



NATIONAL MEDIATION BOARD
WASHINGTON, DC 20572

(202) 692-5000

In the Matter of the
Application of the

**AIRCRAFT MECHANICS
FRATERNAL ASSOCIATION**

alleging a representation dispute
pursuant to Section 2, Ninth, of
the Railway Labor Act, as
amended

involving employees of

UNITED AIR LINES, INC.

32 NMB No. 17

CASE NO. R-7035
(File No. CR-6864)

FINDINGS UPON
INVESTIGATION-
DISMISSAL

December 16, 2004

This determination addresses the application of the Aircraft Mechanics Fraternal Association (AMFA or Organization) alleging a representation dispute pursuant to the Railway Labor Act¹ (RLA), 45 U.S.C. § 152, Ninth (Section 2, Ninth), among the following 19 job classifications at United Air Lines, Inc. (United or Carrier): 1) Analyst, Computer Support; 2) Controller, Production; 3) Coordinator, Equipment Maintenance; 4) Coordinator, Plant & Equipment Maintenance; 5) Coordinator, System Maintenance Workload; 6) Coordinator, Technical Planning; 7) Maintenance Planning Data Controller; 8) Data Controller A, Maintenance Systems; 9) Data Controller B, Maintenance Systems; 10) Planner, Aircraft Maintenance; 11) Planner, Facilities Maintenance; 12) Planner, Maintenance Procedures; 13) Senior Staff Analyst, Maintenance Planning; 14) Senior Staff Coordinator, Maintenance Scheduling & Planning; 15) Staff Analyst, Maintenance Planning; 16) Staff Representative, Line Maintenance Planning; 17) Staff Specialist, Ground Equipment; 18) Staff Specialist, Maintenance; and 19) Staff Specialist, Simulator Fleet (Group

¹ 45 U.S.C. § 151, *et seq.*

of 19). AMFA is the certified representative of the Mechanics and Related Employees on United. (NMB Case No. R-6933). AMFA asserts that the Group of 19 are part of the Mechanics and Related Employees craft or class.

For the reasons set forth below, the National Mediation Board (Board or NMB) finds that nine of the classifications in United's Group of 19 are covered by AMFA's certification. Three classifications are no longer in existence, and seven are not properly part of the Mechanics and Related Employees craft or class at United. Accordingly, the Board dismisses the application.

PROCEDURAL BACKGROUND

On September 9, 2004, AMFA filed an application for an accretion of the Group of 19 to the Mechanics and Related Employees craft or class at United. This application was assigned NMB File No. CR-6864 and Benetta M. Mansfield was assigned as the Investigator.

On September 16, 2004, this case was reassigned to Cristina A. Bonaca as the Investigator.

Both participants filed position statements.

ISSUES

Are United's Group of 19 part of the Mechanics and Related Employees craft or class?

Are United's Group of 19 management officials?

CONTENTIONS

AMFA

AMFA contends that when United submitted the list of eligible voters for the 2003 election in the Mechanics and Related Employees craft or class (NMB Case No. R-6933), it

included 19 job classifications² that historically had not been included in that craft or class. Further, AMFA states that since its certification as the exclusive bargaining representative of the Mechanics and Related Employees at United, the Carrier has refused to treat with it as the collective bargaining representative of the Group of 19.

UNITED

United argues that accretion of the Group of 19 to the Mechanics and Related Employees craft or class is inappropriate for a number of reasons. The Carrier argues that: 1) certain of the Group of 19 were mistakenly included on United's March 20, 2003 list of eligible voters in NMB Case No. R-6933 due to administrative errors; 2) certain of the Group of 19 have never been part of the Mechanics and Related Employees craft or class; 3) certain of the Group of 19 now lack a community of interest with the Mechanics and Related Employees because of an extensive restructuring of the Maintenance and Engineering (M&E) Division; and 4) many of the Group of 19 perform the work of management officials. In addition, United also contends that AMFA has failed to meet its burden of persuasion in showing that the Group of 19 are properly in the Mechanics and Related Employees craft or class. Accordingly, the Carrier requests the Board to issue a determination dismissing the application on the ground that none of the Group of 19 are properly included in the craft or class of Mechanics and Related Employees at United.

² Twenty-three job classifications were originally at issue, however, United and AMFA entered into an agreement on January 21, 2004, whereby United agreed to recognize AMFA as the collective bargaining representative of the following classifications: 1) Controller-Engine Maintenance; 2) Controller-System Aircraft Maintenance; 3) Planner-System Aircraft Maintenance; and 4) Maintenance Planning Analyst.

FINDINGS OF LAW

Determination of the issues in this case is governed by the RLA, as amended, 45 U.S.C. § 151, *et seq.* Accordingly, the Board finds as follows:

I.

United is a common carrier by air as defined in 45 U.S.C. § 181.

II.

AMFA is a labor organization and/or representative as provided by 45 U.S.C. § 151, Sixth, and § 152, Ninth.

III.

45 U.S.C. § 152, Fourth, gives employees subject to its provisions “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 purposes of this chapter.”

IV.

45 U.S.C. § 152, Ninth, provides that the Board has the duty to investigate representation disputes and shall designate who may participate as eligible voters in the event an election is required.

BACKGROUND

In 1945, the Board certified the International Association of Machinists and Aerospace Workers, AFL-CIO (IAM) as the representative of the Mechanics and Related Employees at United. *United Air Lines*, NMB Case No. R-1376 (1945) (not reported in Board volumes). On March 30, 2001, AMFA filed an application seeking to represent the Mechanics and Related Employees craft or class at United. On August 9, 2001, the Board issued a determination addressing appeals of the

Investigator's eligibility ruling, and dismissing AMFA's application due to an insufficient showing of interest. *United Airlines, Inc.*, 28 NMB 533 (2001).

On March 6, 2003, AMFA filed a new application, pursuant to which the Board conducted an election and thereafter, on July 15, 2003, certified AMFA as the exclusive collective bargaining representative of the craft or class of Mechanics and Related Employees at United. *United Airlines, Inc.*, 30 NMB 427 (2003). The list of eligible voters used in the election included 23 job classifications that historically have not been included in the Mechanics and Related Employees craft or class at United.

On September 18, 2003, AMFA commenced an action against United in the United States District Court for the Northern District of California, to compel United to treat with AMFA as the collective bargaining representative of Ramp Servicemen and Lead Ramp Servicemen who preponderantly perform fueling functions. On October 22, 2003, AMFA filed an amended complaint expanding the litigation to cover United's refusal to treat with AMFA as the collective bargaining representative of the 23 additional job classifications.

In 2004, United began an extensive reorganization of its M&E Division that involved a substantial realignment of job duties and the elimination of a number of classifications. On January 21, 2004, United and AMFA reached an agreement, whereby United agreed to recognize AMFA as the collective bargaining representative of four of the classifications at issue: 1) Controller-Engine Maintenance; 2) Controller-System Aircraft Maintenance; 3) Planner-System Aircraft Maintenance; and 4) Maintenance Planning Analyst. In addition, it was agreed that AMFA would file an application with the Board seeking a determination as to whether the Group of 19 are part of the Mechanics and Related Employees craft or class at United. Further, both United and AMFA agreed to accept the Board's decision concerning the Group of 19 as final and binding. Finally, pursuant to the agreement, AMFA agreed to

withdraw its federal court complaint with regard to the Group of 19, contingent on the Board's agreement to render a decision in the matter.

On July 6, 2004, United sent a letter to AMFA providing factual information about the Group of 19. On July 22, 2004, AMFA sent a letter to the Board requesting that it render a determination as to whether the Group of 19 at United are properly part of the Mechanics and Related Employees craft or class. As the Board has a long standing policy against issuing advisory opinions, AMFA filed an application on September 9, 2004, for an Investigation of Representation relating to an accretion of the Group of 19 to the Mechanics and Related Employees craft or class at United.

STATEMENT OF FACTS

Susan Franzella, Manager-Base Maintenance Support for United, is responsible for the oversight and direction of business initiatives, safety, security, and communication at United Services' Maintenance, Repair, and Overhaul facility in San Francisco. Franzella verified that on October 8, 2004, she reviewed the position statement submitted by United and that: "The facts set forth . . . were either provided by me or prepared and gathered under my supervision and based upon business records kept in the ordinary course of United's business." Further, she "declare[d] under penalty of perjury that the factual assertions set forth . . . are true and correct."

A. Classifications No Longer In Existence

Planner, Facilities Maintenance

This position was not among the classifications discussed in the Board's August 9, 2001 determination and was included on the March 2003 eligibility list because of an administrative computer error. Following United's reorganization of its M&E Division, this classification is no longer in use.

Coordinator, Technical Planning

This position was addressed in the Board's August 9, 2001 determination, however, effective June 1, 2004, all employees holding the Coordinator, Technical Planning classification were transferred to supervisor positions, and the classification is no longer in use.

Planner, Aircraft Maintenance

This position was addressed in the Board's August 9, 2001 determination, however, United submitted information that the Planner, Aircraft Maintenance classification has been eliminated following the reorganization of the M&E Division.

B. Analyst, Computer Support

Analyst, Computer Support

The Analyst, Computer Support position was included on United's March 2003 eligibility list because of an error during generation of the list. The error occurred because an employee who held the Computer Technician classification (which was part of the Mechanics and Related Employees craft or class) was furloughed and transferred to the Analyst Computer Support position on March 2, 2003. Therefore, when United generated the March 2003 eligibility list, it mistakenly included the employee based on his prior classification, and pulled all of the other employees holding the Analyst Computer Support position.

Analyst Computer Support positions have never been included in the Mechanics and Related Employees craft or class at United. The job description provides that these employees must have two years of college-level data processing, a good understanding of PCs, and one year experience with computer systems. In addition, they:

Provide first-level customer service support for . . . computer related problems worldwide on a 24 hours per day, 7 days per week basis. Provide customer assistance in troubleshooting and resolving computer mainframe, network, terminal, printer, PC, and distributed systems problems. Use good written communication skills to document problems and resolutions Works independently with minimal supervision while focusing on excellent customer service.

All Analyst Computer Support employees are located at United's World Headquarters in Chicago.

C. Planners

Planner, Maintenance Procedures

In its August 9, 2001 determination, the Board held that the Planner, Maintenance Procedures classification was part of the Mechanics and Related Employees craft or class. The one individual in this position works in the Engine Maintenance Planning Group, is "responsible for planning and tracking engine piece parts and landing gear parts using a number of computer systems," and receives management level pay and benefits.

The job description, which United states is outdated following the reorganization of the M&E Division, requires two years of college-level courses in engineering or aircraft maintenance, as well as two years experience as a Maintenance Technician. Specifically, the Planner, Maintenance Procedures employee:

Performs a variety of technical planning functions which may include: determining procedures and processes required to overhaul, inspect, repair and modify airframes, components, engines Applies technical knowledge to . . . provide practical, safe, accurate and cost-effective

procedures for work accomplishment Assures that procedures and documentation comply with FAA directives, engineering requirements and company policy.

Staff Representative, Line Maintenance Planning

This position was not among the classifications discussed in the Board's August 9, 2001 determination, and was included on the March 2003 eligibility list because of an administrative computer error.

The Staff Representative, Line Maintenance Planning job description provides that these employees:

Maintain, evaluate and modify the line maintenance mission list. Provide the necessary interfaces with Maintenance Operations departments . . . to ensure that changes in the line maintenance mission are implemented. Maintain . . . all line maintenance tool assignments Assist in the justification of all aircraft related ground equipment/facility requests Coordinate line maintenance efforts as new aircraft are assimilated into the fleet. Develop provision specifications for new line maintenance stations and facilities. Coordinate with Contract Services and Maintenance Operations organizations regarding maintenance contracts and charter arrangements. Evaluate the Aircraft Removable Equipment plan and assist line maintenance stations in meeting this plan. Represent the line on the . . . Review Board and support production standards by making all . . . assignments Provide technical support to assigned specific stations and fleets.

Further, the Staff Representative, Line Maintenance Planning employees: provide justification on capital equipment purchases and hangar leases through written appropriation

requests; have authority to sign off on labor estimates and to recommend inventory level decisions and purchases; make recommendations regarding the opening and closing of stations; and assist in determining the number of employees to be furloughed by location and station.

D. Specialists

Staff Specialist, Simulator Fleet

In its August 9, 2001 determination, the Board held that the Staff Specialist, Simulator Fleet classification was part of the Mechanics and Related Employees craft or class, however, the job description has since been modified. Individuals in this position work in the Flight Simulator group in Denver where they provide technical expertise to employees responsible for maintaining flight simulators.

The updated job description provides that a Staff Specialist, Simulator Fleet employee must: have two years of college-level technical courses; be a licensed mechanic or have equivalent industry experience; and have seven years work-related experience. In addition, an employee in this classification:

Independently performs software and hardware modifications to flight simulators, visual systems, and training devices Assists in the procurement, acceptance and update of simulators and visual systems. Provides training on specific systems Troubleshoots hardware problems involving digital, analog, mechanical, and hydraulic systems on a variety of training devices. Analyzes . . . repetitive problems . . . and coordinates their resolution. Tunes motion and control loading systems to meet FAA standards. Identifies and contacts vendors, obtains price quotes, analyzes costs, and recommends action for the purchase of spare parts.

Staff Specialist, Maintenance

This position was included as part of the Mechanics and Related Employees craft or class in the Board's August 9, 2001 determination. However, the job description relied on is outdated. The Staff Specialist, Maintenance employees work in United's Plant Maintenance group and provide expertise in a wide array of physical plant areas. Staff Specialist, Maintenance employees are involved in: the procurement and oversight of contracts; selecting suppliers and agreeing on prices and terms; reviewing and rebidding contracts; tracking costs; and scheduling and overseeing vendor work. In addition, these employees do not perform hands-on work and are paid at the same salary grade as maintenance supervisors.

Staff Specialist, Ground Equipment

In its August 9, 2001 determination, the Board held that the Staff Specialist, Ground Equipment classification was part of the Mechanics and Related Employees craft or class. The employees in this classification: develop technical specifications; evaluate proposals, prototypes, performance evaluations; and have final acceptance of all ground equipment, including security screening and ground communications equipment.

Since 2002, the Staff Specialist, Ground Equipment classification performs functions in and is part of the Airport Operations Division, rather than the M&E Division, as a result of United's restructuring. One of the employees works at headquarters in Business Management, and the other two work in San Francisco in a ground equipment acquisition and planning function.

E. Controllers

Controller, Production

The Controller, Production position was addressed in the Board's August 9, 2001 determination, and the Board found

this classification part of the Mechanics and Related Employees craft or class at United. The job description for this classification provides that a Controller, Production employee:

Coordinates and controls the production scheduling of company and customer maintenance workload Assures that manpower, facilities, parts, and other resources are balanced to meet varying workload requirements. Assures that maintenance accomplished is properly documented. Keeps concerned personnel informed of work status and any deviations from plan that would affect maintenance plans.

Controller, Production employees work in the Engine and Plant Maintenance Organization and focus on the prioritization and staging of projects or units of work.

F. Coordinators

Coordinator, Plant & Equipment Maintenance

The Coordinator, Plant & Equipment Maintenance classification was addressed in the Board's August 9, 2001 determination and found properly part of the Mechanics and Related Employees craft or class. The job description for this classification requires a high level of computer literacy and courses in production planning. It also notes that a Coordinator, Plant & Equipment Maintenance employee should have: effective supervisory skills; three to five years experience in building or automotive equipment maintenance trade; experience with job estimating, parts support, and shop procedures; and preferably some previous supervisory responsibilities.

Specifically, the job description provides that a Coordinator, Plant & Equipment Maintenance employee:

Plans and schedules all ground equipment to attain effective use of labor, equipment and

materials. Establishes and maintains a maintenance information system (MIS) that chronicles the repair work . . . Utilizes the MIS and other computer derived programs . . . for summaries and to single out problematic equipment. Works . . . to develop checks, procedures and modifications . . . Makes recommendations to station departments to insure that the right equipment . . . is on hand. Develops . . . an appropriate equipment replacement program [and acts as the contact point] . . . in dealing with the maintenance issues of in-house customers, as well as entities outside United Airlines. Supervises the support clerks. Administers the accounts payable function . . . and plans/creates and assists in management of the department budget.

Coordinator, Plant & Equipment Maintenance employees utilize computer systems to manage preventive maintenance information, departmental budgets, accounts payable, and capital budgets. In addition, this classification acts as the single contact point for the ground equipment function in dealing with maintenance issues, internally and externally.

Coordinator, System Maintenance Workload

In its August 9, 2001 determination, the Board upheld the inclusion of the Coordinator, System Maintenance Workload classification in the Mechanics and Related Employees craft or class. Following United's reorganization of its M&E Division, the Coordinator, System Maintenance Workload classification has a revised and expanded job scope, and receives management-level pay and benefits. These employees are located at United's World Headquarters in Illinois where they distribute, assign, and transfer maintenance work throughout the system, thereby impacting manpower and overtime requirements, and with responsibility for ensuring that station workloads consistently meet established targets.

The job description provides that an employee in the Coordinator, System Maintenance Workload classification:

Coordinates the assignment of maintenance workload . . . for aircraft overnight at maintenance stations. Assures optimal buildup of assignments and initiates action . . . [to] ensure station workload meets target Monitors and reports performance of the assignment process . . . through daily and periodic status reports. Recommends actions to improve process through automation and methods enhancement.

Coordinator, Equipment Maintenance

This position was not among the classifications discussed in the Board's August 9, 2001 determination, and was included on the March 2003 eligibility list because of an administrative computer error. The job description provides that an employee in the Coordinator, Equipment Maintenance classification must have a high school education plus trade school or apprenticeship, and three to five years of experience in automotive or equipment maintenance, including cost estimating, material and parts ordering, and knowledge of shop procedures. Specifically, the job description provides that a Coordinator, Equipment Maintenance employee:

Plans and schedules all routine and specialized . . . maintenance to attain the most effective use and control of labor, equipment, and materials. Analyzes chronic maintenance problems and assists in the development . . . of specialized checks, procedures, or equipment Establishes and maintains a record system for use in maintenance scheduling, manning, parts usage, and information required for the Maintenance Data System Monitors equipment warranties and vendor pricing, and conducts value analysis of automotive parts assists in maintaining

current parts prices information for data processing system.

The single employee in this classification works at Chicago Ground Equipment.

Senior Staff Coordinator, Maintenance Scheduling & Planning

This position was not among the classifications discussed in the Board's August 9, 2001 determination, and was included on the March 2003 eligibility list because of an administrative computer error. The job description provides that the Senior Staff Coordinator, Maintenance Scheduling & Planning classification:

Provides work direction and leadership to team members performing maintenance scheduling and planning activities for an assigned functional area. Ensures that resources are optimally utilized to accomplish current and future workload; achieves safety, reliability, cost, customer needs, and other corporate/division objectives. Provides liaison with maintenance staffs and other company organizations to provide input and to resolve issues or problems. Leads special projects and ad hoc assignments.

These employees are involved in the determination of future route decisions and station start-up costs analyses, and regularly prepare confidential reports which document the maintenance schedule and modifications for the fleet. In addition, Senior Staff Coordinator, Maintenance Scheduling & Planning employees interview applicants and perform other duties in their manager's absence.

G. Maintenance Planning Analysts and Maintenance Data Controllers

Maintenance Planning Data Controller

This position was not among the classifications discussed in the Board's August 9, 2001 determination, and was included on the March 2003 eligibility list because of an administrative computer error. The individuals in this classification work in the Scheduling and Inventory Planning groups.

The job description provides that a Maintenance Planning Data Controller employee must have a high school education, plus college-level courses in basic math, computer science, and business, in addition to two years experience involving the analysis of statistical or accounting reports, and a familiarity with query languages and systems. A Maintenance Planning Data Controller employee:

Collects, inputs, controls, and audits data and data base in query environments in order to maintain data integrity of engine planning information. Researches and makes necessary adjustments to data base Assists users in interpretation of data from query reports [Writes] query programs Analyzes data on engine volumes, segmented cycle times, and performance Provides file maintenance support to update data in online engine records

Data Controller A, Maintenance Systems

The Data Controller A, Maintenance Systems classification was addressed in the Board's August 9, 2001 determination and found part of the Mechanics and Related Employees craft or class. The individuals in this classification work in Engineering, Logistics Control, Automation Support, and Sales & Marketing, all of which provide administrative

support to the production groups, and must have one year prior experience as a Data Controller B, Maintenance Systems employee.

The job description provides that a Data Controller A, Maintenance Systems employee:

Controls and audits MIS activity data . . . reflecting Maintenance Operations' activities and status in order to maintain the integrity of systems information. Researches, defines, and processes adjustments necessary to correct data discrepancies Researches, processes, and provides special handling for non-routine complex data. Monitors system produced reports and . . . assists users in their interpretation. Selects and assembles mechanical performance data and Maintenance Operations information for periodic reporting

Data Controller B, Maintenance Systems

The Data Controller B, Maintenance Systems classification was addressed in the Board's August 9, 2001 determination and found part of the Mechanics and Related Employees craft or class. This position requires a high school education, and two years experience in clerical or mechanical jobs that have provided familiarity with aircraft systems and components. The job description for this classification, which has changed significantly since 2001, provides that a Data Controller B, Maintenance Systems employee:

Interprets . . . information and data relative to a definitive area of Maintenance Operations' activities . . . into a form compatible with MIS requirements. Monitors and maintains MIS computer data bases, and prepares and inputs data at the request of users. Maintains and processes operational data Verifies . . . all

source data. Builds or changes computer files as necessary.

Staff Analyst, Maintenance Planning

This position has never been part of the Mechanics and Related Employees craft or class, and was included on the March 2003 eligibility list because of a clerical error caused by an improper query. The job description provides that these employees must have a master's degree, a Masters In Business Administration (MBA) preferred, and experience in planning and/or analytical activities. In addition, employees in the Staff Analyst, Maintenance Planning classification:

Assist in the development of options and . . . research, to ensure . . . solutions to long term maintenance plans and needs to improve the maintenance of the fleet. Perform . . . the analysis using computer modeling and coordinate the analysis with Corporate Research and Development . . . Assist in the formalization of the conceptual solutions including defining the scope, detailing the time sequencing and writing the justification. Create . . . documents for approval of concepts, funding, and implementation including Request for Proposals Assist in the presentation of proposals to division senior management and corporate management

Senior Staff Analyst, Maintenance Planning

This position was not among the classifications discussed in the Board's August 9, 2001 determination, and was included on the March 2003 eligibility list because of an administrative computer error. Employees in the Senior Staff Analyst, Maintenance Planning classification are required to have four years of "superior performance" in project planning and analysis, and an MBA in a quantitative analysis discipline. The job description provides that these employees: develop or lead projects of a large scale having major cost/operational

impact; present proposals to senior management; and are involved in engine maintenance and aircraft engine lease return analyses. Further, these employees interview job applicants and substitute as a manager in their manager's absence.

DISCUSSION

I. Proper Craft or Class

In determining the proper craft or class for a group of employees, the Board considers a number of factors including functional integration, work classifications, terms and conditions of employment, and work-related community of interest. *United Parcel Serv. Co.*, 30 NMB 84 (2002); *Frontier Airlines, Inc.*, 29 NMB 28 (2001); *United Airlines, Inc.*, 28 NMB 533 (2001); *US Airways, Inc.*, 28 NMB 104 (2000). It is particularly important that the employees share a work-related community of interest. *Continental Airlines, Inc./Continental Express, Inc.*, 26 NMB 143 (1999); *LSG Lufthansa Servs., Inc.*, 25 NMB 96 (1997); *Airborne Express, Inc.*, 9 NMB 115 (1981). The Board makes craft or class determinations on a case by case basis, relying upon Board policy and precedent. *US Airways, Inc.*, *above*; *USAir*, 15 NMB 369 (1988); *Simmons Airlines*, 15 NMB 124 (1988).

The Board has examined the proper scope of the craft or class of Mechanics and Related Employees in numerous decisions. *US Airways, Inc.*, 31 NMB 324 (2004); *AirTran Airways, Inc.*, 31 NMB 45 (2003); *United Parcel Serv. Co.*, 27 NMB 3 (1999). In *United Airlines, Inc.*, 6 NMB 134, 135 (1977), the Board, quoting *National Airlines, Inc.*, 1 NMB 423, 428-29 (1947), described the composition of the Mechanics and Related Employees:

- A. Mechanics who perform maintenance work on aircraft, engine, [radio], or accessory equipment.
- B. Ground service personnel who perform work generally described as follows: Washing and cleaning airplane, engine and accessory parts in overhaul shops; fueling of aircraft and ground equipment; maintenance of ground and ramp equipment; maintenance of buildings, hangars, and related equipment; cleaning and maintaining the interior and exterior of aircraft; servicing and control of cabin service equipment; air conditioning of aircraft; cleaning of airport hangars, building, hangar and ramp equipment.
- C. Plant maintenance personnel -- including employees who perform work consisting of repairs, alterations, additions to and maintenance of buildings, hangars, and the repair, maintenance and operation of related equipment including automatic equipment.

“The related employees . . . while of different skill levels from the mechanics, nonetheless are closely related to them in that they are engaged in a common function – the maintenance function” *Eastern Air Lines, Inc.*, 4 NMB 54, 63 (1965). It is this “functional” connection between mechanic classifications and those employees performing related maintenance operations that has historically formed a basis for their identity as a single craft or class. *Id.*; see also *Federal Express Corp.*, 20 NMB 360 (1993). Precedent demonstrates the Board’s inclusion of classifications other than mechanics in the Mechanics and Related Employees craft or class. *AirTran Airways, Inc.*, above; *United Parcel Serv. Co.*, 30 NMB 84 (2002); *US Airways, Inc.*, 28 NMB 104 (2000); *Allegheny Airlines, Inc.*, 26 NMB 487 (1999).

With respect to craft or class determinations at a particular carrier, “[i]t is the Board’s policy to adhere to previous determinations in the absence of any material change in circumstances.” See *United Airlines, Inc.*, 30 NMB 163, 171 (2002); *Trans World Airlines, Inc.*, 13 NMB 196, 201 (1986).

CLASSIFICATIONS

A. Analyst, Computer Support

The Analyst, Computer Support position was included on the March 2003 eligibility list because of an error during generation of the list. These employees provide customer support for computer-related problems, troubleshoot and resolve mainframe and network issues, and document problems and resolutions.

In *Republic Airlines, Inc.*, 11 NMB 57 (1983), the Board examined the duties of Network Coordinators and found that they were properly in the Office Clerical, Fleet and Passenger Service Employees craft or class. Network Coordinators’ duties were described as “monitoring the communications system, diagnosing problems, and documenting actions taken.” *Id.* at 61. United’s Analyst, Computer Support employees share many duties with the Network Coordinators at issue in *Republic* and although the Board does not make a finding here, these employees may be part of the Office Clerical craft or class. See also *American Airlines, Inc.*, 10 NMB 26, 43 (1982) (Computer Equipment Operator who monitored and controlled the operation of sophisticated computer equipment to process data and provide system information found part of the Office Clerical craft or class).

The Board finds that United’s Analyst, Computer Support classification is not engaged in the maintenance function, and does not share a community of interest with the Mechanics and Related Employees craft or class.

B. Planners

In the Board's August 9, 2001 determination, it held the various Planner classifications were part of the Mechanics and Related Employees craft or class at United. *United Airlines, Inc.*, 28 NMB 533, 557-60 (2001).

Planner, Maintenance Procedures

United's Planner, Maintenance Procedures classification is responsible for a variety of technical planning functions, and was included in the Mechanics and Related Employees craft or class in the Board's 2001 determination. *Id.* The job description, which United states is outdated but provided no updated description, requires two years of college-level courses in engineering or aircraft maintenance, as well as two years experience as a Maintenance Technician.

United's Planner, Maintenance Procedures employees perform a variety of technical planning functions, including: applying technical knowledge to determine the procedures and processes required to overhaul, inspect, repair, and modify airframes, components, engines; and assuring that procedures and documentation comply with FAA directives, engineering requirements, and company policy.

United contends that the Planner, Maintenance Procedures classification shares no community of interest with the Mechanics and Related Employees craft or class, and relies on several decisions where the Board excluded Planners from the Mechanics and Related Employees craft or class. *See Aloha Islandair, Inc.*, 21 NMB 314 (1994); *Trans-Texas Airways, Inc. and the North Central Airlines, Inc.*, 3 NMB 16, 18 (1956). However, more recent Board decisions generally find that Maintenance Planner classifications are part of the Mechanics and Related Employees craft or class. *See AirTran Airways, Inc.*, 31 NMB 45 (2003) (Maintenance Planners' duties of forecasting maintenance and scheduling vendor support for

heavy maintenance checks held to be duties of employees in Mechanics and Related Employee craft or class); *US Airways, Inc.*, 28 NMB 104, 144-145 (2000) (US Airways' Planners who made forecasts on manpower and material usages, coordinated and reviewed engineering orders, and coordinated placement and disposition of parts and materials were found part of the Mechanics and Related Employees craft or class).

United's Planner, Maintenance Procedures employees are required to have both experience and education in aircraft maintenance. Further, their job duties clearly require them to use their technical expertise and knowledge of aircraft maintenance to develop procedures and processes required to overhaul, inspect, repair, and modify airframes, components, and engines, and assure compliance with the FAA, engineering requirements, and Carrier policy. See *AirTran Airways, Inc., above*; *US Airways, Inc., above*. The Board finds that United's Planner, Maintenance Procedures employees are engaged in the maintenance function and share a community of interest with the Mechanics and Related Employees.

Staff Representative, Line Maintenance Planning

The Staff Representative, Line Maintenance Planning employees: maintain the maintenance mission list; maintain tool assignments; assist with ground equipment aircraft requests; coordinate maintenance contracts; and provide technical support to assigned stations and fleets. This position was not discussed in the Board's 2001 determination and was included on the list of eligible voters in 2003 because of an administrative error. However, the duties of this classification support inclusion in the Mechanics and Related Employees craft or class.

The work of the Staff Representative, Line Maintenance Planning classification is clearly related to the maintenance function -- when these employees coordinate maintenance contracts, provide and coordinate the distribution of maintenance tools and assignments, and provide technical

support to assigned stations and fleets. *See AirTran Airways, Inc.*, 31 NMB 45 (2003); *US Airways, Inc., above* (inclusion of Planners in Mechanics and Related Employees craft or class). The Board finds that United's Staff Representative, Line Maintenance Planning employees are engaged in the maintenance function and share a community of interest with the Mechanics and Related Employees.

C. Specialists

In the Board's 2001 determination, it found United's Specialist classifications part of the Mechanics and Related Employees craft or class. *United Airlines, Inc.*, 28 NMB 533, 560-63 (2001).

Staff Specialist, Simulator Fleet

United's Staff Specialist, Simulator Fleet classification was found part of the Mechanics and Related Employees craft or class in the Board's 2001 determination. *Id.* These employees: provide technical expertise and training to employees responsible for maintaining flight simulators; perform software and hardware modifications to flight simulators; tune motion and control loading systems to meet FAA standards; and analyze and troubleshoot problems. The updated job description also requires that employees: be licensed mechanics or have equivalent industry experience; have two years of college-level technical courses; and seven years of related experience.

United contends that the Staff Specialist, Simulator Fleet classification is not properly in the Mechanics and Related Employees craft or class, and relies on Board decisions finding Flight Simulator personnel a separate craft or class. *See Continental Airlines, Inc./Continental Express, Inc.*, 26 NMB 343, 351 (1999) (Flight Simulator Engineers found part of Flight Simulator Technicians craft or class).

However, there are a significant number of Board decisions finding that employees who work on flight simulator equipment are properly part of the Mechanics and Related Employees craft or class. In a 2004 decision, the Board found Simulator Employees, responsible for providing maintenance to flight simulator and flight simulator equipment, properly part of the Mechanics and Related Employees craft or class. *USA Jet Airlines, Inc.*, 31 NMB 287, 297 (2004); *see also United Parcel Serv.*, 25 NMB 326 (1998) (Flight Simulator Technicians part of Mechanics); *Pacific Southwest Airlines*, 14 NMB 10 (1986) (Flight Simulator Technicians part of Mechanics); *Piedmont Airlines*, 10 NMB 504 (1983) (Flight Simulator Technicians part of Mechanics); *American Airlines*, 5 NMB 248 (1976) (Flight Simulator Technicians part of Mechanics). Notably, United's Flight Simulator Technicians are already included in the craft or class of Mechanics and Related Employees -- rather than in a separate craft or class. *United Airlines, Inc.*, 6 NMB 134, 137, 144 (1977) (employees who perform functions related to the maintenance of the Carrier's flight simulator devices are part of the Mechanics and Related Employees craft or class).

United's Staff Specialist, Simulator Fleet employees provide technical expertise, training, modifications, and troubleshoot problems on flight simulators. The Board finds that United's Staff Specialist, Simulator Fleet employees share a community of interest with the Mechanics and Related Employees and are properly part of the craft or class.

Staff Specialist, Maintenance

The Staff Specialist, Maintenance classification was found part of the Mechanics and Related Employees craft or class in the Board's 2001 determination. *United Airlines, Inc.*, 28 NMB 533, 560-63 (2001). However, the job description relied on was from 1975 and is now outdated. These employees work in United's Plant Maintenance group and provide expertise in a wide array of physical plant areas, but perform no hands-on work. Staff Specialist, Maintenance

employees are involved in: the procurement and oversight of contracts; selecting suppliers and agreeing on prices and terms; reviewing and rebidding contracts; tracking costs; and scheduling and overseeing vendor work.

The employees in United's Staff Specialist, Maintenance classification manage buyer and vendor relationships, handle procurement and oversight of contracts, and perform no hands-on maintenance work. The Board does not find inclusion with the Mechanics and Related Employees craft or class appropriate in these circumstances. *See US Airways, Inc.*, 31 NMB 324, 336-37 (2004) (Purchasing Employees whose duties included entering contracts for goods and managing buyer and vendor relationships found not to be part of the Mechanics and Related Employees craft or class). The Board finds that United's Staff Specialist, Maintenance employees do not share a community of interest with the Mechanics and Related Employees craft or class.

Staff Specialist, Ground Equipment

The Staff Specialist, Ground Equipment classification was addressed in the Board's 2001 determination, and found to be properly part of the Mechanics and Related Employees craft or class. *United Airlines, Inc., above*. These employees: develop technical specifications, evaluate proposals, conduct performance evaluations and final acceptance of all new, used, or rebuilt ground equipment, including security screening and ground communications equipment. *Id.* United states that since 2002, the Staff Specialist, Ground Equipment classification performs functions in and is part of the Airport Operations Division.

United's Staff Specialist, Ground Equipment employees perform work related to the maintenance of ground equipment. *See US Airways, Inc.*, 28 NMB 91, 102 (2000) (Ground Support Equipment Technical Support Supervisors found part of Mechanics craft or class whose duties included: assisting maintenance stations and vendors with ground equipment

problems; evaluating methods, products, or equipment to improve ground equipment reliability; assisting with maintenance vendor approvals on ground support equipment; and providing standardization and upgrading of ground equipment); *United Airlines, Inc.*, 6 NMB 134, 135 (1977) (composition of Mechanics and Employees craft or class includes employees who maintain ground equipment). Based upon the evidence presented, the Board finds that United's Staff Specialist, Ground Equipment employees are engaged in the maintenance function and share a community of interest with the Mechanics and Related Employees craft or class.

D. Controllers

In the Board's 2001 eligibility determination, it found the various Controller classifications at United were part of the Mechanics and Related Employees craft or class. *United Airlines, Inc.*, 28 NMB 533, 563-66 (2001).

Controller, Production

The job description for the Controller, Production classification at United provides that these employees: coordinate the production scheduling of the maintenance workload; assure there are adequate resources and manpower for workload requirements; document maintenance accomplished; and focus on the prioritization and staging of projects. This classification was included in the Mechanics and Related Employees craft or class in the Board's 2001 determination. *Id.*

The Board has consistently held that Controllers are part of the Mechanics and Related Employees craft or class. See *Hawaiian Airlines, Inc.*, 29 NMB 308, 314 (2002) (Maintenance Controllers/Coordinators found part of the Mechanics and Related Employees craft or class as they generally direct the maintenance of the fleet); *United Parcel Serv. Co.*, 27 NMB 3, 15 (1999) (Maintenance Controllers held to be part of the Mechanics and Related Employees craft or class, who were

“responsible for monitoring aircraft maintenance, and of necessity work with Mechanics and other maintenance personnel to perform that function”); *Allegheny Airlines, Inc.*, 26 NMB 487 (1999) (Maintenance Operations Controllers who coordinated and controlled aircraft maintenance functions and recorded all incoming flight discrepancies were found part of the Mechanics and Related Employees craft or class); *US Airways*, 26 NMB 359 (1999) (Maintenance Control Technicians who coordinated aircraft maintenance, and coordinated repair of mechanical discrepancies were found to be part of the Mechanics and Related Employees craft or class); *Mesaba Airlines*, 26 NMB 227 (1999) (Maintenance Controllers are part of the Mechanics and Related Employees craft or class).

As in the Board precedent discussed above, United’s Controllers, Production employees monitor, control, and record maintenance activities and resources. The Board finds that United’s Controllers, Production employees are engaged in the maintenance function and share a community of interest with the Mechanics and Related Employees craft or class.

E. Coordinators

In its 2001 determination, the Board upheld the inclusion of various Coordinator classifications in the Mechanics and Related Employees craft or class, holding that Coordinators perform work in “support of the Carrier’s maintenance function as they coordinate and control aircraft maintenance.” *United Airlines, Inc.*, *above*, at 567.

Coordinator, Plant & Equipment Maintenance

United’s Coordinator, Plant & Equipment Maintenance classification was addressed in the Board’s 2001 eligibility decision and included in the Mechanics and Related Employees craft or class. *Id.* at 566-68. These employees: plan and schedule all ground equipment maintenance; maintain a MIS that chronicles repair work; develop an equipment replacement

program; supervise support clerks; manage capital budgets and the accounts payable function; and act as the single contact point for the ground equipment function in dealing with maintenance issues, internally and externally.

United's Coordinator, Plant & Equipment Maintenance employees perform work in support of the maintenance function as they coordinate and control ground equipment maintenance, and as such are properly part of the Mechanics and Related craft or class. See *Hawaiian Airlines, Inc.*, 29 NMB 308, 314 (2002); *US Airways, Inc.*, 28 NMB 104, 145 (2000) (Board held that Planner-Production Coordinators were part of the Mechanics and Related Employees craft or class whose duties included: developing plans and scheduling job assignments; tracking and reporting maintenance work; providing planning support; and maintaining a maintenance material data collection system). The Board finds that United's Coordinator, Plant & Equipment Maintenance employees are properly part of the Mechanics and Related Employees craft or class.

Coordinator, System Maintenance Workload

United's Coordinator, System Maintenance Workload classification was addressed in the Board's 2001 eligibility decision and included in the Mechanics and Related Employees craft or class. *United Airlines, Inc.*, 28 NMB 533, 566-68 (2001). These employees are located at World Headquarters where they: distribute, assign and transfer maintenance work throughout the system; have responsibility for ensuring that station workloads meet their established targets, including monitoring the assignment process through status reports; and recommend actions to improve the process.

United's Coordinator, System Maintenance Workload employees perform work in support of the maintenance function as they coordinate and control aircraft maintenance throughout the system. The Board finds that United's Coordinator, System Maintenance Workload employees are

properly part of the Mechanics and Related Employees craft or class. See *Hawaiian Airlines, Inc., above*; *US Airways, Inc., above*.

Coordinator, Equipment Maintenance

The Coordinator, Equipment Maintenance classification was not included in the Board's 2001 determination. This position requires three to five years of experience in automotive or equipment maintenance including cost estimating, material and parts ordering, and knowledge of shop procedures. The one employee in this position is located at Chicago Ground Equipment and his duties include: planning and scheduling maintenance to attain the most effective use of labor, equipment, and materials; analyzing chronic maintenance problems; maintaining a record system for maintenance scheduling; and monitoring equipment warranties and vendor pricing.

United's Coordinator, Equipment Maintenance classification performs work in support of the maintenance function by planning and scheduling aircraft maintenance. The Board finds that United's Coordinator, Equipment Maintenance classification is properly part of the Mechanics and Related Employees craft or class. See *Hawaiian Airlines, Inc., above*; *US Airways, Inc., above*.

Senior Staff Coordinator, Maintenance Scheduling & Planning

The Senior Staff Coordinator, Maintenance Scheduling & Planning classification was not included in the Board's 2001 determination. The employees in this classification: provide direction on maintenance scheduling and planning; achieve safety, reliability, cost, and customer needs; serve as the liaison with maintenance staffs and other company organizations to provide input and to resolve issues or problems; assist with future route determinations; and prepare confidential reports documenting the maintenance schedule

and modifications for the fleet.

United's Senior Staff Coordinator, Maintenance Scheduling & Planning employees perform work in support of the maintenance function as they coordinate and control aircraft maintenance. The Board finds that United's Senior Staff Coordinator, Maintenance Scheduling & Planning classification is properly part of the Mechanics and Related Employees craft or class. *See Hawaiian Airlines, Inc.*, 29 NMB 308, 310-11 (2002); *US Airways, Inc.*, 28 NMB 104, 145 (2000).

E. Maintenance Planning Analysts and Maintenance Data Controllers, A & B

In its 2001 eligibility ruling, the Board found the Maintenance Planning Analyst and Maintenance Data Controller, A & B classifications properly part of the Mechanics and Related Employees craft or class. *United Airlines, Inc.*, 28 NMB 533, 568-69 (2001). The Board noted that these positions had been included in an election among the Carrier's Office Clerical Employees craft or class in 2000, but stated that the issue of their eligibility was not challenged and, therefore, not ruled on. *United Airlines, Inc.*, 27 NMB 356 (2000).

Maintenance Planning Data Controller

The Maintenance Planning Data Controller classification was not included in the Board's 2001 determination. The individuals in this classification work in Scheduling and Inventory Planning, and are required to have college-level courses in math, computer science, and business, as well as experience with statistical or accounting reports, and query language and systems. These employees: collect, input, control, audit, and maintain the data integrity of engine planning information; research and adjust the data base; assist with the interpretation of data from query reports; write query programs; and analyze data on engine volumes, segmented cycle times, and performance.

United's Maintenance Planning Data Controllers are computer technicians who maintain, query, and analyze data, which happens to be maintenance data, in data bases. There is no requirement that these employees have any maintenance background or licensing as a mechanic. Employees holding the Maintenance Planning Data Controller classification do not share a community of interest with the Mechanics and Related Employees craft or class. *See Republic Airlines, Inc.*, 11 NMB 57 (1983); *American Airlines, Inc.*, 10 NMB 26 (1982). The Board finds that United's Maintenance Planning Data Controllers are not part of the Mechanics and Related Employees craft or class.

Data Controller A, Maintenance Systems

The Data Controller A, Maintenance Systems classification was addressed in the Board's 2001 eligibility decision and found part of the Mechanics and Related Employees craft or class. *United Airlines, Inc.*, 28 NMB 533, 568-69 (2001). These employees provide administrative support to the production groups, and their duties include: controlling and auditing MIS activity data; maintaining the integrity of data systems; monitoring system produced reports; and researching and processing adjustments necessary to correct data discrepancies.

United's Data Controller A, Maintenance Systems employees are computer technicians who maintain, monitor, and audit MIS activity data. There is no requirement that these employees have any maintenance background or licensing as a mechanic. Employees in this classification do not share a community of interest with the Mechanics and Related Employees craft or class. *See Republic Airlines, Inc., above; American Airlines, Inc., above.* The Board finds that United's Data Controller A, Maintenance Systems employees are not part of the Mechanics and Related Employees craft or class.

Data Controller B, Maintenance Systems

The Data Controller B, Maintenance Systems classification was addressed in the Board's 2001 eligibility decision and found part of the Mechanics and Related Employees craft or class, however, the position relied on has changed significantly since that time. *United Airlines, Inc., above.* These employees: interpret data; monitor and maintain MIS computer data bases; prepare, process, and input data; and build or change computer files as necessary.

Like United's Data Controller A, Data Controller B Maintenance Systems employees are computer technicians who interpret, monitor, and maintain MIS activity data, and input data and change computer files as necessary. Employees in this classification do not share a community of interest with the Mechanics and Related Employees craft or class. See *Republic Airlines, Inc., above; American Airlines, Inc., above.* The Board finds that United's Data Controller B, Maintenance Systems employees are not part of the Mechanics and Related Employees craft or class.

Staff Analyst, Maintenance Planning

This position has never been part of the Mechanics and Related Employees craft or class at United, and was included on the March 2003 eligibility list because of a clerical error. The job description provides that Staff Analyst, Maintenance Planning employees must have a master's degree, MBA preferred, and experience in planning and/or analytical activities. These employees: create options and solutions for maintenance plans and improvement through computer models and research; create documents for approval of concepts, funding, and implementation including Requests for Proposals; and assist with the presentation of proposals to management.

The duties of the Staff Analyst, Maintenance Planning

classification involve research, analysis, computer modeling, and development of Requests for Proposals and other conceptual plans -- business focused tasks, rather than maintenance-related tasks. In addition, this position requires a master's degree or MBA in a quantitative analysis discipline, rather than a mechanic's license or maintenance background. The Board finds that United's Staff Analyst, Maintenance Planning classification does not share a community of interest with the Mechanics and Related Employees craft or class. See *US Airways, Inc.*, 31 NMB 324, 336-37 (2004) (Purchasing Employees found not to be part of the Mechanics and Related Employees craft or class where: employees had a degree and experience in business, rather than training or licensing in aircraft maintenance, and their duties involved the sourcing and procurement of contracts for the purchase of goods and services).

Senior Staff Analyst, Maintenance Planning

This position has never been part of the Mechanics and Related Employees craft or class at United, and was included on the March 2003 eligibility list because of a clerical error. Employees in the Senior Staff Analyst, Maintenance Planning classification are required to have four years experience in project planning, and an MBA in a quantitative analysis discipline. These employees: develop or lead projects of a large scale having major cost/operational impact; present proposals to senior management; and are involved in engine maintenance and aircraft engine lease return analyses.

Much like the duties of the Staff Analyst, Maintenance Planning classification, the Senior Staff Analyst, Maintenance Planning employees are business professionals who must have significant project planning experience, as well as an MBA, to obtain this position. The duties of the Senior Staff Analyst, Maintenance Planning employees do not involve regular direct contact with the Mechanics or a strong tie to the maintenance function. Instead, these employees develop and manage large projects, present proposals to management, and perform complex analyses. In sum, the Board finds that United's

Senior Staff Analyst, Maintenance Planning classification does not share a community of interest with the Mechanics and Related Employees craft or class. *See US Airways, Inc., above.*

Based on the foregoing, the Board finds that the following seven classifications do not share a community of interest with the Mechanics and Related Employees craft or class at United and, therefore, accretion is inappropriate:

- Analyst, Computer Support;
- Staff Specialist, Maintenance;
- Maintenance Planning Data Controller;
- Data Controller A, Maintenance Systems;
- Data Controller B, Maintenance Systems;
- Staff Analyst, Maintenance Planning; and
- Senior Staff Analyst, Maintenance Planning

Based on the foregoing, the Board finds that the following nine classifications do share a community of interest with the Mechanics and Related Employees craft or class at United and, therefore, accretion is appropriate:

- Planner, Maintenance Procedures;
- Staff Representative, Line Maintenance Planning;
- Staff Specialist, Simulator Fleet;
- Staff Specialist, Ground Equipment;
- Controller, Production;
- Coordinator, Plant & Equipment Maintenance;
- Coordinator, System Maintenance Workload;
- Coordinator, Equipment Maintenance; and
- Senior Staff Coordinator, Maintenance Scheduling & Planning

II. Management Officials

Section 9.211 of the Board's Representation Manual (Manual) provides guidance in determining when an employee is a management official. Factors considered are: "(1) whether the authority exercised is circumscribed by operating and

policy manuals; (2) the placement of the individual in the organizational hierarchy of the carrier, and; (3) any other relevant factors regarding the individual's duties and responsibilities." *Id.*

The Manual also outlines the key responsibilities of management officials, including: "(1) the authority to dismiss and/or discipline employees or to effectively recommend the same; (2) the authority to supervise; (3) the ability to authorize and grant overtime; (4) the authority to transfer and/or establish assignments; (5) the authority to create carrier policy; and (6) the authority to commit carrier funds."

The Board has stated that, ". . . [W]hile there are certain factors indicating some level of authority, when all factors are viewed cumulatively the individuals at issue generally are first-line supervisors, not management officials." *USAir, Inc.*, 24 NMB 38, 41 (1996); *Pan American World Airways, Inc.*, 5 NMB 112, 115 (1973).

A. Planners

In the Board's August 9, 2001 determination, it upheld the Investigator's finding that Planners were not management officials, stating: "[W]hile some of these individuals can authorize Carrier funds, there is no evidence that they have any other authority" *United Airlines, Inc.*, 28 NMB 533, 559-60 (2001).

Planner, Maintenance Procedures

United contends that the employees in the Planner, Maintenance Procedures classification receive management-level pay and benefits, making these employees management officials.

In *US Airways*, 26 NMB 359 (1999), the Board held that Maintenance Operations Control (MOC) Supervisors, who received management pay and benefits and performed duties

with minimal supervision were not management officials. The Board stated: “The fact that the MOC Supervisors receive ‘management-like benefits’ is insufficient to persuade the Board, in view of the overall evidence in the record, that these individuals are management officials.” *Id.* at 372.

Receipt of management-level pay and benefits is insufficient to support a finding that United’s Planner, Maintenance Procedures employees are management officials, without any other indicia of management status. *See also United Airlines, Inc.*, 30 NMB 163, 172 (2002) (Board held that United’s Planners were not management officials, as there was insufficient undisputed evidence that these individuals could authorize overtime, effect discipline, create policy, commit carrier funds, or transfer/establish assignments). Viewing the evidence cumulatively, the Board finds that United’s Planner, Maintenance Procedures employees are not management officials.

Staff Representative, Line Maintenance Planning

United argues that its Staff Representative, Line Maintenance Planning employees are management officials. Specifically, it contends that these employees create Carrier policy when they implement changes to the line maintenance mission list, represent line maintenance on the Review Board, and participate in strategy discussions with the Vice President (VP) of Line Maintenance. Further, the Carrier contends that these employees commit Carrier funds when they coordinate maintenance contracts, provide justification on capital equipment purchases and leases, sign off on labor estimates, and recommend inventory decisions and tooling purchases. In addition, United asserts that these employees make recommendations regarding the opening and closing of stations, and assist in determining the number of employees to be furloughed by location and station -- decisions amounting to having the authority to transfer and/or establish assignments.

These employees’ duties of implementing changes to the

maintenance mission list, participating in the Review Board, and having strategy discussions with the VP of Line Maintenance are not sufficient to establish that these employees have the authority to create Carrier policy. See Manual Section 9.211. The Carrier misconstrues the “policy” factor of the Board’s test. This factor looks at whether the employee meaningfully and directly participates in the creation of carrier policy. See *ERA Aviation*, 26 NMB 507, 515 (1999); *Quality Aircraft Servs.*, 24 NMB 656, 657-58 (1997). United has not presented any specific evidence showing that Staff Representative, Line Maintenance Planning employees’ duties implementing changes to maintenance lists and engaging in strategy discussions include any meaningful or direct participation in the creation of Carrier policy. See *Mesaba Airlines*, 26 NMB 227, 237 (1999) (Board found that Carrier’s assertion that Supervisors were management officials was not supported by the evidence).

The fact that United’s Staff Representative, Line Maintenance Planning employees can commit Carrier funds when coordinating contracts and tooling and inventory purchases is inadequate to establish they are management officials -- without knowing whether their authority is unfettered and without knowing how much of the Carrier’s funds they are authorized to commit. See *Hawaiian Airlines, Inc.*, 29 NMB 308, 313 (2002) (Maintenance Planners were found to exercise some discretion in the spending of carrier funds, but the expenditures were not large enough, nor frequent enough to qualify as an indicia of management authority).

Finally, making recommendations about the opening and closing of stations is not the same as having the authority to furlough employees or transfer assignments. While United’s Staff Representative, Line Maintenance Planning employees have a degree of supervisory authority, when viewing the evidence cumulatively, the Board finds that these employees are not management officials.

B. Specialists

Staff Specialists, Simulator Fleet

In the Board's August 9, 2001 eligibility determination, it found that Staff Specialist, Simulator Fleet employees were not management officials. *United Airlines, Inc.*, 28 NMB 533, 562-63 (2001). The Board held that merely stating that a classification can effectively recommend discipline or participate in the budget process is insufficient to establish that an employee is a management official without any specific examples. *See Mesaba Airlines, above.*

United contends that the Staff Specialist, Simulator Fleet position has both managerial responsibility and authority, including participation in solution development, procurement decisions regarding vendors, and the purchase of spare parts. Further, the Carrier contends that these employees create Carrier policy when they attend management meetings. However, United has not presented any specific evidence showing that Staff Specialist, Simulator Fleet employees' duties at management meetings includes any meaningful or direct participation in the creation of Carrier policy. *See ERA Aviation, above; Quality Aircraft Servs., above.*

The Carrier states that its Staff Specialist, Simulator Fleet employees are often asked to substitute for their immediate supervisors -- providing the example of one employee who filled in for his manager on 10 occasions during the first half of 2004. Further, the Carrier contends that during their rotating tour of duty as Liaison Engineers, they are authorized to grant overtime, compensatory time, and to excuse absences. When working as Liaison Engineers, these employees spend 35 percent of their total work hours supervising maintenance activities; and each employee in this classification spent approximately 150 hours, during the first part of 2004, writing department policies and procedures. Finally, this classification is rated at a G level, indicating that it

is one of the higher level positions at United.

While these employees perform some supervisory duties when working as Liaison Engineers or filling in for their immediate supervisors -- those tasks are temporary and not part of their regular duties. Further, their work writing department policies and procedures is insufficient to establish that they create Carrier policy -- since it is unclear who reviews and ultimately decides the policies or how limited the employees are by pre-existing Carrier policies, manuals or directives. Finally, receipt of management benefits and/or salary is insufficient to render an employee a management official. *See US Airways*, 26 NMB 359, 372 (1999).

While United's Staff Specialist, Simulator Fleet employees have a degree of supervisory authority, when viewing the evidence cumulatively, the Board finds that these employees are not management officials. *See Continental Airlines, Inc./Continental Express, Inc.*, 26 NMB 343, 351 (1999) (fact that Flight Simulator Engineers received a high salary, and "supervised software," was found insufficient to render them management officials when they also did not create Carrier policy or commit Carrier funds).

Staff Specialist, Ground Equipment

In the Board's August 9, 2001 eligibility determination, it found that Staff Specialist, Ground Equipment employees were not management officials. *United Airlines, Inc., above*.

United contends that its Staff Specialist, Ground Equipment employees perform managerial functions but does not elaborate or provide any specific examples of their management duties. There is no evidence supporting these employees' ability to dismiss or supervise employees, authorize overtime, establish assignments, create Carrier policy or commit Carrier funds. *See Manual Section 9.211; Mesaba Airlines*, 26 NMB 227, 237 (1999). There is insufficient evidence to find that United's Staff Specialist, Ground

Equipment employees are management officials.

C. Controllers

In the Board's August 9, 2001 determination, it found that United's Controllers were not management officials and that "United failed to provide evidence of examples that these individuals actually exercise the degree of authority alleged by the Carrier." *United Airlines, Inc., above*, at 564-66 (2001).

Controller, Production

United argues that the Controller, Production classification enjoys the same salary grade and benefits as Maintenance Supervisors and carries comparable management authority. Further, the Carrier contends that these employees have the authority to make decisions with vendors that can have significant economic impact, coordinate production schedules, and have the authority to override routine procedures.

While these employees may have some supervisory responsibilities, there is insufficient evidence of their authority to commit Carrier funds in decisions with vendors, or their authority to override routine procedures. Further, receipt of management salary and benefits, alone, is insufficient to render an employee a management official. *US Airways, above*.

The Board finds, viewing the evidence cumulatively, that United's Controller, Production employees are not management officials. *See United Airlines, Inc.*, 30 NMB 163, 172 (2002) (Board held that United's Controllers were not management officials, as there was insufficient undisputed evidence that these individuals could authorize overtime, effect discipline, create policy, commit carrier funds, or transfer/establish assignments); *AirTran Airways, Inc.*, 28 NMB 603, 619-20 (2001) (Board held that Maintenance Controller Supervisors were not management officials as they did not "assign work, approve overtime, discipline, hire, formulate policy, or commit

Carrier funds”); *Allegheny Airlines, Inc.*, 26 NMB 487, 494 (1999) (Board held that the Controllers were not management officials as the Carrier provided insufficient evidence to establish that the Controllers actually authorized overtime and recommended discipline).

D. Coordinators

In its August 9, 2001 determination, the Board held that United’s Coordinators were not management officials. The Board stated that while they have some budgetary authority and assign work, United did not provide evidence through examples showing that these employees exercise any significant degree of managerial authority. *United Airlines, Inc.*, 28 NMB 533, 567-68 (2001).

Coordinator, Plant & Equipment Maintenance

United contends that its Coordinator, Plant & Equipment Maintenance employees are management officials. The Carrier states that their duties of using computer systems to manage departmental budgets, accounts payable and capital budgets, amount to management authority in creation of the Carrier’s budget and the authority to commit Carrier funds. The Board finds otherwise, as assisting with the management of budget numbers on a computer is very different from having the authority to make final decisions about where and how much of the Carrier funds will be spent.

Further, United argues that its Coordinator, Plant & Equipment Maintenance employees are required to have effective supervisory and communication skills, as well as supervisory authority over support clerks. While these individuals clearly have a degree of supervisory authority, there was no evidence provided establishing that these employees can actually hire, fire or discipline employees. When considering the evidence cumulatively, the Board finds that United’s Coordinator, Plant & Equipment Maintenance employees are not management officials.

Coordinator, System Maintenance Workload

United argues that its Coordinator, System Maintenance Workload employees are management officials as they: are privy to confidential documents (including reports relating to projected conversion of aircraft configurations, scheduling, and maintenance of military charters); participate as part of management in conference calls and planning; participate in planning and routing for maintenance goals; and have key input in station staffing requirements -- input that factors into layoff and recall decisions.

While these individuals have a degree of supervisory authority, by virtue of their access to confidential documents and participation in meetings regarding maintenance goals and station staffing, there is no evidence that these employees can actually hire, fire, or discipline employees, commit Carrier funds, or directly participate in the creation of Carrier policy. *See ERA Aviation*, 26 NMB 507, 515 (1999); *Quality Aircraft Servs.*, 24 NMB 656, 657-58 (1997). Even their assistance with station staffing requirements is insufficient to establish their authority to transfer or establish assignments. When considering the evidence cumulatively, the Board finds that United's Coordinator, System Maintenance Workload employees are not management officials.

Coordinator, Equipment Maintenance

United contends that its Coordinator, Equipment Maintenance employee is a management official who commits Carrier funds when monitoring equipment warranties and vendor pricing, and conducting value analysis of automotive parts. These examples are insufficient to show that an employee has the authority to make significant and unfettered expenditures of Carrier funds -- so as to render him ineligible as a management official. *See Hawaiian Airlines, Inc.*, 29 NMB 308, 313 (2002). The Board finds, viewing the evidence cumulatively, that United's Coordinator, Equipment Maintenance employee is not a management official.

Senior Staff Coordinator, Maintenance Scheduling & Planning

United argues that its Senior Staff Coordinator, Maintenance Scheduling & Planning employees are management officials because they: work with input from directors and officers to resolve problems; function in a purely management-staff environment; are involved in confidential future route decisions; and regularly interview and make recommendations on hiring.

While these individuals have a degree of supervisory authority, by virtue of their work with Carrier management, their involvement with future route decisions, and their work interviewing and recommending potential employees, no examples or evidence was provided showing that these employees can actually hire, fire or discipline employees, commit Carrier funds, or that they directly participate in the creation of Carrier policy. *See Carnival Air Lines, Inc.*, 24 NMB 256, 262 (1997) (Board held that Inflight Supervisors were not management officials as they: did not formulate company policy; did not have the authority to authorize overtime; and while they had the authority to interview applicants, they did not have the authority to hire or fire employees). When considering the evidence cumulatively, the Board finds that United's Senior Staff Coordinator, Maintenance Scheduling & Planning employees are not management officials.

In sum, the Board finds that the following classifications at United are not management officials:

- Planner, Maintenance Procedures;
- Staff Representative, Line Maintenance Planning;
- Staff Specialist, Simulator Fleet;
- Staff Specialist, Ground Equipment;
- Controller, Production;
- Coordinator, Plant & Equipment Maintenance;
- Coordinator, System Maintenance Workload;

- Coordinator, Equipment Maintenance; and
- Senior Staff Coordinator, Maintenance Scheduling & Planning

III. Accretion

The Board's broad discretion to determine the manner in which it conducts investigations in representation disputes was upheld conclusively in *Brotherhood of Ry. and S.S. Clerks v. Ass'n for the Benefit of Non-Contract Employees*, 380 U.S. 650 (1965). The Court held that in determining choice of employee representative, the RLA "leaves the details to the broad discretion of the Board with only the caveat that it 'insure' freedom from carrier interference." *Id.* at 668-69.

In *Ross Aviation, Inc.*, 22 NMB 89 (1994), the Board dismissed the Organization's application stating that an election was unnecessary because the employees at issue were already covered by Board certification. Since then, the Board has consistently followed this policy when it finds that particular job functions are traditionally performed by members of a certified craft or class. *AirTran Airways, Inc.*, 31 NMB 45 (2003); *Frontier Airlines, Inc.*, 29 NMB 28 (2001); *US Airways, Inc.*, 28 NMB 104 (2000).

The Board bases its accretion determinations upon work-related community of interest. However, the Board requires all applications in representation matters to be supported by an adequate showing of interest. The requisite showing of interest was provided with AMFA's application and deemed satisfactory in the related case of CR-6863 (fuelers),³ therefore, accretion is appropriate.

³ In Investigator Mansfield's letter of July 30, 2004, she stated that "the evidence previously submitted attached to AMFA's submission will be accepted as support [for the showing of interest] for the application."

CONCLUSION

The Board finds that the following nine classifications in United's Group of 19 are covered by the certification in NMB Case No. R-6933: 1) Planner, Maintenance Procedures; 2) Staff Representative, Line Maintenance Planning; 3) Staff Specialist, Simulator Fleet; 4) Staff Specialist, Ground Equipment; 5) Controller, Production; 6) Coordinator, Plant & Equipment Maintenance; 7) Coordinator, System Maintenance Workload; 8) Coordinator, Equipment Maintenance; and 9) Senior Staff Coordinator, Maintenance Scheduling & Planning.

The following three classifications in United's Group of 19 are no longer in existence: 1) Planner, Facilities Maintenance; 2) Coordinator, Technical Planning; and 3) Planner, Aircraft Maintenance.

The following seven classifications are not properly part of United's Mechanics and Related Employees craft or class: 1) Analyst, Computer Support; 2) Staff Specialist, Maintenance; 3) Maintenance Planning Data Controller; 4) Data Controller A, Maintenance Systems; 5) Data Controller B, Maintenance Systems; 6) Staff Analyst, Maintenance Planning; and 7) Senior Staff Analyst, Maintenance Planning.

As there is no basis for further investigation, NMB File No. CR-6864 is converted to NMB Case No. R-7035 and dismissed.

By direction of the NATIONAL MEDIATION BOARD.



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