



A bold voice for transportation workers

**WRITTEN STATEMENT OF
GREG REGAN, PRESIDENT
TRANSPORTATION TRADES DEPARTMENT, AFL-CIO**

BEFORE THE COMMITTEE ON TRANSPORTATION AND INFRASTRUCTURE

**“ASSESSING THE FEDERAL GOVERNMENT’S COVID-19 RELIEF AND RESPONSE
EFFORTS AND ITS IMPACT – PANEL II”**

September 30, 2021

Good morning. Thank you, Chairman DeFazio and Ranking Member Graves for inviting me to testify before the Committee today.

I speak today on behalf of 33 unions who collectively represent millions of frontline workers across every mode of transportation. You know these workers — you see them every day building our roads, driving our buses, flying our planes, moving our freight, and connecting our communities.

Working people represented by TTD unions are pilots, flight attendants, air traffic controllers, mechanics, and transportation security officers. They are bus and subway operators, station agents and ticket handlers, freight rail conductors, food and beverage workers, ship captains, and port workers. They are building and repairing our roads and bridges. They are found in every corner of our country in cities both large and small, and together they power the most complex transportation system on earth.

These workers are and always have been essential, but the COVID-19 pandemic put a renewed light on what that actually means.

During the darkest days of the pandemic, frontline transportation workers did not have the luxury of working from home. These skilled professionals reported for duty even when our government instructed other Americans to stay home. Often, these workers were forced to do their jobs without adequate safety protections like social distancing, face masks, and other critical PPE. As a

Transportation Trades Department, AFL-CIO

815 Black Lives Matter Plaza, NW / 4th Floor / Washington DC 20006

Tel: 202.628.9262 / Fax: 202.628.0391 / www.ttd.org

Greg Regan, President / Shari Semelsberger, Secretary-Treasurer



result, they risked bringing the virus home to their families or contracting it themselves. Sadly, that's exactly what happened. Tens of thousands of transportation workers became ill from COVID-19. Scores had to be hospitalized, or stay home. Tragically, workers across all modes of transportation lost their lives because of this virus.

Strong Federal Investments Saved Jobs, Lives, and our National Economy

The pandemic greatly tested our transportation systems and our country. Federal aid and intervention have been the saving grace for transit, airlines, Amtrak, highway and bridge construction, and other modes of transportation over the past 19 months as Congress provided tens of billions of dollars in aid to transportation workers at transit agencies, airlines and airline contractors, Amtrak, school bus operators, state departments of transportation, motorcoaches, private transit providers and others.¹ The vast majority of this aid was included in bipartisan packages that nearly every member of this committee supported. On behalf of TTD and our affiliate unions, I want to thank the members of this committee for all your work and support delivering federal aid to the transportation workforce in response to this crisis.

Importantly, Congress's bold investments in our transportation network came with an extraordinary focus on the welfare of its workforce. Many of you here today worked hard to ensure that all of the emergency federal investment in transportation came paired with some of the strongest worker protections ever included in a response and relief bill. Airlines and airline contractors were not allowed to involuntarily furlough their workers or diminish wages under the payroll support program.² Transit agencies had to certify that they hadn't furloughed any workers.³ And Amtrak was directed to prevent furloughs, ultimately return furloughed workers to the front lines, and restore suspended services.⁴ The benefits of this approach have been apparent from the beginning. Many workers and their families kept their health insurance — which is essential during a public health crisis — and were never forced onto unemployment insurance. And now, as we are climbing out of the pandemic, they are already on the job ready to grow our economy again. That would not have been possible without your support.

¹ Including but not limited to \$69.4b for public transit, \$63b for airline and airline contractor workers through the payroll support program, \$3b for aviation manufacturing payroll support, \$29b in additional aid to airlines through loans and loan guarantees, \$4.7b for Amtrak, \$2b through the Coronavirus Economic Relief for Transportation Services (CERTS) program directed to motorcoach, school bus, and other companies, and \$10b for activities eligible under the Surface Transportation Block Grant Program. This funding came through the *Coronavirus Aid, Relief, and Economic Security (CARES) Act* (March 27, 2020), the *Coronavirus Response and Relief Supplemental Appropriations Act* (December 21, 2020), and the *American Rescue Plan Act* (March 11, 2021).

² P.L. 116-136 Section 4114; P.L. 116-260 Section 404; P.L. 117-2 Section 7301

³ P.L. 116-260 Division M Title IV – Federal Transit Administration; P.L. 117-2 Section 3401

⁴ PL. 116-260 Division M Section 401

Aviation

The domestic aviation industry was deeply affected by the pandemic, with passenger volumes initially dropping by 96%. As a result, U.S. carriers would go on to record massive losses in 2020, as revenue dropped by 62% compared to the year prior.⁵ The economic damage that could have stemmed from the collapse of the industry in light of these conditions would have been catastrophic.

However, Congress's provision of three rounds of the Payroll Support Program (PSP) prevented the loss of hundreds of thousands of jobs, including pilots, flight attendants, mechanics, ground crew, baggage handlers, customer service agents, and others. It prevented carriers from entering bankruptcy, guaranteeing that airlines remained capable of fulfilling immediate needs like transporting essential workers and eventually vaccines, and ensured that the aviation industry would be prepared to respond and recover as demand returned. We owe our strongest thanks to Chairman DeFazio for the creation of the program and for his steadfast support through each iteration.

Critically, the PSP was engineered as an employee-first program, whose funding exclusively covered employee payroll and benefits and prevented involuntary furloughs, all without inviting federal interference in collective bargaining relationships at U.S. airlines. This stands in stark contrast to previous airline assistance programs that provided no such assurances to workers, and resulted in massive losses in wages and benefits, to the benefit of carriers. The deployment of the program, and its two extensions, is responsible for avoiding both large-scale furloughs and loss of benefits during a global pandemic. As a result, the vast majority of airline employees pre-pandemic remain in the industry, with collectively bargained benefits intact. In fact, total airline employment, per the most recently reported data, has surpassed pandemic lows as several carriers have announced hiring for certain positions.⁶ While the pandemic and its effects are certainly not over, this is a welcome sign. However, if the PSP had not been extended at any stage, this would assuredly not be the case, and we would be faced with a decimated airline industry and untold thousands of displaced aviation workers.

In addition to the airline PSP program, the American Rescue Plan also included a PSP-like Aviation Manufacturing Jobs Protection program, designed to support aviation industry manufacturers in response to reduced demand for new aircraft and fewer aircraft in operation. TTD was strongly supportive of the program and appreciated Congress' acknowledgment of this critical role of the airline manufacturing sector and its employees.

⁵ <https://www.bts.gov/newsroom/preliminary-air-traffic-data-april-2020-96-reduction-us-airline-passengers-2019>

⁶ DOT Form 41, Schedule P-1(a), as of 9/29/21

Maritime

The U.S. Maritime Industry has continued to be an invaluable part of our national economic security and sealift capability. The pandemic has greatly impacted the various functions in the industry and just like other transportation modes, expenses have increased due to COVID-19 protocols put in place to ensure the health and safety of crews and to keep supply chains open. In addition, there has been a high demand for container shipping and maritime labor and U.S. Flag shipping companies have been working together to ensure that our nation's shelves remain well-stocked. However, there has not been any dedicated federal assistance provided for the maritime transportation system in any of the COVID relief packages passed by Congress.

We thank Chairman DeFazio and the committee for their work on the Maritime Transportation System Emergency Relief Authority (MTSERA) program, which aims to provide comprehensive maritime emergency relief to the U.S. Maritime Administration and stabilizes the reliable function of the Marine Transportation System in any national emergency disaster or public health emergency. MTSERA was authorized in the FY 2021 National Defense Authorization Act for the first time last year, and we call for full support of the program in the appropriations process going forward.

Passenger Rail

In the early days of the pandemic, Amtrak lost its ridership nearly overnight. A shocking 97% drop in ridership ultimately translated into a 31.9% decrease in operating revenues for Amtrak over the course of FY '20.⁷ While ridership is beginning to recover, the financial losses that Amtrak stood to incur without the support of the federal government would have had disastrous consequences for passengers, communities, and the Amtrak workforce.

As the pandemic took hold in early 2020, Congress stabilized the carrier with an infusion of approximately \$1 billion via the CARES Act. However, upon the exhaustion of these funds, the impact of COVID on Amtrak became clear as it made damaging changes to its workforce and service beginning on October 1, 2020. Amtrak laid off approximately 2,500 workers and suspended daily service on almost all of its long-distance routes. Further assistance in the Coronavirus Response and Relief Supplemental Appropriations Act of 2021 prevented Amtrak from laying off additional employees or contracting the work of furloughed employees, and the final round of support in the American Rescue Plan crucially provided for the recall of all furloughed employees and the restarting of daily service on the National Network. TTD strongly supported this aid and the increasing degree of protection for workers in these bills.

⁷<https://www.amtrak.com/content/dam/projects/dotcom/english/public/documents/corporate/businessplanning/Amtrak-Service-Line-Asset-Line-Plans-FY21-26.pdf>

Without this support, October 1st would have been only the beginning, as Amtrak would have furloughed additional thousands of employees as ridership remained well below historic levels. Amtrak likely would have further reduced or even eliminated services, causing rural communities across the nation to lose access to reliable passenger rail. Not only would this have been immensely harmful to workers and passengers at the time, but the loss of skilled Amtrak employees and the costs associated with restarting dormant service would have delayed Amtrak's recovery. While Amtrak is not clear of the impacts of the pandemic as some travel has been slow to recover, Congress's assistance was essential to its survival and continued operations over the last eighteen months.

Public Transportation

Throughout the COVID pandemic, millions of Americans relied on public transportation services, including buses, subways, light- and commuter rail, and ferries, as their only source of transportation to their jobs, food, and other critical services. Many of those people were working on the front lines of the pandemic, including medical professionals, public safety workers, and other employees deemed vital to the continuance of our society and economy. Unfortunately, the direct costs and revenue losses resulting from the impacts of COVID-19 placed an incredible strain on our ability to provide this public service to those who rely on it the most.

Across the three COVID relief bills, Congress provided \$69.4b to ensure the continued operations of our public transportation systems. It is not an exaggeration to state that, without this federal support, the public transportation industry would have been utterly decimated, leaving all those who have counted on it throughout the pandemic without transportation access in rural and urban communities alike.

Moreover, the flexibility provided to public transportation systems to use federal assistance for operating funds and the strong labor protections tied to that federal assistance to guarantee continuance of payroll received top priority, and ensured that workers were kept on the job and that our recovery was not further and arbitrarily hampered by the need to restart this major component of our national transportation system.

State and local funding, and support for federal employees

The cumulative impact of the pandemic's halt on commerce and transportation services hit state and local budgets hard. Without the usual vehicle ridership and the accompanying revenue from sales taxes, gas taxes, fare box collection, and tolling, communities struggled to maintain the critical transportation services that moved essential workers to their jobs and connected patients to care. According to the American Association of State Highway and Transportation Officials (AASHTO), state departments of transportation will suffer a \$28 billion loss in state transportation revenues through fiscal year 2024.⁸

⁸ <https://policy.transportation.org/wp-content/uploads/sites/59/2021/02/AASHTO-Covid-Revenue-Analysis-2021->

While not fully covering the predicted revenue losses, Congress provided \$10 billion in emergency aid to state departments of transportation in the Coronavirus Response and Relief Supplemental Appropriations Act of 2021 and offered broad flexibility — covering operations and personnel costs, allowing routine maintenance to continue, and filling in the gaps for localities so that when our economy did recover, the transportation network would be ready to move people and goods safely and efficiently. The economic rebound and commercial activity we have seen this year could not have been as expansive without this support.

TTD also commends the inclusion of Emergency Leave Funds for federal employees in the American Rescue Plan, in particular the creation of a paid leave program for FAA employees and Transportation Security Officers. The ability to access paid leave when required to quarantine or care for a relative due to COVID-19 concerns has allowed these employees the necessary ability to balance health-care and employment responsibilities without fear of missing wages.

Other Transportation Sectors

In addition to the modally targeted programs discussed above, a number of other sectors, including motor coach operators and school bus providers, have seen substantial losses and layoffs as travel ground to a halt and schools went remote. Over the course of the pandemic, the motor coach industry has shed nearly 85,000 employees alone. Seeking to address these and other struggling industries, Congress provided a needed \$2 billion in the Coronavirus Response and Relief Supplemental Appropriations Act of 2021. While there was a substantial delay between enactment and implementation, we are encouraged that the Treasury has begun to issue grants from the program.⁹

With our transportation system moving freight, tourists, and commuters, and providing real wages and benefits for working families, the United States saw rapid economic growth in 2021.¹⁰ With federal assistance, transit agencies were able to maintain service and ridership has begun to stabilize, airline workers stood ready to meet rising tourism demand, and intercity passenger rail maintained service and connected rebounding economies.¹¹ These strong investments in both transportation systems and their workers meant that consumers had places to go and the means to spend, and infrastructure projects could resume and make way for greater activity.¹² Industries that did not receive direct federal assistance, such as freight rail and our ports of entry, were able to survive due to the downstream benefits of these investments.

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⁹ Coronavirus Economic Relief for Transportation Services (CERTS) program

¹⁰ <https://www.oecd.org/economy/united-states-economic-snapshot/>

¹¹ <https://transitapp.com/apta>

¹² <https://www.nytimes.com/2021/07/29/business/economy/consumer-spending-gdp.html>

While these investments, paired with strong labor protections, and the lawmakers who supported them should be celebrated, there remain glaring failures of government and outstanding needs that must also be addressed.

The Trump Administration Failed Workers

At the very outset of the pandemic, workers pushed for strong, uniform protections from their federal government. Instead, the Trump administration chose to endanger workers by publishing little more than unenforceable, voluntary guidance to employers, while transportation workers were dying every day of COVID-19 infections they acquired on the job.

When it became clear that the administration would not act on its own and that the patchwork of state, local, and other guidelines was inadequate, TTD filed a petition with the Department of Transportation requesting the absolute bare minimum — that passengers on our nation’s transportation systems, including on airlines, bus, rail, and ferries, be required to wear masks.¹³ Gallingly, the Trump DOT rejected the petition.¹⁴ While we are grateful that the Department rightfully changed course under the Biden administration, we are unequivocal that the lack of meaningful federal action and standards directly resulted in unnecessary infections and deaths among transportation workers and their families, passengers, and members of the communities where those individuals lived and worked.

Great Needs Remain Across all Transportation Sectors

While Congress and the Biden administration have taken historic steps to preserve jobs and save our transportation system, unmet challenges remain that must still be addressed.

Unconscionable assaults on transportation workers remain a serious safety threat

Frontline workers across all modes of transportation continue to face the serious, and sometimes deadly, threat of assaults simply for enforcing mask and other safety mandates.

Transit workers have faced the threat of assault on the job for years. Throughout 2020, as ridership fell to historic lows, the number of assaults in these systems remained at roughly the same level as 2019. Now that ridership is returning, assaults are on the rise. In New York City, for example, hundreds of transit workers have been harassed or assaulted for asking passengers to wear masks — and those are just the cases that have been reported. Similar savage attacks have been reported across the country, from Durham to Lubbock to San Francisco.¹⁵

¹³ <https://ttd.org/policy/federal-comments/ttd-petitions-dot-for-passenger-face-mask-mandate/>

¹⁴ <https://ttd.org/news-and-media/ttd-in-the-news/trump-administration-rejected-a-mask-mandate-on-the-day-trump-was-hospitalized-for-covid-19/>

¹⁵ <https://www.thecity.nyc/2020/9/7/21426632/new-york-city-bus-drivers-mask-rules-mta;>
[https://www.wral.com/coronavirus/godurham-bus-drivers-attacked-after-telling-riders-to-mask-up/19887910/;](https://www.wral.com/coronavirus/godurham-bus-drivers-attacked-after-telling-riders-to-mask-up/19887910/)

We have also seen a significant increase in assaults in our airlines and on Amtrak. The FAA has received more than 4,385 reports of unruly passenger behavior and has launched formal investigations into 789 of these cases — nearly quadruple the previous record number of such cases in a year and we are only in September.¹⁶ In a membership survey conducted by the Association of Flight Attendants-CWA, 85% of flight attendants reported dealing with an unruly passenger in the first half of 2021, and 17% reported a physical incident.¹⁷ Violent attacks on gate and customer service agents, flight attendants, and transportation security officers have become pervasive, threatening both the wellbeing of the employees and air safety.

At Amtrak, disorderly conduct incidents increased 29% in FY '21, and onboard service workers and conductors are reporting threats and unsafe behavior on trains regularly.¹⁸

Transportation workers all have safety-sensitive jobs that they cannot, and should not, be expected to perform while under the threat of physical violence. The increased threat of assault demands a federal response across all modes of transportation to protect the workforce, as well as passengers and other road, rail, and air users.

Maritime and Longshore

The need to move the tremendous amount of cargo that arrives at U.S. ports and harbors necessitated that longshore workers, shipbuilders, and other on-dock workers across the nation continue to work in conditions where exposure to COVID-19 was possible if not likely. Recognizing the essential nature of these employees, the House of Representatives included language in both the revised HEROES Act and the American Rescue Plan that temporarily revised the Longshore and Harbor Workers' Compensation Act to ensure that covered employees who contracted COVID-19 on the job were able to collect worker's compensation benefits. Disappointingly, the provision was disallowed by the Senate Parliamentarian. In response, Education and Labor Chairman Bobby Scott and Representative Frank Mrvan introduced the stand-alone Longshore and Harbor Workers' COVID-19 Compensation Act of 2021. We thank Chairman Scott and Rep. Mrvan for their leadership and encourage support of the legislation.

Congress should also be aware that the pandemic has exacerbated the processing of credentials and course approvals from the U.S. Coast Guard's merchant mariner credentialing program. These credentials are needed for Merchant Mariners to report to work but are often extremely delayed due to a number of ongoing health safety, technical, and staffing restraints. Unfortunately, the

<https://www.star-telegram.com/news/coronavirus/article244316857.html>;

<https://abcnews.go.com/Health/wireStory/san-francisco-bus-driver-assaulted-bat-mask-order-71980686>

¹⁶ https://www.faa.gov/data_research/passengers_cargo/unruly_passengers/

¹⁷ Testimony of Sara Nelson, International President of the Association of Flight Attendants-CWA, House Transportation and Infrastructure Committee, September 23, 2021.

¹⁸ Data provided by the Amtrak Police Department

backlog is adversely affecting the ability of our unions to find crew members for ships and also limits the ability of workers to find work and advance their careers. Mariners will receive word they passed their exams, but they experience severe delays before they receive the credentials that allow them to get a job. This backlog must be resolved in order to maintain the employment levels needed to sustain the supply chain and provide essential goods, food, and equipment to folks across the country.

Rail

Unlike most of the nation's employees, rail workers receive benefits such as unemployment payments through the Railroad Retirement Board, as opposed to state-run programs. As Congress created badly needed extended and enhanced UI benefits, it was forced to consider that, unlike regular UI, railroad unemployment benefits are unfairly subject to the effects of the sequester. As a result, rail workers were subject to an approximately 7% cut to their benefits at a time they could least afford it. The Coronavirus Response and Relief Supplemental Appropriations Act suspended the application of the sequester until 30 days after a Presidential declaration to end the national emergency concerning the COVID-19 pandemic. While this common-sense fix was welcome, Congress must pursue avenues to permanently remove sequestration restrictions on the RRB.

Workers and our economic recovery will be damaged by government shutdowns

Finally, we must point out that all of the good work this and the previous Congress have done to help workers and shore up our economy in the wake of this global pandemic will be needlessly harmed if elected leaders fail to perform their most basic Constitutional responsibility of funding government operations. The shutdown imposed upon the American people by Congress in 2019 wreaked havoc on our transportation system, forced federal workers and contractors to stay at home or work without pay, and cost our economy billions of dollars that we will never get back. Know that we will not sit by idly while Congress uses our workers as a political pawn in a partisan squabble.

Moreover, later today you will be asked to vote on a long-term reauthorization of our nation's surface transportation programs — the largest ever single investment in our infrastructure and one that is desperately needed and supported by your voters. While the Infrastructure Investment and Jobs Act may not tick every box on each of your wish lists, it is your duty to ensure we do not enter another period of short-term reauthorizations that do little more than create uncertainty, slow down construction, and harm our economic recovery.

Conclusion

As we move through the pandemic toward recovery, there is no doubt our transportation system and the frontline workers who build, operate, and maintain it will continue to play a vital role in ensuring our country and economy come out of this crisis stronger and better than ever. Achieving those goals, however, will require additional cooperation between working people, transportation

entities, and lawmakers. For starters, it must be understood that the programs I have outlined today will remain essential for months and years to come. We also cannot let our guard down: strong mandatory health and safety guidance will be central to keeping transportation workers safe and encouraging the return of passengers. Congress correctly intended for these programs to extend until the end of the pandemic. Working people and the traveling public are counting on that commitment for their safety and security.

Thank you again for the opportunity to testify today and I look forward to your questions.