

Subcommittee on Aviation
“Oversight of Working Conditions for Airline Ground Workers”

Wednesday, January 15, 2020

10:00 a.m.

2167 Rayburn House Office Building

Testimony of Donielle Prophete, Vice President
Communications Workers of America (CWA) Local 3645

Chairman Larsen, Ranking Member Graves and distinguished members of the Aviation Sub-Committee, thank you for the opportunity to appear before you today to discuss the health and safety hazards, concerns, and challenges facing airline ground service workers. As a front line worker, this is extremely important to me and my co-workers.

My name is Donielle Prophete. I am the Vice President for the Communications Workers of America (CWA) Local 3645. I work for Piedmont Airlines, a wholly owned subsidiary of American Airlines (AA) and I have been with the Company for 15 years. I am a passenger service agent cross trained to work as both a gate agent and a ramp agent, so I am very familiar with all aspects of both jobs. I work at the Charlotte Douglas International Airport in Charlotte, North Carolina. The Charlotte station is one of AA’s largest, and a very busy hub with more than 13 million enplaned passengers in the most recent 12 month period.¹

American Airlines is a highly profitable company. Our CEO said in 2017 that he didn’t think the airline would ever lose money again.² Where are these profits going? A large percentage are going to the pockets of wealthy shareholders and executives. Meanwhile, American is outsourcing passenger service work to third-party contractors, and relying on regional airlines they’ve acquired or contracted for an increasing share of routes to do the same work as direct employees but for lower wages. This fragmentation of our relationship with the parent company means we have less bargaining power and less ability to fight for safe and secure jobs.

Safety is a particular concern for me and the focus of my testimony today. I have participated on the Piedmont System-wide Safety Committee which is made up of agents like myself from across the

¹ Bureau of Transportation Statistics. See: <https://www.transtats.bts.gov/carriers.asp?pn=1>

² See <https://www.usatoday.com/story/travel/flights/todayinthesky/2017/09/28/american-airlines-ceo-well-never-lose-money-again/715467001/>

Piedmont network of stations. This Committee serves as a forum for agents to raise health and safety concerns with the Piedmont Health and Safety Manager who also attends the meetings.

To provide context for safety challenges we face, I will first describe the work ramp agents do. Ramp agents perform many different tasks in the course of our duties and we face many dangers in our work and work environment. If you have ever looked out of the window while you were sitting in an airplane waiting to depart or to deplane after landing, you have seen ramp agents at work. A ramp agent is responsible for handling baggage, loading and unloading airplanes and/or conveyors. Ramp agents guide/marshal aircraft to and from the gate. They are responsible for operating equipment such as belt loaders, tugs, baggage carts, and airplane push back vehicles. Ramp agents fill the aircraft with potable water. They operate lavatory vehicles to evacuate airplane waste and to add a chemical cleaner/deodorant to the toilets on the plane. Some of the ramp duties may vary depending on which airport you work at. Some airports would require operations like de-icing with de-icing chemicals.

Unfortunately, we know from firsthand experience that there can be dire consequences when safety hazards are not addressed and workers are not adequately protected. Less than six months ago, on the night of August 11, 2019, the worst possible tragedy occurred when one of our co-workers and union brother, Kendrick Hudson, died on the job at the Charlotte airport. Kendrick was a ramp worker. He was only 24 years old. He had been working for Piedmont for close to two years.

That night, Kendrick Hudson was driving a tug, which is a vehicle used to pull a baggage cart. The tarmac was not well lit. A piece of baggage was on the tarmac, having fallen from another baggage cart sometime prior. Kendrick did not see the piece of baggage on the ground until it was too late, likely because the bag was dark, it blended into the lines on the tarmac where it had fallen, and there was insufficient lighting. When the tire of the tug he was driving hit the baggage, the tug flipped over with him inside. Co-workers rushed over to his aid while waiting for Emergency Medical Services. He died of his injuries.

His death was a shock to all of us and collectively we have mourned his loss. In trying to make sense of his loss, our union members have increased our own focus on safety. We do not want anyone else to die.

CWA believes that there were existing safety hazards that played a role in his death and that his death was likely preventable had the hazards not existed. We believe the low lighting on the ramp was a primary, contributing factor in the fatal accident. Low or insufficient lighting limits visibility, particularly at a distance. That is just common sense. We feel that if the lighting had been brighter, it is possible that Kendrick might have seen and been able to avoid the dark blue bag that fell on the black line on the dark tarmac.

Our local union and agents had repeatedly raised concerns about the lighting with Piedmont management in the past, before Kendrick's fatality. The insufficient lighting hazard had been raised at various, "Roundtable" meetings over the past two years that Piedmont set up to hear about agents' concerns. The insufficient lighting hazard had also been raised by me and other members of my local union's Executive Board at our monthly, departmental meetings with Piedmont management. We have

urged management to address the poor lighting in our work areas and to advocate with the City of Charlotte for increased lighting in dark areas under the City's jurisdiction where workers must carry out their work operations. The site of Kendrick Hudson's fatal accident is not the only area with insufficient lighting that impacts our safety. Ramp agents can cover a lot of ground working at the gate, around the planes, and driving to other gates and locations. As an example, there is a large area from gates E31 to E38, so dark and dangerous to drive around at night without any roadway lines that it has earned the infamous nickname of "Death Valley" by workers. This should not be. We recognize that there are certain restrictions in airports about lighting so as not to interfere with air traffic control. However, we believe more can be done to illuminate work areas to make them safe.

The second factor we believe contributed to Kendrick Hudson's death was the piece of baggage that had fallen out of another baggage cart and left on the tarmac. It is not unusual for baggage to fall from a baggage cart. This can occur if the closures on the cart's curtain meant to contain the baggage are missing, broken, or not secured. When baggage does fall onto the ground, sometimes the pressure to quickly transport baggage from one point to another can result in delays in retrieving fallen baggage, presenting a hazard. We do not know the reason why the baggage had fallen in this case, but if the baggage had not been on the ground, Kendrick's accident would not have occurred.

The union also has concerns about the stability of the tugs, like the one Kendrick Hudson was driving. Had the tug he was driving been more stable, like the newer models seem to be, it may not have flipped over once it hit the baggage. I'd like to note that Kendrick Hudson's accident was not the first time a tug had flipped over in the recent past. On June 6, 2017 a tug flipped over with two ramp agents inside, injuring both. One of the agents was out of work for 136 days as a result of her injuries. The cause was found to be missing lug nuts on the vehicle. A ramp agent would have no way of knowing about this kind of mechanical defect even when conducting a basic walkaround and safety check of a vehicle.

The North Carolina Department of Labor (NCDOL) has conducted a fatality investigation. I have participated in the investigation, as have other members of CWA Local 3645. Management has participated, too, of course. Our wish is that the investigation will result in much needed improvements to make the ramp itself and work on the ramp safer and to prevent anyone else from dying on the job.

There are many other safety and health hazards we face at work besides those that I have already mentioned. Some of these safety and health hazards affect ramp agents and gate agents. The range of safety and health hazards include, but are not limited to: passenger rage/assaults by passengers; defective or broken equipment and vehicles; ergonomic risk factors, such as excessive force required to lift/push/pull baggage and equipment, repetitive motion, and awkward/strained postures and/or maintaining static postures for long periods; chemical exposures; biological hazards and infectious diseases; falls from heights; heat stress during the warmer months and cold stress during the winter; and various physical hazards.

Further compounding these safety and health concerns are the pressures we operate under because of inadequate investment by our parent company, American Airlines. These include: Insufficient or ineffective safety training; widespread understaffing; a very high stress environment; constant time pressure demands; mandatory overtime; high turnover; and fear of retaliation by management for

raising safety concerns. Workers at Piedmont are paid low wages that are substantially less than agents employed directly by American mainline, forcing many to work long hours, take additional jobs and rely on government assistance to get by. Further, a majority of Piedmont employees are part-time, which equates to fewer benefits and less consistent schedules.

A review of the 2018 OSHA Form 300 Logs of Work-related Injuries and Illnesses and OSHA 300A Annual Summaries of Work-related Injuries and Illnesses for Piedmont stations with CWA represented workers across the country revealed a total of 612 injuries and illnesses. The most frequent injuries by type, according to the descriptions listed on the OSHA 300 Logs were: sprains and strains (358 cases), bruising (108 cases), lacerations (31 cases) and fractures (24 cases). The most frequent causes of injuries were ergonomic, including lifting, overexertion, pushing/pulling, twisting, and strains (252 cases), falls (95 cases), struck by object being handled (145), caught in object (32), and collision with vehicle (13). The calculated incidence rates of injuries and illnesses varied greatly by station. The overall incidence rate for all of the stations for 2018 was 11.06 incidents for every 100 full-time-equivalent workers. The incidence rate for Charlotte (CLT) was 13.58 compared to the second largest Piedmont hub in Philadelphia, PA (PHL) with an incidence rate of 7.02. Several stations with over 50 employees had extremely high incidence rates. These included Greenville/Spartanburg in SC (GSP) with an incidence rate of 33.46, Wilmington, NC (ILM) with an incidence rate of 38.34, Norfolk, VA (ORF) with an incidence rate of 30.63, Portland, ME (PWM) with an incidence rate of 26.33, Richmond, VA (RIC) with an incidence rate of 28.14, and McGhee Tyson airport (TYS) in Tennessee with an incidence rate of 34.48.

Last month our union, CWA, conducted a survey focused on safety and health issues with nearly 500 Piedmont agents across the country. Some of the key findings of our survey are as follows:

The survey revealed that 94% of agents reported that safety is a very serious or a somewhat serious problem at their station. One central factor is the excessive time pressure we face. The pressure to turn planes on time creates a stressful environment where 69% of agents fear disciplinary action for missing deadlines.

Inadequate staffing is also a key concern -- 74% of agents nationally reported they feel rushed to do their jobs because of understaffing. Often we have to operate with fewer agents than are truly needed to get the job done. Why does this matter? Turning planes on time with inadequate staff may force agents to cut corners or skip important safety steps. Regional flights will often have only one gate agent to board a flight. You have to board the flight, watch the door, push wheelchairs, fix tickets, handle angry passengers -- all in 30 minutes. Among the agents surveyed at Charlotte, nearly 60% of agents who work inside the airport said that one of their top safety concerns is gaps in security at the gate, including having to leave secure areas unattended when understaffed.

There are no clear and concise rules for regional operations regarding how many agents it takes to work particular aircrafts on the ramp. So, we are subjected to struggling with 2 or 3 agents working planes that would normally require 4 to 5 agents. Another problem with staffing is that Piedmont counts management in the numbers of the workforce on duty, but the managers in many cases don't come out to help with the operation. That inevitably leaves us short. Further, Piedmont has a very high turnover

rate. The pay doesn't support having senior agents around. What that means is there is a lack of the seniority and knowledge of the more seasoned agents.

Understaffing leads to missed breaks and long periods of standing. According to the survey, more than 50% of agents nationally say that understaffing causes them to miss mandated breaks. At Charlotte in particular, 91% of gate and ticket agents reported they are forced to stand for long periods of time, increasing the likelihood of musculoskeletal disorders.

Returning to the ramp, 83% of ramp agents surveyed at Charlotte reported insufficient lighting on the tarmac and 96% said that painted lines on the tarmac are poorly defined and hard to distinguish. This was reported in December, more than three months after Kendrick Hudson's death.

We also have major concerns about defective equipment and vehicles. Regionals like Piedmont seem to receive American Airlines' cast off, hand-me-down equipment. A lot of vehicles and equipment we work with are very, very old, perhaps decades old. More than half of agents nationally said they work with defective equipment in all or most of their shifts.

Our managers should be addressing these concerns when we raise them, and we do raise them. At my station, 67% of the surveyed agents said they had told management about a safety concern in the past six months. Of those agents who reported safety concerns, 83% said management failed to resolve their safety concern at all or did not resolve it quickly. There's something very wrong with this picture.

While this survey was illuminating, we need management to partner with us to document and address the ongoing safety issues facing me and my coworkers.

One area where we need more partnership is passenger rage and assaults, which are a constant stressor and danger for passenger service agents. Many agents have been assaulted and some have suffered serious injuries as a result. Addressing passenger rage is a priority for our union. Angry customers regularly take out their anger on the agents with verbal and physical assaults. The most common causes of passenger rage incidents against passenger service agents are flight delays and flight cancellations. Other contributing factors include overbooking of flights by the carriers, boarding procedures that favor certain customers and leave those boarding in the last groups without adequate overhead storage space for carry-ons. These are things that passenger service agents have no control over, but, as the face of the airline, agents receive the brunt of passenger frustration and rage.

I cannot say how many total assaults by passengers have occurred at Charlotte or across the Piedmont footprint because that information has not been shared by the airline. It seems to be a well-guarded secret. Even the Piedmont OSHA 300 Logs of Injuries and Illnesses do not include "passenger assault" in the description of recordable injuries that were the result of an assault. In February 2014, I was the victim of a passenger rage incident. The passenger had deplaned outside, walked on the tarmac and entered the terminal through the security door before she remembered she had mistakenly left her valetted, checked bag outside the plane where it had been unloaded. For security reasons, passengers are not permitted to walk back out onto the tarmac through the secured door once they come inside the terminal. The passenger was very upset at the agent who was guarding the security door who would not permit the passenger to go back outside. To diffuse the situation, I went outside to retrieve the

passenger's bag for her. I still had my hand on the bag when the passenger aggressively grabbed the bag from me, cursing at me, and cut my hand in the process. I contracted MRSA (Methicillin-resistant Staphylococcus aureus) which was transmitted from the passenger's bag to the cut she had inflicted on my hand and I was out of work for 22 days. My injury was listed on the OSHA 300 Log as a "pax grabbed carry on bag out of ee's hand, causing left hand to swell" injury.

The Federal Aviation Administration (FAA) Reauthorization Act of 2018 required airlines to create an Employee Assault Prevention and Response Plan (EAPRP) related to the customer service agents in consultation with the labor union representing such agents. We do not believe that the FAA is doing enough to ensure airlines are implementing the required protocols. Enforcement is lacking.

Agents also experience challenges in bringing in law enforcement quickly enough to get witness statements and ensure that these cases are taken seriously and moved through the appropriate prosecutorial channels, including the use of federal law to bring felony charges when appropriate.

Ground service workers at regional airlines are not alone in facing unequal treatment and unsafe conditions. Our partners at the Association of Flight Attendants-CWA have many of the same issues we do at the eight regional carriers they represent -- lower wages, understaffing and other inequities. On some regional jets, a lone flight attendant handles up to 50 passengers. We work together to try to bridge the gap and make this industry better for every aviation worker.

I will conclude my testimony with some thoughts about improving the health and safety and overall working conditions of passenger service agents.

AA and Piedmont must address the poor lighting in the largest hub station (CLT) so we don't have another agent lose their life at work. Improvements in lighting on the ground should be made at all stations where insufficient lighting is a problem.

The ratio of ramp agents per aircraft should be increased so there is an adequate number of agents working a flight to be safe and enable us to do our jobs completely and thoroughly without the need to rush or cut corners. Adequate staffing ratios should take the type of aircraft into account. Agents at regional airports who service mainline planes, like an Airbus, should have the support of more agents than the number needed for a much smaller 50 or 90-seater plane.

On the issue of passenger rage, I would reiterate that our passenger service agents would like to see greater engagement by the FAA to follow through on its obligation to enforce the provisions in the FAA Reauthorization of 2018. We would ask the Aviation Subcommittee members to stay engaged on this issue and follow up with the agency to ensure this process is moving forward more expeditiously than it has been.

Passenger service agents see a need for greater public awareness about the legal protections that do exist. We would like to see all carriers prominently display visible signage with strong language informing passengers that it is illegal to assault passenger service agents and that the passenger can be arrested, charged, and prosecuted for assaults.

More broadly, AA/Piedmont must commit to a comprehensive approach to improve working conditions at all stations to prevent other fatalities, injuries, and illnesses. To accomplish this, American must invest more in the health and safety of its employees by:

- Providing a safe physical work environment;
- Ensuring that employees have quality training to work safely;
- Reducing workplace stressors to improve job quality;
- Addressing work organization issues such as understaffing, excessive workloads, and unpredictable work schedules that increase the risk of injury and impact health;
- Encouraging employees to report safety concerns without fear of retaliation; and
- Ensuring employees have a voice on the job through labor-management health and safety committees that are empowered to address hazards on an on-going basis.

I hope that my testimony has provided you with a deeper understanding of the nature of our work, the health and safety hazards we face on a daily basis, and the challenges we face working for a regional airline. I hope that the Aviation Subcommittee will continue to investigate the practices of the legacy air carriers, the impact those practices have on the operations of the regional carriers and ultimately, on workers like me. I hope that these efforts will lead to improved working conditions for all ground service and other passenger service agents.

Thank you.