



January 26, 2022

The Honorable Joseph R. Biden
The White House
1600 Pennsylvania Avenue
Washington, D.C. 20500

The Honorable Merrick B. Garland
Attorney General
U.S. Department of Justice
950 Pennsylvania Avenue, NW
Washington, D.C. 20530

The Honorable Alejandro Mayorkas
Secretary
U.S. Department of Homeland Security
Washington, D.C. 20528

The Honorable Peter Buttigieg
Secretary
U.S. Department of Transportation
1200 New Jersey Avenue, SE
Washington, D.C. 20590

Dear President Biden, Secretary Mayorkas, Attorney General Garland, and Secretary Buttigieg,

On behalf of tens of thousands of ground service agents working across airports in the United States, the undersigned unions write to express our urgent concerns regarding the increase in assaults against our members and the need for more effective governmental action to address this issue, including the prosecutions of these abusive passengers under applicable federal law.

Statutory responsibilities for preventing these incidents, protecting employees and pursuing penalties and prosecutions falls variously within the purview of the Departments of Justice, Transportation and Homeland Security. The uninterrupted level of violence against these workers has made clear that a coordinated federal response is required. As such, the undersigned organizations request the establishment of an interagency working group tasked with clarifying and delineating the responsibilities of federal and local agencies in cases of assault at airport gates, ticket and reservation areas, and other on-the-ground airport locations. The interagency working group should clarify the specific agency roles and should establish a clear pathway for the reporting, processing, referral, and prosecution of assault cases. The interagency working group should include labor representatives of ground service workers.

Airline gate agents are a vital part of a multilayered airline security and safety process at the airport. Our members are responsible for checking passengers into their flights, checking luggage to comply with airline weight and balance limits and boarding passengers onto the aircraft in an orderly and structured way.

During the pandemic, agents have added to their list of duties. This includes enforcing federal mask requirements and securing access to the aircraft from aggressive, and often physically violent passengers. These incidents vary from passengers using racial epithets and slurs and other vulgar and harassing language to punching, biting, kicking, shoving and even spitting on ground service workers. These attacks cause long-term psychological and emotional distress among the workforce and put other passengers at risk.

These assaults have placed agents in a precarious position. Workers are doing what they can to follow established protocols, protect themselves, retain their dignity and appropriately engage law enforcement. Unfortunately, little is being done by federal agencies to address the issue. Our unions cannot allow these attacks that occur on an almost daily basis to continue to go unaddressed. The health of the entire airline industry will depend on a strong and coordinated federal response to assaults against ground service personnel.

Over the past few months, ground service members across the country have experienced serious incidents of physical and verbal assault and harassment, with few repercussions for the offending passenger imposed by law enforcement.

- A recent egregious incident occurred on June 28, 2021 at the Charlotte Douglas Airport when a passenger attempted to board a flight in a state of extreme intoxication. CWA gate agents, fulfilling their duties to secure the aircraft and protect the other passengers, denied the passenger access to his flight. He became extremely violent - physically assaulting one of our members and verbally attacking another two. There is no doubt about what happened. Video of the assault, taken by a member of the public, was obtained by local news and is publicly available. Despite conclusive evidence, local law enforcement did not pursue assault charges against the passenger in Charlotte and the FAA and federal law enforcement have likewise refused to pursue this matter.
- On July 30th at John F. Kennedy Airport, two CWA members were assaulted after intervening in a dispute between two passengers. The agent involved was repeatedly punched in the face and verbally threatened for refusing to allow the passenger on the airplane. No charges have been pursued at this time.
- On June 30, 2021, a passenger attempting to board a flight from JFK to MIA was stopped at the gate after an altercation with another passenger. Despite warnings that any disruption onboard the aircraft would not be tolerated, the passenger became aggressive with agents - pushing, shoving and punching the agent in the face several 6 times. The agent was transported to a hospital after experiencing headaches and pain in the jaw, left arm, knee and lower back.

- Most recently, on November 14 in Dallas, a passenger verbally abused two TWU operations agents and punched one them, sending the worker to the hospital. The incident happened on the ground while the operations agents were clearing the plane for takeoff.

These are just a few examples of the many incidents of assault that are happening across the country. The FAA has reported a total of 5,981 passenger incidents in 2021, which is up sharply from previous years.

Despite the severity and frequency of these events, not a single passenger who has assaulted a ground service worker has been prosecuted under federal law.¹ Airport police departments and local law enforcement agencies are currently tasked with responding to these incidents but have not received clear guidance from the federal government on their responsibilities under the law. A recent letter from the U.S. Attorney General Merrick Garland directing federal prosecutors to prioritize prosecution of assaults unfortunately omits airport workers and ground service workers from protection. These actions from the highest levels of government signal to our ground service members that their safety in the workplace is not a priority.

Your agencies have a responsibility to ensure all frontline gate agents can expect a safe workplace, free from the threat of violence, and increased cooperation is required to improve the safety of these employees .

Thank you for your consideration.

Sincerely,

Communications Workers of America (CWA)
International Brotherhood of Teamsters (IBT)
International Association of Machinists and Aerospace Workers (IAMAW)
Transport Workers Union of America (TWU)
Transportation Trades Department, AFL-CIO (TTD)

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