

Disability Rights Network of Pennsylvania

A merger of PP&A and the
Disabilities Law Project

Advancing the rights of people with disabilities

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October 29, 2010

Doug Parker
Chairman and Chief Executive Officer
US Airways
4000 E. Sky Harbor Blvd.
Phoenix, Arizona 85034

Re: Policy on Passengers with Disabilities

Dear Mr. Parker:

On behalf of the Disability Rights Network of Pennsylvania (DRN), the Pennsylvania Developmental Disabilities Council (DDC), and the University Center for Excellence in Developmental Disabilities at Temple University (Center), I am writing to express our disappointment to learn that US Airways barred a man with a disability traveling alone from one of its flights based on its policy of prohibiting individuals with disabilities from traveling unaccompanied if they cannot assist themselves in the event of emergency. This policy and its implementation are discriminatory and should be rescinded immediately.

DRN is the non-profit organization designated to protect the rights of and advocate for Pennsylvanians with disabilities pursuant to federal law. 42 U.S.C. §§10801-10807; 42 U.S.C. §§15041-15043; 29 U.S.C. §794e. The DDC is a group of Pennsylvanians with disabilities, family members, advocates, and state officials who, pursuant to federal law, develop actions and strategies to lead to more integrated and productive lives for citizens with disabilities. 42 U.S.C. §15021-15029. The Center is part of a national network of university-based Centers for Excellence in Developmental Disabilities Education and is charged by federal law to provide leadership in, advise policymakers about, and promote self-determination and integration of people with disabilities. 42 U.S.C. §§15061-15066.

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Recently, DRN, DDC, and the Center were apprised that US Airways forced Johnnie Tuitel, a man with cerebral palsy who uses a wheelchair, to leave a US Airways flight after he boarded. US Airways staff reportedly informed Mr. Tuitel that he was "too disabled" to fly alone. As a result, Mr. Tuitel was humiliated and inconvenienced and missed giving a speech at the National Self Advocacy Conference in Kansas City. In response to the story, US Airways stated that the flight staff was enforcing an airline policy that a passenger with a disability can only fly alone if he or she is physically able to assist him or herself in the event of an emergency.

US Airways' policy of barring individuals with disabilities from flying alone if they may need assistance in the event of an emergency is discriminatory. In the event of an emergency, many non-disabled individuals may be injured, become disoriented, or otherwise need assistance from airline personnel, yet US Airways does not bar non-disabled solo travelers or test their ability to assist themselves in the event of emergency before allowing them to fly. The irrationality of this policy is demonstrated by the fact that Mr. Tuitel frequently has flown unaccompanied on other occasions. Indeed, he was able to book a flight and fly by himself without incident several days later on another airline that did not have a policy similar to that of US Airways.

US Airways has hubs in Philadelphia's and Pittsburgh's airports. Thousands of Pennsylvanians fly US Airways each year. The report concerning Mr. Tuitel and US Airways' policy raises serious concerns that Pennsylvanians with disabilities will be at risk of removal from US Airways flights if they choose to fly unaccompanied based on US Airways' discriminatory policy. Accordingly, DRN, DDC, and the Center strongly urge US Airways to rescind this policy immediately to avoid discriminating against any future passengers with disabilities.

Sincerely,



Ilene W. Shane
Chief Executive Officer
Disability Rights Network of Pennsylvania