UNited States of America
Before the Federal Labor Relations Authority
San Francisco Region

Federal Aviation Administration
Agency

-and-
Professional Aviation Safety Specialists, AFL-CIO
Exclusive Representative/Petitioner

-and-
American Federation of State, County, and Municipal Employees, Council 26, AFL-CIO
Labor Organization/Interested Party

Case No. WA-RP-09-0098

Decision and Order Approving Clarification of Unit

The Professional Aviation Safety Specialists, AFL-CIO (PASS) filed this petition on September 30, 2009, with the Federal Labor Relations Authority (Authority) under section 7111(b) of the Federal Service Labor-Management Relations Statute (Statute). The petition was transferred to the San Francisco Region on January 14, 2010. Section 7105(e)(1) of the Statute provides that the Authority may delegate to any Regional Director certain authorities, and in section 2422.30(c) of the Authority’s Rules and Regulations, the Authority gave me the authority to conduct investigations and hearings in representation matters and issue Decisions and Orders.

An investigation of this matter is now complete. All parties to this case signed a Stipulation of Facts resolving all issues. The parties waived their right to file an application for review of this decision with the Authority pursuant to sections 2422.30(d) and 2422.31 of the Regulations. I hereby find and conclude as follows:

Statement of the Case

PASS filed this petition to clarify its nonprofessional bargaining unit at the Federal Aviation Administration (FAA), based on several organizational changes. All parties agree that PASS is the only union which represented nonprofessional bargaining unit employees affected by the reorganizations, and these employees should continue to be represented by PASS through the application of successorship principles.
The American Federation of State, County, and Municipal Employees, Council 26, AFL-CIO (AFSCME) was notified of the petition, as were several other Unions representing FAA employees, to confirm they were not affected. AFSCME was the only labor organization besides PASS that continued to have an interest in this matter, primarily because it, like PASS, represents FAA headquarters employees.

Existing PASS Bargaining Unit

The most recent certification involving PASS issued on April 28, 2008, in Case No. WA-RP-08-0027, where PASS changed its name; formerly it was the Professional Airways Systems Specialists. But the most recent update to the PASS bargaining unit description is found in a certification issued on December 21, 2007, in Case No. WA-RP-06-0026, where the unit was described as:

Included: All nonprofessional employees employed by the National Operations Division, AOP-100, Herndon, Virginia, the Atlantic Operational Control Center Division, AOP-700, Hampton, Georgia, the MidStates Operational Control Center Division, AOP-800, Olathe, Kansas, the Pacific Operational Control Center Division, AOP-900, San Diego, California, the Regional Airways Facility Divisions, the Integration Services Group of the Technical Operations Service, Air Traffic Control Facilities, Implementation Centers, and the Eastern Regional Office of the Federal Aviation Administration.

Excluded: All professional employees, management officials, supervisors, temporary intermittent employees, guards, flight standards employees assigned to the Eastern Regional Office, employees permanently assigned to the FAA Technical Center, and the Mike Monroney Aeronautical Center, and employees described in 5 U.S.C. § 7112(b)(2), (3), (4), (6), and (7).

The Bargaining Unit Status (BUS) code assigned to this unit is 0067. At the end of April 2010, the PASS bargaining unit contained approximately 6,936 employees. The most common positions in the unit, in descending order are: Airway Transportation System Specialist, in the occupational series 2101; Electronics Technician, 856; Engineering Technician, 802; Telecommunications Specialist, 391; Computer Specialist, 334; Logistics Management Specialist, 346; Management and Program Assistant, 344; Management and Program Analyst, 343; Administrative Officer, 341; Secretary, 318; Administrative Services Coordinator, 303; Program Specialist, 301; Environmental Protection Specialist 0028; and Maintenance Mechanic Lead, 4749.

ORGANIZATIONAL CHANGES

Since the last update to the PASS unit description, there have been several separate organizational transfers affecting its employees. These transfers, as well as two name changes, are the reason that the PASS bargaining unit needs to be updated. The reorganizations or transfers will be discussed first, in the order in which they occurred. The parties agree that no election is necessary to determine the exclusive
representative of the transferred employees affected by any of the changes, because in each instance, they all came from the 0067 PASS bargaining unit.

1. Nine Regional Airway Facilities Divisions become Three Service Area Offices

In February 2004, the 9 regions that constituted the Regional Airway Facilities Divisions were consolidated and replaced by three ATO Technical Operations Service Area Offices. The New England, Eastern, and Southern Regions became the Eastern Service Area Office, which is located in Atlanta, Georgia. The Great Lakes, Central, and Southwest Regions became the Central Service Area Office, located in Fort Worth, Texas. The Alaska, Northwest Mountain, and Western Pacific Regions became the Western Service Area Office, located in Seattle, Washington.

When the transfer occurred, approximately 7,030 nonprofessional bargaining unit eligible employees in nine regions were affected, all from the 0067 PASS bargaining unit. The primary positions held by those transferred were: Airway Transportation System Specialist, occupational series 2101; Electronics Technician, 856; Engineering Technician, 802; Telecommunications Specialist, 391; Computer Specialist, 334; Logistics Management Specialist, 346; Management and Program Assistant, 344; Management and Program Analyst, 343; Administrative Officer, 341; Secretary, 318; Administrative Services Coordinator, 303; Program Specialist, 301; Environmental Protection Specialist 0028; and Maintenance Mechanic Lead, 4749.

The mission of the three Service Area Offices is substantially similar to that of the former 9 regions that were part of the Regional Airways Facilities Division: To provide safe, cost-effective and efficient communications, frequency spectrum engineering, and navigational services for the National Airspace System (the NAS); ensure standard development, evaluation, and certification of airspace system, procedures and equipment for customers worldwide; manage infrastructure including policy, programming, requirements, engineering, integration and implementation support, service life extension and maintenance support. They are among the more than 10,000 Technical Operations employees who make sure that more than 41,000 pieces of equipment operate every day.

All nonprofessional employees who were transferred to the three Service Area Offices continued to perform substantially similar duties and functions under substantially similar working conditions. The transferred employees are subject to the same overall chain of command. At the lowest level, the supervisors of the transferred employees did not change. All employees now report to the Vice President of Technical Operations Services, through the Service Area Director, and either a District or Engineering Services Manager; a System Support, General National Airspace/Opporations Evolution Partnership (OEP), or an Engineering Services Platform Manager. In the case of the Technical Services Group, employees now report to the Vice President of Technical Operations Services through the Service Area Director and the Technical Services Manager and/or the Operations Control Center (OCC) Manager, Operations Group (TSOG) Manager, Program Operations Group (POG) Manager, Technical Services Operations Group (TSOG) Manager, Program Operations Group
(POG) Manager, the Operations Group Manager, Technical Support Center Manager, National Air Space Technical Evaluation Program (NASTEP) Manager, or the Program Support Center (PSC) Manager.

2. **IT Employees from Service Area Offices Become Part of ATO IT Operations**

In November 2008, approximately 141 Information Technology (IT) employees, who had been part of the Regional Airways Facility Divisions, which became the Service Area Offices as described above, were transferred once more. They were transferred to the Air Traffic Organization (ATO) IT Operations Group (AJF-A4) in three teams: the Western Service Area IT Teams (AJF-A4W); the Central Service Area IT Teams (AJF-A4C); and the Eastern Service Area IT Teams (AJF-A4E). The primary positions held by those transferred are: Computer Specialist 0334; Airway Transportation Specialist 2101; Computer Assistant 0335; Secretary 0318; Administrative Support Assistant 0303; and Management and Program Analyst 0343.

The mission of the IT Teams is substantially similar to that performed when the function was part of the Service Area Offices. The Information Technology (IT) Office is a customer-focused enabler of business which provides quality national IT services. Services are innovative, integrated, secure, timely, and valuable. All transferred employees continue to perform substantially similar duties and functions under substantially similar working conditions. The transferred employees are subject to the same overall chain of command. Prior to November 2008, the chain of command went from the Vice President of Technical Operations Services, through the Service Area Director, to either a District or Engineering Services Manager, a System Support, General National Airspace/Operations Evolution Partnership (OEP), or an Engineering Services Platform Manager. The employees now report to the Senior Vice President Air Traffic Organization Finance, through the Office of the ATO Chief Information Officer, Manager of Operations Group, Manager of Western/Central/Eastern Service Area IT Teams, and finally, Managers of IT Support Center Sub-Teams.

3. **Two WAAS Groups Become Two WAAS Teams**

On December 21, 2008, approximately seven nonprofessional employees of the Pacific Operational Control Center Division (POCC) who worked in its Wide Area Augmentation Systems (WAAS) Group in San Diego, California were taken from the POCC and became a WAAS Team. Similarly, on February 25, 2009, approximately six nonprofessional employees of the Atlantic Operational Control Center Division (AOCC) were taken out of the AOCC and became a WAAS Team in Herndon, Virginia. The primary position held by all those transferred was Airway Transportation System Specialist, 2101. The WAAS Teams are part of the Safety and Operations Support Directorate (AJW-1) within ATO Technical Operations Services.

The mission and function of the WAAS Teams is substantially similar to that of the former WAAS Groups while part of the Operational Control Centers. The WAAS Support Group (AJW-19) provides sole agency operations and maintenance advocacy for the WAAS service; provides for system engineering support to the field NAS
components, including modifications, technical documentation, and maintenance handbook changes; provides for technical direction and tactical control coordination through the WAAS operators at San Diego, CA and Herndon, Virginia, and represents the WAAS service operations and engineering interests within the acquisition and planning community. All transferred employees continue to perform substantially similar duties and functions under substantially similar working conditions. The transferred employees are subject to the same overall chain of command. Employees once reported to Vice President of Technical Operations Services, through the Service Area Director, the Technical Services Manager and/or the Operations Control Center (OCC) Manager, Operations Group. They currently report to the Vice President of Technical Operations Services, through the Director of Safety and Operations Support, the Manager of Navigation Services, and the Manager of the WAAS Operations Group.

4. **NADIN Network Employees are Transferred to NEMC**

On September 13, 2009, approximately 68 employees of the National Airspace Data Interchange Network (NADIN) were transferred to the Network Enterprise Management Centers (AJW-536), in Atlanta, Georgia, and Salt Lake City, Utah, part of the Telecommunications Services Group of Air Traffic Control (ATC) Communications Services in ATO Technical Operations Services (AJW). The primary position held by those transferred is Airway Transportation System Specialist, 2101.

The mission of the Network Enterprise Management Centers is substantially similar to that of the former NADIN National Network Control Center. The Network Enterprise Management Centers provide maintenance, control, and operation of NAS wide area network systems and services at a national level, which includes seamless and transparent dissemination of flight movement and aviation weather data. All transferred employees continue to perform substantially similar duties and functions under substantially similar working conditions. The transferred employees are subject to the same overall chain of command. Employees once reported to the Vice President of Technical Operations Services through the Service Area Director and the Technical Services Manager and/or the Operations Control Center (OCC) Manager and the Operations Group Manager. They currently report to the Vice President of Technical Operations Services through the Telecommunications Operations Network Manager and the NEMC Manager.

5. **Two Groups from ATO Engineering Services Transferred Into Separate Groups, Become the Spectrum and Telecommunications Groups in Tech Ops**

Two groups of nonprofessional employees of the Engineering Services Group, part of the Integration Services Group of ATO Technical Operations Services. FAA did so in order to place them with other FAA groups involved in implementation engineering, where they more appropriately belong.
Spectrum Assignments and Engineering Group

In May 2010, approximately five nonprofessional employees of the Spectrum Group within Engineering Services were transferred to the Spectrum Assignments and Engineering Group within Technical Operations Services. The primary positions held by those transferred are Electronics Technician 856, Program Analyst 344, and Secretary 318.

The mission of the Spectrum Assignments and Engineering Group is substantially similar to that of the former Spectrum Group within Engineering Services, to execute the radio frequency spectrum program to ensure that NAS communications, navigation, and surveillance systems can operate safely. All transferred employees continue to perform substantially similar duties and functions under substantially similar working conditions. The transferred employees are subject to the same overall chain of command. Employees once reported to Vice President of Technical Operations Services, through the Service Area Director, Engineering Services Manager, and an Engineering Services Platform Manager. They currently report to the Vice President of Technical Operations Services through the Director of Spectrum Engineering Services, the Manager of the Spectrum Assignments and Engineering Group, and the Spectrum Engineering Team Manager.

Telecommunications Services Group

In May 2010, approximately 32 nonprofessional employees of the Telecommunications Group within Engineering Services were transferred to the Telecommunications Services Group within Technical Operations Services. The primary positions held by those transferred are: Telecommunications Specialist, 391; Administrative Support Specialist, 318; Management and Program Analyst, 343.

The mission of the Telecommunications Services Group is substantially similar to that of the former Telecommunications Group within Engineering Services, although they now specialize in one of three telecommunications areas, rather than all aspects of telecommunications. The Telecommunications Group provides communications and telecommunications services consistent with International Civil Aviation Organization standards required for air traffic management services within the NAS. All transferred employees continue to perform substantially similar duties and functions under substantially similar working conditions. The transferred employees are subject to the same overall chain of command. Employees formerly reported to Vice President of Technical Operations Services, through the Service Area Director, Engineering Services Manager, and an Engineering Services Platform Manager. They now report to the Vice President of Technical Operations Services, through the Director of ATC Communications, the Telecommunications Service Group, through either the Manager for the Network Operations Team, the Engineering and Customer Service Team, or the Business and Financial Management Team.
6. Name Changes

In 2008, the Integration Services Group was renamed as the Business Management Group. This was merely a name change. It had no effect on the mission of the activity, or the approximately 10 employees in Headquarters who are part of the PASS 0067 bargaining unit. The primary position held by those affected is Management and Program Analyst in the 343 series. They continued to perform the same work, under the same supervision, and in the same locations. Similarly, changes to the office routing symbols in the unit description, from AOP-100 to AJW-12; AOP-700 to AJW-E21; AOP-800 to AJW-C21; and AOP-900 to AJW-W21 are purely technical in nature, having no effect on the employees or the divisions of FAA involved.

Commonalities Among All Employees In the PASS 0067 Bargaining Unit

All transferred employees and those affected by the name changes described herein, as well as all others in the PASS bargaining unit who were unaffected by any of these changes, are all subject to the same overall working conditions, set at FAA Headquarters by the Federal Aviation Administrator. All employees in the PASS bargaining unit support the same overall mission, to provide the safest, most efficient aerospace system in the world.

All FAA employees in the 0067 bargaining unit receive personnel and labor relations servicing from nine human resources regions, which all receive guidance from the FAA Assistant Administrator for the Office of Human Resource Management (AHR) in FAA Headquarters, where all personnel and labor relations policies are set. Thus, all employees are governed by similar personnel and labor relations policies, in addition to overall working conditions. Payroll servicing for all FAA employees is processed by the Department of the Interior, National Business Center, in Denver, Colorado.

Resulting New Unit Description

Due to all the changes described above, the parties stipulated that the PASS 0067 bargaining unit should be described as follows:

Included: All nonprofessional employees of the Federal Aviation Administration (FAA), U.S. Department of Transportation, in the Eastern Regional Office of the FAA; the Western Service Area IT Teams (AJF-A4W), the Central Service Area IT Teams (AJF-A4C), and the Eastern Service Area IT Teams (AJF-A4E), in IT Operations (AJF-A4) of the Air Traffic Organization (ATO); and in ATO Technical Operations Services (AJW):

- Service Area Offices in Atlanta, Georgia (AJW-E); Fort Worth, Texas (AJW-C); and Seattle, Washington (AJW-W); including the Atlantic Operational Control Center Division (AJW-E21), Hampton, Georgia; the Mid-States Operational Control Center Division (AJW-C21), Olathe, Kansas; and the Pacific Operational Control Center Division (AJW-W21), San Diego, California;
• the National Operations Division (AJW-12), Herndon, Virginia;

• field employees of the Telecommunications Services Group (AJW-53), including the Network Enterprise Management Centers (AJW-536) in Atlanta, Georgia and Salt Lake City, Utah;

• the Wide Area Augmentation Systems Teams (AJW-19) in San Diego, California and Herndon, Virginia;

• field employees of the Spectrum Assignments and Engineering Group (AJW-63); and

• the Air Traffic Control Facilities Office’s Business Management Group (AJW-26).

Excluded: All other FAA Headquarters employees, including Air Traffic Organization (ATO) employees with a direct reporting relationship to FAA Headquarters; all Flight Standards employees of the Eastern Regional Office; all employees permanently assigned to the FAA’s William J. Hughes Technical Center in Atlantic City, New Jersey; all employees of the Michael Monroney Aeronautical Center in Oklahoma City, Oklahoma; temporary intermittent employees; professional employees; management officials; supervisors; and employees described in 5 U.S.C. §7112(b)(2),(3),(4),(6) and (7).

ANALYSIS

Successorship Applies to All the Reorganizations

The reorganizations described above are all appropriately examined through successorship. In Naval Facilities Engineering Service Center, Port Hueneme, California, 50 FLRA 363 (1995) (Port Hueneme), the Authority provided the following test to determine whether a gaining entity should be found to be a successor employer, meaning that the union retains its status as the exclusive representative without the necessity of a new secret ballot election among employees:

(1) An entire recognized unit, or portion thereof, is transferred and the transferred employees: (a) are in an appropriate bargaining unit, under section 7112(a) of the Statute, after the transfer and (b) constitute a majority of the employees in such a unit;

(2) The gaining entity has substantially the same organizational mission as the losing entity, with the transferred employees performing substantially the same duties and functions under substantially similar working conditions in the gaining entity; and
(3) It has not been demonstrated that an election is necessary to determine representation.

Port Hueneme, at 368.

First Factor — Majority of Employees and Appropriateness of Unit

The first factor of the Port Hueneme successorship test requires that an entire unit, or portion thereof, be transferred, and that the transferred employees be in an appropriate unit after the transfer. In accordance with section 7112(a) of the Statute, a unit will be found appropriate if the evidence establishes that the employees share a clear and identifiable community of interest, and the unit will promote effective dealings with, and efficiency of the operations of, the agency involved. Fleet Indus. Supply Ctr., Norfolk, Va., 52 FLRA 950, 959-62 (1997)(FISC). The Authority examines such factors as whether the employees in the proposed unit are a part of the same organizational component of the agency; support the same mission; are subject to the same chain of command; have similar or related duties, job titles and work assignments; are subject to the same general working conditions, and are governed by the same personnel and labor relations policies that are administered by the same personnel office. FISC at 960-1.

Here, all employees are subject to the same overall chain of command running to the Federal Aviation Administrator, though some are through different subordinates and organizational layers. Still, the Authority has recognized that “[a]s agencies can have several layers of management and different chains of command, . . . employees who work for the same agency, but are in different chains of command, are not automatically precluded from constituting a single appropriate unit.” U.S. Dep’t of the Navy, Commander, Naval Base, Norfolk, Va., 56 FLRA 328, 332 (2000)(Navy Norfolk). FAA has several layers of management, but with respect to each group of transferred employees, they continue to support the same overall mission, to provide the safest, most efficient aerospace system in the world. All are governed by similar personnel and labor relations policies, as well as overall working conditions established at the FAA headquarters level through the Office of Human Resources Management, which are applicable to all employees. Accordingly, I find that they share a community of interest. FISC: Navy Norfolk at 329.

As with community of interest, the evaluation of effective dealings and efficiency of agency operations requires an assessment of several factors. See FISC at 961. These factors include: The locus and scope of authority of the responsible personnel office administering personnel policies covering employees in the proposed unit; the limitations, if any, on the negotiation of matters of critical concern to employees in the proposed unit; the level at which labor relations policy is set in the agency; and the past collective bargaining experience of the parties. Id.

Here, personnel and labor-management relations support is provided by FAA’s Office of Human Resource Management, which services the employees at issue and all other employees in the 0067 bargaining unit. Thus, labor relations policy is determined
at a high level for all PASS unit employees, including the employees being discussed here. Moreover, some of the reorganizations occurred years ago, and FAA has continued to deal with PASS regardless of each organizational change. Effective dealings can be found when, in the years following a reorganization, an activity continues to deal with the exclusive representative. *U.S. Dep't of the Navy, Cmd'r, Navy Region Mid-Atl.*, 63 FLRA 8, 13-14 (2008). Therefore, I conclude that effective dealings is satisfied. *FISC*.

Turning to efficiency of agency operations, the effect of the proposed unit in terms of cost, productivity and use of resources must be considered. *FISC* at 961-62. There is no evidence to suggest that the addition of these FAA components will have a negative effect on agency operations or costs. Accordingly, the unit promotes efficiency of agency operations. *FISC*.

Therefore, I conclude that all the reorganizations which affected PASS employees in the 0067 unit, and the addition of the new FAA components to that existing unit, do not render the unit inappropriate within the meaning of section 7112(a) of the Statute. *Navy Norfolk* at 332-3. In addition, as stipulated by the parties, all employees affected by each transfer came from the 0067 bargaining unit, and no other bargaining unit eligible employees were transferred. Thus, the *Port Hueneme* requirement that the transferred employees constitute a majority has also been satisfied. Accordingly, the first successorship factor has been met.

*Second Factor — Substantial Continuity in Working Conditions*

*Port Hueneme* requires a similar, but not necessarily identical, mission between the former and gaining entities. The transferred employees must also perform substantially the same duties and functions under substantially similar working conditions after the transfer. The question is whether there is "substantial continuity" between the former and current enterprises, such that from the employees' perspective, the employer's operations remain substantially the same. *Port Hueneme* at 372.

I find substantial continuity for each transfer described here. The missions of the former and current FAA entities are substantially similar. The employees impacted in these reorganizations did not physically move and they perform similar work. From the employees' perspective, the changes were inconsequential. Accordingly, there is sufficient evidence to establish the continuity of operations required by *Port Hueneme*. The second successorship factor has been satisfied for all affected employees.

*Third Factor — No Election Necessary*

No election is required under these circumstances. *Port Hueneme* at 371. At the time of each reorganization, PASS represented 100% of those who were transferred. AFSCME, which is a party to the stipulation, agrees that its employees were not involved in these reorganizations, and no elections are required. Thus, the final *Port Hueneme* factor is satisfied. *Dep't of the Interior, Bureau of Land Mgm't, Sacramento, Cal.*, 53 FLRA 1417, 1422-3 (1998) (*BLM*) (no election required when one
union represents a simple majority of unit employees). Therefore, PASS should be named as the exclusive representative of all transferred employees who have remained part of the PASS 0067 unit.

Name Changes

In 2008 the Integration Services Group was renamed the Business Management Group. Also, there were changes to certain office routing symbols described above. I find these to be merely technical in nature with no effect on the employees or the appropriateness of the unit. The employees continue to perform the same duties, under the same supervision, and in the same locations. It is appropriate to clarify the PASS unit description to reflect these nominal changes in the names of the FAA offices involved. *Dept of Energy, Bonneville Power Admin., Portland, Or., 2 FLRA 654, 656 (1980)*(amendment appropriate to conform a certification to existing circumstances resulting from nominal or technical changes).

ORDER

As the parties have waived their right to file an application for review pursuant to sections 2422.30(d) and 2422.31 of the Authority's Regulations, pursuant to the authority vested in the undersigned, I am today issuing an appropriate Clarification of Unit for the PASS 0067 bargaining unit, which is attached to this Decision and Order.

Dated: May 28, 2010

Gerald M. Cole, Regional Director
Federal Labor Relations Authority
San Francisco Region

Attachments: Clarification of Unit
Certificate of Service
CLARIFICATION OF UNIT

Pursuant to Section 2422.1 of the Rules and Regulations of the Federal Labor Relations Authority, a petition was filed seeking to clarify a unit of nonprofessional employees of the Federal Aviation Administration, represented by the Professional Aviation Safety Specialists, AFL-CIO. [Ref: Case Nos. WA-RP-08-0027 (4/28/08); WA-RP-06-0026 (12/21/07); WA-RP-04-0001 (3/1/04); WA-RP-00111 (10/2/00); WA-RP-00072 (7/26/00); WA-RP-80004 (9/23/98); 3-AC-50007 (9/10/85); 3-UC-25 (4/14/83); and 3-RO-41 and 34-RO-27 (12/31/81)].

On May 28, 2010, I issued a Decision and Order, finding that the unit should be clarified, to reflect changes in the unit caused by reorganizations. Pursuant to sections 2422.30(d) and 2422.31 of the Authority's Regulations, the parties waived their right to file an application for review of my Decision.

I ORDER that the unit of nonprofessional employees represented by the Professional Aviation Safety Specialists, AFL-CIO is clarified, and now reads, as follows:

Included: All nonprofessional employees of the Federal Aviation Administration (FAA), U.S. Department of Transportation, in the Eastern Regional Office of the FAA; the Western Service Area IT Teams (AJF-A4W), the Central Service Area IT Teams (AJF-A4C), and the Eastern Service Area IT Teams (AJF-A4E), in IT Operations (AJF-A4) of the Air Traffic Organization (ATO); and in ATO Technical Operations Services (AJW):

- Service Area Offices in Atlanta, Georgia (AJW-E); Fort Worth, Texas (AJW-C); and Seattle, Washington (AJW-W); including the Atlantic Operational Control Center Division (AJW-E21), Hampton, Georgia; the Mid-States Operational Control Center Division (AJW-C21), Olathe, Kansas; and the Pacific Operational Control Center Division (AJW-W21), San Diego, California;
- the National Operations Division (AJW-12), Herndon, Virginia;
• field employees of the Telecommunications Services Group (AJW-53), including the Network Enterprise Management Centers (AJW-536) in Atlanta, Georgia and Salt Lake City, Utah;

• the Wide Area Augmentation Systems Teams (AJW-19) in San Diego, California and Herndon, Virginia;

• field employees of the Spectrum Assignments and Engineering Group (AJW-63); and

• the Air Traffic Control Facilities Office's Business Management Group (AJW-26).

Excluded: All other FAA Headquarters employees, including Air Traffic Organization (ATO) employees with a direct reporting relationship to FAA Headquarters; all Flight Standards employees of the Eastern Regional Office; all employees permanently assigned to the FAA's William J. Hughes Technical Center in Atlantic City, New Jersey; all employees of the Michael Monroney Aeronautical Center in Oklahoma City, Oklahoma; temporary intermittent employees; professional employees; management officials; supervisors; and employees described in 5 U.S.C. §7112(b)(2),(3),(4),(6) and (7).

Dated: May 28, 2010

FEDERAL LABOR RELATIONS AUTHORITY

[Signature]

Gerald M. Cole, Regional Director
San Francisco Region

Attachment: Certificate of Service
CERTIFICATE OF SERVICE

In the Matter of Case No. WA-RP-09-0098

FEDERAL AVIATION ADMINISTRATION
Agency

-and-

PROFESSIONAL AVIATION SAFETY SPECIALISTS, AFL-CIO
Exclusive Representative/Petitioner

-and-

AMERICAN FEDERATION OF STATE, COUNTY, AND
MUNICIPAL EMPLOYEES, COUNCIL 26, AFL-CIO
Labor Organization/Interested Party

This certifies that on May 28, 2010, the foregoing DECISION AND ORDER APPROVING
CLARIFICATION OF UNIT AND CLARIFICATION OF UNIT was served upon the interested parties in
this action as follows:

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* Clarification of Unit Only

All FLRA Regions