



A bold voice for transportation workers

November 4, 2015

Vote Alert for Amendments to Surface Transportation Authorization

Dear Representative:

As the House continues consideration of H.R. 3763, the Surface Transportation Reauthorization and Reform Act (STRRA), the Transportation Trades Department, AFL-CIO (TTD) urges you to ensure the bill remains a bipartisan compromise that can continue to move through the House. To achieve this end, we recommend the following votes on amendments:

Oppose:

Vote NO on amendment #40 offered by Representatives Denham, Brown, Costello, and Ashford, which would preempt State meal and rest break laws for commercial bus and truck drivers. Around the country, 21 States provide commercial drivers operating within their borders the opportunity to take a meal break. Currently, federal law prohibits States from enacting laws that affect motor carrier rates, routes, and services. In 2014, a court ruled that the California meal and rest break laws do not violate this federal law. However, arguing that the 2014 ruling will hinder interstate commerce, the trucking industry is now pressuring Congress to preempt all States' ability to regulate meal and rest breaks for drivers operating within state borders. Bus and truck drivers work up to 70 hours in a week and deserve to take the rest opportunities provided by their respective state laws. This amendment is an industry overreach and should be rejected.

Vote NO on amendment #1 offered by Representatives King, Duncan, Foxx, Amash, and Franks, which would repeal Davis-Bacon wage standards, which have been applied to every major federal infrastructure program since the 1930s and ensure that workers on federally assisted construction projects are paid no less than "prevailing wages" in the area in which the project is located. Davis-Bacon protects workers and communities from the use of underpaid labor while ensuring projects are performed safely, on time and on budget, and by qualified and trained employees. Any effort to undermine these important tools must be rejected.

Vote NO on amendment #155 offered by Representatives Reichert, Schrader, Newhouse, Coffman, and Radewagen, which mandates a GAO study on the West Coast port labor dispute and on recommendations to change labor law governing port workers. Senator Deb Fischer (NE) has already asked for a GAO study on this issue, which is currently underway. This amendment is unnecessarily duplicative of that study. More importantly, it would be improper for the full House to condone a process of changing longstanding labor law especially in the context of a bill designed to invest in our surface transportation system.

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Edward Wytkind, President / Larry I. Willis, Secretary-Treasurer



Vote NO on amendment #120 offered by Representative Newhouse, which would use the cloak of benign statistical collection to help trigger more frequent federal intervention in the collective bargaining of U.S. port workers. The amendment would require the Department of Transportation (DOT) to create new, standardized metrics on the productivity of ports, including the activities of workers. During contract negotiations, these metrics would be arbitrarily used as evidence of workplace slow-downs that would trigger federal injunctions under current law, or expanded injunctions and union decertification procedures being proposed in separate bills. In short, this amendment is an overreach that injects the government's data collection operation into labor/management collective bargaining issues. This anti-worker amendment is unnecessary and opposed by the American Association of Port Authorities and the National Association of Waterfront Employers.

Vote NO on amendment #186 offered by Representative Chabot, which would increase fines and disqualify from operating a bus or truck on a driver who operated a vehicle involved in a fatal crash when he or she knew the vehicle was defective. It is well documented that commercial drivers are often pressured or coerced by their employer and others to operate vehicles in violation of safety standards. Congress itself recognized this fact, including in MAP-21 the requirement that FMCSA regulate employer coercion. Unfortunately, this amendment fails to consider that drivers are sometimes forced with the decision to drive an unsafe vehicle or face consequences that threaten their ability to earn an income. This amendment does not hold employers accountable for their responsibility to ensure their fleets are maintained while also ignoring employer coercion.

Vote NO on any amendment offered regarding the reauthorization of the Export-Import (Ex-IM) Bank, which is included in this bill. The Ex-Im language is identical to HR 597, which was passed by the House with majorities in both the Democratic and Republican Caucuses just last week. Any amendment to the Ex-Im Bank language is an attempt to kill or delay the passage of this important reauthorization. Since the expiration of the Ex-Im Bank on June 30th, hundreds of middle-class manufacturing jobs have already been lost and thousands more are threatened with every day Congress fails to reauthorize the Bank. Oppose any amendment and ensure that American manufacturers can continue to compete with foreign competitors who benefit from export credit agencies around the globe.

Support:

Vote YES on amendment #54 offered by Representatives Cohen, LoBiondo, and Langevin, which would increase the percentage of funds ADA paratransit services can use for mobility purposes. This simply increases the flexibility of existing money so that ADA paratransit can develop innovative practices that would improve service as these localities see fit. Given the scarcity of funds, this is a cost effective means of allowing systems more flexibility in the use of their existing FTA funds.

Vote YES on amendment #110 offered by Representatives Lipinski, Nadler, and Dold, which restores the long-standing federal match for New Starts and Core Capacity capital transit projects. This important amendment will ensure that localities will continue to be able to finance and build important capital transit projects.

Vote YES on amendment #86 offered by Representatives Meng and Cramer, which would require GAO to review federal and state regulations governing public and private school transportation providers. The study must also evaluate whether a correlation exists between school transportation providers involved in accidents and their failure to comply with various federal and state laws. School buses continue to provide the safest form of transportation for school aged children, and we should support efforts to maintain and improve their safety. This amendment meets that goal by helping to identify existing regulations and best practices that encourage the safe operation of these vehicles.

The STRR Act should be an opportunity for investing and improving our nation's transportation infrastructure. To ensure final passage, we urge you to vote to improve and protect the bill, as listed above.

Sincerely,

A handwritten signature in black ink, appearing to read 'Edward Wytkind', with a stylized, cursive flourish.

Edward Wytkind
President