



Committee on Transportation and Infrastructure  
U.S. House of Representatives  
Washington, DC 20515

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January 13, 2020 (revised)

**SUMMARY OF SUBJECT MATTER**

**TO:** Members, Subcommittee on Aviation  
**FROM:** Subcommittee staff  
**RE:** Subcommittee hearing on *Oversight of Working Conditions for Airline Ground Workers*

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**PURPOSE**

The Subcommittee on Aviation will meet on Wednesday, January 15, 2020, at 10:00 a.m. in 2167 Rayburn House Office Building to hold a hearing titled, *Oversight of Working Conditions for Airline Ground Workers*. The hearing will explore compensation and occupational safety and health issues for workers who load baggage, prepare meals, clean cabins, and perform other ground-based functions important to the operations of U.S. airlines.

**BACKGROUND**

On the night of August 11, 2019, 24-year-old Kendrick Hudson was driving a tug on the tarmac at the Charlotte-Douglas International Airport in Charlotte, N.C., when he swerved to avoid a stray suitcase in his path.<sup>1</sup> The tug overturned, and Mr. Hudson, an employee of American Airlines' regional subsidiary Piedmont Airlines, was pinned underneath.<sup>2</sup> He died of his injuries.<sup>3</sup>

Mr. Hudson's union, the Communications Workers of America (CWA), says his death was preventable and part of a pattern of workplace injuries, some of them fatal, among airline ground workers. CWA Local 3645 vice president Donielle Prophete, who will testify at the Subcommittee's hearing, told a reporter that Piedmont employees call a zone of the tarmac between gates E30 and

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<sup>1</sup> Hannah Smoot, *Charlotte airport worker killed in baggage vehicle accident identified*, CHARLOTTE OBSERVER (Aug. 12, 2019), <https://www.charlotteobserver.com/news/local/article233780512.html>.

<sup>2</sup> *Id.*

<sup>3</sup> *Id.*

E38 at Charlotte “Death Valley” because of poor lighting and visibility at night.<sup>4</sup> And Mr. Hudson’s death came at a time when employees of contractors for mainline carriers like American, Delta, and United had begun to raise concerns over their safety and health in the workplace as well as low wages and poor working conditions. This hearing will explore those issues.

## I. OUTSOURCING GENERALLY

Mainline air carriers such as American, Delta, and United outsource a substantial amount of their operations to regional carriers like Mr. Hudson’s employer, Piedmont. Regional airlines operated 41 percent of all scheduled passenger flights in 2017, according to the regional airlines’ trade association.<sup>5</sup> Some regional airlines are wholly owned subsidiaries of mainline carriers while others are independent airlines that operate flights on behalf of several different mainline carriers. Regional airlines serve not just small communities but also trunk routes: regional carriers ExpressJet, Republic, Envoy, and SkyWest operate outsourced flights on behalf of American and United between Washington National Airport and Chicago O’Hare, for example.<sup>6</sup>

Unions representing or seeking to represent airport ground workers allege that the mainline carriers’ pattern of outsourcing flight operations extends to the outsourcing of ground services, such as baggage handling and cabin cleaning, that are intrinsic to airline operations. The mainline carriers often contract for these services with a combination of other firms. For example, Delta and United have formed subsidiaries—Delta Global Services and United Ground Express—to provide ground-handling functions for those two carriers as well as others at many airports.<sup>7</sup> Airlines also contract with numerous firms such as Eulen America for ground-handling and LSG SkyChefs and Gate Gourmet for catering. And in some cases, the mainline carriers contract with their regional airline partners, such as SkyWest, to provide ground-handling services (for example, regional carrier SkyWest reported revenue of \$44 million from ground-handling services provided to other airlines in 2017).<sup>8</sup>

Airlines do not individually break out the amounts spent on outsourced ground services by category, but mandatory filings with the Bureau of Transportation Statistics (BTS), part of the U.S. Department of Transportation, contain total amounts that airlines spend on “services.” According to their BTS filings, the three largest mainline carriers—American, Delta, and United—spent a combined \$16.6 billion in 2018 on “services,” which include ground support functions.<sup>9</sup>

## II. LOW PAY

There is no dedicated repository for information on ground workers’ pay. However, Dr. Brian Callaci, a labor economist commissioned by Communication Workers of America (CWA) who

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<sup>4</sup> Lauren Lindstrom and Hannah Smoot, ‘*Accident waiting to happen*’: After death, airport workers want safety improvements, CHARLOTTE OBSERVER (Sept. 24, 2019), <https://www.charlotteobserver.com/news/local/article235417587.html>.

<sup>5</sup> Regional Airline Association: Who We Are, <https://www.raa.org/who-we-are/>.

<sup>6</sup> See, e.g., FlightAware, *IFR Route Analyzer*, at <https://flightaware.com/analysis/route.rvt?origin=KDCA&destination=KORD>.

<sup>7</sup> See, e.g., *Delta Global Services: About Us*, <https://www.dalgs.com/about/>; *United Ground Express*, at <http://unitedgroundexpress.com/>.

<sup>8</sup> See, e.g., SkyWest, Inc., Annual Report (Form 10-K) (Feb. 21, 2019), at 53.

<sup>9</sup> Dep’t of Transp. Bureau of Transp. Stats., Form 41, Schedule P-6 (2018).

will testify at the hearing, has analyzed Bureau of Labor Statistics data to conclude that the proportion of airlines' outsourced services has increased by 57 percent since 2001.<sup>10</sup> At the same time, while direct airline employees' wages have increased on a net basis since 2001, contract workers' wages have decreased by 12 percent over the same period, according to Dr. Callaci's research.<sup>11</sup>

Preston Strickland, who works in an LSG SkyChefs kitchen preparing cold entrees for loading aboard airliners, told the *New York Times* last year that he spends his shift in an area where the temperature is 40 degrees or below yet makes approximately \$11 per hour after more than four years with the company.<sup>12</sup> He told the *Times* reporter that "[h]e recently spent several months homeless because he didn't have money for rent."<sup>13</sup>

A recent survey of 900 agents of Envoy Air, one of American Airlines' regional subsidiaries that operates nationwide as American Eagle, revealed that 27 percent of the respondents said they rely on public assistance and are forced to take measures such as selling blood plasma and borrowing against retirement accounts to make ends meet.<sup>14</sup> Similarly, an investigation by the Miami CBS affiliate in April 2019 found that Envoy pays ground workers at Miami a starting wage of \$9.48 an hour and that often their workweek is limited to 30 hours or less, providing an annual salary of \$15,000 to \$18,000.<sup>15</sup> An Envoy worker was quoted in the story as saying that his coworkers "are on public assistance," that some "sleep in their cars in the employee parking lot," and that employees have organized "an underground food pantry bank."<sup>16</sup> Similarly, the *Miami Herald* reported in 2018 on the situation of an employee of catering contractor LSG SkyChefs, who said she made \$11.10 per hour: "not enough to cover the cost of the company's insurance plan" and not enough for her "to care for herself and her six-year-old grandson."<sup>17</sup>

Furthermore, while the Miami-Dade County Municipal Code mandates a \$12.63-per-hour living wage with a corresponding health care benefit or a \$15.52 hourly minimum wage with no health benefits (with indexation to inflation), airlines and certain other businesses are exempt from the ordinance.<sup>18</sup> In the fall of 2018, American "moved hundreds of [wheelchair] attendants to its

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<sup>10</sup> Brian Callaci, *Fissuring in Flight: Consolidation and Outsourcing in the US Domestic Airline Industry, 1997-2018*, at 7 (Jan. 7, 2020), available at <https://cwa-union.org/sites/default/files/20200108-fissuring-in-flight.pdf>.

<sup>11</sup> *Id.*

<sup>12</sup> Noam Scheiber, *11,000 People Who Prepare Your Airline Food Are Considering a Strike*, N.Y. TIMES (June 4, 2019), <https://www.nytimes.com/2019/06/04/business/economy/airport-workers-union.html>.

<sup>13</sup> *Id.*

<sup>14</sup> Hugo Martin, *American Airlines subsidiary workers say they must take food stamps, sell blood to get by*, L.A. TIMES (Feb. 23, 2018), <https://www.latimes.com/business/la-fi-travel-briefcase-airline-wages-20180223-story.html>.

<sup>15</sup> Jim DeFede, *MLA's Forgotten Workers: Low Wages, Poor Treatment for Many at Miami International Airport*, CBS MIAMI (Apr. 19, 2019), <https://miami.cbslocal.com/2019/04/21/mia-forgotten-workers-low-wages-poor-treatment-miami-international-airport/>.

<sup>16</sup> *Id.*

<sup>17</sup> Taylor Dolven, *Miami approved MLA workers' living wage. So why are many still making below minimum?*, MIAMI HERALD (Dec. 5, 2018), <https://www.miamiherald.com/news/business/tourism-cruises/article222612650.html>.

<sup>18</sup> Miami-Dade County, Fla., Municipal Code § 2-8-9; see Douglas Hanks, *This Miami airport worker puts in 17-hour days at two jobs. He might get a raise.*, MIAMI HERALD (July 24, 2018), <https://www.miamiherald.com/news/local/community/miami-dade/article215448780.html>.

own subsidiary, Envoy, which is exempt from the living-wage law.”<sup>19</sup> A worker who said she previously worked for Eulen on behalf of American Airlines and was transferred from Eulen to American subsidiary Envoy told the *Miami Herald* that “she went from making \$16.15 per hour to making \$9.50 per hour” pursuant to the transfer because she lost her coverage under the living-wage ordinance.<sup>20</sup>

The chart below describes typical wage ranges for many ground workers, reported by their unions.

Union	Represented employees	Employees’ employers	Typical wage ranges
CWA	11,845 ramp and passenger service workers	American Airlines subsidiaries Piedmont and Envoy	\$10.75 to \$16.25 per hour
Service Employees International Union (SEIU)	32,535 contract airport workers, including baggage handlers, cabin cleaners, cargo workers, customer service representatives, lavatory and water agents, ramp agents, ticket agents, and wheelchair attendants, among others	Numerous airline contractors, including ABM, Delta Global Services, Swissport, Menzies Aviation, Prospect Airport Services, G2 Secure Staff, Eulen, Worldwide Flight Services, Primeflight Aviation Services, and Dnata.	Nearly half earn less than \$15 per hour; cabin cleaners earn \$10.73 per hour on average
Unite Here	15,000 airline catering workers	United Airlines, Gate Gourmet, and LSG SkyChefs	More than half earn less than \$15 per hour

*Data provided by CWA, SEIU, and Unite Here.*<sup>21</sup>

There are some examples of localities attempting to ensure that their airport workers are paid a living wage. For example, workers stationed at San Francisco International Airport (SFO) are paid a minimum of \$17.66 an hour, above the State’s \$12 hourly minimum as well as the \$15.59 minimum in the city of San Francisco. Additionally, under SFO’s Quality Standards Program, some SFO workers, including baggage handlers, cabin cleaners, and other workers with access to secure areas, are paid \$18.16 an hour.<sup>22</sup>

<sup>19</sup> Taylor Dolven, *Miami approved MLA workers’ living wage. So why are many still making below minimum?*, MIAMI HERALD (Dec. 5, 2018), <https://www.miamiherald.com/news/business/tourism-cruises/article222612650.html>.

<sup>20</sup> *Id.*

<sup>21</sup> Data provided to Democratic Committee staff via e-mail.

<sup>22</sup> Mallory Moench, *SFO is booming. But workers there are struggling*, SAN FRANCISCO CHRONICLE (Nov. 25, 2019), <https://www.sfchronicle.com/business/article/SFO-is-booming-But-workers-there-are-struggling-14859523.php>.

### III. WORKER SAFETY AND HEALTH

Cesar Valenzuela, a 51-year-old father of four, died on February 12, 2014, at the Los Angeles International Airport when he was thrown from the tractor he was driving across the tarmac. He was found pinned beneath one of the tractor's tires.<sup>23</sup> Accidents happen, and fatal injuries occur in many lines of work, but a subsequent investigation found that Mr. Valenzuela died because the tractor he was driving was not even equipped with a seatbelt.<sup>24</sup> His employer, Menzies Aviation, was reportedly fined \$77,250 by the California Occupational Safety and Health Administration.<sup>25</sup>

Ground workers at other locations around the country relate similar stories of faulty equipment and harsh working conditions that jeopardize not only their safety and health but also the safety and health of airline passengers. The Miami CBS affiliate's investigators spoke with an employee of Eulen America, which provides ground services for American and Delta in Miami, who said that when cleaning cabins between flights, "[y]ou can find blankets with blood, people puke in the blankets, you can find Pampers on the floor." Yet the worker said his supervisor "told him not to waste time cleaning too thoroughly."<sup>26</sup> Another cabin cleaner said cockroaches infested Eulen vans that transport cabin cleaning crews and supplies to the aircraft—supplies such as blankets that are placed in passenger seats.<sup>27</sup>

Esteban Barrios, a Eulen employee who will testify at the hearing on behalf of SEIU, told the Miami CBS affiliate that "[s]ometimes I feel that they [Eulen] think we are machines and not human."<sup>28</sup> Mr. Barrios performs services on behalf of Delta Air Lines at Miami. Ms. Higgins, the Miami-Dade County commissioner who will also testify at the hearing, told reporters she was "subjected to intimidating behavior during an airport tour" of Eulen's operation.<sup>29</sup> More recently, an Occupational Safety and Health Administration (OSHA) investigation in 2019 confirmed many findings of the CBS investigation of conditions faced by Eulen employees.<sup>30</sup> OSHA cited Eulen with nearly \$80,000 in fines (later reduced to about \$47,000), related to violations including:

- Exposure of employees to blood-borne pathogens when handling hypodermic needles and cleaning up blood on planes. Citations indicate that the company failed to provide training on how to safely handle cleanups or offer hepatitis B vaccinations to at-risk workers.<sup>31</sup>

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<sup>23</sup> Bart Jansen, *Congested airport ramps risky before and after flights*, USA TODAY (Dec. 17, 2014), <https://www.usatoday.com/story/news/nation/2014/12/17/airport-ramp-safety-airlines-iata-faa-osha-ntsb/18597565/>.

<sup>24</sup> *Id.*

<sup>25</sup> *Id.*

<sup>26</sup> Jim DeFede, *MLA's Forgotten Workers: Low Wages, Poor Treatment For Many At Miami International Airport*, CBS Local (Apr. 21, 2019), <https://miami.cbslocal.com/2019/04/21/mia-forgotten-workers-low-wages-poor-treatment-miami-international-airport/>.

<sup>27</sup> *Id.*

<sup>28</sup> *Id.*

<sup>29</sup> *Id.*

<sup>30</sup> See OSHA, Citation and Notification of Penalty, Inspection #1403303, *available at* <https://miami.cbslocal.com/wp-content/uploads/sites/15909786/2019/11/OSHA-Miami-Citations-copy.pdf>.

<sup>31</sup> Alexi C. Cardona, *OSHA Says Miami International Airport Contractor Jeopardized Worker Safety*, MIAMI NEW TIMES (Nov. 26, 2019), <https://www.miaminewtimes.com/news/miami-international-airport-contractor-eulen-cited-by-osha-for-safety-violations-11321975>.

- Exposure to excessive heat that was “causing or likely to cause death or serious physical harm to employees.”<sup>32</sup>
- Exposure to dangerous noise levels. Citations indicated that Eulen did nothing to safeguard ramp workers from hearing loss, including extended exposure for more than six hours in one day.<sup>33</sup>

These issues are by no means unique to Miami. To be sure, airport tarmacs everywhere can be dangerous places: The Government Accountability Office (GAO) reported in 2019 that an estimated 27,000 ramp accidents and incidents occur worldwide.<sup>34</sup> OSHA has certain authority over airline ramp workers’ occupational safety and health,<sup>35</sup> but OSHA generally investigates ramp accidents only when they involve fatalities or the hospitalization of three or more workers.<sup>36</sup>

Below are select cases in which workers died or faced significant injuries that are at least partially attributable to the failure of their employers – whether it be contractor or airline – to maintain a safe workplace.

Airport	Employer	Description
Los Angeles International Airport (LAX)	Menzies Aviation (SEIU)	In 2014, a bag handler was thrown from a tow tractor and pinned beneath its tires after rushing to pick up airline baggage. His employer, Menzies Aviation, was fined \$77,000 by the California OSHA for safety lapses, including not having a seatbelt on vehicle, and for inaccurately reporting the death as a heart attack. <sup>37</sup>
San Francisco International Airport (SFO)	US Airways	In 2012, a worker suffered a broken leg after falling 10 feet from a jet bridge onto the tarmac. After the incident, SFO made numerous safety changes, including establishing a team that holds monthly safety meetings, leads trainings in ramp driving, and issues citations and fines for violations. <sup>38</sup>
LaGuardia Airport (LGA)	Air Serv	In 2012, a cabin cleaner was struck and killed by a water truck. Despite multiple requests to his supervisor to be reassigned due to safety concerns, his requests were ignored. OSHA fined his employer, Air Serv, \$7,000 for a “serious violation” that the company failed to keep the

<sup>32</sup> *Id.*

<sup>33</sup> *Id.*

<sup>34</sup> Gov’t Accountability Office, *Aviation Safety: Opportunities Exist for FAA to Improve Airport Terminal Area Safety Efforts*, at 13, GAO-19-639 (Aug. 2019), <https://www.gao.gov/assets/710/701116.pdf>.

<sup>35</sup> See 29 U.S.C. §§ 651, *et seq.*

<sup>36</sup> Gov’t Accountability Office, *Aviation Safety: Enhanced Oversight and Improved Availability of Risk-Based Data Could Further Improve Safety*, at 7 n.13, GAO-12-24 (Oct. 2011), *at* <https://www.gao.gov/assets/590/585613.pdf>.

<sup>37</sup> Dan Weikel, *Cal/OSHA Fines Aviation Company in Death of LAX Baggage Worker*, L.A. TIMES (Aug. 20, 2014), <https://www.latimes.com/local/lanow/la-me-ln-baggage-handler-death-20140820-story.html>.

<sup>38</sup> Bart Jansen, *Congested airport ramps risky before and after flights*, USA TODAY (Dec. 17, 2014) <https://www.usatoday.com/story/news/nation/2014/12/17/airport-ramp-safety-airlines-iata-faa-osha-ntsb/18597565/>.

Airport	Employer	Description
		work site “free from recognized hazards.” To date, his family has not received any compensation. <sup>39</sup>
Charlotte Douglas International Airport (CLT)	Piedmont Airlines	In 2019, a baggage worker was killed after his tug vehicle rolled over after hitting luggage. Workers cite poor lighting as contributing to the accident. In response, airport officials have expanded the scope of an existing airport lighting analysis at the request of American Airlines. <sup>40</sup>
Seattle-Tacoma International Airport (SEA)	Evergreen Aviation Ground Logistics Enterprises	In 2015, a bag handler was awarded \$10 million (which was upheld in 2018) after the brakes failed in the vehicle he was driving and the vehicle crashed into a broken cargo loader, causing injuries that left him paralyzed. The airport was found liable for injuries arising from worksite safety breaches. <sup>41</sup>
Seattle-Tacoma International Airport (SEA)	Alaska Airlines/Menzies Aviation	In 2016, the Washington Department of Labor & Industries fined Alaska Airlines and Menzies Aviation for health and safety violations, including failing to ensure powered industrial trucks were in safe working condition. According to the investigation, Alaska Airlines failed to “provide safety devices, safeguards, work practices, processes, and the means to make the workplace safe from hazards that were causing, or likely to cause, serious physical harm to Menzies ramp agent employees who handle cargo and passenger baggage for Alaska Airlines at Sea-Tac Airport,” and was fined \$62,000 for 16 violations of state worker and health and safety laws. <sup>42</sup>
Seattle-Tacoma International Airport (SEA)	Alaska Airlines	In 2005, a baggage cart bumped into an Alaska Airlines MD-83 prior to take-off. At 26,000 feet with 142 people aboard, the cabin depressurized due to a 12-inch-by-six-inch hole in the fuselage later found by investigators. Fortunately, the pilots were able to land the aircraft without any injuries. <sup>43</sup>
Atlanta-Hartsfield Airport (ATL)	Delta Airlines	In 2010, a baggage tug vehicle driver died after being ejected from his vehicle and was not wearing a seatbelt. Delta said in a memo to employees that many of its vehicles currently do not have seat belts, and that it averages 14 ejections per year, with half resulting in “serious employee

<sup>39</sup> Ginger Adams Otis and Rich Schapiro, *Airport Worker Killed on the Job, Three Children Left with Nothing: Family*, N.Y. DAILY NEWS (Jan. 25, 2014), <https://www.nydailynews.com/new-york/airport-worker-killed-job-children-left-family-article-1.1591586>.

<sup>40</sup> Lauren Lindstrom and Hannah Smoot, *Charlotte Airport Workers Want Safety Improvements after August Death*, CHARLOTTE OBSERVER (Sept. 24, 2019), [https://www.journalnow.com/business/charlotte-airport-workers-want-safety-improvements-after-august-death/article\\_5ab62dc2-2bb4-5f98-968e-e6c15757c33a.html](https://www.journalnow.com/business/charlotte-airport-workers-want-safety-improvements-after-august-death/article_5ab62dc2-2bb4-5f98-968e-e6c15757c33a.html).

<sup>41</sup> Chandra Lye, *Port of Seattle Not Required to Pay Entire \$40M Verdict to Worker Injured During Wreck of Luggage Vehicle*, LEGAL NEWSLINE (July 24, 2018).

<sup>42</sup> Steve Wilhelm, *Alaska Airlines, Baggage-Handler Menzies Fined by Labor Regulators*, PUGET SOUND BUS. J. (Mar. 8, 2016).

<sup>43</sup> See Jansen, *supra* note 38.

Airport	Employer	Description
		injury.” In 2010, two Delta employees died in different incidents after being ejected from baggage tugs. In the subsequent OSHA settlement, OSHA cited Delta for violating Federal regulations that requires employers to provide employees with personal protective equipment, which in this case means seatbelts. In the settlement, Delta agreed to pay an \$8,500 penalty and install seat belts in vehicles that do not have them, train employees to use the seat belts, enforce the requirement, and report results of a monitoring program back to OSHA. <sup>44</sup>

In a recent CWA survey of 800 employees of Envoy Air, respondents reported troubling rates of “chronic understaffing and time pressure, inadequate support for high flight volumes, and safety concerns on the runway and at the gate.”<sup>45</sup> Specifically, nearly 8 in 10 participants reported feeling rushed to complete their job during all or most shifts, and nearly half of agents working on the ramp reported being unable to complete required aircraft inspections.<sup>46</sup> Finally, 58 percent of agents who conduct cabin searches for contraband and other risks before flights report not having enough time to complete the search.<sup>47</sup> The CWA survey also found that, from January 2017 to September 2018, there were 1,459 recordable injuries and illnesses among Envoy employees at U.S. airports, with more than 800 of those injuries being strains and sprains typically caused by lifting, pushing, or pulling.<sup>48</sup> Additionally, according to the SEIU, 99 people were killed in airport ramp accidents from 2001 to 2014.<sup>49</sup>

And while most of the health issues these workers face are physical, many health issues can also stem from mental exhaustion. For instance, in 2018, an American Airlines bus driver (employed through Envoy) suffered a fatal heart attack while on the job; in the week leading up to his death, he had worked 66 hours in six days.<sup>50</sup> Colleagues and family cite chronic stress, extended work hours, and dangerous and stressful conditions for Envoy workers as contributing factors for the driver’s death.<sup>51</sup> Numerous Envoy workers at the Miami airport surveyed by CWA stated feeling rushed to meet deadlines, citing understaffing as a main reason.<sup>52</sup>

<sup>44</sup> Kelly Yamanouchi, *Delta reaches OSHA settlement in bag handler’s death*, ATLANTA JOURNAL-CONST. (Apr. 17, 2012), <https://www.ajc.com/business/delta-reaches-osha-settlement-bag-handler-death/Otm1uuCKAcYI71ZX1iYFGM/>.

<sup>45</sup> CWA, *Survey of Gate and Ramp Agents at American Airlines Subsidiary Report Hazardous Conditions* at 8 (Jan. 14, 2019), available at <https://cwa-union.org/news/releases/gate-and-ramp-agents-american-airlines-subsidiary-report-hazardous-conditions>.

<sup>46</sup> *Id.*

<sup>47</sup> *Id.*

<sup>48</sup> *Id.* at 5.

<sup>49</sup> Bart Jansen, USA TODAY, *Congested Airport Ramps Risky Before and After Flights* (Dec. 17, 2017), <https://www.usatoday.com/story/news/nation/2014/12/17/airport-ramp-safety-airlines-iata-faa-osha-ntsb/18597565/>.

<sup>50</sup> Taylor Dolven, *American Airlines Worker at MLA Died of a Heart Attack. His Coworkers Blame the Job*, MIAMI HERALD (Jan. 14, 2019), <https://www.miamiherald.com/news/business/tourism-cruises/article224524845.html>.

<sup>51</sup> *Id.*

<sup>52</sup> *Id.*



A December 2015 GAO report on air travel and communicable diseases following the 2014 Ebola outbreaks described how aviation service providers may not have ensured that workers have the necessary training and protective equipment to safely and properly respond to communicable diseases.<sup>53</sup> Contracted aviation-service employees expressed concern that they did not receive adequate communicable disease training and reported challenges accessing appropriate personal protective equipment, cleaning equipment, and cleaning supplies.<sup>54</sup> Inadequate training, equipment, and supplies could lead to employee exposures to pathogens that could in turn result in the transmission of infectious diseases.<sup>55</sup>

A December 2018 union survey of Gate Gourmet drivers reported safety and health concerns with the catering vehicles used to service planes, with 97 percent of drivers reporting that the company is continuing to use vehicles which are labeled “no go” due to issues such as broken safety rails, missing emergency equipment, broken brakes, and rodent and insect infestations.<sup>56</sup> The Food and Drug Administration (FDA) cited Gate Gourmet after discovering a string of health and safety infractions at one of the company’s main production kitchens in Kentucky.<sup>57</sup> The FDA’s citation letter stated inspectors found “dead apparent nymph and adult cockroaches too numerous to count” within food-preparation areas and “a heavy buildup of more than a day’s accumulation of grease, food deposits, and general filth.”<sup>58</sup> This followed a November 2017 FDA inspection of Gate Gourmet’s Los Angeles production facility, in which listeria bacteria was discovered. This led to American Airlines, Delta Airlines, and Virgin America immediately stopping their utilization of the Gate Gourmet services until these issues were addressed.<sup>59</sup> Gate Gourmet ultimately addressed the issues and the FDA closed out the issue on May 14, 2018.<sup>60</sup>

## **WITNESSES**

**Ms. Eileen Higgins**

Commissioner

Miami-Dade County, Florida

**Ms. Donielle Prophete**

Vice President

Communications Workers of America Local 3645

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<sup>53</sup> See Gov’t Accountability Office, *Air Travel and Communicable Diseases: Comprehensive Federal Plan Needed for U.S. Aviation System’s Preparedness*, at 38, GAO-16-127 (Dec. 16, 2015), <https://www.gao.gov/products/GAO-16-127>.

<sup>54</sup> *Id.*

<sup>55</sup> *Id.*

<sup>56</sup> Int’l Bhd. of Teamsters, *Gate Gourmet’s Unsafe Vehicle Fleet Could Force Delays at World’s Busiest Airport*, (Dec. 21, 2018),

<https://teamster.org/news/2018/12/gate-gourmets-unsafe-vehicle-fleet-could-force-delays-worlds-busiest-airport>.

<sup>57</sup> Noam Scheiber, *11,000 People Who Prepare Your Airline Food Are Considering a Strike*, N.Y. TIMES (June 4, 2019), <https://www.nytimes.com/2019/06/04/business/economy/airport-workers-union.html>.

<sup>58</sup> *Id.*

<sup>59</sup> Kelsey M. Mackin, *FDA Downgrades Gate Gourmet Airline Catering Operation*, FOOD SAFETY NEWS (Apr. 16, 2018) <https://www.foodsafetynews.com/2018/04/fda-downgrades-gate-gourmet-airline-catering-operation/>.

<sup>60</sup> See FDA, *Closeout Letter* (May 14, 2018), available at <https://www.fda.gov/inspections-compliance-enforcement-and-criminal-investigations/warning-letters/gate-gourmet-inc-05142018>.

**Mr. Esteban Barrios**  
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