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AND FIRST CLASS MAIL

Mary L. Johnson, General Counsel
Eileen M. Hennessey, Investigator
National Mediation Board
1301 K Street, N.W.
Suite 250 East
Washington, D.C. 20572

Re: NMB Case No. R-6998
American Airlines, Inc./TWU/AMFA

Dear Ms. Johnson and Ms. Hennessey:

Pursuant to the letter, dated March 15, 2004, from the National Mediation Board's ("NMB" or "Board") General Counsel, Mary L. Johnson, we ask that you consider this letter as the Initial Position Statement of the Aircraft Mechanics Fraternal Association ("AMFA"). The application filed by AMFA with the Board in the above referenced matter involves the Mechanics and Related Employees of American Airlines, Inc. ("American" or Company"), which is the largest airline in the world.

Initially, we note that Investigator Hennessey's should rescind her retroactive decision of March 25, 2004 decision not to accept any further authorization cards after 4:00 p.m. ET on March 15, 2004, because the applicable list provided by the Company is not in compliance with the express requirements as set forth in the General Counsel's letter. Specifically, the Company did not submit the alphabetized list of potential eligible voters in the exact format as requested by the NMB. (Johnson letter, at 2-3). Therefore, Investigator Hennessey should be directed to continue to accept additional authorization

cards until the Company is in compliance with the exact format prescribed by the General Counsel's letter. In addition, to the extent, the Company has not complied with any other requirement in the NMB General Counsel's letter, AMFA's position is that Investigator Hennessey should continue to accept additional authorization cards until the Company fully complies with any other such requirements.

Accordingly, because Investigator Hennessey's March 25, 2004 letter advises that additional cards were not accepted after 4:00 p.m. ET, March 15, 2004, which directly contradicts the Company's failure to abide by the express terms of conditions precedent in the General Counsel's letter, the Investigator, should "**continue to accept additional authorization cards,**" (Johnson letter, at 3, emphasis in original) until such time as the Company fully complies with the General Counsel's requirements.

The Company apparently did not read the General Counsel's letter in its mad dash to file its eligibility list on Monday, March 15, 2004, merely one business day after AMFA's application was filed. This seemingly frantic rush to file the proposed eligibility list with the NMB is atypical in that the Company did not even bother to appear in the above matter until March 17, two days after filing its proposed eligibility list. The breakneck speed with which the Company raced to file the eligibility list coupled with other factors as they pertain to this list, including the extraordinary inflation of the Company's proposed eligibility list, as further set forth in this Initial Position Statement, demonstrates impermissible favoritism by the Company towards the incumbent union in this case.

As previously reported in our March 16, 2004 letter, the proposed eligibility list is supposed to be limited to **all individuals with an employee-employer relationship as of the last day of the payroll period prior to March 12, 2004.** (Johnson letter, at 2, emphasis in original). AMFA is still reviewing the Company-generated list of 18,698 persons; however it appears that the Company may have gone to great lengths to file an inaccurate and inflated list in order to protect the incumbent union and maintain the status quo at American.

On March 16, 2004, in a telephone conversation with Investigator Hennessey, an electronic version of the eligibility list was requested. Although not denied at the time, the failure of the Investigator to provide such a list to date in an election with such a large population compounds the prejudice to AMFA of a Challenges deadline of April 8, 2004, by compelling AMFA to rely on a time-consuming manual check where the election concerns the world's largest airline. The NMB's determination to withhold this electronic information, seems designed to frustrate the employees' right to confirm the list's accuracy. It makes little sense in this day and age not to provide AMFA with an electronic version of the list.

We have already directed the Board's attention to the stark discrepancy in the number of persons between the Company's proposed eligibility list here and the 16,501 employees, who comprised the craft or classes of Mechanics and Related Employees and Simulator Technicians covered by the Transport Workers Union of America's ("TWU")

application in American Airlines, Inc., 29 NMB 240, 245 (2002). To date, a copy of the list(s) of these 16,501 employees has not been provided, yet despite the above discrepancy exceeding 2,000 people, Investigator Hennessey has seen fit to unreasonably schedule the deadline for challenges to the "List of Potential Eligible Voters" involving the largest airline in the world for Thursday, April 8, 2004, less than two weeks from today. Given the large number of employees in this case, and the *prima facie* improper inflating of the list by the Company, imposing a deadline for challenges to the proposed eligibility list of April 8, 2004 not only exacerbates the extreme burden imposed on AMFA in challenging the Company's "List of Potential Eligible Voters," but also compromises any perceived objectivity of the Board in the eyes of the many members of the craft or class of Mechanics and Related Employees at American. The failure of the Investigator to provide AMFA with an electronic version of the Company's "List of Potential Eligible Voters," does not contribute to a perception of objectivity either.

The due process rights of the Mechanics and Related Employees at American Airlines, Inc. dictate that AMFA not only be provided the list(s) of these 16,501 employees and then be afforded at least five weeks from the time of receipt to examine the list and to assemble documentation for purposes of challenges to the "List of Potential Eligible Voters," but also electronic versions of the lists to the extent they are available.

Accordingly, AMFA should be provided the list of 16,501 employees as reported in American Airlines, Inc. 29 NMB 240, 245 (2002) by either the NMB or the Company, preferably in an electronic format, with ample time, preferably at least five weeks, to review and compare the lists before proceeding with Challenges to the Company's "List of Potential Eligible Voters" in this case.

In addition to the above discrepancy exceeding 2,000 people, the "List of Potential Eligible Voters" as presently constituted contains insertions to the Company's list of persons whose presence on the list appears to be a deliberate attempt to undermine the election process by artificially inflating the list. Among the most disturbing practices is the meshing together of lists from disparate sources, resulting in numerous duplications. These duplicative names are frequently in a different font from the rest of the list, thereby supporting the conclusion that they have been deliberately inserted to inflate the Company's standard list. In some instances, there is an apparent attempt to disguise the duplication effort by changing a particular fact about the individual sought duplicated by either adding a middle initial or by altering a digit of the four digit portion of the person's social security number.

There are many names on the list of persons designated as Mechanic, who are not. Among other categories of individuals found on the list, who should not be there, include the following: retirees, resignees, deceased individuals, managers, American's Managing Director of Maintenance, William J. Cade (#2467), members of other craft or classes, such as stock clerks, fleet service employees, ticket agents, individuals working for other Carriers and further investigation will no doubt uncover more ineligible voters. AMFA will set forth all of these individuals and supporting documentation when it files its Challenges and Objections to the Company's "List of Potential Eligible Voters." Such a

list should not be afforded a presumption of eligibility as the Investigator has so deemed prematurely. (Hennessey letter, dated March 25, 2004).

Alternatively, in the event an extension is not granted to AMFA until the list(s) of 16,501 are provided to AMFA, due to the unprecedented size of the "List of Potential Eligible Voters" in this case, AMFA requests an extension of at least six weeks to May 20 in order that AMFA may more fully investigate and have the additional time to garner documentation in support to challenge the large number of ineligible voters on the "List of Potential Eligible Voters." The number of eligible voters will be sharply contested in this proceeding by AMFA, and unreasonable deadlines set by the Board can be used to foster injustice and deprive the Mechanics and Related Employees of the representative of their choice.

AMFA wishes to alert the NMB to other impermissible favoritism exhibited by the Company towards the incumbent union in violation of the Railway Labor Act. For example, the Company is allowing impermissible TWU electioneering on a Company website called jet net. See attached copy of page from the Maintenance and Engineering Tulsa home page.

The text of TWU President, Randy McDonald's February 13, 2004 recorded verbal comments on this Company website are transcribed below:

"I too would like to thank the Mayor and of course all those who were so heavily involved in trying to keep all of this work in the City of Tulsa. It's not about me. It's not about you guys and you girls, it's about the Transport Workers. We are the best union in the absolute world. We will take no seat to any other union and I want to thank you guys and gals for your dedication. We got to continue to work together for the future. The 737 is the start of it and we are going to move into the Eagle world and on. I want to say thanks for all of your support and I love all of you." (Emphasis supplied).

The Company is also allowing the TWU to post anti-AMFA literature in enclosed TWU bulletin boards on the Company's premises in Kansas City. See attached copies. Apparently, Dave Young, head of HR there, who reviews documents placed on these bulletin boards, believes that the TWU has special rights by virtue of being the incumbent to post anti-AMFA literature, thereby compromising the requisite neutrality of the Company under the Railway Labor Act. See attached. Also, AMFA supporters in Kansas City, such as James A. Eubanks, are being harassed by Company representatives and the TWU for supporting AMFA. Attached is a copy of documentation provided to AMFA by Mr. Eubanks further demonstrating the Company's bias for the TWU in this case. Mr. Eubanks' address and telephone number have been redacted from his attached letter.

Accordingly, AMFA requests that the Company cease and desist from violation of the Railway Labor Act by in fact staying neutral in the above referenced matter and not threatening or intimidating Mechanics and Related Employees or allowing the TWU to

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threaten or intimidate Mechanics and Related Employees based on their legitimate activities for AMFA.

Sincerely,


George Diamantopoulos

Enclosure

cc: Sheldon M. Kline, Esq.
Gregg Formella, Esq.
James Weel
Jim Little, TWU Director Air Transport
Arthur M. Luby, Esq.
David B. Rosen, Esq.
O.V. Delle-Femine, AMFA National Director
Terry Harvey, AMFA Assistant National Director