



# IMPACT

Informed Membership Participation & Activism Communications Team



Dear IMPACT Leaders:

This past week we attempted to reach you all by phone to discuss the importance of the ongoing Delta/AFA representational election and how it will affect us in the merger. Please look at the task we describe below and talk with your fellow flight attendants – at least TEN (10) in the next week. Begin calling your IMPACT team today, e-mail the news to a friend and talk to your flying partners to explain why the outcome of the Delta vote is important to us.

Here are some pertinent facts for you to talk about:

- First, we want to make sure everyone understands that the Delta election is our first line of defense here at Northwest in the event of a merger. Delta flight attendants need a voice and a contract too, and we support them in that effort; but we also support them because *our own* rights will be lost in the merger unless we keep our union representation for the whole group. If we are all in AFA we can work together and negotiate with the new, merged airline.
- If we don't win this election at Delta, we face a new hurdle. We would keep our union and our contract here at Northwest for now, but there would be a second election at the time the operation merges with Delta. In that second election if less than a majority of the *combined* workforce cast a ballot we would then immediately lose our representation rights, our contract and our legal voice.
- And, just to take one example of how this might affect us, consider outsourcing. If we have no union at the merged airline, those same executives who have previously tried to outsource 75% of our international flying to low-cost foreign workers all over the world would finally have a free hand to do just that for the combined airline.

We want the NWA flight attendants to know how aggressive Delta has been in opposing their flight attendants' lawful right to vote for AFA. The Railway Labor Act guarantees that management must not interfere with or intimidate the voters but they have already sent out massive amounts of materials, even a DVD to everyone's home, attacking AFA and telling their flight attendants not to vote. They are trying to suppress the vote so less than a majority casts a ballot and the flight attendants will stay non-union. They will treat us the same way unless we keep our union.

*We want you to do three things with the members you contact:*

1. Make sure they are wearing the AFA pin
2. Make sure they know how to go to the website and sign the petition to Richard Anderson demanding neutrality in the Delta election
  - Go to the MEC website [www.nwaafa.org](http://www.nwaafa.org)
  - Click on [DAL/NWA Flight Attendant Petition](#) in the right hand “MEC Links” column
  - Sign the petition
3. Talk to them about the points made above and ask if they would like to volunteer with the Delta Get-Out-The-Vote Campaign

If you get a volunteer please get their phone number and relay it to Steve Schembs at [gotv@deltaafa.org](mailto:gotv@deltaafa.org), so the campaign can contact them to follow up. Please keep some notes about how your conversations go and send your input to [IMPACT@nwaafa.org](mailto:IMPACT@nwaafa.org).

Thank you for being one of our IMPACT Leaders, we appreciate your activism!

In Solidarity,

Member Engagement Committee  
Association of Flight Attendants — CWA  
Northwest Master Executive Council  
[IMPACT@nwaafa.org](mailto:IMPACT@nwaafa.org)  
866-795-4AFA (4232) Press Option 4



## MERGER: Questions and Answers

*The following questions and answers regarding mergers have been researched by AFA-CWA attorneys. As additional information is gathered, it will be reported in hotline messages, on Union bulletin boards, and on Local and MEC websites. Archived Q&As are listed on the "Email Communications" page of our website, [nwaafa.org](http://nwaafa.org). Send new questions to [questions@nwaafa.org](mailto:questions@nwaafa.org) to be addressed in the weekly merger hotline. The following are in reverse order, presenting the most recent member questions at the top of the list.*

**Question:** There are rumors out there that we would have to reapply for our jobs with Delta, since this is what happened to the Pan Am flight attendants when Delta acquired them. Is this true?

**Answer:** There has been no indication that Delta has any plans to force Northwest flight attendants to re-apply for their jobs with Delta. The Pan Am deal was different in that Delta was only acquiring a small part of the former Pan Am operation. Here, Delta executives have stated publicly that they plan to merge the two operations, and have stated that they anticipate no involuntary layoffs for frontline employees. Having said that, if we lose the representation vote that's taking place now at Delta, then lose the second vote that will take place if Delta flight attendants are still non-union when the merger is completed, we will immediately lose union representation: there will be no union and no contract to enforce.

**Question:** Is it true that Delta is interfering with the representation campaign and preventing AFA-CWA activists from speaking directly to other flight attendants at bases?

**Answer:** Voting in the Delta flight attendants' representation election began April 23<sup>rd</sup> and, as expected, Delta management is continuing its years-long battle to prevent its employees from attaining power at the bargaining table.

Reports have come in from around the Delta system citing subtle and not-so-subtle intimidation of flight attendant activists by Delta managers. From Boston to Los Angeles, AFA-CWA supporters at Delta have been harassed and threatened by Inflight management for attempting to answer election questions for colleagues, or for distributing information to others interested in union representation.

While this is no surprise to those of us who have any experience with the anti-union tactics at Delta, many Northwest flight attendants can't imagine this kind of blatant violation of our right to organize. In fact, if management at Northwest were to attempt such intimidation against us for participating in our union, we have a contractual right to representation in our defense.

The Railway Labor Act (RLA) states, "No carrier, its officers, or agents shall deny or in any way question the right of its employees to join, organize, or assist in organizing the labor organization of their choice, and it shall be unlawful for any carrier to interfere in any way with the organization of its employees..." Twenty-six members of the U.S. Senate sent a letter to both Richard Anderson and Doug Steenland in anticipation of the Delta vote, urging neutrality in this election. Your union leaders at Northwest AFA-CWA and the Delta AFA-CWA Organizing Committee sent a similar letter to Anderson two days after the merger announcement. You can add your name to this letter by going to

the MEC website [www.nwaafa.org](http://www.nwaafa.org). Click on [DAL/NWA Flight Attendant Petition](#) in the right hand MEC Links column and sign the petition.

**Question: Depending on who's doing the talking, this deal with Delta is either a "merger" or an "acquisition." Does it matter which term is used, as far as our scope language and seniority protections are concerned?**

**Answer:** This deal is a merger. The words "merger" and "acquisition" can certainly evoke different reactions. One sounds more like a partnership, a marriage of equals, while the other seems to imply control, something dominated or owned. While our emotional reactions to these words are very real – especially when details of the proposed transaction remain guarded – no matter what management or the media call this deal, the reality is that job security, seniority rights and scope protections in Section 1 of our contract remain unaffected by semantics.

We have some of the strongest scope and successor language in the industry, the culmination of years of collective bargaining with union representatives determined to protect us in exactly a moment like this in airline history. Northwest management has always fought to dilute the protections we've gained in Section 1. Even in bankruptcy, though, we knew that allowing the Company to chip away at this language would only subject us to an uncertain future in a world of consolidation.

Our seniority protections in Section 1.E. (Labor Protective Provisions, or LPPs) are augmented by legislation in this year's Omnibus appropriations bill which created a minimum standard of "fair and equitable" seniority integration in a merger. Even more important than that federal authority is the Seniority Merger Policy and Procedures in Section X of our AFA-CWA Constitution and Bylaws, which guarantees that when two AFA-CWA-represented carriers engage in any consolidation transaction, the full, current seniority of each flight attendant shall be protected.

Our contract, the new federal law and the AFA Constitution and Bylaws have all been drafted very broadly so that the protections apply whether the transaction is labeled a "merger," or an "acquisition," or something else. As a practical matter, we still have the same protections regardless of what the airline executives call this deal.

We realize that none of these practical protections will eliminate our natural reaction to the words "merger" and "acquisition". Our emotional connection to our history as Northwest flight attendants and our perceived loss of that identity in the near future may cause many of us real anxiety. In the coming days and weeks, our EAP representatives will be providing helpful information and support as we begin this phase of our careers together with our peers at Delta.

**Question: If Delta votes in AFA, how soon can we start negotiating a new contract?**

**Answer:** Immediately. As described above, if AFA-CWA wins the Delta election we would start negotiations for a contract covering the combined flight attendant workforce. We'll be seeking improvements in pay and workrules and will take advantage of the merger to renegotiate our contract. But, first things first: we won't have an opportunity to negotiate unless we help the Delta flight attendants win their representation election, or, if necessary, we win an election for the combined workforce when the merger goes forward. The sooner we get to the bargaining table the better; we want to get an early start on our negotiations, so we need to make sure AFA-CWA wins representation rights for the combined group.

**Question: After the merger with Delta Air Lines, are we still bound to the pay concessions sanctioned by the U.S. Bankruptcy Courts until 2011?**

**Answer:** Management has indicated that if the merger with Delta goes forward we will remain entirely separate workforces for a significant period of time while the details are put in place. If the Delta flight attendants win their union representation election in the meantime (the vote count will begin at **1400 EDT May 28**) we can then immediately start to negotiate for improvements in one combined contract.

If Delta flight attendants lose their representation election, there will be another election for the combined Delta/Northwest workgroup when the National Mediation Board (NMB) determines that the merger has taken effect and created a "single transportation system." That NMB determination is unlikely to occur until early 2009, the current expectation for combining operations according to NW/DL executives. If we win that second election, we would immediately begin to negotiate for improvements in one combined contract.

If we lose both elections, we will lose our union representation and our contract, and it will be up to Delta management to decide our pay and workrules. With no contract to follow and no collective bargaining rights, bankruptcy era concessions could stay in place well beyond 2011, and we would have no legal right to negotiate improvements.

***The first line of defense in protecting our contract and our bargaining rights is to eliminate the risk of losing our union at Northwest.*** It is in our best interest to organize Delta flight attendants to preserve our 60-year history of union representation at NWA. Delta flight attendants deserve a seat at the table as well. Offer to help Delta flight attendants in their fight to win representation for the first time in Delta history. Volunteer at a Get-Out-The-Vote call center during the Delta AFA-CWA representation election — it's the easiest way to show our support, and winning this election is the best case scenario moving into this merger. Contact flight attendant activists for more information at: [GOTV@deltaaafa.org](mailto:GOTV@deltaaafa.org). Call centers opened on April 23 in ATL, CVG, DCA, DFW, FLL, LAX, NYC, PDX and SLC.

**Question: I am a new hire, currently on probation. Will there be furloughs once Northwest merges with Delta?**

**Answer:** Neither executive team has indicated that furloughs are in the business plan. Northwest CEO Doug Steenland said in a press release that "every effort will be made to achieve [capacity reductions] through attrition." According to Delta CEO Richard Anderson, 'necessary reduction of approximately 1,300 positions' would be accomplished "through attrition, retirements, limited hiring and the introduction of...voluntary programs." These statements were made in the context of each airline operating separately, without any merger agreement. The buyout announced May 1<sup>st</sup> is clearly aimed at achieving some of the intended retirements.

What is certain is that provisions in our contract protect us in the event of a reduction in force (see Section 12 – Filling of Vacancies; and Section 14 – Reduction in Force and Recall). But without a union contract and a voice in negotiations, flight attendants at Delta will continue to hear comments like this from Delta's President and Chief Financial Officer Edward Bastian: **"...we are deferring any decision on 2008 pay increases until we better understand the outlook for our business.** We remain committed to moving toward industry standard pay over time; however, it is important that we proceed cautiously in the current economic and fuel climate." Delta's "policy manual" is subject to the winds of economic change and whim of senior executives. At Northwest, any change to our ratified

contract, in the form of workrules, pay or benefits, must be negotiated. We have a contract with an amendable date that cannot be unilaterally altered.

Delta flight attendants deserve a seat at the table and the protections of a union contract as members of the Association of Flight Attendants-CWA. Offer to help at a Get-Out-The-Vote call center during the Delta AFA representation election – it's the easiest way to show our support. Contact flight attendant activists for more information at: [GOTV@deltaafa.org](mailto:GOTV@deltaafa.org) . Call centers open on April 23 in ATL, CVG, DCA, DFW, FLL, LAX, NYC, PDX and SLC.

### **Question: When will the Delta Flight Attendants vote for the AFA-CWA?**

**Answer:** The National Mediation Board (NMB is now conducting the representational election at Delta allowing Flight Attendants to vote for the AFA-CWA. The schedule is as follows:

April 23, 2008 - Voting material mailed to all eligible Delta FAs

April 23, 2008 - Phone and internet voting will be open

June 3, 2008 - Voting results will be announced at 2:00pm ET

To read the NMB's notice, see <http://www.deltaafa.org/>

### **Question: Is the NW pension plan underfunded or has NWA met its obligations to the pension fund? Which is accurate?**

**Answer:** The NWA pension plan is significantly underfunded, as is the Delta Plan.

Significant underfunding has been a characteristic of airline plans generally for the past 5 to 7 years.

A significantly underfunded status is a prerequisite for the special airline funding provisions of the Pension Protection Act of 2006. These provisions were enacted precisely to help these seriously underfunded plans.

The extended funding provisions allow the plans that elect to have 17 years rather than 7 years to bring the plans up to an appropriate level of funding.

There are specific formulas to determine the required levels of funding at certain times. Actuaries do this kind of calculation and certify what the plan's funding level, and therefore compliance with the PPA, is at required times.

Underfunding, in a generic kind of way, is a determination that the assets in the plan are insufficient to meet all the liabilities (all the accrued benefits under the plan) under certain assumed asset valuations, interest rates on earnings in the future, and other factors.

These are very complicated calculations and generally are done with extremely conservative rates and assumptions. This is not to say, though, that serious underfunding is not a great concern. Remember also that the plan liabilities include all accrued benefits that need to be paid out over the next 40 or more years so it is not a "today" kind of cash flow problem. There are still billions of dollars in these plans and paying current benefits is not an issue.

But, yes, the NWA plan is seriously underfunded.

The second piece you include is simply a statement that the company presently is meeting the current funding obligations required under the airline extended funding provisions of the PPA.

So, I guess the answer is that both statements are correct – they are just saying different things.

**Question: What will happen to our 401K plan loans once we merge with Delta?**

**Answer:** Under a merger loans will in all likelihood be continued either by the NWA plan or transferred to the Delta plan.

There are choices about how the 401(k) plan would be treated in a merger and some choices will be smoother for plan participants than others.

In all events, individual accounts balances will be maintained.

There is not an absolute requirement on plan sponsors to continue both plans or to maintain loans from both plans but it is highly unlikely that Delta would not accept NWA plan loans.

**Question: What will happen to our sick hours in a merger?**

**Answer:** It all depends on whether we keep our union and our contract after a merger. If the Delta flight attendants vote for the union, or if the combined Delta-Northwest flight attendant workforce votes for the union, then our contract will remain in place until we negotiate a new contract covering the combined workforce. During those negotiations our separate sick leave systems would remain in place, and we would, of course, fight to include, protect and improve upon our sick bank and other workrules.

If the Delta flight attendants don't join the union, or we don't vote for the union for the combined workforce at the time of the merger, then we will have no contract and no union. Delta executives would be likely to put all Northwest flight attendants under Delta workrules that are less costly than ours. When it comes to sick leave, that means the Delta system - with its limited hours and miniscule carryover from year to year.

If we lose our union, we lose our contract including our sick leave.

**Question: Has anything been discussed regarding changes in retiree pass privileges after the merger takes place?**

**Answer:** There have not been any discussions with management about issues like this yet. As we've said before, management has refused to include us and many other unions so far, because we do not represent both Northwest and Delta employees. ALPA has been negotiating with management because it represents both Northwest and Delta pilots. If there is a merger, passes will be a topic for discussion, but we'll only have the opportunity to negotiate if the Delta flight attendants vote for our union, or if we all vote to keep AFA-CWA for the combined workforce at the time of a merger. Without a union to fight for things like this, Delta management would be free to do as they wish with pass privileges.

**Question: What will really happen to my defined benefit pension plan after the merger?**

**Answer:** (AFA-CWA Senior Benefits Attorney Mary Lou Savage attended the February 22 MSP Council 95 Town Hall meeting where many pension questions like this were raised. Her answer to this pension question and related issues follows.)

The Employee Retirement Income Security Act of 1974 (ERISA), a federal statute, protects pension benefits once the benefit is "accrued" under the terms of the plan. All Northwest flight attendants who have an accrued benefit under the Defined Benefit Pension Plan (DB Plan) will be paid that benefit by

Northwest Airlines, its successor in interest in the case of a merger, or the Pension Benefit Guarantee Corporation (PBGC) in the event the DB Plan is ever terminated and its administration turned over to the PBGC.

The last event is highly unlikely to occur outside of another bankruptcy. And, even if it were to happen, your pension benefit is protected and will be paid to you by the PBGC. Payments of the pension benefit by the PBGC are limited only by the guarantee limits on monthly payments mandated by ERISA. The benefit payments under the DB Plan are unlikely to be affected by the guarantee limits so you will be paid your full pension benefit by the PBGC in the highly unlikely event the DB Plan has a distress termination at any time in the future.

In the event of a merger or acquisition, another bankruptcy, or the loss of union representation, each flight attendant's accrued benefit remains as it was on the date the DB Plan was frozen. Under the DB Plan, the benefit is accrued at the rate of \$65.00 per year of service up to the pension freeze date of September 30, 2006. To review your pension benefit, log into RADAR under Pay & Benefits.

The Delta flight attendants pension plan is frozen, too, and no longer accruing benefits. Even if there's a merger we won't suddenly be put under their plan, nor will benefits under our NWA Plan be subjected to limits and restrictions the Delta flight attendants have in their plan, like their Social Security offset. Our Plan is separate from theirs and will remain so, by law. While those frozen benefits won't change, once we merge with the Delta flight attendants, we may share future retirement benefits. If we're union members when that happens we'll have the opportunity to negotiate those benefits. If we're non-union, Delta executives will decide what those benefits should be.

**Question: How long will it take to completely merge the two companies once an agreement is reached and how long could antitrust and other lawsuits prevent Northwest and Delta from merging?**

**Answer:** The merger process isn't over when there's a handshake and an agreement in principle. Now that a deal is announced, federal regulatory approval, including anti-trust clearance, is likely to take six to nine months. Assuming the deal is approved by the government, the actual operational merger of the two airlines could take much longer: a year, two years, even more.

In a merger scenario, AFA-CWA normally negotiates a transition agreement to account for how the flight attendant operation will be run during the period between the approval of the merger and the eventual operational integration. This helps to smooth out that process, and it gives the negotiators time to grapple with the difficult issues involved in negotiating a single contract covering the entire combined workforce. Under our AFA-CWA Constitution and Bylaws we also work through the seniority integration process during this transition, but we do not provide the merged seniority list to management for implementation until agreement is reached on the whole contract. That prevents management from forcing us to operate under terms that were not negotiated, and it gives executives an incentive to negotiate those terms with us so they can get on with integrating operations.

**Question: Is it true ALPA is already working behind the scenes on a combined contract and seniority integration? What does that mean for us? Will we have the same opportunity if Delta votes in AFA?**

**Answer:** The current status is that Delta management has a deal with the Delta pilots and the pilots are ratifying it now. Delta management has said they are going to reopen talks with the NWA pilots. We will post any news we receive about these talks.

While we have met with NWA management, Delta management refuses to discuss merger issues with the Flight Attendants because Delta Flight Attendants have no union. Management is betting on Delta's ability to defeat the union in the current representation election (AFA filed an election request February 14 for the Delta Flight Attendants). If they defeat the Delta Flight Attendants in that first election, their plan is to defeat us again when there's a representation vote for the combined workforce if a merger takes place. Management is entirely focused on defeating the union and eliminating our contract so they won't have to negotiate with us like they are required to negotiate with ALPA. We should be just as focused, first on winning the Delta election and, if that doesn't work, then on winning when there's a representation vote for the combined workforce when the merger takes place. If we can't win one of those elections, management knows our representation rights and our contract will be lost.

**Question: What will happen to our 401(k) plan, stock, health insurance and life insurance?**

**Answer:** First, we would have to know the details of the specific merger transaction with Delta to be able to respond with specifics. Our existing 401(k) funds would not be jeopardized. The two potential scenarios are that either our NWA 401(k) would continue as a separate plan or, if we were to go over to Delta's 401(k), for example, our funds could be rolled over into their plan. The terms of the two plans are different: our NWA plan has a higher employer direct contribution (between 3% and 6% based on the sum of the Flight Attendant's age and years of vesting service). At Delta, the company direct contribution is smaller at 2% for all plan participants, with a matching contribution of up to 5%. Of course, to take full advantage of the match, Delta flight attendants must contribute a larger percentage of their income.

Stock, health insurance, life insurance and other benefits granted pursuant to our collective bargaining agreement will hinge on our ability to retain our union and our contract. If we lose the Delta election, or the election for the combined Northwest and Delta Flight Attendant workforce, then our contract will be rendered null and void. Any benefits, like insurance, that exist only because of our contract, could be revoked by management if we end up without a union. This is just another reason why we need to be unified in fighting to retain our union and protect our contract so we will have the opportunity to negotiate better terms with the merged airline.

**Question: What's the pension situation at Delta; didn't they dump it on the PBGC?**

**Answer:** No, Delta did not terminate its DB Plan and turn it over to the PBGC. Delta converted its Flight Attendants' traditional defined benefit plan to a cash balance plan in 2003. Their plan was frozen in late 2005. The Delta plan does have federal benefit guarantee protections from the PBGC, just like our NWA plan.

Unlike the NWA DB plan, under the Delta Cash Balance Plan, there is an offset for Social Security benefits. This means that the benefit calculated and paid under the terms of the DB Plan are reduced according to a formula based on Social Security benefits received by a Plan participant. That offset persists even though the Plan is frozen, and it is now subject to litigation.

**Question: What happens to our frozen pension plan once we merge with Delta?**

**Answer:** Most likely, nothing will happen to the NWA Defined Benefit Pension Plan (the NWA DB Plan).

Outside of bankruptcy, the NWA DB Plan can only be terminated in one of two situations: First, any defined benefit plan can be terminated only when the plan is fully funded. (This is known as a standard termination.) But the NWA DB plan is significantly under-funded, so a standard termination

is not possible. Second, a distress termination is possible when the plan sponsor (a) proves that it will only be able to stay in business if the plan is terminated, or (b) shows that the costs of the plan “have become unreasonably burdensome . . . solely as a result of a decline of” the workforce covered by the plan, and (c) the federal government’s Pension Benefit Guaranty Corporation (PBGC) approves such termination. In the context of a merger, a distress termination is highly unlikely. If a plan is “terminated” it does not disappear; it’s turned over to the PBGC and the agency administers the plan going forward, guaranteeing the accrued benefits up to a limit. The vast majority of Flight Attendants fall within the limits so their accrued benefits would be protected.

Under the extended airline funding provisions of the Pension Protection Act of 2006 (PPA), which both Delta and NWA have elected for their DB Plans, we believe it likely that both plans will remain frozen at least until required levels of funding under the PPA are achieved.

**The following Questions and Answers were the first ones asked:**

**Question 1: In this merger with Delta, could we lose our Union representation and our contract?**

**Answer:** Yes, we could. Here are two possible scenarios:

**Scenario A: If Delta Flight Attendants enter a Northwest merger without union representation.**

If the Delta Flight Attendants are still non-union at the time of a merger, the National Mediation Board (NMB) will call a representation election for the entire combined group of flight attendants from the two airlines. This election is automatic if at least 35% of the combined Delta and Northwest Flight Attendant workforce either belongs to a union or has signed a union card. Assume first that Delta presently has about 13,000 Flight Attendants (thousands of whom have already signed AFA-CWA cards) and Northwest has about 8,000. So we would meet that 35% threshold ( $13,000 + 8,000 = 21,000 \times 35\% = 7,350$ ) either represented by or having signed a union authorization card.

In order to retain union representation and our collective bargaining rights, 50% + 1 of the combined workforce must cast a vote (or, using the approximate numbers above:  $21,000 \times 50\% = 10,500 + 1$ ). In this example, if fewer than 10,501 flight attendants from the combined workforce cast a vote, no union is certified the winner and we would immediately lose all union protections and our contract. Not casting a vote has the same effect as voting against union representation.

The ballot will have AFA-CWA listed by name, along with a line for a write-in vote for any other union the voter may wish to choose. If another union can demonstrate support with signed cards from at least 35% of the combined workforce, then that union(s) could have its name also printed on the ballot.

Again assuming there are 21,000 flight attendants in the combined workforce, as long as 10,501 participate in the union election, the union with the majority of the votes cast wins the representation. If no union gets a majority of the votes cast then there would be a runoff election between the top two union vote getters. In the runoff there is no requirement of a 50% + 1 turnout.

**Scenario B: If Delta Flight Attendants enter a Northwest merger with AFA-CWA as their Union.**

After Northwest merges with Delta, and DL Flight Attendants vote in AFA-CWA as their Union before the NMB declares the merged airline to be a “single transportation system,” then both groups are part

of AFA-CWA, and Union representation would continue. We would still have the protection of our current contract, until we negotiate a new one for the combined group.

### **Question 3: What will happen to our seniority?**

**Answer:** After intense pressure from AFA-CWA activists, new seniority merger protection language in the omnibus budget bill recently passed through Congress despite objections by airline lobbyists. This now provides a seniority “floor” in airline mergers, but not complete seniority protection. In a merger with a non-Union airline (for example, if Delta FAs do not vote for AFA in this election) then the law provides a process for “fair and equitable” seniority integration, up to arbitration by an outside arbitrator if the parties cannot agree on terms. This should prevent what happened to the TWA Flight Attendants when they were stapled to the bottom of the American seniority list, but it isn’t foolproof: US Airways pilots thought they would end up on top using an identical process, yet the arbitrator ultimately ruled against them and they lost seniority.

If the Flight Attendants at both of the merging carriers belong to AFA-CWA, then seniority will be integrated on the basis of the merger policy in the AFA-CWA Constitution and Bylaws, which supercedes federal legislation in such cases. Under AFA-CWA policy, everyone’s full current seniority (as defined in the C&B) at both carriers is protected, and the lists are merged together on that basis.

### **Question 4: Do we have to vote again?**

**Answer:** If the Delta Flight Attendants win AFA-CWA representation in this election, then there would be no need for the Northwest Flight Attendants to vote again. But if the Delta Flight Attendants are still non-union at the time of the merger, then there will be another vote to determine Union representation for the combined Flight Attendant workforce. As noted earlier in this Q & A, that election will be held under NMB rules.

Like previous representation elections, at least 50% + 1 of the combined Flight Attendant group must cast a vote, or the result would be no union and no contract. If less than a majority of the combined workforce casts a vote we would lose our contract—including our scope language and all Union representation—immediately. Management would then be free, for example, to outsource our flying, change our scheduling rules, cut our sick leave, or do anything else they wanted to do. That’s why it is so important that we all stand together and that everyone cast a vote for AFA-CWA representation if there is an election.

### **Question 5: Delta seems to have it much better than we do, so why do we need a Union?**

**Answer:** Delta does not have it better overall than we do. In fact, many of DL’s workrules are much worse than ours. Things we take for granted are unheard of at Delta, like having access to the seniority list to guard against seniority violations. And, things that we have fought for at Northwest are not part of the “policy manual” at Delta—sick time cannot be carried over into the following year. There are many other examples where their current workrules at Delta are worse than ours, but remember: the biggest difference is that there is no legally enforceable contract at Delta and management can and does change the pay, benefits and working conditions whenever it wishes. If Delta management decides to cut their pay, change their seniority or outsource international flying, they just do it because there’s no legally binding contract to prevent it.

Delta’s Flight Attendant unit costs are the lowest of the major legacy carriers, substantially lower than ours, overall. Ask yourself, if their costs are lower, what’s the first thing the controlling management group will try to do after a merger? If there’s no contract and no Union, management will cut our costs even more to bring us in line with Delta. Don’t fall for the management propaganda: yes, Delta’s hourly rates are higher than ours, but the full package doesn’t add up. Management would

love to have a free hand to outsource our jobs and impose conditions even worse than those forced upon us by the U.S. Bankruptcy Court. If you're not crazy about this concessionary contract, negotiated under the constraints of bankruptcy, imagine your life without any contract. It is important to understand that all of the recent improvements in pay and workrules at Delta were only implemented after their campaign to join AFA showed substantial momentum in early 2007. In other words, each and every one of their improvements were attempts by Delta executives to 'sweeten the pot' in order to lessen the likelihood that they would follow through with obtaining legal bargaining rights. So when we look at their current pay, we must ask ourselves what will happen if they lose their representation election and the threat of unionizing disappears. The last time they failed to join AFA (in 2002), management began slashing their pay within a matter of months. So, their current pay is not guaranteed to last beyond a potential election.

#### **Question 6: What is the Union doing for us, and how can we help?**

**Answer:** Your Union leaders have adopted a strategic action plan to secure our contract and our representation rights. AFA-CWA's professional negotiators and attorneys are working closely with our Northwest MEC leadership to monitor developments and prepare for a merger. We have already set the groundwork by establishing conditions for support of a merger, and we will be aggressive in pursuing an agenda that protects the rights of all Northwest Flight Attendants. The merger plans are undergoing review with respect to our scope language and appropriate steps will be taken to enforce our Union contract.

We also are working hard to organize the Delta Flight Attendants so there won't need to be another election for the combined group. If Delta Flight Attendants come into a merger as part of AFA-CWA already, we eliminate the risk of losing our contract and our Union representation. We are redoubling our efforts to mobilize Northwest Flight Attendants in support of organizing efforts at Delta as our best first line of defense. We are focused on retaining our contract and our representation rights, and preparing for negotiations in a post-merger environment.

#### **Question 7: No way do I want to lose our contract and our Union. How can I help?**

**Answer:** Get involved in your future! Volunteer to spread the facts about Union membership to our peers at Delta and within the ranks at Northwest: Contact your LEC officers today. If we all volunteer to grow our Union by bringing AFA-CWA to Delta Flight Attendants, we will help protect our contract, maintain our Union representation, and increase our strength at the bargaining table during the airline industry's profit surge in consolidation.

#### **Question 8: Why should I wear my Union pin?**

**Answer:** The AFA-CWA pin is the outward sign of support for our Union. Now, more than ever, we need to show our unity - to management, to each other and to the Delta Flight Attendants. Management monitors how many Flight Attendants are wearing a pin as a way to gauge how strongly we support the Union, whether in an organizing campaign or during ongoing negotiations. Wearing the pin is the easiest way of showing that we are unified and working together to protect our contract and our representation rights. If you don't have a Union pin, contact a Local Executive Council officer (information available on the "Contact" page of our website, [nwaafa.org](http://nwaafa.org).)

### **Question 9: How can I stay informed about what's happening in my Union?**

**Answer:** With so much at stake, it more important than ever to stay informed and stay involved. There is a lot of misinformation circulating from management and others. We will provide you the latest info and accurate facts as the process unfolds. Visit your Local and Master Executive Council websites, read what's posted on Union bulletin boards throughout the system, sign up for Union email (link here). And become active! Ask questions, get answers, and share your knowledge with other Flight Attendants. It is our Union, it is our future, it is our shared responsibility to protect it.

### **ASSOCIATION OF FLIGHT ATTENDANTS-CWA NORTHWEST AIRLINES MASTER EXECUTIVE COUNCIL STATEMENT OF POSITION REGARDING POSSIBLE MERGER INVOLVING NORTHWEST AIRLINES**

With the growing likelihood of a merger involving Northwest Airlines, the interests of the Northwest Flight Attendants are paramount in evaluating any proposed transaction. The Association of Flight Attendants-CWA at Northwest Airlines would support a merger as long as the merged entity maximizes our route structure, ensures our flight attendants' job security and provides substantial improvements to our work rules, compensation and quality of life.

To obtain the approval and support of the Northwest flight attendants any merger agreement must include:

- Job protections for Northwest Airlines flight attendants.
- Seniority integration of the two flight attendant groups given the full protection of the AFA Constitution and Bylaws and the law, as applicable.
- The Allegheny- Mohawk Labor Protective Provisions covering displaced workers and other matters not directly related to seniority.
- Stock or other equity in the new, merged company no less favorable than that granted to any other group including management.
- A labor agreement that provides substantial improvements in compensation and work rules to the current agreement.
- A route structure that has a sufficient network and market strength allowing for growth and profitability.
- Inclusion in any discussion of the effects of the proposed merger prior to the consummation of the definitive documentation of any merger transaction.
- Maintain a strong hub presence in the Twin Cities and continue to plan for future growth, securing our position as one of the largest employers in Minnesota.

In addition to the impact on our members, we are concerned about the transportation service delivered to the traveling public by the merged airline. As such, a merger agreement that addresses the needs of our front line employees will help to ensure a quality product and service that meets the needs of our customers.

For a merger to be accepted, it must include transparency and open communication. We propose that the process begin with an update from Northwest Airlines management on the status of merger developments that includes preliminary discussions addressing our issues.

Northwest Airlines Master Executive Council  
Association of Flight Attendants-CWA  
Adopted January 22, 2008



## Let's Start a Conversation, Northwest and Delta Flight Attendants Together...

Northwest flight attendants are excited by your opportunity to join AFA at Delta – we look forward to working with you!

We encourage you to vote for AFA representation so we can work together in AFA to maintain and expand the protections so important to all Delta and Northwest flight attendants. Here are just a few of the issues where we truly can be *Better Together*.

### 1. Job Protection that Prevents Outsourcing of International Flying

Two years ago, Northwest executives (those close to your CEO Richard Anderson when he was at Northwest) attempted to outsource 75% of our international flights to low-cost foreign workers. NWA started hiring these flight attendants in China, India and other locations. Had they gotten away with this scheme, 35-40% of our jobs would have been lost overall, including most of our best flying. Our union contract ultimately prevented this – and we fought to keep those protections in our contract intact through the bankruptcy. *With no contract and no AFA representation, there is nothing to stop these executives from taking all of our international flying jobs and shipping them to low-cost foreign workers.* By joining AFA, you can make sure this does not happen at Delta. When it comes to protecting against outsourcing, we're *Better Together*.

### 2. Seniority Protection and a Merger 'Fence Agreement'

By joining AFA, *you will immediately lock in 'date-of-hire' seniority protection* pursuant to our AFA merger policy. Delta executives are placing your seniority at risk by promoting a 'fair & equitable' arbitration whereby a third-party would decide what happens to seniority. Northwest executives have overseen the most bitter and divisive mergers in our industry. You have the power to ensure this won't happen again. Our contract, which stays in place while we negotiate a new contract for the combined group if you win this election, contains a requirement that both flight attendant groups be kept separate until a combined contract is negotiated. We call this a fence agreement – and as long as you join AFA, our executives must honor this provision. A fence agreement will protect your base seniority as well as your current flying. However, if your executives are not required to honor our contract, there will be no requirement to keep us separate. When it comes to protecting our seniority and a smooth transition with an appropriate fence agreement in place, we're *Better Together*.

### 3. Securing a Professional Voice for the Long Term

If our two airlines merge, together we will be the largest flight attendant group in the country – and *what we achieve together will set trends for the rest of the industry.* Without the legal recognition that membership in AFA gives us, we would also be the most vulnerable flight attendant group in the country. At Northwest, we have a long and proud tradition of union representation, contract negotiations and working with airline executives on the issues that matter to flight attendants. We look forward to working with you and with the hundreds of Delta activists who have worked so hard on your AFA campaign, and to carrying on that tradition, together. Let's work together to be the strongest flight attendant group in the world – with the best legally binding contract in the industry. At a time when our industry is still struggling and with the threats of outsourcing, open skies and consolidation, let's join together in AFA to safeguard and protect the profession we love. When it comes to having a strong, professional voice in our careers, we truly are *Better Together*.



**IMPACT / NWA Flight Attendants**  
Informed Membership Participation Activism Communications Team