

February 2014 – Flight Standards TAG special meeting, Cologne, EASA Meeting room 04/049

NAA Questions of understanding – Implementation aspects related to Subpart FTL and CS FTL.1 Commercial Air Transport by Aeroplane – Scheduled and Charter Operations

Subject	IR/CS/AMC/GM reference	Question or comment	Answer*
Application date	Article 2 CR	<p><i>“Article 2</i> This Regulation shall enter into force on the twentieth day following that of its publication in the <i>Official Journal of the European Union</i>. It shall apply from 18 February 2016.” Our operators want to start using the Regulation as soon as possible. If the text had been “It shall apply latest from 18 February 2016” then there had been no doubt about which dates should be applicable.</p>	<p>The date of application marks the moment when the Regulation becomes mandatory this, however, does not preclude operators to implement it before, providing it is not contrary to the current rules.</p>
Commander’s discretion	ORO.FTL.205(f)	<p>Does commander’s discretion only need to be used if the maximum FDP will not be complied with? For example: If an 8h FDP is planned and finally lasts 10h30, is there a need to exercise commander’s discretion? (Although discretion might be needed for the adjustment of the rest.)</p>	<p>Commander’s discretion may be exercised to modify the <i>limits</i> (as opposed to the planning) on flight duty, duty and rest periods.</p>
Commander’s discretion	ORO.FTL.205(f)	<p>Does Commander’s discretion depend upon WOCL encroachment, number of sector and time zone crossing?</p>	<p>In accordance with ORO.FTL.205(f)(i), commander’s discretion may be used to increase the maximum daily FDP which results after applying ORO.FTL.205(b) and (e) or ORO.FTL.220. This means that the commander may, under his/her discretion, increase the values of the tables in point (b)(1) and (2) by 2 hours (3 hours if the flight crew has been augmented). This always refers to the actually operated number of sectors and the actual reporting time.</p>
Commander’s discretion	ORO.FTL.205(f) and CS FTL.1.205	<p>How is commander’s discretion regulated for an extended FDP without in-flight rest ORO.FTL.205(d)? ORO.FTL.205 (f) is only regulating</p>	<p>ORO.FTL.205(f)(1) establishes the envelop within which the commander may decide to modify the limits on flight duty, duty and rest periods. ORO.FTL.205(d)&(e) establish the conditions under which the operator may <i>extend</i> the maximum basic daily FDP. The rule applies in the case of</p>

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		commander’s discretion for a basic 13-hour day and CS FTL.1.205(d) is only regulating for delayed reporting to cover unforeseen circumstances when the delayed reporting procedure is activated..	unforeseen circumstances during <i>any</i> FDP, meaning that it is possible to apply commander’s discretion to the maximum <i>basic daily</i> FDP <u>within the limits of ORO.FTL.205(f)(1)</u> on a duty with a planned extension according to ORO.FTL.205(d).
Commander’s discretion	ORO.FTL.205 (f)	ORO.FTL.205 (f) refers only to maximum basic daily FDP which results after applying points (b) and (e) of point ORO.FTL.205 or point ORO.FTL.220, however it should be kept in mind that unforeseen circumstances might occur also during FDP which is extended without in-flight rest as stipulated in ORO.FTL.205 (d), because the current redaction does not explicitly stipulate whether extended maximum daily FDP could be increased in unforeseen circumstances in flight operations based on commanders discretion.	ORO.FTL.205(f)(1) establishes the envelop within which the commander may decide to modify the limits on flight duty, duty and rest periods. ORO.FTL.205(d)&(e) establish the conditions under which the operator may <i>extend</i> the maximum basic daily FDP. The rule applies in the case of unforeseen circumstances during <i>any</i> FDP, meaning that it is possible to apply commander’s discretion to the maximum <i>basic daily</i> FDP <u>within the limits of ORO.FTL.205(f)(1)</u> on a duty with a planned extension according to ORO.FTL.205(d).
Definitions: Acclimatisation	ORO.FTL.105(1) and (2)	Comments and clarification regarding the following example would be welcome: 4 departure places (A, B, C and D). Between A and B there is a 2-hour time difference. Between A and C a 4 hour-time difference. Between A and D a 6-hour time difference. A crew begins an FDP in A (acclimatised, reference time LT in A), and finishes at B. Then the same crew (after rest) begins a new FDP in B (acclimatised, reference time LT in B), and finishes at C. Then the crew begins again (after rest) a FDP in C to finish in D. Where are they considered to be acclimatised when beginning at C? What is	ORO.FTL.105(1) states that a crew member is considered to be acclimatised to a 2-hour wide time zone surrounding the local time at the point of departure. For a series of FDPs, as described in the question, a crew member would be considered to be acclimatised as follows: Day 1: The crew member starts <i>acclimatised</i> at A and finishes at B. The reference time is the local time at A, because the crew member is acclimatised at A and reports at A. The time difference between a and B is 2 hours. That means that after resting at B. the crew will be considered acclimatised at B. Day 2: The crew member reports at B acclimatised to the local time at B for an FDP covering again 2-hour time difference to rest at C. The crew member has now covered 4-hour time difference, but in 2 days. Therefore the crew member is considered to be acclimatised because

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		the reference time to be taken into account for ORO.FTL.205.(b).(1)? If after rest at D, the crew begins a FDP from D finishing at A (6h time difference), are they considered acclimatised when beginning at D?, What is the reference time to be taken into account for ORO.FTL.205.(b).(1)?	he/she had time (2 days) to adapt his/her body clock to the local time at C. Day 3 is a repetition of day 2. Day 4: The crew member reports again considered to be <i>acclimatised</i> at D. The local time at D is the reference time. The FDP between D and A covers 6-hour time difference. The rule considers crossing 6-hour time difference in one day (one FDP) as an FDP inducing time zone de-synchronisation. Therefore, upon return to A (assuming that A is the home base), the rest requirements in CS FTL.1.235(b)(3)(i) are applicable.
Definitions: Acclimatisation	GM1 ORO.FTL.205(b)(1)	If the crew member is not acclimatised or in an unknown state of acclimatisation, what is the reference time? In that case, is reference time the local time at the point of the last departure where the crew member was acclimatised?	ORO.FTL.205(b)(1) does not apply to crew members in an unknown state of acclimatisation. For crew members in an unknown state of acclimatisation ORO.FTL.205(b)(2) applies. The maximum daily FDP for crew members in an unknown state of acclimatisation does not depend on the time of the day. The rule assumes that an FDP starting at any time could potentially encroach the WOCL. Therefore, the max FDP is set to be 11 hours at any time unless additional fatigue mitigation is in place (e.g. in-flight rest), in which case the maximum would be 12 hours for an FDP with up to 2 sectors.
Definitions: Accommodation	ORO.FTL.105 (3)	Can an airport crew lounge be considered as “accommodation”? Can a hotel room for several crew members of the same gender be considered as “accommodation”? Real life examples would be helpful.	The definition in ORO.FTL.105 (3) lists criteria for “accommodation”. Airport crew lounges as such are not excluded as long as they fulfil all the criteria listed in the definition. Single occupancy is not a criterion. This means, that shared hotel rooms, as long as they fulfil all the criteria listed in the definition could be used as accommodation.
Delayed reporting	CS FTL.1.205(d)(1)	The paragraph finishes ...“if the crew member is informed of the delayed reporting time, the FDP is calculated as follows:”. Does it mean that the notification could be without informing about the new reporting time?. In that case what are the conditions to calculate FDP, because the conditions in the CS are only applicable “if the crew member is informed of the time”?	The delayed reporting time is the reporting time that has been <i>delayed</i> , which means the <i>new</i> reporting time. A concrete (defined) reporting time must be given when the crew member is informed that the delayed reporting procedure is activated.

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Disruptive schedule / early type and late type	ORO.FTL.105 (8)	The definition of “early type” and “late type” is not clear. For example, if a duty period finishes 00:25, it might be both: “early type” and “late type”. Examples would be helpful.	The “early type” or “late type” in the definition of ‘disruptive schedules’ in ORO.FTL.105(8) refers to the election of the Member State. In accordance with ARO.OPS.230 the competent authority shall determine which of the two types of disruptive schedules shall apply to all CAT operations under its oversight.
Duty / De-briefing and post flight duty	ORO.FTL.105 ORO.FTL.210	How should briefings and debriefings during conversion/line checks be accounted for?	The concepts of ‘duty’, ‘flight duty’ and ‘flight duty period’ are defined in ORO.FTL.105(10),(11) & (12). In accordance with the definition of duty, conversion/line training is duty. Any duty (including the briefing for training purposes) after reporting for a duty that includes a sector or a series of sectors until the aircraft finally comes to rest, and the engines are shut down, at the end of the last sector on which the crew member acts as an operating crew member, is considered flight duty period. Post flight duties, on the other hand (including debriefings also for training purposes), are considered as duty period.
Duty / post flight	AMC1 ORO.FTL.210 (c)	We understand that the operator must have a record where the time when the crew finishes post-flight duties is reported to take into account that period when the actual post-flight duties are longer than the minimum period established by the operator, isn’t it?	ORO.FTL.210(c) instructs the operator to specify in its operations manual the minimum time period for post flight duties. The duration of post flight duties has an impact on the rest. ORO.FTL.110(g) instructs operators to plan rest periods of sufficient time to enable crew members to overcome the effects of the previous duties [...]. The operator must be able to demonstrate compliance to all requirements. In order to do so, the operator needs to implement a system to demonstrate based on what data or operational experience the minimum time period for post-flight duties has been specified. Since rest or shortened rest could potentially be a fatigue hazard, the operator needs to put in place a monitoring system also for this element under its SMS obligations.
Duty at the office	ORO.FTL.235	If a crew member spends one day in the office, what should be the duration of the rest be before reporting for a flight ? Complementary question : time spent at the office = predetermined or actual time?	In accordance with ORO.FTL.105(10) “‘duty’ means any task that a crew member performs for the operator, including flight duty, administrative work, giving or receiving training and checking, positioning, and some elements of standby;” The minimum rest period at home base “shall be at least as long as the preceding duty period, or 12 hours, whichever is greater.” This rule makes reference to the preceding duty period, not to the <i>planned</i>

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			preceding duty period. There rule does not foresee excluding breaks from a duty period.
FDP	ORO.FTL.205 (d)	It is not clear why the ORO.FTL.205 (b) title includes ‘Basic maximum daily FDP’, however throughout the ORO.FTL.205 up to point (d)(e) a term ‘Maximum daily FDP’ is used instead of ‘Basic maximum daily FDP’. Interestingly, ORO.FTL.205(d)(4) includes an additional term ‘Daily maximum FDP’, which is not on the definitions list of the regulation.	<p>“Basic maximum daily FDP” and “maximum basic daily FDP” mean the same. Putting adjectives in a different order does not make a difference in the English language. Both terms refer to a basic value of FDP which is un-extended and is the root for further FDP extensions.</p> <p>The “maximum daily FDP” refers to derivations from the basic table i.e. when the ‘basic maximum daily FDP’ (or maximum basic daily FDP) is extended under certain conditions.</p> <p>In ORO.FTL.220 SPLIT DUTY basic maximum daily FDP is also mentioned. It is the ‘basic maximum daily FDP’ from the table in ORO.FTL.205 (b) that may be extended due to a break on the ground.</p>
Flight time specification scheme / Air Taxi Ops	CR Art. 1 (1) and Art. 8 (2) ORO.FTL.125	If an Air Taxi Operator has both an aeroplane with less than 19 seats and one aeroplane with more than 20 seats. What FTL regulation shall the crew who is flying both types follow?	<p>ORO.FTL.125 instructs operators to establish, implement and maintain flight time specification schemes that are appropriate for the type(s) of operation performed and that comply with Regulation (EC) 216/2008. The aim of the requirements is to ensure that crew members are able to operate at a satisfactory level of alertness. Fatigue is not only accrued during one day and during the duty hours. It is always a set of factors that contribute to fatigue.</p> <p>The operator’s flight time specification scheme should take account of the fact that several aircraft types are operated and more importantly, it should be considered if the operation at hand is an on demand operation. To operate CAT operations with aeroplanes of more than 19 seats, the operator must demonstrate compliance with ORO.FTL.125.</p>
Flying activities outside an AOC	ORO.FTL.115 ORO.FTL.210 ORO.FTL.235	<p>If a crew member is also CRI/CRE, TRI/TRE, how is activity spent on testing, training (not for his/her operator) accounted for ?</p> <p>More generally, how should any crew member activity outside the scope of any AOC be taken into account for rest calculation purposes?</p>	<p>Flying activities such as training and testing conducted outside of the scope of an AOC have an impact on fatigue. To control excessive awake times, leading to transient fatigue a crew member must respect the minimum rest in accordance with ORO.FTL.235 before reporting for any FDP performed inside an AOC.</p> <p>Cumulative fatigue is accrued not only during CAT activities but also during other flying activities. Therefore, to control cumulative fatigue, in accordance with CAT.GEN.MPA100, the crew members shall:</p> <p>“[...] (ii) provide each operator with the data needed to schedule activities</p>

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			<p>in accordance with the applicable FTL requirements.” This requirement is also included in the recently adopted Part-NCC (NCC.GEN.105(f)(2)). ORO.FTL.210 establishes the applicable FTL requirements for cumulative flight times and duty periods. This requirement is also reflected in ORO.FTL.115, which instructs crew members to “make optimum use of the opportunities and facilities for rest provided and plan and use their rest periods properly.”. In addition, it should be noted that the limits and standards already established in Council Directive 2000/79/EC are applicable and should be respected for mobile staff in civil aviation. In conclusion, any potentially fatiguing professional activity, regardless if undertaken within or outside an AOC, should be taken into account for rest calculation.</p>
<p>Flying activities outside an AOC</p>	<p>ORO.FC.100 ORO.FTL.115 ORO.FTL.210 ORO.FTL.235</p>	<p>Regulation 965/2012 stipulates: <i>“(e) When engaging the services of flight crew members who are working on a freelance or part-time basis, the operator shall verify that all applicable requirements of this Subpart... taking into account all services rendered by the flight crew member to other operator(s) to determine in particular... (2) the applicable flight and duty time limitations and rest requirements.”</i></p> <p>Do all activities falling in the remit of the basic regulation have to be considered for duty time calculations? Let us take the example of a crew member working in a company with an AOC that is also an Approved Training Organization : should activities performed by a person for the ATO be considered for duty time</p>	<p>In accordance with ORO.FC.005(1), Section 1 of Subpart FC specifying common requirements shall be applicable to both non-commercial operations of complex motor-powered aircraft and commercial air transport operations. Furthermore, NCC.GEN.105(f)(2) instructs crew members to “provide each operator with the data needed to schedule activities in accordance with the applicable FTL requirements.” The scope of Subpart FTL is to establish the requirements to be met by an operator and its crew members with regard to flight and duty time limitations and rest requirements for crew members. The rule specifies cumulative limits for flight time and for duty periods without specifying in which type of operation the hours are accrued.</p>

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		limitations and rest requirements when that same person also acts as an operating crew member on a commercial flight of that same company?	
Home base	CS FTL.1.200 (b)	It should be clarified whether recurrent extended recovery rest including 3 local nights should be taken at the new home base or at the old home base	<p>ORO.FTL.115(b) instructs crew members to make optimum use of the opportunities [...] for rest [...]. GM1 CS FTL.1.200 advises crew members to make arrangements for temporary accommodation closer to their home base if their travelling time from their residence to their home base usually exceeds 90 minutes.</p> <p>The intention of CS FTL.1.200 is to allow additional rest for the <i>change</i> of home base. It is up to the crew member where he/she prefers spending this additional time as long as he/she reports fully rested to the first duty after a change of home base.</p>
Home base change	CS FTL.1.200(b)	We understand that if a Recurrent Extended Recovery Rest has not been increased to 72h incl. 3 local nights, during the following 7 days duty period, a change in the home base cannot be done.	<p>If a crew member is asked to report at a reporting point other than his/her home base without having fulfilled the requirements for a home base change, the provisions for reporting out of home base apply.</p> <p>The requirements are according to CS FTL.1.200</p> <p>(a) the home base is a single airport location.</p> <p>(b) the first extended recovery rest period prior to starting duty at the new home base is increased to 72 hours, including 3 local nights.</p> <p>ORO.FTL.105(14) defines 'home base', stating that the operator is not responsible for the accommodation of the crew member at the home base. Furthermore, ORO.FTL.235 establishes the different minimum rest requirements for a rest periods at the home base and away from home base.</p> <p>Consequently, if a crew members is asked to report at a reporting point, this reporting point is considered to be 'away from home base' unless a change of home base has been completed with its increased extended recovery rest.</p>
Individual flight time specification schemes approval	ARO.OPS.235 ORO.FTL.125	May a competent authority give ONE approval for an individual flight specification scheme to be used by three different operators with three AOCs?	ORO.MLR.100(a) instructs the operator the establish an operations manual (OM) in accordance with point 8.b of Annex IV to Regulation (EC) 216/2008. Limitations applicable to flight time, flight duty time and rest periods for crew members must be specified in the OM.

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			<p>To obtain an AOC, operators shall demonstrate to the competent authority that they comply with (amongst others) Part-ORO.</p> <p>In accordance with ORO.FTL.125 (b), flight time specification schemes, before being implemented, including any related FRM where required, shall be approved by the competent authority.</p> <p>Each operator needs its own approval. To what extend data from other operations may be used to demonstrate that the requirements of Regulation (EC) 216/2008 and Subpart FTL are met must be decided on a case by case basis. In addition, ORO.FTL.125(d) instructs the operator to collect data concerning the granted derogation or deviation.</p>
In-flight rest	CS FTL.1.205(b)	<p>Comments and clarification regarding the following example would be welcome: A crew (Pilot 1 +Pilot 2) begins a FDP at A, flying a 2h sector to B. At B a Pilot 3 joins the crew (could also be positioned from A to B in the same flight). The augmented crew continues flying a 8,5h sector from B to C, during that sector Pilot 2 has enough in-flight rest. At C Pilot 1 leaves the crew composition (is positioned from C to D) and Pilot 2 and 3 continues flying a 2h sector from C to D.</p> <p>The only pilot that makes use of in-flight rest extension is Pilot 2, so he/she will be the only pilot applying the 14 h minimum rest at destination (CS FTL.1.205(c)(6))</p>	<p>The conditions to extend an FDP due to in-flight rest are established in ORO.FTL.205(e).</p> <p>Point (iv) requires the augmentation of the basic flight crew to be taken into account. CS FTL.1.205(c)(2) gives the maximum duration of extended FDPs with an augmented crew. The maximum duration of the FDP is established for the entire flight crew, not for individual crew members. The crew is considered a unit for the calculation of the maximum FDP. This is underpinned by (c)(7). “A crew member does not start a positioning sector to become part of this flight crew on the same flight.”</p> <p>The FDP and rest requirements are the same for all crew members having operated a flight with an extended FDP due to in-flight rest.</p>
Night duty	ORO.FTL. 105 (9), CS FTL.1.205(a)(2) and (b), ORO.FTL.205	<p>Definition (9) ‘night duty’ means a duty period encroaching any portion of the period between 02:00 and 04:59 in the time zone to which the crew is acclimatised;</p> <p>If an FDP ends 02:05 or starts 04:55 or includes the full time 02:00-04:59, then it is</p>	<p>The statement that any night duty is limited to 10 hours unless an operator has implemented an FRM according to ORO.FTL.120 is inaccurate.</p> <p>CS FTL.1.205(a)(2) instructs the operator to apply <i>appropriate fatigue risk management</i> to actively manage the fatiguing effect of night duties of more than 10 hours in relation to the surrounding duties and rest periods. The meaning of <i>appropriate fatigue risk management</i> is explained in GM1 CS FTL.1.205(a)(2).</p>

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		<p>regulated as a “night duty” and is maximized to 10 hours.</p> <p>With the help of FRM this limit could be stretched to the Max FDP in ORO.FTL.205 Table 2, 3 and 4 and the table in CS.FTL.1.205(b).</p> <p>We expect EASA to make new tables with Max FDP 10 hours Night duty for ORO.FTL.205 Table 2 and 3 and for CS.FTL.1.205(b) to ease the burden for operators without FRM!</p>	
Night duty	GM1 CS FTL.1.205(a)(2)(b)	<p>At the EASA Committee meeting 2013-10-16, the EU Commission informed that the word “principles” should be deleted from the draft text in CS FTL.1.295(a)(2), which has been done. Now we see that the word “principles” is again being used, but now in a GM.</p> <p>Will EASA delete the word “principles” in the text “Fatigue risk management principles may be applied to the rostering of long night duties by means of:”?</p>	GM1 CS FTL.1.205(a)(2) gives an open list of fatigue management principles that might be used to apply <i>appropriate fatigue risk management</i> to long night duties. In this context it is the application of the principles that leads to the appropriateness of the fatigue risk management.
Night flights	CS FTL.1205(a)(2)	Does the provision mean that it required to have a Fatigue Risk Management System to operate more than 10 hours at night, or will this be based on the operators own discretion?	The CS does not require a fully fletched and approved fatigue risk management in accordance with ORO.FTL.120 to operate long night duties. CS FTL.1.205(a)(2) instructs the operator to apply <i>appropriate fatigue risk management</i> to actively manage the fatiguing effect of night duties of more than 10 hours in relation to the surrounding duties and rest periods. The meaning of <i>appropriate fatigue risk management</i> is explained in GM1 CS FTL.1.205(a)(2). The complexity of the operation and the related rostering system will determine how this needs to be implemented.
Non-revenue flights / FTL	ORO.FTL.100	How should ferry flights performed by crew members of a given operator be accounted for ? DP or FDP?	Annex I to Reg. 965/2012 does not define ‘ferry flight’. Crew members performing any activity within the scope of the BR (as opposed to private flying for leisure/fun) are subject to Subpart FTL when they conduct

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		Case 1 : CAT flight then ferry flight Case 2 : Ferry flight then CAT flight	activities within the scope of an AOC. The recently published CRD 2012/08 confirms this philosophy by proposing an amendment to Part-SPO by, amongst others, introducing SPO.SPEC.MCF.135 “Operators subject to Subpart FTL of Annex III (Part ORO) shall apply that Subpart when assigning crew members to maintenance check flights.”
Non-revenue flights / FTL	ORO.FTL.100	Complementary question: when a ferry flight counts as FDP, does it count as a sector?	Crew members performing any activity within the scope of the BR (as opposed to private flying for leisure/fun) are subject to Subpart FTL when they conduct activities within the scope of an AOC. If a ‘ferry flight’ is conducted within the scope of an AOC, it counts as FDP and sector.
Operational robustness	ORO.FTL.110(j)	How has operational robustness to be assessed ?	AMC1 ORO.FTL.110(j) instructs the operator to establish and monitor performance indicators for operational robustness of rosters. GM1 ORO.FTL.110(j) explains the purpose of the rule and specifies what those performance indicators should at least measure.
Planned extensions	ORO.FTL.205(d)(1) and (d)(3)	Regarding the extension, must it be included in the roster? Is the limitation to twice in any 7 days limited to planned duties?, is it possible to plan more than 2 extensions in 7 days, taking into account that the extension is only actually used twice? When an extension is used in a FDP coming from standby, how can it be considered as “planned in advance”?	Requirements for rosters are reflected in the operator responsibilities in ORO.FTL.110. ORO.FTL.110(a) instructs the operator to publish duty rosters in a way that enables crew members to plan adequate rest. To what level of detail information should be given to crew members depends on the type of operation. Operators must demonstrate how the chosen system fulfils the requirements of ORO.FTL.110. This demonstration could be supported by the application of an operator’s SMS processes to its rostering system. ORO.FTL.205(d)(3) does not require the inclusion of the extended FDP in the roster. It does however, require the advanced planning of the extension as opposed to an extension following unforeseen circumstances taking place during the operation (after the reporting time), which is regulated under (f) of the same paragraph. ORO.FTL.205(d)(1) limits in number the use of extensions to two in 7 consecutive days, not how often they may be planned.
Positioning	ORO.FTL.215	Shall a positioning between active sectors count as a sector for a pilot? We consider not. It is not fatiguing to travel as a passenger compared with being at the controls at take-off and landing.	No. According to ORO.FTL.215 positioning prior to operating shall count as FDP but shall not count as sector. A positioning sector between in that respect is positioning after reporting and prior to operating.

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Positioning / reporting point	ORO.FTL.215	Does positioning begin when the crew member arrives at the airport/train station or when the aeroplane/train leaves ?	Positioning begins after reporting at the designated reporting point. In accordance with ORO.FTL.105(14) 'home base' means the location, assigned 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. ORO.FTL.200 instructs operators to assign a home base to crew members. This requirement is refined for CAT operations by aeroplane – Scheduled and Charter Operations in CS FTL.1.200(a). The home base is a single <i>airport</i> location [...]. Positioning therefore starts when the crew member reports at his/her home base <i>airport</i> or, outside the home base, at the designated reporting point.
Positioning for purposes other than operating	ORO.FTL.105(18) ORO.FTL.215	How time spent to travel from home or home base to a simulator (when outside the base) should be taken into account?	Any transfer of a non-operating crew member from one place to the other at the behest of the operator is positioning. Travel from a crew member's private place of rest to the reporting point at home base and vice versa, and local transfers from a place of rest to the commencement of duty and vice versa are excluded. In accordance with ORO.FTL.215 positioning after reporting but prior to operating shall count as FDP. All time spent on positioning shall count as duty.
Record keeping	ORO.FTL.245	Do records required in ORO.FTL.245 have to reflect planned or actual FDP, DP and rest?	Planned rosters may differ substantially from achieved rosters. In order to ensure appropriate oversight of FTL by the competent authority operators shall maintain, for a period of 24 months, records of the actual values of flight times, FDP, rest periods and days free of all duties. AMC1 ORO.FTL.110(j) on operational robustness instructs operators to establish and monitor performance indicators for operational robustness rosters. This can only be done if operators keep records of both, planned and achieved rosters.
Recurrent extended recovery rest / reduction	ORO.FTL.205(f)	Can the extended recovery rest period be reduced with commander's discretion? (down to 10h?)	ORO.FTL.235(d) states that <i>in any case</i> the time between the end of one recurrent extended recovery rest period and the start of the next extended recovery rest period shall not be more than 168 hours. ORO.FTL.205(f) specifies the conditions to modify the limits on flight duty, duty and rest periods by the commander in the case of unforeseen

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			circumstances in flight operations, which start at or after the reporting time, [...]. An extension to the 168 hours between two recurrent extended recovery rest periods is not foreseen by this Article.
Recurrent extended recovery rest / re-planning	ORO.FTL.110(a)	Is re-planning of a rest allowed (the case of reserve is not addressed here) ? For example: 56h extended recovery rest period is planned, but only 38h including 2 local nights required from a regulatory standpoint. Case 1 : before the rest has begun Case 2 : after the rest has begun	ORO.FTL.110(a) instructs the operator to publish duty rosters sufficiently in advance to provide the opportunity for crew members to plan adequate rest. ORO.FTL.105(21) states that ‘rest period’ means a continuous, <i>uninterrupted and defined</i> period of time, following duty or prior to duty, during which a crew member is free of all duties, standby and reserve. This means that re-planning of rest (and duty) <i>before</i> the rest period has started is possible as long as the re-planning practices do not conflict with a crew member’s opportunity to plan adequate rest. An operator’s procedures for re-planning should demonstrably describe by which means the opportunity for crew members to plan adequate rest is provided in the case of re-planning. If re-planning takes place <i>during</i> the recurrent extended recovery rest period, a full uninterrupted rest period of 36 hours including 2 local nights must be respected after the interruption.
Recurrent extended recovery rest periods / Increase of interval between two under commander’s discretion	ORO.FTL.235(d)	Is commander’s discretion compatible with the infringement of the 168h limit between extended recovery rest periods.	The 168 hours between two recurrent extended recovery rest periods are not amongst the parameters, which, according to ORO.FTL.205(f), may be modified by the commander.
Recurrent extended recovery rest periods / Increase of interval between two	ORO.FTL.235(d)	Can the 168h limit between two extended recovery rest be augmented outside commander’s discretion? For example, if a crew member reports in Paris on Monday at 7AM and ends a series of flights in Singapore on Sunday at 20PM ; he should be given its extended recovery	Art. 14 of Reg. 216/2008 addresses flexibility provisions. In accordance with Art. 14(4) Member States may grant exemptions from the substantive requirements laid down in this Regulation and its implementing rules in the event in the event of <i>unforeseen urgent operational circumstances or operational needs of a limited duration</i> , provided the level of safety is not adversely affected. Art. 14(6) covers permanent derogations.

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		rest period in Singapore but might be willing to come back to its base, hence infringing the 168h through positioning (besides, this positioning could also be better for acclimatisation purposes). Does it have to be treated as a derogation if the crew member agrees (or asks) for this positioning, having in mind safety is not at risk?	
Re-planning / retrospective	ORO.FTL.230	Can a reserve, during which no flight was assigned, be considered as a day off afterwards?	ORO.FTL.230(a) states that reserve must be in the roster. The meaning of ‘including reserve in the roster’ is explained in GM1 ORO.FTL.230(a). A reserve period that does not result in a duty period may not retrospectively be considered as part of a recurrent extended recovery rest period. This Regulation does not address days off. The requirements for days off are in Council Directive 2000/79/EC . MS shall implement the provisions of this Directive in their legislation. The provisions of this Regulation are without prejudice to the limits and minimum standards already established by Council Directive 2000/79/EC, in particular the provisions on working time and days free of duty, which should always be respected for mobile staff in civil aviation. ORO.FTL.110(a) instructs operators to publish duty rosters sufficiently in advance to provide the opportunity for crew members to plan adequate rest. Retroactive re-planning is not foreseen by this Regulation.
Re-planning after reporting	ORO.FTL.205(f)	Can a flight be re-planned after crew members have reported?	ORO.FTL.205(f) establishes the conditions to modify the limits on flight duty, duty and rest periods by the commander in the case of unforeseen circumstances in flight operations, <i>which start at or after the reporting time</i> . Point (g) instructs the operator to establish procedures for delayed reporting in the event of unforeseen circumstances, in accordance with the certification specifications applicable to the type of operation. CS FTL.1.205(d) further develops the conditions for delayed reporting. There is no other rule addressing unforeseen circumstances.
Reporting times	ORO.FTL.110(c)	Can reporting times for flight crew members reporting for the same FDP be	ORO.FTL.110(c) instructs operators to specify reporting times that allow sufficient time for ground duties.

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		different? (Outside the case of augmented crew which is dealt with in the regulation)	ORO.FTL.205(a)(1) instructs the operator to define reporting times appropriate to each individual operation taking into account ORO.FTL.110(c). The maximum FDP is restricted by the crew member that has reported first. The minimum reporting time, which has been defined for a specific type of operation by the operator, shall apply.
Reporting times	ORO.FTL.110(c)	In Spain we have a National regulation that establishes minimum reporting times depending on the aircraft type and operation. Can this National regulation be maintained, and operators be obliged to comply with it? Do we need to understand this National regulation as an AltMoc and process it as established in Regulation (EC) 965/2012 for AltMoc?	For the time being the Agency has not proposed any AMC ORO.FTL.110(c). Annex I (9) of Reg. 965/2012 defines ‘alternative means of compliances’. This definition also includes new means to establish compliance with Reg. 216/2008 and its IR for which no associated AMC have been adopted by the Agency. ARO.GEN.120(e) describes the conditions under which a competent authority may use alternative means of compliance. The establishment of reporting times depending on the aircraft and operation may therefore be considered an AltMoC used by a competent authority.
Reserve	CS FTL 1.230 (e)	Should the period of 8 hours run consecutively or is it possible to define two different periods? Can these hours be during daytime?	The purpose of the 8 hours that shall be rostered, <i>taking into account fatigue management principles</i> , is to protect an 8-hour sleep opportunity. The operator must be able to demonstrate which fatigue management principles have been used when rostering the 8 hours during which a crew member on reserve is not contacted and how these principles protect an 8-hour sleep opportunity.
Reserve and Standby	ORO.FTL.105(20) and (25)	According to reserve and standby definitions, the only way to receive an assignment is either be on Reserve or Standby. There is no other option/situation where the operator can contact a crew member to assign a duty but Reserve and Standby, isn't it?.	The operator assigns duties initially by publishing a roster. There is no rule forbidding roster changes as long as the operator complies with its responsibilities in ORO.FTL.110(a). Rostered duties need to be published in a way that allows crew members to provide the opportunity to plan adequate rest. ‘Reserve’ and ‘standby’ are intended to allow for ad hoc assignments.
Rest after standby	GM1 CS FTL.1.225	After a standby followed by an FDP, what is the basis for rest calculation : reporting time for standby or “actual reporting time” for the flight	Standby other than airport standby counts (partly) as duty for the purpose of ORO.FTL.210 <i>only</i> . If a crew member receives an assignment during standby other than airport standby, the actual reporting time at the designated reporting point should be used for the purpose of ORO.FTL.235.

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Roster	AMC1 ORO.FTL.110(a)	<p>Possible examples (non-exhaustive) of what could be included in the roster could be added as GM.</p> <p>Is it necessary to include in the roster the specific time when the duty begins and finishes?.</p> <p>Is it possible to make changes to a published roster in less than 14 days in advance?.</p>	<p>The Agency could propose information elements to be considered for roster publication in FAQ on its website. This would in any case an open list. It depends on the type of operation which elements are needed to enable an appropriate planning of individual fatigue management for crew members.</p> <p>ORO.FTL.110(a) instructs the operator to publish duty rosters in a way that enables crew members to plan adequate rest. Operators must demonstrate how the chosen system fulfils the requirement ORO.FTL.110(a). This demonstration could be supported by the application of an operator’s SMS processes to its rostering system.</p> <p>There is no IR that forbids the communication of changes to a published roster. On the other hand, all other rules, i.e. those concerning rest before an FDP need to be observed.</p>
Roster publication	AMC1 ORO.FTL.110 (a)	<p>Many European airline operators today publish the monthly rosters around the 22nd-27th the month prior. In average crew thus know the content of a calendar day some 15 to 20 days prior (spanning from some 7 to 35 days “horizon”).</p> <p>Is this seen as fulfilling the requirement in the AMC of “Rosters should be published 14 days in advance?”</p>	<p>If a roster is published on the 27th of the month preceding the month of the roster, a crew member would know the content of the 1st rostered day 3 to 4 days in advance. AMC1 ORO.FTL.110(a), however, instructs the operator to publish rosters 14 days in advance. On the other hand, this requirement is an AMC to ORO.FTL.110(a). The AMC is <i>one</i> example of how operators could demonstrate compliance with this rule. The rule instructs the operator to publish rosters <i>sufficiently</i> in advance to provide the opportunity for crew members to <i>plan</i> adequate rest. In accordance with ORO.GEN.120, an operator could use an alternative means of compliance, provided the competent authority finds it in accordance with the Implementing rule after having evaluated the documentation provided by the operator and, if considered necessary, having conducted an inspection of the organisation.</p> <p>It would hence be possible to use an alternative system to publishing rosters 14 days in advance, provided the operator has demonstrated that the requirements of ORO.FTL.110(a) are met with this alternative system.</p>
Roster publication	AMC1 ORO.FTL.110 (a)	<p>Rosters to be published 14 days in advance... One has to be aware that many deviations will probably be asked for.</p>	<p>ARO.GEN.120(b),(c) and (d) establish the conditions under which an operator may use alternative means of compliance. Operators may use alternative means of compliance in accordance with ORO.GEN.120(b).</p>

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Split duty	ORO.FTL. 220	Is it possible to have more than one Split duty within one FDP?	ORO.FTL.220 lays down the conditions for extending the basic daily FDP due to a break on the ground. A split duty is an extended FDP. According to ORO.FTL.235(a)&(b) each FDP (extended or not) must be preceded by a rest period at least as long as the preceding duty [...]. The rule does not foresee combining two FDPs without an intervening rest period.
Split duty	CS FTL.1.220 (b)	Minimum time of 30 minutes should be clarified. Not clear whether 30 minutes are counted for post an pre-flight duties as well as travelling in total or 30 min for post flight duties, 30 min for travelling after post flight duties, 30 min for travelling before pre-flight duties and 30 min for pre-flight duties;	CS FTL.1.220(b) instructs the operator to specify actual times for post and pre-flight duties and for travelling in its operations manual. The minimum for the total is 30 minutes. The operator must demonstrate how travelling in both directions, and post and pre-flight duties are accomplished in the time defined in the OM.
Split duty	CS FTL.1.220	For split duties, can several breaks be implemented ?	ORO.FTL.220 establishes the conditions for extending the basic maximum FDP due to a break on the ground. In accordance with point (a), flight time specification shall specify the minimum duration of <i>a</i> break on the ground and how the duration of <i>the</i> break on the ground should be taken into account. CS FTL.1.220(a) & (b) further develop the conditions for <i>the</i> break on the ground. In conclusion, the rule does not foresee several breaks on the ground.
Split duty	CS FTL.1.220(d)	Should suitable accommodation be provided for a split duty when crew members are in an unknown state of acclimatisation?	ORO.FTL.220(a)(2) requires flight time specification schemes to take into account ‘other relevant factors’ when specifying the possibility to extend the basic maximum daily FDP. The element of acclimatisation is not mentioned explicitly in CS FTL.1.220. Point (d) does, however, make reference to the window of circadian low (WOCL). The intent of providing suitable accommodation during a break encroaching the WOCL is to increase the likelihood of achieving and sustaining sleep during that time of day.
Standby	ORO.FTL.105 (25)	Many interpretations within current FTL schemes are used for phrase “....without an intervening rest period”. Examples of different situations might be very helpful	ORO.FTL.105(21) defines the elements a period of time needs to fulfill to be considered a rest period. A rest period must be: defined; uninterrupted; and continuous.

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			ORO.FTL.235 regulates the duration of the different types of rest periods considered in the Regulation. Should an operator wish to assign a duty of any type to a crew member without respecting a full rest period between notification and reporting, the operator must assign standby to the crew member in the roster.
Standby	CS FTL.1.225	CS FTL.1.225 1 does not stipulate the maximum duration of an airport standby	The maximum duration of airport standby is defined indirectly by the limits of the combined duration of airport standby and FDP.
Standby	ORO.FTL.225(a) GM1 CS FTL.1.225(a)	Can a standby be finished before the planned “end time notified in advance”, after a notification during the standby (saying that there will be no assignment) and the rest period be initiated at the time of the notification of the new standby end?	ORO.FTL.225(a) requires to define a time period with a start and end time, during which a crew member must be available to be contacted to receive an assignment. A crew member could be notified that standby ceases. CS FTL.1.225 establishes further conditions. GM1 CS FTL.1.225(a) explains that a minimum rest period according to ORO.FTL.235 should be provided after the notification of the advanced end of the standby period.
Standby	CS FTL.225(a)(2)(ii)	We understand that the cap of 16 hours is not applicable when the standby is followed by a FDP with in-flight rest, so there is no cap for that kind of situation.	The conditions to extend an FDP due to in-flight rest are established in ORO.FTL.205(e). Conditions for extending the basic maximum daily FDP due to a break on the ground (split duty) are established in ORO.FTL.220. The cap of 16 hours is only applicable for FDPs following the requirements in ORO.FTL.205(b) basic maximum daily FDP <i>without</i> the use of in-flight rest and (d) extended daily FDP <i>without the use of in-flight rest</i> . If additional mitigation, such as in-flight rest or a break on the ground is provided, the cap is not needed to avoid excessive awake times.
Standby	GM1 CS FTL.1.225(b)	How is the standby period before the assignment takes place considered? The time period that should not be count as standby duty is only the time after the assignment, isn't it?	According to CS FTL.1.225(b)(3) 25% of time spent on standby counts as <i>cumulative</i> duty. If no rest period, as specified in ORO.FTL.235, is provided between receiving the notification for an assignment and reporting, 25% of the time spent on standby (including the time between receiving the assignment and reporting) count as <i>cumulative</i> duty. If a rest period is provided between notification and reporting, only the time spent on standby until the notification of the assignment is counted as 25% cumulative duty.
Standby	CS FTL.1.225	Can a standby be modified from “standby other than airport standby” to “airport standby” during the standby (pilot in “home standby” is required to go to the	According to the definition of standby in ORO.FTL.105(25) during a standby period any duty may be assigned. That includes airport standby. CS FTL.1.225(b) establishes the limits for assignments when a crew member is on standby other than airport standby. If the assignment during

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		airport to continue in “airport standby”)? What limits must be used?	standby other than airport standby is airport standby and the crew member receives during the airport standby an assignment, the limitations in both paragraphs need to be applied and the most restrictive for each case needs to be observed. That means, e.g. if the standby other than airport standby is commuted to airport standby after a crew member has already spent more than 6 hours on standby other than airport standby, the FDP must be reduced by any time spent on standby other than airport standby in excess of 6 hours. The requirement in (b)(2), instructing the operator to design procedures ensuring that the combination of standby and FDP do not lead to more than 18 hours awake time also applies for the case of commuting standby other than airport standby to airport standby.
Standby	CS FTL.1.225	If an assignment occurs during a standby, does the reporting time assigned have to be included within the planned standby period, before the standby period finishes?. i.e. Standby From 10:00 to 18:00, called at 16:00 for a reporting time at 20:00.	CS FTL.1.225(b)(5) states that standby ceases when the crew member reports. (4) states that standby is followed by a rest period. A rest period should therefore start at 18:00 if standby is rostered to end at 18:00. The extension of a standby period beyond the rostered finishing time is not foreseen in the rule. A crew member should not be assigned an FDP starting after the standby period has ended.
Standby / Duty at the airport	ORO.FTL.225(d)	The document is lacking CSs for duty at the airport	There is no need to specify any elements in CS for duty at the airport. All elements are given in ORO.FTL.225(d).
Standby and duties at the airport	ORO.FTL.225	ORO.FTL.225 prescribes requirements for standby and duties at the airport; however an inconsistency exists between standby and duties at the airport requirements throughout the point; ORO.FTL.225 does not require to define the start and the end time of a duty at the airport, nor it requires to be notified in advance to the crew members concerned to provide them with the opportunity to plan adequate rest; ORO.FTL.225 does not include requirement	There is no need to explicitly mention that the starting time for ‘any duty at the airport’ needs to be rostered. In order to be able to report at the reporting point to an ‘any duty at the airport’ period, the crew member needs to know when to go there. This is not the case for standby other than airport standby. In case of standby other than airport standby the crew does not have to report at the airport but remains at his/her place of rest. It is not necessary to notify the end time of ‘any duty at the airport’ because the maximum duration is equal to the maximum duration of the FDP reflected in the tables of ORO.FTL.205. A crew member is considered to be on duty at the airport as soon as he/she has reported and is not on airport standby. A crew member may

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		<p>which would describe when a crew member is considered on duty at the airport as it is described in ORO.FTL.225 (b) for standby;</p> <p>ORO.FTL.225 does not include requirements for flight time specification scheme to specify any elements on duty at the airport as it does for standby in point ORO.FTL.225 (f).</p>	<p>only be on airport standby if accommodation is provided and the crew member is not required to perform any task during the time he/she is available at the airport to receive an assignment.</p> <p>The requirements for ‘any duty at the airport’ may be deducted from airport standby. A crew member is considered to be on ‘any duty at the airport’ as soon as he/she has reported at the airport without an assignment of a specific duty and one or both of the following apply:</p> <p>-no accommodation according to the definition in ORO.FTL.105(3) is provided during airport standby;and/or</p> <p>-the operator assigns any task to the crew member.</p>
Standby followed by an FDP	CS FTL.1.225 (b)(2)	<p>The operator’s standby procedures are designed to avoid that the combination of standby and FDP leads to more than 18 hours awake time;</p> <p>How shall an operator expect a crew member to use whole or part of a standby for sleep when there are disturbance factors like difficulty to fall asleep, disturbed sleep due to sick children, waking-up by external noise, etc.?</p>	<p>CS FTL.1.225(b)(2) instructs the operator to <i>design</i> its standby procedures in a certain way. The expectation is on the design of the procedure, not on the individual crew member. The expectation on the crew member is to follow the procedure to the best of his/her abilities and in good faith at all times.</p>

*** Written answers will be provided following the special TAG meeting FTL and circulated in form of a table once EASA has gathered all the questions and identified commonalities.**

Should you not wish your question to be circulated, please advise accordingly in this table.