



# UPLINK ALPA VOICE OF AVIATION

AUGUST 2017

## UPFRONT WITH NZALPA PRESIDENT

**TIM ROBINSON**

After an almost nine month wait, the Supreme Court finally announced its decision to uphold the Court of Appeal's jurisdiction to overturn the contractual right of all Air New Zealand's Second Officer and Boeing 737 (B737) First Officer Pilots to be paid the same increase in remuneration regardless of union affiliation.

This was a disappointing decision for NZALPA and the 84 per cent of Air New Zealand's jet pilots among our membership, but this is not the end of the matter. Whilst the decision confirmed the Court of Appeal's jurisdiction to review the principles of CEA interpretation, as invoked by the Employment Court, it did not uphold Air New Zealand's interpretation of the applicable s24.2 Collective Employment Agreement (CEA) clause. As a reminder, this clause states:

*24.2 During the term of this Agreement any agreement entered into by the Company with any other employee group which is more favourable than provided for in this Agreement will be passed on to pilots covered by this Agreement on the written request of the Association.*

The Supreme Court judgement was reported throughout the national media, and, in giving our reaction, I wanted to make clear a number of points on behalf of NZALPA.

I stressed that taking such a series of legal actions is not an easy decision but that this issue was fundamentally important for our hard-working and



**President Tim Robinson.**

dedicated pilots, particularly because of the need for fairness and to treat all pilots equally regardless of what membership group they belong to.

Air New Zealand pilots are proud of working for the national carrier and playing their part in the success of the airline as a global brand. This loyalty, I said, means that continuing a two-tier contractual approach remains upsetting for many pilots, who feel they are treated differently to their colleagues just because they choose to belong to a highly supportive professional organisation in NZALPA.

On hearing the decision, we said NZALPA would now consider our options.

There now may be a 'third' or alternative interpretation that can be attached to the clause that neither party nor Counsel has yet submitted to the Court. There is a possibility that this will provide an avenue to remit these proceedings back to the Employment Court to advocate for this interpretation.

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There is also a possibility that discussions can take place with Air New Zealand, outside the judicial process, to explore whether there could be an agreed interpretation of the clause that all parties could settle on. We'll keep you updated.

Meanwhile, Airways New Zealand announced its new Chief Executive this month. Graeme Sumner will be returning to New Zealand from his current role as Managing Director of Advanced Braking Technology based in Melbourne and will begin in October. The announcement was made by Chair Judy Kirk who advised that one of Graeme's first undertakings as CEO "will be getting out and about meeting the people who make Airways such a great place."

This was heartening to hear, as both former ATC Director Jon Brooks and I met with Judy when the recruitment process was being undertaken. On behalf of NZALPA, we stressed that people and safety should be the top priority for Airways and that we're looking forward to working with a new

leader who not just talks about this, but actively demonstrates this commitment. New ATC Director Jim Dunn, the ATC Council and I warmly welcome Graeme and are looking forward to meeting him as soon as possible.

It's also only just over a month until New Zealanders go to the polls and the electioneering is really heating up. Next month's September issue of *Uplink Quarterly* will include a 2017 General Election special and will feature a run down of the policies of the major parties in relation to our industry. This will include not just transport and aviation, but also those important employment and training announcements, as well as general attitude to Open Skies and related international agreements affecting our sector.

We also recently welcomed a Ministry of Transport (MoT) senior advisor, Sonya van de Geer, who spoke to the IFALPA Public and Government Affairs meeting, hosted by NZALPA in Auckland. Sonya gave a robust and informative insight into current MoT

aviation policy and how the Ministry carried out the policy, particularly in international forums, of the current government.

I'm delighted to announce that the roll out of NZALPA's own Smartphone App is nearly complete. Our final group of members to come online will be Air New Zealand Jet, who should be able to access the App from the end of July. The moderator for the App is NZALPA administrator Melanie Paulin and is doing a great job supporting members while working closely with our communications team on content, or, as they like to say, "news you can use."

Finally, the first NZALPA Board of Management (BOM) meeting for the 2017-18 financial year will be held in mid-August. Top of the agenda will be welcoming the new BOM members and further progressing NZALPA's confirmed strategic priorities. I'm looking forward to reporting back on proceedings in the next issue.

Have a safe month.

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## NEW AIRWAYS CHIEF EXECUTIVE APPOINTED

With 27 years in the energy, transport, telecommunications, mining services and medical technology industries, Graeme Sumner has been appointed the new Airways New Zealand Chief Executive.

Sumner is currently Managing Director of Advanced Braking Technology based in Melbourne. Prior to this Graeme held CEO roles with Service Stream, Melbourne and Transfield Services in Auckland.

In announcing the appointment, Airways New Zealand Chair Judy Kirk said that to be able to recruit someone of Sumner's calibre who is so internationally known and respected ... "gives the Board and I enormous confidence that he will continue to strengthen the business and ensure safety and our people remain a priority".

"I have no doubt that one of Graeme's first undertakings as CEO will be



**Airways Chief Executive Graeme Sumner.**

getting out and about meeting the people who make Airways such a great place," Kirk said.

Commenting on the appointment NZALPA ATC Director Jim Dunn said: "We appreciate that Graeme isn't an air traffic controller by trade but

he appears to be a man of great technical experience. We are looking forward to meeting with him and finding ways to better collaborate across a range of issues."

Although having lived in Melbourne for the last seven years, New Zealand-born Sumner has also served as Managing Director of Siemens Ltd in New Zealand and in senior positions at IBM, Telecom New Zealand, Contact Energy, New Zealand Post and its subsidiary companies, SkyRoad and Kiwimail.

He was also Chairman of New Zealand Post's joint venture airfreight company, AirPost Ltd.

Sumner will be based in the Airways office in Auckland beginning Monday 9 October.

## GENERAL MANAGER'S NOTE

### DAWN HANDFORTH

As reported in previous editions of *Uplink*, zero-hour contracts and bogus self-employment are becoming increasingly commonplace in Europe as a result of atypical employment models, such as pay-to-fly on revenue-earning flights and the use of "contractor" pilots, and crews are feeling the pressures of a shifting aviation industry.

Among the risks caused by atypical employment models are the dangers of transforming our industry's safety culture into one of fear with sub-standard working conditions, limited or denied access to minimum standards legislation, and reduced security of employment. We have seen in Europe that these factors can make pilots increasingly reluctant to raise operational or other concerns, which in turn risks impacting flight safety.

We are not immune to these atypical models in New Zealand. In this edition of *Uplink*, you'll read specifically how atypical employment models are already affecting our general aviation (GA) sector. Many GA pilots are concerned about how "speaking up" will negatively impact future employment opportunities and that can make them reluctant to voice safety concerns and issues such as fatigue. This is an obvious and serious example of how the atypical contracts could have a direct impact on the safety of not only the pilot but the travelling public.

Safety concerns could include reluctance to report experiences of fatigue, depression or other mental health stresses. These issues were highlighted in a recent Transport Accident Investigation Commission (TAIC) report in which a Wanaka pilot was considered fit-to-fly when he crashed a Robinson R44 on February 2015. The report raised questions around the robustness of the pilot medical application process. The report said there were too many ways for an aviation document holder to circumvent the Civil Aviation Authority (CAA) process that is designed to prevent pilots flying when they are not medically fit to do so.



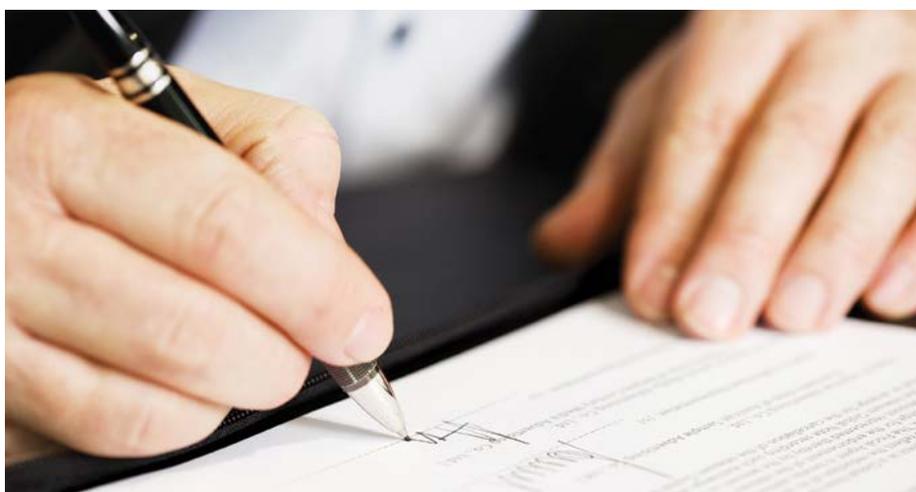
**General Manager Dawn Handforth.**

It was noted that the pilot failed to declare the medication he had taken when obtaining his CAA certificates.

NZALPA believes pilots should be trusted to declare conditions that will impact on their ability to do their job. Pilots hold their responsibilities to report truthfully in the highest regard – that's why we are considered as one of the top five most trusted professions globally.

We know from experience that well-supported pilots, employed under standard employment models by operators who promote Just Culture, can be trusted to declare any conditions that will impact on their ability to do their job safely.

Unlike Europe, it's required by law for medical professionals in New Zealand to report any knowledge of a condition that might deem a pilot unfit to fly.



NZALPA and the Medical and Welfare Committee, who organise the Peer Assistance Network (PAN), are strong advocates of the existing CAA medical declaration process and will continue to emphasise to policy-makers that secure and fair employment contracts help cultivate a culture of safety.

PAN has taken strides in developing a system that ensures pilots and air traffic controllers who need assistance are well taken care of and provided with wrap-around support, including insurance that protects their income, offers them meaningful work in other roles, and ensures they receive the appropriate recovery and supervision. This all encourages pilots and ATCs to self-declare any condition that might impact their performance.

I would like to take this opportunity to assure the NZALPA membership that we are taking measures to ensure that atypical employment models do not become commonplace in New Zealand. We are working with key industry stakeholders, our member councils and advocates so that we not only have contracts that protect our employment rights, but always have a system that respects the safety-centric integrity of our profession and our industry.

I also encourage you to seek out the collegiate support of PAN if you have any queries relating to your mental health and well-being. NZALPA's PAN is an industry-leading programme that can make all the difference for members requiring support in our changing industry.

Have a great month.

# NEGOTIATIONS UPDATE

**Current and ongoing negotiations involving NZALPA are detailed below. For any queries related to negotiations, please email [office@nzalpa.org.nz](mailto:office@nzalpa.org.nz)**

## **AIR NEW ZEALAND REGIONAL BARGAINING – Advocate Mark Dignan**

Both Air New Zealand regional airlines are in bargaining at the moment, and have also been working with their management on developing a combined regional seniority list (RSL) for some time. This work, and the messaging from regional airline management that there would be a willingness to try and address shared regional airline pilots' concerns, has been the driver behind several combined Mount Cook and Air Nelson bargaining meetings. As has been outlined in previous updates, the core concerns for regional pilots are:

- RSL/Security of employment (including enhanced redundancy package for both airlines)
- time away from home base (TAFB)
- rest periods and time off at home
- limits on overnights
- accommodation
- remuneration and allowance issues.

Each airline is also currently bargaining separately, and separate collective employment agreements (CEAs) will result from this round of bargaining. If the combined meetings on the issues above can produce shared resolutions, and expedite bargaining and ratification, the combined bargaining teams will begin work on a combined regional CEA, which includes the RSL, over the term of the new CEAs.

Although the bargaining for each airline has hit some hurdles, the use of external facilitator Michael Belmont has re-focused both parties on the interest-based bargaining process, and progress on the issues has accelerated again.

## **JETCONNECT BARGAINING – Advocate Mark Dignan**

The Jetconnect pilot negotiation team met with Jetconnect management to continue bargaining on 20-21

July. Time was spent tidying existing clauses in an attempt to remove some of the grey areas that have generated confusion around the intent of some clauses. Depending on the clause, or interests concerned, this can take some time, to ensure the wording clearly reflects the intent, cannot be misconstrued, and is fit for both Jetconnect's current practice and future possible changes.

New Zealand has also undergone legislative changes to the Employment Relations Act since the last round of bargaining, and these changes were raised. While the changes discussed were more focused on shift workers and zero-hour contracts (and not currently relevant), the implications of the changes have to be looked at to ensure the CEA will comply. In particular, the company is seeking to insert a clause to clarify what payment will apply in the event of a cancellation of a duty.

The provisions protecting Jetconnect pilots' quality of rostered days off (RDOs) continues, with both parties nearing an acceptable solution. The NZALPA negotiation team continues to stress the importance of not only the number of RDOs allocated in a roster period, but the quality of these days, by way of protection clauses.

Progress was made around the definition of a day, protections for single RDOs, a guaranteed weekend off or a nominated two consecutive days per roster, with a minimum of 60 hours free of duty, commencing at a suitable time to allow pilots to enjoy the days appropriately. The company appears to have listened to pilot interests and the teams continue to work together to find acceptable solutions in both CEA clauses and in rostering practice. Each clause is being rigorously tested, including by taking subject matter expert advice on fatigue risk management issues, before acceptance, to ensure as many potential consequences as possible are identified.

Early on in the negotiation process, the team raised the need to reach agreement on the 'rest and meal breaks' issue, and identified the need to correct the CEA to meet the requirements of the current legislation surrounding provision of rest and meal breaks, as other operators have. The current Jetconnect pilot CEA fails to address this issue; in particular there is no provision for rostered rest breaks to be taken, nor has a conversation been had with the company to determine agreed and suitable compensation if it is unable to provide these. The bargaining team has consulted with NZALPA Counsel Richard McCabe and the company has also sought legal advice, and has a differing view. The negotiation team is prepared to work through the issue to find an acceptable solution, or if necessary will remove the issue from the negotiation process entirely, allowing us to conclude the issue separately in the interests of progressing settlement of the CEA.

## **VIRGIN AUSTRALIA NEW ZEALAND CEA NEGOTIATIONS – Advocate Adam Nicholson**

After several times reaching what we thought was settlement, an agreement has now been reached. The wording has been agreed, and members have a copy. Pre-ratification meetings will take place in the week commencing 31 August and ratification should be completed shortly thereafter.

## **JETSTAR REGIONAL CEA NEGOTIATIONS – Advocate Adam Nicholson**

Negotiations paused while we recruited a complete new negotiation team (former team members left the Company for roles elsewhere). Negotiations resumed in mid July with the new team. Negotiations continue amicably, working through the issues of work-life balance, and will continue in mid August.

## RISKY BUSINESS? – NEW ZEALAND’S GENERAL AVIATION EMPLOYMENT CONTRACTING

As reported on in several issues of *Uplink* this year, the advent of ‘atypical’ employment models are becoming increasingly used in the global aviation sector, particularly as increased competition, lower fares and more people flying than ever before puts pressure on airlines to reduce costs, including those of its human resources.

In New Zealand however, with one of the world’s largest numbers per capita of helicopter ownership along with smaller fixed-wing operators, contracting as an ‘atypical employment model’ has become increasingly common, particularly for smaller general aviation businesses.

This has led to fears that New Zealand’s general aviation industry is developing a culture of unfair employment practices, putting the welfare of its local workers and the industry’s international reputation at risk.

Atypical employment models may also put safety at risk as workers engaged under atypical contracts can be reluctant to voice safety concerns and issues such as fatigue, which could impact their ongoing engagement with the company, NZALPA’s advocate Tom Buckley said.

In other sectors, New Zealand businesses have operated for some time using contractors, but it is factors like our unique and challenging terrain, coupled with the technical and public safety aspects of aviation where contracting models present added risk for both general aviation workers and their employers.

It also brings up a number of issues regarding fairness and the general welfare of New Zealand’s newly trained and young aviators.

Buckley who works with general aviation members, and often with their potential place of work, on employment contracts is particularly concerned about this.

“As a wider part of the ‘atypical employment model’ movement that we’re increasingly seeing with airlines offshore, one of our biggest concerns in New Zealand is what effectively are self-employment contracts being offered to many of our newly-trained and least experienced pilots,” Buckley said.

“Aviation is one of the world’s most safety-centric professions and flight training is increasingly expensive. But unlike medicine, for example, a graduate pilot can expect to earn little

in their first or second job where the emphasis needs to be gaining valuable experience and paying off debt.

“Competition for jobs is also generally high and where jobs are offered, they are increasingly encountering contracting deals where they feel they have no choice but to take what’s on offer.

“Young or new pilots are becoming some of New Zealand’s most vulnerable workers,” Buckley said.

While acknowledging that there can be some benefits to engagement as an independent contractor such as tax breaks, NZALPA advocate Adam Nicholson said there are significant advantages to being an employee.

Nicholson notes that independent contractor tax advantages can also have a down side such as if tax is incorrectly calculated then IRD will seek recovery and penalty. He has also encountered situations where the tax is calculated for a graduate pilot on contract who has then incurred considerable accounting costs in relation to his actual take home pay.

In contrast, Nicholson points out, employees have significant protections and benefits as follows:

- A minimum four weeks paid annual leave under the Holidays Act 2003 (8%);
- A minimum five days paid sick leave per annum under the Holidays Act 2003 (2%);
- A minimum paid bereavement leave up to three days per bereavement under the Holidays Act 2003;
- Eleven paid statutory holidays under the Holidays Act 2003 (+/- 4%) and where public holidays are worked, an employee is to be paid minimum time and a half for hours worked together with an alternative holiday to be taken at a different time under the Holidays Act 2003;



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- Tax paid at source by the employer under PAYE;
- Personal grievance, compliance, penalty, and other minimum entitlements provided under the Employment Relations Act 2000, in a specialist employment jurisdiction under the Employment Relations Act 2000 which, in addition to other things, provides access to free mediation and affordable dispute resolution processes in the Employment Relations Authority and Employment Court; and
- Superannuation in compliance with Kiwisaver legislation (at least 3%).

Most importantly, as an employee there is a guaranteed base pay under the Minimum Wage Act 1983, together with protections under that Act concerning deductions, methods of payment etc.

“We’ve been in situations where we’ve had to explain to an employer that the minimum wage isn’t designed to be ‘aspirational’,” said Nicholson.

Benefits available to employees are also enhanced by membership with NZALPA, where protections and specialist services, including insurances, are available solely to employees.

Alternatively, said Nicholson, on a rough calculation income on an independent contract basis needs to be **at least** in excess of 17% higher than the rate paid to employees for a similar job.

As for aviation businesses seeking to employ workers on contract, particularly graduates and those new to the industry, Nicholson’s advice is simple:

“Treat prospective staff, especially young pilots, like you would hope others would treat your own son or daughter. Pay them a living wage, support them as best you can and make sure their experience with you is a positive and safe one.

“This is not only good for your workers, its good for your business and the reputation of New Zealand’s aviation industry as a whole – a fair place to fly and work,” Nicholson said.

## PAN COMMITTEE SELECTS DEDICATED WOMEN’S ASSISTANCE COORDINATORS

To assist in the development of a dedicated peer assistance contact line for female pilots and air traffic controllers, the Peer Assistance Network (PAN) Committee has approved the selection of a lead assistance coordinator and deputy.

Janet Taylor is the PAN Coordinator Women’s Assistance and Angela Cronin will support her in the role.

Taylor and Cronin, along with the PAN Committee, are in the process of putting together a Women’s Assistance Forum. A network of women’s assistance volunteers (WAVs) will also be selected and trained to support their colleagues.

PAN Coordinator Herwin Bongers said a career in aviation can prove to be very demanding and stressful for women.

The Women’s Assistance Forum will see the establishment of a support and information venue for female aviation staff dealing with often highly sensitive and complex matters.

The Forum will be facilitated by female pilots and air traffic controllers

who have volunteered their time to support others.

The women’s assistance line is intended to help remove any real or perceived barriers to seek assistance directly from those who have valuable wisdom to share.

“While pregnancy, IVF, childcare, infant feeding, menopause, sexual harassment and female-specific medical matters are not specifically mental wellness issues, they can impact significantly on an individual’s well-being if circumstances compound adversely,” Bongers said.

The Forum is intended to assist with specific enquiries that do not involve significant stress, anxiety, low mood or mental well-being issues.

“Offering to connect female pilots and air traffic controllers with their female peers is a great way to start conversations,” Bongers said.

More than half of NZALPA’s existing peer support volunteers (PSVs) are women.





NZALPA General Aviation Advocate Tom Buckley with L3 Airline Academy Council members Teresa Lamont, Tony Downes, Michael Kirchhain and Badger Unger.

## FUTURE NZALPA CONFERENCES TO ATTRACT MORE GENERAL AVIATION DELEGATES

The NZALPA Annual Conference 2017, held in Christchurch in June, was also an opportunity for airline pilots and air traffic controllers to mix with other NZALPA members. This included those involved in the general aviation (GA) area – representing a fast growing sector of the Association's membership.

For Michael Kirchhain, a member of NZALPA's L3 Airline Academy Council (formerly CTC) and a flight instructor at L3 Airline Academy's purpose-built Crew Training Centre at Hamilton International Airport for the last seven years, this was his second time at an NZALPA Annual Conference.

Working with NZALPA Advocate, Tom Buckley, who works closely with members and employers throughout the varied GA sector, they both see NZALPA branch activities and the Annual Conference as excellent opportunities for members to learn from each other, meet useful contacts and create potential sources of support.

Kirchhain said he felt proud 'carrying the flag' for GA and he found real interest from all members in both the challenges they were facing and the fact that he really cared about his colleagues, those he trained, and the industry.

There was also support to improve GA representation in NZALPA at a national level, including the potential to create a GA Council for all GA members.

"We'll be discussing how we can get this initiative going, along with increasing collaboration with other GA operators, as well as through our current membership. We'd really like to help achieve change for the better like NZALPA have already done with our airline pilot colleagues," Kirchhain said.

Another L3 Council member who also attended this year's Conference was fellow flight instructor Teresa Lamont. An NZALPA member for two and a half years, Lamont also works for L3 Airline Academy in Hamilton, where facilities provide cadet airline training and accommodation for more than 200 trainee pilots.

Like Kirchhain, Lamont really enjoyed the 'vibe' of the conference, and, as a first time attendee, was looking forward to learning more about the operations of the organisation, particularly since she joined the L3 Council six months ago.

"It really helped me understand policy and how things worked. I felt a little 'fresh and green' and there was a lot more than I thought to the workings of the association and I found the

annual general meeting process really interesting," Lamont said.

"The formality of the voting I found assuring and I saw how the organisation operates on this fairness system.

"The most rewarding session for me [at this year's Conference] was the forum on the liberalisation of airspace and hearing about relevant and interesting issues that would pop up in the near future [with NZALPA].

"It is great to be part of a group that is going to identify issues and work together to mitigate the negative effects of liberalisation on the aviation industry."

Both flight instructors enjoyed socialising with members of different ages and levels of experience.

Lamont felt a greater sense that NZALPA's purpose and values stretch beyond joining for the medical or legal backup and the insurances.

"It is a community of people who care about protecting each other. A camaraderie who have worked together throughout their careers. At the formal dinner, time was made to award and honour the hard work and dedication of long serving members, which is something to aspire to."

## NZALPA PRINCIPAL OFFICER NOMINATED IFALPA PGA COMMITTEE VICE CHAIR

NZALPA's IFALPA Director Dean Fotti has provisionally accepted the role of IFALPA Professional and Government Affairs (PGA) Vice-Chairman pending both IFALPA Executive Board and NZALPA Board of Management approval.

The IFALPA PGA committee asked Fotti to accept its nomination to fill the vacated committee Vice-Chairman position at the IFALPA PGA meeting hosted by NZALPA in Auckland on June 13-14.

"This is a big honour and real recognition of NZALPA's overall contribution to IFALPA's objectives," Fotti said.

The PGA committee, comprised of over 30 members representing member associations (MAS) in Europe, Africa, the Americas and the Asia-Pacific regions, meets biannually. The Auckland meeting was the first for the new PGA Chairman Hilario Castillo (Mexico).

NZALPA General Manager Dawn Handforth and General Aviation Advocate Tom Buckley attended as observers.

The meeting's agenda focused on updating information and reviewing the ongoing strategy for IFALPA's engagements to influence the development of global multilateral air services agreements (MASAs), and the growth of trans-national airlines (TNIs). This includes the effects they have on the rights and working conditions of pilots.

The special MASAs Working Group – a sub-committee of the PGA – met on June 12 at NZALPA House and gathered ideas for report back.

"Although multilateral air services agreements are predominantly now a Eurocentric issue, they are also emerging in Central and South America," Fotti reported.

The New Zealand government's perspective on MASAs was presented by the Principle Advisor to the Minister of Transport and lead negotiator for all New Zealand air services agreements, Sonya van de Geer. As well as outlining the



**IFALPA PGA Committee Chairman Hilario Castillo, NZ representative to the ICAO ATRP Sonya van der Geer and NZALPA IFALPA Director Dean Fotti.**

Government's air transportation policy, van de Geer gave the official overview on the perceived benefits of liberalisation of the air transportation industry to New Zealand.

"The committee also had a candid discussion regarding IFALPA's concerns with respect to unregulated liberalisation of air transportation through Open Skies agreements and the relaxation of ownership regulations," Fotti said.

The discussion comes before van de Geer, as the New Zealand representative to the International Civil Aviation Organization (ICAO) Air Transportation Regulatory Panel (ATRP), will meet with the other representatives in Montreal next month.

"The ATRP is an international forum attempting to reach an overarching global air services agreement," Fotti said.

"New Zealand has observer status to this forum and is recognised as one of the strongest supporters of deregulation of air services worldwide."

In regard to the European experience, Jim Phillips from the German Cockpit Association (VC) responded with IFALPA's position on MASAs and the Association's concerns regarding the effects of deregulation on employment rights and transportation safety.

"Jim highlighted the fact that increasing competition from low-cost carriers, being enticed into the market by deregulation, is encouraging employers to utilise atypical employment models, including 'pay-to-fly' schemes," Fotti said.

"These models are having an impact on pilot working conditions. The lack of any ability to raise concerns over flight duty times or fatigue have obvious effects on flight safety."

To conclude, the committee was briefed on work streams within various member associations (MAS) regarding engagement with the growing remotely piloted aircraft systems (RPAS) community.

"The Australian Federation of Airline Pilots (AFAP) has signed a Memorandum of Understanding (MOU) with the association representing RPAS operators in Australia," Fotti said.

"They will work together to ensure the concerns of both groups of pilots are shared and addressed."

"Some IFALPA MAS, such as AFAP, are considering membership for RPAS operators."

The next IFALPA PGA meeting is scheduled for November 2017 in Istanbul, Turkey.

# NZALPA SUBMITS OPINION ABOUT DRONES IN LATEST CAA SURVEY

NZALPA's Senior Technical Officer David Reynolds recently provided feedback for the remotely piloted aircraft system (RPAS) post-implementation review of parts 101\* and 102\*\* in the Civil Aviation Authority's (CAA) survey.

The CAA said on its website: "Feedback will provide valuable insight into New Zealand's RPAS sector, help the CAA determine whether these rules remain fit for purpose and will inform further policy analysis and next steps."

After consultation with members and extensive research, Reynolds identified the current safety risks as:

- collision with manned aircraft and other RPAS
- distraction of manned aircraft pilots and air traffic controllers
- loss of control as a result of operator competence/awareness of RPAS capability
- loss of control as a result of failure/interference with C2 (command and control) links
- loss of control due to structural/system failure due to lack of airworthiness
- loss of control due to incapacitation due to medical impairment of the operator
- infringements into controlled/restricted airspace
- illicit carriage of and incidents involving the carriage of Dangerous Goods
- operator fatigue leading to lapses and incidents
- uncontrolled release of external loads
- disregard or lack of knowledge of RPAS rule parts and educational material by operators

Reynolds also provided details of the safety risks that will be posed by RPAS operations in the future as unquantifiable proliferation of the current risks. Other future risks were identified as:



- increasing pressure by the government and RPAS industry to disregard airworthiness standards and rules applicable to 'conventionally manned' aircraft to RPAS
- increasingly poor oversight due to a lack of CAA regulatory capacity and authority

NZALPA and Reynolds identified current process and risk mitigation practices, used by RPAS operators to ensure safe operations, as ineffective due to increasing reports of RPAS coming into close contact with manned aircraft and infringements for entering airspace in which they are not authorised to fly.

When asked about the existing knowledge of the RPAS operating rules and/or the effectiveness of promoting these rules to RPAS users, Reynolds said:

"In terms of actual operator knowledge this appears to vary widely. In the main, however, any knowledge is either not absorbed or ignored. There are currently no great incentives to neither acquire nor put into practice this knowledge.

"In addition, as the numbers of operators/devices in use are unknown, nor their knowledge of operating rules tested, their effectiveness must be judged on their failure to apply/observe the rules in the form of incidents."

In the survey, NZALPA noted that it would like to see the following points

included in the rule framework for the RPAS sector:

- Each RPAS must have a responsible and fit person in command, trained, qualified and responsible for its operation at all times. They should ensure operations comply with the Rules of the Air and all air traffic control (ATC) instructions.
- Compulsory registration of owner/operators of RPAS greater than 250g. This is an important element in fostering adherence to the rules and encouraging the acquisition of necessary skills and qualifications. Devices registered to that individual.
- CAA/government to mount an extensive public awareness campaign about the safety risks, duties, liabilities and responsibilities associated with RPAS operations.
- CAA staffed, trained and equipped sufficiently to increase the effectiveness of enforcement.

Once the survey results have been compiled and assessed, a summary will be added to the CAA website, along with other updates. NZALPA will keep members informed of any updates in future editions of *Uplink*.

\*Part 101 – Gyrogliders and Parasails, Unmanned Aircraft (including Balloons), Kites; and Rockets – Operating Rules; and

\*\*Part 102 - Unmanned Aircraft Operator Certification.

# LABOUR PARTY TARGETS PAY RATES IN EMPLOYMENT RELATIONS POLICY

With parallels to employment issues familiar to many working in the aviation industry, New Zealand Labour leader Andrew Little recently announced the party's employment relations policy.

Ahead of next month's General Election, Labour is calling for an end to comparatively low rates of worker pay and to refresh the current employment legislation to stem the 'race to the bottom' type of contracting models.

Using an example from the public transport sector, Little described the increasing trend for companies to contract workers back on lower pay and conditions, to guarantee an already negotiated tender price by reducing worker incomes further.

"There's no justification for reducing the price of labour when the nature and scope of the work remains unchanged and the skill level is the same. We simply should not allow it and we won't," Little pledged.

This was attributed to government efforts to lift productivity and innovation further through increasing competition on wages and diminished employment conditions. To back this up, he pointed to the lack of income movement for New Zealand's workers.

- Despite a growing economy 67% - two-thirds - of workers received a pay increase of less than inflation last year
- The national average pay rise was 1.3%.
- The remainder of New Zealanders received no pay rise.
- Meanwhile, one in five New Zealanders pay half their weekly income either in rent or towards a mortgage.

"Productivity gains are not achieved by raiding workers' pay packets. They are achieved through good management and good technology. This is what good employment law must promote."

"Good employment law should enable employees to be fairly

rewarded for their work, ensure fair treatment and should encourage employment relationships based on good quality management and good quality engagement."

Little was also clear about the continued need for union activity, particularly as the market created differing employment models under the current legislation:

"It is a contract under which the worker submits to the authority of the employer. But those duties do not remove the basic human rights of the worker. The right to be treated fairly and with dignity, to have a voice at work, and the right to form or join a union and to get the benefit of belonging to a union such as your union delegate visiting you at work," he said.

"That's why what happens under our employment legislation is so important. When the law is fair and affords balance to both sides of the employment relationship, it ought to give confidence to both to create workplace cultures that are respectful, that support engagement and are rewarding and satisfying for everyone."

"If our statutes allow exploitative practices, we can hardly be surprised when exploitative practices actually happen."

Central to this, Labour says, would be areas of engagement between employers and workers, together with the capacity and confidence over new technologies and the new employment opportunities that technology brings.

These would include:

## Fair Pay Agreements

Labour will work with unions and with businesses to develop a system of Fair Pay Agreements to set a minimum on pay and conditions for workers across an industry.

They also hope this will assist in narrowing the wage gap between New Zealand and Australia.

## Living Wage

Public sector employees will be paid the Living Wage and will work with organisations that have regular and ongoing service contracts with the core public service to make sure that they are Living Wage employers too.

Labour would increase the Living Wage to \$16.50 then work towards a long term goal of two-thirds of the average wage.

## Trial Periods

Labour would abolish 'fire at will' law or trial periods. Labour aims to 'get the balance right' through

Ensuring employers are able to take workers on a trial basis;

Requiring the employer to provide feedback during the trial so the

employee has a clear picture about how they are doing; and

Put in place a fast, fair, simple referee system for resolving disputes. Claims would be dealt with within three weeks. There would be no cost to the parties and no lawyers would be allowed. And the referee's decisions will be final.

## A 'Future of Work' Commission.

A Commission will be launched aimed at "embracing and preparing for technological and social change."

This would include "investing in young people and the need to lead change and harness the talents of all so that our economy delivers a share in prosperity for all citizens."

Andrew Little said that New Zealand was in need of a "renewed social partnership between an active and capable government and a business sector focused on innovation and inclusion."

More on Labour's policy on workplace relations can be found at: [www.labour.org.nz/workplacelations](http://www.labour.org.nz/workplacelations)

## AIRWAYS WORRIED ABOUT THE CYBER ATTACK THREAT

During the NZALPA Annual Conference, NZ Herald Aviation Reporter Grant Bradley spoke to Airways New Zealand's Head of Strategy Trent Fulcher about the threat of a cyber attack.

Airways is worried about the threat of a cyber attack on the air traffic control system and is searching around the world for ways to prevent it.

As the state owned enterprise moves towards more automated towers, its chief technology officer is overseas looking for ways of preventing its system being hacked.

Any such hack could have catastrophic consequences.

Head of strategy at Airways New Zealand, Trent Fulcher, said there had been increased focus on cyber security since the "WannaCry" ransomware attack that spread to more than 150 countries in May and dealt a crippling blow to Britain's national health system.

"It's absolutely front and centre from our board down to management - how we make our business more resilient to those kind of attacks. It's absolutely at the forefront of our thinking and our planning right now," he told the Herald.

Read more of the NZ Herald story: [HERE](#)

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## COST OF TRAINING PILOTS SEE SHORTAGE BEGIN TO BITE

A shortage in the supply of pilots is worsening because of the cost of training and worldwide demand, the New Zealand Herald's Aviation Reporter Grant Bradley writes.

New Zealand Air Line Pilots' Association president Tim Robinson said student loans covered only two-thirds of the cost of training for a commercial pilot licence and while not at crisis point, the shortage of pilots was starting to bite.

"There is a pilot shortage in New Zealand and we believe the issue is only going to get worse in the next few years - there's a lack of trained pilots going through the system to go on to employment," Robinson said.

It costs between \$100,000 and \$120,000 to get right through to a commercial pilots' licence, which is the minimum before going into an airline.

Student loans cover \$70,000 of that.

The association, which held its annual meeting in Christchurch in June, is

at odds with airlines in New Zealand over the impact on flights.

"They've had a number of cancellations through rostering of pilots. They say the cancellations have been more through operations issues, weather and airports but the pilot shortage is starting to move through the system and we're only going to start to see it increase in the next few years," said Robinson.

Jetstar said pilots were certainly in high demand but the airline had the numbers needed.

"While there is high demand for pilots worldwide, we currently have around 900 pilots across New Zealand and Australia, which adequately meets our flying requirements," said a spokesman.

Air New Zealand also said it had no shortage of regional pilots or cabin crew and attracted applicants from New Zealand as well as offshore.

Read more of the NZ Herald story: [HERE](#)

## MORE SCREENING FOR US-BOUND PASSENGERS FROM AUCKLAND

Millions of passengers heading to the United States every week, including those from Auckland Airport, face extra screening but they have been spared a threatened wider ban on laptops in planes.

The United States has announced new security and screening measures for all commercial flights to the United States, but backed away from a proposal to expand a ban on laptops and other electronic devices bigger than cellphones.

"These measures will be both seen and unseen, and they will be phased in over time," said US Secretary of Homeland Security John Kelly.

Besides more screening of electronic devices, there would be more thorough passenger vetting, with the new measures designed to reduce the potential threat of insider attacks.

"We will also lay out a clear path to encourage airlines and airports to adopt more sophisticated screening approaches, including better use of explosive detection canines and advanced checkpoint screening technology," he said.

The new screening would affect 105 countries, 280 airports, 180 airlines, 2100 flights and 325,000 passengers a day.

Read more of the NZ Herald story: [HERE](#)

## SUPPORT GROWS FOR DRONE REGISTRATION

The Taranaki Daily News reported that supporters of a registration scheme for drones have won over one of the local industry's leading innovators.

The Air Line Pilots' Association appealed last month for an urgent review of drone rules in the wake of incidents where drones were spotted by police flying close to heliports on the West Coast.

Commercial drone industry pioneer Robyn Kamira has now backed the association's call for a drone

registration scheme, agreeing that buyers should be required to register before or at the time of purchase.

The goal would be to ensure that if a drone was flown dangerously, its owner could be identified.

A Civil Aviation Authority (CAA) spokeswoman said it was consulting with drone users on whether the existing rules were working for them, and wanted to develop more "integrated" policies in the longer term.

"But there are no immediate plans to review the rules around [drone] use in New Zealand," she said.

"At this stage, we still believe that the costs of administering a licensing system for [drones] would outweigh the benefits."

A source said the CAA was caught in a conflict between safety concerns and the Government's desire not to stifle innovation.

Read the full Stuff.co.nz story: [HERE](#)

## INTERNATIONAL NEWS

### GROWING ROLES FOR AI AND VIRTUAL REALITY IN AIRLINES

Artificial intelligence (AI), virtualisation and natural language are among the technology areas that will grow in importance for the airline industry, an International Airlines Group (IAG) executive predicts.

IAG director of strategy Robert Boyle, speaking at the Future Travel Experience Europe (FTE Europe) conference in Dublin this week, said digital has gone from being novel to normal.

IAG will soon trial a SITA system in which a passenger's face scan is used to get through airport processes in place of a boarding card and passport. US carrier JetBlue Airways

is the launch customer for the technology and IAG will soon follow.

Boyle also predicted a future in which airbridges, as well as baggage and cargo loading and sorting, are fully automated. Likewise, once driverless cars gain public acceptance, this could pave the way for unmanned commercial flights.

In the nearer term, he said that the European Union's decision to abolish mobile roaming charges has huge implications for airlines. "Previously, we couldn't rely on passengers being digitally connected on flights or down route," he said.

Read the full ATW story: [HERE](#)

### LAPTOP BANS LIFTED

Turkish Airlines on Thursday became the latest airline to have the US ban on in-cabin electronics lifted with immediate effect. Qatar Airways, Etihad and Emirates have all had the restriction eased while Saudia said it expected to follow.

Abu Dhabi-based Etihad was the first to get the green light for passengers to resume travelling with laptops and other electronic devices in the cabin after clearance by the US Department of Homeland Security (DHS).

As other carriers also qualified, the department said the airlines concerned "have initiated the process for lifting the ban by alerting the TSA (America's Transportation Security Administration) they are ready to comply with the enhanced security measures".

Read the full BT News story: [HERE](#)



## ICAO: TERRORISM AND CYBERATTACKS ARE A 'SIGNIFICANT CONCERN'

ICAO secretary general Fang Liu has told the United Nations (UN) counter-terrorism committee that threat and risk information must be shared to overcome “significant concern” of terrorism against aviation.

“Foreign terrorist fighter movements, landside attacks, threats posed by insiders and airport staff, and the use of increasingly sophisticated improvised explosive devices are all significant concerns,” Liu said, “and our expanding reliance on information technology in all areas of aviation—from navigation to communications to security—exposes us to cyber threats.”

Liu made the comments at a special UN Counter-Terrorism Committee (CTC) meeting on July 7.

In September 2016, UN Security Council (UNSC) unanimously adopted Resolution 2309, which addresses international cooperation on civil aviation security.

ICAO has come up with a Global Aviation Security Plan (GASeP) and Global Risk Context Statement, but Liu stressed that national security authorities need access to current threat and risk information. She said “challenges persist” over the sharing of this information.

Read the full ATW story: [HERE](#)



## IRAN AIR APPOINTS FIRST FEMALE CEO

Outgoing Iran Air chairman and MD Farhad Parvaresh has confirmed to ATW that Farzaneh Shrafbafi will become the first female CEO of the Iranian flag carrier.

“Mrs. Shrafbafi is the first lady who will guide Iran Air. She is now head of the company and the assignment as CEO will be done in a month after formalities,” Parvaresh told ATW.

Shrafbafi holds a PhD in aerospace engineering and previously served on Iran Air’s board of directors.

According to the Associated Press, Iran President Hassan Rouhani, who was re-elected earlier this year, has appointed women to a number of management posts, breaking with tradition in the Islamic republic.

Read the full ATW story: [HERE](#)

## EDITORIAL: DON'T LET US MAJORS CHIP AWAY AT OPEN SKIES

BY KAREN WALKER - EDITOR-IN-CHIEF AT AIR TRANSPORT WORLD

The single largest benefit to airlines and consumers that has occurred in the history of commercial air transportation began as a concept that crystallized into the US model known as Open Skies.

Twenty-five years and more than 100 agreements since the signing of that first pact between the US and the Netherlands, Open Skies has become a model around the world for air service liberalisation.

The positive impact that liberalisation has on aviation markets is huge and measurable. A survey by InterVistas

shows that liberalisation spurred a 16 percent growth in traffic between nations in 2016. This percentage hike is consistent in aviation markets that are opened up, with traffic growth typically averaging 12 percent to 35 percent.

For a classic before-and-after example, look to the US-Japan market. An InterVistas case study shows that between 2000 and 2009, traffic in this market dropped 33%—by almost 5 million. After the 2010 Open Skies agreement, and despite slot constraints and a global recession, seven new nonstop routes were

created, frequency increased by 60 flights per week, and traffic rebounded to its highest level in five years.

Air service liberalisation stimulates markets and encourages new city pairs. It allows for innovation and new, low-cost entrants. Open Skies’ fifth and seventh freedoms allow cargo carriers to open new hubs, improve the supply chain and lower delivery costs. Liberalisation allows the market to grow and creates millions of jobs.

Read the full ATW story: [HERE](#)

## SOCIAL MEDIA ALLOWS YOU TO CONNECT WITH NZALPA 24/7

Social media is becoming increasingly important to NZALPA's communication strategy, as it looks to keep members abreast of industry and association developments.

New NZALPA staff member Melanie Paulin is taking the lead on ensuring members receive updates directly to their Facebook, Instagram and Twitter newsfeed. The existing communication methods – website, email and Smartphone app – continue to be used alongside.

"Having a comprehensive social media presence allows us not only to instantly connect with our members, but also with interested public and media," Paulin said.

"Facebook, Twitter and Instagram are additional platforms on which we can keep members informed and also reinforce messages around safety to the general public."

The NZALPA Facebook page, at time of writing, has 2068 followers, and is making steady progress towards the goal of 2,500 page likes. Paulin has also taken steps to ensure the page is verified, meaning that it will appear higher on search engine results and Facebook search.

When compared to similar industry Facebook pages such as the British Airline Pilots' Association (BALPA), which has 5,500 'likes', and the International Federation of Air Line Pilots' Associations (IFALPA), which has 3,400 'likes', Paulin says NZALPA "punches well above its weight."

"On a weekly basis we post as often or more often than BALPA



**NZALPA Receptionist and Social Media Coordinator Melanie Paulin.**

and IFALPA, and our week-to-week growth in engagement and followers is often greater or similar to both organisations," she added.

"Our overall page reach, views and likes are up on the previous three months and our post engagement is reaching heights we have not seen before.

"It really shows that our members and the general public care about the issues that are impacting the aviation industry."

Paulin, who has past social media experience with Auckland Libraries, will increase Facebook engagement and drive more traffic to our website in the coming months, while maximising the platform's potential to educate the public regarding key aviation issues and keep NZALPA members informed.

Twitter and Instagram pages are still "very much in their infancy", said Paulin.

However, the NZALPA Twitter account has, in the last few months, seen some good interactions with international and national organisations and industry professionals, such as: Sebastián Currás Barrios Professional and Government Affairs Officer for IFALPA, Aviation New Zealand, the Australian Federation of Air Pilots and the International Civil Aviation Organisation.

### CONNECT WITH NZALPA



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[nzalpa.org.nz](http://nzalpa.org.nz)

**Download the app:** Search 'NZALPA 2Way' in the App Store and contact [reception@nzalpa.org.nz](mailto:reception@nzalpa.org.nz) to receive your login.

NZALPA welcomes your ideas and submissions for publication on Facebook, Instagram and Twitter. Send your photos and articles to [reception@nzalpa.org.nz](mailto:reception@nzalpa.org.nz). We also ask you to invite your own networks to follow NZALPA online.



## UPCOMING EVENTS

### IFATCA CONFERENCE

**19-21 October 2017, Rydges Hotel, Wellington**

NZALPA is proud to host this year's Asia-Pacific International Federation of Air Traffic Controllers' Associations (IFATCA) conference, which will bring together more than 100 air traffic controllers (ATCs) to discuss important issues that affect air safety and efficiency.

IFATCA represents more than 50,000 professional ATCs from more than 100 countries. The increase in air traffic in the Asia-Pacific region is forecast to be significantly higher than any other region in the world within the next 10 years, and the industry needs to establish ways to cope together.

The conference will feature representatives from the International Civil Aviation Organisation (ICAO), who will discuss wider international issues affecting the industry and profession.

Key speakers and discussion topics will be announced in the coming months via *Uplink* and online.

### 2017 Interest-based Bargaining Courses

- 3 – 5 October
- 17 – 19 October
- 31 October – 2 November
- 28 – 30 November
- 5 – 7 December

The interest-based bargaining course, also known as principled negotiation, has been designed by the NZALPA advocate team who attended the Harvard Programme on Negotiation in 2016. Participants will be taught how to get the most out of negotiations and to create better outcomes.

If you are interested in coming along to an interest-based bargaining course please get in touch with Kyrie Gausden – [legal.secretary@nzalpa.org.nz](mailto:legal.secretary@nzalpa.org.nz).

### PEER ASSISTANCE NETWORK COMMITTEE MEETING (invite only)

**7 November 2017,  
NZALPA House**

### WOMEN'S ASSISTANCE FORUM (invite only)

**7 November 2017,  
NZALPA House**

### PEER SUPPORT VOLUNTEER (PSV) TRAINING (invite only)

**8-10 November 2017,  
NZALPA House**

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