



# Chairman's Message

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Dear Fellow FedEx Pilots,

Today the federal government finally issued the final rules concerning Flightcrew Member Duty and Rest Requirements. It is with indignation that after months of effort in pursuit of “One Level of Safety,” I must inform you that our concern of a “cargo carve out” was realized with the issuance of a rule which permits cargo carriers to operate under the obsolete Part 121 regulations instead of the newer, science-based Part 117 regulations with which the legacy carriers must comply. Instead of doing the right thing and providing one set of rules, the FAA opted to “urge” cargo operators to voluntarily accept the Part 117 regulations. Bottom line - politics and money won over safety in Washington, D.C. in this round.

From the FAA Press Release ([click here](#) for the full release):

*“The estimated cost of this rule to the aviation industry is \$297 million but the benefits are estimated between \$247- \$470 million. Covering cargo operators under the new rule would be too costly compared to the benefits generated in this portion of the industry. Some cargo airlines already have improved rest facilities for pilots to use while cargo is loaded and unloaded during night time operations. The FAA encourages cargo operators to opt into the new rule voluntarily, which would require them to comply with all of its provisions.”*

*“The FAA also has removed all-cargo operations from the applicability section of the new part 117 because their compliance costs significantly exceed the quantified societal benefits (1). All-cargo carriers may choose to comply with the new part 117 but are not required to do so. Since the carrier would decide voluntarily to comply with the new requirements, those costs are not attributed to the costs of this.”*

(1) *“The projected cost for all-cargo operations is \$306 million (\$214 million present value at 7% and \$252million at 3%). The projected benefit of avoiding one fatal all-cargo accident ranges between \$20.35 million and \$32.55 million, depending on the number of crewmembers on board the aircraft.”*

See the link at the end of this update for the rule.

Now that the rule is published, our team of scheduling experts will research all aspects of the rule. Our F&DT experts will work with the legislative team and ALPA National, and we will chart a route forward. Notwithstanding this political travesty, please keep in mind that our CBA contains duty and rest provisions which far exceed Part 121. But for our unity and support for our Negotiating Committee in past bargaining, today's announcement would have had a far greater impact than it really does. Unity over the years is the only thing that saved this day. And make no mistake, the publishing of the new rules does not end the battle; One Level of Safety is too important.

If you are outraged over Washington's inability to do the right thing regarding safety, you are not alone. Rest assured, safety lost this round, but the battle is not over. When we complete the above research, we will be back in contact with you outlining the game plan going forward.

In Unity,

Captain Scott Stratton  
FedEx ALPA MEC Chairman

The final rule has been sent to the *Federal Register* for display and publication. It is currently available at: [http://www.faa.gov/regulations\\_policies/rulemaking/recently\\_published/media/2120-AJ58-FinalRule.pdf](http://www.faa.gov/regulations_policies/rulemaking/recently_published/media/2120-AJ58-FinalRule.pdf), and will take effect in two years to allow commercial passenger airline operators time to transition.

A fact sheet with additional information is available at: [http://www.faa.gov/news/fact\\_sheets/](http://www.faa.gov/news/fact_sheets/).