REPORT

of the

FLIGHT TIME/DUTY TIME COMMITTEE

to the

BOARD OF DIRECTORS

OCTOBER 2016

Capt. Don Wykoff (DAL), Chairman
Capt. Patrick Bradshaw (DAL)
Capt. Darrell Cox (MAG)
Capt. Peter Davis (ASA)
Capt. John Doyel (ALA)
Capt. Richard Hughey (FDX)
Capt. Jeffrey Nooger (UAL)
Capt. Brian Noyes (UAL)
Capt. Jon Reynolds (JBU)
Capt. Alex Strickland (UAL)

AI #4
Introduction

The Flight Time/Duty Time Committee was established pursuant to a directive of the 1996 Board of Directors as amended by the September 2002 Executive Board. The Executive Council has appointed the following pilots to serve as current members of the Committee:

- Capt. Don Wykoff (DAL), Chairman
- Capt. Patrick Bradshaw (DAL)
- Capt. Darrell Cox (MAG)
- Capt. Peter Davis (ASA)
- Capt. John Doyel (ALA)
- Capt. Richard Hughey (FDX)
- Capt. Jeffrey Nooger (UAL)
- Capt. Brian Noyes (UAL)
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The Committee met September 15-16, 2015 at the United MEC offices in Chicago, IL. At that meeting the Committee considered updates to both the Part 117 App and the Flight Time Guide. The Committee also discussed issues with the Part 117 implementation, particularly with extensions, and the FRMS process going forward. Details of the action items are discussed below.

The Chairman attended the Negotiations Roundtable held in Toronto in February 2016. He led a discussion on Part 117 implementation and participated in the group discussions of scheduling issues.

As part of the Committee’s mandate to educate pilots on fatigue issues, the Chairman authored an article addressing “Fitness for Duty” that was published in the May 2016 issue of the Air Line Pilot Magazine. The article discussed the difference between fatigue and fitness for duty. It also provided practical guidance on the application of each term to Part 117 requirements.

The Committee, on February 16-17, 2016, sponsored an industry meeting for those carriers that are actively implementing FRMS. The group discussed the development of common data that must be provided to the FAA, and also discussed a joint presentation to the FAA of a streamlined standardized process to obtain a FRMS approval. This is a continuing project.

The Committee also was represented at FRMS meetings at ICAO, Luxembourg and Copenhagen. These meetings included the regulators from around the world and discussed how an effective FRMS should be designed.
The Committee intends to hold another industry meeting in late 2016 to provide a forum to discuss Part 117 implementation and FRMS.

Statement of Purpose

The primary task of the Committee is to ensure that acceptable flight time/duty time regulations are in effect and enforced. The Committee is also charged with monitoring and responding to any proposed rulemaking regarding flight time and duty time regulations and FRMS. The Committee is also responsible for obtaining interpretations of the regulations from the Federal Aviation Administration (FAA). The Committee coordinates with IFALPA, IATA and ICAO to establish world-wide science-based flight time/duty time regulations and FRMS.

The Committee develops international and domestic scheduling guidelines for ALPA members. These guidelines are based upon current ALPA policy and will serve as a resource for MEC Negotiating Committees. The Committee also provides guidance to schedulers and answers flight time questions from MECs and individual members.

Summary of Actions

I. Part 117 Implementation

Part 117 has been in effect for over two years and the implementation has generally been smooth. There were many questions in the early phases of implementation regarding practical application of the rule to an operator’s schedules. Through a series of some 39 FAA interpretations, most of the questions have been answered. Extensions of FDP beyond 30 minutes remains an issue at a few properties and the Committee is working with the affected MECs to resolve those issues.

The Committee, at their September meeting, directed that the Flight Time Guide and Part 117 App be updated by referring the FAA counsel’s legal interpretations of Part 117 to the Part 117 provision that was the subject of the interpretation. The questions and answers in the Guide were all updated to reflect all the Part 117 interpretations. Further, the Guide was annotated so the user can link directly to the FAA interpretation. This version of the Guide is now a part of the Part 117 App and is on the Committee web page.

The Committee also actively supports MECs whose carrier is seeking to implement FRMS. The Committee appointed an FRMS sub-committee at its February 2016 meeting. Captain Brian Noyes (UAL) was appointed as Chairman of the sub-committee.
II. Canada

The Committee continues to support the Canadian pilots in their efforts to modernize their flight limitation regulations. The Canadian Aviation Regulation Advisory Council (CARAC) issued its report in late 2012 which recommended that science-based flight limitation rules be adopted by Canada. However, the proposed rules have not been advanced for publication. With the election of a new government, the rules are now going to be published in late summer 2016. They will apply to all commercial air carriers including cargo. The implementation for large carriers will be 2018 and small carriers will be given until 2021 to implement. The Committee will continue to work with the Canada Board to finally implement the new rules and shorten the implementation timetable.

III. International Activities

The Committee was represented at FRMS Seminars in Montreal, Luxemburg and Copenhagen over the past two years. They have also coordinated with IFALPA, ICAO and IATA on both flight limitation rules and FRMS.

IV. Scientific Support

The Flight Time/Duty Time Committee has continued to retain, on a reduced scale, Dr. Peter F. Demitry to advise the Committee on sleep research and FRMS. He was previously involved in DOD sleep research regarding military pilots. In addition to being a resource for the Committee, he is available to advise MECs on scheduling and pilot fatigue issues.

V. ALPA Flight Time Policy

ALPA’s Flight Time Policy was adopted by the Executive Board in 2009. This policy is based on the latest sleep science and proved to be a valuable reference in the FAA flight time rulemaking. The majority of the principles in the policy were adopted by the FAA in the new Part 117. ALPA, in conjunction with IFALPA, will continue to urge ICAO to adopt the specifics of the policy in their recommended practice so that these will be a world standard of safety for pilot fatigue.
VI. Legislative

ALPA, shortly after the final rule was published, began a legislative initiative to include cargo carriers. Due to this effort, bills to require cargo carriers to comply with Part 117 have been introduced in both the House and the Senate. (H.R. 182, S. 1692).

The Committee and supporting staff have continued to provide support to ALPA legislative committees and staff that are visiting Capitol Hill to urge the passage of legislation to require science-based flight time limitation rules for cargo carriers. This effort will continue until pilot fatigue at cargo carriers is adequately addressed.

VII. Strategic Plan

ALPA’s Strategic Plan has tasked the Flight Time/Duty Time Committee with developing a sub-committee to assist in the implementation of a Fatigue Risk Management System (FRMS) at ALPA carriers. The goal is to insure that the Part 117 FRMS provision is properly implemented.

The Committee is continuing to work on the following tasks in the Strategic Plan:

- Ensure the proper development and implementation of FAR 117 and Canadian flight time/duty time (FT/DT) rules, as well as implementation of effective, non-punitive fatigue risk management programs at individual airlines. (Ongoing.)
  - Continue to document reports from pilots on airline-specific difficulties with implementation.
    - Arranged multiple meetings with FAA and ALPA MEC reps to talk about specific issues that have developed as FAR 117 was implemented at specific airlines.
  - Provide a forum for ALPA pilots and ALPA-represented carriers to exchange “best practices.”
    - This was a discussion topic at the ALPA Safety Council meeting held in March 2015.
  - Evaluate the pros/cons of advocating legislative language to support implementation of effective fatigue risk management programs.
    - Protecting the current regulations and developing strategy to introduce science-based flight-and duty-time regulations is part of ALPA’s legislative agenda.
    - Continue to evaluate opportunities and legislative remedies to mandate science-based FTDT rules for cargo operations.
• Continue to advocate for implementation of science-based prescriptive FT/DT rules for all passenger and cargo airline operations in both the U.S. and Canada. (Ongoing.)
  o Evaluate the potential effectiveness of attempting to include legislative language in the FAA reauthorization bill to eliminate the cargo carveout.
    ▪ Continued advocacy at FAA, TC, NTSB, and in the U.S. Congress to promote science-based fatigue rules for cargo pilots.
    ▪ Advocated for science-based fatigue rules for cargo in the FAA reauthorization bills.
    ▪ Participated in a press conference on April 12, 2016, with U.S. senators in support of the Safe Skies Act.
    ▪ Supported the Safe Skies Act as an amendment to the Senate FAA reauthorization bill through social media.
  o Consider the potential for creating a campaign aimed at ending the cargo carveout.

**Future Activities**

The Committee will work with Legislative Affairs to enact legislation to require science-based flight limitation rules for cargo air carriers.

The Committee will continue to seek clarifying Part 117 interpretations from the FAA and disseminate them to the MECs and ALPA membership. These interpretations are available on the Committee web page which is available to all members.

The Committee will provide support for FRMS.

The Committee will continue to educate pilots on fatigue issues.

The Committee will provide support as required to improve the scheduling rules in Collective Bargaining Agreements.

The Committee will continue to advocate for the prompt promulgation of science-based Flight Time and Rest Rules in Canada.