TESTIMONY OF

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BEFORE

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U.S. HOUSE OF REPRESENTATIVES

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Thank you, Chairman Costello for giving us the opportunity to testify today. My name is Patricia A. Friend and I am the International President of the Association of Flight Attendants – CWA (AFA-CWA), AFL-CIO. AFA-CWA represents over 55,000 flight attendants at 20 different airlines throughout the United States and is the world's largest flight attendant union. Flight attendants, as the first responders in the aircraft cabin and as airline safety professionals, are following closely a number of the issues raised by the National Transportation Safety Board (NTSB) in their "Most Wanted" aviation transportation safety improvements. The NTSB has done a good job in identifying many vital and important issues needing improvement and we applaud their efforts "to increase the public's awareness of, and support for, action to adopt safety steps that can help prevent accidents and save lives."

While the NTSB has developed a comprehensive list of their "Most Wanted" aviation safety improvements, we were disappointed to see that the issue of requiring restraint systems for children under the age of 2 in aircraft was removed from the list last year. We believe that the issue of restraining all occupants during taxi, take off and landing remains a valid concern and should be addressed.

Today, I'd like to focus primarily on the issue of fatigue and their recommendation to reduce accidents and incidents caused by human fatigue. I know that the members of this Committee are well aware of AFA-CWA's concerns about flight attendant fatigue and the threat that it poses to aviation safety. I have spoken to the Chairman and others on the Committee about how we must address this growing problem and testified before this Committee on the issue back in March of this year. The NTSB itself has recognized the danger posed by fatigue in the transportation industry and has recommended setting working hour limits for transportation operators based on fatigue research, circadian rhythms, and sleep and rest requirements. In fact human fatigue has been on the "Most Wanted" list since 1990. So this discussion is nothing new in that sense.

Specific to the aviation industry, fatigue has been a long-standing concern in accident and incident investigative reports. Based on these concerns there has been a great deal of

aircraft cabin and aware of their surroundings at all times. An inability to function due to fatigue jeopardizes the traveling public and other crewmembers.

According to the Federal Aviation Regulations (FAR's), flight attendants must have a minimum rest period of at least nine hours following any scheduled duty period of less than 14 hours. The nine-hour period can be reduced to as little as eight hours, if the employer schedules a 10-hour rest period following the next duty period. I'd like to make a further clarification at this point. Using the term "rest period" can be misleading because much more must be done during this period of time other than simply sleeping. The "rest period" can begin as soon as fifteen minutes after an aircraft pulls into the gate and continues until one hour prior to their next departure. This "rest period" must also include travel through an airport, waiting time for a shuttle to the layover hotel, travel to the hotel, checking-in, possibly finding time to eat a meal since many of our carriers in an effort to cut costs have removed flight attendant crew meals from the flights, getting prepared for bed, getting dressed and prepared for work the next morning, travel back to the airport and last, but certainly not least is sleep time. Our members are continually reporting that the actual sleep time this schedule allows is in many cases between only 3-5 hours of actual sleep before beginning another full duty day.

The airline industry practice has been to schedule as little as nine hours of rest for flight attendants. It is our understanding that the reduced rest period provision was originally meant to accommodate "day of" scheduling when carriers encounter delays out of the carriers' control such as bad weather or air traffic control delays. The FAA has chosen to ignore the routine implementation of this provision by airline management and the further erosion of meaningful rest periods for flight attendants. To further highlight the FAA's turning of a blind eye to this practice, an FAA spokesperson, in response to a question from the media on this issue stated, "The FAA rules on flight time and rest for both pilots and flight attendants are fundamentally sound. They serve aviation safety very well." We fundamentally disagree.

research done on pilot fatigue. There has also been some research on maintenance fatigue. No one questions that pilot and mechanic fatigue is a serious concern, but we're here to tell you that the industry also needs to realize the flight attendant fatigue is also a very real and serious concern. We believe that the NTSB "most wanted" recommendation setting working hours for flight crews and aviation mechanics based on fatigue research, circadian rhythms, and sleep and rest requirements is flawed in that it does not include the need to address flight attendant fatigue in the recommendation.

I am here to tell you that fatigue is a very real and serious concern for the flight attendant workforce in this country as well and poses a potentially dangerous risk for the safety of the aviation system. As the deep concessions demanded of flight attendants during the recent and ongoing financial turmoil of the airline industry have taken hold it has become clear that airline management hopes to keep our members working longer duty days with greatly reduced time off between duty. Some air carriers are routinely taking advantage of a "reduced rest" provision in the Federal Aviation Administration's Flight Attendant Duty Time and Rest Regulations which allows the minimum rest of nine hours to be reduced to eight. The exception has become the rule and flight attendants are so exhausted that they have informed us that they have in some cases forgotten to perform critical safety functions, including the arming of doors and even fallen asleep on the jumpseats. Even more troubling is that the FAA continues to allow the carriers to schedule reduced rest periods, making them more routine, and has failed to recognize or show any concern for the impact that flight attendant fatigue has on the overall safety of the aviation system.

Multiple studies have shown that reaction time and performance diminishes with fatigue – an unacceptable situation for safety and security sensitive employees. Flight attendants are required to be on board to conduct aircraft emergency evacuations when they are necessary. In addition, they are inflight first responders who are trained to handle inflight fires, medical emergencies including CPR and emergency births. Furthermore, since 9-11 the security responsibilities of flight attendants have greatly increased. It has become even more important for flight attendants to be constantly vigilant of the situation in the

Congress also has expressed concerns. The Omnibus Appropriations for FY '05 contained an appropriation for $200,000 directing the FAA to conduct a study of flight attendant fatigue. The FAA was to report back to Congress by June 1, 2005 with their findings. The Appropriations report language stated: "The Committee is concerned about evidence that FAA minimum crew rest regulations may not allow adequate rest time for flight attendants. Especially since the terrorist attacks of September 11, 2001, the nation's flight attendants have been asked to assume a greater role in protecting the safety of air travelers during flight. Current flight attendant duty and rest rules state that flight attendants should have a minimum of nine hours off duty, that may be reduced to eight hours, if the following rest period is ten hours. Although these rules have been in place for several years, they do not reflect the increased security responsibilities since 2001, and only recently have carriers begun scheduling attendants for less than nine hours off. There is evidence that what was once occasional use of the 'reduced rest' flexibility is now becoming common practice at some carriers."

The FAA delayed release of the report for over one year, even though the study itself was completed. The FAA repeatedly ignored requests from AFA-CWA and members of Congress to release the report and explain the delay in reviewing the study by the Administrator's office. Finally, after AFA-CWA staged an all night "sleep-in" by flight attendants in front of the FAA headquarters in order to draw attention to the issue, the FAA released the report.

In order to complete the required study, representatives of the FAA from the Civil Aerospace Medical Institute (CAMI) initiated an agreement with NASA Ames Research Center to perform an evaluation of the flight attendant fatigue issue. Due to the short internal deadline for conducting the report, the researchers were unable to conduct a thorough and comprehensive study of flight attendant fatigue. It primarily consisted of a review of existing literature on the issue, an evaluation of flight attendant duty schedules and a comparison of those schedules to the current regulations regarding rest. Based just on this limited research, the report concluded that flight attendants are "experiencing fatigue and tiredness and as such, is a salient issue warranting further evaluation." They

also stated that "not all the information needed could be acquired to gain a complete understanding of the phenomenon/problem of flight attendant fatigue."

The report listed a number of recommendations for further study. They were:

1) A scientifically based, randomly selected survey of flight attendants as they work. Such a study would assess the frequency with which fatigue is experienced, the situations in which it appears, and the consequences that follow.
2) A focused study of aviation incident reports in order to determine what role fatigue played in already reported safety incidents.
3) The need for research on the effects of fatigue. This research would explore the impact that rest schedules, circadian factors and sleep loss have on flight attendants' ability to perform their duties.
4) The determination and validation of fatigue models for assessing how fatigued a flight attendant will become. Developing a reliable fatigue modeling system would be an important tool for the aviation industry in helping to determine when rest periods should be scheduled.
5) A study of International policies and practices to see how other countries address these issues.
6) Development of training material to reduce the level of fatigue that may be experienced by flight crews and to avoid factors that may increase fatigue levels.

I believe that it is abundantly clear that flight attendant fatigue is real, it is a problem and that it is growing. Some may argue, and indeed have argued, that an error caused by flight attendant fatigue is not as serious as an error caused by pilot fatigue or maintenance fatigue because the flight attendant error does not cause the aircraft to crash. These same people would also claim that flight attendant fatigue does not warrant inclusion on the "most wanted" list. This argument is short sighted. An error caused due to flight attendant fatigue can lead to a tragic loss of life in the event of an inflight emergency or during an evacuation.

We know that there have been incidents over the years where flight attendant fatigue was an issue. For example, on July 9, 1995, an ATR72 operated by Simmons Airlines, as American Eagle Flight 4127, experienced the loss of the rear cabin entry door during the takeoff climb. The flight crew was able to circle around and land successfully. The aircraft received minor damage and one flight attendant received minor injuries. The flightdeck crew, the other flight attendant and the 61 passengers reported no injuries.

The probable cause of the incident was the flight attendant inadvertently opening the door inflight due in part to flight attendant fatigue from a lack of sleep and the long duty day. The flight attendant estimated that she had approximately 5 hours of sleep the night before the incident flight. Also, contributing to the incident was a change in the design of the door locking mechanism.

If we add the human factors issue of fatigue - impaired judgment - and then add the human factors design issue - the re-design of the door - we have a perfect human factor interaction error in the Simmons incident. Industry is continually working to build aircraft that alleviate the human factor design issue, so why would we say the human factor issue of fatigue in the cabin isn't a concern? We should work to address the fatigue factor just as well.

Take another example of an emergency. On August 2, 2005, an Air France Airbus A340-313 aircraft overran the end of the runway and came to a rest in a ravine just outside the perimeter of Toronto's Lester B. Pearson International Airport. The flight had 12 crew members and 297 passengers on board.

After the aircraft stopped, flight attendants observed a fire outside the aircraft and ordered an evacuation. The flight attendants facilitated a fast evacuation from the emergency exits while an intensifying fuel-fed fire was engulfing the aircraft. Only four of the eight emergency exits equipped with slides were usable for evacuation, due to one slide failure and fire around the vicinity of the other slides. Amazingly only two crew members and

ten passengers were seriously injured. The aircraft fuselage was eventually consumed by fire.

If the flight attendants on Air France Flight 358 had been fatigued the outcome of this evacuation could have been very different. What if they had pulled the quick release handle on one of the remaining four useable slides instead of the inflation handle? If that had happened, the crew would have then been down to only three exits for the evacuation. This could have very likely happened as we know that flight attendants make mistakes due to fatigue like we saw in the Simmons incident

Fortunately, flight attendant mistakes are often not as obvious because of the current extraordinarily low number of accidents. But the potential for a serious incident is there. We have received reports from flight attendants admitting that due to fatigue they had forgotten to arm their evacuation slides, or due to fatigue had forgotten they had unaccompanied minors onboard and allowed them to leave the aircraft by themselves. There are numerous examples of flight attendants falling asleep or nearly falling asleep on their jumpseats during landing. The same jumpseats that are located next to the emergency exit doors which would need to be used in case of a landing emergency evacuation.

We also have examples from flight attendants that have said they are too fatigued to drive home, or operate their car, for fear of getting into an accident. We even have reports of members being stopped by law enforcement when driving due to the fact that police believed they were driving under the influence of alcohol because of their erratic driving. Just prior to that they would have, by the FAA's account, been okay to operate the emergency equipment onboard an aircraft in a fatigued fashion. However, as a fatigued driver on the road they are a hazard to others.

All these safety mishaps can have devastating ramifications. Fortunately they have not, which is why the regulatory agencies, as well as the NTSB, must further investigate and recommend changes to address the safety concern of flight attendant fatigue before a serious incident happens.

Many of the same issues that contribute to pilot fatigue contribute to flight attendant fatigue. One of these issues is the length of a continuous wakeful period. Flight attendants are even more susceptible in this area because, unlike pilots, we do not have a regulatory hard limit on actual flying time in a 24 hour period. The timing of work hours, time zone shifts, and any subsequent impact of off-duty sleep quality also similar to pilots contribute to flight attendant fatigue and in fact may pose a greater risk to flight attendants.

To ensure safety of the entire transportation industry as a whole we must look at all workers that could have an effect on the survival rate of passengers, not just the pilot who operates the aircraft or the maintenance personal that fix a broken part. We are, after all, operating the equipment that fights fires, provides medical first response, and helps with a speedy evacuation. To say that flight attendant fatigue should not be a concern, or is not as important because we are not the sole factor that could cause an accident, or that we don't operate a moving vehicle, is to acknowledge that saving passenger lives doesn't matter.

One other issue on the NTSB's "Most Wanted List" is preventing runway incursions and ground collisions of aircraft. AFA-CWA supports the continued research and development of technologies that will provide warnings directly to flight crews of any potential incursions or collisions. In February of this year a United Airlines Boeing 737 nearly collided with a snowplow after landing at Denver International Airport. Luckily for everyone onboard that aircraft an emergency situation was avoided; unlike the passengers of two Northwest Airlines aircraft that collided near the gate area in Minneapolis, Minnesota in May 2005.

The Northwest Airlines DC-9 was taxiing to the gate area when it collided with a Northwest Airlines A-319 that was being pushed back from the gate. The evacuation was not immediate as both crews tried to evaluate what had just happened. Specifically the DC-9 was evacuated out the aft stairs as the front doors were unusable. The situation on

the A-319 was not as bad and eventually the passengers were evacuated out the forward left door using the emergency slide. The collision resulted in crew injuries mainly onboard the A-319 that was being pushed back. That crew had been conducting their emergency briefing announcement at the time, standing in the aisles, when they impacted the other aircraft thereby sustaining their injuries.

I am pleased to say that the outcome of both these events was positive in respect to the fact that there was no loss of life.

In closing, I want to go back again to the logo for the NTSB's Most Wanted List. It is a "program to increase the public's awareness of, and support for, action to adopt safety steps that can help prevent accidents and save lives."

Save lives, are the operative words and we applaud the NTSB's work on these issues and their commitment to preventing accidents and saving lives. But it must be pointed out that their approach to the risk posed by fatigue must be more comprehensive. We can all agree that it is possible that a flight attendant error, due to fatigue, could possibly result in the death of some of our passengers. Therefore, it is crucial that we be just as concerned with flight attendant fatigue as pilot and mechanic fatigue if we hope to achieve the NTSB's stated goal of preventing accidents and saving lives.

Again, I want to thank the Committee for holding this hearing and I look forward to answering any questions that you may have.