



## NATIONAL MEDIATION BOARD

1301 K St NW, Suite 250E  
Washington, DC, 20005

52 NMB No. 13  
December 3, 2024

Fred B. Jacob  
Solicitor  
National Labor Relations Board  
Division of Operations-Management  
1015 Half Street, SE  
Washington, DC 20570-0001

Re: G2 Secure Staff, LLC  
NMB File No. CJ-7223  
NLRB Case No. 31-CB-266938

Dear Mr. Jacob:

This responds to your request for the National Mediation Board's (NMB or Board) opinion regarding whether G2 Secure Staff, LLC (G2) is subject to the Railway Labor Act (RLA or Act), 45 U.S.C. § 151, *et seq.* On December 31, 2020, the National Labor Relations Board (NLRB) requested an opinion regarding whether G2's operations are subject to the RLA. The NMB issued its opinion in *Swissport Cargo Services*, 52 NMB 25 (2024) on November 8, 2024. In *Swissport*, the Board majority determined that RLA jurisdiction does not extend to independent companies that contract with air carriers. Because the record indicates that G2, an independent company that provides airline services, is not a common carrier by air and its connection to air transportation is only through its former contract for services with Delta Air Lines, Inc. at Los Angeles International Airport and its other contracts with air carriers, the Board finds that G2 is not a carrier within the meaning of RLA Section 201, 45 U.S.C. § 181. Therefore, the NMB finds no RLA jurisdiction in this case.<sup>1</sup>

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<sup>1</sup> As discussed further in her dissent in *Swissport, above*, Chairman Sweatt would have applied the NMB's two-part function and control test upheld in *ABM Onsite Services-W., Inc. v.*

Because the National Labor Relations Act explicitly excludes “any person subject to the Railway Labor Act,” 29 U.S.C. § 152, we appreciate the NLRB continuing the longstanding practice of referring cases of questionable jurisdiction to the NMB.

By direction of the NATIONAL MEDIATION BOARD.

A handwritten signature in black ink that reads "Maria-Kate Dowling". The signature is written in a cursive, flowing style.

Maria-Kate Dowling  
General Counsel

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*NLRB*, 849 F.3d 1137 (D.C. Cir. 2017) to determine whether G2 and its employees were subject to the RLA.