



AIR LINE PILOTS ASSOCIATION, INTERNATIONAL

1625 Massachusetts Avenue, NW | Washington, DC 20036 | 703-689-2270 | 888-FLY-ALPA

THE WORLD'S LARGEST PILOTS UNION | WWW.ALPA.ORG

May 5, 2020

The Honorable Roger Wicker
Chairman
Senate Committee on Commerce, Science and Transportation
512 Dirksen Senate Office Building
Washington, D.C. 20510

The Honorable Maria Cantwell
Ranking Member
Senate Committee on Commerce, Science and Transportation
511 Hart Senate Office Building
Washington, D.C. 20510

Dear Chairman Wicker and Ranking Member Cantwell:

As you take up very critical questions about our nation's air transportation system, I respectfully submit the views of the Air Line Pilots Association, International (ALPA) for consideration during your Committee's hearing on "The State of the Aviation Industry: Examining the Impact of the COVID-19 Pandemic."

On behalf of our membership, we express our sincere gratitude for the immediate action of the U.S. government to secure the economic viability of the airline industry and protect its workforce. We appreciate Congress' swift measures to provide relief for our airlines through the Coronavirus Aid, Relief, and Economic Security (CARES) Act—and its directive to ensure that payroll continues to flow exclusively to frontline workers while protecting our collective bargaining rights. The Act is a lifeline for our industry to ensure that, when we emerge on the other side of this pandemic, we are well positioned for recovery. And it is our goal to facilitate a safe return to "business as usual" for air travel as soon as possible.

Our country's airline pilots proudly serve on the frontlines fighting the COVID-19 pandemic—we're flying doctors, nurses, supplies, and equipment to the communities where Americans need them most. Indeed, we are the backbone of FEMA's Project Air Bridge that the Administration created to expedite the movement of medical supplies. We're equally prepared to increase our contribution to the recovery by transporting passengers, goods, and services as America gradually reopens and our economy strengthens.

However, nearly 300 ALPA pilots have tested positive for COVID-19, and at least 3 have tragically lost their lives due to the virus. Despite pilots contracting the virus at a higher rate than the general public,

some airlines are still ignoring the need for uniform and proper cleaning and disinfecting of our flight decks and the aircraft, as well as preventive measures to stop the spread of the virus. And unfortunately, the Federal Aviation Administration (FAA), which regulates the safe and healthy operation of air carriers, has been unwilling to require U.S. airlines to follow CDC guidelines, despite its clear statutory authority to do so. Without this requirement, rates of sickness will continue to rise.

The 63,000 members of ALPA reiterate our commitment to work collaboratively with you to address the challenges we face as a nation during this unprecedented time. As additional governmental response is considered to ensure workplace health and safety and economic recovery, we urge you to protect our nation's pilots and flight crews and keep the air transportation system safe and secure for the citizens and businesses that rely on it.

Like other essential employees, airline pilots are putting themselves in harm's way each time we go to work. We accept our responsibility willingly and proudly, knowing we are not only preparing our industry and economy to safely rebound as soon as possible, but also because we are committed to move urgently needed health-care workers, equipment, and medicine, as well as repatriating Americans from overseas and ensuring the air transportation system operates safely and efficiently.

However, as for the state of our industry ALPA has dire concerns. Because of the economic impact of the COVID-19 crisis, business and leisure travel have disappeared. Our average daily passenger count is less than 10% of what it was a year ago. We need to consider what we as an industry need to do, steps we need to take to again attract passengers to our industry, and what steps we need to take to regain their confidence so they can travel safely, and equally important, remain healthy. We are concerned that our members—and the flying public—are being exposed to excessive and unnecessary health risks that could be avoided by clear government action.

We believe that part of the reason is the failure of the airlines in following health and safety guidelines set forth by the FAA and the Centers for Disease Control and Prevention (CDC). Combined with the FAA's unwillingness to mandate compliance with the government's own guidance, this leaves our pilots exposed to unnecessary danger and poses systemic risks to the air transportation system. The FAA's failure to act as a safety regulator when Congress has granted it clear statutory authority to do so endangers employees, the public, and the effectiveness of the government's response to COVID-19.

We have communicated our concerns to the FAA many times in recent weeks and while we were successful in getting FAA to issue guidance to the airlines using the CDC guidelines as a basis, FAA continues to refuse to mandate compliance by the airlines. As a result, compliance by the airlines continues to be voluntary and implementation is haphazard, inconsistent and confusing.

Airline pilots are essential workers, yet we do not have uniform, reliable access to personal protective equipment. We have no assurance that our workplace has been cleaned and disinfected according to CDC guidance and with approved cleaning agents, and we are frequently told that disinfection

supplies are unavailable. In addition, airline pilots are not consistently and properly notified when we may have been exposed to another employee who has tested positive for COVID-19 and are pushed to operate aircraft that may be contaminated.

For example, we have many reports of pilots using their own supply of hand wipes to disinfect cockpit instruments because cleaning supplies are unavailable, multiple reports of visibly dirty cockpits which have been reported as “cleaned”, and numerous instances of employees forced to stand shoulder to shoulder in company transport vans with no regard to social distancing protocols. There has also been a report of pilots flying with a flight attendant who did not call in sick because of fear of retaliation by the company and tested positive for COVID-19 several days later. Here is one example of a report submitted to ALPA:

I contacted the company scheduling department by telephone that I was ill & headed to the ER and would not be available for work the next day. The ER diagnoses me as having COVID-19 (later proven correct when a POSITIVE result occurred on my test kit from the ER). I called scheduling again in the early morning and advised them that the hospital as well as the local Health Department had advised me the entire crew should be considered infected. Scheduling did not remove the rest of my crew from their flights and they continued the rest of the 4-day trip. The company did not advise anyone I had flown with of my diagnosis and their probable infection. I was forced to try and reach out through friends of friends and other non-standard sources to contact the multiple pilots and Flightcrew members I had flown with to advise them of my confirmed positive infection. The company refused to remove these pilots from work, and most of them continued to be scheduled for work by the company.

As you consider necessary legislation to further address the health crisis and stimulate the economy, we urge you to prioritize the health, safety, and livelihoods of frontline airline workers, including pilots. Specifically, we ask Congress to direct the FAA to mandate that airlines comply with CDC and FAA guidelines related to aircraft and flight deck cleaning and disinfection, personal protective equipment for flight crews, and employee notification of test-positive cases in the workplace.

We are mindful of the need to ensure the safety of all those who utilize and rely on our air transportation network which is why we support a requirement that all workers and passengers wear face masks in the aviation environment. We believe a holistic approach that ensures clean crews, clean aircraft and clean airports will help instill public confidence and a safe return to flying.

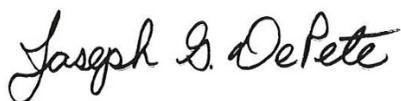
As you undertake the difficult but necessary task of additional legislative measures to deal with the continuing impact of the pandemic, we also see an opportunity to execute needed technical corrections to the CARES Act to promote economic stability and to ensure that U.S. airline workers can contribute to our recovery in a meaningful way. We appreciate that under your leadership, the CARES Act, for the first time in U.S. history, provides financial assistance to airlines conditioned on promoting, rather than

subordinating, the livelihoods of employees. In contrast, the financial assistance that was provided to air carriers after the attacks of September 11, 2001, did not flow through to employees, was heavily conditioned on eroding workers' collectively bargained wages and benefits, and protected airlines' shareholders at the expense of workers and the taxpayers. Airlines were free to reject, through a one-sided bankruptcy process, collective bargaining agreements and impose inequitable long-term conditions on their employees that endured far longer than the crisis. In the process, aviation workers conceded \$83.5 billion in wage and retirement concessions, including the dissolution of almost every defined benefit pension plan. The CARES Act was crafted to avoid a repeat of these practices, but more must be done to safeguard hard-working Americans in the airline industry.

We anticipate the recovery from COVID-19 will be a lengthy process. Many airlines are expecting two to three years to sustainably return to pre-crisis levels, with a number of Wall Street analysts anticipating that it could take up to five years before we will see robust travel. We are concerned that airline workers who are protected under the CARES Act from involuntary furloughs and certain worker protections through September 30, 2020, may be faced with significant hardship and deficient safeguards if demand for air travel does not return both in the short and long term. As such, we urge you to extend worker protections and make necessary and appropriate reforms to the airline bankruptcy process to ensure that taxpayer relief to the airlines is not used to again facilitate disproportionate and long-term harm to employees during any airline restructuring. In addition, we believe that furloughed workers should be able to remain on employer health-care plans at active employee rates.

As you work toward additional COVID-19-related relief and economic stimulus legislation, we respectfully ask that you consider the perspective of frontline aviation employees and allow us the opportunity to collaborate with you to develop meaningful solutions to protect public health, U.S. jobs, and the global economy. Airline pilots are committed to working as equal partners with you and our airlines to navigate through these turbulent times. We know that working in partnership gives each of us the strongest opportunity for success on behalf of our passengers, shippers, and all who benefit from the U.S. air transportation system.

Sincerely,

A handwritten signature in black ink that reads "Joseph G. DePete". The signature is written in a cursive, flowing style.

Capt. Joseph G. DePete
President