



A bold voice for transportation workers

PRINCIPLES FOR THE TRANSIT WORKFORCE IN AUTOMATED VEHICLE LEGISLATION AND REGULATIONS

Automation is certain to impact every sector of transportation and its workforce. From automated vehicles on the ground and ships at sea, to unmanned aerial vehicles and the myriad applications of robotics, the pace and complexity of new technologies under development are significant.

In fact, a recent study estimates that over the next 30 years, between 39 and 73 million American jobs stand to be automated. In the commercial driving sector alone, reports suggest that between 700,000 and 1.7 million workers — including approximately 300,000 in transit operations and maintenance — may lose their jobs or have their jobs fundamentally changed by automation, with other estimates closer to 3 million.

Exactly how and to what extent these technologies fully take hold in public transit remains an open question. We do know that automated shuttles, micro-transit, and ride-hailing pilot projects are already on the ground in a growing number of American cities and more of these deployments are on the way. We also know that Congress and the Administration are setting policies and regulatory frameworks designed to facilitate the further deployment of AVs and it is imperative that workforce impacts and mitigation strategies are considered and addressed in these debates. Good union jobs in the transit sector cannot be jettisoned or ignored simply to satisfy the demands of tech companies or Wall Street investors.

The workforce pressures that accompany the emergence of new technologies comes at a time when working people are already struggling to make ends meet. Wages remain stagnant despite significant gains in worker productivity over the past forty years. Meanwhile, attacks on unions by the courts and state legislatures, offshoring, employee misclassification, and corporate tax breaks that have done little to benefit the workforce are already posing immense pressure on millions of Americans.

History tells us that strong unions and worker engagement are essential to mitigate harms inherent in rapid changes to industries. Relatively high union density in the transportation workforce and opportunities to manage change through the collective bargaining process will play an important role in assisting this sector. At the same time, federal regulations that establish a high bar for safety, worker dislocation policies, and assurances that transportation services will meet a basic public service standard must be in place.

For more than 80 years employees affected by technological changes in both transit and commuter rail sectors have benefited from comprehensive employee protections providing for job guarantees, training and retraining programs, to learn and apply the new skills, and ensure the continuation of their collective bargaining rights and terms and conditions of employment.

These protections have enabled the transit industry and its employees to successfully adopt and adapt to new technologies, including those requiring advanced computer and engineering skills. Federal legislation anticipating such changes must ensure that these protections apply and cover the workforce affected by the introduction of autonomous vehicles and other innovations.

Unfortunately, the administration did not meet that bar in their Automated Vehicles 3.0 policy, released in October 2018. Not only did this policy lay an aggressive regulatory framework for the rapid deployment of automated transit, it specifically omitted any role for labor in evaluating job impacts and developing tools for the transition and training of the affected workforce.

While AV bills considered in the 115th Congress exempted commercial vehicles over 10,000 lbs., they failed to address how the federal government should more broadly respond to workforce issues caused by automation. This year, Congress will once again consider similar legislation and we will continue to seek an exemption for commercial vehicles until such a time that all technological, safety, and workforce considerations are fully and satisfactorily addressed.

Nonetheless, these technologies will continue to evolve and see adoption in absence of a clear regulatory or legislative environment. With that in mind, Congress and the administration must take specific steps to better prepare for the threats that automation poses to our public transportation workforce. Thus, TTD calls on Congress and the administration to consider the following policies:

- 1) Transit agencies must be required to provide employees with advanced notice of any planned deployment of automated vehicle technologies and the impact these technologies will have on the current workforce.
- 2) Any use of automated technologies by transit agencies must be covered through the negotiation of implementing agreements with affected employees and the preservation of current collective bargaining rights.
- 3) The U.S. Department of Transportation and its agencies must continue to set safety standards for transit vehicles and ensure on a national basis the qualifications of those responsible for the vehicles. As with commercial driver's licenses, drug testing, and FMCSA standards, automated vehicles and their operators must be held to high safety and regulatory standards. We believe that self-certification is, simply put, not a safety standard.
- 4) The operators of public transportation systems are critical to the safe and accessible delivery of public transportation, both for the passengers and for all other road users. Any legislation or regulations designed to facilitate the deployment of automated vehicle technologies must mandate that they remain on-board and available to take over operations, regardless of how far autonomous-vehicle technology develops. The presence of an operator ensures that someone is there to respond to emergencies and summon first responders, prevent unattended buses from becoming magnets for crime, and to provide a backup in the case of technological failure.

- 5) To prepare for and to mitigate the potential adverse impacts of automated vehicle technology on the workforce, Congress should establish a transportation workforce fund, paid for through the implementation a mileage-based user fee on highly or fully automated vehicles. Eligibility for the use of these funds should include but not be strictly limited to wage supplements, health care premiums, retirement benefits, extension of unemployment insurance benefits, and training or retraining programs.
- 6) Any company or government agency that seeks to deploy a highly or fully automated vehicle for the purpose of providing public transportation must be required to submit a report to the U.S. Department of Transportation on the planned service and its impact on the workforce. The contents of the report must include which transit agency is registering the vehicle, who is going to operate and maintain the automated equipment, and the potential impacts on current employees' terms and conditions of employment.
- 7) The U.S. Department of Transportation and Department of Labor should be required to study and issue a biennial report on the impacts of automation on transit ridership, capacity, and employment, including analysis on indirect impacts to transit through the deployment of automated ride-sharing or ride-hailing services.
- 8) Before a public transportation agency's total VMT reaches 5 percent in AV-miles, the transit agency must prepare and update on a biennial basis a workforce training plan that includes:
 - a. A description of current operations involving automated vehicles and a two-year forecast for the further integration of automated technologies.
 - b. A comprehensive analysis of impacts of automation on existing workers including workers who may be deskilled (e.g., bus operators whose jobs are significantly altered by automated vehicle operations) or fully displaced by automated vehicles.
 - c. The current skills gaps arising from automation of vehicles or operations.
 - d. A comprehensive plan to train or retrain employees within all potentially affected classifications (e.g., bus operators, mechanics and technicians).
 - e. The total amount budgeted for and descriptions of training and retraining programs that includes: types of training in both technical (including OEM provided training) and soft skills and the extent to which the transit agency is collaborating or partnering with other transit agencies, local, state, or federal government partners, and colleges or technical programs.

As transportation automation advances, transportation labor is committed to ensuring that we use technology to enhance safety, security, service and efficiency, and does not become a strategy to crush wages and jettison millions of middle class jobs. As in the past, the integration of new

technology and modes of public transportation is possible, but only if facilitated by policies that rely on the experience, flexibility and knowledge of the incumbent workforce, while maintaining their living standards and collective bargaining rights and benefits.

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