

Skycaps Win Lawsuit Over \$2-A-Bag Fee

By DENISE LAVOIE

BOSTON (AP) — A federal jury on Monday awarded more than \$325,000 to nine Logan International Airport skycaps for American Airlines who claimed they lost tips when the airline instituted a \$2 fee for checking a bag at curbside.

American Airlines said its decision to impose the baggage fee in 2005 was an attempt to bolster its finances after it lost \$821 million in 2004. The fee is split between the airline and the contractor it hires to operate its curbside check-in service.

Skycaps complained in the lawsuit that many passengers were confused and thought the \$2 was going to them as a tip, while others saw the new fee as a forced tip and therefore weren't willing to give them a gratuity on top of that.

The jury did not award any damages to a skycap in the lawsuit who works at Lambert-St. Louis International Airport in Missouri.

An analyst said the jury's verdict could potentially have a ripple effect through the industry because many major airlines began imposing baggage fees following a steep decline in airline travel after the Sept. 11, 2001, terrorist attacks. United, US Airways and Northwest are among the airlines that also charge a baggage fee.

"This is monumental," said Terry Tripler, owner of triplertravel.com in Minneapolis.

"There's got to be a lot of attorneys looking at this and saying, 'OK, let's call up Northwest, let's call up United, let's see where they are, what do they pay their skycaps?'" Tripler said. "I think this is just the beginning. This jury opened up a real can of worms."

Shannon Liss-Riordan, the attorney who represented the skycaps, said she plans to ask a judge to grant class-action status for a lawsuit that could cover hundreds of American Airlines skycaps who have lost tips since the baggage fee was imposed.

"American decided to redirect cash from the pockets of the skycaps to the coffers of American," Liss-Riordan said after the jury announced its verdict.

The \$325,000 is to be split among the nine Boston skycaps in varying amounts, depending on how many bags they checked from 2005 — when the fee was imposed — until now. The interest the jury awarded has not yet been calculated, Liss-Riordan said.

Don DiFiore, a skycap from Malden who has worked for American Airlines for 25 years, said his tips plummeted drastically after the baggage fee went into effect. "Almost immediately, I had to shut off my phone and my TV. I live with my girlfriend now. I actually lost my apartment," he said.

DiFiore, 47, said many passengers are confused when he asks them for the \$2 fee. "Usually, I'm asked, 'Who gets this tip? Who gets this?'" he said. "I'm certain that some people thought I was getting that \$2."

A spokesman for American Airlines said the airline is considering an appeal. "American Airlines is disappointed by the verdict and the amount awarded," said spokesman Tim Wagner. "We are evaluating our options at this time."

American Airlines said in court papers that it was facing tough fiscal times in 2005, when it began testing the fee-based curbside check-in program at Logan and other selected airports around the country.

American said it posted signs at several locations on the curb informing passengers that they now had to pay \$2 per bag not including gratuities.