



Transport Workers Union of America, AFL-CIO

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"AMERICA'S FIGHTING DEMOCRATIC UNION"

February 23, 2023

The Honorable Merrick Garland
Attorney General
Department of Justice
950 Pennsylvania Avenue NW
Washington, DC 20530

The Honorable Pete Buttigieg
Secretary
Department of Transportation
1200 New Jersey Avenue SE
Washington, DC 20590

Dear Attorney General Garland and Secretary Buttigieg,

On behalf of more than 155,000 members of the Transport Workers Union of America (TWU), including the flight attendants at JetBlue Airways and passenger service agents at Spirit Airlines, I write to express our strong opposition to JetBlue Airways' acquisition of Spirit Airlines. We ask that both of your departments take the necessary steps to prevent these airlines from combining until the leadership of the proposed carrier demonstrates their willingness to operate in good faith with their workers and the passengers. We further have great concern that the proposed transaction may violate the applicable anti-trust laws and undermine market conditions and competition. Without this assurance, workers and the traveling public at a combined carrier in certain parts of the country would face a de facto monopoly carrier and be subject to the whims of corporate greed.

TWU bargaining units at both JetBlue and Spirit recently won their first collective bargaining agreements after long and hard fights against anti-union management teams. These contractual agreements took years to negotiate, secured improvements to salary and benefits, and significantly enhanced work rules and work schedules compared to the "contract vendors and at-will employees" previously used by the carriers. We believe JetBlue management, which will be the successor management team for any combined carrier, has the intent to not fully honor these agreements should they be allowed to acquire Spirit.

Flight attendants at JetBlue are fighting every day to bring the company into compliance with the agreement they signed more than a year ago. New scheduling rules and other critical provisions of the contract are being ignored by management on a regular basis. JetBlue is currently expanding their operations to Paris and Amsterdam while they are unable to properly staff their existing operation – placing additional burdens on an already overextended workforce. JetBlue has shown an institutional disrespect for their flight attendants and we have no faith that increasing the number of workers under their purview will stop the mistreatment.

Passenger service agents at Spirit face the prospect of total elimination of their contract at a combined carrier. Management seemingly plans to oppose allowing this group to organize at all if the acquisition is completed. Should they win such a fight, the vast majority of the gains these workers have achieved through their agreement will be lost. The destruction of these workers' rights would seriously undermine labor standards for airport workers – a group already suffering from decades of diminished wages and benefits.

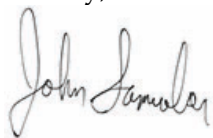
TWU members would further be harmed at a post-acquisition JetBlue/Spirit airline when the carrier relocates its corporate headquarters from New York to Florida. More than 1,300 workers at JetBlue headquarters and an additional 8,000 frontline workers based in New York could face displacement and/or job loss from this change.

The proposed takeover does not meet the regulatory and statutory anti-trust requirements under the Clayton/Hart-Scott-Rodino Act. In the carriers' DOT Joint Application for the approval of the transfer of international route authorities, the claim is made that that the proposed JetBlue/Spirit combination will benefit crew members of both airlines. We view this as flat out false when it comes to our members – every public and private statement we've received from management has led us to believe a combined carrier will undermine the pay and benefits of the current JetBlue flight attendants and Spirit gate agents.

Further, the acquisition cannot meet the anti-trust test. We have yet to see a credible argument that a consolidated JetBlue/Spirit will enhance competition in the domestic airline industry. Workers and passengers will be harmed, just as they have been in many past airline consolidations, as the new airline follows the business practices, pricing strategies, and labor cost-cutting practices previous combined carriers have undergone. DOJ and DOT should not reward such behavior by approving yet another monopoly.

The TWU has repeatedly attempted to work with JetBlue management to address our concerns. While there are ways for airline mergers to benefit workers, the bosses who have orchestrated this acquisition have shown no intention of pursuing any strategy that would address our concerns. Until JetBlue demonstrates that they can resolve their current labor strife and the anti-trust issues that undermine their proposed acquisition, the TWU strongly opposes JetBlue Airways' acquisition of Spirit Airlines. We urge you to take appropriate action to prevent such a combined carrier from ever taking off.

Sincerely,

A handwritten signature in black ink that reads "John Samuelson". The signature is written in a cursive, flowing style.

John Samuelson
International President

CC: Senator Dick Durbin, Chair of the Committee on the Judiciary
Senator Chuck Grassley, Ranking Member of the Committee on the Judiciary
Representative Jim Jordan, Chair of the Committee on the Judiciary
Representative Jerrold Nadler, Ranking Member of the Committee on the Judiciary
Senator Maria Cantwell, Chair of the Committee on Commerce, Science, and Transportation
Senator Ted Cruz, Ranking Member of the Committee on Commerce, Science, and
Transportation
Representative Sam Graves, Chair of the Committee on Transportation & Infrastructure
Representative Rick Larsen, Chair of the Committee on Transportation & Infrastructure