



**TOPIC: Flight & Duty Time Limitations (FTL)
Fatigue Risk Management (FRM)**

BACKGROUND:

- EASA NPA 2009-02 provides new regulations for the implementation of Flight Time Limitations (FTL) and Fatigue Risk Management Schemes (FRMS)
- FAA Aviation Rulemaking Committee (ARC) on FTL/FRMS completed in Aug 2009
- Several NAA's prepare introduction of FRM to supplement basic FTL, partially in combination with cooperative trials to evaluate proposals to ensure the most practical way of implementing FRM (e.g. Transport Canada)
- Some airlines have completed various evaluations and trials to introduce FRM into scheduling (e.g. Qantas)
- IATA was an active participant in the ICAO FRMS Task Force (TF) from Aug-Dec 2009. This TF created draft guidance for ICAO approval. This timeframe was extremely aggressive for ICAO and IATA input was integral to this process.
- ICAO accepted and integrated IATA comments on draft FRMS guidance, which they approved on March 11, 2010. IATA was requested assist in the creation of a draft ICAO FRMS manual.

IATA POSITION:

1. Current FTL limitations are acknowledged and proven (e.g. for European Operators in EU-OPS Subpart Q)
2. All regulators shall ensure alignment with ICAO in the way Fatigue Management is regulated (refer also to item 8.)
3. The implementation of Fatigue Risk Management Systems (FRMS) shall be integrated into an operator's existing Safety Management System (SMS). New IATA SMS and FRMS guidance will provide this implementation guidance.
4. A Fatigue Risk Management System is deemed as a tool to provide additional flexibility for specific operations and shall therefore only be mandatory, when a flight scheme is proposed to operate beyond the approved FTL limitations



5. It will remain at the individual operators' discretion to implement FRMS for none, some or all of their operation.
6. FRMS elements should be developed jointly between the regulator and the operator experts in order to ensure this development is based on commercial aviation industry knowledge, proven science and experience in matters of fatigue management.
7. The final rulemaking should provide the option for an individual Authority and Operator to develop specific FRM schemes based on the assessed and proven ability of that operator and adapted to its specific needs.
8. The ICAO material currently in revision shall provide the necessary guidance for validation of the collected data and the degree of sophistication of the proposed scheme.
9. Adequate training for Operators and regulators is an essential component of a complete FRMS, and is required to allow Operators to achieve the full benefit of an FRMS. Therefore appropriate training programs must be designed and implemented for all parties.

CURRENT STATUS - ICAO:

- ICAO approved draft FRMS guidance material for Annex 6 on March 11, 2010
- The focus for the next few months will be on drafting the FRMS manual. The ICAO schedule is as follows:
 - Late May 2010: State Letter and draft FRMS Manual
 - September 2010: Deadline for S/L replies
 - October 2010: Analysis of replies and preparation of final review Air Navigation Working Paper
 - November/December 2010: Final review by ANC
 - March 2011: Adoption by Council

CURRENT STATUS - EASA:

- FTL (Subpart Q) was included in the EU OPS Regulation (2006)
- EU OPS 'Subpart Q' became applicable as of Jul 16, 2008



- ✧ Moebius report published in Jan 2009 resulted in strong media interest – bad press on aviation safety. Report was done by scientists only; no operational input.
- ✧ Report was supported by unions
- ✧ EASA formed a FTL regulatory working group in the fall of 2009. This group is meeting on a regular basis
 - Unions have introduced unacceptable changes to EU OPS provisions
 - Current joint IATA-AEA position focuses on acceptance of EU OPS without substantial change
 - Rule making draft anticipated in Q3 2010

CURRENT STATUS - FAA:

- ✧ FAA ARC completed in Aug 2009
- ✧ Pending US Government legislation tasks FAA to conduct a study on pilot fatigue, and update, where appropriate, its regulations regarding flight and duty times (March 2010)
- ✧ FAA must also initiate a process to carry out the recommendations of the Civil Aerospace Medical Institute (CAMI) regarding flight attendant fatigue. (H.R. 915 – FAA REAUTHORIZATION ACT OF 2009) CAMI is currently conducting the study.
- ✧ FAA NPRM addressing FTL and FRMS anticipated during March-June 2010 timeframe.
- ✧ FAA announced they will be issuing four advisory circulars regarding fatigue: FRMS, fatigue, crew rest facilities, and fatigue training. To date, these draft AC's have not been available for review.

PROPOSED ACTIONS:

- ✧ New EASA and FAA guidance should be aligned with ICAO guidance.
- ✧ EASA, IATA and AEA to ensure that the developed solution is in alignment with EU OPS 'Subpart Q' .
- ✧ IATA to work closely with ICAO regarding the development of ICAO FRMS manual.
- ✧ IATA to review, distribute and coordinate a response to ICAO FRMS state letter (anticipated in May 2010).



- IATA to coordinate with ATA regarding FAA NPRM as a result of the FTL/FRMS ARC.
- IATA to develop FRMS implementation guidance material by end of 2010.
- IATA to integrate FRMS into SMS training courses.