

Subcommittee on Aviation of the House Committee on Transportation & Infrastructure
Miami-Dade County Commissioner Eileen T. Higgins
Hearing Date January 15, 2020

My name is Eileen Higgins and I am the Miami-Dade County Commissioner for District 5 which encompasses large portions of the cities of Miami and Miami Beach. By a standard measure of economic inequality (Gini coefficient), Miami-Dade County has the second-largest gap in the nation between the have and the have-nots, which is on par with Panama and Colombia. This is uniquely evident in the District I serve. In its annual look at America's richest ZIP codes, Bloomberg, Inc. found that Fisher Island is home to the country's wealthiest residents with an average annual income of \$2.2 million. Juxtapose that with Little Havana in the City of Miami, which has a high concentration of poverty with families struggling to make ends meet as they work in Miami-Dade's typical jobs, making low wages in the service sector.

Tourism serves as a top driver of Miami-Dade County's economy. According to the United Way's 2018 ALICE Report, nearly half of Miami-Dade's workers labor in service jobs in tourism, retail and food service, taking home an average of just \$26,532 per year, which is approximately 15% below the living wage determined by the County. Many airline subcontractors make far less. For example, airline catering workers at Miami International Airport (MIA) often have a starting wage of far less at a mere \$10.00 per hour and UNITE HERE reports that less than 20% of these catering workers have health insurance. It's tough to make ends meet in Miami and even tougher if you work for an airline subcontractor.

Airport ground workers provide critical services to passengers and airlines throughout the country. At MIA, several thousand ground workers unload our baggage, push the wheelchairs that move disabled or elderly travelers, clean the aircraft cabins, and perform important security checks between flights. More than 1,000 workers prepare and load the food passengers eat in

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flight. Although these employees work behind the scenes, our airports simply can't function without their services. They are the unnoticed and underappreciated who make our airports tick.

As the County Commissioner for Little Havana, I met workers who expressed concerns over their working conditions at airline subcontractors. The stories I heard about one particular company, Eulen America, were particularly worrisome.

December 2018 Airport Visit with Eulen Employees

On December 12, 2018, I joined several Eulen workers and 32BJ SEIU for a tour of their worksites at the airport. During the visit, I heard from three workers about poor and unsafe work conditions. Some were very worrisome – like poorly maintained vehicles that also lacked seat belts and roaches running free in the vehicles the cleaning crews use to clean the cabins and in the breakroom. They told me they didn't have enough time to complete important security checks on the planes. Other conditions were downright inhumane given the heat conditions on the tarmac – like water not being provided to workers. They expressed fear in reporting these issues to management because they said they had seen colleagues lose their jobs by doing so.

I experienced this culture of fear first-hand while touring the break room facilities. A Eulen supervisor ran over to us aggressively shouting “there is gonna be trouble!”. Another airline supervisor also approached and demanded that we leave because “This is private property!”.

MIA is the property of the residents of Miami-Dade County and I am one of the officials these residents have elected to represent their interests at the airport.

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Not wanting to escalate things, I left to continue our *airport sanctioned* tour. A Eulen supervisor followed us on a Eulen vehicle as we visited other gates and sites on the ramp throughout the airport. When we stopped, he stopped, making sure that the workers and I knew he was watching us. It was meant to be intimidating - and it was.

I was shocked that as a County Commissioner, I would witness and be subject to intimidating behavior. If this company is willing to intimidate an elected official, I can only imagine what they are willing to do to employees who need these jobs to pay the rent and put food on the table for their families. And all of this was happening at an airport owned by the people of Miami-Dade.

This shocking experience prompted me to send a letter to the CEO of Eulen America, Mr. Xavier Rabell, requesting that he open a dialogue with the workers so that all parties may work together to improve conditions. I sent that letter on January 8, 2019. He did not respond.

April 2019 Congressional Roundtable at Miami International Airport

On April 24, 2019, I joined U.S. Representatives Donna Shalala and Frederica Wilson at a roundtable with Eulen employees where several workers shared their experiences and reiterated their stories of unsafe vehicles, unavailability of drinking water, lack of gloves when cleaning biological fluids and needles, roach infestations in vehicles and in the breakroom, and more. Their stories reinforced that workers felt they could not express these health and safety issues to Eulen management because they feared their hours will be cut or that they would lose their jobs altogether.

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This roundtable brought widespread media attention to the issue and finally prompted the CEO of Eulen America, Mr. Xavier Rabell, to request a meeting. I met with Mr. Rabell in May 2019, where he assured me that Eulen would coordinate a third party audit of its operations and “make substantive and lasting enhancements.” He confirmed that commitment in an email where he also stated that he would keep me informed about all progress made. He did not.

Allegations of Retaliation

I was told that workers who joined me on the tour and others who had advocated for improved conditions felt they were being retaliated against by having their pay or hours reduced. When one of the workers, Esteban Barrios, who believed his pay had been cut, wanted to deliver a letter to Eulen’s human resource department, I and several of his colleagues accompanied him. I was worried he would be fired for vocally raising his concerns about the unsafe working conditions he had described to me. Incredibly, rather than simply accepting the letter and moving on with their day, Eulen employees *called the police*. Fortunately, our professional Miami-Dade County police officers quickly determined that I was not, nor were the workers, a threat. However, it was another example that the policy of this company is intimidation rather than interaction and dialogue.

OSHA Verifies Health & Safety Violations

The stories that workers told me personally and at the Congressional Roundtable have now been verified by the federal government when the Occupational and Safety Administration (OSHA) issued formal citations and fined Eulen (attached). Sure enough, the workers’ reports

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were true. Cockroaches: true. No protection against exposure to blood and needles: true. No drinking water to protect against heat exposure: true. Missing seatbelts on vehicles: true. Falling hazards, tripping hazards, and more.

The workers, two Congresswomen, 32BJ SEIU, and I pointed out these health and safety problems to Eulen's CEO long before OSHA did. The company had ignored the input of workers and my input as a County elected official, unfortunately demonstrating that our workers can only be kept safe from this company's management practices through consistent federal safety inspections.

More than one year after my visit, there is still little evidence that Eulen is capable of or has any intention of creating a work environment that is safe, productive, and worthy of the residents of Miami Dade County.

Concluding Thoughts

Based on my personal experience in the airport and in conversations with workers, it is apparent to me that there is a deep-seated culture of intimidation and ill attention to safety issues at Eulen. Coupled with the typical low wages paid to airline subcontractors for GASP and catering services, airlines continue to use subcontractors who are not required to pay our County's living wage rate to drive their profits up.

Next week, I am presenting legislation to the Miami-Dade County Commission to implement a new procurement process locally that will force Eulen to become a responsible corporate citizen or replace them with a responsible provider. We will be ranking companies

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who need a permit to work at MIA based on technical merit, but will allow companies to present their employment conditions as part of a competitive bid, including wage rates, insurance benefits, health and safety protections, and, crucially, existing or prior notices of violation from regulatory agencies. We are trying to do our part locally. We ask Congress to do its part too and help ensure that profitable airlines and their subcontractors comply with basic standards of worker conditions and comply with local wage standards.