

## NMB Rulemaking Hearing, December 07, 2009

**M**y name is Janette Rook and I'm here today on behalf of myself as a worker and of the Northwest Association of Flight Attendants-CWA.

Madame Chairman Dougherty and Members Hoglander and Puchala; thank you for the opportunity to offer my comments in support of the proposed National Mediation Board rule change for union representation elections in the rail and airline industries. I would also like to express my appreciation for all the courageous Delta flight attendants who traveled here today, as well to acknowledge our executive contract employees and their team of attorneys. However, I do wonder just how many billable hours my company is being charged to defeat the proposed rule change.

I have been a flight attendant for eleven years at Northwest Airlines, now for Delta Air Lines, and I also have the honor of serving Northwest Airlines flight attendants as Master Executive Council President, Association of Flight Attendants-CWA. After reviewing much of the rationale that supports this rule change, I strongly agree with the solid, logical reasons for the change given by Board members Hoglander and Puchala.

On behalf of tens of thousands of active and retired Northwest Airlines flight attendants, I respectfully request that the Board consider the high stakes and risk that we would be subject to if current voting procedures are applied to our upcoming election at Delta Air Lines. Thousands of workers and retirees risk losing the basic rights and protections that we have sacrificed and fought for over decades. This merger represents an extraordinary challenge for us - after over sixty years as a legally recognized partner in our airline's merger history, we are now confronted with the very real possibility of losing our contract, our union and our collective bargaining rights in a merger designed solely by Delta Air Lines executives.

2009 marks the 62nd anniversary of collective bargaining rights for Northwest Airlines Flight Attendants. On September 19th, 1947, Northwest Airlines and the Air Line Stewards and Stewardesses Association (the predecessor to AFA) signed our first legally binding contract - a tradition that has endured for over half a century. Many provisions contained in that first contract have survived through decades in an often volatile airline industry.

While it's true a majority of flight attendants have managed to join unions over the past 75 years under the onerous and atypical voting rules of the NMB, there are some very good reasons why we had to surmount all obstacles to attain our right to a legal contract. We are exempt from many of the rights and protections provided by American labor laws, with most of the oversight for cabin crew provided by the Federal Aviation Administration (FAA) and a limited number of Federal Air Regulations (FARs). For example; flight attendants do not enjoy the full rights provided by the 1938 Fair Labor Standards Act (FLSA), we have very limited to no coverage under the Occupational Safety and Health Administration (OSHA), and since its inception we have been denied the access that all other full time American workers have enjoyed under the Family Medical Leave Act.



NWA-AFA MEC President Janette Rook

Flight attendants still lack many of the basic worker protections provided to most Americans under federal laws, and that makes a union contract a necessity. Due to a lot of hard work, guts, and sacrifice, Northwest flight attendants have filled those gaps in labor laws for flight attendants through collective bargaining and unionism. Our collective bargaining agreements have done what labor laws have not for our profession - they have created decent standards for flight attendant pay, rest, work rules, and provided job security. The progress we achieved together has helped us make a short-term job into a career.

Speaking to you today, 62 years after Northwest Airlines flight attendants first gained a seat at the negotiations table; I feel the weight of responsibility for the future of our career. As flight attendants at the world's largest airline, we will set the standard for our industry. As part of an unbroken line of unionists at Northwest Airlines, we recognize a solemn commitment to uphold the achievements made by thousands of flight attendants who have come before us, and to honor our promises to them in retirement.

Our merger with Delta Air Lines brings exciting opportunities, but we risk losing what we often considered inalienable rights - our legal contract and legal voice at work. With so much hanging in the balance in a single vote, we deserve the fairest voting method possible for that momentous occasion.

On the matter of board neutrality, I would like to state for the record that in 2008 the Board has hardly exercised its authority in a fair and impartial, or neutral, fashion. Delta Air Lines management illegally interfered in its employees' right to form a union with AFA. More than 100 charges of interference were submitted by flight attendants, but the majority of the Board not only dismissed those charges, but even voted 2 to 1 to refuse to even investigate the charges. This episode alone refutes any claim of historic Board neutrality.

I would ask that those who assert this historical neutrality tell the thousands of Delta flight attendants how fair this Board has been, flight attendants who wanted AFA to represent them. Workers who not once, but twice have seen the Board's lack of neutrality - a Board that too many times has failed to carry out its duties in a fair and impartial manner.

As worker's rights activist Mother Jones once said, "Injustice boils in men's hearts as does steel in its cauldron, ready to pour forth, white hot, in the fullness of time". Now is that time and I proudly stand with air and rail workers across the country to request this change in the outmoded NMB voting rules, which would right an injustice that has simply been endured by workers in our industries for a great many years. At Delta Air Lines, we have high hopes that our election will be at the forefront of a progressive step forward for the working men and women in our country.

I applaud the Board's proposal to amend its rules to make voting for representation in the transportation industry more democratic, with the majority of those voting deciding the outcome. I thank you for taking up this important matter, and for the chance to share my comments.

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