THE FAA MANAGEMENT & STRUCTURE: CONCERNS & SOLUTIONS PROPOSED BY NATCA

The men and women of the National Air Traffic Controllers Association (NATCA), air traffic controllers and several thousand other FAA-employed aviation safety professionals, have a passion and responsibility for aviation safety and are eager to be part of the solutions to fix the problems facing the FAA and the air traffic control system. Historically, the air traffic controller workforce has enjoyed some of the highest personal satisfaction from their profession. In the late nineties, controllers had an effective and cooperative relationship with the Federal Aviation Administration (FAA) that allowed management and labor to work together for the betterment of the nation's aviation system.

In 2003, NATCA published a booklet devoted to modernization entitled, "2003 Air Traffic Modernization Tools," which promoted the collaborative efforts between the organization and the FAA on over five dozen air traffic control procedures, pieces of equipment and airspace redesign initiatives. At that time, NATCA enjoyed a productive, highly engaged, collaborative relationship with the FAA on numerous projects to modernize, enhance and improve the National Airspace System (NAS). This relationship reached unprecedented heights and resulted in a period in which more new technology was developed, tested and installed than during previous decades combined. NATCA members took great pride in being on the front end of modernization efforts and were committed to using modernization to make the system safer. NATCA remains committed to these goals today, despite a six-year period in which the current administration has blocked the organization from any input or collaboration.

According the Partnership for Public Service's *2007 Best Places to Work In the Federal Government*, the FAA ranked 204th out of 222, the 5th worst of all government agencies. The Bush Administration's eight long years of FAA management was marked by incredible hostility in the workplace, which specifically targeted the air traffic controller workforce. No longer were controllers regarded as the stewards of our nation's safe skies or as experts in the field of aviation safety, instead they were branded as the enemy and treated as impediments to the FAA Administrator's goals. When the FAA unilaterally imposed work and pay standards on the controllers, it further created a punitive and adversarial culture that is now prevalent in most air traffic control facilities and throughout the FAA's HQ. This adversarial culture could also be seen in the massive public relations campaign against controllers in which Bush's FAA attacked the controller workforce in Congress and in the media.

Over the past six years, controllers have been forced into a defensive posture as they try to maintain the dignity of their profession amid a barrage of attacks from their employer. They have fought for their ability to do their jobs safely: for proper staffing, adequate rest periods, clear procedures and well-tested technology. They have fought for change and for fairness in the workplace, for inclusion in the modernization process and for the right to fairly negotiate and ratify a contract. The Obama Administration brings with it the promise of change in the FAA. NATCA members understand that President Elect Obama respects their expertise and dedicated work, and they look forward to the culture of change his Administration will bring.

STABILIZATION OF THE EXISTING FAA WORKFORCE: The workforce has suffered increased workload, decreased rest periods, loss of leave flexibility, removal of career advancement opportunities, pay cuts, and a variety of indignities that have created an adversarial work environment. Additionally, a large portion of the workforce is reaching the age of retirement eligibility and many are simply finding that they have no incentive to stay and plenty of incentives to leave. In the past two fiscal years alone (FY2007 and FY2008) more than 3,300 controllers left the Air Traffic Control front lines—the vast majority, as soon as they were eligible to retire. As a result, the workforce suffers from both severe understaffing and a troubling loss of experience. Controllers who remain at understaffed facilities find themselves working intolerable amounts of mandatory overtime, combined positions and without radar assistants. They must provide On-the-Job Training (OJT) to new hires, further increasing their workload and job stress. They have fewer opportunities for rest and shorter rest periods on shifts.

According to the Joint Economic Committee, the financial impact of delays in 2007 on the U.S. economy was $41 billion, with 320 million hours lost in wasted time. A study by the Travel Industry, meanwhile, concluded that the U.S. economy lost $26 billion last year because irritated travelers are increasingly choosing to forgo air travel altogether. Air traffic levels are projected to soar to over 1 billion passengers by 2015 compared to the 750 million that flew in 2007. *Stabilizing the air traffic controller workforce is the quickest and most proven method for fighting delays and the shrinking safety margins.*

NATCA proposes that the first and most important step that the new Administration can take is ordering the FAA to return to the bargaining table under the rules of the last mutually-agreed to contract so that the FAA and NATCA may reach a fair, collective bargaining agreement that can be ratified by the workforce. This initial step will have a far reaching, positive impact on all aspects of solving the problems at the FAA, including but not limited to slowing the rate of controller attrition. When discussing the controller contract, it is important to note that the goal of the contract between the FAA and NATCA in 1998 was as much about productivity gains and enhancement of modernization as it was about compensation. The 1998 FAA-NATCA contract was tracked for productivity gains and other important milestones by a Management-Labor workgroup. In the group's 2000 report, they found that the 1998 contract had produced significant increases in productivity, cut costs, and exceeded milestones for modernization, making the FAA a more efficient agency. In 2001, the Bush Administration disbanded the workgroup in order to hide productivity gains and progress achieved – namely cost-savings – under the 1998 agreement. NATCA is eager to work collaboratively with the Obama Administration to take similar steps toward productivity and efficiencies, once a contract has been ratified.

MANAGEMENT STRUCTURE AT THE FAA: Much of our discussion has focused on the culture that the Obama transition team will find at the FAA—a culture that has been anti-employee, anti-union, and anti-controller workforce. It is NATCA's position that the FAA needs a strong manager as an Administrator; one who is willing to work with the employees' exclusive representatives to stabilize the workforce issues that ultimately affect most of the other problems and challenges at the FAA. NATCA strongly believes in the culture of change that will come with the new Administration, and that this culture change is key to future successes at the FAA. NATCA believes it is critical that the Administration carefully look at those currently in

leadership positions at the FAA to ensure that they can effectively carry out the mission and goals of the Obama Administration. NATCA proposes working with the FAA Administrator, once appointed, towards identifying key areas of concern, in an effort to proactively address this issue. It is NATCA's position that without buy-in from the leadership, the culture of change will not become a reality within the bureaucracy of the FAA.

MODERNIZATION & INFRASTRUCTURE INVESTMENT: NATCA not only supports modernization and infrastructure investment in our air traffic control system, but we demand it. Unfortunately, the recent course of aviation policy has been one of neglect and indifference, leading to the deterioration of the aviation network—a major driver of our economy. Tens of thousands of jobs that depend on a vibrant aviation system have been lost in the past years as the aviation system that was once the envy of the world continues to deteriorate. The failed FAA leadership of the past six years weakened our aviation infrastructure, left modernization projects delayed (due to continual re-baselining of data, timelines and milestones on projects, as well as cutting and under-funding programs) and completely shut out air traffic controllers from the process of making our system safe, efficient and cutting edge. A renewed focus on air traffic infrastructure investment would be rewarded with the creation of new jobs, decreased delays, increased productivity, a healthier environment and would largely pay for itself from the inherent increased tax revenue.

Realignment and Consolidation: During the past 20 years, the FAA has completed several realignments, including Southern California, Northern California, and the Baltimore/Washington/Virginia Tri-State (Potomac). NATCA endorsed all of these successful consolidation efforts because the proposals were driven by a need to enhance system capacity by redesigning/streamlining airspace, specifically to consolidate TRACON functions for metropolitan areas into one building, as opposed to leaving a single TRACON behind. Additionally, the consolidation was considered through collaboration with controllers and other vital stakeholders, ensuring that safety concerns, including sufficient controller staffing levels and adequate training, and potential national security implications were addressed before the realignments moved forward.

The FAA has recently announced two major realignment initiatives; first, it intends to separate radar and tower air traffic services at the Orlando International Airport (MCO) and second, it plans to consolidate the work of 362 engineers from 9 regional offices around the country into 3 Service Area Offices as part of the Engineering Services Efficiency Plan (ESEP). Realignment initiatives in Memphis, Miami and Philadelphia were delayed after congress demanded a review of configuration alternatives. For MCO and ESEP, no such review has taken place. NATCA believes that realignment projects should only be undertaken when the changes provide an operational benefit to users, increase safety, provide cost savings, and/or enhance modernization of the system. The plans must be written with an eye to maintaining proper safety redundancies, limiting vulnerability in case of a catastrophic event, and minimizing the impact of consolidation on human capital. To date the FAA has failed to demonstrate any operational benefit of these two initiatives or address the safety, security and human factors concerns that the changes would create. In 2007, the House of Representatives passed the FAA Reauthorization Act which would have established a process for comprehensively analyzing and reviewing the implications of realignment decisions on the basis the above criteria. Without such a process, the FAA has been

able to make realignment decisions according to its own agenda, without input from stakeholders, without proper preparation, and without being held accountable for the effects of those decisions. NATCA believes that the FAA should immediately postpone its plans to realign services at MCO, ESEP, and at any realignment initiative until such time as Congress and the Obama Administration are able to implement and codify a comprehensive review process.

Collaborative Partner in NEXTGEN: NATCA is supportive of the concept of NEXTGEN and wants to help the Obama Administration take the program from a buzz word to a detailed, focused architecture for the future of our aviation system. Just as importantly, NATCA believes it is crucial that the FAA not continue to neglect the "NowGen" or allow the ATC infrastructure to crumble while awaiting the upgrade. NextGen, the FAA's name for the GPS-based air traffic control system, is not projected to come online until 2020, at the earliest, and has received severe criticism from the aviation leadership of the House Aviation Subcommittee due to its unclear management structure, and lack of defined goals with concrete timelines. While the next generation air traffic control system -- under even the most optimistic prediction -- is more than a decade away, work must be completed sooner rather than later in the next Congress to kick-start critical modernization efforts that will strengthen the infrastructure of today's aviation system, while building the system of tomorrow. While there is a technological facet to the solutions for issues facing the FAA, it is important to also address the human factors, procedures, and other aspects of each. NATCA proposes that under the Obama Administration, the controller workforce should once again be an active participant—from beginning to end—in the NEXTGEN process.

Full Collaboration with NATCA: NATCA believes that the air traffic controller workforce is crucial to maintaining and enhancing the safety of the National Airspace System (NAS), both through their daily work of maintaining aircraft separation and by lending their knowledge and expertise to the technological and safety initiatives conducted by the administration. During the late nineties and into the early part of this decade, the FAA completed more than 7,100 projects to install and integrate new facilities, systems and equipment into the NAS. In addition, more than 10,000 hardware and software upgrades were completed. Each of these projects and system changes created tremendous impacts, many of which had to be managed by air traffic controllers. NATCA had representatives on over 70 modernization and procedures development projects. Most worked in Washington, at FAA headquarters, and were proud to serve the NAS and promote the betterment of their profession. Under the Bush Administration, the FAA routinely avoided collaboration with NATCA on key issues and initiatives related to modernization. The FAA terminated the successful Controller Liaison Program, under which controllers provided crucial insight and guidance for the development of some of the most effective technological and procedural advancements including: Advanced Technologies and Oceanic Procedures (ATOPS), Display System Replacement (DSR), User Request Evaluation Tool (URET), Voice Switching and Control System (VSCS), and Reduced Vertical Separation Minimum (DRVSM). It is important to note that controllers were involved in these projects from conception to implementation. The ATOPs development was proceeding with controller involvement through the liaison program. Since then, the program has experienced a number of problems and issues, including communications failures and system-initiated losses of separation between aircraft among others, that would have been proactively addressed under the liaison program.

The current FAA Administration also excluded NATCA from Safety Risk Management reviews except when they believed it to be a political necessity, and then our role was kept largely cosmetic. In prior administrations, the controllers were included in this process. Now, without our guidance we've seen severely flawed technology and procedures enter the NAS. Area Navigation (RNAV), for example, is designed to guide pilots along an approach route and free the controller from issuing step-by-step instructions. Yet RNAV was developed and implemented without controller involvement and is so inefficient that it had to be turned off in Las Vegas, Salt Lake City, Tampa and Atlanta, among other locations. These inefficient RNAV flight paths often cost pilots time and fuel, and the design is incompatible in or with high traffic situations.

NATCA believes that that there are quality concepts behind several of these technologies. The Bush Administration, however, embraced a management approach that is detrimental to safety advancements of the NAS. A collaborative process that includes NATCA contributions will help the FAA to reduce flaws in the systems, quickly identify and correct glitches when they do occur, and create a more usable and effective product. NATCA proposes working alongside the FAA under the Obama Administration on important initiatives such as: deployment of surface radar and plans to expand the list of airports scheduled to receive the new technology; revive the data link communications system that would allow direct data transfer between controllers and pilots; upgrade facilities still without STARS or Common ARTS; and finish oceanic modernization by completing ATOP sector deployment in Anchorage, resolving software problems, and improving training curricula so that those with no prior non-radar experience may receive adequate training.

SAFETY ENHANCEMENTS TO THE AVIATION SYSTEM: Safety is always the top priority of the air traffic controllers and other aviation safety professionals represented by NATCA. The Union wants to be an active partner with the Agency working on safety enhancement programs. But this can only be done under a culture of trust; a culture where safety is more important than a punitive agenda.

In an attempt to display NATCA's desire for a collaborative relationship with the Agency, NATCA recently signed an agreement with the FAA to create an Air Traffic Safety Action Program (ATSAP). This program was purported to be a non-punitive, voluntary reporting system for air traffic control safety concerns modeled after the successful ASAP program used by airlines. Despite outstanding concerns by our membership over the FAA's intent, NATCA moved this program forward because of its stated desire to work with the FAA on safety matters. This program, however, is dependent on trust; controllers must truly believe that they will be protected if they are to take the risk of coming forward. Rather than allowing this tool to enhance the safety of the system, the FAA used it as another weapon in the war against their workforce. The labor relations and human resources departments undermined the program by creating new means of disciplining controllers based on information gleaned through the ATSAP reporting system. The HR and LR departments implemented new employment policies, changed the interpretations of existing policies, and used it for punitive purposes. NATCA still believes that a non-punitive safety culture is integral to the safety of the air traffic control system, and that ATSAP can and should be the centerpiece of this culture. NATCA and our members look forward to being able to participate fully in the ATSAP program without fear of discipline.

For engineering services, the FAA has unilaterally implemented a safety reporting system (SIRS) without input from the Union and without guarantee that reporting would not hold punitive consequences. Unlike ATSAP, the FAA made no attempt to work with the Union in this matter, further undermining our belief that they truly wanted to foster a non-punitive safety culture, and much to the detriment of the program.

Controller Fatigue: Controller Fatigue has become a serious and growing problem as controllers are being forced to spread themselves ever more thinly to cover the demands of high traffic with a shrinking workforce. In order to adequately cover shifts at understaffed facilities, FAA managers are calling in unsustainable amounts of overtime, with many controllers regularly working six-day weeks and/or ten hour days. The work itself has also become more demanding and more fatiguing as a result of the staffing crisis; a single controller is frequently required to do a job designed for between two and four individuals. A controller working without a radar assistant is responsible not only for communication with aircraft but also coordination with other controller positions and facilities and updating flight progress information. Additionally, managers are forced to combine positions, creating greater complexity by requiring each controller to monitor greater numbers of confliction points and an increased volume of aircraft. Controllers are also being required to give OJT to an increased number of trainees, further contributing to controller workload. Controllers coping with this extra workload are also being afforded fewer and shorter opportunities for rest and recovery during the shift, denying them the opportunity to "recharge" after a difficult push.

In April 2007, the National Transportation Safety Board (NTSB) placed fatigue on its list of most-wanted transportation safety improvements, calling upon the FAA to work with NATCA to take steps to "reduce accidents and incidents caused by human fatigue." After significant pressure from both NATCA and the NTSB, the FAA convened one meeting during which NATCA made suggestions for dealing with this issue multilaterally, rather than addressing only the issue of scheduling. The FAA then refused to convene another meeting despite repeated outreach from NATCA on this issue. FAA management was able to check the box and report back to the NTSB that they had worked with NATCA. NATCA, however, believes this is a serious safety concern that must be comprehensively addressed. We have embarked on the development of a comprehensive fatigue management system, and look forward to working with the new FAA administrator to see this system completed and implemented.

Runway incursions: A number of independent agencies including the NTSB, the GAO and the DOT Inspector General recently expressed concern over the number of runway incursions occurring at our nation's airports. NATCA shares this concern and has been disappointed by the lack of meaningful action taken by the FAA on this matter. As with most safety issues, we believe that collaboration is an essential element in minimizing runway incursions. NATCA proposes that each airport reinstitute a local runway incursion prevention team to identify airport-specific incursion hotspots and implement local solutions. These committees would be composed of stakeholders, including pilots, air traffic controllers, airport management, and airport vehicle drivers as well as a national representative from the FAA. Further, NATCA has testified about the importance of collaboration in the development and implementation of technological aids to prevent runway incursions. NATCA supports the expansion of surface Radar systems like ASDE-X, but believes that controller involvement in the implementation

process is the key to minimization and early identification of glitches in the system. Further, NATCA believes it is critical to recognize the importance of proper ATC staffing in order to eliminate some of the human factors problems that contribute to runway incursions, the effectiveness of end-around taxiways when used properly, and the necessity of mitigating dangers inherent in perpendicular runways.

FIX THE TRAINING ISSUES THE NEW WORKFORCE: High rates of attrition in the controller workforce have resulted in unacceptably high levels of trainees in the system. Approximately ¼ of the air traffic control workforce is still in training with several facilities exceeding the FAA's own (recently recanted or rebaselined) safe upper limit. This high ratio of trainees coupled with the staffing shortage has had a direct effect on the efficiency of training. With so many trainees, and a small and shrinking number of Certified Professional Controllers (CPCs), there are a limited number of controllers capable of providing training. In addition, when trainees make up such a large percentage of the workforce, facilities must frequently rely upon those certified to work particular positions to do so, thereby limiting their opportunities to receive OJT at all of the other positions. At Miami Center, for example, trainees have had to wait up to sixteen months from their date of hire to receive OJT due to the facility's staffing shortage. Additionally, for the first time since the 1980s, trainees are being put directly into some of the most demanding and difficult terminal facilities after completing their classroom training at Oklahoma City. These facilities do not have the training experience, curricula or infrastructure to appropriately train new hires. In the past, smaller, lower-level facilities taught inexperienced new hires the basics, and qualified controllers would transfer to the more complex facilities as they advanced in their careers. The imposed work rules eliminated the career ladder and removed incentives for controllers to transfer to higher-level facilities. This, coupled with the high rate of attrition, has made it necessary for high level terminal facilities to accept trainees with little to no experience directly out of the academy for the first time in decades.

There is no simple answer to this problem. The fact that the Agency did not properly plan for the obvious oncoming staffing crisis (The FAA only hired 13 controllers in FY04) is a key factor why we are dealing with this a multitude of training issues. NATCA proposes working together with the FAA and the DoT to focus on this serious staffing/training problem and come up with some immediate and long term solutions. We believe that including NATCA in the training process, from concept to implementation will help make for a more efficient, successful, expeditious training process.

CONCLUSION: Clearly, the above memorandum is not an all inclusive list of NATCA's perspective of the current status at the FAA. It gives an overview of some of the main issues the Obama Administration will be facing at the FAA and some solutions NATCA would propose. Simply stated, NATCA wants to be part of the success that will come from an Obama Administration at the FAA. For the controller workforce, the Obama Administration brings with it the promise of change in the FAA. The members of the NATCA, air traffic controllers and several thousand other FAA-employed aviation safety professionals, are aware that President Elect Obama respects their expertise and dedicated work. *The men and women of NATCA have a passion and responsibility for aviation safety and are eager to be part of the solutions to fix the problems facing the FAA and the air traffic control system.*