



March 9, 2022

The Honorable Pete Buttigieg
Secretary
U.S. Department of Transportation
1200 New Jersey Avenue, SE
Washington, DC 20590

The Honorable Nuria Fernandez
Administrator
Federal Transit Administration
1200 New Jersey Avenue, SE
Washington, DC 20590

Dear Secretary Buttigieg and Administrator Fernandez,

On behalf of U.S. transportation workers — including the vast majority of public transportation employees — who are collectively represented by the undersigned unions, we are writing to ensure you are aware of the increasingly dangerous atmosphere in our public transportation systems and to urge you to protect workers and riders by immediately implementing the safety provisions of the Bipartisan Infrastructure Law (BIL). Our members include bus and rail transit operators, station agents, car cleaners, mechanics, and other frontline workers, all of whom are at risk of assault and worse each day they arrive at work. President Biden committed to protecting these workers and that promise was enshrined into law as part of the BIL. Before, and particularly during the COVID-19 pandemic, these workers have laid their lives on the line every day to ensure Americans have access to safe, reliable transportation, and we must not turn our backs on them another day.

In 2015, transportation labor unions successfully fought for the inclusion of assault prevention language in the Fixing America’s Surface Transportation (FAST) Act. This language required the Federal Transit Administration (FTA) to publish a Notice of Proposed Rulemaking (NPRM) that established safety standards, practices, or protocols for protecting transit operators from the risk of assault. Under President Donald Trump’s leadership in 2019, more than four years after the passage of the law, the FTA issued a [toothless suggestion that transit agencies merely examine the problem if they felt so inclined](#). Specifically, the [notice](#) required local transit agencies to study the problem, but stopped short of requiring any meaningful action. Our unions condemned this failure of leadership at the time and Congress joined us in calling out the FTA for ignoring its obligations to the transit workforce.

In the absence of clear federal leadership under the watch of President Trump, transportation labor once again fought for a legislative remedy that would put a stop to worker assaults and secured specific worker safety requirements in the recently-passed BIL. The safety requirements passed in that law were based on the [Transit Worker and Pedestrian Protection Act](#), which was [endorsed by President-elect Biden](#) and enjoyed [strong bipartisan support in Congress](#), with more than 200 Democratic and Republican cosponsors in the House.

The FTA is now statutorily required to collect accurate data on transit workforce assaults, to reform its Public Transportation Agency Safety Plan (PTASP) process to include worker voices and incorporate measures to reduce the risk of assault in every transit system, and to update its national safety plan to address the risk of assault and public health concerns.

It has now been almost four months since the passage of the BIL and transit workers — who, like any of us, simply want to go to work each day and not worry about whether they may be attacked or killed on the job — have continued to face the threat of violence in the workplace. Consider some of the following examples:

- On December 4, a CTA bus driver was inspecting his bus after hearing a loud noise when he was pushed and repeatedly punched by an unknown male and female. The operator was hospitalized. Three days earlier, a CTA train operator was hospitalized after two teenagers beat him and then ran away. [[Chicago Tribune](#), 12/12/21]
- On December 8, a Detroit Department of Transportation driver was stabbed by a passenger who was told to get off the bus. [[The Detroit News](#), 12/13/21]
- On January 3, a Muni bus driver in San Francisco was dragged out of the bus by a passenger and was left bleeding from his nose and mouth from the assault. [[Mission Local](#), 01/28/22]
- On February 7, a TriMet bus driver in Portland was maced by a passenger while driving the bus. This was the third time he's been attacked on the job. [[KOIN Channel 6](#), 02/07/22]
- On February 10, an MTA bus driver was attacked when an assailant quickly exited the bus, picked up a tree branch from the ground, and beat her with it before fleeing the scene. [[NY Post](#), 02/10/22]

Incidents like these are driving workers away from public transit. Our unions are seeing historic levels of attrition as bus and subway operators, station agents, car cleaners, and others protect themselves in the only way available to them: leaving public transportation.

Our members should not be asked to wait another day to feel safe on the job. This is a position strongly supported by President Biden who, speaking to members of the Amalgamated Transit Union as a presidential candidate, [stated clearly](#): “I remember about two years ago I was working with you guys making sure you were protected from violence on your buses. Just someone getting on the bus and going after you... we need much more support for transit workers because you are the reason why things continue to function. Period. I promise you I'm going to keep banging away at this... and if I'm President, I guarantee you that will be available. We shouldn't have to wait that long though. It should be tomorrow.”

Consistent with the President’s policy and the changes to law that he fought to include in the BIL, we are calling on the FTA to take the following steps immediately:

- Update its definition of “assault on a transit worker” in the National Transit Database and begin collecting data on the number and severity of these assaults nationwide
- Establish a broad set of risk reduction measures that can be used by the new Safety Committees to increase safety in their communities
- Issue clear guidance to transit agencies and union representatives to establish the joint labor-management safety committees as required by the BIL, including details of their composition and responsibilities under the law
- Commit to denying all waiver applications from transit agencies that seek to ignore their new safety obligations under the BIL
- Issue a rule to establish a minimum level of protections from assault for all transit workers as required by the FAST Act

Every day that the FTA doesn’t take action puts more transit workers at risk. We look forward to working with you to ensure safety for workers in this industry that is so critical to the safe, affordable, and reliable movement of Americans in communities of all sizes.

Sincerely,

Air Line Pilots Association, International

Amalgamated Transit Union

American Federation of State, County and Municipal Employees

American Train Dispatchers Association

Association of Flight Attendants–CWA

Brotherhood of Maintenance of Way Employes–IBT

Brotherhood of Railroad Signalmen

International Association of Machinists and Aerospace Workers

International Association of Sheet Metal, Air, Rail and Transportation Workers–Transportation Division

International Brotherhood of Boilermakers

International Brotherhood of Teamsters

International Longshoremen’s Association

International Organization of Masters, Mates & Pilots

International Union of Painters and Allied Trades

National Conference of Firemen & Oilers, SEIU

Office and Professional Employees International Union

Professional Aviation Safety Specialists

Transportation Communications Union/IAM

Transportation Trades Department, AFL-CIO

Transport Workers Union of America