

Airline Making Heavyset Flyers Buy Extra Seat

Source: Pittsburgh Post-Gazette

Author: Dan Fitzpatrick



Southwest Policy Doesn't Sit Well With 300-Pound Dentist

All Murrys ville dentist Michael Gigliotti wanted was a relatively cheap, last-minute flight from his mother's house in Florida to a natural-gas auction in Texas.

But a \$552 bill for the late-February trip quickly went up when a late-boarding passenger complained he could not fit in the seat next to the 5-11, 300-pound Gigliotti. A supervisor from Southwest Airlines boarded the plane, crouched next to Gigliotti and said he would have to pay for a second seat on the return flight, claiming the dentist's large frame would not fit entirely in the 17-inch-wide space.

Gigliotti did not feel humiliation -- just rage.

"This won't hold up in court," he told the Southwest supervisor.

"It already has," was her response, according to Gigliotti.

The exchange captures a touchy topic in aviation -- how to deal with larger passengers as the nation's waistline expands. More than one-fourth of Americans are now classified as obese, and in an industry obsessed with fitting as many people as possible inside a giant aluminum tube, airline seats have shrunk to 16 inches measured from arm rest to arm rest -- narrower than an average-size computer keyboard and a tighter fit than the typical office chair or general-admission movie seat.

"The airline seats are simply too small for a high percentage of the flying public," Gigliotti said. "We are getting bigger, we're getting taller, we're getting wider."

Southwest is not the only major airline with a large-seating policy. US Airways, Northwest Airlines and America West Airlines all can require an overweight passenger to pay for two seats but said they do everything they can to find a pair of empty adjoining seats on the plane at no additional charge. Midwest Connect, which serves Pittsburgh from Milwaukee, requires that passengers unable to fit in one seat buy two; if there are other seats available on the same flight, they will be refunded for the second.

But other carriers serving Pittsburgh, including United Airlines and Delta Air Lines, have no large-seating requirements. Hooters Air, an airline featuring slim, scantily-clad "Hooters girls" as flight entertainment, has no such policy, either.

"We love large people," said Hooters Air President Mark Peterson. Hooters, which flies from Pittsburgh to Myrtle Beach, S.C., has never charged for an extra seat, he said, and fitting a larger passenger onboard has never been an issue in two years of operating the airline.

While critics of Southwest's policy acknowledge that other airlines do the same thing, some said Southwest deserves to be singled out for its rigidity. "Southwest really expects its employees to enforce it," said Mary Ray Worley, a board member on the Sacramento, Calif.-based National Association to Advance Fat Acceptance.

At other airlines, she said, "it seems to me their employees exercise a lot more of their own judgment in enforcing or not enforcing their policies. A lot depends on the prejudices of the employees involved."

The large-seating policy is nothing new for the Dallas low-fare carrier, considered one of the industry's most successful companies, having made a profit 31 years in a row. It initiated a "customer of size" policy in 1980, requiring a larger passenger unable to fit in one seat to pay for two. But the airline, saying it could no longer ignore complaints from slimmer passengers, began enforcing the policy more vigilantly in 2002, requiring passengers to pay for the extra space even if others were available on the same flight. A refund is made available if the flight takes off with empty seats.

Each case is a judgment call. There are no scales at the check-in counter. The test appears to be whether a passenger can sit in one seat without lifting the armrest.

The increase in enforcement, leaked in a 2002 memo from Southwest President Colleen Barrett, sparked a few lawsuits and criticism from fat acceptance groups as well as jokes from NBC "Tonight Show" comedian Jay Leno.

The negative attention was unusual for Southwest, used to glowing PR. Leno, in one of his monologues, stuck it to the Texas company, saying, "Boy, Southwest is cracking down on overweight passengers. Now any fat people standing in front of the terminal for more than 15 minutes will be towed." In another joke, he said Southwest had "been overstating each passenger's weight by 80 pounds so they can sell more fat ass seats."

Southwest spokesman Ed Stewart attributed the controversy to "entertainment value." He mentioned the jokes from Leno and said "the reason you do it is because you think you can get a laugh out of it and it is something that affects everybody." The constant attention has "nothing to do with news value." It is little more than "people liking to make fun of other people."

Most passengers, he said, like the policy.

"For every 10 letters you get, nine of them will say they did not enjoy their flight because someone was sitting on them," Stewart said.

A few, though, were upset enough to sue.

New Hampshire businesswoman Nadine Thompson filed a lawsuit last year claiming she had no problem fitting into a Southwest seat but still was asked to pay for a second seat on a Manchester, N.H.-Chicago flight. When she refused, she was escorted from the plane, according to her lawsuit.

Another woman in Spokane, Wash., filed a suit last year saying Southwest humiliated her in front of other passengers on a Orlando-Spokane flight, and that she spent the ride home in tears over her experience.

But no one yet has been successful in overturning the policy in court. In 2000, a California judge ruled that Southwest's policy was "reasonable and not discriminatory" after a woman weighing 300 pounds sued. The woman's civil rights were not violated, the court said.

But "I still think it's discriminatory to make me buy two seats," said the 5-foot-1, 350-pound Ray Worley, of the National Association to Advance Fat Acceptance, who often will call ahead before booking flights to make sure there is enough room. "I believe I am entitled to the space I take up. It's a basic civil right issue. A lot of people believe it is within my control to be whatever size I am. That is completely false."

When Southwest began enforcing its policy more strictly, it went before the National Association to Advance Fat Acceptance's annual convention in Atlanta to explain it. It did not go well, according to Ray Worley, who was there. If Southwest hoped to make the policy more palatable, "They completely failed. ... The impression I got was they do not want fat people flying their airline. They don't want our business. They want us to go away."

"What would make me want to fly Southwest?"

Airline industry expert Terry Trippler said his biggest problem with the policy is its lack of consistency. If gate agents on one end of a round trip allow a large passenger to pay for only one seat, then the gate agents in another city should arrive at the same decision. But it doesn't always happen that way, Trippler said, and "everybody doesn't always have twice as much money for the airline ticket."

"It's a tough call."

Gigliotti, the Murrysville dentist, also has a problem with the way the policy is applied. "I think there has to be a measurable standard," he said.

"The standard should be, can you put the arms down?"

Gigliotti, who said his shoulders are wider than his waist from weightlifting, claims that he was able to get his arms down "without undue stress." The company, on its web site, said the armrest is the "definitive gauge." But in a Q&A about the policy on its Web site, Southwest said employees can still question the passenger "if a concern exists. ... Condoning an unsafe, cramped seating arrangement onboard our aircraft is far more inappropriate than simply questioning a customer's fit in our seats."

Asked about Gigliotti's experience, Stewart, the Southwest spokesman, said, "I am sure he is a very slim 300 pounds" and it is "always going to be a judgment call." But every time the policy has been challenged, in court, "we have prevailed."

Gigliotti was not charged extra for one leg of his trip, from Tampa to San Antonio, but he was charged for a second seat on the return trip to Tampa, despite the presence of other empty seats on the plane, he said. He was able to get a refund by calling a customer service number, but the experience is still with him. He fired off a letter last week to Southwest calling its policy "arbitrary and capricious."

He vows never again to fly Southwest, even after it starts service from Pittsburgh in May. "I just want the public to realize what can happen to them if they fly Southwest."