

7 Changes to Make EASA FTL Rules Safe(r)

On 1 Oct. 2012, the European Aviation Safety Agency published its 'Opinion 04/2012' on EU-wide Flight Time Limitations (FTL) for pilots and cabin crew. This Opinion fails to meet the EU's legal mandate, disregards scientific evidence (incl. 4 reports commissioned by the Agency itself), runs counter to the precautionary principle, and allows duty schedules that are dangerous.

To provide passengers with rules that guarantee their safety, concrete changes are required:

1. Enshrine the 'Non-regression principle': As under today's 'EU-OPS' Regulation, this will allow Member States to maintain and introduce stricter safety standards at national level, if they wish so, whilst EU rules provide a minimum safety level only. EASA proposes to abolish this principle. This would force several countries to 'regress' their standards to the lower EU level.
2. Limit Night flights to 10 hrs, as scientists unanimously recommend, to prevent dangerous fatigue levels. In the meantime start research on night operations to determine conditions for safely exceeding 10 hrs in future. – EASA's Opinion allows 11 hours (down from an excessive current limit of 11:45) and even up to 12:30 at night for late afternoon starts.
3. Inflight-rest for cabin crew: Against scientific advice EASA adds 1 hour – for cabin crew – to the flight duty time after extension due to 'inflight-rest'. Cabin crew must have the same maximum limits as pilots in any combination of different circumstances. The periods of extension in table c) must reflect scientific advice and not add an extra ca. 30 minutes.
4. Make Standby provisions safe:
 - a. 16 hour 'Cap' for Standby + Flight Duty: put an upper cap on the combination of (home/ airport hotel) standby followed by a flight (in the US = 16 hrs). Otherwise, landings will be possible at the end of very long duty days (up to 20-22 hrs) and even more hours awake.
 - b. Protect sleep during "Reserve" standby: EASA allows crews to be put on "Reserve" for many consecutive days, to be called any moment day or night for a later flight duty. To prevent sleep disruption and fatigue, introduce a 'contactable' mechanism (like in UK) to allow crews to plan their sleep before a flight. And provide a notice period of at least 12 hrs for flights touching the 'deep-sleep' "WOCL" period (02:00-05:59). 'Reserve' should formally be treated as standby in all respects.
 - c. Limit duration of 'delayed reporting' standby: To prevent excessively long 'on-call' periods during delayed starts followed by a full flight duty, set a maximum delay of 4 hours (as in EASA's previous CRD text), after which the flight duty 'clock' starts ticking.
5. Remove Opt-out mechanism on 'disruptive schedules' which allows evading restrictions on schedules which disrupt sleep patterns. Do so by replacing 'early type' / 'late type' definitions by a *single* definition e.g. for 'early starts', as recommended by the scientists (05:00-06:59). And require 3 local nights (instead of only 2) within an 'extended recovery rest period' after 4 or more consecutive early starts (, late finishes and/or night duties), as scientists recommend.
6. Airport Duty for safety tasks only: Define the words "or other duty" in the new definition of 'airport duty' in order to prevent that operators make air crew work for several hours on non-safety-related tasks before they embark on their flight. Mixing ground and flight duties can significantly affect the crew's alertness levels during the flight.
7. Protect against fatiguing effect of long work days with multiple take-offs and landings: Follow the scientists' advice to a) limit the twice-weekly 1-hour flight extension to flight duties starting between 08:00-12:00 (instead of 06:15-19:00); b) to reduce the flight duty as of the 2nd take-off (instead of 3rd) and c) reduce it by 45 minutes as of 4th take-off (instead of 30 min.).