



Galerie Agora,
Rue du Marché aux Herbes 105, Bte 11
B-1000 Brussels
Telephone +32 2 285 46 60
Fax +32 2 280 08 17
Email: etf@etf-europe.org
www.etf-europe.org

European Transport Workers' Federation
Fédération Européenne des Travailleurs des Transports
Europäische Transportarbeiter-Föderation
Federación Europea de los Trabajadores del Transporte

Brussels, 3rd March 2015

Dear ,

The International Transport Workers Federation (ITF) working together with the European Transport Workers Federation (ETF) would like to comment on the proposals contained in the letter to contracting states, dated 15th Dec 2014, titled:

Proposal for the amendment of Annex 11 relating to fatigue management approaches and consequential amendment to Annex 6, Part I

We recognize that this letter is seeking comments on the proposals on behalf of contracting states, but we would like to make representations on this topic, and place on record our views, on behalf of our member organisations worldwide.

Fatigue is of course a very important safety related subject and we welcome the work ICAO is doing to tackle this topic. As we have seen, unfortunately in too many aircraft accidents fatigue can be a contributing factor and must be managed appropriately. However we can only regret that ITF has not been invited to participate in the FRMSTF and therefore oppose the statement made in Attachment A 1.3.

There is a strong link between fatigue management and the social aspects of working times and conditions, as inevitably proscriptive rules and performance based approaches, such as fatigue risk management systems have an affect on staff working arrangements. These are often negotiated with employers through collective agreements. We would wish that ICAO can make provision in the resulting work that appropriate consideration is given to proper consultation with staff representative bodies to ensure systems to mitigate fatigue are fully discussed and agreed upon before and during their implementation including the FRMS safety assurance processes.

We would also take this opportunity to comment on the notion of 'time in position' introduced as a proposal for amendment to Annex 11 Chapter 1. Although this is defined in the proposals we feel it could still be ambiguous and therefore open to interpretation. Where 'time in position' is referenced the definition doesn't expand on the types or number of positions that working time would accrue for. The rationale also makes provision for some discretion on the concept of 'time in position' related to work load. This is again very subjective.

Rather than aligning fatigue mitigation to the concept of 'time in position' it is our view that a clearer and more risk free approach would be to use a 'time without a break'. This



President Lars Lindgren

General Secretary Eduardo Chagas

Vice Presidents Alexander Kirchner
Ekaterina Yordanova



removes ambiguity and allows the definition of a break to be used to ensure suitable rest periods. Using this approach times for appropriate breaks can be factored into fatigue systems, which guarantee that staff are able to be away from 'time in position' or other related duties. Breaks would consequently be explicitly, at definition level, included in duty periods for air traffic services provided, requiring for example the air traffic services officers to stay on their working site.

Regarding the proposal of amendment to Annex 11 Appendix 6 2., the notion of on-call duties is introduced but not defined, we would strongly suggest to define on-call duties and on-call duty periods as a special duty period but clearly not a non-duty period. We also suggest requiring in Appendix 6 that States establish a maximum number of on-call duty periods over a certain period, the maximum duration of on-call duty period and the maximum duration of on-call duties effectively exercised.

Additionally we would suggest to add a note to Appendix 7 1.1.2.i) to remind readers that air traffic controllers shall not be held accountable for the consequences of their actions during non-duty periods when they are on duty except when those actions are illicit.

We would welcome the opportunity to meet with appropriate ICAO representatives to further expand on our points, and remain at your disposal to do so.

Kind regards,



President Lars Lindgren

General Secretary Eduardo Chagas

Vice Presidents Alexander Kirchner
Ekaterina Yordanova

