

## **Driven by Faith or Customer Service? Muslim Taxi Drivers at the Minneapolis St. Paul International Airport (A)**

When Steve Wareham heard that there had been another formal complaint about taxi service at the Minneapolis St. Paul International Airport (MSP), it came as no surprise. As Airport Director, Wareham had been working with the taxi advisory council for years to improve customer service. Together, they enhanced the taxicab ordinance with input from drivers, owners, and taxi companies. Wareham was proud of the progress made on key service issues through this collaborative process. But not every problem had been solved: one issue, which threatened to derail the larger process, had been tabled.

Beginning in 2002, airport staff became aware that some passengers who were carrying alcohol -- often visible in the plastic bags from duty-free shops -- had been refused taxi service. The drivers, many of whom were Muslims from Somalia, explained that their faith did not permit them to consume or transport alcohol. Wareham and his colleagues at the Metropolitan Airports Commission (MAC), the regional governing body for airports, found the issue troubling. Such service refusals were prohibited by the taxicab ordinance: drivers who refused a fare for any reason were sent to the end of the line and had to wait two to four hours for another fare. Losing fares represented a significant economic and practical hardship; for the drivers, this was an issue of religious accommodation.

Yet, given the practical concerns that arose curbside and the number of passenger complaints, refusals had also emerged as a serious customer service issue. Passengers being moved from one taxi to another disrupted the flow of traffic and posed a safety concern. Those who were refused service were confused and frustrated, and often insulted: on one occasion, a traveler threw a bottle of wine to the pavement in anger.

Since Wareham became Airport Director in 2004, he had worked closely with landside, the department that handles parking and commercial vehicles, to resolve the issue. Early on, he sought input from Somali community representatives and Muslim leaders. For a time, the taxi starter -- a dispatcher employed by the MAC -- would provide bags to travelers in order to cover the wine or other visible alcohol. It was a "don't see, don't look" policy. This worked for a while, but soon the drivers began refusing service to those carrying the distinctive bags. One cab company, which had all Muslim drivers, suggested that the starter refer passengers with alcohol to a cab from another company. After a few days, the MAC was asked to discontinue the practice: the loss of business proved difficult for the drivers and owners alike.

On March 29, 2006, Wareham received a message from Vicki Tigwell, the Chair of the MAC. She forwarded the most recent customer complaint:

'My wife and I needed a cab from MSP to Apple Valley. The starter directed us to a cab. After loading most of our luggage, he (the driver), noticed I was carrying duty-free liquor, and refused to transport us. The next three cabs also refused. The starter came out and finally located a driver who would take us. We were very unhappy about this abysmal treatment by four cab drivers. ... I request you take action against the company and the driver, and draft a policy to prevent this behavior in the future.'<sup>1</sup>

Tigwell's message ended with a directive for Wareham: "I expect you to solve this."<sup>2</sup>

## **Sense of Optimism**

Wareham was hopeful that they could find a solution and was eager to bring his focus to service refusals: “We had made a commitment in the Ordinance improvement discussion to address this issue; this complaint triggered the process we had promised.” He was hopeful that a collaborative process would lead to the best outcome. Perhaps it was his training in social work that informed this approach: he knew it was important that people felt they were being heard.

Wareham’s time as a social worker was brief; the young father had to support his growing family, so he took a better paying job as a laborer at the local sewage plant. He worked his way up to supervisor, into union leadership, and was promoted to operations manager. Wareham thrived in leadership because he enjoyed building relationships. Over the years, he developed skills in mediation and negotiation: at a sewage plant, these were critical. Wareham contended with labor issues, angry environmental groups, and neighbors complaining about odors. He found that, when he made an effort to listen to the concerns that were raised, they were generally able to come up with positive solutions.

When Wareham moved to the MAC, as Head of Facilities, he was pleased to be a part of a well-run organization. “The culture is one of inclusion in solutions.” He was later promoted to Airport Director, overseeing facilities, field maintenance, airside operations and landside. Wareham takes great pleasure in his job: one day he might work with Vice Presidents of Airlines, the next day with taxi drivers. “Every day, something fascinates me.”

Wareham was pleased with the work that Arlie Johnson, Landside Director, had already done to improve the tense relations between drivers and the MAC. Between Johnson’s on-the-ground efforts and the regular taxi advisory meetings, communication was improving. Some of the tensions were structural: drivers are independent contractors, subject to the rules of the airport but without the rights of employees. Communication between MAC and the taxi industry was complicated by the lack of organizational structure: as of 2008, there were 613 taxi cabs, 503 permit holders, 38 taxi companies, and 845 drivers.

Wareham was also a pragmatist. “The taxi industry has a history of addressing its concerns politically, by bringing dozens of drivers to the State Legislature.” He worried that a “hasty mandate” requiring drivers to transport passengers with alcohol would only result in political activism or a lawsuit. Both would be costly and time consuming. Wareham noted, “An agreement between the parties would be preferable to an assertion of rights by either side.”<sup>3</sup>

## **Minneapolis St. Paul International Airport**

Each year, more than 35 million passengers come through the Minneapolis St. Paul International Airport (MSP).<sup>4</sup> As travelers move through the brightly lit and bustling terminal, there is a cacophony of sound: calls for boarding flights, piped-in music, and warnings about unattended baggage. Visitors to Minnesota may be surprised by its diversity; once almost exclusively of Scandinavian ancestry, Minnesota now has the largest Somali population in the United States.<sup>5</sup> Before even leaving the terminal, where clerks’ name tags read “Abdi,” “Maryan,” and “Ishwaq,” the presence of East African immigration can be readily observed. But nowhere is this more in evidence than in the taxi ranks. At MSP, it is estimated that at least 75 percent of the taxi drivers are Somali, most of whom are Muslim.

## **Somali Taxi Drivers at MSP**

An L.E.D. sign points towards the taxi service, where an orderly row of cars and vans are lined up with trunks open, awaiting their passengers. A taxi starter directs passengers to one of the numbered parking spaces; it operates on a first-come, first-served basis. As many taxi passengers have observed, new immigrants to the U.S. often find work driving taxicabs. It is a job that does not require an advanced knowledge of English or special training; it is flexible for those needing to work more than one job or work while attending school; and, for those who are willing to work long hours, it can support a family—often, a family in the U.S. as well as extended family in their native land. Many drivers describe it as a difficult and dangerous job.

Some of the Somali drivers at the airport are students: Abdi, a young driver with a shy smile and a full beard, is completing his coursework in cardiology. He studies while he waits in line at the airport. The wait for a fare can be long, especially if one has to refuse a fare and sit in the line twice. He has been in the Twin Cities for more than four years, and when asked if he likes it here, he politely avoids the question. He simply says, “I can’t go back. There is no government.”<sup>6</sup> He still remembers vividly how hard it was to learn to drive in Minnesota; there is no snow in Somalia. He explains that he cannot transport alcohol because of his religion but says it is not a problem to find another driver to take the fare. He notes that there are many drivers from Nigeria and Ethiopia at the airport as well, most of whom are Christian. Often, he says, the customer doesn’t even notice. He explains, “It isn’t a problem.”<sup>7</sup>

But having to go to the end of the line, drivers say, is a serious problem. Ahmed, who has an air that is both regal and resigned, has been driving a taxi in the Twin Cities for almost twelve years. He uses one word to describe his experience, as he shakes his head: “Difficult.”<sup>8</sup> He wonders why, if drivers can refuse to transport passengers who smoke, they cannot apply the same standard to alcohol. During the long waits, Ahmed gathers with his fellow drivers at the SuperAmerica convenience store just beyond the airport in Bloomington. At the back of the store, the MAC has provided a break room with restrooms and vending machines. Here, drivers can warm up, wash, pray, and share a meal. Others may simply fuel up the taxi and prepare to wait in line again.

Despite the harsh winters, Minnesota has a history of warmly welcoming new immigrants. Employment opportunities are strong, as is the network of social services. Today, more than 90 languages are spoken by children in Minneapolis public schools; when information is sent home from local schools, it is often in four languages: English, Hmong, Spanish, and Somali.<sup>9</sup> Today, over 40,000 Somalis have settled in Minnesota.<sup>10</sup> It is estimated that 1/3 of Minnesota’s Somali residents come directly from refugee camps, survivors of a lengthy and brutal civil war.<sup>11</sup> Omar Jamal, the director of the Somali Advocacy Justice Center, explains that amidst the suffering of war and the rough transition to a new country, “Many sought comfort in their faith. The world they knew is not there anymore.”<sup>12</sup>

## **Faith and Practice**

Back in 2005, Wareham sought input from local Somali and Muslim leaders on how to improve the overall quality of service by taxi drivers and how to understand the accommodation requests. A prominent local Somali scholar, Dr. Ahmed Samatar, disputed the drivers’ claim that their faith did not permit them to transport passengers with alcohol. He encouraged the MAC to make a firm rule against alcohol refusals by imposing strict penalties. Samatar had experienced poor service at the airport and felt the drivers would benefit from training in customer service and greater assimilation. He expressed concern that some of the religious

leaders, who were not well-educated, were giving poor guidance to the drivers regarding interpretation of religious law.

But in the summer of 2005, in meetings with Hassan Mohamud and Hesham Hussein of the Muslim American Society (MAS), Wareham heard a different message: “They suggested that this is a matter of deep faith conviction for their people, and asked that the MAC accommodate the drivers’ desire to avoid transporting alcohol.”<sup>13</sup> Wareham recalled that the MAS was hopeful a long-term solution could be developed so that drivers would not have to lose fares or have to choose between their faith and their livelihood.

### **Customers Refused**

Bob Dildine and his daughter Nancy emerged from their red-eye flight just before 5:30 AM. They hadn’t checked any bags, so they went directly to the taxi stand. Five or six drivers, all of whom appeared to be of East African ancestry, stood near their taxis. One approached and said: “Two minutes.” Groggy and tired from their travels, Dildine didn’t notice anything was amiss at first, but his daughter did. She approached a driver directly but was ignored. Then, a couple came out to the taxi line and were immediately led to a waiting car. Again, Dildine was told, “Two minutes, two minutes.” Other passengers came and went, but amidst apologetic shrugs and the refrain of “Two minutes,” they continued to wait.

It was about 6:00 AM when a new taxi appeared, with a white driver; finally, they were ushered to his taxi. Their luggage was loaded into the trunk, along with a cardboard box bearing the label “Robert Mondavi Winery.” Within the box was overflow clothing that didn’t fit in their suitcases, as well as a couple of bottles of wine. As they drove to their home in North Minneapolis, the driver explained that such refusals happen quite a bit at MSP. Although refusing rides for alcohol meant more fares for non-Somalis, the driver felt it was wrong; they were giving the profession a bad name. The driver encouraged Dildine to file a formal complaint with MAC and noted that they were lucky: he hadn’t planned to work that morning. How much longer might they have waited?

Dildine filed a formal complaint with the MAC. He felt he had a duty to do so. His daughter, Nancy, was very sick and in pain while she was made to wait. Three weeks later, at just 24 years of age, she died of end stage kidney failure. While Dildine believes that the drivers would have given them a ride if they’d realized how ill she was, he notes that passengers shouldn’t have to fill out a health questionnaire or, for that matter, have their luggage checked. For Dildine, this wasn’t a religious issue; he has many friends and clients who are Muslim, all of whom said: “This is not Islam.” One close friend, a Muslim who teaches at a local French immersion school, added: “Islam is about treating people right.”<sup>14</sup>

### **Refusals of Service**

Taxicabs operating at the airport are subject to a series of regulations as outlined by MAC Ordinance 102. Section 7.4 of the Ordinance states, in part:

A. Trip Refusal Generally Prohibited – Except as provided in Section 7.4(b), Section 9.5, or the Taxicab Manual as amended, no Taxicab Driver shall refuse or neglect to convey any Person or Persons and their reasonable and legal property upon request to their destination, provided such Person or Persons agree to pay the legal rate of fare. ...

B. Grounds for Refusal – A Taxicab Driver may refuse service to a passenger only if the passenger is (a) significantly impaired by or under the influence of any intoxicating liquor or any drug, or (b) poses a threat to the physical safety of the Driver....

C. Penalty for Refusal – The penalty for violation of Section 7.4(a) will be an Immediate Dismissal from the Permitted Taxicab Lanes, pursuant to Section 12.2

D. Unlawful Discrimination– Under no circumstances may a Taxicab Driver refuse service to a passenger at the Airport on account of race, gender, religion, national origin, ethnicity, marital status, disability of any passenger who may be safely transported in the Taxicab, status with regard to public assistance, sexual orientation, or age.<sup>15</sup>

Prior to 2000, Johnson noted, service refusals were rare, “almost unheard of.”<sup>16</sup> By 2002, service refusals were emerging as a serious concern, and the MAC began tracking them in four categories. The first month they were tracked, January 2002, there were 82 documented refusals: 70 for “Alcohol”; 6 for “Short Trip”; 6 for “Luggage”; and 0 for “Other.”<sup>17</sup>

Short trips sometimes prompted a refusal of service by drivers, frustrated from waiting 2-4 hours only to get a \$10 fare to a nearby location such as the Mall of America. Drivers had also been observed to refuse fares when a passenger was carrying large, heavy bags. Types of refusals that did not occur frequently enough to merit their own category went under “Other.” Alcohol was the dominant cause of refusal, averaging about 90 times each month. There was no observable pattern or trend to the refusals; they ranged from a high of 192 in the month of September 2002 to a low of 42 in June 2003.<sup>18</sup>

While refusals for alcohol resulted in drivers being sent to the end of the line, discrimination-related refusals carried a 30-day suspension for the driver. Similarly, customers were not permitted to request a driver of a certain race or religion.<sup>19</sup>

## **Benchmarking**

Early on, Wareham wondered how other airports handled refusals of service for passengers carrying alcohol. In discussions at industry conferences and conversations with colleagues at other airports, he found no evidence of similar service refusals for alcohol. In the course of researching the issue, MAC staff came across media reports indicating that Somali Muslim taxi drivers in Norway had refused service to travelers with guide dogs, citing a prohibition against dog saliva.

Wareham spoke with an Egyptian-born taxicab owner at MSP, who reported that no special provision was made for Muslim drivers in Cairo, even though many passengers brought in duty-free liquor. Drivers suggested that alcohol refusals took place elsewhere but were handled informally and had never become a problem. Wareham asked representatives from the Muslim American Society to provide examples of similar accommodations for transport of alcohol at other airports. “They said they could not, but that other groups from around the country were ‘watching us’ at MSP and hoped to follow suit if an agreeable solution was implemented.”<sup>20</sup>

It became apparent to Wareham that the issue of taxi service refusals based on transport of alcohol was unique to MSP: “This problem has not been experienced at any other major international airport in the world where

alcohol is considered to be a legal commodity.”<sup>21</sup> He wasn’t sure what to conclude from this and wondered, “Why us?”

### **A Collaborative Process**

Tasked with solving the issue of service refusals, Wareham met with Johnson of landside and other key MAC staff to begin to outline the approach. They were mindful of MAC’s mission: “We provide and promote safe, convenient, environmentally-sound, and cost-competitive aviation services for our customers.”<sup>22</sup>

An investigative news story about the service refusals was aired on a local TV station on April 27, 2006, giving greater visibility to the dispute. But Wareham didn’t feel a need to rush: “We carefully put together a discussion process. The guidelines were for an open process: people who wanted to help solve the problem were welcome to come.”

When the taxi advisory council met to discuss the taxicab ordinance in previous years, they had collaboratively drafted a list of items needing improvement. Within each broad category, specific issues were identified for discussion. “Ensure Service” items included overnight coverage, a short trip line, refusal of load, customer bill of rights, dress code, and cell phone usage. The MAC tracked each item by date of discussion, whether the parties could come to an agreement, and future action. Lacking consensus on service refusals, the MAC policy prohibiting refusals stood: “Staff stated that the customer comes first and intends to require service to any legal load.”<sup>23</sup>

Yet many other issues were resolved. They came to consensus on items ranging from customer service training and annual background checks for drivers, to the need for accommodation of disabled passengers and service dogs. Wareham and Johnson were hopeful about resolving the issue of service refusals: “the relationships were in place, and we had success with the ordinance improvement process.” They drafted a proposed agenda to be covered during the next seven meetings of the taxi advisory council:

- Meeting 1: Background, agenda setting, Department of Human Rights rep
- Meeting 2: Customer feedback: passengers, airlines, convention and visitors bureau
- Meeting 3: Taxi Industry: drivers, owners, service company representation
- Meeting 4: Religious leaders and faith issues: Islamic, Christian, Jewish
- Meeting 5: Ground transportation experts: MNDot, Metro Transit, AGTA, etc.
- Meeting 6: Taxi regulators: Minneapolis, St. Paul, Bloomington, Airport Survey
- Meeting 7: Legal opinions: MAC represented law firms, industry law firms<sup>24</sup>

### **Setting the Agenda**

The first meeting was held on May 11 at the MAC’s offices in the main terminal. Taxi drivers, taxi company owners, and leaders from the Muslim American Society joined MAC staff, including Wareham, Commissioner Mike Landy, and representatives from the legal, labor relations, and landside departments. Wareham invited a special guest to the meeting, Velma Korbel, Commissioner of the Minnesota Department of Human Rights, to help set a positive tone. Yet, after Wareham’s opening comments, the drivers expressed frustration. For too long, they felt they had suffered financially for exercising their religious beliefs. The drivers proposed one amendment to the agenda: could they invite their religious leaders to participate in the next meeting? At previous meetings, Wareham recalled, disagreements were challenging; the drivers were “vocal and

impassioned.”<sup>25</sup> Although Wareham and the MAC staff had some reservations about shifting the agenda, in keeping with the collaborative spirit, they agreed.

Korbel offered comments to the group, with words of support for the process and praise for the positive relations being built. She added that Minnesota’s Human Rights Act offered protections against discrimination that were well beyond federal standards and noted that, although the taxi drivers were not employees of the airport, it was appropriate for the MAC to work towards a reasonable solution when asked for a religious accommodation.

### **A Fatwa Delivered**

The second meeting was held nearly a month later, on June 8. Wareham understood that the delay was, in part, because there were some conflicting opinions within the Muslim community as to whether it was “haram” – forbidden – for Muslims to transport alcohol.

As the meeting opened, the religious scholars presented a fatwa, or a religious ruling. It began with the question: “What is [the] ruling of carrying Alcohol or Wine as [a] Taxi Driver?” The answer stated, in part: “In general, all Muslim Scholars agree that carrying, drinking alcohol is prohibited according to the Islamic Jurisprudence.”<sup>26</sup> (See Exhibit 1 for full text of MAS-MN fatwa) The scholars, three of whom were Egyptian and one who was Somali, participated in the meeting through a translator: Hesham Hussein of MAS.

Wareham and others at the MAC were surprised by this unexpected mandate at such an early stage. After the fatwa, Wareham recalls, “We were boxed in, but we continued the process.” Yet they remained optimistic; the presence of the scholars changed the tenor of discussion, bringing greater dignity and respect to the conversations. Wareham found Hussein, who had participated in previous discussions, to be a particularly positive presence. He strongly emphasized the need to improve service alongside any accommodations. It remained unclear how the fatwa would impact the collaborative process: “We were looking for a convergence of opinions.”

### **Brainstorming and Goals**

Wareham invited Jim Laurent, Labor Relations Director, to facilitate the June 29 meeting of the taxi advisory council; he wanted the drivers to know that he was sincere about working together. At this meeting, an agreement was made on “process parameters” and two key goals: 1) that a seamless system would be developed for the customer; 2) that drivers who did not want to transport alcohol would be accommodated, if at all possible.<sup>27</sup>

As they brainstormed, a range of ideas were suggested. Perhaps drivers who didn’t want to benefit monetarily from the transport of passengers with alcohol could donate the fare to charity? Could they try a two-line system? Perhaps they could attempt the “don’t ask, don’t tell” system again? Or, could they handle alcohol as they did smoking? While current regulations did not permit passengers to smoke in taxis, a small number of drivers who self-identified as smokers indicated that they were willing to carry a passenger who wished to smoke. It was handled informally: upon request, the taxi starter would issue a “special call” for a taxicab. Perhaps, it was suggested, the same system could work for alcohol? Or, a special top light on the taxicab could indicate that the taxi accepted alcohol, in the same way a light once indicated a cab in which a passenger could smoke?

The process had begun, with some bumps in the road, but they had already agreed to some common goals. Surely, Wareham thought, this was a positive sign.

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## **Endnotes**

<sup>1</sup> Steve Wareham, “Muslim Taxi Driver Cultural Clash at the Minneapolis St. Paul International Airport (MSP): Does Accepting a Customer with Alcohol in their Possession Violate a Prohibition of the Koran?” (Master’s Thesis, Bethel University, 2007) p. 6.

<sup>2</sup> Unless otherwise noted, all quotes from Steve Wareham: Steve Wareham, interview by author, Bloomington, MN, February 28 & 29, 2008.

<sup>3</sup> Wareham, “Muslim Taxi Driver Cultural Clash,” p. 7.

<sup>4</sup> Minneapolis St. Paul International Airport, “Passenger Statistics,” MSP International Airport Web site, <http://www.msppairport.com/msp/stats/passenger.aspx>, accessed January 29, 2008.

<sup>5</sup> Minneapolis Foundation, “Immigration in Minnesota: Discovering Common Ground, Africa: Focus on Somalis” Minneapolis Foundation Web site, <http://www.minneapolisfoundation.org/immigration/africa.htm>, accessed March 3, 2008.

<sup>6</sup> Abdi (pseudonym for taxi driver): Abdi, interview by author, Bloomington, MN, February 28, 2008.

<sup>7</sup> Ibid.

<sup>8</sup> Ahmed (pseudonym for taxi driver): Ahmed, interview by author, Bloomington, MN, February 29, 2008.

<sup>9</sup> Minneapolis Public Schools (MPS), “About MPS,” MPS Web site, <http://www.mpls.k12.mn.us/about.html>, accessed March 4, 2008.

<sup>10</sup> Confederation of Somali Community in Minnesota (CSCM) “About Us: History,” CSCM Web site, <http://www.cscmn.org/about.html>, accessed March 3, 2008.

<sup>11</sup> Minneapolis Foundation, “Immigration in Minnesota: Discovering Common Ground, Africa: Focus on Somalis” Minneapolis Foundation Web site, <http://www.minneapolisfoundation.org/immigration/africa.htm>, accessed March 3, 2008.

<sup>12</sup> Omar Jamal: Omar Jamal, interview by author, St. Paul, MN, February 29, 2008.

<sup>13</sup> Wareham, “Muslim Taxi Driver Cultural Clash,” p. 16.

<sup>14</sup> Robert Dildine: Robert Dildine, interview by author, via email, February 26, 2008.

<sup>15</sup> Minneapolis St. Paul International Airport (MSP), “Metropolitan Airports Commission Ordinance No. 102: Taxicab,” MSP Web site, [http://www.msppairport.com/mac/appdocs/ordinances/Ordinance\\_102.pdf](http://www.msppairport.com/mac/appdocs/ordinances/Ordinance_102.pdf), pp. 23-24.

<sup>16</sup> Arlie Johnson: Arlie Johnson, interview by author, Bloomington, MN, February 28, 2008.

<sup>17</sup> “MAC Taxicab Refusals Per Month by Type,” (January 2002-March 2007) internal MAC tracking document of service refusals, sent by Arlie Johnson on February 29, 2008.

<sup>18</sup> *Ibid.*

<sup>19</sup> Minneapolis St. Paul International Airport (MSP), “Metropolitan Airports Commission Ordinance No. 102: Taxicab,” MSP Web site, [http://www.msairport.com/mac/appdocs/ordinances/Ordinance\\_102.pdf](http://www.msairport.com/mac/appdocs/ordinances/Ordinance_102.pdf), pp. 24 & 29.

<sup>20</sup> Steve Wareham: Steve Wareham, interview by author via email, April 11, 2008.

<sup>21</sup> Wareham, “Muslim Taxi Driver Cultural Clash,” p. 14.

<sup>22</sup> Minneapolis St. Paul International Airport, “Metropolitan Airports Commission, History and Mission” MSP International Airport Web site, <http://www.msairport.com/mac/organization/History.aspx>, accessed January 29, 2008.

<sup>23</sup> Untitled internal MAC tracking document of Ordinance Improvement Process, received from Steve Wareham on February 29, 2008.

<sup>24</sup> Wareham, “Muslim Taxi Driver Cultural Clash,” p. 56.

<sup>25</sup> *Ibid.*, p. 48.

<sup>26</sup> Muslim American Society of Minnesota Fatwa Department, fatwa on “Question: What is ruling of carrying Alcohol or Wine as Taxi Driver?” June 6, 2006, from Steve Wareham.

<sup>27</sup> Wareham, “Muslim Taxi Driver Cultural Clash,” p. 61.