

Text of H.R. 2764: Consolidated Appropriations Act, 2008

DIVISION K--TRANSPORTATION, HOUSING AND URBAN DEVELOPMENT, AND RELATED AGENCIES APPROPRIATIONS ACT, 2008

TITLE I

DEPARTMENT OF TRANSPORTATION

ADMINISTRATIVE PROVISIONS--OFFICE OF THE SECRETARY OF TRANSPORTATION

Federal Aviation Administration

ADMINISTRATIVE PROVISIONS--FEDERAL AVIATION ADMINISTRATION

SEC. 117. LABOR INTEGRATION. (a) LABOR INTEGRATION- With respect to any covered transaction involving two or more covered air carriers that results in the combination of crafts or classes that are subject to the Railway Labor Act ([45 U.S.C. 151](#) et seq.), sections 3 and 13 of the labor protective provisions imposed by the Civil Aeronautics Board in the Allegheny-Mohawk merger (as published at 59 C.A.B. 45) shall apply to the integration of covered employees of the covered air carriers; except that--

(1) if the same collective bargaining agent represents the combining crafts or classes at each of the covered air carriers, that collective bargaining agent's internal policies regarding integration, if any, will not be affected by and will supersede the requirements of this section; and

(2) the requirements of any collective bargaining agreement that may be applicable to the terms of integration involving covered employees of a covered air carrier shall not be affected by the requirements of this section as to the employees covered by that agreement, so long as those provisions allow for the protections afforded by sections 3 and 13 of the Allegheny-Mohawk provisions.

(b) DEFINITIONS- In this section, the following definitions apply:

(1) AIR CARRIER- The term `air carrier' means an air carrier that holds a certificate issued under chapter 411 of title 49, United States Code.

(2) COVERED AIR CARRIER- The term `covered air carrier' means an air carrier that is involved in a covered transaction.

(3) COVERED EMPLOYEE- The term `covered employee' means an employee who--

(A) is not a temporary employee; and

(B) is a member of a craft or class that is subject to the Railway Labor Act ([45 U.S.C. 151](#) et seq.).

(4) COVERED TRANSACTION- The term `covered transaction' means--

(A) a transaction for the combination of multiple air carriers into a single air carrier; and which

(B) involves the transfer of ownership or control of--

(i) 50 percent or more of the equity securities (as defined in section 101 of title 11, United States Code) of an air carrier; or

(ii) 50 percent or more (by value) of the assets of the air carrier.

(c) APPLICATION- This section shall not apply to any covered transaction involving a covered air carrier that took place before the date of enactment of this Act.

(d) EFFECTIVENESS OF PROVISION- This section shall become effective on the date of enactment of this Act and shall continue in effect in fiscal years after fiscal year 2008.