



Card Fraud and the IAM

The Delta Air Lines Flight Attendants' Story

The story of the IAM's campaign to unionize the Delta Air Lines flight attendants is a cautionary tale of how a union can misuse your personal information for its own gain.

Know the facts before you consider signing a Union Authorization Card!

The documents reproduced in this book were obtained from the U.S. National Mediation Board



MADE WITH PRIDE
IN SOUTH CAROLINA

In January 2015 – and with much self-promotion – the IAM filed a petition with the National Mediation Board (a federal agency, similar to the NLRB, that governs labor relations of airlines), seeking to represent 20,000 flight attendants at Delta Air Lines.

The union made a show of delivering the signed authorization cards to the NMB offices, boasting that 12,000 Delta employees – 60% of the proposed bargaining unit – had submitted signed cards in support of the unionization effort and called it a “historic day.”

“This is a historic day for these courageous Flight Attendants. The IAM stands firmly behind the Delta Flight Attendants’ effort to win a strong voice in their profession and stability in a volatile industry.”

Delta Flight Attendants, IAM File For Historic Election



January 13, 2015



0 Comments



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Delta Flight Attendants deliver more than 12,000 election request cards to the NMB in Washington DC.

The International Association of Machinists and Aerospace Workers (IAM) today delivered signed election request cards to the National Mediation Board (NMB) from nearly 12,000 Delta Air Lines Flight Attendants to formally request that the federal agency conduct a union representation election at the carrier.

An election victory for the more than 20,000 Flight Attendants at Delta would be the largest ever transportation sector organizing win and would cap off more than two years of grassroots efforts by Delta Flight Attendants to gain union representation.

"This is a historic day for these courageous Flight Attendants," said IAM International President Tom Buffenbarger. "The IAM stands firmly behind the Delta Flight Attendants' effort to win a strong voice in their profession and stability in a volatile industry."

Union claims to have “at least 50%” signed up

IAM leaders signed the petition, declaring under federal law that the Machinists had signatures from “at least 50%” of the Delta flight attendants.

Federal law prohibits knowingly and willfully making materially false, fictitious, or fraudulent representations in any matter within the jurisdiction of the U.S. Government, 18 U.S.C. §1001. This includes the information provided on this application as well **as the accompanying showing of interest.**



Application for Investigation of Representation Dispute

Date: January 13, 2015

TO THE NATIONAL MEDIATION BOARD, Washington, D. C. 20005: A dispute has arisen among the employees of:

Name of Carrier:	Delta Air Lines	Address:	P.O. Box 20706
Contact:	Joanne Smith	City, State, Zip Code:	Atlanta, GA 30320-6001
Telephone Number:	404-715-2447	Fax Number:	404-715-2462
E-Mail:	Joanne.Smith@delta.com		

as to who is the representative of these employees designated and authorized in accordance with the requirements of the Railway Labor Act. The undersigned, one of the parties to the dispute, hereby requests the National Mediation Board to investigate this dispute, and to certify the name or names of the individuals or organizations authorized to represent the employees involved in accordance with Section 2, Ninth, of the Act.

PARTIES TO DISPUTE

Petitioning organization or representative:	International Association of Machinists and Aerospace Workers
Organization holding existing agreement, if any:	Date:
Other organization or representatives involved in dispute:	

CRAFT OR CLASS of Employees Involved - (If more than one craft or class, use a separate application)

Craft or Class	Number of Employees
Flight Attendants	20,300

Federal Law prohibits knowingly and willfully making materially false, fictitious, or fraudulent statements or representations in any matter within the jurisdiction of the U.S. Government. 18 U.S.C. § 1001. This includes the information provided on this application as well as the accompanying showing of interest.

EVIDENCE OF REPRESENTATION - this application is supported by:

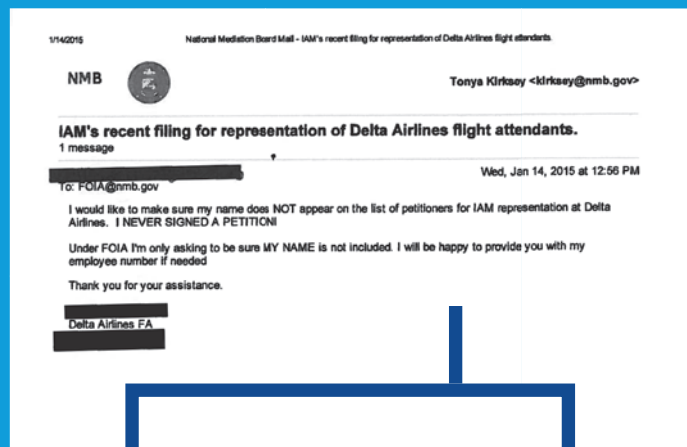
At least 50%

I declare that the information submitted is true to the best of my knowledge

Name and Signature:	R. Thomas Buffenberger	<i>R. Thomas Buffenberger</i>
Title:	International President	
Address:	9000 Machinists Place	Telephone: 301-967-4522
City, State, Zip Code:	Upper Marlboro, MD 20772	Fax: 301-967-4587
E-Mail:	tbuffenberger@ismaw.org	

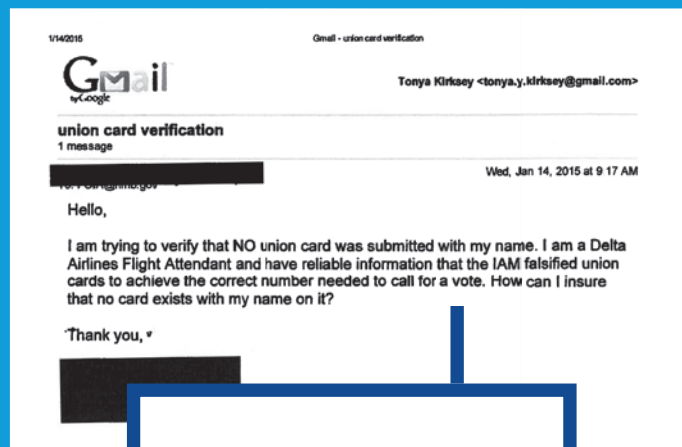
Questions arise about signatures

Almost immediately, Delta flight attendants began notifying the Board of their concerns that the IAM had submitted forged cards in their name.



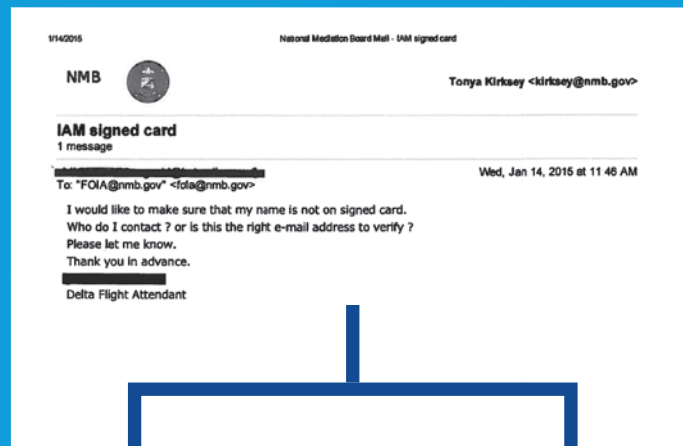
**I NEVER SIGNED
A PETITION!**

Delta Air Lines FA



I am trying to verify that
NO union card was
submitted with my name.

I want to be certain my name is **NOT** included as **I NEVER** signed a card and **DO NOT** want union representation.



I would like to make sure my name is not on the signed card.

Delta Flight Attendant

Union claims it can do whatever it wants

Complaints like these caused Delta to write a letter to the Board on January 28, 2015, asking for a “careful review” of the submitted cards.

The IAM’s lawyers sent a dismissive response to the Board, calling Delta’s concern about possible forgeries “desperate,” “without merit,” and “grasping at straws.”

The IAM’s position seemed to be that this was none of Delta’s business—or anyone else’s:

“How the IAM Flight Attendant campaign communicated with potential card signers is the business of the campaign.”

**International
Association of
Machinists and
Aerospace Workers**



9000 Machinists Place
Upper Marlboro, Maryland 20772-2687

Area Code 301
967-4500



OFFICE OF THE GENERAL VICE PRESIDENT

CO Delta Air Lines, Inc.

Via email to OLA-efile@nmb.gov

Mary L. Johnson, General Counsel
Maria Kate Dowling, Investigator
National Mediation Board
1301 K Street, NW, Suite 250 East
Washington, DC 20005-7011

Re: NMB Case No. R-7418
Delta Air Lines, Inc./IAM

Dear Ms. Johnson and Ms. Dowling:

The International Association of
Lines' January 28, 2015 letter to the N
Delta's letter attempts to cast aspersions a
Board by a majority of Delta Flight At
workplace.

Delta's letter is all rhetoric and no
the Board to make a "careful review" of
Attendants – something that the Bo
Railway Labor Act. The IAM has every
staff will do its job despite Delta's attempt

Delta is choosing to challenge its
process in order to buy time to unduly
condone nor participate in that gambit. In
the Board resolves disputes 'as expeditio
(2011). Any manufactured delay is an in
their very careers, and continue to do so, t

¹ Delta's letter was filed nearly six hours after the
in its docketing letter.

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How the IAM Flight Attendant campaign communicated with potential card signers is the business of the campaign; how the Board conducts its investigation of a representation dispute is the business of the Board; and neither is the business of the carrier.

Delta Flight Attendants are neither surprised nor discouraged by Delta's actions. Delta's solicitation of Flight Attendants on DeltaNet (Delta's intranet) to gin up complaints about IAM letters over the past several weeks generated signed statements from only five Flight Attendants, not exactly an overwhelming show of support. Perhaps, that is why Delta is now so desperate to deprive its Flight Attendants of a free and fair vote on representation.

Delta's own actions, on the very day it submitted its remarks to the Board, however, belie its claims to the Board. Delta CEO Richard Anderson sent the attached campaign letter to all Delta Flight Attendants on January 28th that unmistakably anticipates a representation election. Attachment A. Despite the influence and coercion such a document from such a high ranking executive has on eligible voters, it is clear that Delta has no faith in its claims submitted to the Board and that Delta knows those claims are without merit.

Delta Flight Attendants remain confident that after the Board's careful review of the cards submitted, the Board will promptly authorize an election. Delta Flight Attendants eagerly await the Board's determination.

Sincerely,

David L. Neigus
Associate General Counsel

DLN/rc

Attachment

cc: Certificate of Service
Sito Pantoja
Timothy J. Klima

What kinds of things did the IAM consider “none of anyone else’s business?”

According to Delta’s letter to the Board:

- Employees who never signed cards received messages thanking them for signing cards
- Employees who never signed cards were approached by IAM organizers and asked to sign again because their “card had expired”
- Employees who never signed cards were told the IAM had cards on file in their names

Sworn affidavits by Delta flight attendants were submitted to the Board. Here’s a typical example:

“The person who I spoke to refused to return the card, claiming she could not for reasons of privacy. ...**I was confused as to whose privacy the IAM was protecting.**”

BEFORE THE NATIONAL MEDIATION BOARD

In re

Delta Air Lines, Inc.

IAM NMB Case No. R-7418

DECLARATION OF [REDACTED]

I, [REDACTED], declare under penalty of perjury and swear as follows:

1. I am employed by Delta Air Lines, Inc. ("Delta") as a flight attendant. I was hired by Northwest Airlines in [REDACTED] and began working for Delta following its merger with Northwest in October 2008. I am based at Delta's [REDACTED]. I provide this declaration voluntarily in connection with the above-referenced matter.

2. Approximately one year ago, I was concerned about the number of IAM mailings I was receiving and wondered how they had obtained my home address. I decided to contact the IAM and ask them how they received my contact information and to stop sending me unsolicited materials. I spoke to a female who advised me that the reason I was receiving this information is because they had an authorization card on file for me. I advised the individual that I had not signed an authorization card and that I wanted the IAM to return any card they had with my name on it.

3. The person who I spoke to refused to return the card, claiming she could not for reasons of privacy. Since the card purportedly contained my signature, I was confused as to whose privacy the IAM was protecting.

4. I retained private counsel who wrote a letter to the IAM in February 2014 asking that the card be returned to me. The IAM neither responded to the letter nor returned the authorization card although the IAM mailings ceased coming to me for a time.

"I spoke to a female who advised me that **the reason I was receiving this information is because they had an authorization card on file for me.**"

"I advised the individual that I had not signed an authorization card and that **I wanted the IAM to return any card they had with my name on it.**"

"I retained private counsel who wrote a letter to the IAM.... **The IAM neither responded to the letter nor returned the authorization card....**"

Union's story begins to fall apart

The Board's investigation into possible fraud continued...

More employee statements were received stating that fraudulent cards had been submitted...

More evidence was considered...

And then...

Please be advised that the International Association of Machinists and Aerospace Workers, AFL-CIO ("IAM") hereby withdraws its application for investigation of a representation dispute filed in the above captioned matter.

**International
Association of
Machinists and
Aerospace Workers**



9000 Machinists Place
Upper Marlboro, Maryland 20772-2687

Area Code 301
967-4500



OFFICE OF THE INTERNATIONAL PRESIDENT

April 6, 2015

Via email to OLA-efile@nmb.gov

Mary L. Johnson, General Counsel
Maria-Kate Dowling, Investigator
National Mediation Board
1301 K Street, NW, Suite 250 East
Washington, DC 20005-7011

Re: NMB Case No. R-7418
Delta Air Lines, Inc./IAM

Dear Ms. Johnson and Ms. Dowling:

Please be advised that the International Association of Machinists and Aerospace Workers, AFL-CIO ("IAM") hereby withdraws its application for investigation of a representation dispute filed in the above-captioned matter.

Sincerely,

R. Thomas Buffenbarger
IAM International President

cc: Schneider
Neigus

IAM admits to “questionable signatures”

On April 6, 2015, the IAM withdrew its petition, claiming it did so because it had “recently discovered that a number of the cards submitted to us **contain insufficient information or questionable signatures.**”

Given the IAM’s new claim of “borderline” interest, **it’s not unreasonable to assume at least 2,000 cards were “questionable.”**

“By our calculation, the number of questionable cards **makes our showing of interest borderline.**”

IAM Withdraws NMB Election Application

 April 6, 2015  3 Comments



As you know, for the past few years the IAM has supported a historic organizing drive by Delta Flight Attendants. This campaign offered the opportunity to participate in an election to determine whether you would be represented by a strong union and protected by an industry leading contract or continue to be employees serving at the whim of the company.

We were heartened by the outpouring of support for an election, as well as the sense of urgency among thousands of Flight Attendants who believed that the time to have a voice in their professional future had arrived at last. For that reason, as soon as we received what was believed to be a substantial majority of authorization cards from the Flight Attendant group we filed the cards with the National Mediation Board (NMB) in Washington, D.C., seeking an election. Unfortunately, we have recently discovered that a number of the cards submitted to us contain insufficient information or questionable signatures.

By our calculation, the number of questionable cards makes our showing of interest borderline. However, rather than waiting months for a determination by the NMB, we believe the best course of action is to avoid further delay and withdraw our current application, renew our organizing drive and file again twelve months from the date of the dismissal of our application, as is permitted by law.

We apologize to all of you for this delay but under the circumstances it is the only way to correct this unfortunate situation while continuing our drive to obtain the economic justice Flight Attendants deserve.

Government begins criminal investigation

Citing a “reason to believe that some unknown person or persons knowingly submitted authorization cards with fraudulent signatures in possible violation of federal law,” the Board advised the parties on April 9, 2015, as follows:

“In view of these circumstances, **the Board has decided to refer the matter to the appropriate office of the United States Department of Justice for further review.**”



NATIONAL MEDIATION BOARD
WASHINGTON, D.C. 20572

(202) 692-5000

April 9, 2015

VIA EMAIL

Joanne Smith, Executive Vice President
& Chief Human Resources Officer
Delta Air Lines
1030 Delta Blvd.
Atlanta, GA 30354

Sito Pantoja, General Vice President
David Neigus, Associate General
Counsel
Timothy J. Klima, Airline Coordinator

Andrea L. Bowman
Associate General Counsel
Delta Air Lines Law Department
1040 Delta Blvd. Dept. 982
Atlanta, GA 30354

Re: NMB Case No. R-7418
Delta Airlines/IAM

Participants:

This letter is regarding the matter
Mediation Board (NMB or Board) in

a representation dispute among the employees
or class. On January 16, 2015, Delta
samples. The Board has reason to believe
knowingly submitted authorization cards in violation
federal law.

All individuals, organizations, and carriers
understand that the Board regards this matter of
paramount importance since it lies at the heart of the
Railway Labor Act requires that the Board ensure that the
representation desires of employees are protected
(checked and verified as to date, signature, and
from at least 50 percent of the employees in each
representation cases, the Board follows the
and Representation Manual Sections

April 9, 2015
Page 2

card submitted and compare the signature on the card to the signature sample provided by
the carrier. When the elections involve large employee groups, the process requires the
dedication of the Board's full resources in both time and staff to complete.

The integrity of the NMB's election process also relies on each individual employee
only submitting an authorization card that he or she personally signed and dated for
presentation to the NMB. The NMB's election process has not been respected in this case.
In view of these circumstances, the Board has decided to refer the matter to the
appropriate office of the United States Department of Justice for further review.

The Board's voting process must remain credible and trustworthy to ensure that
employees can vote freely without fear of interference, coercion, or influence. This is the
statutory mandate that binds not only the Board but also individual employees,
organizations and carriers. For over 80 years, the Railway Labor Act has succeeded in
balancing employees' right to organize with the need to avoid disruptions in interstate
commerce. To continue that success, the Board must do everything in its power to protect
the voting process. We appreciate the Participants' cooperation and patience in this
process.

Sincerely,

Mary L. Johnson
General Counsel

Is this the kind of organization you would trust with YOUR signature, or to represent you with integrity?

Has anything changed about the IAM since they submitted these “questionable” cards on behalf of Delta flight attendants, or withdrew their petition for election here when it was clear they would lose an election?

Don't hand over your voice to the Machinists – or compromise your personal information – by signing a card.

Don't let history repeat itself.
Know the facts.
Say “**No**” to the IAM.

Learn more at **www.WeAreBoeingSC.com**
visit us at **[Facebook.com/WeAreBoeingSC](https://www.facebook.com/WeAreBoeingSC)**
and follow us on Twitter **[@WeAreBoeingSC](https://twitter.com/WeAreBoeingSC)**



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