



*The International Air Carrier Association*

Position Paper  
March 2012

**Position of the International Air Carrier Association (IACA) on  
flight and duty time limitations and rest requirements  
for commercial air transport by aeroplane  
scheduled and charter operations  
(EASA CRD NPA 2010-14)**

## **Background**

EASA received a clear mandate from the European Commission (EC) to harmonise existing FTL rules to review and update EU-OPS Subpart Q in light of the most recent scientific and medical evidence. The Comment Response Document (CRD) provides the responses to the comments received on the original Notice of Proposed Amendment (NPA), together with the final proposed FTL rules, and is open for comments till 19 March 2012.

The final proposed FTL rules indeed harmonise existing FTL requirements across Europe; the UK was in fact the only Member State currently not applying Subpart Q by derogation. To consider most recent scientific and medical evidence, EASA contracted three independent scientists, who provided three scientific reports, attached to the CRD.

**IACA is highly concerned that the proposed FTL rules include some new requirements and limitations, which are not backed by scientific or medical evidence. These additional requirements and limitations would be extremely damaging to the European aviation industry as numerous popular leisure flights operated by EU carriers would no longer be economically sustainable.**

### **1. Extended recovery rest following four or more consecutive Early Starts**

Neither Regulation 1899/2006 Subpart Q nor EASA NPA 2010-14 included any constraint on blocks of duties with four or more Early Starts:

- Scientific research and operational experience confirmed that consecutive early duties are not a safety problem.
- The SAFE model demonstrated that block of duties with consecutive Early Starts is safe.
- The three scientists appointed by EASA to review NPA 2010-14 admitted that there is no scientific basis to impose additional rest requirements for blocks of duties incorporating four or more early starts.
- The three scientists confirmed that putting the Early Starts in a single block is better than combining in a mixed schedule.

Without any scientific basis, EASA introduced additional rest requirements into the CRD, hereby erroneously suggesting that consecutive Early Starts are unsafe. IACA strongly objects to additional requirements for consecutive Early Starts without any scientific basis:

- Early Starts are defined as flight duties starting between 5am and 7am. For leisure and charter operators, 90% of all morning flights start before 7am. Operational experience has shown that reporting from 6am onward has no negative impact on safety, which is consistent with the Window Of Circadian Low (WOCL) ending at 6am.
- Any additional limitation related to Early Starts will narrow the window of operations at airports. This will reduce the capacity of European airspace, while at the same time EU airlines are expected to invest billions in SESAR to increase the capacity of European airspace.

## **2. No extensions to flight duty periods starting before 7am**

Commercial Air Operators occasionally make use of the possibility to extend Flight Duty Periods with maximum one hour to cope with unforeseen circumstances. If such one-hour extensions are no longer possible for Flight Duty Periods starting before 7am, augmented crew operations is the only option to continue flights to popular leisure destinations such as Egypt, Canaries, Turkey...

## **3. Discontinuation of in-flight rest in economy seat**

For decades, leisure carriers have been flying European consumers to these popular leisure destinations with single aisle aircraft under augmented crew operations with the use of (row of) economy seats, without any negative effect on flight safety. Sixty nine percent of IACA member airlines use a (row of) economy rest seats for in-flight rest, some for more than half of their flights. IACA strongly objects to discontinue economy seats as in-flight rest facilities:

- There may be no scientific evidence of the safety benefit of economy rest seats, like there is no scientific evidence to the contrary.
- There are no Class 3 rest facilities as specified in the CRD currently available on the market which can be fitted in a full economy single aisle aircraft.
- The introduction of a 'crew-only business class' would mean on top of the row currently used for in-flight rest, an additional row of seats will have to be sacrificed and can no longer be occupied by passengers. The economical impact (e.g. 3 seats for a 170-seat A320/B737 = 1.75%) is in the order of magnitude of the profit margin of a commercial air operator.
- Even if these leisure destinations would be served on a daily basis, the costs of the positioning of additional crew in outstations to return the aircraft will make these operations even less economically sustainable.
- The ban on economy rest seats will make augmented crew operations on single aisle aircraft no longer profitable; hence will have to be discontinued and may be taken over by non-European operators.

To continue operating safely and profitably, the European leisure market and its operators are highly dependent on commercial air operations starting early, returning with the same augmented crew, with the possibility to extend the flight duty period to cope with unforeseen circumstances. The introduction of additional limitations without scientific basis will not improve flight safety, but more importantly will result in imposing unnecessary new constraints to EU carriers that will wipe out their already very thin profit margin.

**IACA urges the Regulator to:**

- 1. delete additional limitations without scientific bases from the proposed FTL rules (e.g. consecutive Early Starts and Extensions to Flight Duty Periods before 7am)**
- 2. relocate the definition of Classes of in-flight rest facilities to Certification Specifications to enable introduction of future technological developments**
- 3. provide for a suitable Transition Period for economy seats as in-flight rest facility allowing EU operators to establish evidence of effectiveness (e.g. under Fatigue Risk Management); and/or until suitable Class 3 rest facilities can be fitted in a full economy single aisle aircraft**

After all, the current FTL rules are not unsafe. EASA itself in its “Background information for National Authorities on CRD 2010-14” states that “...*If the Agency had any safety concern about the existing rules, it would already have reacted by an immediate action. This is not the case...*”

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