

**June 9, 2020**

**To:**

**From: David Crow, Laurie-Ann Flanagan, David Beaudreau**

**Re: House Committee on Transportation and Infrastructure: "On the Front Lines: The Impacts of**

**COVID-19 on Transportation Workers."**

On Tuesday June 9, the House Committee on Transportation and Infrastructure convened to discuss “The Impacts of COVID-19 on Transportation Workers.”

**Members Attended**

Chairman Peter DeFazio (D-OR)

Ranking Member Sam Graves (R-MO)

Representative Eleanor Norton (D-DC)

Representative Rick Crawford (R-AR)

Representative Eddie Bernice Johnson (D-TX)

Representative Bob Gibbs (R-OH)

Representative Rick Larsen (D-WA)

Representative Thomas Massie (R-KY)

Representative Grace Napalitano (D-CA)

Representative Scott Perry (R-PA)

Representative Daniel Lipinski (D-IL)

Representative Rodney Davis (R-IL)

Representative John Garamendi (D-CA)

Representative John Katko (R-NY)

Representative Andre Carson (D-IN)

Representative Garret Graves (R-LA)

Representative Dina Titus (D-NV)

Representative David Rouzer (R-NC)

Representative Alan Lowenthal (D-CA)

Representative Doug LaMalfa (R-CA)

Representative Stephen Lynch (D-MA)

Representative Jenniffer González-Colón (R-PR-AL)

Vice Chair Salud Carbajal (D-CA)

Representative Bruce Westerman (R-AR)

Representative Anthony Brown (D-MD)

Representative Carol Miller (R-WV)

Representative Greg Stanton (D-AZ)

Representative Troy Balderson (R-OH)

Representative Debbie Mucarsel-Powell (D-FL)

Representative Brian Fitzpatrick (R-PA)

Representative Jesús Garcia (D-IL)

**Opening Statements**

Chairman DeFazio begins the meeting by discussing the challenges posed by COVID-19 as well as the ongoing protests for the death of George Floyd, indicating Congress’s responsibility to enact the justice reforms demanded by the millions of voices across the nation as well as the need for infrastructural bills to relieve the economic tension that’s contributing to the civil unrest. He remarks that transportation is among the most impacted economic sectors, and poses the open question regarding what measures should be taken to protect transit workers and whether they should be voluntary or federally legislated.

Ranking Member Graves follows by commending the millions of essential workers who continue to show up and put in hard days' work despite the compromised conditions of many of their work environments. He notes that as states, cities, and businesses begin to reopen, the committee needs to focus on making smart and safe decisions to reconnect supply chains which will be key to economic recovery.

**Witnesses**

* **Mr. Larry Willis,** President, Transportation Trades Department of the AFL-CIO
  + Mr. Willis initiates his opening statement by underscoring the critical support needed for transportation workers who risk their lives to support their families and communities while incurring great personal cost. He notes that many of these workers are without healthcare, nor legislative or regulatory standards to protect them in their often-times subpar working environments. He draws attention to the lack of decisive action from the administration to provide authoritative federal action that would guarantee the safety of these workers, calling for bold mandates specifically targeting the transportation sector. Citing the observed 50% reduction in revenue from riders resulting in a 20% furlough rate, as well as the all-time low air travel rates which are down 90% from 2019, Mr. Willis calls for immediate investment into infrastructure to create and maintain jobs in these vulnerable areas. Additionally, he points out that the solutions to these problems cannot ignore the disproportionately affected communities of color which have been more severely impacted than other demographics.
* **Mr. LaMont Byrd**, Director of Health and Safety International Brotherhood of Teamsters
  + Representing over 600,000 transportation workers who are the backbone of the supply chain, Mr. Byrd shares anecdotes about the members of SIBT which highlight the unfortunate circumstances many essential workers are facing. He mentions how truckers are being pressured to work longer hours to compensate for decreased loads for fear of being laid off, the shortages in PPE and noncompliance from employers to help follow CDC best practices, as well as the inaccessibility of roadside stops which they rely upon due to closures across the country. He concludes his statement by calling for support of the Essential Workers Act of 2020 bill within the senate as well as the need for OSHA standards regarding airborne diseases and COVID-related hazards.
* **Ms. Susannah Carr**, Flight Attendant, United Airlines, on behalf of the Association of Flight Attendants – CWA
  + Ms. Carr recounts her personal experience as an aviation professional whose career and therefore healthcare security has been brought into question amidst the global pandemic. Although the CARES Act prevented her and many of her colleagues from being furloughed allowing her to operate on airport standby, she voiced her concerns about the lacking air travel safety regulations, providing examples of crowded airports and non-compliant passengers. She focuses on the necessity of enforceable federal standards across all airlines to allow air travel employees to ensure the safety of themselves and other passengers, indicating that this would reduce apprehension towards air travel and rejuvenate the suffering travel sector.
* **Mr. Tom Shaw**, Transit Operator, Southeastern Pennsylvania Transportation Authority on behalf of the Transportation Workers Union
  + With 20 years of experience as a commercial driver, and 10 years as a military driver, Mr. Shaw shares his circumstances as the sole breadwinner for his family including his 8-year-old child who contracted a COVID-adjacent viral disease last year. Since other essential workers rely on public transit to get to their jobs, Mr. Shaw has been placed under increased pressure to provide this service to his community, and increased stress for fear of contracting the virus and bringing it home to his son. He implores the committee to take action to ensure the necessary protection for transit workers such as himself, whose employers have been unable or unwilling to provide PPE, sanitation supplies, sufficient cleaning opportunities for the vehicles they operate, and enforceable guidelines to keep themselves and their passengers safe.
* **Mr. Randy Guillot**, President, Triple G Express, Inc. and Southeast Motor Freight Inc., and Chairman, American Trucking Associations, on behalf of the American Trucking Associations
  + Mr. Guillot commends the members of the ATA and the 3.5 M truck drivers nationwide who have continued to move goods across the country amidst the pandemic. He notes that if his industry lacks the resources or capital they need to operate, the impact will be felt throughout the nation’s grocery stores, hospitals, supply depots, and households. Reporting on behalf of these drivers, he indicates the need for increased access to PPE which many drivers have had to purchase for themselves or have provided to them by their unions or affiliated associations like the ATA. He concludes by asking for a comprehensive infrastructure bill, naming it the single most important action that this congress can do to meet the urgent needs of our economy and motoring public.

**Questions**

Chairman Defazio led discussion of the need for air travel safety regulations, asking Ms. Carr whether or not passengers tended to obey the airline’s and the CDC’s guidelines on social distancing, use of PPE, etc. Ms. Carr responds saying that most people were eager to board their flights, despite the instruction provided by the gate managers, airport staff, and stewards. She notes that people would remove their masks for excessive periods of time and that the airline staff has no means of enforcing requirements, that airlines generally oppose litigating against their customers, and that the FAA has not done enough to adopt regulations similar to the federal no-smoking and seatbelt laws that exist across all domestic airlines. Later on, the Chairman notes that the FAA has been unwilling to conduct a study of the air quality within plane cabins, despite his and other members’ requests. He asks Mr. Byrd what a useful OSHA standard would look like. Mr. Byrd states that anything providing clear instruction for employers and information about employee protection is needed due to the lack of current uniform guidelines.

Ranking Member Graves asks Mr. Guillot about the short- and long-term impacts to the supply chain and trucking workforce in light of the closures throughout various shut-down regions. Mr. Guillot responds that many firms were able to adjust their load schedules to both transport critical medical supplies and utilize routes that were more accommodating to the trucker’s needs. He hopes for a stronger third and fourth quarter as well as a resilient 2021 to make up for the 20% employment decrease in his industry.

Representative Norton asks for insight from the frontlines about how the rate of reopening across the nation might impact the safety of essential transit workers. Mr. Willis indicates that it will be imperative to work with local public health officials to make decisions about reopenings, but that damaging the transportation industry or worsening the spread of COVID will have widespread negative economic ramifications. Ms. Carr states that her sector needs enforceable guidelines regarding social distancing and use of PPE by passengers in order to safely reintroduce commercial air travel. Similarly, while Mr. Guillot notes that he is looking forward to helping get his members back to work, people must respect CDC and OSHA guidelines and follow the advice of local jurisdictions.

Representative Larsen asks Ms. Carr what priorities she would suggest for a National Aviation Health Preparedness Plan. She notes the importance of stockpiled PPE supplies for future crises, implementation of frequent testing from the get go, and a uniform plan of action so that the air travel industry is not destabilized as severely in the future. Commenting on the use of rear-boarding policies and protective shields for drivers, he asks Mr. Shaw what sort of policies have been implemented by his agency. Mr. Shaw notes that rear-boarding policies were effective when they were in place, but have since been lifted due to budgetary issues related to the placement of the fairbox at the front entrance. He further states that the interim shields for drivers were ineffective and that there need to be stricter guidelines about sanitizing the buses and enforcement for wearing masks on public transit as drivers are discouraged from confronting passengers about it. Additionally, he states that drivers have not been provided with PPE and therefore have to supply their own, which often fail to meet the N95 recommendation from the CDC.

Representative Perry remarks on a statistic about lost farebox revenue cited in Mr. Willis’ opening statement, noting that ¾ of the public transportation revenue comes from federal and state subsidies, and that the CARES Act relief exceeds the lost revenue by 10 B, voicing his concern for frivolous requests for bailouts. Mr. Willis responds that federal support is common and integral to the operation of transit services, and that the lost revenue prevents local agencies from providing their workers with the support they need.

Representative Garaendi asks the panel if employers should be required by law to provide necessary health equipment to their employees. The panel unanimously agrees, with Guillot’s added caveat that it needs to adhere to requirements imposed by the CDC and OSHA. He asks if there should be federal requirements for passengers to obey certain safety practices, whether they be mandatory use of masks or social distancing. All witnesses agree.

Representative Katko asks what can be done to promote public health and safety on public and private transportation systems. Mr. Shaw says that demonstration of clean buses alone signals safety, along with the presence of improved ventilation systems. Ms. Carr notes that uniform safety standards from the FAA so that passengers know what to expect along with provision of protective equipment of employees would make it easier for passengers to be assured of their safety when traveling.

Representative Carson asks how reduced service has contributed to economic loss in the trucking industry. Mr. Guillot notes that 65,000 drivers lost their jobs since the pandemic began, but that these numbers will hopefully be recouped by the second quarter of 2021.

Representative Graves asks if employees should be held personally accountable for people that are exposed to COVID in transit. Ms. Carr and Mr. Shaw respond no. Mr. Guillot adds that it is critical to provide liability protection to workers, especially in states like Louisiana that have aggressive litigation environments.

Representative Lynch asks what measures are being taken by maritime unions to support folks at sea who are stranded upon their vessels. Mr. Willis notes the overreaction by some foreign countries which are not allowing crews to leave their vessels and access international airports, noting the issue ought to be escalated to the White House as a top priority.

Several questions were reiterated by the representatives in attendance, garnering similar responses from the witnesses whose priorities were as follows:

* Ms. Carr - The airline industry needs FAA regulations and action plans to protect employees and signal safety to passengers. She also called for increased research into standardization of improved cabin ventilation systems.
* Mr. Shaw - Employers need to provide PPE to their employees. Buses need to be cleaned and also need better ventilation systems. Public transit systems need enforcement mechanisms for CDC guidelines.
* Mr. Guillot - Asked for a comprehensive infrastructure bill to maintain and improve road and transit system safety and efficiency.
* Mr. Byrd - Called for OSHA regulations for uniform protection and guidance of employees.
* Mr. Willis - Essential transit workers’ safety underlies the economy and needs to be prioritized ahead of reopening.

The hearing record will remain open for 15 days after the date of the hearing.