

United States Senate
Senate Committee on Commerce, Science and Transportation; Hearing of
the Subcommittee on Aviation Operations, Safety, and Security

Questions, Answers, and Perspectives on the Current State of Airline
Travel

The Honorable Roy Blunt, (R-MO), Chair

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Written Testimony of
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The Communications Workers of America (CWA) represents 700,000 workers in private and public sector employment in the United States, Canada and Puerto Rico. CWA members work in telecommunications and information technology, the airline industry, news media, broadcast and cable television, education, health care and public service, law enforcement, manufacturing and other fields.

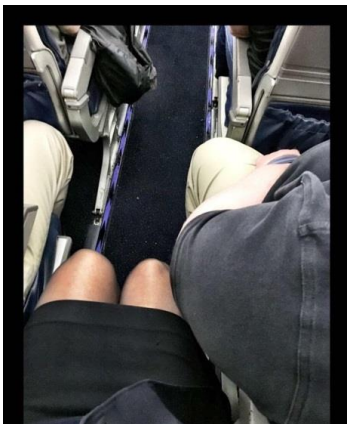
In aviation, the CWA represents 30,000 Passenger Service Agents at American Airlines, Envoy and Piedmont. These agents are cross-trained and work between the ramp, ticket counter and gates. Their jobs include assisting passengers, loading and unloading baggage, guiding aircraft to and from the gates, de-icing and cleaning the planes.

The Association of Flight Attendants-CWA (AFA), an autonomous sector of the CWA, serves as the expert voice from the aircraft cabin with 50,000 flight attendant members at 20 airlines including mainline, niche, regional, international and charter airlines.

For the purpose of this written statement, we are organizing our remarks into the specific job categories Flight Attendants and Customer Service Agents.

In the Cabin – Flight Attendants

Flight attendants are Federal Aviation Administration (FAA) certified to carry out cabin safety checks, crew coordination, passenger briefings, and all related safety, health and security regulations related to the aircraft cabin. Every effort is made to avoid emergencies, but when they happen flight attendants are charged with an immediate response to ensure the safety of all passengers onboard the aircraft. The role of aviation’s first responders and last line of defense in aviation security is performed by cabin crew members who cannot effectively do their jobs without passengers recognizing the necessity of following crew member instructions.



Crewmember jumpeat on a CRJ-900 regional aircraft

Every day, flight attendants working at U.S. airlines or based in the U.S. help tens of millions of passengers on thousands of flights to safely travel to their destination without incident. This has become more challenging in recent years with task saturation at boarding and significant staffing cuts down to FAA minimums in domestic markets. The changes to the aircraft cabin with smaller seats closer together and record-high load factors through reduced capacity have led to greater human contact in the confined space. There is a rising tension on board our flights and fewer of aviation’s first responders to manage it. De-escalating conflict between passengers has become a significant portion of work flight attendants perform on each flight. Without recognition of their role and authority in the cabin we are very concerned about the dangerous conditions flight attendants may be facing at work.

The horrific viral video from Republic flight 3411, operating as United Express, and the force used by the Chicago Aviation Security Officers led to a mob mentality internet attack on the front-line employee of United Airlines who had no role in the shocking event itself. Such an event of violence should never take place against any person on our planes – we all know this and we also know it can never happen again. The reality is that under the leadership of Oscar Munoz, United Airlines has transformed in a very short period of time. Employees are engaged, management is showing a respect for workers through good relations with unions, which has also resulted in improved contracts and the reverse of outsourcing begun by the former CEO.

The attack against United and the frontline employees was wrong. It has been pervasive at the airports, on the planes, on several media and broadcast television stations, and even in our schools, churches, and neighborhoods. It is demoralizing and has created incredible anxiety for flight attendants and other airline employees coming to work. It was especially challenging as the spread of incredible misinformation and misrepresentation of the facts could not be challenged without a vitriolic attack against the people of United Airlines. This reverberated for aviation workers throughout the industry. Flight attendants had no role in this event and never would. We are aviation's first responders and last line of defense. We save lives.

It is important for the world to look at flight attendants and see the hero who revived someone's son, daughter, mother, father, sister or brother from a heart attack.

...to see the crew of three flight attendants delivering a baby in flight even through complications during the birth and without a single passenger being aware that at the same time these heroes were expertly handling a potential security threat.

...to see the flight attendant who was responsible for saving the lives of an entire airplane as she revived both pilots from unconsciousness following a decompression.

...to see the flight attendant who, despite sustaining injuries during a crash landing returned repeatedly to the burning aircraft to pull people to safety.

...to see the flight attendant who, with his crew, contained a bomb and stopped a terrorist act.

There are thousands of examples of heroic acts performed by flight attendants and millions of examples where, every day, a flight attendant is seen as someone's hero. Aviation connects people as diverse as the communities we serve around the country and the world, every creed and conviction, background and belief. Flight attendants care for and safely usher passengers to the big business deal, the family vacation, the times of celebration, times of grief and times of battle. Respect for our work is critical.

Flight attendants need clear direction and support in doing our jobs. We are charged with keeping a safe cabin, yet we are challenged daily when instructing passengers according to our training and required safety procedures. We are encouraging our members to "continue to lean on each other to maintain the best of who we are. We can't be second guessing ourselves when we need to protect the safety of the flight. We make every effort not to react to attempts to provoke us and stay focused on our mission as aviation's first responders."

The fallout from these viral video events is creating damage that we believe is far-reaching and threatens aviation safety and security. We have reports of passengers allowed to remain onboard refusing to comply with crewmember safety instructions during boarding jeering and harassing at crewmembers across the country. We have reports of airport security refusing to respond to passenger incidents of threats, assault or failing to comply with crewmember safety instruction. We have aviation "experts" encouraging the public on TV to continue to film the crew and broadcast it, which offers free video surveillance of crew movement and tested disruptive tactics for terrorists. This has to stop before the consequences are tragic.

We need regulators, lawmakers, and airline management to provide clear instruction to the public about the necessity of flight attendants in aviation safety. Flight attendants are caught in the middle between the role we must play to help ensure the safest aviation system in the world and the "us against them" mentality created by these viral video events and the response to rushed public judgment quickly rendered without all of the facts.

We recognize the need to study the conditions in air travel today and respond to the concerns of the millions of people who buy tickets on our airplanes. But we also need to make sure we are not creating a system where

people are able to dismiss their responsibility as travelers who must comply with regulations and policies in place to keep them safe.

Airlines originally hired “stewardess” to make flights comfortable and stress-free for passengers. As the aviation industry grew, so did the role and responsibilities of flight attendants. It wasn’t until 1952 that the Civil Aviation Authority (CAA) required airlines to provide flight attendants for the safety and security of passengers. In September of 2001, the role of flight attendants profoundly changed as we added the last line of defense in aviation security to our responsibilities.

After nearly a decade of financial struggles, the increased use of regional carriers to supplement route structures and a series of high profile consolidation travel transformed from a glamorous luxury to a necessary mode of transportation. Flight attendant utilization increased significantly when airlines moved from a “staffing for service” standard to staffing at FAA minimums.

Flight attendants are dealing with an increasing range of demands due to this reduced staffing. The boarding process is especially stressful as the passengers look for bag storage while flight attendants perform both safety and service related duties. While dealing with customer service, flight attendants must remain ever vigilant for anything “out of the ordinary” which could be a threat to the safety and security of the flight.

In light of the recent events, airlines have begun to implement changes to policies and procedures to improve the passenger experience. We urge everyone to resist a “knee jerk” reaction and take time to thoroughly review any proposed changes to prevent unintended consequences. All stakeholders must be involved in this process. Let us note too that studies show front line employees are helping to turn out passenger satisfaction metrics including more on-time arrivals, fewer lost bags and less customer complaints. While we identify concerns, we also want to recognize the wonderful passengers on our planes who have taken the time to recognize our work and thank us for our efforts.

As a result of pressure from crewmembers and AFA, federal law affirms flight attendants’ authority in the cabin of an aircraft and expressly prohibits passenger interference in these duties. 49 U.S. Code Sec. 46504 states, “An individual on an aircraft in the special aircraft jurisdiction of the United States who, by assaulting or intimidating a flight crewmember or flight attendant of the aircraft, interferes with the performance of the duties of the member or attendant or lessens the ability of the member or attendant to perform those duties, or attempts or conspires to do such an act, shall be fined under title 18 imprisoned for not more than 20 years, or both. However, if a dangerous weapon is used in assaulting or intimidating the member or attendant, the individual shall be imprisoned for any term of years or for life.”

Passengers are required to comply with crewmember instructions and we encourage them to wait for crewmember instructions before inserting themselves into incidents to prevent situations from escalating. We care deeply for our passengers and providing them a safe journey. It is also critically important for our security in a post-9/11 world that we keep calm in the cabin and recognize our mutual interest in maintaining procedures that keep us all safe.

At the Airport – Customer Service

In 2001, following the 9/11 attacks, President George W. Bush signed into law the Aviation and Transportation Security Act, which provided sweeping reforms to airport security protocols. Included in the Act was an amendment, Section 114, offered by former Senator John Kerry (D-MA), setting federal penalties for interfering with airport and airline personnel who have security duties.

In January 2017, the Department of Transportation (DOT) and Department of Justice (DOJ) confirmed in a letter to Congressman John Garamendi (D-CA) that the original intent of Senator Kerry's amendment was to include gate agents, ramp personnel and airline workers with access to aircraft or other secure areas because they have security functions.

As a result, an assault on agents would be a federal criminal offense. 49 U.S.C. 46503 provides that "[a]n individual in an area within a commercial service airport in the United States who, by assaulting a Federal, airport, or air carrier employee who has security duties within the airport, interferes with the performance of the duties of the employee or lessens the ability of the employee to perform those duties, shall be fined under title 18, imprisoned for not more than 10 years, or both."

Passenger service agents at every airport in the nation were reassured that "airport rage" incidents they face as they perform their critical safety roles could be properly dealt with. Not only would offenders be charged but also prosecuted. Unfortunately, that is not the case as we have seen in numerous examples and as daily verbal and physical assaults continue.

Passenger service agents have a variety of responsibilities depending on the airline and size of airport. They play a vital role in ground operation including both "above the wing" – providing customer service to all passengers - and "below the wing" – loading planes and ensuring they are handled with care.

At many airports, agents are cross-trained and go back and forth between the ramp, ticket counter, and gates. Their job responsibilities can include handling and tagging checked bags, check-in process at the gates and kiosks, working at ticket counters, operational support, loading and unloading the aircraft, guiding aircraft to and from gates, de-icing, and cleaning, prepping and securing the aircraft for the next flight.

Federal regulations require air carriers to comply with security measures set forth in the Transportation Security Administration (CFR) Part 1544. This CFR requires U.S. carriers to adopt and carry out an approved security program. The Transportation Security Administration (TSA) is responsible for ensuring that required security measures are carried out. Passenger service agents have the responsibility to comply with these regulations when doing their job. Passenger service agents receive training including online computer work, classroom training, and on-the-job training but no specific training on managing air rage.

Agents' jobs are stressful and challenging. While working inside the airport, agents encounter angry passengers who blame them for mishaps. Working outside loading and unloading planes is physically demanding. In both areas, agents are pressured to avoid flight delays at all costs.

Passenger service agents have reported incidents where they are verbally and physically assaulted. Agents have been attacked, hit, had luggage and equipment thrown at them, been pulled over counters and been spat upon. Since the carriers offer absolutely no training on dealing with violent passengers, they rely on intervention from other agents, employees, and even passengers. Passenger service agents report that rage is at an all-time high and employees sometimes feel like companies reward passenger's bad behavior especially now that passengers are using the threat of posting videos to social media.

Sometimes the airport police get involved but in many cases, the carrier takes over to assist the passenger and not their hardworking employee. Too often, passengers face no consequences and in fact, are often escorted to their flights by airline supervisors. We have recently received reports of passengers who have exhibited

disruptive or criminal behavior being boarded on flights where flight attendants have far fewer options to contain the problem and far greater consequences if the behavior continues or escalates.

Customer behavior in the airport also affects the safe operation of flights and should be treated in a consistent manner. Given the patchwork of protocols to deal with assaults on passenger service agents at airports across the country, it is critical that a clear and mandated process is developed and shared with carriers, police/airport security, airports, and the agents to assure immediate attention warranted by a federal assault.

It is urgent that this protocol and education be developed and mandated by the DOT and distributed to carriers, local and airport police/security, airports, and the agents. It is only through clear national protocols and education that passenger service agents will know how to deal with abusive passengers; that airports and carriers have clear procedures to quickly manage these situations and take appropriate action; and that passengers understand the penalties for assaulting passenger service agents.

The mandate must include clear instructions for educating passengers on the federal penalties of assaulting an “airport, or air carrier employee who has security duties within the airport”; training passenger service agents on how to de-escalate hostile situations and procedures for filing federal charges; having airport management, airline supervisors and airport law enforcement focus on protecting and supporting agents and filing federal charges; and ensures the presence of law enforcement personnel who are able to file federal charges in the case of an assault on a passenger service agent.

While we certainly understand, given the news lately, the interest in protecting passengers, we urge Congress to also consider the serious assaults that passenger service agents deal with every day. CWA will continue to speak out on behalf of our members who are simply doing their jobs and following the rules. These aviation workers deserve to work in a safe environment free from assaults by irrational and irate passengers. We ask Congress to protect these workers.

Recommended Policy and Regulatory Changes

AFA-CWA believes several steps can be taken to assist with supporting flight attendants and passenger service agents in performing safety duties and trust in aviation:

- Public statements from regulatory bodies, Congress and industry leaders about the need to follow crewmember instructions to keep aviation safe and secure.
- Increase flight attendant and passenger service agent staffing and provide de-escalation tools and techniques.
- A study of evacuation standards, including the reality of today’s aircraft cabin configuration.
- Improved reporting of safety and security concerns to the proper authorities and enhanced enforcement of federal laws pertaining to passenger treatment of flight attendants and passenger service agents.
- Banning the use of voice communications in the aircraft cabin.
- Develop guidance for use of portable electronic devices on aircraft.
- Announcements in the gate area reinforcing safety regulations, the role of the flight and cabin crew and reminders about videotaping for personal use only.
- Involve the representatives of frontline aviation workers in any proposed policy or regulatory changes.

AFA and CWA are committed, in concert with our airline partners, to maintaining the safest mode of transportation in the world, through an efficient and friendly aviation experience.