NATIONAL MEDIATION BOARD
WASHINGTON, DC 20572

(202) 692-5000

In the Matter of the Application of the INTERNATIONAL ASSOCIATION OF MACHINISTS AND AEROSPACE WORKERS alleging a representation dispute pursuant to Section 2, Ninth, of the Railway Labor Act, as amended involving employees of HORIZON AIR	39 NMB No. 60 CASE NO. R-7328 FINDINGS UPON INVESTIGATION-AUTHORIZATION OF ELECTION August 21, 2012

This determination addresses the application of the International Association of Machinists and Aerospace Workers' (IAM or Organization) alleging a representative dispute pursuant to the Railway Labor Act (RLA), 45 U.S.C. § 152, Ninth (Section 2, Ninth), among "Stocks and Stores" employees of Horizon Air (Horizon or Carrier). The employees are currently unrepresented. For the reasons set forth below, the National Mediation Board (Board or NMB) concludes that Stocks and Stores Employees is the appropriate craft or class for the employees at Horizon and authorizes an election.

PROCEDURAL BACKGROUND

On June 4, 2012, the IAM filed an application alleging a representation dispute involving the "Stocks and Stores" employees on Horizon. The application was given NMB File No. R-7328 and Angela I. Heverling was assigned as the Investigator.

On June 19, 2012, Horizon submitted a position statement alleging that the employees at issue are properly in the "Mechanics and Related Employees" craft or class. The IAM filed a position statement in response on June 28, 2012, and on July 11, 2012, Horizon filed additional information in support of its position.

ISSUE

Is Stock and Stores Employees the appropriate craft or class or are the employees in question part of the larger Mechanics and Related Employees craft or class at Horizon?

CONTENTIONS

Horizon

Horizon asserts that the employees the IAM has categorized as Stock and Stores employees are part of the Mechanic and Related Employees, currently represented by the International Brotherhood of Teamsters (IBT). Horizon is requesting that the Board dismiss IAM's application.

The Carrier asserts that the employees at issue share a strong work-related community of interest with the Mechanics and Related craft or class at Horizon. Horizon argues that the Board has found employees with similar job descriptions and duties at other carriers were appropriately in the Mechanics and Related craft or class because they performed work in support of mechanics.

IAM

The IAM asserts that the Board has previously recognized a separate craft or class of Stock and Stores at the Carrier and has previously held two elections for that craft or class. In addition, IAM points out that the employees at issue did not participate in previous elections among the Mechanics and Related craft or class at Horizon.

The IAM also contends that there are significant differences between the employees at issue and those in the Mechanics and Related craft or class, specifically regarding supervision.

In addition to its contentions about the appropriate craft or class, the IAM also argues that the Carrier is attempting to influence the employees' choice of representative by delaying an election.

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.

Horizon is a common carrier as defined in 45 U.S.C. § 181.

II.

The IAM 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 the 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.

STATEMENT OF FACTS

Horizon was founded in 1981 to fly routes in the Northwest United States following airline deregulation. In 1986, Horizon was purchased by Alaska Air Group, Inc., which also owns Alaska Airlines. It services at least 40 cities in the United States, Canada, and Mexico. Horizon's general office is in Seattle, Washington.

There are five job titles covered by the IAM's application. These are Expediter, Tool Room Clerk, Receiving Inspector, Maintenance Stores Clerk,[1] and Maintenance Stores Clerk Team Leader. The majority of the employees in these five job classifications are based at Horizon's primary maintenance base

[1] Several Maintenance Stores Clerks are certified to operate a forklift. They are internally referred to as Maintenance Stores Clerks (Forklift Operator) and receive a premium.

in Portland, Oregon. Others are based in Seattle, Washington; Boise, Idaho; Coeur D'Alene, Idaho; and Spokane, Washington. All of these employees are part of Horizon's Maintenance and Engineering Organization. These positions are under the direction of Daniel Kangas, Manager of Component Repair. Kangas, along with the Maintenance Operations Managing Director, the Airworthiness Director, and the Fleet Technical Services Managing Director, reports to the Vice President of Maintenance and Engineering. Edward Beselin, the Stores Manager, is the direct supervisor of the employees at issue and works under Kangas.

According to Horizon, due to the small size of the Materials Department, these employees are often called upon to work in other job classifications within that department. According to Kangas,

> [t]he Materials employees at issue service the Maintenance Organizations solely, and do not perform traditional stock/stores work for other departments within the airline. Instead, they are an integral part of the Horizon Maintenance and Engineering Department as they perform essential job functions in support of the maintenance, overhaul, and repair of aircraft and aircraft components.

The job description for Expeditors includes the following duties: tracks all aircraft on ground to ensure proper pickup and routing to affected aircraft; provides information on requests by Maintenance Control to move aircraft parts; schedules the clearing of aircraft parts with Maintenance Control; routes aircraft parts to maintenance stations and verifies receipt of parts; coordinates parts needed for in-house repairs; ensures that parts are available to mechanics; and maintains the log of aircraft on ground on the Maintenance Document Distribution System, a system also utilized by mechanics to get information about aircraft parts and tools. Expeditors have direct contact with Maintenance Purchasing employees, Maintenance Repair Analysts, Maintenance Control employees, Mechanics, and Line Maintenance Supervisors.

The job description for Tool Clerk includes the following: coordinates usage of tools so they are available for scheduled maintenance; maintains records on company-owned tools and test equipment utilized by mechanics and other employees in the Maintenance and Engineering Department; evaluates aircraft tools to determine whether in-house repair is warranted and writes repair orders; performs simple repairs on parts and test equipment; follows up with the Rotables Department on tools out for repair; maintains the Tools

Calibration program; and routes tools borrowed from the Portland facility to the appropriate Maintenance shop.

The duties of the Maintenance Stores Clerk include the following: performs Expeditor duties as required; ensures shipping, handling, and receipt of parts for the aircraft on the ground; processes unserviceable rotable/repairable aircraft components to ensure timely shipping for repair; observes and complies with federal regulations, departmental procedures, and company policies and safety programs; processes outgoing aircraft parts for shipment; issues serviceable aircraft parts to Maintenance personnel; and builds the "kits" used by mechanics to perform aircraft repairs and modifications. The Maintenance Stores Clerk/Team Leader performs all the tasks of the Maintenance Stores Clerk in addition to the following: maintains a "passdown log," which is a communication log used across shifts to record activities and support maintenance; ensures the proper shipping, receiving, and tracking of aircraft parts; coordinates with other Maintenance Departments to ensure adequate inventory of aircraft parts and materials; and monitors receipts and transfers of aircraft parts and materials to ensure accurate completion of daily transactions.

The Receiving Inspectors' duties include the following: assures aircraft parts and materials are free from obvious defects; assures parts and materials are properly identified; attaches completed Horizons Serviceable Component tag (allows parts that have been properly received to be used in aircraft) to parts; and forwards certification paperwork to Technical Records.

All of the employees at issue maintain and enter information into computer programs that the Mechanics rely on to perform their duties. According to Kangas, "Horizon's mechanics and other maintenance employees would not be able to perform many of the essential duties of their jobs, but for the Materials employees at issue." The Carrier reports that there is interchange among the employees at issue. All of the other employees are required to know and perform all duties of the Maintenance Stock Clerks when necessary.

Of the 34 employees currently employed in these job classifications, 27 are based in the Portland Hanger with Portland maintenance base employees. The remaining employees are based with maintenance employees at other maintenance facilities. The Vice President of Maintenance and Engineering includes all of these employees in her distribution list for weekly communications.

The employees at issue wear different uniforms than the employees currently in the Mechanics and Related craft or class. The two groups hold separate departmental meetings and the employees in these five job classifications do not participate in the Mechanics' daily briefings. The two groups share break rooms, locker areas, restrooms, and parking areas. They also share the same benefits package. All Maintenance and Engineering employees, including those covered by a collective bargaining agreement, are governed under the Maintenance and Engineering General Procedures Manual. The employees at issue are not required to hold an Airframe and Powerplant (A&P) license as the Mechanics are.

The Board has previously held elections for the "Stock Clerks" craft or class at Horizon. *See Horizon Air*, 19 NMB 374 (1992); *Horizon Air*, 17 NMB 308 (1990). The Mechanics and Related Employees craft or class is represented by the IBT. *Horizon Air*, 39 NMB 297 (2012).

DISCUSSION

Craft or Class Determination

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. *Florida Northern RR*, 34 NMB 142 (2007); *Frontier Airlines, Inc.*, 29 NMB 28 (2001); *United Airlines, Inc.*, 28 NMB 533 (2001); *US Airways, Inc.*, 28 NMB 104 (2000). The Board makes craft or class determinations case by case, based upon Board policy and precedent. *US Airways, above; USAir*, 15 NMB 369 (1988); *Simmons Airlines*, 15 NMB 124 (1988). Previous NMB decisions are also taken into account when making craft or class determinations. *See* Board Representation Manual Section 9.1.

In airline crafts and classes, the Board has long recognized that Stock and Stores Employees (also referred to as Stock Clerks) belong in a craft or class separate from the traditional Mechanics and Related Employees craft or class. *See e.g. Jet America Airlines, Inc.*, 12 NMB 185 (1985); *Comair, Inc.*, 9 NMB 2 (1981); *Braniff Int'l Airways*, 1 NMB 456 (1948).

In *Comair*, the Board refused to combine the crafts or classes of Stock Clerks and Mechanics and Related Employees because there was no evidence to "support a conclusion that the stock clerks perform mainly mechanical work. Their work duties include receiving, inspecting, and issuing supplies."

Comair, 9 NMB at 7. These are the primary duties of the employees at issue in this case. There is no dispute that this work supports the maintenance of aircraft; however, this was the case at other carriers where the Board has refused to combine the crafts or classes. Providing support to the Mechanics and Related Employees is the defining feature of the craft or class of Stocks and Stores Employees. In *Braniff*, the union argued and the Board conceded that the "stock clerks function is an integral part of mechanical maintenance operations of the carrier." 1 NMB at 463. The Board further defined the duties of this craft or class:

> Aside from the fact that a stock clerk comes in contact, perhaps, more frequently with a mechanic than any other employee, his basic job is to store and issue mechanical tools and parts, which is an integral part of the storekeeping function regardless of the number of records he keeps and is something separate and distinct from the many different duties performed by the mechanic in the maintenance, overhaul, and repair of aircraft equipment.

Id. at 464.

The Carrier argues that the Board should include these employees in the Mechanics and Related craft or class because it has expanded what is has included as "related" in recent years. The Board has included employees who are not required to hold an A&P license and who are engaged in maintenance-related functions. *See, e.g United Airlines*, 32 NMB 75 (2004)(The Board included Maintenance Planning Data Controller and other maintenance planning positions in the craft or class); *Air Tran Airways*, 31 NMB 45 (2003) (The Board held that maintenance planners were part of the Mechanics and Related Employees). Despite expanding the Mechanics and Related craft or class, the Board has continued to recognize the separate Stocks and Stores craft or class, refusing to combine it with other traditional airline crafts or classes. *See, e.g. El Al Israeli Airlines*, 12 NMB 279 (1985)(The Board refused to combine the Stock and Stores Employees with the Fleet and Passenger Service craft or class). At United, where the Carrier noted that the Board has expanded the Mechanics and Related Employees craft or class, there remains a separate and distinct Stock Clerks craft or class. *United Airlines*, 38 NMB 161 (2011). The Carrier has provided no evidence to distinguish these employees from Stock and Stores Employees (or Stock Clerks) at other carriers.[2]

---

[2] The Carrier cited *Frontier Airlines, Inc.*, 29 NMB 28, 37 (2001), where the Board determined that Tool Room Attendants were in the Mechanics and Related craft or class. In that case, the Board based this determination on the fact that the functions of the Tool Room

The employees at issue work closely with the mechanics and some of their job duties may be shared by employees who are in the Mechanics and Related craft or class at other carriers; however, job functions are not the only consideration in craft or class determinations. The employees at issue do not share a community of interest with the mechanics. They have a different supervisory structure and do not participate in the same briefings and meetings as mechanics. They are all supervised by the Stores Manager, who does not supervise mechanics. Employees in the five job classifications at issue can be called on to work interchangeably and all are required to perform the duties of the Maintenance Stock Clerks as necessary. They wear different uniforms from those worn by the Mechanics. Although, like the mechanics, these employees are covered by the Maintenance and Engineering General Procedures manual, the same could be said of all of the other employees in the Maintenance and Engineering Department, many of whom are undisputedly not in the Mechanics and Related Employees craft or class.

The Board has also previously recognized the Stock Clerks as a separate craft or class at Horizon. *See Horizon Air*, 19 NMB 374 (1992); *Horizon Air*, 17 NMB 308 (1990). These employees did not participate in the recent election among the Mechanics and Related Employees and were not included on that eligibility list. *Horizon Air*, 39 NMB 297 (2012).

The employees with the job titles of Expediter, Tool Room Clerk, Receiving Inspector, Maintenance Stores Clerk, and Maintenance Stores Clerk Team Leader share a community of interest and are members of the craft or class of Stocks and Stores. The Board has a long precedent of finding Stocks and Stores to be a separate craft or class in the airline industry and that is the appropriate craft or class here.

Allegations of Election Interference

The IAM included in its submission allegations that Horizon is seeking to delay the election by raising the issue of the correct class or craft. It also alleges that Horizon has held mandatory meetings with employees to discuss the election. Barring extraordinary circumstances, the Board does not take

---

Attendants were the same as those of Utility Mechanics in *Continental Airlines, Inc.*, 24 NMB 433 (1997). Unlike the employees in the instant case, these Utility Mechanics' duties included work performed by mechanics or by ground service personnel traditionally part of the Mechanics and Related craft or class. For example, duties included "servicing and transporting equipment . . . performing minor repairs on food service equipment, as well as cutting, sizing, and forming materials for aircraft interiors (and) surface treatments on engines, aircrafts and component parts with chemicals and sandblasting equipment." *Id.* at 445.

action on allegations of election interference until the end of the voting period. *See, e.g. Delta Air Lines*, 38 NMB 13 (2010); *Piedmont Airlines*, 38 NMB 11 (2010). The Board does not find any extraordinary circumstances that would require Board action at this time. Any allegations will be addressed, if appropriate, at the end of the voting period consistent with the Board's usual practice.

CONCLUSION AND AUTHORIZATION OF ELECTION

The Board finds that the proper craft or class of the employees at Horizon is Stock and Stores Employees. The Board finds a dispute to exist among this craft or class and authorizes a Telephone Electronic Voting (TEV) election using a cut-off date of May 26, 2012.

The Carrier is hereby required to furnish, within 5 calendar days, 1" X 2-5/8" peel-off labels bearing the alphabetized names and current addresses of those employees on the List of Potential Eligible Voters. The Carrier must print the same sequence number from the List of Potential Eligible Voters beside each voter's name on the address label. The Carrier must also provide to the Board the name and sequence number of those potential eligible voters who reside outside of the United States.

By direction of the NATIONAL MEDIATION BOARD

Mary L. Johnson
General Counsel

Copies to:

Chris Lewless
Herman Wacker
Sito Pantoja
Jay Cronk
Carla Siegel