



NATIONAL MEDIATION BOARD

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

53 NMB No. 23
April 23, 2026

The Honorable Crystal Stowe Carey
General Counsel
National Labor Relations Board
Division of Operations- Management
1015 Half Street, SE
Washington, DC 20570

Re: NMB File No. CJ-7244
NLRB Case No. 20-CA-333369
PJ Helicopters, Inc.

Dear Ms. Carey:

This responds to your January 29, 2026 request for the National Mediation Board's (NMB or Board) opinion regarding whether PJ Helicopters, Inc. (PJ Helicopters) is subject to the Railway Labor Act (RLA or Act), 45 U.S.C. § 151, *et seq.* As discussed below, the NMB finds that PJ Helicopters is an air carrier under the RLA.

On January 9, 2024, Region 20 of the National Labor Relations Board (NLRB) brought a charge against PJ Helicopters on behalf of Michael Driesen (Charging Party) alleging a violation of Section 8(a)(3) of the National Labor Relations Act. During the NLRB's investigation, PJ Helicopters raised the issue of jurisdiction and asked the NLRB to dismiss the charge.

On March 23, 2026, the Charging Party submitted a position statement to the NMB. He argued that PJ Helicopters is not a common carrier because it provides "specialized, industry-specific air services that are circumscribed by contract, and not in any way available to the public." On March 24, 2026, PJ Helicopters submitted a position statement, arguing that it is a common carrier by air under the RLA because it holds out its transportation services for hire to

customers nationwide. The NMB's opinion is based on the request and the submissions to the NMB.

FACTS

PJ Helicopters is based in Red Bluff, California and provides specialized helicopter services nationwide. It has a fleet of over 50 aircraft and provides services in a variety of industries including utilities, construction, law enforcement, forestry, and agriculture. Other services include firefighting support and aerial washing of powerlines. One of its specialized services, offered in connection with remote and utility work, is transporting personnel and equipment to job sites that are difficult to access via ground transportation. Promotional materials reference projects in Montana, New Mexico, Arizona, and other states.

PJ Helicopters holds air carrier certifications under the Federal Aviation Act Parts 133, 135, and 137. The Federal Aviation Administration (FAA) has approved PJ Helicopters to operate in the United States, Canada, and Mexico. In recent years, it has operated helicopters in at least 18 states. In 2025, 408 of its 5,132 flights were across state lines. PJ Helicopters also provides maintenance and ground support with a team of over 100 FAA-certified mechanics.

In addition, the company provides charter services under the name PJ Air. PJ Helicopters is listed on AirCharter Guide, a platform for the public air charter market. It also markets itself through its own website, social media, and other online advertising. The website invites potential customers to request estimates and inquire about services. The specific page for PJ Air references providing air charter services in Northern California and surrounding states. The page provides a link to contact the company for a discount on the first flight. Customer testimonials describe both business and personal travel.

The Charging Party was employed as a Utility/Patrol Pilot, supporting utility patrols and powerline construction.

DISCUSSION

PJ Helicopters is a common carrier by air under the RLA. Section 201 of the statute provides:

All of the provisions of subchapter I of this chapter except section 153 of this title are extended to and shall cover every common carrier by air engaged in interstate or foreign commerce, and every carrier by air transporting mail for or under contract with the United States Government, and every air pilot or other person who performs any work as an employee or subordinate

official of such carrier or carriers, subject to its or their continuing authority to supervise and direct the manner of rendition of his service.

45 U.S.C. § 181.

The Charging Party's argument against RLA jurisdiction is essentially that the utility and related services provided by PJ Helicopters are not of the type that establishes common carrier status. The Board has on multiple occasions exercised jurisdiction over helicopter companies performing services similar to those offered by PJ Helicopters, not only those performing air taxi services. For example, in *Mountain Air Helicopters*, 39 NMB 512 (2012), the Board asserted jurisdiction over a company—Mountain Air Helicopters—that provided helicopter utility services, firefighting, film and video shoots, charter services, and wildlife services. The majority of Mountain Air Helicopter's flight operations involved powerline and infrastructure work and the Board rejected the carrier's argument that it was not a common carrier because only a small percentage of its operations involved carrying passengers. *Id.*

In *Evergreen Helicopters*, 8 NMB 505, 506 (1981), the Board found Evergreen Helicopters—a helicopter service that ferried crews and equipment for oil companies, provided air spraying and seeding for logging companies, and emergency medical ambulance service—subject to the RLA because it engaged in common carriage by air. Later, in *Air Logistics*, 10 NMB 477 (1983), the Board asserted jurisdiction over Air Logistics, a company that transported oil-company personnel and equipment to offshore rigs using helicopters and fixed wing aircraft. The Board noted that “[a]lthough the services performed by Air Logistics are of a specialized nature, they are available to any company or individual.” *Id.* at 479.

Longstanding Board precedent supports a finding that PJ Helicopters is a common carrier by air. Although the majority of its offerings are specialized and do not involve traditional passenger transportation, they do involve the transportation of crews, equipment, and services, such as law enforcement and surveillance. Like other helicopter companies over which the NMB has asserted jurisdiction, PJ Helicopters holds itself out to the public and has valid FAA operating certificates. Its services, which involve transporting equipment and crews for major utility projects, along with traditional charter travel for business and pleasure, are available for any individual or company willing and able to pay for them.

In its referral letter, the NLRB raised the issue of its jurisdiction over companies engaged solely in intrastate air transportation. Here, there is no dispute that PJ Helicopters offers its services, both traditional charter services and those related to major projects, across the country and its aircraft regularly cross state lines.

CONCLUSION

Based on the record in this case and the reasons discussed above, the NMB's opinion is that PJ Helicopters and its employees are subject to the RLA.

BY DIRECTION OF THE NATIONAL MEDIATION BOARD.

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

Maria-Kate Dowling
General Counsel