



BRIEFINGS //

Jetstar Pilot Federation

TO // All Jetstar Pilots

FROM // Jetstar Pilot Federation

DATE // 8 September 2023

RE // Removal of 'Unforeseen Operational Circumstances' definition & 'Discretionary Extensions'

As you would be aware from FSO 107/23 released to pilots on 24 August 2023 the concept of 'discretionary extensions' in Jetstar's FRMS has been replaced with 'discretionary changes to limits' and reference to 'unforeseen operational circumstances' has been completely removed from Jetstar's FRMS.

This unilateral removal of the concept of 'unforeseen operational circumstances' from Jetstar's FRMS is alarming and Jetstar members have understandably contacted the AFAP to raise their concern and seek further guidance.

What are Unforeseen Operational Circumstances (UOC)?

CAAP 48-01 definition of UOC: An unplanned exceptional event that becomes evident after the commencement of the FDP (i.e. un-forecast weather, equipment malfunction, or air traffic delay).

Previous AFAP FRMS updates explain UOC [here](#).

Key points:

- Local and international regulations define "unforeseen" as events happening after FDP commencement, implying foreseeable delays cannot qualify for extensions
- Guidelines recommend building buffers into schedules and augmenting crews to minimize reliance on extensions
- CASA guidance states extensions should occur in under 5% of identified duties and policies must be reviewed if higher. This implies extensions should remain exceptional.
- Foreseeable delays that necessitate an extension after take-off would likely breach
- Crews must ensure they remain fit to fly the full FDP safely
- Proactive fatigue management strategies like clear guidance, data analysis and crew involvement can help ensure extensions remain truly unforeseen.

What has CASA approved for Jetstar's FRMS trial?

As advised in FSO 107/23, 24th August 2023:

'Following consultation with CASA as part of Jetstar's approved FRMS trial, the concept of 'discretionary extensions' has been replaced with 'discretionary changes to limits' and reference to 'unforeseen operational circumstances' has been removed.'

'The change clarifies the straightforward options for FCMs to exercise discretion to operate to an increased flight time or FDP limit if, after sign-on, delays of any type encroach upon

the applicable limit under which the FDP was commenced. In all circumstances a discretionary change to limits remains subject to the PIC assessing that all FCMs are willing and fit to operate under such a change.'

This now grants Jetstar the ability for crew to extend or exercise a 'Discretionary Change to Limits' due to any reason after the commencement of the FDP for 2 hours – subject to PIC discretion.

The AFAP is deeply concerned about CASA's decision to allow Jetstar to entirely eliminate the concept of Unforeseen Operational Circumstances (UOC) from their FRMS trial, along with the changing 'Discretionary Extensions' to 'Discretionary Changes to Limits'. This move raises significant questions about its alignment with safety considerations and suggests a potential focus solely on the commercial interests of the QF group.

AFAP JPF Advice

When signing on, Flight Crew Members (FCM's) should review FDP limits and, if necessary, contact crewing for clarification regarding acclimatization limits.

Members have contacted us enquiring what to do if after completion of the 2nd sector on a 4-sector day (e.g., MEL-OOL-MEL-HBA-MEL) it becomes apparent that the 4th sector home leg will require an extension (Discretionary Change to Limits) to complete, and specifically if they can remove themselves after sector 2?

Unfortunately, you are still required to attempt to complete the last 2 sectors as it's a lawful direction by the company. Prior to the commencement of the last sector, and indeed all sectors, FCMs are required to assess themselves for fatigue and if impaired, or likely to be impaired by fatigue.

OM1: 5.1 Mutual Obligations:

'An FCM must not begin to carry out any task for a flight if, due to fatigue, the FCM is, or is likely to be, unfit to perform a task that the FCM must perform during the flight. If any concern exists regarding fatigue levels prior to operating, refer to form 'JQ-FC-017' on SCL for a basic fatigue self-assessment tool. This tool is not all encompassing but may assist with a self-assessment of personal fatigue levels.'

If after completion of the 3rd sector in this example it is likely that an extension (Discretionary Change to Limits) is required, FCM's should self-assess and if fatigued or likely to be fatigued advise crewing that they will not be extending. This may mean an unscheduled overnight & disruption, however safety, professionalism and protecting your Flight Crew Licence should be the highest priority.

Please remember that FCMs must ensure they are fit to fly in accordance with CASR Regulation 91.520 and must not operate the aircraft in a manner that poses a hazard (CASR Regulation 91.055). Failure to do so may lead to serious consequences, including strict liability offences and penalties.

CASR 91.520 (8) Without limiting subregulation (1) or (4), a crew member is taken to be, or is taken to be likely to be, unfit to perform a duty if:

1.
 - a. *the crew member is **fatigued** to the extent that the crew member's ability to safely perform the duty is **reduced or likely to be reduced**; or*
 - b. *the crew member's ability to safely perform the duty is impaired, or likely to be impaired, because the crew member has consumed, used or absorbed a **psychoactive substance**.*

The AFAP strongly advise against extending or exercising a 'Discretionary Change to Limits' unless you are absolutely certain that both you and all other FCMs are and will be free from fatigue for the entire flight.

Even in circumstances where a PIC has assessed themselves and each FCM as fit to fly, any change to the applicable FDP limit is completely discretionary.

From FSO 107/23, "As per current practice, under no circumstances will the company require a discretionary change to limits. A discretionary change to limits is only to facilitate the completion of the objective of the original FDP."

Your pilot representatives are on hand if you have any questions regarding above. Alternatively, you can contact your AFAP industrial officers Deanna Cain (deanna@afap.org.au), Pat Larkins (patrick@afap.org.au) or Andrew Molnar (andrew@afap.org.au) or AFAP Safety and Technical Manager, Marcus Diamond (marcus@afap.org.au) or call (03)9928 5737.

Regards

AFAP Jetstar Pilot Federation Committee

Darren Fielder, Jeremy MacPhail, Daniel Blakemore, Ed Greenidge, Yianni Manousaridis, Dominic Corcoran, Mark Buttel, Darren Davis, Chris Gibson, Clinton Baxter, Andrew Ward, Christopher Doyle, Christo Hailes, Paul Hogan, Raj Krishnan

