



*A bold voice for transportation workers*

**WRITTEN STATEMENT OF  
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**BEFORE THE SENATE COMMITTEE ON  
COMMERCE, SCIENCE, AND TRANSPORTATION**

**“THE STATE OF TRANSPORTATION AND CRITICAL INFRASTRUCTURE:  
EXAMINING THE IMPACT OF THE COVID-19 PANDEMIC”**

**June 3, 2020**

On behalf of the Transportation Trades Department, AFL-CIO (TTD), and our 33 affiliated unions, I want to first thank Chairman Wicker and Ranking Member Cantwell for inviting me to testify today on the impact of COVID-19 on the surface transportation sector and associated challenges.<sup>1</sup>

As COVID-19 has spread across the nation, causing over 100,000 deaths and unprecedented disruption to our way of life, we appreciate the opportunity to share the perspective of the frontline transportation workforce.

The working people we represent move America. Our members run and build the transportation networks that bring people, goods, and critical supplies to every corner of our nation. It is our members in every segment of the aviation, transit, rail, longshore, and maritime sectors that make these industries function. They are essential by any definition of the word.

Over the last few months, many of these workers have continued to perform their essential duties, far too often at great personal cost. Many others find themselves among the 40 million Americans who have lost their jobs due to an economy that has ground to a halt. During a national health crisis, these members are now without their hard-earned union health care benefits, and are unsure when the next paycheck is coming. Workers have felt these impacts across every sector of the transportation industry, and I am here today to tell their stories.

When essential employees like medical personnel have to get to their jobs, it is our members who get them there safely. Thousands of transit workers have continued to drive and maintain buses in the face of pandemic, despite dozens of deaths in the sector. At the same time, a drastic drop in fare box revenues threatens the abilities of transit agencies to continue to provide service at all.

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<sup>1</sup> Attached is a list of our 33 affiliated unions

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A 95% decrease in ridership on Amtrak threatens the livelihood of its employees and the future of the carrier, who just last week announced it will be cutting up to 20% of its workforce starting in the fall. The indefinite cancellation of in-person education has left thousands of school bus drivers out of a job with no end in sight. The motorcoach industry, which provides critical intercity transportation across the country, has seen nearly 3,000 companies shut down and almost 100,000 employees laid off.

This crisis also reminds us of the irreplaceable role of our freight network and its essential workforce. Food, medical supplies, and the goods that fuel our economy must still reach their destinations, yet, COVID-19 has not spared the systems and employees that move them. Across the country, freight railroads are slashing already dangerously thin workforces as carloads fall. We are witnessing outbreaks at ports and harbors where longshoremen load and unload vessels in close quarters, and increasingly uncertain futures for the maritime shipping industry and sustainment of the essential defense functions it provides. Even the Postal Service is at risk, as USPS and the 600,000 jobs it supports face total insolvency in a matter of months without needed and warranted government assistance.

Further, a loss of state revenues and financial uncertainty has frozen critical infrastructure projects, threatening both the construction workforce and the transportation system that depends on the continuous maintenance and improvements they provide.

Since the beginning of the pandemic, it has been the top priority of transportation labor to ensure that frontline employees are provided the protections they need to keep them as safe as possible from exposure to COVID-19. Simply put, it is untenable and unacceptable for any essential infrastructure employee to go to work without adequate personal protective equipment (PPE), for their workplace to be improperly cleaned and sterilized, or to be potentially exposed to COVID-19 because of improper social distancing policies or passengers without face coverings.

Unfortunately, many of our employers took weeks or months to roll out meaningful COVID-19 responses. Some airlines, as well as Amtrak, actually prohibited the use of masks or gloves by their employees until pressured into reversing course. A commuter railroad refused to stop using a biometric device employees use to clock in to work, acknowledging that while the equipment was frequently touched by dozens of people, it would be too burdensome to switch to a safer system. And a freight railroad provided its conductors and engineers with masks of such poor quality that facial hair poked straight through the fabric.

While some individual efforts have been more successful, the patchwork of COVID-19 plans across our transportation system has been inadequate. A national crisis demands national response and leadership. This is why we have repeatedly called on the federal government and this Administration to impose mandatory safety rules in all modes of transportation and across our broader economy. Too often these pleas have been rejected or simply ignored due to a misguided belief that employers will eventually rise to the challenge of their own accord. Let's be clear: these failures and inactions have directly caused infections and cost lives that could have been saved with early and well-coordinated strategies.

Let us also be clear: it has been workers and their unions that have sounded the alarm in the workplace and used collective bargaining agreements and public advocacy to force the hands of policymakers and employers. Ongoing efforts to document safety violations and fight for the right of sick workers to stay home, and the availability of basic Employee Assistance Programs exists because many transportation workers are covered by a collective bargaining agreement.

However, we cannot continue with piecemeal solutions across companies, agencies, cities and states. Congress must act decisively and with the full authority of the federal government. The recently introduced Critical Infrastructure Employee Protection Act of 2020 seeks to better define essential employees and direct PPE resources. As the Committee further considers this legislation, we state unequivocally that it must also include strong federal mandates to provide essential employees with the protections we know are needed to keep them safe. This includes:

- The provision of high quality PPE, in accordance with CDC guidelines, to employees who are at risk of infection. This must include masks, gloves, hand sanitizer, and sanitizing wipes
- A requirement of owners and operators of planes, commercial motor vehicles, trains, and vessels to clean and sanitize them per CDC guidelines
- A requirement of owners and operators of transportation facilities to clean and sanitize them per CDC guidelines
- The establishment of mandatory notification systems, by which employees are alerted if a coworker has tested positive
- A mandate for passengers to wear masks on all passenger transportation

In addition to the transportation and modal specific standards, we also support the COVID-19 Every Worker Protection Act of 2020 and the promulgation of an OSHA Emergency Temporary Standard (ETS), to provide enforceable workplace safety standards across the country and across industries. Regrettably, the Occupational Health and Safety Administration (OSHA) has thus far been unwilling to issue a standard that would mandate adequate provision of PPE and workplace cleaning and sanitizing. While the ETS is long overdue at this point, the bill would be a strong step towards finally protecting all workers from COVID-19, as well as from retaliation for reporting infection control problems to their employer or for wearing their own PPE.

The unique impacts of COVID-19 may also necessitate a fundamental reimagining of existing employee benefits. It is unconscionable that any worker in the U.S. would be forced to go into work while sick with the virus because they are not offered paid sick leave. The deaths of 100,000 individuals and counting threaten financial ruin for thousands of families, and to this end, some form of death benefit could be warranted. We support the HEROES Act expansion of the Longshore and Harbor Workers' Compensation program to cover any worker infected with COVID-19, and believe that it is an excellent template for other frontline workers. We also support the creation of a hazard or premium pay mechanism for frontline employees who continue to come to work despite the danger to themselves and their families.

By adopting these tenets, the Committee can make a real difference in the lives of frontline transportation workers, and better ensure that they can safely return to their families at the end of the day. The members represented by TTD's affiliate unions have risked everything to keep the nation moving, and they deserve both gratitude and decisive action. We look forward to the Committee's passage of a bill that reflects this.

Congress' job however, cannot end there. In addition to the need to protect workers from the virus immediately, we must also consider the medium and longer-term economic impacts it will cause. As states reopen and some Americans return to work, we should understand that the economy will not immediately snap back to pre-COVID levels of productivity. While there is no doubt that the shutdowns and social distancing requirements of the last several months were necessary, potentially catastrophic after-effects must be addressed. Fortunately, Congress has numerous tools at its disposal to avoid some degree of the hard times ahead.

Without bold federal investments, core components of our transportation network face disaster. Passenger transportation will not rebound the day, week, or month that distancing restrictions are relaxed. While outside the jurisdiction of this Committee, we have called for \$32 billion in emergency supplemental funding for public transit agencies to ensure that employees remain connected to their jobs and benefits, and that transit systems can continue to operate during elongated downturns in fare box revenue. Similarly, Amtrak projects that, optimistically, its ridership will be 50% of normal in FY '21, and it believes it cannot operate on such reduced revenues. It is similarly likely to need further assistance to continue to be viable and to pay its thousands of employees. We also believe emergency supplemental funding is needed for the motorcoach industry and its heavily impacted workforce.

We also know that investing in infrastructure is one of the greatest investments the federal government can make, with a return of between \$1.50 and \$3 dollars for every dollar spent. Those investments directly create and sustain good jobs in construction, engineering, maintenance, and operations. What's more, when we improve the quality and accessibility of our transportation network, the economic opportunity of those investments extends to every corner of the American economy—from businesses who can move goods quicker and more reliably to workers who can reach new opportunities because of improved highway and transit access.

While we believe that significant long-term investment in infrastructure is one of the most crucial steps Congress can take right this minute to put us squarely on the path to recovery, those investments will mean little if we sacrifice our capacity to put projects on the ground. The economic impacts of COVID-19 on state and local funding must also be taken seriously. Revenue from sales taxes, gas taxes, municipal bonds, fare box collection, tolling, and other sources state and local governments count on to pay their share for infrastructure have taken a significant hit. We cannot wait to shore up lost revenue and make critical infrastructure investments until after state DOTs are forced to furlough workers, cities can no longer access financing to revitalize crumbling streets, and construction workers have been laid off because projects are being cancelled.

Economic impacts must also be addressed in the maritime industry, where slowing cargo volumes threaten the viability of the U.S. flagged vessels enrolled in the Maritime Security Program. We have called for both supplemental stipends for enrolled vessels and programmatic waivers that will preserve the defense-critical operational readiness of the vessels and ensure continuing full employment of qualified U.S. mariners. Beyond economic needs, U.S. mariners are presently trapped aboard U.S.-flag cargo ships, unable to take leave or return home due to extreme COVID-19 lockdown measures imposed by foreign governments who will not allow them to disembark at ports and access transportation services. These mariners must be brought home immediately.

As mentioned, the closure of school facilities has resulted in loss of employment for thousands of school bus drivers. While Congress has directed meaningful funding to education programs, including for payroll of district employees and contractors, these funds have not always reached these workers. To date, far too many drivers have been left out in the cold. Congress must address this problem and ensure that the jobs and benefits of all school bus drivers are protected.

We also must not allow short-sighted political gamesmanship to destroy irreplaceable and critical institutions. Congress must address the emergency financial needs of the USPS, and should not permit long-standing privatization proponents to take advantage of the pandemic to allow USPS and its workforce to wither on the vine.

Finally, in the event that any future stimulus legislation addresses the manufacturing sector, we call on you to ensure that such efforts specifically and exclusively target domestic manufacturing with strong domestic content standards. We will not recover from this crisis by subsidizing work performed in other countries and overseas.

Congress' role must not end when COVID-19 positives hit zero, or the last patient leaves the hospital—it must wield the full strength and support of the federal government and lead our country and its critical infrastructure workers forward. We cannot undo the tragic impacts the pandemic has had thus far, but we can change the terms of a post-pandemic future.

While I have outlined a number of positive steps Congress can take to alleviate the effects of this crisis, I must also warn that there are industries who are opportunistically using this public health crisis as an excuse to rush through their own unrelated priorities—one clear example being automation.

TTD and our affiliated unions welcome further debate on automated vehicles, for example. We and our unions have a great deal to say about the safety and economic effects of this technology, and we believe both are worthy of further exploration through careful consideration in hearings held by this committee. We look forward to taking part in those discussions when Congress returns to normal order—but so long as our members are dying every day because this government has *failed* to provide them with the protections and safety standards they need, it would be unconscionable to prioritize such a serious and controversial set of regulatory changes over addressing the myriad outstanding needs of the American people.

While this may not hold true five, ten, or twenty years in the future, let's all face the facts of reality *today*: there are no realistic opportunities for this technology to meaningfully ease the immediate pains Americans are facing during this crisis. We agree that more needs to be done in Congress to properly regulate automated vehicles, and we look forward to working with the Committee on these issues once we have defeated the ongoing pandemic.

We also call for vigilance from this committee on actions taken by the Department of Transportation's modal agencies. While agencies have found it prudent to waive, modify, or otherwise suspend certain safety regulations to better adapt to COVID-19 conditions, we note that many of these waivers align with long-term deregulatory priorities of industry. Going forward, we reject any characterization that brief demonstrations during deeply unique circumstances is adequate justification for the modification of long-standing regulations. It is our hope that the Committee will exercise its oversight on any such attempts.

In closing, I speak to you today at a critical juncture in the nation's response to the COVID-19 pandemic. The actions that this committee and Congress take in the coming weeks will be highly determinative of what the future holds for the critical infrastructure workers represented by TTD's member unions. We look forward to working with you on legislation that protects workers, their families, and the travelling public today; and guarantees a robust and functional transportation system for tomorrow. Thank you for the opportunity to testify.



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***TTD MEMBER UNIONS***

Air Line Pilots Association (ALPA)  
Amalgamated Transit Union (ATU)  
American Federation of Government Employees (AFGE)  
American Federation of State, County and Municipal Employees (AFSCME)  
American Federation of Teachers (AFT)  
Association of Flight Attendants-CWA (AFA-CWA)  
American Train Dispatchers Association (ATDA)  
Brotherhood of Railroad Signalmen (BRS)  
Communications Workers of America (CWA)  
International Association of Fire Fighters (IAFF)  
International Association of Machinists and Aerospace Workers (IAM)  
International Brotherhood of Boilermakers, Iron Ship Builders,  
Blacksmiths, Forgers and Helpers (IBB)  
International Brotherhood of Electrical Workers (IBEW)  
International Longshoremen's Association (ILA)  
International Organization of Masters, Mates & Pilots (MM&P)  
International Union of Operating Engineers (IUOE)  
Laborers' International Union of North America (LIUNA)  
Marine Engineers' Beneficial Association (MEBA)  
National Air Traffic Controllers Association (NATCA)  
National Association of Letter Carriers (NALC)  
National Conference of Firemen and Oilers, SEIU (NCFO, SEIU)  
National Federation of Public and Private Employees (NFOPAPE)  
Office and Professional Employees International Union (OPEIU)  
Professional Aviation Safety Specialists (PASS)  
Sailors' Union of the Pacific (SUP)  
Sheet Metal, Air, Rail and Transportation Workers (SMART)  
SMART-Transportation Division  
Transportation Communications Union/ IAM (TCU)  
Transport Workers Union of America (TWU)  
**UNITE HERE!**  
United Automobile, Aerospace and Agricultural Implement Workers of America (UAW)  
United Mine Workers of America (UMWA)  
United Steel, Paper and Forestry, Rubber, Manufacturing, Energy, Allied Industrial and Service  
Workers International Union (USW)

*These 33 labor organizations are members of and represented by the TTD*

