

~~(Friday, December 02, 2011)~~

**Legend:**

- Green – general agreement
- Orange – details / issues to work out / discuss

**Definitions**

For the purpose of this section, the following definitions shall apply:

“Airport standby” means a period of time during which a crew member is required by the operator to be on standby at an aerodrome.

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Comment [Im1]: In the definition, airport changed to aerodrome to cover any location where a flight crew member is waiting, near their aircraft, for a flight duty assignment.

“Acclimatized” means the physiological and mental state of a crew member whose bio-rhythms and bodily functions are considered aligned with local time.

‘Augmented flight crew’ means a flight crew which comprises more than the minimum number required to operate the aircraft allowing each flight crew member to leave their assigned post and be replaced by another appropriately qualified flight crew member for the purpose of in-flight rest.

‘Break’ means a period of time on the ground, shorter than a rest period, when the crew is free of all duties but still considered to be within a duty period. (A break counts as duty – provision).

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‘Crew member’ means a flight, technical or cabin crew member.

‘Duty’ means any task that a flight crew member is assigned by an air operator, including flight duty, administrative work, training, positioning, and standby.

‘Duty period’ means a period which starts when a flight crew member is required by an operator to report for or to commence a duty and ends when that person is free from all duties.

“Early Duty” means a flight duty period that starts between 02:00 – 06:59, in the flight crew member’s acclimatized time.

‘Eastward-Westward and Westward-Eastward transition’ means the transition at the place, usually home base, between a series of flights encompassing 6-hour time differences or more and a second series of flights encompassing 4-hour time differences or more in the opposite direction. (we need to see if there is a related provision).

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“Fatigue” - means a physiological state of reduced mental or physical performance capability resulting from sleep loss or extended wakefulness and/or physical activity that can impair a crew member’s alertness and ability to safely operate an aircraft or perform safety related duties.

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"Fit for duty" - means that the crew member is not suffering from fatigue or likely to suffer from fatigue, that would impair their ability to safely operate an aircraft or perform safety related duties for the duration of the planned flight duty period. (review 602 applicability)

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"Flight crew member" - means a crew member assigned to act as pilot or flight engineer of an aircraft during flight time,

Comment [Im2]: How to deal with definition problem – a pilot is only a flight crew member when they are acting as a pilot during flight. This makes it impossible for a flight crew member to position, because if they are positioning, they are not ass... [3]

Flight duty period (FDP) means a period that begins when a flight crew member is required to report for duty with the intention of conducting a flight, a series of flights, or positioning, and ends when the aircraft is parked after the last flight and there is no intention for further aircraft movement by the same flight crew member.

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(max FDP 13:45 or 12:45) ALPA / ACPA minus 15 minutes from all FDP Table maximums)

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(the flight duty vs cumulative duty limits) (and no intention for further aircraft movement by the flight crew member – NPRM/ICAO/IFALPA language = safety related duties complete – passengers off aircraft?) NPRM

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"FDP Table Start Time" means the time at the location where the flight crew member is deemed to be acclimatized and is the time of day used to determine the maximum permitted FDP from the FDP Tables.

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"flight time" - means the time from the moment an aircraft first moves for the purpose of taking off until the moment it comes to rest at the end of the flight;

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'Home base' means the location nominated by the operator to the crew member from where the crew member normally starts and ends a duty period or a series of duty periods and where, under normal circumstances, the operator is not responsible for the accommodation of the crew member concerned.

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"Last Acclimatized Time" means the local time at the location where the crewmember was last acclimatized. (check to see if this is used later – otherwise delete)

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'Local day' means a 24-hour period commencing at 00:00 local time (check if required)

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"Local night's rest" means when the flight crew member's rest period fully encompasses the hours between 22:30 to 07:30 in the local time zone. (or acclimatized time?? Check to see where used)

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'A single day free of duty' means a time free of all duties consisting of a single day and two local night's rest and which may include a rest period as part of the day off. (33 hours including 1 local night??? - application?)

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“Night Duty” means a duty period that starts between 13:01 – 01:59 and finishes after 02:00, in the flight crew member’s acclimatized time. (EASA definition? Application)

“Other standby” means standby that occurs at home base, where under normal circumstances, the operator is not responsible for the accommodation of the flight crew member concerned, or occurs where the flight crew member is provided with suitable accommodation by the air operator. (check whether “other” appropriate / required)

‘Positioning’ means the transferring of a crew member from one place to another, at the request of the operator, excluding the time from home to the designated reporting place at home base and vice versa, as well as the time for local transfer from a place of rest to the commencement of duty and vice versa.

"Prescriptive fatigue management documentation" means a set of flight and duty time limitations including flight time, flight duty period, duty period limitations and rest period requirements and the policies and procedures for their application.

‘In flight rest facility’ means a bunk, seat, room, or other accommodation that provides a flight crew member with a sleep opportunity.

1. ‘Class 1 rest facility’ - means a bunk that meets the Society of Automotive Engineers (SAE) *Aerospace Recommended Practice (ARP) 4101/3, Crew Rest Facilities*, used in conjunction with *ARP 4101, Flight Deck Layout and Facilities*. (if ARP changes, new aircraft must meet new standard. Old aircraft grandfathered. Date of registration in Canada used as reference. Define parameters or refer to SAE standard?)

2. ‘Class 2 rest facility’ means a seat in an aircraft cabin that allows for a flat or near flat and horizontal sleeping position, which is separated from passengers at least by a curtain to provide darkness and some sound mitigation, equipped with portable oxygen and is reasonably free from disturbance by passengers or crew members;

3. ‘Class 3 rest facility’ means a seat in an aircraft cabin or flight deck that reclines at least 40 degrees from vertical, provides leg and foot support, and is not attached or joined to any seat occupied by passengers. (1 hour extension – no curtain. > 1 hour curtain??)

‘Rest period’ means a continuous and defined period of time, subsequent to and/or prior to duty, during which a crew member is free of all duties.

Schedule –

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"Sector" means a single flight that includes one takeoff and landing - synonymous with leg or flight segment. ("legs" perhaps - exclusion of helicopters – training flights – touch and go?)

'Split duty' means a duty period where the FDP is extended by one or more breaks on the ground within the FDP.

"Standby" means a defined period of time during which a crew member is required by the operator to be available to receive an assignment for a specific duty without an intervening rest period.

"Standby availability period" (SAP) means a defined period of time during which a crew member is on standby.

"Standby Accommodation" means a place that protects from the elements, a place to sit, where available not open to the public, and with access to food and drink.

"Standby duty period" (SDP) means the elapsed time from the beginning of the standby duty to the end of an assigned flight duty period without an intervening rest period.

"Suitable accommodation" - means, for the purpose of standby, split duty and minimum rest, a single-occupancy bedroom that is subject to a minimal level of noise, with sufficient ventilation and a device for regulating temperature and light intensity or, where such a bedroom is not available, an accommodation that is suitable for the site and season, is subject to a minimal level of noise and provides adequate comfort, to obtain horizontal rest, and protection from the elements.

"Travelling" means all time spent by the crew member transiting to/from the place of rest and the place of reporting for duty or release from duty.

'Ultra long range operations (ULR)' means long range flights having a planned flight duration greater than 16 hours or a flight duty period that exceeds 18 hours.

Unforeseen operational circumstance means an unplanned event beyond the control of the air operator of insufficient duration to allow for adjustments to schedules, including unforecast weather, equipment malfunction, or air traffic delay.

'Window of Circadian Low (WOCL)' means the period between 02:00 and 05:59 hours in the time zone to which the crew is acclimatised.

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[A statement of general responsibilities for all air operators – some items may not apply in all situations.]

**700.50 Air Operator responsibilities**

(1) An air operator shall, where applicable to the type of operation:

(a) publish duty schedules sufficiently in advance to provide the opportunity for flight crew members to plan adequate rest;

(b) scheduled maximum FDPs shall be based on the flight crew member's acclimatized time.

(c) ensure that flight duty periods are planned in such a way in order to enable flight crew members to remain sufficiently free from fatigue;

(d) specify reporting times to allow sufficient time for duties;

(e) take into account the relationship between the frequencies and pattern of flight duty periods and rest periods and give consideration to the cumulative effects of undertaking long duty hours combined with minimum rest periods; (FRMS?)

(f) allocate duty schedules which avoid practices that cause a serious disruption of established sleep/work pattern such as alternating day/night duties;

(g) provide rest periods of sufficient time to enable flight crew members to overcome the effects of the previous duties and to be well-rested by the start of the following flight duty period;

(h) plan days free of duty and notify flight crew members sufficiently in advance;

(i) ensure that flights are planned to be completed within the allowable flight duty period taking into account the time necessary for pre-flight duties, the flight and turn-around times; (the flight includes the winds)

(j) change a schedule or crewing arrangements where the actual operation exceeds the maximum flight duty period on (10 % ) a significant proportion of flights in that schedule during a 28 day period. (minimum sample size – a minimum of 10 flight duty periods or all flight duty periods in a 28 day period?? – we need to work on this wording – where planning is not realistic -Dan Glass agreed to fix)

(k) require that flight crew members declare to the air operator whether or not they are fit for duty, prior to beginning a flight duty period. (a procedure requiring the flight crew member to do this)

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- Comment [Im11]: guidance to explain how this may be accomplished – in COM, accepting flight, etc...
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(l) not assign a flight crew member, who has declared them self not fit for duty, to a flight duty period;

(m) remove a flight crew member who is no longer fit for duty from a flight duty period assignment.

(n) include flight times and flight duty times accumulated in other flight operations, flight training units, and Royal Canadian Air Force aircraft when calculating individual flight crew member flight time and flight duty period limitations.

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**[Statement of responsibilities that apply to all flight crew members – an effort to make the issue of fatigue a primary consideration for all flight crew members.]**

**700.51 Flight Crew Member Responsibilities**

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(1) A flight crew member shall:

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(a) plan to use the rest periods provided by the air operator to obtain sleep to recover from a previous flight duty period and to be rested in order to safely perform their duties in a subsequent flight duty period;

(b) prior to beginning a flight duty period, declare to the air operator whether or not they are fit for duty;

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(c) not begin a flight duty period if they are unfit for duty;

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(d) as soon as possible and as applicable, advise the air operator, the pilot-in-command, and other flight crew members, if during a flight duty period, they become unfit for duty; and,

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(e) report to the air operator all flight time and flight duty times accumulated in operations for other air operators, flight training units, and Royal Canadian Air Force aircraft for calculation of flight time and flight duty period limitations.

**700.52 Prescriptive Fatigue Management Documentation**

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(1) An air operator shall document the policies and procedures required for compliance with the applicable prescriptive limitations.

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(2) An air operator shall nominate a home base for each flight crew member.

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(3) **Flight Duty Period (FDP)**

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(a) The air operator shall establish procedures specifying how the pilot-in-command shall — in case of special circumstances which could lead to fatigue, and after consultation with the crew members affected — reduce the actual FDP and/or increase the rest period in order to eliminate any detrimental effect on flight safety.

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(b) The air operator shall establish procedures specifying how the pilot-in-command shall — in case of unforeseen operational circumstances which could lead to fatigue, and after consultation with the crew members affected, increase the actual FDP in order to manage any detrimental effect on flight safety.

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(c) The air operator shall require the pilot-in-command to submit a report whenever an FDP is increased beyond the maximum at his/her discretion, in actual operation.

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(d) The air operator shall notify the Minister of an FDP that exceeds the maximum FDP by more than 1 hour as soon as practicable. (frequency?? First day of each month?)

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(e) The air operator shall review all increases beyond the maximum FDP to determine the percentage of FDPs that increase beyond the maximum FDP.

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(f) The air operator shall adjust the schedule within 56 days where any FDP that is shown to actually increase beyond the maximum FDP more than 10 percent of the time in any period of 28 consecutive days.

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(g) The air operator shall document in the prescriptive fatigue management documentation the requirements in 700.53 to 700.XX, where applicable to the type of operation:

Comment [Im12]: [d, e, & f, above, attempt to capture the thoughts below]

(i) Maximum basic daily FDP;

[(Operator record exceedances and adjust to scheduling 90% - over what time period? When does schedule get changed?)  
Where a scheduled FDP is increased beyond the maximum at the discretion of the pilot-in-command, the air operator shall ensure that at least 90% of that scheduled flight is completed within the maximum FDP.

(ii) Reductions of the maximum basic daily FDP dependent on the number of sectors flown; (6 yes / 4 no / 1 n/a -)

The air operator shall adjust any scheduled flight to achieve at least 90% of that scheduled flight is completed within the maximum FDP.

(iii) Reductions of the maximum basic daily FDP when this FDP would start, end or encompass the WOCL;

(b) the pilot-in-command shall notify the air operator, in accordance ... [30]

(iv) Conditions for planned extensions of the maximum basic daily FDP, taking into account:

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(a) the number of sectors flown,

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(b) FDPs within the WOCL,

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(c) a maximum number of extensions for a consecutive number of days,

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- (d) break periods on ground during a single FDP - split duty,
- (e) the requirement for rest prior to the FDP
- (f) the augmentation of the basic flight crew,
- (g) the type of in-flight rest facilities, and
- (h) the minimum duration of in-flight rest allocated to each flight crew member;

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(v) Conditions under which the FDP, the flight times and duty periods may be exceeded by the pilot-in-command after consultation with all crew members, in the case of unforeseen circumstances in flight operations after the reporting time, and the procedures used to report these modifications.

#### (4) Duty Period Limitations

Prescriptive fatigue management plan shall specify the following elements for flight times and duty periods: [\(discussion\)](#)

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(a) The total duration of duty periods to which a flight crew member is assigned:

- (i) ~~xx hours~~ in any 7 consecutive days;
- ~~(ii) xx hours in any 14 consecutive days; and,~~
- (ii) ~~xx hours~~ in any 28 consecutive days; ~~and,~~
- (iii) ~~xxxx hours in any 365 consecutive days.~~

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(b) The total flight time of the flights on which an individual crew member is assigned as an operating crew member:

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- (i) ~~xxx hours~~ in any 28 consecutive days; and,
- (ii) ~~xxxx hours~~ in any 365 consecutive days.

#### (5) Split duty

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(a) The prescriptive fatigue management plan shall specify the following elements for split duty:

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- (i) The minimum duration of a break on the ground

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(ii) The relationship between the FDP extension and the duration of the break on the ground (time in the rest facility), taking into account facilities available for the crew member to rest and other relevant factors;

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(b) The break on the ground shall count as FDP;

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**(6) Standby**

Where an air operator assigns a crew member to standby, the prescriptive fatigue management plan shall specify the following elements:

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(i) The maximum length of any standby;

(ii) The relationship between standby and any assigned flight duty resulting from standby, taking into account facilities available for the crew member to rest and other relevant factors;

(iii) The rest period following standby which does not lead to FDP assignment;

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(iv) How standby times are counted for the purposes of cumulative duty hours.

(v) How the WOCL is considered in timing of standby and rest.

**(7) Rest periods**

The prescriptive fatigue management plan shall specify the following rest elements:

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(a) Minimum rest periods in relation to the preceding duty period, which must be provided before undertaking an FDP starting either from home base or away from home base;

(b) A sleep opportunity before undertaking an FDP starting away from home base, depending on the preceding duty period;

(c) Additional rest periods to compensate for the effects of time zone differences and extensions of the FDP;

(d) Recurrent extended recovery rest periods to compensate for cumulative fatigue.

**700.53 Nutrition (include with 700.67)**

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If the FDP exceeds 6 hours, the operator shall provide a meal and drink opportunity (time to eat lunch – on the ground or in the air) every 6 hours in order to avoid any detriment to the flight crew member’s performance. (CLC?)

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**700.54 Records of flight and duty times and rest periods**

(1) Operators shall maintain:

(a) Individual records of flight, duty and rest period for all crew members, for a period of 24 months, including:

- (i) Flight times;
- (ii) Start, duration and end of each duty or FDP;
- (iii) Rest periods and days free of all duties;

(b) Reports by the pilot-in-command on extended flight duty periods and extended flight hours, for a period of 24 months.

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(2) Upon request, the operator shall provide copies of individual records of flight and duty times and rest periods to the flight crew member concerned.

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**700.55 Flight Duty Period (FDP)**

(1) **Basic Daily FDP**

(a) The maximum basic daily FDP without the use of extensions shall be 13 hours. This period:

- (i) Shall be reduced by 30 minutes for each sector from the fifth sector onwards; and,
- (ii) Shall be further reduced when the WOCL is encroached in accordance with the limits specified in Table 1, below.

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**5 @ 7:00, 6 @ 6:00**

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**5 @ 14 hours, 6 @ 13 hours,**

**When to begin the reductions based on sectors is not agreed to.**

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**Table 1: Maximum daily FDP without extension (excluding day VFR)**

Start of FDP	1-5 Sectors	6 Sectors	<u>7</u> Sectors	<u>8</u> Sectors	<u>9</u> or more Sectors
	<u>Maximum FDP</u>				
0700–1259	13:00	12:30	12:00	11:30	11:00
1300–1329	12:45	12:15	11:45	11:15	10:45
1330–1359	12:30	12:00	11:30	11:00	10:30
1400–1429	12:15	11:45	11:15	10:45	10:15
1430–1459	12:00	11:30	11:00	10:30	10:00
1500–1529	11:45	11:15	10:45	10:15	9:45
1530–1559	11:30	11:00	10:30	10:00	9:30
1600–1629	11:15	10:45	10:15	9:45	9:15
1630–2159	11:00	10:30	10:00	9:30	9:00
2200–2259	10:30	10:00	9:30	9:00	9:00
2300–0459	10:00	9:30	9:00	9:00	9:00
0500–0514	10:30	10:00	9:30	9:00	9:00
0515–0529	11:00	10:45	10:15	9:45	9:15
0530–0544	11:30	11:00	10:30	10:00	9:30
0545–0559	11:45	11:15	10:45	10:15	9:45
0600–0614	12:00	11:30	11:00	10:30	10:00
0615–0629	12:15	11:45	11:15	10:45	10:15
0630–0644	12:30	12:00	11:30	11:00	10:30
0645–0659	12:45	12:15	11:45	11:15	10:45

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(multi-pilot or single pilot?? Second table perhaps not required)

**(2) Day VFR Basic Daily FDP**

(a) The basic daily FDP for day VFR operations is in accordance with Table 2 below.

(b) IFR flight is not permitted with use of the VFR basic daily limitation. The limitations of Table 1 shall be applied for all flights that include IFR or night flight.

**Table 2: Maximum daily FDP without extension day VFR only**

<u>Start of FDP</u>	<u>Maximum FDP</u>
<u>0700–1259</u>	<u>13:00</u>
<u>1300–1659</u>	<u>12:00</u>
<u>1700–2259</u>	<u>11:00</u>
<u>2300–0459</u>	<u>10:00</u>
<u>0500–0559</u>	<u>11:00</u>
<u>0600–0659</u>	<u>12:00</u>

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(End time of max FDP time - ??)

Note: Table 2 covers the whole 24 hours of the day in order to address the extended hours of daylight during the summer months in Northern latitudes – when night is absent or of short duration.

(3) Extended Daily FDP

(a) With the use of extensions, the maximum daily FDP may be extended by up to 1 hour if:

(i) The use of the extension shall be planned in advance; and

(ii) The maximum FDP shall be reduced, by sectors flown and WOCL encroachment, in accordance with the limits specified in Table 3 or Table 4, below.

(b) Extensions of the FDP starting in the period between 18:00 to 21:59 shall only be permitted in accordance with the air operator's fatigue risk management plan.

(c) Extensions may only be used up to two times in any 7 consecutive days.

(d) When an extension is planned, the two previous rest periods taken prior to start of FDP with the extension shall have a minimum duration of 12 hours and include a period of 8 hours falling between 22:00 and 08:00 at the flight crew member's acclimatized local time.

(discussion – the local night eliminates the early start to an extension – 07:30 earliest start? 2 local nights plus a night that ends prior to 0600. No night duty prior to an extension?)

Option;

(d) When an extension is planned, the two previous rest periods taken prior to start of FDP with the extension shall:

(i) the rest period immediately prior to the extended FDP shall be a minimum duration of 14 continuous hours; and,

(ii) the rest period prior to the rest period referred to in (i) must include a local night's rest.

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**Table 3: Table Maximum daily FDP extension (excluding day VFR)**

Start of FDP	1-5 Sectors	6 Sectors	7 Sectors	8 Sectors	9 or more Sectors
<b>Maximum FDP</b>					
0700–1259	14:00	13:30	13:00	12:30	12:00
1300–1329	13:45	13:15	12:45	12:15	11:45
1330–1359	13:30	13:00	12:30	12:00	11:30
1400–1429	13:15	12:45	12:15	11:45	11:15
1430–1459	13:00	12:30	12:00	11:30	11:00
1500–1529	12:45	12:15	11:45	11:15	10:45
1530–1559	12:30	12:00	11:30	11:00	10:30
1600–1629	12:15	11:45	11:15	10:45	10:15
1630–2159	12:00	11:30	11:00	10:30	10:00
2200–2259	11:30	11:00	10:30	10:00	10:00
2300–0459	11:00	10:30	10:00	10:00	10:00
0500–0514	11:30	11:00	10:30	10:00	10:00
0515–0529	12:00	11:45	11:15	10:45	10:15
0530–0544	12:30	12:00	11:30	11:00	10:30
0545–0559	12:45	12:15	11:45	11:15	10:45
0600–0614	13:00	12:30	12:00	11:30	11:00
0615–0629	13:15	12:45	12:15	11:45	11:15
0630–0644	13:30	13:00	12:30	12:00	11:30
0645–0659	13:45	13:15	12:45	12:15	11:45

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**Table 4: Maximum daily FDP extension day VFR only**

Start of FDP	Maximum FDP
0700–1059	14:00
1100–0559	N/A
0600–0659	13:00

N/A = not allowed

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**700.56 Extension of FDP due to in-flight rest**

(1) The maximum FDP value in 700.55 (1) -Table 1 - may be increased by:

(a) with one additional flight crew member:

(i) 1 hours with class 3 rest facilities;

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(ii) 2 hours with class 2 rest facilities;

(iii) 3 hours with class 1 rest facilities;

(b) with two additional flight crew members:

(i) 2.25 hours with class 3 rest facilities;

(ii) 3.5 hours with class 2 rest facilities;

(iii) 5 hours with class 1 rest facilities;

(2) The augmented FDP shall be limited to 3 sectors.

(3) The minimum opportunity for in-flight rest period shall be:

(a) for flights planned as 1 sector, a balanced or optimized division of duty and rest between all of the flight crew members; or,

(b) for flights planned as 2 or 3 sectors:

(i) a period of 2 consecutive hours for the flight crew members seated at the aircraft controls for the final landing; and

(ii) a period of consecutive 90 minutes for all other flight crew members.

(4) All flight crew members shall commence their FDP at the same reporting place if they are part of an augmented crew.

(5) Augmenting flight crew members shall be on the flight deck during all takeoffs and landings.

(6) In order to determine the maximum time available for in flight rest, the air operator shall use the phase of flight between climbing above 10,000 ASL and 15 minutes prior to the planned beginning of the descent.

(7) All the time spent in the rest facility shall be counted as FDP.

(8) The minimum rest at destination shall be at least as long as the preceding duty period or 14 hours, plus time for transportation to and from the suitable accommodation, whichever is the greater.

**700.57 Unforeseen Circumstances In Actual Flight Operations — Pilot-In-Command's Discretion**

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(1) The conditions for the modification of the limits on flight duty, duty and rest periods by the pilot-in-command in the case of unforeseen circumstances in flight operations, shall comply with the following:

(a) The maximum daily FDP which results after applying the appropriate Table in 700.55 (Table 1, Table 2, Table 3, or Table 4) may be increased as follows:

(i) For un-augmented flight crews, by not more than 2 hours;

(ii) For augmented flight crews with a FDP planned with 1 sector, by not more than 3 hours; or

(iii) For augmented flight crews with a FDP planned with 2 or 3 sectors, by not more than 2 hours;

(b) If on the final sector within an FDP that has been increased in accordance with (a) and further unforeseen circumstances occur after take-off, that will result in the permitted increase being exceeded, the flight may continue to the planned destination or alternate;

(2) The pilot-in-command, in case of unforeseen circumstances, which could lead to fatigue, may reduce the actual flight duty time and/or increase the rest period in order to reduce any detrimental effect on flight safety.

(3) The pilot-in-command shall consult all crew members on their alertness levels before deciding these modifications.

(4) The rest period following a FDP that has been increased in duration due to unforeseen operational circumstances shall be at least as long in duration as the increased FDP.

### **700.58 Unforeseen Circumstances In Actual Flight Operations — Short-Term Re-Planning — Pilot-In-Command's Discretion**

(1) The air operator may request a split duty period to a scheduled FDP due to unforeseen operational circumstances.

(2) The air operator may only adjust flight crew schedules after reporting time in the event of unforeseen circumstances.

(3) The pilot-in-command may accept the split duty or modifications to the schedule at the pilot-in-command's discretion.

(4) The pilot-in-command shall consult all crew members on their alertness levels before accepting the split duty or modifications to the schedule.

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(5) When requesting the introduction of a split duty, the air operator shall make the request to the pilot-in-command before the start of the break on the ground;

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**700.59 Delayed Reporting Time**

(1) Where a flight crew member is notified of a delay in reporting time before leaving a rest facility and the delay is in excess of 3 hours, the flight crew member's flight duty period is considered to have started 3 hours after the original reporting time.

(2) The maximum FDP value will be the lesser of the value at the original reporting time or the value at the time 3 hours after the original reporting time.

(3) In instances where the flight crew member was notified of a delayed reporting time and the air operator has subsequently cancelled the FDP, the flight crew member may be reassigned to a FDP:

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(a) following a basic minimum rest period in accordance with 700.65(1);

(b) the air operator shall inform the flight crew member of the timing of the basic minimum rest period prior to its beginning; and,

(c) the air operator shall consider the disruptive nature of this schedule change.

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- Rest facility = suitable accommodation?
- Applies at home? Or only on the road?
- Time of notification – not interrupting the sleep – how much notification?
- Tie to FDP Table (early start – keep original FDP table value??)

**700.60 Flight Time and Duty Period Limitations**

(1) The total duration of duty periods to which a flight crew member is assigned shall not exceed:

(a) ~~60/64/65~~ duty hours in any 7 consecutive days;

(b) xx hours in any 14 consecutive days;

(b) ~~490/192/200?~~ duty hours in any 28 consecutive days; and,

(c) 1928 duty hours in any 365 consecutive days.

(2) The total flight time of the flights on which an individual flight crew member is assigned as an operating crew member shall not exceed:

(a) ~~100/ 112 / 120~~ flight hours in any 28 consecutive days; and (discussion - seasonality)

(b) 1000 flight hours in any 365 consecutive days.

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**700.61 Positioning**

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When an air operator assigns a flight crew member to positioning, the following shall apply:

- (1) All of the time spent in positioning shall count as duty time;
- (2) Positioning after reporting but prior to operating shall be included as part of the FDP but shall not count as a sector;

(3) Where positioning follows a FDP, the subsequent rest period shall be as follows:

(a) where the duration of duty period exceeds the permitted FDP, but is less than the permitted FDP plus 3 hours, the subsequent rest period shall be at least as long as the preceding duty period; or,

(b) with the mutual consent of the flight crew member and the air operator, where the duration of duty period is equal to or greater than the permitted FDP plus 3 hours, the subsequent rest period shall be at least twice as long as the preceding duty period.

### 700.62 Split Duty

The maximum FDP, specified in the appropriate Table in 700.55 may be increased where the air operator provides the flight crew member with a break during the FDP (split duty). The air operator shall provide a break in accordance with the following conditions:

- (1) A break on the ground within the FDP shall have a minimum duration of 60 consecutive minutes in the suitable accommodation.
- (2) The break will begin after the flight crew member is in the suitable accommodation.
- (3) The break excludes travel time to and from the suitable accommodation.
- (4) The first 45 minutes of the break in the suitable accommodation does not count towards the increase in the flight duty period.
- (5) The maximum FDP may be increased by an amount of time equal to:
  - (a) 100% of the duration of the break in excess of 45 minutes during the hours of 00:00 to 05:59 at the flight crew member's acclimatized local time;
  - (b) 50% of the duration of the break in excess of 45 minutes during the hours of 06:00 to 23:59 acclimatized at the flight crew member's acclimatized local time;or,

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An alternate to (b) –

For a sleep opportunity occurring during a duty period between the hours of 1100 and 1800 local time, the duty period can be extended for up to three hours for every hour of sleep opportunity after the first hour in suitable accommodation. The split may be interrupted, then restarted but only where the first hour is added again. (for hours outside of 1100 – 1800, the current proposal stands – this is addition to current draft proposal)

Shorter break – alternate more liberal, longer break more restrictive.

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(c) In the case of short-term re-planning due to unforeseen circumstances in actual flight operations, 50% of the duration of the break in excess of 45 minutes.

(6) In the case of a FDP assignment, that includes a break, following a Standby assignment;

(a) The flight crew member's SDP may be increased by a maximum of 2 hours if a break is provided in accordance with (1), (2), (3), (4) and (5)(a), above.

(b) The FDP in (a), is limited to 2 sectors following the break.

**700.63 Standby**

(1) Where an air operator assigns a crew member to standby, the air operator shall:

(a) Notify the flight crew member in advance of the start time, end time, and nature of the SAP;

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(b) Not assign a flight crew member to a FDP outside of the scheduled maximum SDP unless;

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(i) the air operator provides the flight crew member with notice of the assignment, 24 hours prior to the beginning of the FDP;

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(ii) the air operator shall not assign the flight crew member to any duties from the time of the notification until the beginning of the FDP.

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(c) The air operator shall not shift the designated SAP by more: [ ]

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(24 hour notice of a shift in SAP???)

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(i) than 2 hours earlier or 4 hours later than the preceding SAP, unless the flight crew member is provided with 2 calendar days free from all duties before the shift; and,

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(ii) than a total of 8 hours in any 7 consecutive days unless the crew member is provided with 2 calendar days free from all duties within the 7 consecutive days.

(e) the start time of the SAP may not shift into the flight crew member's WOCL without 24 hours notice.

Limit of 1 shift into the flight crew member's WOCL in any 7 consecutive days. Shifting of SAP within the WOCL limited to 1 hour earlier or 2 hours later. ( an option needs to be picked for (e))

(Standby – assigned to duty – rest period – when can you be reassigned to standby?)

shifts from early to late & vice versa.]

(2) Airport Standby

When assigning a flight crew member to Airport Standby, the air operator shall:

(a) consider the flight crew member to be on standby from the time of reporting at the aerodrome until the end of the scheduled SAP;

(b) count all time spent by a flight crew member on airport standby as duty for the calculation of cumulative duty limitations;

(c) not assign a flight crew member to a SAP that exceeds 12 hours;

(d) use the start time of the SAP as the FDP start time in order to establish the maximum FDP, according to the FDP Tables, when the air operator assigns a flight crew member to a FDP during a SAP.

(e) provide the flight crew member with standby accommodation while assigned to airport standby.

(f) when the flight crew member has not been assigned to flight duty, provide the flight crew member with a rest period of at least 12 hours prior to the next scheduled SAP or FDP.

(3) Other Standby

When assigning a flight crew member to Other Standby, the air operator shall:

(a) not assign a flight crew member to a SAP that exceeds 14 hours;

(b) provide the flight crew member with a minimum rest period of 10 hours between SAPs;

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(c) calculate the SDP for a flight crew member as follows:

(i) the maximum SDP for an un-augmented flight crew is 18 hours;

(ii) the maximum SDP for a flight crew augmented with one additional flight crew member is 20 hours;

(iii) the maximum SDP for a flight crew augmented with two additional flight crew members is 22 hours; or,

[Reference to Class 1 or 2 rest facility?]

(iv) when the SAP begins between 02:00 and 05:59 (flight crew member's acclimatized time), the maximum SDP in (i), (ii), & (iii) may be increased by 50% of the time period between 02:00 and 05:59 that the flight crew member was not disturbed by the air operator, to a maximum of 2 hours;

(d) not assign the flight crew member to a flight duty that exceeds either the SDP maximum or the FDP maximum from the FDP Tables;

(e) count all time spent on standby by a flight crew member as duty at a rate of 25% for the calculation of cumulative duty limitations. [25% based on 55 duty hrs per week / 50% based on 60+ duty hrs per week]

## 700.64 Rest Periods and Time Free From Duty

### (1) Basic Minimum Rest

The air operator shall provide a flight crew member with basic minimum rest as follows:

(a) Minimum rest period at home base: The minimum rest period provided before undertaking an FDP starting at home base shall be 12 hours. (okay - an option for small towns? – How to address a small town, very short commute? – FRMS option - discussion)

(b) Minimum rest period away from home base: The minimum rest period provided before undertaking a flight duty period starting away from home base shall be 10 hours plus travelling time. Notwithstanding paragraph (a), the provisions of this subparagraph may also apply to home base if the operator provides a suitable accommodation to the flight crew. (okay - 85%)

(Home Base option: Where circumstances make it reasonable, under a written agreement between the operator and a flight crew member the minimum rest at home base may reduced from the 12 hours in (a) to a defined period providing an 10.5 hour (10 hours plus travelling time – max commute 15 minutes each way) sleep opportunity

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taking into account travelling and physiological needs appropriate to the individual's situation.

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Do we list locations where this would be permitted?)

(2) Time Free From Duty

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The air operator shall provide a flight crew member with time free from duty as follows:

(a) The minimum recurrent extended recovery rest period to compensate for cumulative fatigue is 36 hours including two local night's rest, such that there shall never be more than 168 hours between the end of one recurrent extended recovery rest period and the start of the next. (okay)

; or, (b) A period of 120 / 192 consecutive hours, within every period of 20 / 23 consecutive days.

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(b) A period of 5 (or 8) consecutive days, within every period of 20 (or 23) consecutive days.

To be used on deployed operations / rotational operations (2 weeks in – 2 weeks out= places where you don't what time off – a CLC Work Averaging Permit required???)

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(a) The monthly extended.....

(3) Disruptive Schedules:

When a flight crew member is scheduled to transition from a night duty to an early duty or from an early duty to a night duty, the air operator shall provide the flight crew member with one local night's rest in between the two duties.

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(4) Additional Rest for Time Zone Differences

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The air operator shall provide the flight crew member with additional rest due to time zone differences as follows:

(a) When a flight duty period ends away from home base at a location where the local time zone differs by:

(i) 3 or 4 hours from the time zone at the location of the start of the flight duty period, the minimum rest shall be 11 hours plus travelling time; or,

Note: No additional rest is required for time zone differences of 2 hours or less.

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(ii) more than 4 hours from the time zone at the location of the start of the

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flight duty period, the minimum rest shall be 14 hours plus travelling time.

(b) When a flight duty period ends at home base and the local time zone differs by:

(i) 3 or 4 hours from the time zone at the location of the start of the flight duty period and the flight crew member has been away from home base for more than 36 consecutive hours, the minimum rest shall be 12 or 14 hours plus travelling time;

(ii) more than 4 hours and not more than 9 hours from the time zone at the location of the start of the flight duty period and the flight crew member has been away from home base for:

(a) more than 60 consecutive hours or the returning FDP encroaches upon the flight crew member's WOCL, the flight crew member shall be provided with a minimum of 2 local night's rest prior to the start of the next flight duty period; or,

(b) less than 60 consecutive hours and the returning FDP does not encroach on the flight crew member's WOCL, the flight crew member shall be provided with a minimum of 1 local night's rest prior to the start of the next flight duty period.

(iii) more than 9 hours from the time zone at the location of the start of the flight duty period, the flight crew member shall be provided with a minimum of 2 or 3 local night's rest prior to the start of the next flight duty period.

(c) In case of Eastward-Westward or Westward-Eastward transition, an additional local night's rest at home base to that required under paragraph (b) sections (ii) and (iii), above shall be provided between alternating rotations. Alternative mitigating measures may be implemented if the operator has demonstrated an equivalent level of safety to the Minister and implemented Fatigue Risk Management provisions.

*Is there a requirement for additional rest between a pairing in one direction (return to home) followed by a pairing in the other direction? Discussion for Sub Group –*

**700.65 Consecutive Night duties**

(1) When an air operator schedules a flight crew member to consecutive night FDPs, the air operator shall, after 3 consecutive night FDPs, provide the flight crew member with local night's rest; or

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(2) The air operator may schedule a flight crew member to 4 consecutive night FDPs if:

(a) the FDP on the 4<sup>th</sup> consecutive night includes a split duty with a scheduled break of a minimum duration of 4 hours; and

(b) after 4 consecutive night FDPs, provide the flight crew member with 2 local night's rest.

**- does not address standby situations (air ambulance) waiting to be called while sleeping. Consensus minus the air ambulance type issue.**

**700.66 Determining FDP Table Start Time**

(1) Time Zone Differences - FDP Table application and time required to acclimatize

(a) For the purpose of determining the FDP Table start time, the Newfoundland time zone is considered to be included in the Atlantic time zone. Canada will be considered to encompass 5 time zones: Pacific, Mountain, Central, Eastern, and Atlantic.

(b) Time required to acclimatize:

(i) when the time zone difference between local time and last acclimatized time does not exceed 4 hours, a flight crew member is considered acclimatized to his new location or time zone when all rest periods within a 72 consecutive hour period have occurred in the same location or in the same time zone; or

(ii) when the time zone difference between local time and last acclimatized local time exceeds 4 hours, a flight crew member is considered acclimatized to his new location or time zone when all rest periods within a 96 consecutive hour period have occurred in the same location or in the same time zone.

(2) For an acclimatized crewmember the maximum daily FDP is based on start time of the FDP using local time.

(3) For a not acclimatized crewmember the maximum daily FDP is based on start time of FDP using the last acclimatized local time.

**700.67 Nutrition**

An operator shall specify in its Operations Manual how the crew member's nutrition during FDP is ensured.

**700.68 Fatigue management training**

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(1) Fatigue management training shall be provided to crew members, crew scheduling personnel and concerned management personnel.

(2) The training syllabus shall address the possible causes and effects of fatigue, and fatigue countermeasures.

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FRMS:

1. Fatigue Risk Management Plan

- (a) Fatigue Risk Management Policy
- (b) Roles, Responsibilities & Employee Involvement
- (c) Communication & Consultation

2. Fatigue Risk Management Oversight

- (a) Hazard Identification & Reporting Processes
- (b) Investigation and Analysis
- (c) Risk Management

3. Fatigue Risk Management Controls

- (a) Work Hours & Sleep Opportunity
- (b) Personal Fitness for Duty—Prior Sleep and Wake
- (c) Personal Fitness for Duty— Symptoms and Behaviours
- (d) Fatigue Proofing Strategies

4. Training

- (a) Training, Awareness and Competence

5. Documentation

- (a) Identification and Maintenance of Applicable Regulations
- (b) FRMS Documentation
- (c) Records Management

**Safety Management System**

**573.16** (1) The safety management system referred to in CAR 573.16(1) shall be under the control of the PRM and shall, as appropriate to the size and complexity of the organization, contain the following components and elements:

(a) a safety management plan that includes

- (i) a policy statement or statements.

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Information note: policy statements should include safety statement as well as statement regarding the organization's fatigue risk management method.

- (ii) safety objectives and safety performance measurement.
- (iii) a safety reporting policy, including fatigue related hazards, that is designed to encourage reporting and to the greatest extent possible, is non-punitive.

Information Note: Exceptions to the non-punitive safety reporting policy might include events that involve wilful or deliberate violations of the regulations and criminal acts.

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- (iv) documented roles and responsibilities for personnel at all levels within the organization, including individual roles and responsibilities for members of senior management, managers, supervisors, operational staff and line employees, that describe their safety management and fatigue risk management responsibilities.
- (v) an effective means of involving employees in the implementation and on-going development of the safety management system, and
- (vi) a description of the safety management system components and the interrelationships between them.

(b) a safety oversight program that includes

- (i) reactive processes for managing occurrences, including event investigation and analysis.
- (ii) proactive processes for managing hazards, including procedures for hazard identification, active monitoring techniques and risk profiling.

Information note: The management of hazards includes mitigation, elimination or acceptance of hazards.

- (iii) employee self reporting of fatigue related situations; and
- (iv) a reporting and data collection system to ensure the timely collection and communication of safety hazards and events that
  - (A) utilises a safety database or equivalent record keeping system to monitor and analyze trends.
  - (B) includes a means of advising and communicating with reporters, individually and collectively, where required, and
  - (C) provides for regular progress reports to the person responsible for the

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functional area, as well as ad hoc reports in urgent cases.

(v) procedures for the investigation and analysis of incidents, accidents and safety deficiencies that

- (A) consider individual human factors, environmental, supervision and organizational elements,
- (B) make findings as to contributing factors and cause, and
- (C) communicate the findings to the PRM.

(vi) risk management analysis procedures that include

- (A) hazard analysis,
- (B) risk assessment, with defined risk criteria, and
- (C) risk control strategies.

(vii) corrective action procedures, including processes for

- (A) determining the need for corrective actions,
- (B) documenting, implementing and following-up corrective actions to ensure that they are effective in resolving or mitigating the hazard or safety deficiency; and
- (C) monitoring corrective actions for effectiveness in accordance with the quality assurance program required in CAR 573.09.

*Information Note: Wherever possible, follow-up for effectiveness should be considered during the development of corrective actions so it is clear what follow-up is required to ensure that the specific hazard or safety deficiency has been resolved.*

(viii) a process for disseminating safety related information, including occurrences, hazard analysis, and results of safety audits and reviews to appropriate employees and senior management; and

(ix) a process for communicating relevant cross-functional safety issues and hazards between regulated and non-regulated areas and third parties performing services for or being provided a service by, the organization.

*Information Note: Safety oversight functions, unless otherwise stated in these Standards, may be performed internally or externally provided that the individuals performing the functions on-behalf of the PRM, report directly to the PRM.*

(c) a quality assurance program that meets the requirements of CAR 573.09.

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(d) A process to ensure that employees are provided sufficient opportunity for adequate rest.

*Information Note: This might include a review of work and overtime schedules.*

(e) emergency preparedness alerting procedures to notify affected organizations in the event of a discovery of a non-compliance or another issue that can affect the continued airworthiness of an aeronautical product.

(f) the training program required by CAR 573.06 shall include processes for ensuring that all personnel, including senior management, are trained and competent to perform their respective duties within the safety management system.

(g) documentation, including processes for

- (i) ensuring that all safety management system procedures including fatigue risk management guidelines, are documented and distributed to the appropriate personnel;
- (ii) record and report management;
- (iii) ensuring that all records and reports relating to the safety management system are retained for two complete audit cycles; and
- (iv) reviewing all safety management system documentation to ensure that it remains current.

(2) Personnel, when performing safety management support services for the PRM in accordance with (1), shall

(a) report directly to the PRM;

(b) coordinate with the equivalent individuals assigned specific responsibilities for other operations conducted by the same certificate holder;

(c) communicate relevant cross-functional safety issues between other regulated and non-regulated areas, and;

(d) notify the PRM directly of all safety deficiencies identified by the program.

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Suggestion to remove under its own power - 605 issue? Need to look into effect of this in other Parts of the CARs. I do not see a regulatory reason that would prevent this. However all the time spent on push back would now count towards maintenance intervals – a couple extra minutes every day on every aircraft would add up eventually. I do not see the safety case, yet.		
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'Late duty' means a flight duty period finishing in the period between 01:00 and 01:59 hours in the time zone to which the crew is acclimatised.

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Will need to be adjusted to reflect different way of dealing with acclimatization.

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Keep current definition? Guidance required – distance?

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Current definition - "Unforeseen operational circumstance" means an unplanned event that occurs following the report time of the flight crew member, such as unforecast weather, equipment malfunction, or air traffic delay that is beyond the control of the air operator.

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[d, e , & f, above, attempt to capture the thoughts below]

[(Operator record exceedances and adjust to scheduling 90% - over what time period? When does schedule get changed?)

Where a scheduled FDP is increased beyond the maximum at the discretion of the pilot-in-command, the air operator shall ensure that at least 90% of that scheduled flight is completed within the maximum FDP

The air operator shall adjust any scheduled flight to achieve at least 90% of that scheduled flight is completed within the maximum FDP.

- (b) the pilot-in-command shall notify the air operator, in accordance with procedures outlined in the company operations manual, of the length of and the reason for the extension;
- (c) the air operator shall retain the notifications until the completion of the next Department of Transport audit; and
- (d) the air operator shall notify the Minister of an increase of n FDP exceeds 1 hour as soon as practicable.

(The air operator shall report when the schedule does not achieve 90% of max FDPs within 28 days

Procedures for adjusting schedules to be accomplished within 28 / 56 days)

Where the increase of an FDP exceeds 1 hour, the operator shall send a copy of the report, together with its comments, to the Minister, no later than 28 days after the event.) (discussion – wording? ) ]

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Should this be 168 consecutive hours vice 7 days (extrapolated from CLC monthly maximum of 192 hrs / 3 wks = 64 hrs/ wk)

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(192 hrs based on CLC 48 hrs/wk maximum work hours  $48 \times 4 = 192$ )

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(40 hrs/wk \* 52 wks – 9 stat \* 8 hrs – 10 vac \* 8 hrs from CLC -- 2080-72-80=1928)

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