



# NEWS RELEASE

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## Transportation Labor Supports NMB's Proposed Rule Changes for Airline and Rail Union Elections

WASHINGTON, DC – *Edward Wytkind, president of the Transportation Trades Department, AFL-CIO (TTD), appeared at a public hearing today to support the National Mediation Board's proposed rule changes for airline and railroad union elections. Below are excerpts from his submitted statement:*

“Currently, an absolute majority of all eligible employees in a craft or class are required to cast a ballot to merely certify an election and all non-voters are assigned automatic ‘no’ votes. This method of discerning voter intent is inherently flawed and unreliable. By automatically assigning non-participating voters a ‘no’ vote in opposition of a union, the current voting procedures are essentially declaring intent when none is expressed.

“The unreliable and arbitrary nature of the Board’s election procedures place rail and aviation workers in a unique and unfair electoral category, completely detached from the democratic norms lying at the heart of any representational election.

“The NMB’s election procedures are also an anomaly in the realm of American labor-management relations. Workers in all other areas of the economy, including those in both the private and public sectors, are afforded the right to definitively affirm or reject representation by a majority vote of those who participate.

“This compulsory voting standard has, in turn, fostered a unique culture of voter suppression as companies understand that impeding union organizing merely requires preventing employees from voting. During union elections, companies seek to decrease voter turnout and thereby defeat an organizing drive not by winning an actual vote on the merits, but rather through carefully managing a low turnout.

“The new ballot will allow employees to vote ‘yes’, ‘no’ or abstain from voting and let a majority of those participating prevail. Such a standard provides each employee a precise choice when voting and ensures the equality of every vote.

“Critics claim the NMB should not change its procedures because potential organizing campaigns will benefit. If the Board was precluded from updating its representation rules based on this rationale, the agency would never be able to change its rules. For the opponents of this rule there will never be an appropriate time to implement the proposal. In truth, their opposition has nothing to do with timing, but everything to do with derailing the proposal altogether.

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Edward Wytkind, President • Patricia Friend, Secretary-Treasurer



“Meanwhile, industry apologists continue to suggest that the NMB’s anomalous threshold is a necessary, if not required, mechanism for preventing economic upheaval created by strikes. Although it is certainly true that the RLA is designed to limit disruptions to interstate commerce, the Board’s election procedures have absolutely no bearing on this matter. The proposed rule in no way changes the NMB’s mediation procedures and has no material effect on the Board’s mechanisms used to drive the negotiating and mediation process toward consensual collective bargaining agreements and to avoid potentially disruptive disputes.

“It is time to permit airline and rail workers to vote on the question of unionization under the same democratic standards used in all other elections – from union elections conducted under other labor laws to Congressional elections. The Board has proposed sensible reforms that will accomplish this goal.”

The full written testimony is available on TTD's website by clicking [here](#).

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*The Transportation Trades Department, AFL-CIO, represents 32 member unions in the aviation, rail, transit, trucking, highway, longshore, maritime and related industries. For more information, visit [www.ttd.org](http://www.ttd.org).*