



A bold voice for transportation workers

CONGRESS MUST PRIORITIZE A LONG-TERM, PRO-WORKER FAA REAUTHORIZATION

When President Obama signed into law the 2012 FAA Reauthorization Act it marked the end of a years-long saga that included 23 short term extensions and a two-week partial FAA shutdown that cost the federal government \$30 million a day and furloughed thousands of employees. Now in the fall of 2018, aviation workers who rely on a robust FAA Authorization and were hoping that the legislative gridlock of 2012 was an anomaly are calling to mind a famous Yogi Berra quote: “It’s déjà vu all over again.”

Since the last long-term FAA Reauthorization expired in September of 2016, Congress has reverted to the familiar cycle of short-term extensions, the third of which is set to expire on September 30th of this year. As the days tick by and the midterm elections grow closer, there is now a real possibility that the entire 115th Congress will pass with the FAA operating under short-term extensions.

This is not to suggest that legislators in the House and Senate have been simply sitting idle. On April 27, 2018, the House overwhelmingly passed the FAA Reauthorization Act of 2018 by a vote of 393-13. This 6-year authorization provides robust funding for the FAA and contains several critical safety provisions that are important to aviation workers. The Senate Commerce Committee reported its 4-year FAA Reauthorization out of committee on May 9, 2018, though it has yet to reach the Senate floor. With only a few months remaining in the 115th Congress, it is time for legislators to pass long-term legislation that invests in FAA infrastructure and its workforce, increases safety for passengers and employees alike, and promotes fair competition in the U.S. aviation marketplace.

A long-term, robust FAA Authorization is critical to the health and sustainability of a U.S. airline industry that supports \$1.5 trillion in economic activity and over 10 million U.S. jobs. The backbone of this industry are the dedicated federal employees, including air traffic controllers, systems specialists, engineers and aviation safety inspectors, who manage the National Airspace System (NAS). However, these employees need the funding and resources to ensure that the FAA can modernize and accommodate the growth of the U.S. aviation industry in a safe and efficient environment. Long-term funding stability will allow the FAA to implement NextGen modernization projects and meet growing industry demands with its manufacturing and certification process. Furthermore, stable funding will allow the FAA to meet its increasing staffing needs, which are still struggling to recover from an FAA-wide hiring freeze for much of 2013 due to sequestration.

The FAA Reauthorization also presents an opportunity to set the tone for the safe integration of new technologies including unmanned aircraft systems (UAS) into the NAS. This bill should set policies that fully prepare the FAA and its employees for the unique challenges and regulatory

issues presented by UAS, and to ensure the safety of the world's largest aviation and air traffic system. These advanced systems have a far greater operational capability than any previous technology and if not integrated properly would pose a direct threat to the NAS. The FAA should reexamine its policies as well as staffing, and training needs of FAA employees to adequately prepare for the proliferation of UAS operations into the NAS, ensure that the agency has the resources to ensure safe integration, and the statutory direction to fully and appropriately regulate UAS in the airspace.

From an airline worker perspective, the FAA Reauthorization is an important opportunity to advance pro-worker policies. Transportation labor was proud to endorse the House-passed bill in April because it contains several provisions that have long been priorities for aviation unions. The Senate bill contains a version of many of these provisions, but in some cases are weaker or are missing altogether. Any final FAA reauthorization should include the strongest versions of these provisions. Furthermore, Congress should reject any efforts to weaken existing safety regulations or to implement anti-worker policies.

Adequate Rest for Flight Attendants

Workplace fatigue is a chronic problem facing our nation's flight attendants, with current federal rules requiring only an 8-hour rest period in between 14-hour duty periods. This "rest" period, however, includes time spent deplaning passengers, travel to and from the hotel, meals, security screening, pre-flight safety checks, and passenger boarding. All of these responsibilities leave little time for actual rest. To combat this problem, TTD and its affiliate unions have advocated for a federally mandated minimum rest period of 10 hours between duty periods, which would harmonize rest requirements with those of pilots. The House FAA bill takes a step toward ensuring these workers have the rest they need by including the 10-hours rest provision. While the Senate has similar language, it includes an exemption that would allow the rest period to be reduced to 9 hours. Any final FAA bill must include the House-passed language mandating a 10-hour rest period without exception.

Flag of Convenience Carriers

The international aviation market has seen the troubling emergence of flag of convenience airlines in recent years, particularly in the European Union. These airlines are established in a country different from that of the majority owner for the purpose of choosing the laws, regulations, taxes and labor standards that are most favorable to their bottom line. The practice unnaturally drives down labor costs and undercuts established airlines, distorting the competitive marketplace and threatening good, middle-class aviation jobs. The House bill includes a provision that requires the Department of Transportation to uphold and enforce our aviation trade agreements and promote high-road labor standards. Unfortunately, the Senate bill does not include comparable language. We urge Congress to include the House-passed language in any final FAA bill that is sent to the President.

Assaults Against Customer Service Agents

The TTD Executive Committee has [twice](#) called on federal lawmakers to pass new policies that combat the rapid and troubling rise in violent assaults on airline customer service agents (CSAs). Too often, customers who verbally or physically assault these employees face no repercussions for their actions and CSAs are not given the resources or support to properly defend themselves.

The House FAA bill combats this problem by requiring airlines to develop assault prevention and response plans that include clear and concise protocols for how employees and managers should properly handle violent incidents, including recurrent training, proper incident reporting and immediate notification of law enforcement. The Senate bill contains similar language requiring airlines to develop assault prevention and response plans – but only after the comptroller general completes a 6-month study on the problem. The Senate bill also includes a gap analysis that would identify whether local and state laws adequately cover these employees. A comprehensive study of the problem and a legal gap analysis are important to understand the full scope of the problem, and we support these requirements. However, we also support the House language requiring airlines to immediately implement assault prevention and response plans.

Ensuring High Standards for Aircraft Maintenance

Aircraft maintenance is a critical component of our aviation network. For this reason, we have [long demanded](#) that foreign repair stations that maintain U.S. aircraft are held to the same safety, security and oversight rules that our government requires at domestic operations. It is outrageous, for example, that the FAA still has not implemented drug and alcohol testing of foreign repair station workers after more than six years since congress directed the agency to do so, and that security rules remain weak and not uniformly applied. As we continue to work toward closing those loopholes, we also advocate for maintaining high-level standards required of workers. As such, we are concerned that a provision of the Senate FAA bill would set the stage for weakening certification standards for maintenance workers. Specifically, Section 2508 could allow employer-specific Repairman Certificates to be improperly used at other maintenance facilities. Workers earn Repairman Certificates after being trained to perform the tasks their jobs demand, requiring new training and certification when moving to a new maintenance facility. Transferring that certificate to another facility, as Section 2508 intends, does not ensure that the worker has the skills necessary to perform the tasks in their new role. We will continue to insist that this provision is modified so that aircraft and passenger safety is not undermined.

Maintaining Pilot Training and Qualification Requirements

Senators must reject efforts to roll back the [pilot training and qualification rules](#) adopted in 2010 in response to a spate of deadly crashes in the U.S. airspace. Adoption of these rules led to an unprecedented period of aviation safety, and yet some special interests have sought to undermine these standards in the name of increased profits. To do this would be irresponsible and shortsighted, yet the Senate Commerce Committee adopted an amendment during their markup that would do just that. We are pleased Chairman Thune has indicated he will remove this anti-safety provision from the bill and we urge Congress to reject any further efforts to roll back safety rules.

Single-Pilot Airline Operations

The House-passed bill includes a misguided provision that would promote the development of technology to allow cargo aircraft to be operated by one pilot or autonomously. Starting with cargo, passenger airline operations won't be far behind. No amount of technology or machines can make up for the experience two qualified, trained pilots bring to the cockpit. Cargo aircraft operate in the same airspace as commercial passenger aircraft, fly over the same communities,

and use the same airports. The profit-driven push to move toward single-pilot cargo aircraft jeopardizes both safety and good jobs. Thankfully, the Senate bill contains no comparable language, and we urge Congress to reject the House language in any final package.

Eliminating Meal and Rest Breaks for Truck Drivers

Both the House and Senate bill contain an absurd proposal that would exempt truck drivers from local wage laws, meal and rest break laws, paid sick and family leave, and minimum wage, among other protections. This provision has no place in an FAA Reauthorization Bill, and sets a bad precedent for the federal government to interfere with state and local worker protection laws. This provision must not be included in any final FAA bill passed by Congress.

Transportation labor knows that above all the FAA Reauthorization is a safety and jobs bill. U.S. aviation workers, in both the public and private sector, are proud to operate the safest aviation system in the world. However, being the safest means continuing to modernize and improve. This means advancing policies that promote worker and passenger safety while also ensuring fair competition in the market. It also means providing stable and predictable funding for the FAA and its employees and ensuring that they have the resources needed to meet emerging challenges from a growing and modernizing industry. We will continue to push this Congress to pass an FAA bill that encompasses these principles and adopt policies that will ensure an aviation network that is safe, secure and supports good middle-class jobs.

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