



*A bold voice for transportation workers*

## **REFORMS NEEDED TO PROTECT FRONTLINE AIRLINE CUSTOMER SERVICE AGENTS FROM ASSAULT**

In February of 2016 the TTD Executive Committee called for federal lawmakers to pass new policies that combat the rapid and troubling rise in violent assaults on airline customer service agents (CSAs). The Executive Committee recommended a multifaceted approach that included a change in federal law to ensure that all CSAs are covered by the same federal protections that are enjoyed by Transportation Security Administration (TSA) employees, law enforcement and other airline personnel such as flight attendants and pilots. These protections include federal sentencing guidelines for offenders, and a law against interfering with an employee's ability to perform his or her duties.

Since that time, 59 members of the House of Representatives, led by Rep. John Garamendi (CA-3), wrote to the Secretary of Transportation and the Attorney General seeking to clarify Congressional intent in regards to Section 114 of the Aviation and Transportation Security Act (ATSA) of 2001. This provision was drafted to provide federal protections against assault to all airline and airport personnel who perform security duties, including airline gate and ticket agents. Unfortunately, up to that point the Department of Transportation (DOT) and Department of Justice (DOJ) had implemented a narrow interpretation of the provision so that it effectively only covered TSA agents and law enforcement. The response from DOJ – delivered in January of this year – brought welcome clarity to thousands of CSAs across the country. It confirmed what the original drafters of the law intended: that assaults on any airline or airport employee who has security duties are covered by Section 114 of the ATSA and punishable by federal law.

CSAs play an extensive role in keeping our aviation system safe and secure. Every CSA is trained for several FAA mandated security responsibilities designed to deny physical access to aircraft by those who would pose a safety threat to an aircraft in flight or who would intentionally damage an aircraft. These responsibilities include, but are not limited to, physically guarding bag belt and bag room access to prevent unauthorized objects from being introduced to aircraft, physically guarding access points to jetway and ramp areas, managing the boarding of aircraft, and notifying ramp and aircraft personnel when an individual who has checked baggage has failed to board the aircraft. CSA must also be properly trained and educated on security protocols for handling checked firearms and hazardous materials. These duties are key components of a layered security system that begins at the moment of passenger ticketing and check in, and extends through baggage claim at the completion of a flight.

However, even with proper interpretation of the law by DOJ, more education and enforcement is needed to ensure that all airline employees are properly protected against assaults. Congress should pass legislation requiring all airports and airlines to adopt an "Employee Assault Prevention and Response Plan." This plan should provide protocols for how employees and managers should properly handle violent incidents, including recurrent training, proper incident reporting and immediate notification of law enforcement. Reporting procedures and employee training should

be based on those originally required by Federal Aviation Administration (FAA) advisory circular 90-103 regarding methods to manage and report incidents of passenger interference with crewmembers. These procedures are now included in every aircraft operator's TSA-approved security program. Clear and concise protocols, as required by this plan, would provide employees with a support network to handle an assault. These measures would also prevent a violent passenger from boarding an aircraft and potentially endangering passengers and other employees. Furthermore, should an incident result in arrest or prosecution, the plan should include policies that provide victims with the leave necessary to pursue criminal charges without any detrimental effect on his or her employment status. Finally, this plan should establish a process for quickly engaging federal law enforcement so that they can determine whether federal charges under the ATSA are warranted.

As federally regulated facilities, it is both appropriate and necessary for federal law to address the growing problem of assaults committed against frontline customer service employees in airports. Common sense reforms to the law should be enacted as part of the upcoming FAA reauthorization, especially in light of the strong bipartisan support for action exhibited in the last Congress. Responsible and enforceable federal requirements are needed, along with strong protocols followed rigidly by airlines, airports and law enforcement. Combined, these common sense measures will make the aviation environment safer and more secure for everyone, and will place a premium on frontline employee safety.

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