



**BE IT RESOLVED:** The Board of Directors of Delta Airlines shall adopt and disclose a Non-Interference Policy (Policy) upholding the rights to freedom of association and collective bargaining in its operations, as reflected in the International Labour Organization’s Declaration on Fundamental Principles and Rights at Work. The Policy should contain a commitment of:

- Non-interference when employees seek to form or join a trade union, and a prohibition against acting to undermine this right or pressure employees not to form or join a trade union;
- Good faith and timely collective bargaining if employees form or join a trade union;
- Uphold the highest standard where national or local law differs from international human rights standards;
- Define processes to identify, prevent, account for, and remedy practices that violate or are inconsistent with the Policy.

**SUPPORTING STATEMENT:** Freedom of association “refers to the right of workers . . . to create and join organizations of their choice freely and without fear of reprisal or interference”<sup>1</sup> and is considered a fundamental human right under internationally recognized frameworks.

**WHEREAS:** Southwest Airlines,<sup>2</sup> United Airlines,<sup>3</sup> American Airlines,<sup>4</sup> and JetBlue<sup>5</sup> all have pledged to respect labor rights as laid out by the International Labour Organization. Delta is a global company with operations and employees around the world. More than 25% of Delta’s revenue is international and the Company is pursuing future international growth.<sup>6</sup> Delta should uphold the highest international standards under which it operates across its global operations.

Delta’s communications to its employees around unions have not historically met a non-interference or neutrality standard. Allegations include that Delta has distributed anti-union materials and encouraged new hires to attend anti-union briefings,<sup>7</sup> hosted an

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<sup>1</sup>[https://www.ilo.org/actrav/events/WCMS\\_315488/lang--en/index.htm](https://www.ilo.org/actrav/events/WCMS_315488/lang--en/index.htm)

<sup>2</sup><http://investors.southwest.com/~media/Files/S/Southwest-IR/southwest-human-rights-policy-statement.pdf>

<sup>3</sup><https://ir.united.com/static-files/3482652b-31b2-4b3e-be3c-69c773b12e11>

<sup>4</sup><https://www.aa.com/i18n/customer-service/about-us/human-rights-statement.jsp#:~:text=Freedom%20of%20Association%3A&text=We%20are%20committed%20to%20fostering,grievance%20mechanisms%20and%20remedial%20action>

<sup>5</sup><https://www.jetblue.com/human-rights>

<sup>6</sup><https://www.sec.gov/ix?doc=/Archives/edgar/data/27904/000002790423000006/dal-20230331.htm>, p.19

<sup>7</sup><https://www.theguardian.com/us-news/2019/jun/12/delta-workers-pro-union-report-threats-management>



anti-union website,<sup>8</sup> threatened employees with termination for unionizing activities, and spent \$38 million to oppose a union campaign by flight attendants in 2010.<sup>9</sup>

If Delta's brand is linked to anti-union rhetoric, it risks losing customers. According to a Gallup poll conducted in August 2022, 71% of Americans approve of labor unions, the highest support since 1965.<sup>10</sup>

Freedom of association and collective bargaining can enhance shareholder value through improved health and safety;<sup>11</sup> increased productivity;<sup>12</sup> encouraged workforce training and skills development;<sup>13</sup> and strengthened human rights due diligence.<sup>14</sup> The presence of unions has been positively correlated with low turnover and reduced legal and regulatory violations.<sup>15</sup>

Instituting a non-interference policy would not prevent Delta from emphasizing the positive aspects of working at the Company, stating its pride in its workplace, or touting the benefits that its employees enjoy. The Company is encouraged to emphasize, as appropriate, its strengths while reducing risks to its brand through the adoption of a non-interference policy.

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<sup>8</sup> <https://www.onefutureonedelta.com/content/ifs/en/about-afa.html>

<sup>9</sup> <https://www.theguardian.com/business/2022/aug/03/delta-flights-attendants-union-push>

<sup>10</sup> <https://news.gallup.com/poll/398303/approval-labor-unions-highest-point-1965.aspx#:~:text=Story%20Highlights&text=WASHINGTON%2C%20D.C.%20%2D%2D%20Seventy%2Done,on%20this%20measure%20since%201965>

<sup>11</sup> <http://oem.bmj.com/content/early/2018/06/13/oemed-2017-104747>

<sup>12</sup> <https://doi.org/10.1093/ej/ueaa048>; <https://www.ipa-involve.com/involvement-and-productivity-the-missing-piece-of-the-puzzle>

<sup>13</sup> [https://www.oecd-ilibrary.org/employment/negotiating-our-way-up\\_1fd2da34-en](https://www.oecd-ilibrary.org/employment/negotiating-our-way-up_1fd2da34-en)

<sup>14</sup> [https://www.theglobaldeal.com/resources/The%20Business%20Case%20for%20Social%20Dialogue\\_FINAL.pdf](https://www.theglobaldeal.com/resources/The%20Business%20Case%20for%20Social%20Dialogue_FINAL.pdf)

<sup>15</sup> <https://www.blackrock.com/corporate/literature/whitepaper/the-making-of-long-term-capitalism.pdf>;

Severinovsky, The Value of Human Capital for Investors, Schroders, December 2022, p. 14-15;

<https://www.piie.com/blogs/realtime-economic-issues-watch/higher-wages-low-income-workers-lead-higher-productivity>;

<https://www.trilliuminvest.com/news-views/the-investor-case-for-supporting-worker-organizing-rights>;

<https://www.workerscapital.org/our-resources/shared-prosperity-the-investor-case-for-freedom-of-association-and-collective-bargaining/>