determine the manner in which it conducts investigations in representation disputes was upheld conclusively in *Brotherhood of Ry. & S.S. Clerks v. Ass’n for the Benefit of Non-Contract Employees*, 380 U.S. 650 (1965). In *Ross Aviation*, 22 NMB 89 (1994), the Board dismissed an organization’s application because a Board certification already covered the employees it was seeking to represent, and, therefore, an election was unnecessary. The Board consistently follows this policy where it finds that an application covers employees who are members of a certified craft or class because these employees perform job functions traditionally performed by

employees in that craft or class. *E.g.*, *ExpressJet Airlines*, 44 NMB 180, 186 (2017).

While its accretion determinations are based upon a work-related community of interest, the Board still requires all applications in representation matters to be supported by an adequate showing of interest. In this case, the IBT supported its application with the requisite 50 percent showing of interest and accretion is appropriate. *See, e.g.*, *Southwest Airlines*, 42 NMB 110, 117 (2015).

CONCLUSION

The Board finds that Allegiant's Line Maintenance Planners are part of the Mechanics and Related Employees craft or class. As there is no further basis for investigation, NMB File No. CR-7239 is converted to NMB Case No. R-7613 and dismissed.

By direction of the NATIONAL MEDIATION BOARD.



Maria-Kate Dowling
General Counsel

Board Member Fauth, concurring.

I concur with the outcome of the Board's decision. However, I write separately because in cases such as this, where the Board finds a group of employees belongs in an existing, represented craft or class, a showing of interest substantially greater than 50 percent should be required for an accretion without an election. Here, the showing of interest is significantly higher than 50 percent. In the absence of such a majority showing, however, the employees sought to be accreted should have the opportunity to vote for or against representation.