



*A bold voice for transportation workers*

**WRITTEN STATEMENT OF  
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**BEFORE THE COMMITTEE ON BANKING,  
HOUSING, AND URBAN AFFAIRS**

**“SURFACE TRANSPORTATION REAUTHORIZATION: PUBLIC  
TRANSPORTATION STAKEHOLDERS’ PERSPECTIVES”**

**February 25, 2020**

On behalf of the Transportation Trades Department, AFL-CIO (TTD), and our 33 affiliated unions<sup>1</sup>, I want to first thank Chairman Crapo and Ranking Member Brown for inviting me to testify before the Senate Banking Committee this morning.

I have no doubt that we will hear about the critical funding needs of our public transportation system today. You will hear the same from me. I have no doubt that we will hear about the important lifeline transit systems provide to urban and rural communities alike. About the value they provide to American businesses, who count on transit to move employees and customers to and from their stores on main streets across this country every day. I stand by all of my friends on this panel and share their support when they talk about the importance of public transportation and its unmet funding needs.

But funding alone is not enough to solve the challenges facing public transportation in this country. What I offer is the perspective of nearly 400,000 frontline employees who design, build, operate, and maintain our critical network of buses, railcars, and subway systems. While SAFETEA-LU, MAP-21, and FAST each offered important steps forward for public transportation employees, the needs of America’s workforce remain significant, are changing rapidly with technology, and are vastly underserved at the federal and local level.

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<sup>1</sup> Attached is a list of TTD’s affiliated unions.

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## **Increase Funding for Public Transportation**

First, TTD applauds the efforts of Environment and Public Works Committee Chairman Barrasso and Ranking Member Carper, who worked together in a truly bipartisan fashion to pass the largest increase in federal highway funding in the history of the program: a 27 percent increase over FAST Act levels. TTD strongly supports increasing federal funding for our surface transportation program across the board, and looks forward to working with this committee to increase funding for public transportation proportionate to the highway funding increase in the EPW title.

In communities across the country, public transportation is the vital lifeline people rely on to get to their homes, jobs, schools, healthcare, and job training programs. Yet, investment simply has not kept pace with demand in our communities, leading to unreliable or inadequate service. Riders often find bus and subway systems undependable, unpredictable, and in some cases, even dangerous. As a result, our roads become more congested as commuters find alternative methods of getting around. Whether we are talking major investments like the Gateway Project in the Northeast or rural bus service in Plainview, Nebraska, we know that we put the mobility and economic needs of our communities at a disadvantage when we fail to make adequate investments in public transportation.

## **Support the Critical Safety Needs of our Transit Workforce**

Congress must take seriously, and fully address, critical safety needs of transit workers in the next surface transportation reauthorization. Right now in America, public transportation workers face an epidemic of assaults. Reports involving transit operators being hit, spat on, pelted with objects, or worse, being assaulted with a deadly weapon, have become all too common.

Take, for example, the tragedy that occurred in Florida in May of last year. Thomas Dunn — an ATU member, Air Force veteran, husband, and father — was stabbed to death in a random act of violence while operating a bus for the Hillsborough Area Regional Transit Authority (HART) in Tampa, Florida. Heroically, the last thing he did before succumbing to his injuries was pull his bus to the side of the road and place it in park, sparing the lives of his passengers and those around them on the street. Five months prior to this horrific incident, Dunn voiced concerns to the HART board about his safety, yet management took no action to protect the life of Dunn or his fellow operators. Just six months after this tragedy, one of Dunn's coworkers and union brothers was brutally stabbed while on duty.

The truth is that transit agencies are simply not doing enough to improve working conditions for our members. While we were very encouraged by a bipartisan agreement in the FAST Act to help solve this problem, sadly, the required FTA rulemaking under that law has now gone ignored by two administrations. We need this Committee's help to improve safety, to support those transit agencies that want to help, and to force the hands of those who have said, frankly, that they have no interest in lifting a finger. By including the Transit Worker and Pedestrian Protection Act (S. 436/H.R. 1139) in a surface transportation reauthorization, this committee can take an immediate step to protect transit workers from assault.

Importantly, this bill contains no onerous one-size-fits-all requirements and no unfunded mandates. Instead, it requires that transit agencies report accurate and complete assault data to the National Transit Database (NTD), and that transit agencies and the frontline workforce use that data to identify real solutions tailored to meet their local needs. We understand that not every agency and not every route has the same problems, but if agencies are not looking at properly reported data and talking to their employees, we will not be able to make positive steps forward in solving this crisis.

No one who works for a living should have to face the kind of unimaginable horror that resulted in Brother Dunn losing his life. While it is too late to save his, we can work today to prevent another family from wondering if their mom or dad, husband or wife, will come home safely from work that evening.

It is not just bus drivers and other transit operators who go to work fearing for their wellbeing. Conditions can also be dangerous for those who work at repair facilities. A recent news story, for example, highlighted hazards at a Baltimore Metro maintenance facility. Photos showed high-voltage rattraps in public places, outdated smoke detectors, exposed live wires, wet floors, a defective ventilation system, and inadequate fire extinguishers. These kinds of working conditions are unacceptable to the maintenance employees who suffer them each day, would be unacceptable to any other working American, and should be unacceptable to this committee. The Public Transportation Agency Safety Plan process established under MAP-21, while an important step forward for safety, fails to include the voices of frontline workers in the development and approval of the safety plans, leaving problems like the one in Baltimore unaddressed.

### **New Technologies and Services**

Over the last ten years, we have witnessed the rapid proliferation of new, tech-based mobility options in our communities, including ride-hailing services like Uber, Lyft, and Via; docked and dockless micromobility services, including electric scooters, bicycles, and now mopeds; microtransit; shared vehicles; and automated vehicle demonstration projects. Some of these technologies and services have already shown real benefits for public transportation. For instance, bike-sharing has been demonstrated to boost transit ridership, and workers who are classified correctly as employees in that industry have successfully exercised their right to form and join unions across the country.

While TTD and our affiliated unions welcome the opportunity to work with any partners who are advocating for more and better public transportation services, we expect partners in innovation to subscribe to the promise of public transportation established by more than 50 years of federal policy. That is, it must be equitable and accessible to all, affordable, safe, and reliable. However, we have serious concerns about the ride-hailing industry's commitment to that promise.

From the perspective of the transit industry, we understand the appeal of supplementing first- and last-mile or nighttime service with companies like Uber, Lyft, and Via. But the appeal of affordability that they offer is unsustainable and the true costs are hidden. These companies are sustained by a business model in which operating costs such as maintenance and insurance are

passed on to their drivers, who are also denied their fundamental rights to fair wages and benefits that collective bargaining can provide. The result is that drivers often make less than minimum wage in many cities in which they operate. Any new technology or innovation in the transportation sector worth investing public dollars in must be better than this.

The appeal of this technology also poses serious risks related to the responsible use of both federal and local funds. Some public transportation agencies and local governments appear to be attracted to new mobility and automation technologies simply due to the appeal of being on the cutting edge, rather than on how they fit into a long-term transportation plan focused on solving mobility challenges. In such cases, public funds may be wasted on technology that either does little to enhance transit services or drains resources that could have been deployed elsewhere to improve and expand service.

Unlike public transportation, ride-hailing platforms are not, and were never, intended to serve all users equally. The fact is, the majority of ride-hailing platform users come from wealthy households, and the average ride cost puts their services squarely out of the hands of lower-income customers. The effect of higher income users moving to single-occupancy vehicles is reduced fare box collections on buses and, ultimately, reduced transit service in the communities that most heavily depend on it. Also concerning is the fact that companies like Uber, Lyft, and Via are not obligated to serve communities where they may currently have a presence. Unlike public transportation, we have no idea how much we can count on them in the future.

At the same time, we are seeing a rapid expansion of formal arrangements between transit agencies and companies like Uber, Lyft, and Via. TTD does not consider this an appropriate or responsible use of federal dollars unless you subject them to the same safety and labor standards the rest of the industry is correctly expected to abide by.

TTD also has serious concerns that the FTA is setting the stage to normalize the use of ride-hailing companies in cooperation with or as a substitute for public transportation without fully considering the effects of this policy. In a recent notice, FTA added ride-hailing companies (TN) as a reportable service mode to the NTD under certain circumstances without accounting for the limitations of the service they provide and the true costs of those services when compared to transit buses.

The federal government allocates funds to transit agencies through a formula that includes a variety of factors including bus passenger miles. As written in the FTA's notice, transit agencies will receive the same allocation of funding for ride-hailing service as they do bus service. Yet, operating a bus is significantly more expensive than a passenger vehicle and provides a far greater utility in total ridership. To compare the provision of service by a vehicle that on average serves less than one passenger at a time to a bus that may serve 60 or more passengers is clearly not in line with the intended purpose of the NTD and should not be treated equally by federal regulation.

With regard to automated vehicles, we know that automated shuttle, micro-transit, and ride-hailing pilot projects are already on the ground in a growing number of American cities and more of these deployments are on the way. We also know that the Administration and some in Congress are setting policies and regulatory frameworks designed to facilitate the further deployment of AVs, and it is imperative that workforce impacts and mitigation strategies are considered and addressed

in these debates. Good union jobs in the transit sector cannot be jettisoned or ignored simply to satisfy the demands of tech companies or Wall Street investors.

History tells us that strong unions and worker engagement are essential to mitigate harms inherent in rapid changes to industries. Relatively high union density in the transportation workforce and opportunities to manage change through the collective bargaining process will play an important role in assisting this sector. At the same time, federal regulations that establish a high bar for safety, worker dislocation policies, and assurances that transportation services will meet a basic public service standard must be in place. To that end, TTD urges this committee to ensure that transit agencies consult with the public and their employees as they plan deployments of AV technologies. Both riders and agency employees deserve a voice in the use of automation technology.

### **Meeting Workforce Training Needs**

Approximately 400,000 Americans work in the public transportation sector. Of those, 90 percent serve in frontline occupations that include bus and rail transit operators, station employees, mechanics, and other non-management positions. Yet, federal policy has failed to support the training needs of the frontline transit workforce, risking major workforce shortages and skill gaps in the coming years.

The reality of this problem is staggering. With the median age in many frontline transit jobs approaching 52, a large portion of the blue-collar transit workforce will retire in the next few years. The result is that the equivalent of more than 120 percent of today's transit workforce will have to be hired and/or retrained in the next 10 years just to meet our existing needs. Furthermore, as technology rapidly evolves (e.g., the transition to battery electric buses), the transit industry has demonstrated that it simply does not have the tools it needs to recruit, train, and retrain the next generation of technicians and other high-skilled workers. Without an adequate pipeline of new recruits and upskilling opportunities for the existing workers, our transit systems will face serious challenges providing service.

On average, transit agencies spend just .66 to .88 percent of total payroll on training compared to the average of 4 to 5 percent in many parts of the private sector. This lack of investment in human capital is driven in part by a lack of funding. Virtually no reliable funding is set aside for frontline transit workforce development and training. Currently, 80 percent of the Federal Transit Administration's limited workforce funds go to white-collar roles. The recipient of a significant portion of those funds, the National Transit Institute (NTI), by its own admission focuses on training the transit workforce in management and front office roles.

While TTD recognizes the importance of NTI and the role it plays in supporting the training needs of the transit industry, the largest workforce skills gaps and retention issues remain among those on the frontlines of our transit systems, including technicians, drivers, electricians, and signal operators — professions that do not receive training at four-year universities. To meet the training needs for the entire transit workforce, Congress should provide funding for a similar NTI-like training center that is focused on the frontline workforce and effective labor-management partnerships for training and safety.

The Government Accountability Office (GAO) recognized the need for such an organization in its recent industry needs analysis, and funding was provided for a comparable undertaking in FY2020 Transportation Housing and Urban Development appropriations bill. While TTD applauds the appropriation committee's efforts, authorizing a permanent program will ensure that an organization with a demonstrated capacity to develop and provide standards-based training in maintenance and operations will create positive change for frontline workers and transit agencies on a permanent, reliable basis.

### **Standing up For America's Workforce**

We know that jobs created by investments in public transportation are good jobs that support workers and their families. This is because of high union density in this sector and because of the federal policies that have been associated with these investments since the creation of this program. It would be a grave mistake for the health of our nation to use a surface transportation bill to attack these important laws or to undercut collective bargaining rights that are essential to the good jobs that can and should be created in this space.

This committee should also strengthen Buy America and other domestic content and manufacturing provisions. For too long, manufacturing was in decline in the United States, leaving workers without the good jobs that were once the bedrock of their communities. Thankfully, manufacturing is once again growing here at home, and that is due in part to federal regulations like Buy America, which ensures raw materials and the buses, rail cars, and other equipment they are used to produce are all sourced and manufactured right here in our own back yards. This committee should stand proudly by those provisions and continue to promote policies that will expand and strengthen Buy America application throughout the entirety of the supply chain, and increase transparency and compliance to all projects receiving federal dollars. This will ensure that public dollars support the American manufacturing industry and not just the lowest bidder.

Finally, while TTD supports the responsible use of public-private partnerships, these financing models must not be used for the purpose of undercutting good stable jobs in this industry. Any transit P3 that receives federal funding must include the same Davis-Bacon, 13(c), and Buy America labor standards applied to them as federal formula funds available under Titles 23 and 49 of the U.S. Code. By way of example, the FAST Act included sensible requirements in the pilot program for public transportation P3s that should not just be preserved, but also considered the norm for any future federal P3 legislation. We also urge this Committee not to include provisions that will mandate or incentivize the privatization of local public transit services at the expense of frontline workers or reliable service that communities and commuters depend on.

With that, I am happy to answer any questions.