

## Podcast Transcription

### Fly by Night: Fatigue - July 2021

**Captain Chris Lee** My guests today are MEC Chairman, Captain Dave Chase, Safety Committee Chairman, Captain Rich Hughey, Scheduling Committee Chairman, Captain Marty Harrington, and Fatigue Risk Management Committee Chairman, Captain Rob Bassett. Thanks for coming, guys.

**Captain Dave Chase** Thanks for having us today, Chris.

**Captain Chris Lee** Dave, you brought a lot of people here with you today to talk about fatigue.

**Captain Dave Chase** I did. Thanks, Chris. I asked everyone to join us today because I believe we need to address the issue of fatigue. I want our pilots to understand the contractual language regarding fatigue. I also want people to just know simply and make sure we understand how and when to call in fatigued. It can be very difficult to recognize our own fatigue state. We all know that. But we need to be honest with ourselves and those we fly with. I'm hoping that each pilot will take time to make this part of their crew briefing for each flight. Probably like you guys, I began my union work years ago because I care about my fellow pilots and I want to improve my profession. So hopefully we can get some valuable information out there for those that are just starting their careers with us here at FedEx or just people that haven't considered it or heard the information presented in one place recently. Everyone should understand we've put significant resources into collective bargaining on fatigue. We'll talk about some of those contractual provisions I'm sure. The MEC has even supported industry-wide legislation to protect from fatigue. That's not an area where we've had much success. But regardless, there's no scheduling provision we're going to create and there's no regulation we're going to support that's ever going to remove the threat of fatigue. So today we'll spend some time and I'm sure these guys will point out that you don't need to call in fatigued to do a fatigue report. But, what I've seen too much of is DART reports from our pilots saying that that's exactly what happened to them. And one of my predecessors, when he would talk about fatigue, said, we've all had that flight where your socks get rolled down and afterward you're like, boy, I learned from that. I'm not going to do that again. So let's learn from others and understand that that's a threat out there to us and our careers. As a matter of fact, it's a threat to our lives. So I'd ask everyone to help share the message of this podcast that this is a serious threat. I appreciate everybody for taking a few moments to listen to these gentlemen and their perspective on the topic.

**Captain Chris Lee** Rich, fatigue is a hazard that poses a risk to our operations and our pilots. How does that relate to your view of safety?

**Captain Rich Hughey** Well, I think first you need to understand that when we look at cargo operations in the context of commercial aviation, we need to differentiate that our accident rate is very different than the passenger accident rate. Within U.S. Part 121, all-cargo operations only make up seven percent by departures of the U.S. commercial aviation system but they have an accident rate that is 10 times higher than the passenger operations, and that's between 2009 and 2019 using commercial aviation safety team data. If you expand that worldwide the all-cargo accident rate is about 7 to 15 times higher between 2014 and '18, and that is through the IATA data that they publish in their safety report. So it's a differentiation that you need to try and understand. And why do we think

there's a difference? Well, there are hazards that are unique to cargo that shape this accident rate disparity and I think declared and undeclared dangerous goods might hit on it but I think fatigue is probably the thing that's common between passenger and cargo operations. But in cargo operations, since we fly such different schedules than the passengers, it just accumulates different so that hazard accumulates and stacks up as a risk different than it does for passenger operations. So when I think about the hazard of fatigue, I go to a report that the FAA published, the Goode Report, and it's their research that they published in the Journal of Safety Research in 2003. And essentially there's a discernible pattern of increased probability of an accident as duty time increases for commercial aircraft pilots in the United States. And it goes on to state that for pilots with 13 or more hours of duty, the proportion of accident pilot duty periods is over five and a half times as high. That's pretty significant. So when you get north of 13 hours of duty, your potential for an accident increases substantially. And that's where fatigue undermines so many of our safety protections that we have trained to. We have policies and procedures that we adhere to. And you can point to the last five, all-cargo accidents looking backwards and at least three of the five accidents have fatigue associated with them. So the good news is we have prescriptive and contractual requirements that allow us to manage the fatigue as the schedules are published and that is through the SIG. And I'll pitch it over to Marty and let him talk about that.

**Captain Marty Harrington** Thank you, Rich. I think most pilots need to understand how our system form is flown on a day to day compared to the CBA. The PSIT and SIG deal primarily with scheduled limitations. There's also an operational limitation, and a FAR limitation. We do not get to review revisions, we do not review X pairings. We look at every single bidpack trip. We evaluate every single bidpack trip for fatigue. We run all of them through our fatigue modeling and we ask for revisions and changes to those type of things. Now, if we get a report saying this revision was a problem for me or I had a hard time flying this revision, we don't know about it until we get that DART from that individual pilot that this revision took place. Once the schedule is out there, like I said, we deal with the scheduled limits and it goes beyond the scheduled limits to the operational limits. Most pilots should understand that the schedule limit is typically about an hour and a half shorter than the operational limit, and then we can even go beyond operational limits to the FAR limits. There is a chart in page 197 of the CBA for duty limits, Scheduled/ Operational/FAR. Every pilot should know what those limits are for themselves before they go flying or as a revision occurs so that they can use that as kind of the guidepost to start self-evaluating for fatigue going forward. We've had a number of changes to system form recently as well. The Company added the sunrise sort back in April. We're bypassing a number of cities in Asia doing multi-leg RFO, much longer legs and we're getting a lot of DARTs, feedback on those. All pilots need to self-evaluate on some of these revisions and some of them are much longer than we're typically used to.

**Captain Dave Chase** Marty, I know you covered some of these on your April 16th podcast about how scheduling is done, but can you talk also about how you and Rob work together on issues with fatigue inside the bidpack?

**Captain Marty Harrington** Yes, every month, the PSIT reviews every single pairing and the most difficult sequences with regard to fatigue, we send a list over to Rob and his team, Fatigue Risk and they evaluate it through the modeler that they have and they will make corrections from the Fatigue Risk Management group and they'll say, yeah, these pairings do need to be fixed. So any pairing that comes through on a bidpack has been screened multiple times by multiple people. And the most difficult we hand over to the Fatigue Risk Management Committee.

**Captain Rob Bassett** Yeah, and you covered a lot of this during your April podcast. And the big difference was the traditional disputes versus the Fatigue Risk Management disputes and they go through what's called the FERC process. In that process, we sit down with the Company and review these pairings using data. And that data either comes from actigraphs or reports. And with that data, we've created parameters that there would be must fixes or request fixes. And that's done well before any of the pairings are finalized and before the build period starts. And so there is a lot of time that is spent looking over these pairings from a Fatigue Risk Management perspective, a lot of filtering, recognizing what is fatigue, what is not fatigue from historical data.

**Captain Marty Harrington** X pairings, revisions, we don't get to see those. We get the feedback from the DARTs and then we can attack or address those issues retroactively. But on the line, the pilots flying the trip ultimately have to make that decision. They have to self-evaluate. Delayed an hour, delayed two hours, at what point in time do you say, okay, let's self-evaluate or talk to your copilot or your captain saying, yeah, I'm kind of tired right now.

**Captain Rob Bassett** Yeah, one of the articles we've put out in the past regards look back and look forward capability. Can you forecast fatigue? Yes, but you have to do a self-assessment to see how long you've been awake. What was the quality of your previous sleep and how much longer will you be on duty or awake? And then the third thing to add to that would be the workload factor. Do you have weather, maintenance issues, abnormalities that would affect your stress level, contributing to your alertness factor? And so all that goes onto the pilots' shoulders to make a decision whether or not to continue.

**Captain Marty Harrington** How many DARTs have we gotten over the years that said, if I were to do it again, I would call in fatigued.

**Captain Chris Lee** Do you guys feel like our pilots are still hesitant to call in fatigued?

**Captain Marty Harrington** I think there is still a hesitancy. The whole fatigue issue has changed over time. It's different than it was 20 years ago when I first started, than it was 10 years ago. I think there are pilots out there, I've jumpseated with a captain, he said, when I'm fatigued, I call in fatigued. And then I think there's other pilots that are still hesitant for whatever reason. The question comes down to fit for duty. That's what the duty officer is going to ask you. Are you fit for duty? You say, no, I'm fatigued. You have to be able to make that judgment.

**Captain Rich Hughey** The decision is a safety decision. When you make the assessment that I have not got the physiological gas in the tank to do what's in front of me, it's a safety decision.

**Captain Rob Bassett** A lot of times when you are fatigued, your self-assessment will not be as accurate. Similar to drinking, you know, hey, I feel fine and you're not. Your cognitive capabilities have been reduced due to the amount of time you've been awake and your workload factor. So making that analysis or that self-assessment, you need a guide. So the [I'm Safe checklist](#) is one guide. It's recommended that you talk to your crew member, talk to someone else, sit down and discuss. You could talk about this as your brief before you go flying. It's considered as one of the threats. Fatigue is a threat to the safety of your flight. At any time you feel you have one of the symptoms of fatigue, stop. Talk to your crew member. Call the duty officer, say hey, listen, this is my look back. I've been awake

for twelve hours, if I continue here with this delay, I'll be up for over eighteen hours. I am not fit to continue. I am calling in fatigued. The key here is as a pilot who is fatigued, focus on fatigue, do not focus on CBA rules, don't focus on FAR rules. Don't focus on anything other than your self-awareness of whether you are fatigued or not. And if you are unable to continue safely, you call the duty officer and use the "F" word. And as soon as you tell the duty officer I am fatigued, unable to continue, the response is immediate.

**Captain Chris Lee** So I've self-assessed and have determined I'm fatigued. I've called the duty officer, I've been released into rest. After rest, what happens next?

**Captain Rob Bassett** That's a good question. When you do call in fatigued, there is a checklist on the [fdx.alpa.org](http://fdx.alpa.org) website under the FRMC section and it's the [CARMA checklist](#), and that checklist is pretty simple. The two first steps are very important. Contact the Company and tell them that you are fatigued and then get rest. The rest is administrative. Do not make any travel arrangements until you have rested and recovered. If you're in the field and sick, the Company shall provide transportation when the pilot is able to travel back to base. Once you're rested and able to continue, file a Company fatigue report and we ask that you also file an [ALPA DART report](#) and let us know what happened. When reviewing your pairing, we can only see the surface of the issue. It is incredibly important for you to explain what happened, what drove you to call fatigued. Give us information regarding your sleep and your workload and what other factors affected your decision to call in fatigued. CBA [12.A.9](#) discusses the different scenarios of when you called in fatigue. What's important is understand that every fatigue event will be reviewed by the FERC committee and the FERC committee consists of two ALPA members, myself and my Vice and two members from the Company. And we review your fatigue event. We will review the pay implications and make a decision based on your reports. Understand that almost 95 percent of fatigue calls where sick bank was deducted, that sick bank is reimbursed.

**Captain Chris Lee** So basically what I hear you saying is a pilot should not be concerned about their pay when they're trying to make that decision to call in fatigued.

**Captain Rob Bassett** Yes, most fatigue calls are covered by sick bank. The biggest discussion is to decide whether to reimburse or not reimburse the sick bank. And as I said, 95 percent of the time, sick bank is reimbursed.

**Captain Chris Lee** Talk about the trip removal process a pilot goes through when they call in fatigued.

**Captain Rob Bassett** No problem, Chris. In [12.A.9](#) in the CBA, it talks extensively about what happens to a pilot who was removed from a trip. I recommend pilots review this before and after they call in fatigued. The bottom line through all this process is that the FERC are very involved in this process after a person calls in fatigued. And let me just reiterate, the Company does not want you to fly fatigued. Once you call in fatigued, follow the [CARMA checklist](#), then this process will start afterwards. The three points are if a pilot calls in fatigued prior to check-in in base following a legal rest period is one example. Second one, a pilot calls in fatigued prior to check-in without a legal rest period, which is usually a hub turn. And finally, a pilot calls in fatigued after check-in while they are on a trip. These are three examples. If a pilot calls in fatigued after check-in of a trip, the pilot may be, A: given a legal rest period. B: current trip may be revised, giving an alternate duty assignment or C: pilot trip concludes, put into sick for the remainder of trip. This is very important. This is the CBA and when calling in fatigued and the C choice, the pilot is

listed as sick for remainder of trip. Schedules immediately after a pilot calls in fatigued will list it as sick and give the reasons why and move on to cover that trip. That is not your worry or responsibility. It is then an administrative issue for us to work with the Company on getting your bank reimbursed and it takes a couple of months. If after a few months you do not see your bank reimbursed, reach out to me and we will investigate it further.

**Captain Chris Lee** Can you talk about how a pilot might come to the decision to call in fatigued and can you give any examples?

**Captain Rob Bassett** There are scenarios where you have prepared for a certain amount of duty and then you were revised. Depending on your sleep quality or amount of sleep you had before, you might be able to handle that revision or you may not and a self-assessment at that time is very important. Look back and look at two of the most important factors, the sleep quality that you had before and amount of sleep and the workload factor you've had or you're going to have. And those can break down even further. In that sleep, how long ago was it? Have you had a nap more recently? And then when is the next time you're going to be able to sleep or recover? Now, workload factor is very important because if you had extra issues or outside issues that were stress-related, they could limit your ability to continue. Good examples are you're flying in from the West Coast, you're supposed to land in Indianapolis and go right to sleep and you're asked to revise to fly down to Nashville. Now, you had prepared to go right to sleep and you may not be able to continue or you slept great or you can get a nap before you go and you can continue down to Nashville. Then you continue down to Nashville and the Company asks you to go back to Indianapolis. Again, are you able to continue yes or no? Other examples of where pilots have called in fatigued or not called in fatigued are over in Asia right now with very challenging pairings and the pilots feel that they are unable to call in fatigued because they'll let the Company down or they feel boxed into a corner and have no choice because the airport or country that they're going to call fatigued in will be an issue.

**Captain Marty Harrington** We're bypassing a number of cities over in China due to the government restrictions and COVID but you can still call in fatigued in these places. We've had a fatigue call in Hong Kong. The Company will make arrangements for you to get rest at that point if you have to. A lot of these DARTs that we're receiving on these two-leg, multiple-leg, longer duty periods, I think pilots are hesitant and say they don't have the opportunity to call in fatigued because we're bypassing the city. You still can in those places.

**Captain Rob Bassett** An example of a recent DART report, "however, due to the COVID restrictions associated with entering XXX, we were backed into a corner of having to fly on to KIX." That's exactly what you're saying. They felt backed into the corner when the availability to call in fatigued is there and a lot of pilots don't understand that that choice is available to them.

**Captain Rich Hughey** They're challenged in the sense that they get put in a position between choosing between one risk or another. That's a hard place to be, because if you're concerned about your stay in Hong Kong as a risk and what might happen because it's uncertain, then you might choose to assume what could be a greater risk in flying fatigued.

**Captain Rob Bassett** Yeah, "When I arrived at the airplane, I could not keep my eyes open, I should have called in fatigued." That's a recent fatigue report over in Asia.

**Captain Rich Hughey** I know that both my fellow pilots and my Company do not want me flying fatigued because my performance suffers and my decision making suffers and we put ourselves at risk and we do not want that liability on our shoulders. So I have shifted to a more conservative approach. I know if I'm behind on sleep and if I've been given a duty extension, I self-assess before the duty whether I can do that and make the decision then.

**Captain Chris Lee** Well, thanks again guys for coming. Any final thoughts and we'll start with you Rob?

**Captain Rob Bassett** My final thought would be to emphasize the importance of the reports, Company Fatigue Reports, Insite reports, and the DART report. Word needs to get out about what happened to you and the best way is to reach out via the reports. The Company reports are mostly used for data collection, are collated, read, filed. The DART report is different. That gets me involved. Every single DART report I have received, I responded to the pilot. Sometimes it's via email, DART response, phone call, you name it. We respond to the pilots' reports and that's very important that they understand that we are involved with their fatigue incident, whether it was an event or just a report.

**Captain Chris Lee** Marty, final thoughts?

**Captain Marty Harrington** My entire career, we get into the cockpit, we go, how'd you sleep last night, how do you feel? How are you feeling now? Maybe some of those discussions should revolve around fatigue. Meaning, have you ever called in fatigued? What triggered your fatigue call? Did you have a flight where you think you should have called in fatigued? Early on in my career, I had times when retroactively I thought, yeah, that would have been a fatigue call. But having a conversation about fatigue, when did you call in fatigued, should you call in fatigued? That's conversations we need to have a little more often I think in the cockpit.

**Captain Chris Lee** Rich?

**Captain Rich Hughey** Our pilots as a collective shape culture every day. And just in case you aren't sure how culture is made, our experiences influence our beliefs and our beliefs drive our actions, and that's the equation of how culture is made, experiences, beliefs and actions. So put that in the context of fatigue. We've all experienced fatigue on the flight deck and we believe it's a risk and we need to manage it. The Company feels the same way. The action is making your self-assessment, making that call to the duty officer and then there's a process that's prescribed in the CBA on what happens next. But the outcome is we are a safer airline because of that and we need to keep shifting our culture towards that mindset. And we can see that over the fatigue calls over the last three years have increased partly due to COVID and the pandemic but I think we're driving a higher awareness of safety as we go forward. And last, I'd like our pilots to just reference FOM 2.03 and the third bullet. Any uncertainty regarding the safety of an operation is to be questioned and satisfactorily resolved before that operation is conducted or continued. And that's where fatigue falls in that discussion of safety and crew member responsibility. So please reference that if you need to remind yourself.

**Captain Chris Lee** And Dave, we'll close with you. Any final thoughts?

**Captain Dave Chase** Fatigue sounds like a simple topic, but it's actually a tough decision. We've seen the DARTs and when we see people telling us how they've reacted to fatiguing situations, we realize that although we have a lot of information on the subject,

that maybe we aren't the experts we think we are on how to react. I wanted to bring these subject matter experts in here to raise awareness to the topic of fatigue, even though it's a topic that we hear a lot about. I'd like to ask every FedEx pilot to read the collective bargaining agreement and review the [Fatigue Risk Management Committee page](#) on the [union website](#). And then I'd ask each pilot to consider the threat posed by fatigue and the risk to themselves and their careers. Rich mentioned our culture. Things like that don't change overnight. We're going to continue to face events around fatigue. It's just the nature of our careers. And I'd ask everyone to take some of the information we provided today and see if we can use that to be more proactive in how we face fatigue events in the future.

**Captain Chris Lee** Thanks again for coming and thanks for listening. If you have any questions, please go to [fdx.alpa.org](http://fdx.alpa.org) and utilize the [DART](#) link and as always, be safe out there and we'll see you next time.