April 7, 2020

The Honorable Nancy Pelosi  
Speaker  
U.S. House of Representatives  
H-232, The Capitol  
Washington, DC 20515

The Honorable Kevin McCarthy  
Minority Leader  
U.S. House of Representatives  
H-204, The Capitol  
Washington, DC 20515

The Honorable Mitch McConnell  
Majority Leader  
U.S. Senate  
The Capitol, S-230  
Washington, DC 20510

The Honorable Charles Schumer  
Minority Leader  
U.S. Senate  
The Capitol S-221, The Capitol  
Washington, DC 20510

Dear Speaker Pelosi, Leader McConnell, Leader McCarthy, and Leader Schumer:

On behalf of more than 275,000 transit workers across the country, we are writing to bring your attention to the critical, immediate issues our members face during the current public health crisis. Collectively, our members carry more than 90% of all transit riders in the country in every variety and every mode of transportation. We applaud your leadership in passing three essential pieces of legislation over the past six weeks to address the ongoing threat of the coronavirus. As you consider further action to protect Americans during this crisis, we urge you to continue to work together to halt the spread of this terrible disease – especially in our public transit systems.

Our nation’s transit workforce has been on the frontlines of the fight against COVID-19. During the pandemic, our members have been classified as essential employees across the country. They have continued to come to work in order to make sure doctors, nurses, police, grocery store clerks, and others can get to their jobs and back home to their families. This has put transit workers at an increased risk of exposure for the coronavirus.

Despite the elevated threat of exposure, these workers have not been given the personal protective equipment (PPE) necessary to prevent transmission of this virus. The grim result has been unfortunate, though predictable: across the country, more than 35 transit workers have died from COVID-19 in the past two weeks and hundreds more have been infected.
In order to protect transit workers, preserve their right to refuse hazardous working conditions (6 USC 1142), and continue essential transit service throughout this crisis, we ask that you take the following actions as quickly as possible.

- Direct the Federal Transit Administration (FTA) to issue emergency, mandatory standards for PPEs for transit workers and cleaning for trains, buses, subway cars, and transit stations. These standards should mirror existing guidance from the Center for Disease Control (CDC), including requiring masks, gloves, and cleaning supplies for frontline workers who interact with the public or clean public spaces.
- Appropriate at least $750 million in supplemental funding for FTA and transit agency acquisition and deployment of PPEs.
- Create an emergency grant program for equipment that inhibits transmission of COVID-19. Eligible expenses should include plastic sheeting barriers, off-site fare boxes, and remote clock-in/clock-out systems.
- Mandate social distancing guidelines on board public transit. This would include requiring back-door loading/unloading for buses for all mobile passengers and maximum loads for all modes of transit based on vehicle capacity relative to CDC minimums for social distancing.
- Require employers to compensate workers that have been classified as essential during a public health crisis with at least 1.5 times their normal wage rate (hazard pay).
- Direct the Occupational Safety and Health Administration (OSHA) to issue an emergency temporary standard to protect transportation workers during their time at work.
- Clarify the Health Insurance Portability and Accountability Act (HIPAA) and the Americans with Disabilities Act (ADA) to make clear that employers have an obligation to let workers know when they have been exposed to a pandemic-causing disease. The CDC includes this in their guidance as an important piece of limiting the spread of COVID-19.

Taken together, these actions will protect transit workers, riders, and our entire country. These measures will reduce the spread of this disease in our public transit systems, hastening the end of this pandemic and saving lives.

Thank you again for your leadership and your commitment to public safety. We look forward to working with you to address this crisis and implement these solutions as quickly as possible.

Sincerely,

Amalgamated Transit Union
SMART – Transportation Division
Transport Workers Union of America
CC:

The Honorable Nita Lowey
The Honorable Kay Granger
The Honorable Robert Scott
The Honourable Virginia Foxx
The Honorable Frank Pallone
The Honorable Greg Walden
The Honorable Peter DeFazio
The Honorable Samuel Graves
The Honorable Richie Neal
The Honorable Kevin Brady
The Honorable David Price
The Honorable Mario Diaz-Balart
The Honorable Rosa DeLauro
The Honorable Tom Cole
The Honorable Eleanor Holmes Norton
The Honorable Rodney Davis

The Honorable Richard Shelby
The Honorable Patrick Leahy
The Honorables Michael Crapo
The Honorable Sherrod Brown
The Honorable Charles Grassley
The Honorable Ron Wyden
The Honorable Lamar Alexander
The Honorable Patty Murray
The Honorable Susan Collins
The Honorable Jack Reed
The Honorable David Perdue
The Honorable Robert Menendez
The Honorable Roy Blunt
The Honorable Tammy Baldwin