

November 4, 2010

Dear Colleagues,

On November 3, 2010, nearly a 51% majority of participating Delta flight attendants (48% of eligible voters) chose no union representation. On November 4, 2010, [the NMB formally decertified](#) AFA-CWA as bargaining representative for the pre-merger Northwest flight attendants. We all did our very best to level the playing field by obtaining a more democratic ballot. **However, the company ran one of the largest, most aggressive, well-funded union-busting campaigns in U.S. history.** For the official results click [HERE](#). With a 94% turnout of eligible voters, 9216 favored union representation, while 9,544 voted against. In this razor thin margin, just 165 "no" votes differently cast would have retained our representation rights.

### **WHAT HAPPENS NOW?**

Delta management has stated they will abide by the pay, benefits and work rules in our contract while interference charges are being resolved. Therefore, please know and carry your contract. *Your former union officers and committee members will be flying alongside you. However, there is no contract enforcement mechanism at this time.* AFA-CWA continues to work on interference reports, advocating for us on the legal front from its offices in Washington, DC.

### **WILL AFA FILE INTERFERENCE CHARGES?**

Yes. The vast majority of the feedback from pre-merger Northwest flight attendants leaves no choice but to file interference charges. Our group overwhelmingly desired a legal contract and to preserve collective bargaining rights. We will leave no stone unturned toward that goal. This election has seen an inordinate amount of union-busting material, most of it packaged as "reminders" or "fact." Interference reports have already been filed with the NMB, and additional allegations of Delta's interference will be submitted within 7 business days. ***If during this election you witnessed questionable actions by management that could be considered interference, please fill out an interference report and submit it [HERE](#).***

*. . . Delta's communications with its flight attendants is designed as "pure and simple pressure to interfere with their choice of [AFA]" as their bargaining representative. Allegheny, 4 NMB at 14. As a result, "the overall effect of [Delta's anti-AFA campaign is] sufficient to overwhelm the [flight attendants] ability to choose a representative freely." US Airways, 24 NMB at 391 (AFA INTERFERENCE FILING WITH NMB)*

### **WHAT IF THE NMB FINDS THAT DELTA INTERFERED?**

If the NMB finds that Delta interfered in our election, what happens? Election-specific circumstances give the NMB wide latitude to determine a remedy, in addition to the following potential outcomes found in past practice:

1. A re-run election is ordered using the same method used in the initial election.
2. A re-run election is ordered using what has been called a "key" ballot. In this type of election, all eligible voters start out as "yes" votes and flight attendants must cast a vote against representation or be counted as a "yes" vote. This is essentially the reverse of previous NMB voting rules whereby all votes defaulted to "no" unless a "yes" vote was cast.
3. If the NMB finds that actions by Delta management tainted laboratory conditions in such a manner that employee free choice could not be ensured, the NMB could grant the union a limited time period to collect authorization cards. If 50% +1 of the flight attendants signed cards supporting a union, the collective bargaining group would be certified.

Thank you for all you have done to help protect and strengthen our futures by preserving our collective bargaining rights. Please visit [www.nwaafa.org](http://www.nwaafa.org) for updates as the interference investigation proceeds.

In Unwavering Unity,

Janette Rook