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Testimony of

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Committee on Transportation and Infrastructure
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Hearing on

America Builds: Airport Infrastructure, Safety, and Regulatory Environment

Chairman Nehls, Ranking Member Cohen, Chairman Graves, Ranking Member Larsen, and members of the Subcommittee on Aviation, thank you very much for holding this hearing on airport infrastructure. Airline workers are responsible for 5% of our nation's economy. TWU members and our colleagues across the other airline unions ensure the U.S. airspace remains the safest in the world. Through its oversight duties, which this subcommittee is exercising today, Congress plays an indispensable role in ensuring that airline workers are safe on the job.

My name is Andre Sutton, and I am the Air Division Director and International Vice President of the Transport Workers Union of America (TWU). The TWU represents more than 160,000 members across the country. We are the largest union in the U.S. airline industry, representing airline mechanics, flight attendants, ramp workers, dispatchers, fleet service workers, pilot simulator instructors, meteorologists, and others who safely enable people and packages to move

around the world. I appreciate the opportunity to address this subcommittee today and to share our members' experiences and concerns about several ongoing issues which affect both their health and safety and the entire air travel industry.

I also appreciate the work this subcommittee did in drafting and passing a full FAA Reauthorization in 2024. The TWU worked closely with members of this subcommittee on a multi-year reauthorization of the FAA that acknowledges the critical roles our members play to make our airspace safe and allow for a well-functioning air transportation system. We, alongside dozens of other national organizations, enthusiastically endorsed that bill because of its bold, intentional action to address the current problems facing our members, including all of the issues I am going to talk about today.

However, the truth is a law is only as good as its implementation. Today, nearly a year after enacting the FAA Reauthorization, none of the provisions most important to TWU have been fully implemented and the FAA has already missed several dozen congressional deadlines for action. We strongly urge this subcommittee to ensure that the FAA Reauthorization of 2024 is implemented to the letter of the law in order to raise the level of safety and to return high-quality jobs to our national air system.

Ensuring ramp workers are safe on the job is critical, but FAA action still needed

Since this subcommittee held an oversight hearing on working conditions for airline ground workers five years ago¹ at least five workers have died on the ramp. 37-year-old TWU member Michal Ingraham was crushed to death between a malfunctioning vehicle and a jet bridge support beam at Austin-Bergstrom International Airport on April 20, 2023. Michal was following all of the required safety measures when the unoccupied vehicle beside him suddenly jumped forward, repeatedly slamming his body into the concrete column. His body remained pinned for several hours. Powerless to do anything, his coworkers were directed to continue working scheduled flights at the surrounding gates with a clear view of Michal and the car that continued to randomly activate the gas, jump its brakes, and ram the column. The TWU continues to mourn for Michal Ingraham and his family to this day.

This incident was not caused by some cruel twist of fate – it was entirely preventable with better oversight and safety requirements. The vehicle that crushed Michal Ingraham belonged to an airport contractor, a bad employer that chased every loophole to avoid safety, labor, and other costs. This particular vehicle had been written up several times by American Airlines' crewmembers for malfunctioning in exactly the way it did on April 20, 2023. Each time, the contractor ignored these warnings, returned the vehicle to the tarmac, and told everyone they had resolved the issue. No one – not American Airlines, not Austin-Bergstrom International Airport, or the FAA – ever questioned the contractor's actions or asked for proof the vehicle had truly been fixed, despite the multiple incidents. Our safety system failed on every front and Michal Ingraham lost his life as a consequence.

¹ *Oversight of Working Conditions for Airline Ground Workers: Subcommittee on Aviation of the House Committee on Transportation and Infrastructure*. 116th Cong. (2020)

Four other ramp workers have died from similarly preventable incidents in the past 32 months. Two ramp workers at Charlotte Douglas International and Austin-Bergstrom International (again), respectively, were struck by ground vehicles on the tarmac. On New Year's Eve 2023, a 34-year-old mother of three tragically lost her life when she was ingested into a jet engine while working the ramp at Montgomery Regional Airport. And a ramp worker in San Antonio was ingested by an aircraft engine. While these are the worst safety failures, they are by no means the only incidents. Just last month, a 64-year-old ramp worker was severely injured at Chicago O'Hare International Airport after the tug he was operating flipped over and pinned him. While there is a serious lack of comprehensive data on ramp worker injuries and fatalities in the U.S., according to a 2019 report by the Government Accountability Office (GAO), it is estimated that 27,000 ramp accidents and incidents occur annually worldwide². Every single injury and fatality is a tragedy that could have been prevented.

Ramp workers are often invisible to the public; their work is performed under the wing and in secure areas of the airport out of view from travelers. At the same time, work below aircraft wings and on busy tarmacs is both physically and mentally taxing, requiring constant focus and spatial awareness in narrow corridors shared with aircraft, ground equipment, and physical infrastructure. Jet blast and ingestion zones create additional hazards on areas of the tarmac. Additionally, short aircraft turnaround times require these workers to move quickly while loud background noise hinders verbal communication. Safely navigating this loud, constantly changing, rushed work area is an inherently difficult job that can quickly become dangerous. Despite this reality, safety rules and procedures for ground workers have not been seriously reviewed by the FAA since the early 2000s.

The FAA Reauthorization of 2024 mandates the agency to issue a call-to-action safety review of ramp worker safety, bringing together stakeholders with the goal of assessing deficiencies in FAA policies, training programs, and safety markings. Congress requested the FAA to begin this review within 180 days of enactment – November 12, 2024³. Unfortunately, the FAA has blown past this deadline. Consequently, the development and publication of educational materials – and report to Congress on results of the review and associated recommendations – are delayed. The injuries and fatalities that ramp workers have suffered this year alone should serve as a clarion call for continued attention and swift implementation of this provision. The TWU appreciates Representatives Val Hoyle and Derrick Van Orden for their leadership on this issue in the 118th Congress.

Protecting customer-facing airport and airline workers from assault

For customer-facing airport-based workers, violent, unruly passengers have become all too common, threatening workers' safety. Videos and stories of airline workers being physically or verbally assaulted for doing their jobs have become a regular feature in the media, with many more incidents going undocumented. The number of formally reported cases of unruly passengers has gone down since its peak in calendar year 2021. However, each year since, the

² Gov't Accountability Office, Aviation Safety: Enhanced Oversight and Improved Availability of Risk-Based Data Could Further Improve Safety, at 7 n.13, GAO-12-24 (Oct. 2011), at <https://www.gao.gov/assets/590/585613.pdf>

³ FAA Reauthorization Act of 2024, Pub. L. No. 118-63, §353

number of cases has surpassed pre-COVID levels. Just a couple weeks ago, a video of a gate agent being physically assaulted and knocked out at Washington Dulles International Airport was posted online for the entire world to see.

As air carriers' business models have shifted to unbundle services (in exchange for ancillary fees) and allow passengers to bypass customer service desks, gate agents are consequently tasked with more work enforcing airline policies. These workers, typically the first representative of the airline a customer will interact with on their journey, are now expected to catch oversized and overweight bags⁴, address booking change fees, and rebook passengers in the event of long delays or cancellations. This has led to irate travelers taking out their anger in response to air carriers' policies on gate agents. Unfortunately, assaults on customer-facing airport workers will not subside on their own.

Last year, Congress clarified statutory protections to prevent assaults on airport and air carrier employees. Congress also required the establishment of a task force for the development of voluntary standards for combatting assaults on the ground in addition to in flight. Additionally, Congress reiterated its demand for carriers to develop, implement, and share with the FAA employer assault prevention and response plans, following noncompliance with the requirements of the FAA Reauthorization of 2018⁵⁶⁷. While we firmly believe that these assaults require stronger action, such as a federal no-fly list, we have no doubt that the provisions of this law will reduce the number and severity of assaults in our air system. Workers will see none of the benefits of these changes, however, until these provisions are fully implemented.

Returning heavy maintenance of U.S. aircraft to the U.S.

Since 1987, air carriers have increasingly moved heavy maintenance work out of the U.S., choosing to have their aircraft maintained, repaired, and overhauled at any of the almost 1,000 FAA-certified repair stations abroad instead of at one of the nearly 4,000 such stations here at home. Alarming, the Chinese Communist Party is the principal beneficiary of the FAA's certification.

A lax federal regulatory scheme incentivized airlines to move this work out of the U.S. Despite issuing identical certificates with the same set of privileges to all the repair stations it oversees globally, the FAA has not been holding repair stations outside of the country to the same safety standards as those in the U.S. The result is significant cost-savings on compliance and risk when the work is done abroad, effectively directing the airlines to offshore thousands of jobs going back decades.

⁴ U.S. Senate. Permanent Subcommittee on Investigations of the Committee on Homeland Security and Government Affairs. 2024. *The Sky's the Limit: The Rise of Junk Fees in American Travel*

⁵ FAA Reauthorization Act of 2024, Pub. L. No. 118-63, §432

⁶ FAA Reauthorization Act of 2024, Pub. L. No. 118-63, §434

⁷ FAA Reauthorization Act of 2024, Pub. L. No. 118-63, §551

While the FAA nominally requires that all repair stations, regardless of location, maintain aircraft to the same standard, foreign repair stations historically have not had to comply with several requirements to which U.S.-based maintenance facilities are held, including:

- Mandatory security background checks for workers;
- Employee drug and alcohol testing;
- Unannounced FAA inspections; and
- FAA certification standards for maintenance technicians and support personnel

The FAA Reauthorization of 2024 directs the FAA to close all of these loopholes immediately. To date, the agency has taken no action except to finish a drug & alcohol testing rule first mandated by Congress in 2012. The TWU appreciates Representative Julia Brownley for championing the reshoring of aircraft maintenance jobs in the 118th Congress.

Properly training baggage handlers to move personal mobility devices

For passengers reliant on wheelchairs and other personal mobility devices, ensuring these pieces of equipment arrive on time and undamaged is not only vital to air travel, but it is an essential necessity of these travelers' lives. Moving these devices from the airport building into the cargo hold of an aircraft requires heavy lifting, navigating narrow confines and uneven terrain, and maneuvering while kneeling, all of which can be physically exhausting. Improper handling can lead to injury. In addition to the physical challenges of handling these devices, baggage handlers are expected to not impact aircraft turnaround times. It is crucial then that these ground workers receive proper training to ensure they are handling these devices properly without injuring themselves.

Complicating this matter further, personal mobility devices have no standard configuration, shape, or handling procedures. Many airports do not have elevators to move items from the terminal to the tarmac or proper equipment to move these same items into cargo holds. Every complication presented in the process of getting these items from terminal to plane and back again is expected to be addressed by ramp workers who receive limited training and even less physical equipment. The result is, far too often, damaged devices and injured workers.

The TWU applauds Congress for mandating – and the FAA for completing – a rulemaking to ensure minimum standards for hands-on training of ground workers who handle wheelchairs and other mobility devices⁸⁹. This new rule is now making its way into airline manuals, and we hope to see additional training available soon.

However, even with more training, the issue of poorly designed airport infrastructure remains. Without equipment and facilities capable of properly handling these devices, the onus remains solely on workers' raw strength to muscle these devices into cargo holds. The FAA Reauthorization of 2024 authorized \$20 million through FY28 for a pilot project to make airports – and commercial air travel generally – more accessible, funded through the Airport

⁸ FAA Reauthorization Act of 2024, Pub. L. No. 118-63, §543

⁹ Ensuring Safe Accommodations for Air Travelers With Disabilities Using Wheelchairs, 80 Fed. Reg. 102398 (Dec. 17, 2024)

Improvement Program (AIP)¹⁰. Among the accessibility projects that can be funded are elevators to move wheelchairs to aircraft. While this clearly benefits travelers who use wheelchairs, ground workers who load and unload these wheelchairs also stand to benefit. We strongly encourage members of Congress to urge airports in their districts to seek grant funding through this program. It is a win-win for workers and travelers who rely on wheelchairs.

Ending unsafe dispatching practices

Qualified, well-trained, and highly focused aircraft dispatchers play a key role in ensuring the safety of our air traffic system, as evidenced by dispatchers' bringing every plane in the national airspace to an emergency landing in mere hours following the terrorist attacks on 9/11.

Concerningly, as employers across industries began to implement work-from-home policies in response to the spread of COVID, the FAA authorized two airlines – Republic Airways and SkyWest – to allow their dispatchers to maintain operational control of flights from mobile workstations – that is, away from secure facilities in the airline's operations center. While the FAA originally allowed only 20 percent of dispatchers during any shift to dispatch remotely, months later it increased the authorization to 60 percent, all without any conditions or assurances that this change in a tried-and-true system of work would meet FAA standards. Dispatching from home raises significant safety concerns, ranging from outside distractions, lack of random and reasonable-suspicion drug and alcohol testing to data overloading home networks.

Today, thanks to action taken by Congress, air carriers are generally prohibited from dispatching aircraft from any location that is not a designated dispatch or flight following center, putting an end to FAA's troubling and continuing authorization of dispatching from home¹¹. To meet congressional intent, however, the FAA must finalize a rulemaking mandating compliance with this prohibition by May 16, 2025.

Cleaning up cabin air

The quality of cabin air circulated in flight has long been of concern for TWU members. To create breathable air 40,000 feet above sea level, aircraft pull air from the surrounding atmosphere, heat it over the engines, compress it, and circulate it into the cabin – a process known as bleed air. When the mechanical pieces of this process malfunction, contaminants can be introduced, pumping toxic air into the cabin for passengers and crewmembers to breathe. Despite this alarming reality, the FAA has historically required shockingly minimal training, reporting, or correcting of these incidents.

When gasified, engine oil, hydraulic fluid, fuel, and other aircraft fluids become potent nerve agents that can cause respiratory, neurological, and psychiatric symptoms, as well as cancer. These nerve agents can be absorbed both by inhalation and contact with skin. Repeated or prolonged exposure to these agents – such as that endured by flight attendants – can have devastating health effects. We have documented cases of TWU flight attendants who have suffered both severe and career-ending disabilities due to this chemical exposure.

¹⁰ FAA Reauthorization Act of 2024, Pub. L. No. 118-63, §725

¹¹ FAA Reauthorization Act of 2024, Pub. L. No. 118-63, §420

Passengers, too, are at equal risk of the negative health effects from the fumes caused by bleed air. Because these fumes can smell like dirty socks or other everyday items, travelers may not recognize the health threat as it is happening. In fact, some passengers mistake the symptoms of toxic fume exposure for jet lag.

The FAA Reauthorization of 2024 requires the FAA to create a system for in-flight crew and mechanics to report fume events on board commercial aircraft while safeguarding submitting parties' information should an air carrier request details on a reported fume event¹². More than 180 days later, however, this system is still not up and running. Additionally, the bill mandates a study of the occurrence of fume events and subsequent issuance of recommendations to improve cabin air quality¹³. However, this mandate has existed since the FAA Reauthorization of 2018 and has yet to be completed¹⁴. If history is any guide, the FAA will continue to delay this study. We urge this subcommittee to hold the FAA accountable for developing the reporting system and initiating the bleed air study. Continued delays by the FAA will lead to inaction on this important health and safety issue for workers and travelers.

The FAA Reauthorization Act of 2024 must be fully implemented for workers to benefit

Airline workers should never have to worry about their safety on the job. The TWU has been consistent in calling for improved training and protection from assaults in all modes of transportation to ensure these workers can return home after the end of their shift with their dignity. Following Congress' passage of a pro-worker, pro-safety FAA Reauthorization, the FAA must not delay in implementing this law. Every day the FAA puts off the proper implementation of the Reauthorization is another day that our members' safety and jobs are at risk and the country's gold standard in aviation safety is threatened. Once again, we applaud this committee and Congress for working to address many of the issues raised by our members. We implore you to continue exercising your oversight authority to ensure that the FAA implements the FAA Reauthorization of 2024 in a way that benefits aviation workers and aviation safety, as Congress intended.

Thank you for the opportunity to testify before the subcommittee on these important issues. The TWU looks forward to continuing to work with the committee to advance policies that will improve workers' safety and well-being in the airline industry and beyond.

¹² FAA Reauthorization Act of 2024, Pub. L. No. 118-63, §362

¹³ *Id.*

¹⁴ FAA Reauthorization Act of 2018, Pub. L. No. 115-254, §326