

**Statement of John A. Costa, International President
Amalgamated Transit Union (ATU)
House Committee on Oversight
June 10, 2020**

Chairwoman Maloney, Ranking Member Jordan, and members of the Committee, thank you for the opportunity to testify regarding H.R. 6909, the *Pandemic Heroes Compensation Act of 2020*, and other solutions to provide economic relief and support for essential workers and their families. ATU strongly supports this critical legislation, which will create a new program for all essential workers and personnel who have been injured or impacted by the coronavirus, modeled after the September 11th Victim Compensation Fund.

About ATU

ATU is the largest union representing public transit workers in North America. Founded in 1892, the ATU is comprised of more than 200,000 members, including metropolitan, interstate, and school bus drivers; paratransit, light rail, subway, streetcar, and ferry boat operators; mechanics and other maintenance workers; clerks, baggage handlers, municipal employees, and others. ATU can be found in 45 U.S. states, the District of Columbia, and nine Canadian provinces.

Pandemic Heroes Compensation Act Sorely Needed

Unfortunately, due to all of the factors listed below, I have no doubt that our members and their families will desperately need to rely heavily on the *Pandemic Heroes Compensation Act*, especially the provisions that establish a compensation fund for all essential workers, personnel, and their families that were required to leave their homes to perform their services and became ill or died as a result of COVID-19. The bill would support transit workers affected by COVID-19 across the country in their recovery by providing critical financial assistance to help with medical costs, loss of employment, and burial costs. It would also maximize compensation for essential workers and their families by simplifying the application process to get those affected back on their feet. Moreover, the bill provides critical assistance not only to workers but also their family members who became sick through contact with the essential worker.

As of today, we have 1,133 confirmed cases of ATU members who have been infected by COVID-19, and 53 confirmed fatalities. As states begin to open up more transit service, our members will need the support provided by this legislation more than ever. Despite the sense of optimism, the COVID-19 epidemic continues requiring our members to be ever vigilant to protect themselves and their passengers.

Sacrifice, Courage

Today, in addition to representing our 200,000 members regarding the sacrifices being made by essential workers, including transit workers, since the onset of the coronavirus, I'm also here on behalf of our members who can no longer speak, like Jason Hargrove, who was a brave 50-year old Detroit bus driver. On March 21, Jason posted a Facebook Live video complaining about one

of his passengers who was openly coughing several times on his bus without covering her mouth. Eleven days later, Jason died of COVID-19. Jason loved his job and was proud to do it. He was always concerned about his passengers. I wish I could say that Jason, who was a big man at 6' 3", didn't suffer much, but it wouldn't be true. His temperature soared, his fingertips turned blue, and he couldn't breathe.

Driving a bus has always been a tough job, even before the coronavirus. Drivers get attacked on moving vehicles regularly. People don't like paying fares or being told about regulations, and they get angry about service issues, so they often take out their frustrations on the drivers. ATU members all across the country have been viciously assaulted. With no barriers to protect us, we are sitting ducks.

Now, we are being attacked by an invisible enemy. Our members drive everyday not knowing who's at each stop, or who they've been in contact with. Each time a passenger coughs just a few feet behind one of our operators, the drivers' hands grip the wheel a bit tighter, as they know that they are in a potential death trap. Social distancing on a bus is extremely hard to do. Passengers are at times packed together like sardines – nowhere near the CDC guidelines, and it's just going to get worse as the country starts to reopen.

In some cities, passengers are provided with masks if they do not have one, but our members often drive in the inner cities where homeless people are currently boarding the buses for free, and boxes of masks on the vehicle usually disappear quickly.

Lack of PPE

Personal Protective Equipment (PPE) is a constant challenge. For transit workers, President Trump's dismal mismanagement of the COVID-19 crisis has cost hundreds of lives. A recent ATU survey found that 50% of employers have not provided bus operators with basic PPE like masks and gloves. Without federal government help, transit agencies have been forced to bid against each other for PPE, and as a result, securing the lifesaving equipment has been difficult. Trump has said that the federal government is not a "shipping clerk." It's every state and every transit agency for themselves.

Bus Air Flow Issues

It's no surprise that nationwide, thousands of transit workers have already tested positive for COVID-19, and hundreds have died. Transit workers are getting infected at a rate that is much higher than the general population because we are continuously exposed to large crowds of transit-dependent riders at close range without the necessary PPE to keep us safe. Also, the buses we drive have major issues with air flow, air sterilization, and filters. When a bus is moving forward, it creates reversed airflow in the cabin, bringing unhealthy air into the driver's workstation. The buses have dangerous airflow with recycled and very poorly filtered air.

Lack of Leadership Costing Lives

Defying all common sense, in the first few critical weeks of the pandemic, the Federal Transit Administration (FTA) remarkably said on its website that that "...PPE is not recommended at this time..." Even now, after the Centers for Disease Control and Prevention (CDC) recommended wearing cloth face coverings in public settings where other social distancing measures are difficult to maintain (e.g., buses and rail cars) especially in areas of significant community-based transmission, FTA has not mandated masks on transit vehicles.

As a result, passengers with coronavirus keep getting on the bus, infecting other passengers and transit workers. As the economy reopens and people get back on the bus, ATU has developed a list of demands for keeping systems running and workers safe. These recommendations include, but are not limited to, gloves, masks (for both workers and passengers), protective barriers, pandemic leave, rear door entry, on-site testing, hazard pay and other critical measures. The original CDC interim guidance for reopening public transit took into consideration many of the ATU's demands regarding social distancing, PPE, contact tracing, and several other protective measures for transit workers. But the White House watered down the CDC guidance, seriously scaling back or completely removing specific recommendations for transit systems:

- No specific guidance on necessary PPE;
- Lack of recommendations for testing transit workers and performing contact tracing;
- No guidance for strategic continuation of service to reduce overcrowding;
- Failure to offer specific guidance for effective sanitation and filtration of HVAC systems on transit vehicles;
- Scaled back recommendations for waiting to allow for air exchange before cleaning possibly contaminated work areas;
- Removed examples of physical barriers and partitions as effective measures to enforce social distancing and correct air flow recirculation issues; and
- Watered down protocols for responding to cases of potentially infected workers.

George Floyd Protests

As if the coronavirus was not enough, our members have recently been subjected to even more danger, as transit agencies that primarily serve black and brown riders have been asked to cooperate with law enforcement, shuttling police officers to the sites of people protesting the murder of George Floyd and police brutality against black people. Some cities are using transit workers to drive buses full of detained protesters, a total misuse of public transit. The coronavirus is likely to spread in these massive demonstrations -- especially on the buses -- and our members are in the thick of it, once again putting their lives and their family members at risk. Our members have a right to refuse the dangerous duty of transporting people who have been arrested away from these communities where many of these drivers live.

Conclusion

The coronavirus has shown the world the true meaning of "essential" workers. We are the ones who people rely upon to survive when everything around us shuts down. Since the pandemic

began, transit workers have put their own lives on the line, bravely reporting to work every day, driving riders in our communities to the doctor, the grocery store, and the pharmacy. We make sure that nurses and other hospital workers get to their jobs to care of our family members and friends who are suffering. H.R. 6909 recognizes the tremendous sacrifices that transit workers have made, and will continue to make, during one of the darkest periods in our nation's history. ATU is grateful for the Chairwoman's introduction of this bill, and we call on the House to pass it as soon as possible.

Thank you very much for the opportunity to testify.