AusALPA
Australian Airline Pilots' Association
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SICK LEAVE & FATIGUE DATA

Introduction

AusALPA has identified a need to address the use of sick leave as an alternative to reporting or calling in as too fatigued to operate.

Intended safety outcomes of fatigue management standards cannot be realised when fatigue data is hidden within sick leave allocation. AusALPA has identified a number of reasons for pilots choosing this approach and also that many safety processes and resultant cultures require proactive intervention to improve safety outcomes.

It is AusALPA's position that it is essential for all air transport operators to develop operational procedures and a Positive Safety Culture that supports and encourages the continuous flow of fatigue data by flight crew. Operators have a responsibility to prevent fatigue data being disguised as sick leave by preventing the use of sick leave as being the only or most viable option for flight crew suffering unsafe fatigue levels. This must come from an understanding that this data is essential to optimise fatigue risk management outcomes.

Context & Background

In the aviation industry, there has been considerable focus on the management of flight crew fatigue with a predominantly compliance-based perspective. Consistent with this is the routine use of Flight Duty Period (FDP) and Off Duty Period (ODP) limits as rostering targets. However, these cannot assure safety and may still allow for the accumulation of fatigue. CASA states that, "there may be further need for an operator to control fatigue risk due to such things as individual variability, operational environment and workload". [Source: CASA CAAP 48-01, May 2020]

Where operators rely upon simplistic compliance-focused calculations to determine if reported fatigue is either 'personal' or 'operational' fatigue, the fatigue reporting and safety system will remain compromised by an industrial relations imperative that disincentivises flight crew participation. Typical examples of inappropriate practices include loss of pay, disciplinary events, threats to career progressions (implicit or explicit), and loss of leave entitlements. In these instances, it is human nature for flight crew to conclude that there is little to no point of informing the safety system of fatigue risks when it is easier and more personally beneficial to instead call in sick.

AusALPA believes that the use of sick leave (within Personal Leave) should be limited to circumstances related to ill health only and that organisational practices that undermine trust in the safety system disguises much of the data that should otherwise be accepted into the system. Subsequently, many fatigue related safety risks may remain unidentified and unmitigated, resulting in avoidable and unnecessary risks to safe operations.

Importantly, fatigue management is a shared tripartite responsibility between the regulator, the operator and the pilots. The critical party in this tripartite arrangement is the flight crew, as they are the fatigue management data source. It is the risk associated with their lived experience that must be managed. Practically though, the flight crew have the least control in

how the safety system operates and consequently, both the operator and the regulator must recognise that the continuous proactive provision of fatigue data by flight crew is inherently fragile and requires a positive safety culture and associated operational practices that engender trust and embrace participation.

AusALPA is seeking operators to:

- Actively work towards creating and maintaining a positive safety culture for fatigue reporting;
- Embrace the importance of *trust displayed leading to trust returned*;
- Develop supporting organisational practices that ensure flight crew are listened to and that fatigue call-ins don't default to financial, disciplinary or other penalties;
- Provide meaningful fatigue management training for all relevant personnel in the organisation;
- Utilise published fatigue management guidance material to inform all fatigue management related decisions and to achieve intended fatigue standards outcomes;
- Conduct regular confidential fatigue management surveys of their flight crew to fulfil their obligations to achieve proactive hazard identification of fatigue safety risks.

By definition and regulation, Fatigue Risk Management Systems (FRMS) are 'data-driven' systems. However, the requirement for proactive fatigue hazard identification exists for both the prescriptive (via SMS) and performance-based approaches (via FRMS) and cannot be rationally satisfied without fatigue data from flight crew as they are the ones who experience fatigue firsthand.

The trust and inclusion of flight crew are essential to achieve the management of fatigue risk as intended by the ICAO standards. Fears that flight crew will misuse fatigue reporting are unfounded - the vast majority of flight crew are highly dedicated aviation safety professionals.

Position

AusALPA asserts that the use of sick leave by flight crew when they are fatigued largely occurs because air transport operator practices assume only a part-share of their responsibility towards the management of flight crew fatigue. In addition to a focus on achieving regulatory compliance, it is essential for operators to have processes and practices that enable flight crew to provide their operational experiences of fatigue in a culture of trust with an associated framework of organisational support. An absence of fulfilment of these responsibilities in turn leads to disciplinary and industrialised practices being the default that disincentivises fatigue risk minimisation and data collection.

It is AusALPA's position that it is essential for all air transport operators to develop operational procedures and a Positive Safety Culture that supports and encourages the continuous flow of fatigue data by flight crew. Operators have a responsibility to prevent fatigue data being disguised as sick leave by preventing the use of sick leave as being the only or most viable option for flight crew suffering unsafe fatigue levels. This must come from an understanding that this data is essential to optimise fatigue risk management outcomes.