



June 18, 2019

To: Regional Vice Presidents
Branches & Facilities

Fatigue Study and Collective Bargaining

As members may have seen from [NAV Canada's communication](#), the company received a report from Transport Canada citing the lack of a robust Fatigue Management System (FMS) at NAV. Some of the findings in the report have the potential to affect many of our current scheduling practices. The following factors are an example of issues Transport Canada has outlined as needing to be addressed:

- maximum hours in any duty time
- maximum number of consecutive work days
- maximum hours worked in a defined period
- maximum time in position
- minimum duration of non-duty period
- minimum number of non-duty days in a defined period
- minimum duration of breaks between periods in position

These issues are critical to our members. The potential effects on scheduling and cycle rotations are something we must pay the utmost attention to. Transport Canada has asked for a corrective action plan to deal with these issues. This plan must outline how an in-depth FMS will be implemented by NAV Canada to deal with the identified areas of concern.

CATCA has had preliminary meetings with NAV Canada to discuss how to address the fatigue issues, and we have agreed to participate in a collaborative union/management committee. CATCA must play a role in developing a corrective action plan for Transport Canada. We must be involved in this process, and we must be at the table when these issues are being discussed.

The first meeting of the Fatigue Safety Action Group (FSAG) has been scheduled for July 8 and 9, 2019, with CATCA having two representatives in the group. The goal is to present a corrective action plan to Transport Canada by fall 2019.

As the collective agreement governs most of the issues surrounding fatigue, CATCA is of the opinion that a short break from the bargaining process makes sense until there is a clear plan going forward. It is possible that changes to the collective agreement may be required as a result of the working group's recommendations. CATCA firmly believes a resolution to these issues is in the best interest of our members. Failure to do so could see Transport Canada potentially forcing fatigue mitigation practices on us through regulatory change. The fatigue issue has the potential to be the biggest challenge ever to affect our scheduling practices, and it requires our absolute attention.

As a result, bargaining dates have been scheduled the week of August 19, 2019, and we are also working on dates for September. CATCA fully appreciates that working without a collective agreement is never an ideal situation, but your contract committee is dedicated to working throughout the summer to bring a new collective agreement forward in the shortest possible time frame.

In past bargaining bulletins, CATCA indicated our confidence in full retroactivity on all eventual wage and premium increases that come as a result of a new collective agreement. All collective agreements ratified after the expiry of prior agreements have had full retroactivity. We are committed to continuing that practice and want to assure our members that full retroactivity will be needed before any tentative agreement can be reached.

We ask for the patience of our membership while we navigate some extremely tricky waters. Every step we take is done with one goal in mind – to protect the working conditions of our members and to bring you the strongest collective agreement possible. We are confident that the collaborative work we will do with NAV Canada on fatigue, followed by a return to the collective bargaining process, is in the best interest of our members and the wisest course for us to take.

In solidarity,

Peter Duffey
President

Doug Best
Executive Vice President

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