



Testimony of the Amalgamated Transit Union (ATU)
before the
U.S. Senate Committee on Banking, Housing, and Urban Affairs
on
The Coronavirus Crisis: Paving the Way
to an Equitable Recovery

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Introduction

Mr. Chairman, the Amalgamated Transit Union (ATU) appreciates the opportunity to provide our views on how workers have sacrificed and suffered through the COVID-19 pandemic and the inequities that we have witnessed in public transit. 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 transit 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.

Grateful

On behalf of the entire public transit industry, both labor and management, and of course the people who rely on the services our members provide every day, I want to thank this committee for leading the way in providing the resources necessary over the past year for transit to survive during the coronavirus pandemic. Without the \$25 billion in the CARES Act and the additional \$14 billion in the recently passed *Coronavirus Response and Relief Supplemental Appropriations Act of 2021 (CRRSAA)*, the nation would have come to a complete stop. Thanks to you, we’ve been able to keep the buses and trains running, making sure that grocery store workers keep the shelves stocked, child care workers keep our kids safe, and nurses keep us alive. You’ve also saved the jobs of hundreds of thousands of our members, the transit workers who move America, and we are all sincerely grateful. More than any time in the nearly 60-year history of the Federal Transit Program, Congress’ unwavering and bipartisan support for public transit has not only kept critical transportation services running – you have saved lives.

Sacrifice

Of course, these days, the downside to staying on the job as a frontline worker -- especially a transit bus operator -- is that you are continuously exposed to the coronavirus, putting your life on the line every day. It’s no surprise that nationwide, thousands of transit workers have tested positive for COVID-19. 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. Some jurisdictions have tried temporary measures, such as hanging shower curtains near the driver and separating us from the passengers, but transit worker deaths are still piling up.

Shift after shift, our brave members have reported for work, driving tin cans with bad air circulation down the road, and hundreds of transit workers have paid the ultimate price. As of today, 132 ATU members have died from the virus, and our sister union, the Transport Workers Union (TWU) has lost even more transit workers. Nearly 300 families will never be the same because of this cruel and horrible disease.

Failure

It didn't have to be this way. With the proper precautions, transit service can be delivered safely. Unfortunately, the previous administration let us down from the beginning, and it cost us many, many lives. Incredibly, right from the start, the Federal Transit Administration (FTA) under Trump told us that masks were not recommended. And even when it became crystal clear that masks were our best and most cost-effective weapon against the virus on transit, the Administration did not act. Nine years ago, our union supported changes to the law giving FTA the power to enforce safety matters. Unfortunately, in 2020, the agency simply refused to use that authority. We pleaded with them to step up and get personal protective equipment (PPE) to the transit systems. They ignored us. So in many cases, it was actually our local unions that went out and helped the agencies secure PPE. Think about that. The workers and their unions were forced to go out on their own and search for and sometimes pay for the life-saving equipment because our federal government turned a blind eye. We also sent demands regarding social distancing, mask mandates, contact tracing, and several other protective measures for transit workers. But the previous administration watered down the Centers for Disease Control (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.

As a result, each day, more and more of our members died. While we will never know exactly how many passengers contracted the virus on the bus or the train due to the lack of federal safety standards, or the number of family members they later infected, it is safe to say that many deaths could have been prevented with proper leadership.

Now, even after inauguration day, we are still paying the price. We found out on Day Two of the Biden Administration that the new President was reportedly left with no plan to administer the vaccine. It would not have mattered anyway, as we already heard that the reserves that the previous administration were supposedly stockpiling were actually exhausted. Now, even in states that are following federal vaccine recommendations, giving vaccine priority, in the second tier, to transit workers and other front-line workers, the fact is that supply does not even come close to meeting demand. In my home state, our employer, New Jersey Transit, did the right thing and purchased refrigerators to store the vaccines so our members can get the shot right on site. But those refrigerators have been empty for more than a month. Since there was no plan and no reserves, we wait for the shot, putting our lives on the line every day.

The Mask Police

In addition to driving a bus, ATU members also now serve as the “mask police.” Far too often during these politically charged times, we have been brutally attacked for simply enforcing the rules and trying to stop the spread of the virus.

A baseball bat beating in California, a two-by-four attack on a bus in Texas, and a bone-breaking sucker punch in New York are just a few violent incidents that underscore another danger for transit workers in a coronavirus world -- and they all happened in one month. Since the pandemic began, there have been hundreds of COVID-related violent encounters between bus drivers and angry passengers who refuse to wear masks or follow social distancing protocols.

At the beginning of the pandemic, transit systems were boarding from the back and waving fares. But regular fare collection and front door boarding resumed again in the summer, bringing passengers and drivers within a few feet of one another, exposing us to the virus and angry people.

When someone boards one of our buses without a mask, we are faced with a tough choice: say nothing and risk that an infected rider will spread the virus, or tell the passenger to put on a mask and risk a violent reaction. When you confront someone, it can escalate quickly. They could spit on you, throw something at you, or hurt another passenger. But what if that person is sick and contaminates everyone on this bus? And you could have prevented that?

Last May, a St. Louis man boarded a bus without a mask. After the female driver informed him that he could only ride the bus with a face covering on, the man fired a 9 mm pistol at the driver. She was saved only by the polycarbonate shields that were installed as part of the COVID response. In Austin, TX, a man threatened a bus driver with broken scissors after being told to wear a mask. In Springfield, MA, a PVTA bus driver was assaulted after asking a passenger to wear a face covering. The suspect punched the woman driver in the back of the head and then assaulted another person who tried to help. Knoxville, TN police arrested a man who threatened a bus driver with a box cutter after she asked him to put on a face mask before boarding. In Staten Island, NY, a man was arrested on assault charges for throwing hot coffee onto an MTA bus driver's face when he was asked to put on a face covering.

In Boston, a teenager recently attacked an MBTA bus driver after he was asked to put a mask on or get off the bus. He then began coughing on the driver, claiming he had COVID and attacked the driver with a block that's put under the bus wheels when it is parked. In Florida, a homeless woman recently boarded a Miami bus and began coughing on passengers. The driver told her she needed to wear a mask. The woman then spat on the driver. Coughing on someone is not a laughing matter. When the pandemic first began back in March, ATU Member Jason Hargrove, from Detroit, 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. He suffered too, as his temperature soared, his fingertips turned blue, and he couldn't breathe.

Once a passenger gets on the bus with a mask, it's just the beginning. While driving down the road, our members are constantly checking the mirror, making sure that riders are keeping their

masks on. They often pull the face coverings off, and that's when the real tension begins. We are bus drivers, not police officers. We do not need political debates on board our vehicles, but that's the way things are right now. When people don't listen, we need to call in the issue to the company so they can send help.

We are thankful for President Biden's action to require masks on public transportation. TSA's Security Directive (SD) 1582/84-21-01 regarding face mask requirements, which supports enforcement of the CDC order, is long overdue. The SD requires transit systems to establish procedures to manage situations with persons who refuse to comply with the requirement to wear a mask. At a minimum, these procedures must ensure that if an individual refuses to comply, the agency must deny boarding, make best efforts to disembark the individual as soon as practicable or make best efforts to remove the individual. Of course, unlike the airlines, the issue is that we do not have armed TSA agents screening passengers before they get on the bus or the train. Therefore, the burden of enforcing this rule still falls upon our members, at least initially. We clearly need increased local law enforcement on our buses to carry this out.

Driving a Bus in a COVID World

We are frontline workers. That does not change, virus or no virus. Our job is to make sure that people can get where they need to go -- the doctor, the pharmacy, the grocery store -- safely. All of this has become quite challenging during the pandemic.

Social distancing on a bus is extremely hard to do. Passengers in many locations are allowed in the front row, which is too close for comfort for many of us, and we are once again collecting fares. 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.

We come in early to complete the COVID pre-shift tasks, grabbing the spray bottle and wiping down the vehicles, especially the driver shields that have been installed in many locations since the pandemic started. Most shields are better than nothing, but still leave a gap exposing us to attacks.

As always, we must still touch wheelchairs to help disabled riders get on board, secure their wheelchairs, and help them exit. Anywhere we touch, the surface gets wiped down.

Transit Still in High Demand

Continued transit service is vital to lower-income essential workers who are keeping our hospitals, supermarkets, and pharmacies going. A recent study by Ohio State University¹ found that the

¹ *The Impacts of COVID-19 Pandemic on Public Transit Demand in the United States.*

November 18, 2020. <https://journals.plos.org/plosone/article?id=10.1371/journal.pone.0242476>

COVID-19 pandemic had surprising effects on demand for transit in American cities. While demand for public transit dropped about 73% across the country after the pandemic hit, the reduction didn't impact all cities equally. Large cities saw demand fall further than cities in the Midwest and the South. Why? It has to do with the nature of jobs in different cities and who was actually using public transportation before the pandemic. In cities in the Midwest and the Deep South, most transit users have jobs where they still have to come in to work during the pandemic and don't have any other choice.

Essential workers are the core users of public transit in these cities. They include health care workers, people working service jobs, working in grocery stores, and people who clean and maintain buildings. The biggest factor was race. The larger the Black population in a city, the less decline in demand for transit.

Occupation also plays a large role. People who cannot work at home and rely on transit continue to use it. Many of the people with physical jobs who continue to use transit are Hispanic.

Vaccine Inequities and the Impact of Transit

The inequities don't end there. We know that America has seen large racial disparities in coronavirus cases, with Blacks, for example, accounting for a huge percentage of virus cases despite being only about 13% of the U.S. population. And when it comes to the vaccine, the numbers are also skewed. A racial gap has opened up in the nation's COVID-19 vaccination drive, with Black Americans in many places lagging behind Whites in receiving shots, and it's not just because many are suspicious of the government. Access is a key factor, and transit plays a huge role.

People in underserved communities often don't have vehicles and must rely on public transportation. Drive-up vaccination sites are of no use to these people. And we know that during the pandemic, many transit agencies have reduced their service or limited the number of passengers to provide for social distancing. The vaccine distribution has a huge transportation component.

Our members at Local 1309 in San Diego are now giving free rides to passengers to and from COVID-19 vaccine sites. We are pleased to play a key role in this partnership between the Metropolitan Transit System and North County Transit District. In South Florida (Locals 1267 and 1577), officials are calling for educational outreach in the Black community via avenues besides the typically used churches and supermarkets, which could include hair salons, laundromats, or public transit stations.

It's also not just a matter race: age plays a role as well. In Los Angeles, where our members at Local 1277 maintain the buses, we've heard about seniors having to take three buses to get to vaccine appointments. Transportation limitations should not slow down the vaccine rollout. Thankfully, the county is working out an agreement with regional transit operators to provide direct access to the vaccine sites.

More Transit Investment Needed

Even if the vaccine rollout improves drastically in the first half of this year and our economy comes back to life, transit will still be in need of emergency operating aid for the foreseeable future. Dedicated sales taxes from bars and restaurants have dried up, leaving transit agencies with no local source of operating assistance. Choice riders are understandably hesitant to get back on transit vehicles due to safety concerns. It will likely take years for ridership levels and fare box revenue to recover, and we will need significant levels of federal operating aid to survive.

As highlighted by the American Public Transportation Association (APTA), an independent economic analysis found that public transit agencies face a projected funding shortfall of nearly \$40 billion through 2023. We therefore urge Congress to **provide an additional \$39.3 billion** in emergency funding to help public transit agencies provide safe, reliable service as they continue to grapple with the financial burden caused by the COVID-19 pandemic. We are grateful for the \$30 billion included in the budget reconciliation bill.

All transit systems have been hit hard by this pandemic, and ATU calls on Congress to ensure that the next bill provides funding for all FTA grantees. The December bill, with its formula providing up to 75% of 2018 operating costs between the CRRSAA and the CARES Act, did not result in distributing funding to every system.

This additional funding is needed to maintain critical service. Moreover, robust transit service is essential to our long-term economic recovery, particularly for low-income workers and communities of color. As discussed above, Congress threw a lifeline to transit agencies and our communities with the recent passage of the CRRSAA. In the weeks leading up to that bill, we were facing massive layoffs and staggering service cuts – as much as 40% in some areas. TransitCenter and the Center for Neighborhood Technology released a revealing study² which showed that in just ten regions, more than 3 million households and 1.4 million jobs would have lost access to frequent transit, with communities of color really feeling the impact. Second and third-shift workers would lose an affordable way to commute, and households without vehicles would have an even harder time meeting everyday needs.

For example, in Boston, where ATU Local 589 runs the “T,” nearly 11,000 households without access to a private vehicle would lose access to frequent transit, impacting their ability to meet essential needs. In Cincinnati, where ATU Local 627 runs SORTA, frequent full-day service would cease to exist, stranding nearly 17,000 people, nearly half of whom are Black. The report highlights Patrick Jones, who rides two buses to get from his home in Cincinnati to reach his job as a forklift operator at the Coca-Cola distribution center across the river in Covington, KY. His typical commute, which takes about 1 ½ hours, has already increased by 10-20 minutes, as service changes have lengthened transfer times between buses in downtown Cincinnati. Clintisha Flemming, the report notes, a property owner in metro Atlanta (ATU Local 732), saw what

² “*Stranded.*” TransitCenter, September 30, 2020. <https://transitcenter.org/wp-content/uploads/2020/09/stranded.pdf>

happened when bus routes were changed due to COVID. “Ninety-five percent of my tenants use MARTA,” she said. “The agency cut a bus route that served my building and now my tenants are scrambling to figure out how to get to work and access their doctor. Loss of public transit can change the trajectory of a person’s life. This is life and death for some of my tenants.”

Heroes

While many people have the luxury of working from home to avoid the coronavirus, some of us are not that fortunate. Over the past year, our “essential” workers have literally saved America – keeping the economy moving so that we can remain safe. Tragically, by putting themselves in harm’s way, millions of these brave people have been infected with COVID-19, and hundreds of thousands have paid the ultimate price.

Now, it’s time to recognize the sacrifices that frontline workers have made during this deadly pandemic with a small token of appreciation. **ATU strongly supports hazard pay for frontline workers (including transit workers).**

Our members are true heroes for millions of the nation’s transit-dependent individuals -- mostly people of color -- who patiently wait for the bus during these cold winter months because they have no other way to get to work, the grocery store, the doctor, and the pharmacy.

While transit workers are rightfully being called “heroes” during these horrific times, our members are finding that when they return to the bargaining table, they are being cast away as “zeros.” Congress should provide pandemic premium pay for frontline workers now!

Conclusion

We cannot change what has happened in the past eleven months. Our hero members and the passengers that we’ve lost due to the failures of the federal government to keep us safe are not coming back. But moving forward, brighter days are ahead. President Biden’s common-sense public transit mask mandate was a huge step in the right direction that will save lives. The vaccine should be more widely available soon, and hopefully transit workers will get priority access. With continued Congressional support for public transit, a stronger federal role in the enforcement of common sense safety measures, and a seat at the table for workers to express their COVID concerns, we can work our way through these challenges, safely deliver the transit services that Americans sorely need, and play an important role in our economic recovery.