



**U.S. Department of
Transportation**

Office of the Secretary
of Transportation

The Inspector General

Office of Inspector General
Washington, D.C. 20590

April 16, 2002

The Honorable Peter A. DeFazio
House of Representatives
Washington, DC 20515

Dear Representative DeFazio:

This letter is in response to your request to keep you apprised of the Federal Aviation Administration's (FAA) actions to address occupational hazards faced by flight attendants as recommended in our September 26, 2001 audit report, "Further Delays in Implementing Occupational Safety and Health Standards for Flight Attendants Are Likely." It has now been 6 months since the issuance of our report, and progress has not been made towards issuing these standards.

In our report, we pointed out that, while FAA has had authority for over a quarter of a century, it had not issued industry standards to address employee safety and health issues associated with working conditions onboard aircraft in operation. Instead, FAA focused its resources on providing and enforcing industry standards for aircraft design and operational problems affecting aviation safety. For example, there are no standards to require airlines to address occupational hazards faced by flight attendants such as contact with blood-borne pathogens (disease-causing agents present in human blood) or repetitive motion injuries caused by handling oversized baggage and poorly designed service carts. There are also no standards to require airlines to provide information to flight attendants on potentially hazardous materials such as deicing fluids that they may be exposed to onboard aircraft.

We recommended that within 90 days of issuance of our report, the FAA, in conjunction with the Occupational Safety and Health Administration (OSHA), establish milestones to complete work begun under an August 2000 Memorandum of Understanding (MOU). We also recommend that FAA address the occupational safety and health concerns identified in the subsequent December 2000 joint FAA and OSHA report. FAA agreed with our recommendation and made several efforts to have OSHA reconvene the joint FAA/OSHA Aviation Safety and Health team (joint team) to complete the work begun under the MOU, but has been unsuccessful in getting the joint team back together.

In an August 29, 2001 letter, FAA requested the Department of Labor's Assistant Secretary for Occupational Safety and Health to reconvene the joint team and

prepare a plan with milestones for completing work that began under the August 2000 MOU. OSHA responded on December 5, 2001, that it would meet with FAA. While FAA and OSHA personnel met on January 17, 2002, FAA received no commitment from OSHA on a date to reconvene the joint team.

On February 14, 2002, the Federal Aviation Administrator issued another letter to the Department of Labor's Assistant Secretary for Occupational Safety and Health and again asked whether OSHA plans to reconvene the joint team to address the remaining action items of the MOU. The Federal Aviation Administrator suggested that the joint team meet in early March and present a plan of action within 60 days to address the remaining action items in the MOU.

On April 5, 2002, almost 6 months from the date our report was issued, FAA received a response from the Assistant Secretary for Occupational Safety and Health. The Assistant Secretary stated that there is a need for reliable data as to the hazards faced by flight attendants onboard aircraft and a need to examine the effectiveness of current OSHA requirements in addressing possible hazards. He stated that the joint team should be reconvened as soon as possible, and his staff will present a plan of action and a date for their first joint team meeting. However, a date has not been set to reconvene the joint team.

Our audit report also recommended that FAA reinstitute its May 2000 rulemaking process on an injury and illness recordkeeping and reporting standard, which FAA can do without OSHA's assistance. The data collected from this standard would provide FAA with the information needed to identify and address occupational hazards impacting flight attendants onboard aircraft in operation. FAA responded that it will reinstitute this rulemaking process only if the joint team recommends that action. We requested that FAA reconsider its position since there was no indication that the joint team would reconvene. FAA responded by stating that its position had not changed. In our opinion, FAA's position to not reinstitute this rulemaking process unless it is recommended by the joint team further delays any progress that could be made to address occupational health hazards faced by flight attendants.

While OSHA recently recognized the need to reconvene the joint team, FAA and OSHA must establish a firm date to reconvene the joint team and address the remaining action items in the MOU. Unfortunately, we have little confidence that, after 26 years, industry standards will be issued in the near future to address occupational hazards faced by flight attendants without legislative intervention or clear direction from the Administration.

If I can answer any questions or be of further assistance, please feel free to contact me at (202) 366-1959, or my Deputy, Todd J. Zinser, at (202) 366-6767.

Sincerely,

A handwritten signature in black ink, appearing to read "Kenneth M. Mead". The signature is written in a cursive style with a large initial "K" and "M".

Kenneth M. Mead
Inspector General

cc: Federal Aviation Administrator