

## Duty Extensions

March 2021: 173 duty extensions

April 2021: 240 duty extensions

May 2021: 197 duty extensions

Prior to COVID operations, the historical average was 20 to 30 duty extensions per month. Out of all these extensions, less than 1 percent did not continue.

I have received multiple reports from pilots who are upset about how their operational duty limit exceedance was handled. Let me summarize the process (and options) from a fatigue call standpoint. (Applicable CBA paragraphs are at the end of the article.)

In the domestic realm, Section 12.C.5.b. outlines the parameters we work with (other than an Operational Emergency under Section 12.A.3.). That provision provides the thresholds of *when and how* the Company may extend a pilot beyond operational limits. While there have been questions and issues regarding the actual application of those thresholds, **this article will only address after the decision has been made by the Company to extend and you are unable to continue due to fatigue.** From a safety standpoint, the Operational duty limit should not be a jump-off point; it should be a point to ensure safety by self-examining your fitness for duty.\*

Once you learn of the extension, if you cannot continue beyond operational limits due to fatigue, “notify CRS immediately and then speak to the Duty Officer” about your situation. The duty officer generally has three options (see end of article for full language):

1. Pairing revision,
2. Put into legal rest with possible postponing the continuation of the trip, or
3. Remove from trip.

If you cannot continue beyond operational limits due to fatigue, follow this checklist:

1. Be professional and polite.
2. Notify CRS/call the duty officer.
3. Discuss with the duty officer your situation and all available options.
4. Do not let a possible contractual disagreement interfere with the process.
5. File a company fatigue report **and** a DART report. Clearly explain the process you followed and why it was unsafe to continue.

Calling in fatigued is not punitive.

Again, you have every right to call in fatigued if you determine from a safety standpoint that you are not fit to operate. Do not feel bad about it. Not continuing is the right choice **if you are not fit to continue.** We have endured more than 18 months of continual long duty days, having

to wait on Auto Verify, arriving at our hotel late with no food options, waking up early and again no food options . . . and repeat. It's tiring work and takes a toll.

Summary: There is an exponential increase in duty extensions. Follow the IMSAFE checklist to gauge your continued fitness. ***You have the right not to continue if you determine you are not safe and fit to continue to operate by calling in fatigued.*** The duty officer then has three options. If you are removed from trip due to fatigue, the trip will initially be listed as sick. The FERC will meet to discuss sick bank reimbursement for every fatigue call—outcome is dependent on what you report.

Note: Choosing to continue, ***not*** calling in fatigued, might be a convenience issue and may have a financial positive (an additional 3CH), but that should not be determinative and could be placing yourself and your crew at risk.

\* Keep track of your duty limits, available in VIPS/Crew Duty Limits. The Company is working on a vector summary of limits. But for now, only available in VIPS.

**Please file a DART in all situations that are fatiguing, challenging, or feel unsafe.** Feel free to reach out to me if you have any questions or concerns. (Contact information is in the ALPA app under Contacts/MEC Committees/FRM.)

## **Related Contract Sections**

### ***Domestic***

**12.C.5.b.** If the Company's operations or flight(s) are disrupted due to extenuating circumstances not within the control of the Company, including, but not limited to, severe weather, natural disasters, ATC limitations or significant system disruptions, the following shall apply:

- i. A pilot may, subject to Section 12.C.5.b.ii., be scheduled to continue up to FAR duty limits, with the prior approval of the Vice President, Flight Operations, or his designee, if necessary to complete his scheduled or rescheduled flight sequence or return to base, whichever occurs first. Block time limitations as described in Section 12.C.2.c. still apply.
- ii. In the event of a trip delay, revision or operational emergency that extends, or would extend, a pilot beyond the operational limitations, a pilot who becomes excessively tired shall notify CRS immediately and then speak to the Duty Officer about his situation. Depending on the pilot's situation and the Duty Officer's assessment, one of the following alternatives shall be enlisted to address the issue:
  - (a) The pilot's duty may be revised to include some alternative duty that is at or within operational limits; or
  - (b) The pilot may be given a legal rest period. In this case, the pilot's schedule thereafter may be postponed until after the legal rest period is concluded.
  - (c) Should it be determined that the pilot requires more rest than the legal rest provided pursuant to Section 12.C.5.b.ii.(b), the pilot may be removed from the

balance of his trip and be placed in sick leave status. If the pilot is placed in sick leave status the pilot shall be automatically returned from sick leave at the conclusion of his trip.

- (d) The FERC shall meet and discuss all instances to which 12.C.5.b.ii. applied.
- iii. Deadheads that are necessary in any of the situations described in Section 12.C.5.b.ii. shall be accomplished in accordance with the Agreement.
- iv. Nothing in these paragraphs shall diminish a pilot's responsibility to ensure that he has adequate rest prior to reporting for duty.

### ***International***

**12.D.6.c.** If the Company's operations or flight(s) are disrupted due to extenuating circumstances not within the control of the Company, including, but not limited to, severe weather, natural disasters, ATC limitations or significant system disruptions, the following shall apply:

- i. A pilot may, subject to Section 12.D.6.c.ii., be scheduled to continue on duty up to 1:30 past operational limits, or 16 hours, whichever is greater, with the prior approval of the Vice President, Flight Operations, or his designee, if necessary to complete his scheduled or rescheduled flight sequence or return to base, whichever occurs first. Block time limitations as described in Section 12.D.4. still apply.
- ii. In the event of a trip delay, revision or operational emergency that extends, or would extend, a pilot beyond the operational limitations, a pilot who becomes excessively tired shall notify CRS immediately and then speak to the Duty Officer about his situation. Depending on the pilot's situation and the Duty Officer's assessment, one of the following alternatives shall be enlisted to address the issue:
  - (a) The pilot's duty may be revised to include some alternative duty that is at or within operational limits; or
  - (b) The pilot may be given a legal rest period. In this case, the pilot's schedule thereafter may be postponed until after the legal rest period is concluded.
  - (c) Should it be determined that the pilot requires more rest than the legal rest provided pursuant to Section 12.D.6.c.ii.(b), the pilot may be removed from the balance of his trip and be placed in sick leave status. If the pilot is placed in sick leave status, the pilot shall be automatically returned from sick leave at the conclusion of his trip.
  - (d) The FERC shall meet and discuss all instances to which Section 12.D.6.c.ii. applied.
- iii. Deadheads that are necessary in any of the situations described in Section 12.D.6.c.ii. shall be accomplished in accordance with the Agreement.
- iv. Nothing in these paragraphs shall diminish a pilot's responsibility to ensure that he has adequate rest prior to reporting for duty.

*I recommend copying this in some form or printing it to always have on your person. I will also post this on the [fdx.alpa.org](http://fdx.alpa.org) FRMC page.*