STATEMENT OF
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AIR LINE PILOTS ASSOCIATION, INTERNATIONAL
BEFORE THE
SUBCOMMITTEE ON AVIATION
COMMITTEE ON TRANSPORTATION AND INFRASTRUCTURE
UNITED STATES HOUSE OF REPRESENTATIVES
ON
"THE FAA'S CALL TO ACTION ON
AIRLINE SAFETY AND PILOT TRAINING"

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Good morning Mr. Chairman, Ranking Member Petri and members of the Committee. I am John Prater, president of the Air Line Pilots Association, International (ALPA). ALPA is the world's largest pilot union, representing nearly 54,000 pilots who fly for 36 airlines in the U.S. and Canada. ALPA was founded in 1931 and our motto since its beginning is "Schedule with Safety." For almost 80 years, ALPA has had a tremendous impact on improving aviation safety. ALPA is a founding member of the International Federation of Air Line Pilots Associations (IFALPA) and the U.S. and Canada representative to the Federation which joins the pilots of over 100 nations together in safety and security harmonization efforts. Today, ALPA continues to be the world's leading aviation safety advocate, protecting the safety and security interests of our passengers, fellow crewmembers, and cargo around the world. ALPA has lived up to its mandate to the extent that many in the government and industry, including a former FAA administrator, have referred to us as the "conscience of the airline industry."

You will recall that we testified before this committee on June 11th and we are very pleased to testify once again with our observations and recommendations following the conclusion of FAA's 12 Call to Action (CTA) meetings held around the country this summer.

ALPA's Promotion of Airline Safety and Pilot Training Measures

It was my honor and pleasure to lead a dozen ALPA representatives to the FAA's industry summit on June 15th and to serve as the pilot union moderator at the inaugural CTA held in Washington, DC on July 21st and attended the St. Louis forum on August 21st. Almost 70 ALPA pilots took time from their busy lives to attend one or more of the 12 CTA events held around the country and we provided ALPA pilot moderators at six of the events.

To demonstrate our commitment to meeting the goals of enhancing airline safety and pilot training, I would like to share with the Committee some of the actions that ALPA has taken in recent months.

Professionalism

ALPA's Professional Standards Committee acts as the guardian of the ALPA *Code of Ethics and Canons,* which was formally adopted by our Board of Directors in 1956. It provides expected standards of behavior and conduct for professional pilots and ALPA members. The *Code*, a copy of which is provided as part of this written statement, is posted on the ALPA website, contained in the ALPA Policy Manual, and is periodically published in *Air Line Pilot* magazine, which last occurred in our August 2009 issue.

I directed our leadership at 36 airlines to work with their respective airlines to promote and use the document during pilot training. We made the *Code* available to the FAA at the first CTA and it generated a significant amount of interest.

Because of our strong history of promoting professionalism, FAA has asked ALPA to assist the agency with the development of training materials that can be used by airlines for that purpose. Our professional standards and pilot training experts have begun work to develop those materials and their first action was developing the letter to our leadership about the *Code* as mentioned above. An *Air Line Pilot* magazine article about professionalism is planned for later this year along with a full-length version of the *Code* as an insert. We anticipate providing completed training materials to the FAA next year.

Virtually every one of the ALPA-represented airlines has its own Professional Standards Committee at the Master Executive Council (MEC) level. The purpose of the MEC Professional Standards Committee is to promote and maintain the highest degree of professional conduct among ALPA pilots. A successful Professional Standards program enhances the margins of safety in daily flight operations, which is the primary concern. It also protects and enhances the standing of the profession. More specifically, Professional Standards Committees:

- Address problems of a professional or ethical nature involving pilots.
- Resolve cases of pilot misconduct that affect flight deck safety and/or professionalism.
- Resolve conflicts between pilots that may affect flight deck safety and/or professionalism.
- Resolve conflicts between a pilot and a member of another employee group, or another individual, that may affect flight deck safety and/or professionalism.
- Resolve conflicts arising out of conduct perceived as reflecting unfavorably upon the profession.
- Promote the highest standards of professional conduct through regular communication with the pilot group.

ALPA International's Professional Standards Committee provides training for the MEC committees annually at our Pilot Assistance Forum and other times as needed. The forum is so popular that numerous non-ALPA pilot and airline representatives frequently attend. Unfortunately, while many of our carriers' managements fully support and fund this program, others have refused to allow ALPA safety representatives to attend these critically important functions.

We are in the process of creating a new initiative, called the ALPA Professional Development Committee, which will focus on, among other things, education of future airline pilots. The committee leadership is actively working with the University Aviation Association and the Aviation Accreditation Board International on ways in which ALPA can play a more active and useful role in the promotion of the highest standards of professional development by all pilot candidates from university aviation programs.

Training

We have been very pleased to have had the opportunity to work with you and the Aviation Subcommittee's staff as you developed what became HR 3371. The bill contains numerous, strong provisions which we are certain will enhance airline safety through better pilot training. Indeed, even before the bill has been signed into law, the FAA has seized on one of the key provisions, pilot fatigue, and is preparing to issue a Notice of Proposed Rulemaking to change the agency's archaic flight and duty time rules.

I am pleased to announce today that ALPA has recently published a new white paper on pilot screening, hiring, training and mentoring. This document – now available online at www.alpa.org – provides an in-depth examination of the current state of airline pilot screening practices, problems with what we refer to as "low-experience pilots," inadequacies in training curricula, the need for greater education requirements for airline pilots than now exists, and the need for airline Safety Management Systems, among other things. The paper concludes that airline pilots should be held to a higher standard of competency, knowledge and training than pilots in non-commercial operations, which is not the case at present.

Risk Management

Nearly all of our member airlines have an Aviation Safety Action Program (ASAP) and about half have a Flight Operations Quality Assurance (FOQA) program. We are very strong proponents of such non-punitive safety reporting programs and have been instrumental in helping shape the FAA's ASAP and FOQA guidance documents. ALPA is also an active participant in the industry/government Aviation Safety Information Analysis and Sharing (ASIAS) program. ASIAS involves the sharing and analysis of safety information generated from ASAP and FOQA programs. ALPA has also expended considerable resources over the past several years in assisting the airlines with establishing ASAP and FOQA programs on their properties, and that work continues today. Sadly, we continue to encounter airline managements, and sometimes even FAA inspectors, who remain convinced that the way to deal with safety issues identified

through these programs is to punish pilots or other employees for mistakes made on the job. Let me reiterate – ASAP and FOQA programs will fail if used as a disciplinary tool instead of being used as intended to promote a safety culture.

The FAA has established a new Aviation Rulemaking Committee (ARC) which is charged with developing a rule for airline Safety Management Systems (SMS). One of our pilot members is a tri-chair of the ARC. ASAP and FOQA programs will be an integral part of a well-structured SMS. These reporting programs are vital to providing a factual basis for safety risk assessment and a gauge to how well safety mitigation strategies are working.

Analysis of Call to Action (CTA) Events

Before commenting on the 12 CTA events held this summer, we would like to recall how FAA conducted another CTA – concerning the subject of runway safety – in 2007. FAA convened a high-level industry meeting on August 15 of that year with participation of airline, airport, pilot and air traffic control representatives to discuss ways to address the serious problem of runway incursions. That meeting resulted in specific action items to be completed within 60 days by airport managers, airline management and the FAA's Air Traffic Organization. Airport operators committed to installing new pavement markings and enhancing vehicle driver training programs. Airlines committed to providing simulator training for all pilots with a focus on ground operations, revise cockpit procedures to reduce distractions and train ground employees on safe airport operations. The ATO committed to conducting a safety risk analysis of a new taxi clearance procedure and implementation of a voluntary safety reporting mechanism. The FAA followed up with all of those who committed to those action items to ensure that they were completed by the 60-day deadline.

Unfortunately, in the case of this most recent CTA on pilot selection and training, the "action" expected of regulated parties and the agency itself was noticeably absent. Indeed, the FAA's guidance to those facilitating the event addressed "commitments" but these were to be adopted on a strictly voluntary basis with no deadline and no follow up. The results of the 12 meetings, as described in meeting notes taken by the FAA, confirmed that this was the outcome.

The stated purpose of the CTA events was to bring the industry and pilot communities together to discuss the following four major topics:

1. Air carrier management responsibilities for crew education and support
2. Professional standards and flight discipline
3. Training standards and performance
4. Mentoring

The meetings were facilitated by three individuals: an FAA senior executive; an air carrier industry leader; and a pilot-union leader. Most of the events had very good

representation from a cross section of FAA personnel, airline, corporate and charter operators, in addition to airline pilots.

We have examined the notes that the FAA prepared from each of the 12 sessions and would offer the following high-level synopsis of the discussions held around the country on each of the four focal areas.

1. Air carrier management responsibilities for crew education and support
    - Safety must be "top down" and not "bottom up"
    - Safety program goals must be observable and measureable
    - Fatigue and sick-leave policies should be non-punitive in nature; implementation presents difficulties for management and labor
    - Safety information must be communicated well, which includes voluntary safety reporting programs
    - Screening and hiring practices at airlines varies widely; there is a need for better screening procedures than are commonly used today
    - Quality of flight experience is more important than quantity of experience
    - Need to improve training for new pilots and pilots in new positions; must train to proficiency
    - Mentoring of new pilots is essential, and inexperienced pilots need additional initial operating experience. Captain's leadership training is needed for their own performance and to help them mentor others. Performance of mentoring pilots should be standardized with programs established for that purpose.
    - Professional standards committees serve valuable function in maintaining quality operation

2. Training standards and performance
    - Tailored training should be provided for diverse groups of pilots entering the industry
    - Pilot performance should be monitored by the airline, with the participation of pilot unions, and additional training provided as required; FOQA and LOSA are good quality assurance tools
    - Problem with those pilots who repeatedly fail checks should be addressed; numerous difficulties are created by this situation for both the pilot and company
    - Make greater use of training review boards, with the participation of pilot unions, to assess pilot performance

3. Professional standards and flight discipline
    - Airlines and labor share some expectations, such as the need for a well-rested crew and a well-maintained aircraft
    - The industry has professional standards, but could use leadership standards

- Need to strengthen professional standards committees
- Economics and other factors have significantly eroded pilot morale and undermined the career
- Management and labor should communicate better and demonstrate appropriate behavior to include CRM and Threat and Error Management
- Pilots should adhere to strong code of ethics
- Use of FOQA data for disciplinary purposes harms safety

4. Mentoring
   - Industry, labor and FAA should work together to help individuals mature into professionals before flying for a commercial airline
   - Universities are creating professional development programs
   - Informal safety information sharing is desirable, between mainline and partner carriers and between competing carriers
   - The public should be informed that safe flying is not free or cheap
   - Mainline carriers need to provide greater oversight of regional carriers and ensure an equivalent level of safety
   - Disparity exists in training and experience of regional pilots due to extreme cost pressures placed on regional's by majors
   - Regional carriers are much less likely than the majors to permit pilots to participate in safety training programs

We asked our ALPA representatives at the CTA's to provide us with their thoughts and observations on those events, a sampling of which follow.

Minneapolis – I'm happy we had the opportunity to share our concerns, especially with national FAA people present. I don't think everyone was as forthcoming as they wanted to be. Some people were very honest, but many felt that if they spoke up they might be singled out later on. I did not like the format; we ended up with "open mic night" where people could comment at random and it was very disjointed that way. We didn't come up with very many solutions but I feel we could have if we had stuck to one issue at a time. My biggest complaint was the lack of participation by the FAA. At our meeting, the local and regional FAA inspectors filled up the back half of the room and not one of them made any comment at the meeting. I felt many of the industry (airline) managers there were putting too much of the fatigue onus on the pilots. More than once I heard the comment, "If you are too tired to fly it is up to you to call in and say that." While I agree accountability lies with the pilot, it is the responsibility of the company to make schedules that allow for rest. This is not just a problem for commuters -- you can live in domicile and still be plenty tired from poorly constructed trips and long days (a point made at the meeting by one of our pilots). I felt like the airline managers were making this more to be a problem of pilots allowing themselves to fly tired and not taking any of the responsibility themselves.

Atlanta – The majority of the discussion centered around the quality, efficiency, and continued monitoring of the pilot training process. The primary focus was on young

pilots at their first position at a regional airline, though some thought was given to tracking the "marginal" crewmembers who have been on the job for many years, never busting enough checks to lose their jobs, but possessing a track record of significantly poorer performance than their peers. The regional airlines are concerned, because they know the FAA is serious about additional regulation, possibly including a massive additional requirement for initial hire experience requirements. Sadly, though a myriad of concerns and complaints were aired, none received any further discussion, debate, or prioritization. In other words, several folks talked for a few hours, but the leaders of the discussion never chose any suggestions or user input to examine further by the group. There were no conclusions, or resolutions, or even ideas labeled as worth a second look.

Dallas – Who knows what will become of these conferences? If the future is anything like the past, I fear we may have participated in well-orchestrated window dressing. We spoke several times and made several points. They included:

- We are done with the tired refrain of "if it's legal, it's safe!"
- Responsibility for fatigue occurring in the industry must be laid at the feet of the FAA.
- The reason why a crew scheduler feels comfortable with demanding a pilot to fly a fatiguing schedule is because the FAA allows them to!
- The FAA has allowed a system to develop in which airline managements has too many opportunities and too much authority to interrupt rest and pressure pilots into accepting fatiguing schedules.
- We need to license and bring accountability to Crew Scheduling.
- Don't call us together and ask our opinion and then ignore us like the FAA has done in the past!
- If the FAA wants to interject more realistic scenarios into our simulator sessions, then they must do so as training events and not checking events.

Conclusions on CTA Events

Based on ALPA's extensive participation in the CTA events, we conclude the following:
- The topics that were selected are important to both management and labor and deserve to be addressed
- A number of solid safety recommendations were made and management and labor agreed that they are worthy undertakings
- Airline management did not publicly volunteer to undertake enhancements to safety as a result of hearing the discourse during the CTA meetings
- Airlines will not advance aviation safety per the recommendations absent new FAA requirements

To underscore the final conclusion, we would note with some irony that the media has recently reported on the onerous sick leave and fatigue policies at Colgan Airlines, Pinnacle Airlines and their parent company Pinnacle Corporation. Despite the NTSB hearings earlier this year which confirmed Colgan's adverse behavior in this regard, our

members confirm that those companies continue to take a hard line with pilots who call in too sick or too fatigued to fly. In fact, approximately one-third of Pinnacle pilots are reprimanded for sick leave and fatigue-related absences annually. This demonstrates the fallacies in Colgan and Pinnacle staffing and scheduling practices and shows how archaic flight/duty regulations are which allow these unsafe practices to exist. Mainline management often refuses to intervene with the onerous practices of these so-called private vendors, despite the fact that they book their passengers on them and have their liveries painted on the regional airline's aircraft.

The Impact of the Mainline Airlines' Business Model

We would like to comment on one of the fundamental causes of the low-experience pilot problem, which is the mainline airlines' business model. Mainline airlines are frequently faced with pressures on their marketing plans that result in the use of the regional feed code-share partners, whether they be economic, passenger demand or essential air service. These code-share or fee-for-departure (FFD) contracts with smaller or regional airlines provide this service and feed the mainline carriers through their hub cities. Before the practice of code-sharing or FFD with regional partners, all flying was done by the pilots of an airline on a single pilot-seniority list. The pilots of the airline were trained to and met the same higher-than-minimum regulatory standards. A safety benefit is derived from all flying being done from a single pilot-seniority list because it requires that first officers fly with many captains and learn from their experience and wisdom before becoming captains themselves. Several major airlines use multiple, regional "vendor" carriers to continually drive down their costs, but that practice harms safety because first officers can become captains within a year at the vendor airline and fail to gain the experience and judgment needed to safely act in that capacity.

Code-share and FFD agreements typically result in the mainline carriers exerting a great deal of pressure on the regional airlines to provide their service at the lowest possible price. The mainline airlines grant these outsourcing code-share and FFD contracts to the regional carriers for short periods (e.g. 2-7 years). As a result, the overriding concern by the regional carriers has become lowering costs to today's substandard levels to prevent being replaced by another airline at the end of their contract. Most recently, some larger regional carriers have subcontracted with smaller regional airlines to operate these routes for them. This results in the mainline carrier's brand name and paint scheme being used by a third party. In some extreme cases, airlines have outsourced a majority of their routes to regional airlines with pilots having as little as 250 hours of experience while the mainline carrier furloughed its own pilots who possessed more than a decade of experience in the industry. This resulted in replacing experienced pilots with low-experience pilots flying for the low-paying regional operator, all under the livery of an established brand. Another cost-cutting tactic used by regional vendor airlines is endemic short-staffing, which leads to pilot pushing, fewer pilots flying more and more hours per month, and a resultant reduction in safety margins.

Aircraft leasing and fuel costs are relatively fixed expenses, which leaves labor and training costs as areas in which the smaller carrier may have some ability to decrease its costs to service the route. Due to the economic pressures of conducting operations with such a small profit margin, some regional airlines actually want their more experienced pilots to quit, which enables them to hire lower-paid pilots as replacements.

When a regional airline operates a route for a mainline carrier and offers subpar wages and benefits, only low-experience pilots, who cannot qualify for a job with a better paying airline, are typically willing to accept such employment. It is not uncommon that training at such carriers is conducted only to FAA-required minimums. However, these low-experience pilots obviously need more training than more experienced airline pilots to gain equivalent knowledge of the operating environment, aircraft, and procedures before flying the line.

In these code-share and FFD agreements, the mainline carrier controls all aspects of ticket pricing and schedules, regularly moving flying between its regional partners. This creates a very unstable occupational environment for pilots which results in cycles of furloughs and terminations, stress, and fatigue. Regulators should require that airlines implement Safety Management Systems (SMS) to develop a safety culture which develops mitigations to the risks created by the mainline business model.

Recommendations

While we commend the FAA for swift action in launching the Call to Action, we believe that many of the industry best practices must be mandated. As an industry, we have a tendency to work hard to identify issues and solutions but we are slow to implement those solutions voluntarily. As a result, we urge Congress to expeditiously pass this Committee's bill, HR 3371, into law. The legislation was crafted in response to disturbing trends we have seen in the regional industry and with outsourced air carriers, and in light of concerns raised during the investigation of the tragic Colgan accident earlier this year.

The bill contains numerous provisions which, if enacted, will make a profound difference in the selection, training, education and safety of future airline pilot professionals including:

- The requirement for a final rule, not later than one year after enactment of HR 3371, to mitigate pilot fatigue using the best available science
- Implementation of Safety Management Systems at all Part 121 airlines
- Measures to facilitate the employment of FOQA and ASAP programs at all Part 121 carriers
- A rulemaking to require stall avoidance and recognition training in Part 121 operations
- A requirement that each Part 121 airline create a flight crewmember mentoring program

- A rulemaking to require that all prospective flight crewmembers undergo comprehensive pre-employment screening, to include skills, aptitudes, and airmanship
- A requirement that airlines access and evaluate pilot training records as part of the employment screening process
- A requirement that prospective airline pilots meet higher licensing and hourly requirements
- Requires studies to be performed on flight crew education and professionalism, flight schools, voluntary safety programs, flight crewmember pairing, and crew resource management (CRM) techniques

We offer Congress our assistance in helping to promote this legislation to become law.

Thank you, again, for the opportunity to testify today. I would be pleased to address any questions that you may have.

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