

NMB Rulemaking Hearing, December 07, 2009

Thank you Chairman Dougherty and members Hoglander and Puchala for holding this public hearing today.

My name is Marianne Bicksler and I am here today to testify on how the current National Mediation Board voting rules unnecessarily create a hostile working environment during airline elections and why they are contrary to the values of our American democracy.

I would also like to share my experience as an in-flight supervisor during the first AFA Delta organizing campaign, where a vote was requested in August 2001 and the final votes were tallied in early 2002. Even though a majority of flight attendants over time had signed authorization cards, our ultimate percentage "voting" for representation came in at less than 30%. How did this happen?

Having become a supervisor for Delta Air Lines in 1996, hoping to make a positive difference for our flight attendant group, I was amazed at the alarming turn of events as the organizing drive gathered steam and Delta hired the American Consulting Company, which is a firm specializing in "union avoidance". Each flight attendant base had a representative on staff from this company. Those staff members employed tactics which were designed to teach us, as supervisors, to intimidate flight attendants.

As a supervisor at that time, my job became to employ first-hand the tactics these consultants taught us. The strategies and tactics they utilized were designed around, and because of, the current NMB voting procedures. The tactics they deployed were all based on voter suppression.

Every morning the consultants conducted a briefing to update us on the latest "hot" topic issues that flight attendants were discussing, especially issues that may make flight attendants vote for representation. We were taught techniques to confront flight attendants and confuse, twist and turn the issue around without any real relevance to the truth.

Specifically, other tactics we used were:

- When AFA activists asked to set up a table in the lounge to have conversations with fellow flight attendants, we had to block the AFA table by inviting other "vendors" to set up tables ahead of time and instituted a rule that only one "vendor" could be in the lounge at any given time. Delta flight attendant AFA activists were considered vendors. This frequently made it impossible to have any union table in the lounge area.
- We were given anti-union fliers to ensure they were stocked and present in the lounges.
- We collected any union information in the lounge area and threw it away.
- We conducted intimidating one-on-one meetings behind closed doors with flight attendants to tell them not to join the union.
- We attended union meetings and reported back about topics issues discussed.
- The consultants targeted supervisors who were not aggressive enough in their anti-union tactics and counseled them that if flight attendants elected a union, their job security was at risk.
- We were promised a substantial "bonus" if we met certain objectives, including the "union avoidance" objective.
- We were told to be constantly visible in the crew lounges, again an intimidation tactic.

Once the election was called, things really started heating up. Among the worst tactics deployed, and what is most



Pre-merger Delta flight attendant Marianne Bicksler

relevant to today's hearing, was when flight attendants were told by the company to rip up their ballots and throw them away. Can you think of anything more contrary to our democracy?

- An aggressive "Give it a Rip" campaign was started by Delta to ensure that the flight attendants ripped their ballots up so that they could not vote.
- Huge 6 foot posters were put in the crew lounges with the message: "Give it a Rip." By-the -way, this same strategy was used in the second election when we voted electronically. The posters were modified to read: "Give it a Rip, Don't Click, Don't Dial" to reflect how not to vote via telephone or internet.
- Anti-union information was everywhere
- As if the in person intimidation wasn't enough, Delta had a separate, insidious track in the list of eligible voters.

Specifically:

- Delta management made sure that the flight attendants never got a copy of the system-wide seniority list. They could view it, but could never actually obtain a copy. Due to the fact that 21,000 flight attendants were spread out nationwide and in some cases other countries, it was virtually impossible to contact flight attendants to communicate the benefits of a union. The only message that many of the flight attendants heard was the anti-union communication.
- Delta kept as many flight attendants as they could on the seniority list to manipulate the current voting system. In simple terms: the more "flight attendants" on the list, the greater amount of "No" votes. After all, under the current rules everyone begins as a No vote.
- Many flight attendants on leaves of absence had no idea they were eligible to vote, so they didn't. They threw their ballots away. They all counted as "no" votes, even if they were supportive of representation.
- Supervisors were put on "active" status and counted as "No" votes.

So, it was a multi-track strategy: suppress the vote of active flight attendants, pad the list to create more "No" votes, and hide the list so flight attendants couldn't actually have access with one another to share why it was important to form a union.

Having seen this side of supervision, I returned to the line and became an AFA activist, understanding that was the only honest way to make a difference for our flight attendants. We had taken huge pay and benefit cuts that we were told, during the last union vote, was not going to happen. The union avoidance techniques had worked and the pay and benefits cuts were imposed.

My testimony today has given you a perspective on why the current voting method distorts the union election process and why the proposed changes are so necessary.

The current voting method encourages employers to tell employees not to vote, don't participate, tear up your ballot, throw your ballot away, don't get informed and just don't vote. Our American government is founded on democracy and voter participation. Just because a rule exists, doesn't make it right. Please consider the contradictory message and environment these current voting rules have in the workplace.

A ballot is our voice. The current NMB voting rules for union elections erodes that voice. I ask you to restore the voices of workers and implement the changes you have proposed.

DeltaAFA Representation

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