



A Step Closer to New Pilot FT/DT Rules in North America

By Capt. John Prater, ALPA President



For decades, airline pilots have endured the FAA's outdated flight- and duty-time (FT/DT) limits and minimum rest requirements.

For far too long have some operators shown little concern with pilots flying fatigued. After all, the rationalization of "if it's legal it must be safe" is common among

bottom-line managers who parrot "safety is No. 1" in their sleep. Yet how many shortcuts have we identified regarding pilot training, outsourcing, hazardous materials, cargo security, and hundreds of lesser publicized issues? Constructive criticism and the professional dedication of thousands of ALPA members, coupled with robust political and regulatory activism, are what allow our union to make a difference.

Our unrivaled and genuine position of "safety first" intensified when tragedy struck in February and March 2009 and again in September 2010. Each of these accidents underscored the need for safety to be a priority for all. As we mourned the loss of pilots and the passengers of Colgan Flight 3704 and crewmembers of FedEx Flight 80 and UPS Flight 6, we vowed that their loss would not be in vain. We remain determined to expose the challenges of our industry, including federal regulations that legalize pilot fatigue. Through our persistence in the news media and with the NTSB, the FAA, and Congress, and our well-prepared FT/DT Committee, whose work was based on the findings of our Blue Ribbon Fatigue panel, ALPA was able to successfully rally many allies around the outdated regulations.

ALPA's effort to update FT/DT rules advanced in 2009 when FAA Administrator Randy Babbitt created an Aviation Rule Making Committee (ARC)—naming seven ALPA members to the group—with a mandate to comprehensively review current FT/DT regulations and recommend changes to reduce fatigue and improve safety. The ARC made its recommendations to the FAA on Sept. 1, 2009.

Since that time, ALPA has remained engaged in this discussion. I was invited to testify before Congress on numerous occasions and reiterated the crucial need for science-based FT/DT rules and minimum rest requirements, with one set of rules for *all* airline flying. This summer, President Obama signed into law H.R. 5900, a bill that directly incorporated ALPA's input and mandated that the FAA issue a final rule by July 31, 2011. H.R. 5900 also included a mandate on basic pilot training and experience and increased focus on mentoring and professionalism. On Sept 10, 2010, the FAA released its notice of proposed rulemaking (NPRM).

(See "One Step Closer to Modern Regulations to Mitigate Pilot Fatigue," page 28.)

During the 43rd BOD meeting, your local council reps emphasized the union's unyielding position of "Schedule with Safety" (see "Delegate Committee 3," page 22). ALPA's FT/DT Committee is preparing our public comments to submit to the FAA by November 15. I hope there will be widespread consensus among pilot unions, but I know there will not be a single unanimous position.

Just like the other efforts to update safety regs, there are industry advocates who are taking legal and legislative efforts in the 112th Congress to reverse any meaningful change

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to the current regulations. After all, safety costs money, and those affected will stop at nothing to prevent the NPRM from being implemented. Their master plan? To aim a spotlight on how airline pilot representatives can't even agree on what the FT/DT regs or training and experience levels should be. Yes, they will use the differences in pilot union filings to ask the government to send these proposed regulations back and do it all over. That's what happened in the 90s, and it's why we live under the 1950 regulations today.

Despite changes that will occur on a political level, one thing remains steadfast: ALPA's position on safety is unfettered. For this reason in 1931 ALPA was created, and for this reason your union will continue to battle against any opposing foe who challenges us on safety matters.

Through our members' experience and by actively pointing out the worst scheduling practices, we have endeavored to augment the minimum regulations through collective bargaining with contracts that address both quality-of-life and safety concerns. This will not end despite changes to the FARs or CARs. This union will be—must be—successful in preventing some of today's worst legal scheduling abuses. And we will do this by ensuring that the new rules for flight and duty time, pilot training and experience, hazmat, cargo security, and any safety issue in the United States and Canada reflect ALPA's perspective—airline pilots' perspective—every step of the way.