



Dear Delta Supervisor:

As AFA's campaign to represent the combined Northwest and Delta flight attendants has accelerated, it has become clear that the Company's in-flight supervisors have been designated as the "front line" enforcers of Delta upper management's efforts to coerce flight attendants from supporting AFA. The Union understands that this situation has placed supervisors in a very difficult position, particularly since many of them believe flight attendants need and deserve union representation. Moreover, Delta has not warned its supervisors of the potential criminal liability they face if they engage in conduct designed to interfere with, coerce, or influence flight attendants in their choice of a bargaining representative. Specifically, Section 2, Third of the Railway Labor Act ("RLA") states that "neither party shall in any way interfere with, influence or coerce the other in its choice of a representative." In addition, Section 2, Fourth states:

Employees shall have the right to organize and bargain collectively through representatives of their own choosing. The majority of any craft or class of employees shall have the right to determine who shall be the representative of the craft or class for the purposes of this Act. No carrier, officers, or *agents* shall deny or in any way question the rights 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.

45 U.S.C. 152, Fourth.

If a carrier, or its *agent*, such as a supervisor, violates either of the above Sections, they can be fined and imprisoned. Indeed, Section 2, Tenth states that

[t]he willful failure or refusal of any carrier, its officers, or *agents* to comply with the terms of the third, fourth, fifth, seventh, or eighth paragraph of this section shall be a misdemeanor, and upon conviction thereof the carrier, officer or *agent* offending shall be subject to a fine of not less than \$1,000 or nor more than \$20,000 or imprisonment for not more than six months, or both fine and imprisonment, for each offense, and each day during which such carrier, officer or *agent*, shall willfully fail or refuse to comply with the terms of the said paragraphs of this section shall constitute a separate offense.

45 U.S.C. 152, Tenth.

As an agent for Delta, in-flight supervisors could be implicated in the carrier's attempt to unlawfully coerce flight attendants from exercising their right to choose a collective bargaining representative. To be safe, AFA urges all in-flight supervisors to refrain from: Questioning flight attendants about their union sympathies; ordering flight attendants to remove AFA insignia from their luggage and personal bags; interfering with flight attendants who wish to discuss AFA in the crew lounge and in other non-working areas, and finally, attempting to coerce flight attendants from supporting AFA. If you avoid those activities, you will most likely escape criminal responsibility.



Upper management at Delta will try to get you to participate in activity designed to undermine the flight attendants' right to choose a representative without carrier interference. At the same time, they will not tell you about your potential liability for carrying out their campaign tactics. AFA believes Delta should remain neutral.

If you have any questions, please contact AFA at 1-800-424-2401.

Sincerely,

A handwritten signature in black ink, appearing to read "Ed Gilmartin". The signature is written in a cursive style with a large initial "E".

Ed Gilmartin
AFA General Counsel