



TRANSPORTATION TRADES DEPARTMENT, AFL-CIO

FIRST 100 DAYS PRIORITIES

U.S. DEPARTMENT OF TRANSPORTATION ISSUES

Reform the NMB. The National Mediation Board, under Bush-appointee control, is broken. Reforms are needed to uphold and strengthen bargaining and organizing rights of airline and rail workers. And a new Democrat must be appointed on a fast-track to replace current Republican hold-over Read Van de Water. The Obama Administration will have the immediate right to replace Van de Water with a Democrat who will secure the Administration's statutory right to a controlling majority. Moreover, the current hold-over Democrat Harry Hoglander should be re-appointed. *President-elect Obama committed to appoint members who respect the right to organize.*

President's FY 2010 Transportation Budget. The new President's 2010 budget presents the first opportunity to reverse eight years of Bush Administration neglect, to address the immediate long-term investment needs in the nation's transportation system and to create good, long-term jobs amidst a severe economic downturn. The new President has the chance to present a 2010 budget blueprint to rebuild, improve and expand our transportation system and infrastructure with major investments in all transportation modes: aviation, mass transit, passenger and freight rail, ports and maritime, and highways and bridges. *The President-elect spoke publicly about the need to invest in the nation's infrastructure and unveiled a \$60 billion National Infrastructure Reinvestment Bank initiative.*

Direct the FAA back to the bargaining table with FAA unions. Direct the FAA to resume good-faith negotiations with the air traffic controllers under the terms of the last mutually-agreed-upon contract; resume good faith negotiations with other FAA bargaining units; and work to reform the bargaining system through legislation that insists on fair bargaining, mediation, and settlement of outstanding issues through binding arbitration. *The President-elect was the lead sponsor of S. 2201 and otherwise has endorsed a legislative fix for the broken FAA bargaining system.*

Restore Air Traffic Services as "Inherently Governmental". Restore language to E.O. 13180 that was deleted by the Bush Administration by E.O. 13264, so that air traffic services will be designated as an "inherently governmental function". *President-elect Obama is on record opposing privatization and contracting out of ATC.*

Pass a strong FAA Reauthorization Bill. The current FAA extension will expire early in 2009. The new Administration must work to pass an FAA bill that addresses public and private-sector collective bargaining issues; addresses outstanding safety and security issues raised by transportation labor; makes needed investment in our aviation system; and rejects privatization of air traffic services.

Declare the Administration's opposition to relaxing rules governing foreign control of U.S. air carriers and lifting existing cabotage restrictions in the context of ongoing U.S.-EU open skies negotiations. *President-elect Obama is on record "upholding current cabotage laws," and ensuring that "foreign investors remain minority shareholders in U.S. airlines." President-elect Obama also said, "Americans have legitimate concerns about the liberalization of control of U.S. airlines."*

Establish a Presidential Task Force to study and recommend solutions for an airline industry in crisis.

Fund Amtrak Back-Pay Obligations. In 2008, Amtrak and its unions agreed to new collective bargaining agreements granting full back-pay for the eight years workers went without a general wage increase. About 40 percent of that back-pay was paid in 2008 – the balance is due in spring 2009. Originally Amtrak said it would need an additional \$145 million to make the second payment in 2009. If Amtrak fails to make the payments, Amtrak workers will have their right to strike



restored. As Congress and the new Administration work to complete the FY 2009 appropriations cycle, this contractual obligation must be funded. *President-elect Obama is on record supporting appropriations levels supporting Amtrak and obligations to employees.*

New Amtrak CEO. With the resignation of Amtrak CEO Alex Kummant the Amtrak Board will have to name a permanent replacement. Recently an Interim CEO was named (Joe Boardman, the outgoing Bush Administration Federal Railroad Administrator) for up to 12 months. The Obama-elect transition leadership should work with the Amtrak Board to ensure no action is taken regarding the appointment of a permanent CEO until the Obama Administration, through its Transportation Secretary, can assert its voice on the new direction for Amtrak and the selection of new management. The permanent CEO must be an individual who shares the President-elect's vision for a strong national Amtrak system and who can work successfully with Amtrak employees and their unions.

Cancel the Bush Administration's Cross Border Pilot Program. The implementation of the Cross Border Pilot Program has undermined U.S. safety and security by allowing Mexican trucks to travel on U.S. highways. Additionally, the Bush Administration has defied an explicit Congressional directive to suspend the pilot program. The Obama Administration should comply with Congressional wishes and cancel this program. *The President-elect is on record in opposition to opening the U.S.-Mexico border to truck and bus traffic into the U.S. from Mexico. Specifically, President-elect Obama said he opposes, "the Bush Administration decision to allow cross-border trucking into the interior United States."*

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Suspend and revise new regulations that require direct observation for all return-to-duty and follow up drug and alcohol tests. This rule greatly expands when and how workers would be required to have a specimen collected. The rule specifically mandates that an observer must, "request the employee to raise his or her shirt, blouse, or dress/skirt, as appropriate, above the waist; and lower clothing and underpants..." and, "must watch the employee urinate into the collection container." Mandating direct observation of urine collection for *all* follow-up and return-to-duty testing would greatly expand the number of employees required to submit to this extremely invasive procedure and impose unnecessary costs. The new regulations are excessive and should be reconsidered by the Obama Department of Transportation.

Improve Fire Fighter Standards at Airports. Current FAA standards related to fire fighter response time, staffing, equipment and missions are out of date. Too many airports are unprepared for timely response to fire emergencies. While a provision addressing this issue is in the House FAA bill, the new Administration should implement new Aircraft Rescue and Fire Fighting (ARFF) standards – endorsed by the International Association of Fire Fighters (IAFF) – that follow the voluntary consensus standards established by the National Fire Protection Association.

Clarify Wet Lease Policy. The new Administration should declare it will not grant authority to foreign air carriers to wet lease aircraft to U.S. air carriers if a labor dispute is underway in the U.S. In U.S.-EU Open Skies accord, the Bush Administration agreed to a provision giving the DOT, on a case-by-case basis, the right to decide whether a wet lease application would unfairly tilt the balance of power in a specific labor dispute. This is contrary to the President-elect's strong support for workers' rights. It should not be the policy of the U.S. government to permit wet lease arrangements that influence or break a strike in the U.S. Further, the DOT should amend its policy to require applicants for authority to wet lease to be served on the union representing the applicable workers at a U.S. air carrier.