

Injured flight attendants speak to the WSW

# The workers' compensation nightmare at Delta Airlines: Part one

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*This article is the first in a three-part series. Part two will be published tomorrow.*

Several seriously injured Delta Airlines flight attendants recently spoke to the *World Socialist Web Site* about the hellish ordeal confronting workers who seek assistance through the company's workers' compensation system.

The flight attendants reached out after the WSW published a story about Michelle Quinones. Michelle is an injured Amazon worker in Texas who for a year was denied surgery to correct wrist injuries sustained on the job, and who was subjected to surveillance and harassment by private investigators hired by Sedgwick, Amazon's third-party workers' compensation administrator.

Sedgwick is also the administrator for Delta. Even by the standards of the misnamed "workers' compensation" system in the US, where third-party firms are contracted by employers to provide as little payout as possible to injured workers, Sedgwick has gained a reputation for its ruthlessness.

One flight attendant, whose case is not handled by Sedgwick because her injury occurred before Sedgwick was contracted by Delta, said, "The doctors whom I've spoken with tell me that Sedgwick is even worse than [the firm handling my case]. They don't even have licensed doctors reviewing cases sometimes. That really struck me, with the standard of care in this country being as low as it is and me being permanently disabled, and to be told 'it could be even worse under Sedgwick.'"

As is common in workers' compensation, Delta, through its claims administrators, subjects injured flight attendants to surveillance and harassment. One flight attendant described run-ins with strangers asking detailed questions about herself, parked cars of investigators at the end of her block for days at a time, and neighbors receiving requests to set up surveillance cameras pointed at her apartment. Auto mechanics even found a GPS tracker attached to the underside of her car during a routine inspection.

Delta's mistreatment of injured flight attendants is the product of many decades of cost-cutting, including massive layoffs and cuts to wages, pensions and health care in recent years. The airline industry's assault on its workforce became particularly severe during the industry's slump after the September 11 attacks and subsequent bankruptcies by Delta and other major carriers.

The US airline industry cut over 167,000 "full-time equivalents" or FTE's between 2001 and 2010, according to the federal Bureau of Transportation. While total employment has seen modest increases since 2013, job levels remain 106,000 below 2001 levels.

"Before 9/11 there were already financial problems and the company was in massive cost-cutting mode," a flight attendant, who asked not to be identified, said. "They started charging us for insurance. We all took pay cuts.

"Then 9/11 hit. You had reorganizations on top of reorganizations, and they started subcontracting things out instead of handling it in-house. Employees took a 40, 50 percent pay cut. I was out injured, so I was getting only 70 percent on top of that 50 percent wage cut. With all the chaos and confusion, I had my health insurance canceled three times, and found out only when I tried to pay with my insurance to the pharmacy or doctor."

As the major airlines exited bankruptcy, the industry went through a series of mergers and acquisitions. The aim was to improve profitability and control costs by setting prices on the basis of a reduced number of larger airlines and by eliminating unprofitable or overlapping routes.

In 2010, Delta merged with Northwest Airlines. In contrast to the nonunion flight attendants at Delta, Northwest flight attendants were organized by the Association of Flight Attendants-CWA. The AFA narrowly lost an all-or-nothing vote to unionize all of Delta's flight attendants in 2010, resulting in the end of the union across the entire combined company.

While the AFA alleged vote tampering by Delta, the substantial "no" vote was an indictment of the union's own record. It had crossed the picket line alongside the pilots' union during the 2005 airline mechanics' strike at Northwest, allowing the company to continue operations. The International Association of Machinists (IAM), which has launched several unsuccessful drives to unionize Delta, also scabbed on the mechanics' strike, taking over some of the jobs of the strikers.

However, the loss of their former health care plan worsened conditions for flight attendants who came over from Northwest. "The Northwest flight attendants assumed their premiums would be waived when they were injured on the job because that's how it was with their old health care plan, but no," a longtime Delta flight attendant said. A former Northwest flight attendant explained that Delta takes money from their workers' compensation settlement

out of their Northwest pensions.

Flight attendants who spoke to the WSWs described a regime of speedup and intimidation by management that increases the risk of injury. Attendants are not even allowed time to grab a sandwich in the terminal in between flights and are grilled by management for minor infractions.

They already work in the eighth most dangerous profession in the United States, according to a *Business Insider* report based on Department of Labor statistics, with the most common workplace hazards being “exposure to contaminants,” “exposure to disease and infections” and “exposure to minor burns, cuts, bites or stings.”

Increasingly cramped cabins and turbulence, together with the physical strain of moving luggage and pushing heavy drink carts, have combined to produce serious and even life-threatening injuries.

Serious physical injuries, including broken bones, spinal injuries and nerve damage, are becoming more common, flight attendants told the WSWs. “There have never been more shoulder injuries in the history of the company,” one woman said. “There are more shoulder injuries than anything today that I read about on Facebook.” Another flight attendant described to the WSWs how she was injured and ultimately permanently disabled during turbulence as her flight flew over a tropical storm, after the company refused to delay or cancel the flight.

“God forbid you ever be late,” one flight attendant said. “I had heard on social media that one woman got in a car accident and the front of her car was hanging over the edge of an overpass, and the company told her to take an Uber.

“I never knew how much stress I was under until I stopped flying. There is always this fear of being late due to traffic. There was one morning, I was leaving my house in a blizzard and I just couldn’t believe I got to work. I hadn’t changed out of my winter boots and I didn’t have to sign in for another 3 hours, and they were all over me for my shoes. They told me to buy a new pair of shoes. Now technically that was on my own time, and that was an honest mistake, but they said we’re going to put it on file that you showed up out of uniform. I said, ‘Fine, write me up, see if I care.’”

Once flight attendants are injured (referred to by Delta as an OJI, or On the Job Injury), they are forced to jump through a series of Byzantine hoops in order to receive treatment. Delta provides only a summary of its OJI procedures on its online employee portal, meaning injured workers are forced to navigate the process at the mercy of the company.

“Before Facebook and social media, we were completely on our own,” one flight attendant said. “Every time I called HR they told me to look at the summary. I was able to finally get a full copy, and then I could see all of the fine print for the first time.

“Delta’s definition of ‘disabled’ changes once you go on long-term disability to being unable to work any kind of job anywhere. So if you could work part-time as a greeter at Wal-Mart, they don’t consider you disabled. But they don’t tell the employees this.”

The quality of the health care flight attendants receive through workers’ comp, even when it is approved, is substandard, often

performed by unqualified individuals. One woman said that her original surgeon had botched her back surgery, requiring several additional surgeries to fix.

“From my own experience, Delta blames Sedgwick, and vice versa,” she said. “But Sedgwick is hired to save money, get you to return to work while injured. And the denial of claims is insane. When I go to a doctor next this spring, I will have waited one year for the appointment.” Multiple flight attendants said that Sedgwick attempted to blame their injuries on pre-existing “genetics.”

“I have to go to a judge to make Sedgwick send me to a doctor,” the attendant said. “I have to go back to court over and over. I still need the hardware to come out of my back from the spinal fusion I had, and that was supposed to come out two years ago. This causes me a lot of physical pain, and worse, it could end up herniating the discs above and below where the brace was installed. But I won’t know if I suffered that kind of damage until I am finally able to go back to a doctor.”

She added that she moved across the country after her initial injury, but because Delta/Sedgwick won’t transfer her case, she has to fly over a thousand miles on standby to receive treatment out of state.

Sedgwick sent another woman to a sleep study center, rather than a neurologist, for a nerve conduction study, a procedure that involves sending electrical currents through needles inserted into various parts of the body. The technician who performed the study had been working for only a few weeks and had no college degree. That person botched the procedure. When the flight attendant’s primary physician found out about the incident, he erupted in anger, saying that she could have been permanently injured.

Delta flight attendants have set up two private Facebook groups to help each other navigate the workers’ comp process. Between the two groups there are thousands of members, an indication of the number of injuries flight attendants suffer at the company. Page administrators work to keep members of management and company spies out of the groups, because they know from experience that they could easily be victimized for speaking out.

Flight attendants know that Delta has people on staff whose full-time responsibility is trolling the social media pages of its employees, searching for any negative statements about the company. Because of this, many of the flight attendants who spoke to the WSWs requested anonymity, out of fear that Delta could punish them by firing them and eliminating their benefits. “Delta is an outlaw company,” one flight attendant said.

*To be continued*



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