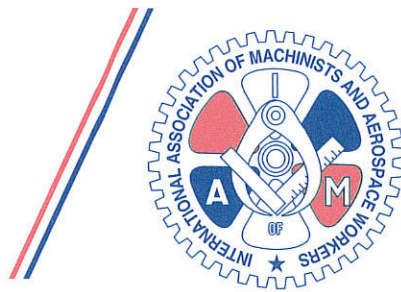


**International
Association of
Machinists and
Aerospace Workers**



9000 Machinists Place
Upper Marlboro, Maryland 20772-2687

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February 14, 2018

Subj: Delta Social Media Policy

Andrea L. Bowman, Assistant General Counsel
Delta Air Lines, Inc.
P.O. Box 20574
Atlanta, GA 30320-2574

Dear Ms. Bowman:

I am writing in regard to the recently issued Delta Social Media Policy in hopes of heading off any legal issues before they take place. The newly issued Delta Social Media Policy is quite extensive and broadly written and therefore we have concerns that it could be misinterpreted to restrict lawful activities.

For example, the policy in many places refers to “inappropriate” posts or posts that “has the ability to harm Delta.” While one might not take issue with the spirit of these policies, we want to be sure that Delta is not interpreting them to mean that Delta employees cannot speak together through social media about their terms and conditions of work or their need to join a union. We are glad to see that Delta acknowledges that the “policy is subject to applicable federal, state, and local laws.” Therefore, it cannot be interpreted in a manner to interfere with the Delta employees’ rights to assist in organizing with the IAM.

Similarly, we applaud Delta for making clear that insensitive posts regarding race, ethnicity, religion or sexual orientation have no place in this society. And we understand your concerns about “insensitive,” “inappropriate,” and “unprofessional language” to refer to just these sorts of posts. If Delta were to expand their view of words like “unprofessional language” to mean that employees could not discuss their support for a labor union, or their need for a labor union at work, that would clearly violate the Delta employees’ federally protected rights.

You also advise employees that it is your view that concerns about “pay, job duties, coworkers, issues with company policy, or general criticisms about Delta are best directed to your manager.” We do not agree that is the “best” way to address such issues so we were pleased to see that you do not mandate that such issues be directed to one’s manager. The IAM, along with many Delta employees, feel the best way to address those issues is to discuss them with their co-workers in an environment where they are free from the intimidating and coercive

influences of their managers. In fact, the Railway Labor Act protects just these sorts of discussions from the interference or coercion of management. We note that you acknowledge that Delta employees will “post about job-related issues.” Your further caveat that they do so in “a constructive, professional manner” is consistent with our view that building solidarity among co-workers to join a union to achieve better wages, hours and terms and conditions of work is very constructive and strengthens the professionalism of all Delta employees. Delta employees who are IAM supporters will, in fact, continue to engage in social media discussions about these job-related issues amongst themselves.

Your policy also restricts the right of Delta employees to “respond[] to speaking invitations, participat[e] on panels and interview requests” without contacting corporate communications. We understand this restriction to relate to a Delta employee speaking in one of these venues on behalf of Delta. We do not understand the policy to restrict the right of a Delta employee to speak at a Union conference about her need to form a Union at Delta, or to restrict a Delta employee from speaking to the media about his participation in a Delta organizing drive. If Delta were to interpret the policy to prohibit those things, such an interpretation would violate the Railway Labor Act.

Finally, you advise employees to “be wary” of Facebook pages or other social groups with the word “Delta” in them because they may not be Delta sponsored pages. While it is always important to be sure who is the source of any information on the internet, we do not understand this policy to restrict Delta employees’ rights to post on any social media forum comprised of or dedicated to Delta employees. Again, if Delta were to interpret this policy to mean that Delta employees could not post on a Facebook page supporting Delta employees’ efforts to join the IAM, for example, that would also clearly violate the Railway Labor Act.

If I have misinterpreted the policy in any way and Delta does, in fact, intend to interpret these policies to violate the rights of Delta employees to assist in organizing the labor organization of their choice, please let me know immediately.

Sincerely,



Carla M. Siegel

DEPUTY GENERAL COUNSEL

CMS/klp

cc: GVP Pantoja
COS Tiberi
AAC Carlson