

**Testimony of
Dwayne Bateman
Amtrak Food and Beverage Worker**

**Before the
Transportation and Infrastructure Committee
United States House of Representatives**

on

“A Review of Amtrak Operations, Part I: Mismanagement of Food & Beverage”

August 2, 2012

Chairman Mica, Ranking Member Rahall and members of the Transportation and Infrastructure Committee, thank you for the opportunity to come here today and speak on behalf of Amtrak food and beverage service workers.

My name is Dwayne Bateman and I am a Lead Service attendant currently working on Amtrak's Northeast Corridor route between Washington, D.C. and New York City. I am also Vice General Chairman for Unite-HERE Local 43, which represents Amtrak's on-board service workers. I started working at Amtrak in January 1977. I have been an on-board food and beverage worker for over 35 years, working in virtually every position associated with on-board service including train attendant, service attendant, food specialists and lead service attendant. During my career I have worked on several Amtrak's routes including: the Capitol Limited and the Cardinal between Washington, D.C and Chicago; the Crescent between Washington, D.C. and New Orleans; the Montrealer between Washington, D.C and Montreal, Quebec; and the Northeast Corridor, which is my current route.

I have dedicated my working life to this company. I want it to succeed by providing reliable, safe service that makes our customers happy. But that is not something that occurs by coincidence. It is the result of training, experience and dedication. On-board workers play an important role in reliable service, safety and our customers' feelings about Amtrak.

Amtrak recently celebrated its 40th anniversary. I started working at Amtrak a few years after private sector railroads asked the federal government to take over passenger rail in our country. This is a different company today than it was four decades ago or even one decade ago. In the last few years, Amtrak has made real improvements. We are more efficient, the food is better, the passengers are happier and revenues are rising. The company did it by working smarter and more efficiently. We did it by providing a good service at a reasonable price.

Some people in Washington like to criticize Amtrak. They attack the food service and the work that my colleagues and I perform. They claim we make too much and our pensions are too generous. They say the federal government should outsource my job to a subsidized private company. I think they are wrong and I am grateful for this opportunity to explain why.

Safety and Security Functions

The first job of every Amtrak worker is safety. Based on what I hear, there appears to be a lack of understanding of what we actually do on the job. Obviously, we serve food to passengers and this is an important part of the service Amtrak provides. Passengers expect and need this amenity and it results in increased ridership. But protecting passengers, not food service, is our first priority. Given the environment in which we work, emergencies can occur in remote locations that are difficult to access. Emergency responders, such as fire and rescue personnel, cannot always arrive on the scene immediately. This means on-board workers are the first responders in the event of an emergency.

Unlike restaurant workers, on-board Amtrak service workers are required to take several training modules that prepare them to respond to anything, from a derailment, to a medical emergency, to a security breach. The following examples outline only some of our training requirements.

- Emergency Preparedness Training: We receive training to be prepared to respond to any emergency situation, such as a derailment, service interruption or fire. We are also required to have emergency preparedness training to respond to injuries and illnesses, which includes emergency care that covers CPR and the use of automatic defibrillators. This training is required every two years and we are not permitted to work if our training is not current.
- First Aid Training: We receive training to be prepared to respond to an on-board injury or illness of a passenger or co-worker and are governed by first aid procedures.
- On-Board Passenger Safety Training: We receive training to be prepared to assist passengers with on-board safety while on the train. We assist passengers with basic but important requirements while on board, such as wearing shoes at all times, not standing in vestibules, no running, using seatbacks and luggage racks for stability, and safe boarding and exit.
- Training to Assist Passengers with Disabilities: We receive training to assist passengers with disabilities, both non-wheelchair and wheel-chair assistance, and service animals.
- Emergency Evacuation Training: We receive training to evacuate passengers from trains in the event of an emergency, to use emergency on-board equipment and to respond to particular types of accidents, such as train emergencies in tunnels.
- Training on Responding Bomb Threats/Unattended Items: We receive training to be prepared to respond in the event of a bomb threat or other terrorist activity, and training to be vigilant for unattended items and how to respond.
- Training on FDA Rules and Inspections: We receive training on FDA rules and inspections. We are governed by policies and procedures for the safe handling of food, the inspection and monitoring of food service equipment, including refrigerators and freezers, and safe procedures for supplying coaches with water and refilling storage tanks.

In addition to this situation-specific training, on-board service workers have to know every different type of car in the train because if there is an emergency situation, we have to open and lower traps, make train-to-train passenger transfers and direct emergency evacuation. These skills are especially important in tunnels and on bridges. Also during most service disruptions, on-board service employees are the sole point of contact for passengers for information.

The examples below help to illustrate the need for this training.

- In December 1989, in response to an on-board bomb threat, service workers safely evacuated train passengers.
- In May 2001, the California Zephyr derailed in Iowa. On-board service workers responded by evacuating passengers from overturned coaches and provided them assistance until local first responders arrived at the scene.
- In April 2002, the Auto Train derailed in Crescent City, Florida. In response, on-board service workers popped out windows and helped passengers to safety, tending to them until emergency responders arrived.
- In June 2011, the California Zephyr had an accident in Nevada. On-board employees – including the food service workers – were essential in order to evacuate and care for passengers.

For additional information relating to the extensive safety and security training we receive, please refer to the attached table of contents from Amtrak's Service Standards Manual, which governs the work we perform. In addition, annually we are required to attend "Block Training," a two-day class that includes safety and security training as well as customer service related training.

As I stated previously, given the use of titles such as "Service Attendant" or "Food and Beverage Service," it is understandable that some may not really understand our jobs, what we do and the critical importance of our professional safety and security functions. Before criticizing our pay or demanding federal subsidies for corporations that will replace us with a minimum wage employee, I urge you to consider the full range of duties we perform.

Food and Beverage Functions

The food, beverage and customer service aspects of the work we perform are extremely demanding for a host of reasons. Many here in Washington simply do not understand the nature of this work. We are on our feet for most of our shift. If it is a single day shift, as I work on the Northeast Corridor, then it will last from 12 to 18 hours. Life is more grueling on the long distance routes. If the trip takes three to six days, then we will work 16 hours every day. If the trip is a week or more, then we will work 46 hours in a 68 hour window. That works out to less than four hours of sleep a night. The work we do appears quite simple because people only see us serving a burger and soda. But the reality is more complicated. It is the parts of our jobs that most people do not see or understand that place real demands on Amtrak's service workers.

In addition to the safety and security functions, On-Board Food Service Attendants must comply with extensive policies, procedures and instructions that govern the delivery of food and customer services, many of which require specialized training to perform. These responsibilities

include, but are not limited to, on-board accounting procedures, announcements and signage; service recovery procedures, baggage handling, customer service and uniform requirements.

For a Lead Service Attendant – Café/Lounge on the ACELA, the job includes extensive pre-departure, en-route and end-of-trip responsibilities. Table 1 (Pre-Trip), Table 2 (En-Route) and Table 3 (End-of-Trip) provides a look at a typical day of a Lead Service Attendant-Café, excluding any unusual occurrences, service delays, emergencies or other incidents.

LSA-Café Work Day on Northeast Corridor- Pre-Departure Work		Table 1
5:15 AM	Report For Work	(Washington to Boston Trip)
	<ul style="list-style-type: none"> * Sign in and receive safety briefing, uniform inspection with possible bank and tool check * Confer with supervisor regarding unusual occurrences, conditions or schedule changes * Check bulletin board for recent operation or service memos * Review manifest to identify business class customers, or if there are groups, special requests * Inventory Stock, report shortages, and submit backorders to vendor * Check stock to make sure it is usable, in-date * Complete paperwork (896) * Properly store stock * Inspect equipment and report any defects to mechanical department * Check HVAC, water, doors, lighting, seating, contact surfaces, etc.... * Check food service equipment and temperatures of refrigerators and freezers * Verify Cash register or POS is installed and functioning properly * Set up credit card machine * Inspect interior of café car for cleanliness and defects. * Inspect bathroom for cleanliness/properly stocked * Check wall menus * Check to confirm that the required Forms, tools and supplies are on-board * Set-up service display (Counter) * Set-up bar-back display * Prepare support materials * Fill condiment trays * Make coffee * Greet and assist passengers 	
LSA-Café Work Day on Northeast Corridor –En-Route Work		Table 2
	7:00 AM Depart on Train No. 2154 – Destination Boston	
	<ul style="list-style-type: none"> * Maintain a professional demeanor and appearance * Provide high level customer service * Make required service announcements * Greet and assist passengers * Provide customer information 	
LSA-Café Work Day on Northeast Corridor –End-of-Trip Work		Table 3
11:30 PM	Arrive on Train No. 2173 - Washington	
	<ul style="list-style-type: none"> * Inventory supplies and separate condemnation * Close out cash register * Close out credit card machine * Complete inventory and sales report form (Transfer Out Form) * Reconcile Transfer Out Form and cash register report * Note defects on the mechanical report * Clean work areas 	

All of this work is governed by quite rigorous policies, procedures and standards, as illustrated in the Service Standards Manual Table of Contents attached with this statement. This example only applies to a Lead Service Attendant on the NEC between Washington, D.C. and Boston, Massachusetts. On a long-distance train, when food service attendants are on trips of three to six days, or beyond, working 46 hours in a 68 hour window for instance, the work becomes much more demanding.

As stated previously, this example is based on a normal day. If there were to be an emergency, service disruption or train failure, the workday would become even more demanding.

Criticism of the Food and Beverage Service

The Amtrak Food and Beverage Service Savings Act (H.R. 3362), which was included in the American Energy and Infrastructure Jobs Act (H.R. 7), required the Federal Railroad Administration to solicit bids for the food and beverage service on Amtrak trains. It also redirected Amtrak appropriations to cover a private contractor's losses. In effect, this prohibited Amtrak from losing money on food and beverage service, but forced the railroad to use its federal funding to subsidize a private contractor's losses. This flawed provision obviously failed to appropriately take into consideration the extensive job requirements of on-board service workers that provide food and beverage service as well as the training requirements necessary to ensure the safety and security of passengers.

Proponents of privatization justify their proposals by pointing to Amtrak's food and beverage budget losses. While scrutiny of food and beverage service is appropriate, it misses a larger point. The travel industry as a whole generally does not view food and beverage as directly contributing to its bottom line. Rather, it is used as a loss leader to drive ticket sales in an effort to increase revenues. Amtrak's food and beverage service is no different in this regard. The proponents of privatization actually ignore this very important lesson from the private sector.

Congress has tried to micro-manage Amtrak's food service on previous occasions, but never successfully. In 2006, the company was forced to streamline service on dining cars by replacing china with paper products and replacing made-to-order entrees with pre-cooked microwaveable food. It was also forced to eliminate pots and pans and all grill work from the train. But due to passenger demand, Amtrak ended up scrapping the Congressional model and additional grilled entrees were put back on the train.

Studies show that Amtrak customers attach significant value to the availability of food service on board. It is an essential part of the passenger rail experience and differentiates it from other forms of transportation. If food and beverage service quality declines under a low-cost contractor due to procurement of cheap food or to staff cuts, overall Amtrak ticket revenue could decline, eliminating the intended cost savings.

Conclusion

There are some who consider on-board service employees overly compensated for the skill set required to prepare meals and provide customer service. However, this argument ignores the personal sacrifices necessary for this career: mental and physical exhaustion, sleep deprivation and stress due to the rigorous working environment and conditions, extremely long hours and insufficient diet, each of which attributes to myriad of medical conditions experienced by workers. It also ignores the extensive training employees receive to respond to medical and safety emergencies. We are not paid for the expertise required to perform the portion of our

work related to food service, we are compensated for the degradation to our bodies, the stress to our health and the pressure on our personal lives caused by the necessity to work long hours under arduous conditions while maintaining a personable and pleasant demeanor.

Congress, particularly leadership on this committee, is proposing to abruptly end my career by dictating that the important work we perform be outsourced to a contractor -- contracted-out with no promise of well qualified personnel, no promise of a living wage and no promise of any benefits. Simply put, that is not fair to Amtrak's on-board service workers that have made the same commitment and investment that I have made over the years. It is not fair to Amtrak's leadership who, in particular over the past several years, have worked feverishly to reduce costs while improving services, with significant work underway that will result in further cost savings and improvements. Most importantly, it is not fair to Amtrak passengers, who pay for, expect and deserve safe and reliable service on their journey. They are owed the assurance that Amtrak employees are well qualified to respond appropriately and protect the safety and interests of its customers.

Beyond fairness and decency, the privatization proposal makes no sense and does not reflect true American values. This begs serious questions. Why are some members of Congress promoting the elimination of good middle class jobs with decent pay and benefits? Why do they want to turn this work over to unproven contractors that would likely pay minimum or poverty level wages, offer minimal or no health benefits and no retirement benefits, and be willing to jeopardize the safety and security of the passengers?

I have spent my life working for Amtrak with a promise of earning a fair wage and getting a decent Railroad Retirement pension, which is funded solely by contributions from railroads and their employees. When I joined Amtrak, I had no expectation this job would make me a rich man. But it is honest and respectable work with long hours. It allowed me to provide for my family, help send my two girls to college and live a decent middle class life. I have invested over three decades into this career. I work hard, earn a decent living and I expect to retire with dignity. I urge you to consider this before eliminating these good American jobs.

Again, I thank for the opportunity to testify before this committee.

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Definitions & Abbreviations1

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COMMITTEE ON TRANSPORTATION AND INFRASTRUCTURE
Truth in Testimony Disclosure

Pursuant to clause 2(g)(5) of House Rule XI, in the case of a witness appearing in a nongovernmental capacity, a written statement of proposed testimony shall include: (1) a curriculum vitae; and (2) a disclosure of the amount and source (by agency and program) of each Federal grant (or subgrant thereof) or contract (or subcontract thereof) received during the current fiscal year or either of the two previous fiscal years by the witness or by an entity represented by the witness. Such statements, with appropriate redaction to protect the privacy of the witness, shall be made publicly available in electronic form not later than one day after the witness appears.

(1) Name:
Dwayne Bateman

(2) Other than yourself, name of entity you are representing:
Amtrak Service Workers

(3) Are you testifying on behalf of an entity other than a Government (federal, state, local) entity?

YES If yes, please provide the information requested below and attach your curriculum vitae.

NO

(4) Please list the amount and source (by agency and program) of each Federal grant (or subgrant thereof) or contract (or subcontract thereof) received during the current fiscal year or either of the two previous fiscal years by you or by the entity you are representing: N/A


Signature

7/31/12
Date

Dwayne Stanley Bateman

Amtrak Lead Service Attendant
Vice-General Chairman Amtrak Service Workers Council

1978 to Present Amtrak Lead Service Attendant : Responsible for providing a high level of customer service and implementing Amtrak's On-Board Service policies and procedures as they affect passengers on On-Board Service employees.

1981 to 1986 Amtrak Crew Base Supervisor: Managed On-Board Service Crew Base operations related to employee supervision, staffing, scheduling and associated hotel billing.

2000 to Present Amtrak Service Workers Council (ASWC) Vice-General Chairman: Service and assist UNITE-HERE Local 43 and associate ASWC members in the East Coast District with matters concerning contractual violations, discipline and benefits.

1997 to 2000 Amtrak Service Workers Council Local Chairman: Assisted the Vice-General Chairman in the performance of his duties for the Washington D.C. HERE International Union Local 43 members and associated ASWC members.

Note:

- 2 years Saint Francis College (Biology/Mathematics Major)
- 35 years in the industry without a reportable injury
- Numerous letters of accommodation from customers and Amtrak
- Steering Committee Member for Operation Redblock Drug intervention and intervention program for 12 years
- Supporter of Amtrak's Safe-to-Safer Program promoting safety and "cultural change" within our company
- Member of Washington, D.C. Safety Committee