Airline Passengers with Disabilities Bill of Rights

The U.S. Department of Transportation worked with members of the Air Carrier Access Act Advisory Committee, 2019-2021 which includes voices from the disability community (United Spinal Association was a member) and industry stakeholders to create the Airline Passengers with Disabilities Bill of Rights.

This Bill of Rights describes the fundamental rights of air travelers with disabilities under the Air Carrier Access Act and its implementing regulation, 14 Code of Federal Regulations (CFR) Part 382.

The Bill of Rights

1. The Right to Be Treated with Dignity and Respect.
2. The Right to Receive Information About Services and Aircraft Capabilities and Limitations.
4. The Right to Accessible Airport Facilities.
5. The Right to Assistance at Airports.
6. The Right to Assistance on the Aircraft.
7. The Right to Travel with an Assistive Device or Service Animal.
8. The Right to Receive Seating Accommodations.
9. The Right to Accessible Aircraft Features.
11. Please click this link to download the latest version of the Bill of Rights.

Click here for Airline Passengers with Disabilities Bill of Rights PDF.

Click here for helpful disability rights, travel and consumer complaint information.
June 9, 2023

The Honorable Maria Cantwell  
Chair  
Committee on Commerce, Science, and Transportation  
United States Senate  
Washington, DC 20510

The Honorable Ted Cruz  
Ranking Member  
Committee on Commerce, Science, and Transportation  
United States Senate  
Washington, DC 20510

The Honorable Sam Graves  
Chairman  
Committee on Transportation and Infrastructure  
U.S. House of Representatives  
Washington, DC 20515

The Honorable Rick Larsen  
Ranking Member  
Committee on Transportation and Infrastructure  
U.S. House of Representatives  
Washington, DC 20515

Dear Chair Cantwell, Chairman Graves, Ranking Member Cruz, and Ranking Member Larsen:

On behalf of the 2 million members of the Service Employees International Union (SEIU), including over 36,000 airport service workers, many of whom provide essential services to air passengers with disabilities, I am writing to express our strong support for HR 1267/S 545, the Air Carrier Access Amendments Act of 2023 (ACAAA). This important legislation would update the Air Carrier Access Act which was passed by Congress in 1986 to prohibit discrimination based on disability in air travel. Yet according to both passengers with disabilities and our members who support them, the law does not ensure these passengers’ full and equal enjoyment of air transportation. The ACAAA would improve conditions for both passengers and the workers who serve them by requiring standards to address effective boarding and deplaning; enforcement measures to drive changes in behavior by airlines; and a clear timeline for compliance.

Airport service workers – a workforce that is most often powered by Black, brown and immigrant workers – serve the traveling public as cabin cleaners, baggage handlers, and terminal janitors, and include those responsible for providing legally mandated services to passengers with disabilities, both those who require wheelchairs, and those who travel with their own assistive equipment. They help passengers with disabilities navigate through an airport using wheelchairs or carts, while providing vital boarding, deplaning, and connecting assistance. They may help transfer passengers from their wheelchairs into aisle chairs and then into airplane seats, a procedure that often can be very dangerous for passengers with disabilities if not performed correctly. Baggage handlers and other ramp workers are responsible for the safe moving and stowing of expensive personal assistive equipment. And in a safety or security emergency, our members are often the ‘first’ first-responders to evacuate elderly and disabled passengers, lead them to places of safety, and provide support, comfort and information.

However, the public record suggests that airlines have not provided passengers with disabilities with the services to which they are entitled under federal law, by failing to create a stable and professional passenger services and cargo handling workforce capable of delivering these services. Airlines’ aggressive cost-cutting has resulted in problems our members have reported for years: short-staffing and high turnover, insufficient and poorly functioning equipment, and often improper training regimes that do not adequately prepare workers for the services passengers with disabilities have a right to expect.
In 2021, the United States Government Accountability Office identified many of these problems as factors affecting services for passengers with disabilities: not enough personnel to serve all passengers well; employee turnover, exacerbated by seasonality, low wages and limited benefits (such as no or limited sick leave), and the physical demands of assisting passengers.

The GAO’s findings dovetail with those reported by passengers themselves, according to an online survey by the Paralyzed Veterans of America and 11 other disability organizations:

- 16% have been dropped, and 23% injured or hurt during aisle chair transfers;
- 60% experienced damage to their wheelchair, and 28% had an accessory lost;
- 56% had delays in returning their wheelchair.

The passengers’ views are validated by United States Department of Transportation data showing that from December 2018 to March 24, 2022, based on airline reports, DOT announced that 20,000 “lost, damaged or completely destroyed” wheelchairs, and that reports show that an average of 1,000 more added to that total every month. To understand the scale of airlines’ poor performance, in January, 2023 DOT reported the “mishandling” rate for wheelchairs and scooters was more than double the rate for luggage (1.81% to 0.81%).

The respondents, particularly those who need physical assistance in boarding, identified assistive workers’ often being not properly trained and not provided with proper equipment among the root causes for their problems. These experiences were significant enough that more than half the respondents said they avoid flying because of personal safety during transfers, and nearly three-fourths avoid flying because of potential damage to their wheelchair. From their different vantage points, passengers with disabilities and the workers who provide services for them agree, backed up by GAO and DOT evidence, that despite the legal requirements, airlines are failing to provide the services - and the stable and professional service workforce - that passengers must rely on to access air travel.

For these reasons, SEIU strongly endorses the Air Carrier Access Amendments Act of 2023, especially its provisions that require the Secretary of Transportation to formulate standards to address effective boarding and deplaning, which would help remedy airlines’ longstanding staffing, equipment and training failures. If you have questions for SEIU related to this nomination, please contact Isaiah Wilson, SEIU’s Assistant Director of Legislation, at isaiah.wilson@seiu.org.

Sincerely,

Mary Kay Henry
International President

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