



Order No.: 11420-U

Supercedes: 7888-U

IN THE MATTER OF THE

Canada Labour Code

- and -

United Steel, Paper and Forestry, Rubber, Manufacturing,
Energy, Allied Industrial and Service Workers
International Union (United Steelworkers),

applicant,

- and -

Delta Air Lines, Inc.,
Atlanta, Georgia,

employer,

- and -

Northwest Airlines, Inc.,
Atlanta, Georgia,

employer.

WHEREAS the Canada Labour Relations Board, by order no. 7888-U dated February 26, 2001, certified the United Steelworkers of America (USWA) as the bargaining agent for a unit of employees of Northwest Airlines, Inc. comprising:

all employees of Northwest Airlines, Inc., employed in Canada, **excluding** station manager ground service (Edmonton and Winnipeg), senior account manager (Edmonton and Winnipeg), sales manager (Edmonton and Winnipeg), customer service manager (Montreal and Toronto), area sales manager (Montreal and Toronto), and secretary to the manager (Toronto).

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AND WHEREAS the Canada Industrial Relations Board (the Board) has received an application, pursuant to sections 18 and 44 of the *Canada Labour Code (Part I—Industrial Relations)* (the *Code*), seeking to amend order no. 7888-U by changing the name of the certified bargaining agent to the United Steel, Paper and Forestry, Rubber, Manufacturing, Energy, Allied Industrial and Service Workers International Union (United Steelworkers); seeking a declaration that the sale of Northwest Airlines, Inc. to Delta Air Lines, Inc. constitutes a sale of business within the meaning of the *Code*; and seeking to update the bargaining unit description to reflect the language negotiated by the parties in the collective agreement;

AND WHEREAS, on or about April 13, 2005, the USWA became the United Steel, Paper and Forestry, Rubber, Manufacturing, Energy, Allied Industrial and Service Workers International Union (United Steelworkers) following an amendment to the union's constitution;

AND WHEREAS, or about October 29, 2008, the employees in the bargaining unit described hereunder, who previously worked for Northwest Airlines, Inc. are now working for Delta Air Lines, Inc.;

AND WHEREAS the employer is not opposed to this application;

AND WHEREAS, after investigation of the application and consideration of the submissions of the parties concerned, the Board has determined that a sale of business has occurred within the meaning of section 44 of the *Code*.

NOW, THEREFORE, the Board declares that a sale of business has occurred within the meaning of the *Code*, that Delta Air Lines, Inc. is the successor employer, and that the United Steel, Paper and Forestry, Rubber, Manufacturing, Energy, Allied Industrial and Service Workers International Union (United Steelworkers) continues to be the certified bargaining agent for a bargaining unit comprising:

all employees of Delta Air Lines, Inc. engaged in customer service functions at airports in Canada, **excluding** Operations Service Managers and those above the rank of OSM and secretarial assistants to the Station Managers.

ISSUED at Ottawa, this 27th day of June, 2019, by the Canada Industrial Relations Board.

Ginette Brazeau
Chairperson

Reference: File No. 33087-C