

Sara Nelson
Transcription of Testimony to the National Mediation Board
March 28, 2019

Summary Position:

“There is no legal authority for this NMB proposal to create a more “direct” decertification process and no groundswell of support among airline employees for a new decertification procedure. Airline employees understand the critical importance of having a contract. There is absolutely no interest expressed by workers to decertify and give up their union contract.

“This is about Wall Street’s relentless pressure on airline management to reduce costs in order to shift more profits to speculators. The proposal is coming from ideologues who fantasize about weakening labor in the most unionized industry in America. Airline unions have negotiated and fought for good middle-class jobs with benefits. This new decertification process, if imposed, will put pressure on airline management to illegally interfere or promote a decertification process and create massive labor unrest in the airline industry. This is an absurd waste of time and resources across the board.”

Good morning Chairman Fortson, Board Members, Puchala and Fauth. Thank you for the opportunity to testify here today.

My name is Sara Nelson, I’m the President of the Association of Flight Attendants-CWA, representing 50,000 Flight Attendants at 20 airlines.

I am also a twenty-three year United Airlines Flight Attendant from the rank and file, and with me here today is also an American Airlines Flight Attendant Allie Malis who is an American Airlines Flight Attendant and representative from the Association of Professional Flight Attendants. We are the workers this proposed rule change is supposed to be for and we do not support it.

Our written testimony from AFA provides our clear position that this rule change is counter to the mission and historical mandate of the Board. We believe the Board really doesn’t have the authority to make this change either. I won’t simply restate our written position while here with you today.

Let me speak plainly here, and from the heart as a worker. I can’t help but note where we are today. At the Pension Benefit Guarantee Corporation, where the United Airlines Pension Plans sit after they were terminated fourteen years ago. When 100,000 workers and retirees had their pension plans on the line, we didn’t hear a word from the Right to Work Legal Defense Fund. We didn’t hear any concern for the employees who were losing that certainty in their retirement security, the pensions they had earned. (In contradiction to their feigned concern for employees expressed here today.) We take an issue with those who are pressing an ideological anti-union animus here. We find it frankly pretty outrageous and offensive that this proposed rule is being championed by an outsider’s agenda to portray labor/management relations as adversarial in the airline and railroad industries. That’s simply false. The Railway Labor Act was built on historical labor/management cooperation and in a bipartisan fashion in Congress. And it

has been through collaboration that we've built the safest transportation system in the world.

We have championed as unions, the public good and safety and health in air travel. Most recently, we were unanimous with the entire industry in standing together to stop the government shutdown. And now, unanimous in our work to promote legislation that will stop a shutdown from ever happening again or ever affecting the government functions that are so necessary for us to continue the safest transportation system in the world.

Unions are good for the public. Our union, in coordination with other Flight Attendant Unions, ended smoking on planes. We are addressing sexual harassment in the work place, and we have fought to end discrimination and provide opportunities for both men and women. Our pilots are among the best trained in the world, as we've come to see the importance of that in recent days, and that has been by the promotion of the pilot unions, in demanding those standards.

We are working in collaboration to fight for a level playing field in open skies agreements and other trade deals, to insure that the American workers and American companies can compete with everyone around the world.

Non-union groups also benefit from our unions, as many of the work rules that are formed at those non-union carriers really mirror the union contracts, because unions negotiate what works at the airlines, and for the workers that we represent in our chosen careers. And our unions have also provided an incredible training ground for some of the most effective mediators at this agency.

Now, as AFA President, I literally meet with and talk with thousands of workers in the airline industry, both workers represented by unions and those who are not. For those union workers I meet and hear from I get the same refrain, "I appreciate having a contract that guarantees me good wages and benefits and I want my union to be even more aggressive in representing us."

From non-union workers I hear a burning desire for union representation, for due process at work, for a contract that forces management to keep its promises and provide the middle-class life that is disappearing from America as unions have been steadily under attack by those who seek to profit from isolating workers from the rights they have with a union. I have never once been told by an airline worker, nor in the elections that we have been involved in, that they want a more direct decertification process. For anyone to believe that is true, is engaging in wishful thinking based on a desire to see unions disappear, and to not see the very good that unions do in this country. And despite terrorist attacks, bankruptcies, and economic down turns, the airline industry continues to provide good jobs and benefits and a middle class life to millions of workers and their families, precisely because the unions were there protecting our members' interests throughout the worst of times.

In an age of soaring inequality, where millions of young millennial workers are forced to take low-paying jobs with no health insurance, paid vacation or pensions, the unionized airline industry acts as a wall against this ongoing economic attack on working Americans.

This proposed rule will embolden an employer to inject itself into the decertification process. That the Board's rule purports to protect employees from carrier election interference is cold comfort to unions like AFA, who have watched as employers repeatedly interfere during the election period while the Board refuses to investigate until after the election is over and the damage then is too great to undo. I speak of a Board practice which has applied until recently where the *employer* claims have called for an election interference investigation.

The fear of employer interference is not mere speculation or fear mongering. Airline management have privately told me on many occasions that despite record profits in recent years, Wall Street is relentless in its pressure on CEOs to take on their unions, to "just get rid of them." Even those companies with decades-long collective bargaining relationships are under intense pressure to reduce costs and increase shareholder value by cutting wages and benefits. They want more going to stock buy backs, and less to the employees. And that's not a recipe for insuring labor stability in rail and air industries. As we are seeing across the country, when workers are stretched to the limit, they will strike back.

A two year bar undermines the Railway Labor Act's fundamental guarantee of providing employees with the right to select their own bargaining representative by erecting a new barrier to representation for the additional two years. This is simply not going to create the collaborative environment that maintains labor peace, the environment that continues to promote interstate commerce.

I'd like to note who is not here today, there is no airline or railroad management with any significant contribution to interstate commerce who is here today in support of this rule change. That is because they know the value of having this collaborative relationship and they also know that it is necessary that the unions are there to put a check on their boards and on Wall Street that continue the pressure to try to force them to impose unrealistic wages, benefits and work rules on the employees at the airlines. Unrealistic and dare we say, unsafe conditions, at these airlines.

For these reasons, we encourage the board to dismiss this proposed rule change and we will be happy to work with you on any additional questions you may have.