



*Association of Professional Flight Attendants*

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*Proudly Representing the **Flight Attendants** of American Airlines*

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Office of the National President

May 12, 2016

The Honorable Anthony Foxx, Secretary  
Department of Transportation  
1200 New Jersey Avenue, SE  
Washington, D.C. 20590

Dear Secretary Foxx:

RE: Docket DOT-OST-2013-0204

I am writing to you on behalf of the Association of Professional Flight Attendants (APFA) and the more than 25,000 professional flight attendants of the world's largest air carrier, American Airlines. We have spoken out against the application of Norwegian Air International (NAI) to commence service to and from the United States and take this opportunity again to object to the Department of Transportation's (DOT) tentative approval dated April 15, 2016. We oppose this tentative decision because we view it as a major step in what could be the destruction of a cornerstone of the American economy – U.S.-owned and crewed international air service.

History is an important guide in our opposition. The United States once had the most numerous, modern and powerful Merchant Marine fleet in the world. Officered and crewed by U.S. seamen, the merchant fleet was the envy of the world and provided thousands of good paying jobs both directly and indirectly.

Today, the U.S. flagged merchant vessels are a virtual ghost fleet representing less two percent (2%) of the over 68,000 vessels calling annually at U.S. ports.

The simple truth is that the use of “flags of convenience” have destroyed the once proud U.S. merchant fleet by reflagging vessels to operate with substandard wages, often hellish working conditions, poor safety records and little security against terrorism. The NAI application seeks to introduce and replicate this system to the U.S. aviation economy. The inevitable end will be the loss of thousands of jobs, a decrease in safety, and an increase in the risk from terrorists.

The DOT is proposing to approve a process that will undercut and eventually destroy the U.S. commercial aviation industry in much the same way as the U.S. merchant marine industry was decimated. By approving the NAI application the DOT will be endorsing a flag of convenience scheme for the U.S. and the end result will be damaging to U.S. carriers and to my over 25,000 members. By allowing a Norwegian based company to be flagged out of Ireland and staffed by contract, low-cost employees from Asia, the DOT is initiating a rush to the bottom that could, in the end, cripple our profession by undercutting the wages, benefits and training that we have fought hard for over many years.

Flight attendants at American Airlines are true safety and security professionals. Their training is intensive, their role as the last line of defense against acts of terror on the aircraft is increasingly acknowledged and appreciated. APFA members are diligent professional crewmembers who are part of the safety and security team that allows U.S. aviation to be ranked as the safest and most secure in the world. Approving this scheme directly undercuts the hard-earned progress my members have achieved.

Rather than articulate a solely legal challenge to this destructive decision, I would rather highlight the work experience of an actual flight attendant who worked for NAI and who now flies for American Airlines. We will let you judge whether the worker rights and safeguards that are basic to U.S. flight attendants are even remotely present in the actual work environment at NAI. We will let you judge whether the safety and security training being received by NAI flight attendants meets even minimum standards. And finally, please judge whether by granting approval you are enforcing a level playing field or rather supporting the undercutting of a critical economic engine of our country.

APFA recently became aware of a new American Airlines flight attendant who worked under contract for NAI and who can speak directly to their employment practices. As a flight attendant for NAI, he saw first-hand the tactics and hiring policies that allowed NAI to unfairly tilt the economic playing field in their own favor. Let there be no mistake – NAI's practice of hiring through third-party vendors on contracts creates work rules and hours of service that would never pass muster in the United States or in the European Union. NAI is designed to avoid labor quality of life rules and thereby destroy the competitive marketplace. This worker's statement shows that approving NAI will indeed begin a rush to the bottom in terms of worker rights, compensation, safety and security. Most importantly, this former NAI employee called the flight attendant working conditions "inhumane" and "nothing close to the decent rules American workers enjoy." The third party hiring agencies have taken to advertising for "inexperienced flight attendants" hoping that the new hires will not know how exploitive the working conditions at NAI actually are and accede to what amounts to mistreatment at other air carriers.

Finally, safety and security are also put at risk should the NAI scheme ultimately gain final approval. Our understanding is that by contracting out the hiring process NAI is essentially putting the security of passengers in the hands of an employment agency whose sole goal is in filing their quotas. Background checks, if completed at all, are minimal. Safety training is an afterthought.

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We believe that DOT and its partners – the Departments of Justice and State – have not done the actual on-the-ground due diligence of assessing whether this “flag of convenience” carrier scheme actually meets the minimum standards necessary to operate.

DOT acknowledges that it has “labor related concerns” with NAI but could find no legal basis to deny NAI’s application. This is a short-sighted decision that will ultimately be seen as a major blow against the U.S. aviation industry. We urge you to reconsider this decision and examine more closely the underpinnings of the NAI labor structure. We believe a more detailed examination will result in an outright denial of NAI’s application and we urge you to take the time to review your decision carefully. The lure of low fares is a false one when stacked up against poor working conditions, inadequate training and significant security gaps.

American Airlines flight attendants deserve a level playing field and a government that backs fair competition. Reject this application.

Sincerely,

A handwritten signature in black ink, appearing to read 'R. Ross', written over a horizontal line.

Robert Ross

National President

Association of Professional Flight Attendants