



**House of Representatives Standing Committee on
Infrastructure and Communications**

Inquiry into the ratio of cabin crews on aircraft

Submissions of the Transport Workers Union of Australia

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Date: 28th March, 2011

Background:

The Transport Workers Union (TWU) is the representative of thousands of aviation workers across Australia and has grave concerns in relation to the

any reduction in the ratio of cabin crew to passenger numbers, including those proposed CASA Civil Order (CAO) Section 20.16.3- Cabin Crew Ratios.

As a significant stakeholder and employee representative in this industry these concerns are principally related to the very real potential for any reduction in staff numbers to reduce the safety and security of aviation workers, commuters and the ongoing viability of our industry.

The TWU principally represents workers working as baggage handlers, catering staff, refuellers, freight handlers, chefs, pilots, trainers, and customer service staff across the national aviation industry.

It is its view of the TWU and its membership across the aviation industry that each flight, each departure, arrival, passenger and bag has the potential to pose a serious risk to the safety and security of them, their workmates, customers and their industry.

As the front line on aircraft in our skies, cabin crew members are both the first and last line of defense for TWU members from these risks.

On this basis, it is the TWU's position that there should not be any reduction in the ratio of cabin crew staff to passengers as proposed by CASA. Further we submit, that compliance with the current ratio must be mandatory and that there be a number of additional safety and security provisions that should be introduced to improve the safety and security of our skies.

Opposition to the change

The TWU opposes a reduction in the ratio of cabin crew to passengers as proposed by CASA. The reasons for this opposition are set out in our submission to CASA in relation to this matter. A copy of these submissions is attached at Appendix A for the benefit of the Committee.

Current aviation safety regulatory systems and exemption provisions

It is the TWU's submission that the current system in relation to application of the ratio system and requirement is fundamentally flawed.

When Parliament last considered this issue in 2003, it resolved that the current 1:36 ratio should be maintained. That the 1:36 ratio was an appropriate standard for the safety of staff, commuters and the long term viability of the industry.

Since 2003, there has been no reduction to the challenges and threats to the safety and security of staff and passengers across the industry. While there has been significant efforts to improve industry security and safety standards in light of the tragedies of September 11, the facts remain that the threats to the safety of passenger and crew remain the same. Terrorists and extremists have adapted their techniques in response to the security measures put in place. The recent incidents of in flight 'shoe bomb' and the 'under pants bomber' are a case in point.

If anything, it is the TWU's submissions (and that of a number of security experts) that these developments have in fact increased the risk to passengers, staff and the long term viability of our industry.

As a consequence the importance of having properly trained, qualified, and accredited cabin crew staff in flight in appropriate numbers of not less than 1:36 has been more important than ever before.

Despite these realities without proper scrutiny or review since 2006 CASA has unilaterally granted a number of exemptions to the inflight crew ratio. It is the TWU's submission that the rationale for these exemptions has been purely economic and driven by airline employer's drive to maximize profit.

In each instance CASA has granted an exemption, there has not been any independent or Parliamentary scrutiny to the decision. As a consequence, the integrity of the ratio determined by Parliament in 2003 as appropriate to protect the safety and security of staff and passengers has been eroded. This erosion has occurred without any compensating improvements in cabin crew training, accreditation, qualification or support being implement to ensure the overriding safety and security mechanism guiding the implementation of the ratio by Parliament remaining in place.

As a result a direct consequence of CASA's actions, the safety and security of our skies has been compromised. The rise of regional and home grown terrorism and security threats since 2003 has only served to exacerbate this risk.

The role of crew in managing passenger safety and security

From the TWU's perspective cabin crew perform a critical role in managing and working to ensure the safety and security of passengers and other staff.

A cabin crew member is the first point of contact a TWU member has with people on an aircraft before the aircraft doors are opened and disembarked and the last point of contact before the doors are shut. It is a cabin crew member who is most likely to communicate to TWU members on the ground while making them aware of any in flight incidents or need of support.

Obviously, as this first and last line of defense the number, skill level, qualification and experience all determine their capacity to perform these critical roles properly and ensure the safety of passengers, and crew both in the aircraft and on the grounds is protected as best as it possible can be.

Any reduction on crew numbers will undermine this capacity and present a threat to the safety and security of all.

This increased safety and security threat is already being experienced by TWU members coming into contact with cabin crew working on aircraft where CASA has granted a ratio exemption. The anecdotal evidence of TWU

members working in these situations since 2006 is that crew on these aircraft seen able to perform their security related functions as properly and diligently as those working on aircraft where the ratio is in place.

It is the TWU's submission that this threat to the safety and security of passengers, safety and our entire industry should not be allowed to continue.

Factors that determine the crew to passenger ratio

The TWU is not in a position to provide expert evidence on what factors determine the crew to passenger ratio.

Obviously, it is our submission that the overriding factor here should be the safety and security of staff, passengers and our industry.

Industry economics should not be considered. Safety and security cannot, and should not be compromised for short term gain.

Similarly, international trends (if any exist) of reducing crew to passenger ratios should not be considered. Historically, the Australian aviation industry has long been a leader in setting the standards of excellence in terms of the safety and security in aviation. This should continue to be the case. Further, where foreign carriers operate in Australian air space, steps should be taken to ensure that they also comply with Australian security and safety requirements – including the 1:36 ratio.

In terms of the additional items that should be considered in terms of the crew to passenger ratio, the TWU believes that the following items should be mandatory:

- Operator commitment to enforceable independent third party risk assessments
- Operator commitment to independent third party compliance audits
- Crew roster patterns, rest and fatigue management systems and enforceable protections
- Operator commitment to whistleblower protections
- Crew training, accreditation and qualification systems – including the provisions of mandatory safety security training

Measures to enhance safety

It is the TWU's submission that steps taken to improve the safety and security of all airline industry employees (including crew) passengers and the long term viability of our industry should be two fold as follows.

1. The implementation of mandatory safety and security training for all aviation industry employees (ASIC card holders)
2. The implementation of a aviation industry employees professional security and safety accreditation and potable licensing system, for all employees commencing with Cabin Crew

It is the TWU's submission that a fundamental flaw of the integrity of the safety and security systems currently in place is that the majority of employees working in this industry have yet to be provided basic safety and security training.

Similarly, in terms of cabin crew at present there is no one mandated standard of accreditation, qualification and licensing system currently in place. In practical terms this means that the skill, qualification and capacity of cabin crew to handle an in flight emergency or security situation is current different depending who you fly with.

In terms of safety and security in our skies this is of a serious concerns and should be urgently addressed.

Conclusion

We trust that this submission is of assistance to the committee and look forward to the opportunity of providing supplementary oral submissions at your convenience.

Tony Sheldon
National Secretary



Response to Notice of Proposed Rule Making (NPRM)

**Proposed Amendment to Civil Aviation Order (CAO) Section
20.16.3**

CABIN CREW RATIOS

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Background:

The Transport Workers Union (TWU) as representative to the hundreds and thousands of aviation workers across Australia has grave concerns in relation to the proposed amendment by CASA to Civil Order (CAO) Section 20.16.3- Cabin Crew Ratios. In particular, the impact on Safety and Security and protections for aviation workers and the traveling Australian public.

The TWU represents a large number of Ground Crew workers and we have a wide interest in the protection of Ground Crew workers as well as all aviation workers in the industry at large. The proposal to reduce the ratio of Cabin Crew members will significantly impact the safety and security of Ground Crew staff.

On each and every flight, upon boarding and disembarking, the risk towards the safety and security of Ground Crew staff is potentially high.

We are of the firm belief that in the event that Cabin Crew are confronted with potential high risk situation such as the threat of terrorism, unruly and disruptive behavior, diversionary tactics or the detection of dangerous goods the safety and security of Ground Crew staff, as well as the traveling public's safety and security can only be compromised as a result of the proposal to reduce Cabin Crew ratio from the current 1:36 to 1:50 passengers.

We would question what mitigating circumstances have occurred to initiate a review of Australia's current safety standards that are the world's best practice?

The TWU is of the strong opinion that a review to reduce the number of crew on board is unwarranted. In fact, since the last review, there have been occurrences that would only support the retention of the current cabin crew ratio, specifically September 11 when the aviation world changed forever. As a consequence, when considering the cabin crew ratio it is equally as important to have regard to security as well as safety. To suggest reducing the number of last line of defence, professionally trained, cabin crew onboard an aircraft, can only be commercially motivated. Certainly, there can be no serious suggestion or sustainable argument that changing the cabin crew ratio from 1:36 to 1:50 enhances safety or security. For that matter, it should be said that changing the ratio will reduce the protections currently afforded the traveling public in Australia.

In 2003, the issue was again challenged and examined. CASA was not able to identify shortcomings of the 1:36, resulting in Parliament ordering that the law not be changed, that it was the appropriate safety standard for Australia.

Comprising Aviation Safety and Security -Justifying a change?

The reducing of the Cabin Crew ratio and comprising the safety and security of Cabin Crew staff and the traveling public cannot be justified in instances

such as the attack onboard the QantasLink aircraft by a deranged passenger in 2003. Had there been one less cabin crew member onboard, the outcome could have been catastrophic.

Since 2006, CASA has allowed a number of airlines to operate outside the 1:36 ratio. These exemptions cannot be used to justify any change to the current legislation. In fact, consistent with previous reviews and determinations these exemptions should be removed and 1:36 ratio be operative without exception.

1. Proposed Amendment to CAO Section 20.16.3

The proposed changes to the Cabin Crew Ratio legislation cannot ensure an equivalent level of safety is maintained, when only the capability of a controlled, simulated aircraft evacuation is considered. These tests are not representative of real instances, they do not take into account the mix of passengers or possible cabin crew incapacitation.

The role of Cabin Crew and Ground Crew staff, as safety professionals, encompasses maintaining the safety of the aircraft and its occupants at all times, onboard every flight, in-flight and on the ground.

2. Potential Risks to Proposed Amendment CAO Section 20.16.3

A reduction in cabin crew numbers per ratio will also risk the safety and security of ground and cleaning staff when confronted with:

- Additional safety duties
- Threats of terrorism
- Unruly and disruptive behaviour
- Drug related incidents
- Detection of dangerous goods
- Diversionary tactics
- Reduced crew backup
- Medical emergencies
- Assisting passengers with disabilities, the aged, the fearful and unaccompanied children

Cabin crew members will not be able to maintain an equal level of vigilance with a higher number of passengers per cabin crew.

The proposed change for carriage of cabin crew on aircraft with more than 19 passengers seats installed, instead of the current requirement of more than 15 passengers is not acceptable. This amendment is simply to justify already existing exemptions made without public consultation.

The Federal Government has just released its commitment, in the Aviation White Paper, to protect Australia's travelling public and reduce the risk of attack. It states that Safety and Security remain the highest priorities for the Australian Aviation Industry and the Australian Government.

On the other hand CASA proposes to hand the airlines the right to reduce the number of safety professionals onboard. Cabin crew are trained to monitor passengers in respect to the security and safety of an aircraft and its occupants. The risks are substantially increased when a smaller overall cabin crew complement is involved.

Cabin crew are the last line of defence. It should be noted that the Chief Commissioner of Victorian Police passed through Melbourne airport on the 19th of March, 2010 carrying undetected ammunition in his briefcase onto a domestic flight. Fortunately, it was the Commissioner and not someone intent on sinister activities.

The requirement by CASA for the airline operators to demonstrate that there are no safety-significant differences between the current regime and the one proposed by providing their own Safety Risk Management Plan. This raises concerns such as:

1. What is the experience level within the management of Australian air operators in conducting "risk assessments" and formulating "safety cases" to justify the reduction in cabin crew ratios?
2. What is the experience level and training being provided to personnel within CASA who are responsible for assessing these "safety cases"?

The NPRM provisions for an aircraft to be operated with one less cabin crew member in the event of an injury or illness, allows for 1 crew for every 50 passengers onboard (not seats). This would reduce standards to the world's lowest.

This is an unacceptable risk. The safety of the travelling public must never be compromised for the commercial and operational considerations of airlines.

Where is the airlines responsibility to ensure safe operations?

There is no room for error when minimum crewing levels are adopted. Airlines and CASA must take into account such factors as crew injury/illness and ensure an optimum level of safety. Reliance on the ability for the pilot in command to further reduce the cabin crew numbers to meet the operational

needs of the airline and the post incident reporting system is an unacceptable risk to the traveling public and for that matter cabin crew.

Where is the risk assessment in this proposal?

Maintaining the cabin crew ratio of 1:36 ensures that in the event of crew injury or illness, passenger and crew safety is not compromised.

The TWU does not believe an equivalent standard of safety can be provided by this proposed Amendment to Cabin Crew Ratios and maintains its position that the current cabin crew to passenger ratio of 1:36 should not be amended.

The proposed amendments also would leave a primary floor level exit without a cabin crew member in an evacuation. Unskilled passengers cannot be expected to perform in an emergency in place of trained cabin crew, in particular, at a primary floor level exit. **This is clearly a diminished level of safety and an unacceptable risk.**

Airlines to self manage 'Safety risks'

This poses an unacceptable risk. Airlines are profit driven and management is assessed by Key Performance Indicators linked to profitability and efficiencies. Therefore, there is a bias to these indicators.

For this reason, the independent regulatory authority rather than the airlines must be responsible for regulating safety to ensure the optimum level of safety for the travelling public.

3. Conclusion

It is not the Australian public seeking the regulator for a change, the public wants the regulator to ensure airlines attain and maintain a level of risk that meets its expectation of the highest standards.

The TWU is of the strong view that a change in the current ratio is not in the interest of the travelling public for the following reasons:

- **The critical need for ground crew and cleaners as trained professional to operate each floor level exit. The proposal potentially leaves a floor level primary exit with a primary station unassigned by a cabin crew member?**
- The risks inherent in relying on untrained passengers to assess and operate an exit
- The proposal ignores passenger demographics, language and communication difficulties.
- The more crew available to assist in an emergency the greater the chance of survival by passengers and cabin crew.

- The proposal to further reduce the number of cabin crew on board below the minimum standard is totally rejected. Commercial considerations should not be a factor in determining acceptable safety levels.