

One Level of Safety: We're Getting There

Clarification of the New Regulations

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Since the new fatigue regulations were issued in late December 2011, ALPA's been engaged in an aggressive two-prong approach regarding FAR Part 117. The mission? To notify its members about the positive changes and to lead the effort to fix the negatives.

The fix

Not ever backing down from One Level of Safety, ALPA remains unsatisfied with the cargo carveout that was attached to the new regulations. On April 16, after months of advocating the critical importance of applying the same fatigue rule to all airline pilots—regardless of what is in the back of an aircraft—the Safer Skies Act of 2012 was introduced on the floor of the U.S. House of Representatives.

Rep. Chip Cravaack (R-Minn.) and Rep. Tim Bishop (D-N.Y.) introduced the bill that, if passed, would advance ALPA's goal for One Level of Safety for all airline operations by directing the Department of Transportation to apply the FAA's flight- and duty-time regulations and minimum rest requirements to all-cargo operations in the same way that the science-based regulations currently apply to passenger operations.

"The Air Line Pilots Association, Int'l, hails the introduction of the Safe Skies Act of 2012 as serious action to enhance the safety of air transportation by ensuring that all-cargo airlines meet the same high safety standards as the passenger airlines with which they share airports and airspace," said Capt. Lee Moak, ALPA's president.

Moak noted that ALPA pilots played an important role in underscoring the serious need and demonstrating strong support for the aviation safety legislation. Over the coming weeks, ALPA will work with lawmakers on both sides of the aisle and across Capitol Hill to urge Congress to take up and pass the Cravaack–Bishop bill as quickly as possible.

Leading the industry

In the past two months, ALPA has spearheaded a large-scale industry conference highlighting the new fatigue regulations and their implementation.

In March, the "Flight-Time/Duty-Time Conference: Moving Part 117 Forward" brought together representatives from government agencies, the airlines, and other aviation labor groups to explore how the FAA's new pilot fatigue rule could be put into practice and how the airline industry can implement Fatigue Risk Management Systems (FRMS) and other tools to further enhance aviation safety.

"The Air Line Pilots Association, Int'l, seized the opportunity to bring the industry together to roll up our sleeves and explore how the new regulations will be implemented to ensure a smooth transition to the new FAR Part 117 and position pilots to deliver on their commitment to the highest standards of safety," said Moak.

At the Conference, more than 160 participants held wide-ranging discussions on all aspects of implementing the new flight- and duty-time regulations and minimum rest requirements as well as innovative approaches to combat fatigue, including making the most of tools such as FRMS to allow flexibility while enhancing safety.

In April, ALPA's "Closing the Gaps in Air Cargo Safety and Security Conference" brought the airline industry together to develop solutions to achieve one level of safety and security for all airline operations, regardless of whether the pilots are flying passengers or cargo.

It attracted more than 100 attendees, included speakers representing Congress, regulators, labor, airlines, and industry organizations. Look for more coverage in the June/July issue of *Air Line Pilot*.

Call to Action

The Safer Skies Act of 2012 will undo the exemption for cargo carriers and require that all airline operations abide by the same rules and safety standards. Tell your federal legislators



cosponsor H.R. 4350 today. Visit www.alpa.org/calltoaction or scan the QR code to take action.

that as a pilot and ALPA member One Level of Safety in the skies is important to you and urge them to

Understanding the new FAR Part 117 regulation

When the new FAR Part 117 flight time regulation is implemented, there will be both block and duty limits. For some 60 years, the guidelines for pilots have been "you can't schedule me for more than 8 hours of flight time in a 24 consecutive-hour period." The key word is "scheduled" and that arises in most instances well in advance of the actual flight. At the time the flight or flight segments were scheduled, it could be reasonable to

expect that the assignment could be completed in eight hours. However, often for a variety of reasons, the actual flight time would exceed the eight hours, but a pilot was legal to complete the flight as long as he or she had the required rest in the 24-hour period because the limit was scheduled, not actual.

FAR Part 117 makes a paradigm shift from scheduled to actual block hours and provides lower limits for early morning and late evening hours. This change will result in more realistic scheduling and addresses circadian rhythm. The only permitted extension to these limits is if at the time of takeoff a pilot calculates that he or she can complete the flight within the limits but while in the air encounters unexpected weather or ATC delays that will cause the pilot to exceed the limits. In that event, the airline must report the extension to the FAA within 10 days to explain the reasons for the extension and what actions the airline is taking to minimize the need for future extensions. FAR Part 117 will require the pilot to do a "Whitlow" calculation at each takeoff to determine whether he or she can complete the flight within limits. For example, if the aircraft pushes back from the gate with sufficient time to complete the flight within limits, but due to ramp or other ground delays by the time the pilot is cleared for takeoff he or she can no longer complete the flight within limits, the pilot cannot depart and must return to the gate. The new FAR Part 117 actual flight limits are set out below.

Part 117

Unaugmented:	
0000-0459	8 hard
0500-1959	9 hard
2000-2359	8 hard

In addition to block limits, there is also a duty limit for any period of time that includes an FAR Part 121 flight assignment, which is called the flight duty period (FDP). This period is measured from the time the pilot

reports until the pilot is released from all duty for the airline. These limits vary depending on the time of report and number of flight segments scheduled. These limits are set forth in the table in the right column.

To complete a flight, the pilot must be within both the block and FDP limits. Unlike the block limits that are hard, the airline

Scheduled Time Of Start (Acclimated Time)	Maximum Flight Duty Period (hours) For Lineholders Based on Number Of Flight Segments						
	1	2	3	4	5	6	7+
0000-0359	9	9	9	9	9	9	9
0400-0459	10	10	10	10	9	9	9
0500-0559	12	12	12	12	11.5	11	10.5
0600-0659	13	13	12	12	11.5	11	10.5
0700-1159	14	14	13	13	12.5	12	11.5
1200-1259	13	13	13	13	12.5	12	11.5
1300-1659	12	12	12	12	11.5	11	10.5
1700-2159	12	12	11	11	10	9	9
2200-2259	11	11	10	10	9	9	9
2300-2359	10	10	10	9	9	9	9

has the flexibility to extend FDP limits, up to 30 minutes. Additionally, the airline, with the concurrence of the pilot-in-command, may—if unforeseen operational circumstances arise before takeoff—extend the FDP up to two hours. This may occur only once before receiving a 30-hour rest period. If an extension occurs, the airline must report the extension to the FAA, detailing the reason for the extension and what is being done to minimize future extensions. The airline must implement any corrective action within 30 days.

The new flight time and FDP limits address issues that ALPA has long sought: realistic scheduling, duty based on number of scheduled flight segments, and circadian rhythm. Other features of FAR Part 117 will be topics in future issues of *Air Line Pilot*. Stay tuned. ☀

To view the final flight-time/duty-time rule, A Part 117 Regulator Impact Analysis, FRMS Guide for Operators, and FRMS Manual for Regulators, visit www.alpa.org/fightingfatigue and click on the icon in the upper right-hand corner.

Say What?

(An abbreviated glossary. For the full glossary please visit www.alpa.org/fightingfatigue or scan the QR code below.

Duty: Any task that a flightcrew member performs as required by the certificate holder, including but not limited to flight duty period, flight duty, pre- and post-flight duties, administrative work, training, deadhead transportation, aircraft positioning on the ground, aircraft loading, and aircraft servicing.

Flight time: Pilot time that commences when an aircraft moves under its own power for the purpose of flight and ends when the aircraft comes to rest after landing.

Flight duty period (FDP): A period that begins when a flightcrew member is required to report for duty with the intention of conducting a flight, a series of flights, or positioning or ferrying flights and ends when the aircraft is parked after the last flight and there is no intention for further aircraft movement by the same flightcrew member. A flight duty period includes the duties performed by the flightcrew member on behalf of the certificate holder that occur before a flight segment or between flight segments without a required intervening rest period. Examples

of tasks that are part of the flight duty period include deadhead transportation, training conducted in an aircraft or flight simulator, and airport/standby reserve, if the above tasks occur before a flight segment or between flight segments without an intervening required rest period.

Whitlow: On Nov. 20, 2000, the FAA issued an interpretation regarding the 8-in-24-hours rest requirement. This interpretation is commonly known as the "Whitlow Letter" and it was consistent with the agency's long-standing interpretation of the current rules. In summary, the FAA reiterated that each flightcrew member must have a minimum of 8 hours of rest in any 24-hour period that includes flight time. The scheduled flight time must be calculated using the actual conditions on the day of departure before the take-off to determine whether the flight can be completed to allow for the eight-hour rest. If the flight cannot be completed to allow the rest, the flightcrew cannot depart.



For more information, visit www.alpa.org/fightingfatigue. ☀