Two years have passed since the implementation of FAR Part 117, and one of the most significant aspects implemented with the rule was the concept of flight duty period (FDP) extensions. Confusion still exists about the concept of extensions, how to accept or not accept an FDP extension, and the concept of fatigue versus fitness for duty. Extending an FDP is a relatively rare occurrence, but it does merit a discussion ahead of time so that we have some measure of anticipated actions when the decision is ours to make. Most importantly for you, the pilot-in-command, determining how to handle the need for an FDP extension is just another in a series of operational decisions you make on every flight. When reviewing the need for an FDP extension, consider both your current state of fitness and, to the best of your ability, your projected state of fitness at the end of the extension and make the appropriate determination.

There are two other key components for extending an FDP. First, it must be due to unforeseen circumstances, and second, the extension must be known to the flight crew. At the beginning of the day, a request to extend an FDP 12 hours from that time is hardly unforeseen and far from being certain. You have to be in a circumstance in which the extension is definitively known. Then, and only then, can you begin to apply a fatigue or fitness-for-duty determination on the need for an extension.

To help make that decision, let’s review the FAR Part 117 definitions of fatigue and fitness for duty. FAR 117 defines the terms “fatigue” and “fit for duty” as

**Fatigue:** A physiological state of reduced mental or physical performance capability resulting from lack of sleep or increased physical activity that can reduce a flightcrew member’s alertness and ability to safely operate an aircraft or perform safety-related duties.

**Fit for duty:** Physiologically and mentally prepared and capable of performing assigned duties at the highest degree of safety.

Before and during an FDP, you should continuously determine your individual fitness for duty based on

*Fatigue:* A physiological state of reduced mental or physical performance capability resulting from lack of sleep or increased physical activity that can reduce a flightcrew member’s alertness and ability to safely operate an aircraft or perform safety-related duties.
these definitions. If you feel you’re either fatigued or not fit for duty, you have a responsibility under FAR Part 117 to report your condition to your airline, which then has the responsibility to remove you from continuing the assigned FDP.

With that as background, here are a few thoughts on the practical application of each term in our day-to-day operation. Simply put, fatigue is a present state. Fitness for duty includes fatigue and is also prospective in nature. But nothing is ever that simple, right? The first part of the statement is ironclad. If you’re fatigued, it’s a present state or condition. And once you’ve advised your company, you’re finished with that flight duty period and need to be placed into rest.

Fitness for duty is more complex. While it’s primarily a prospective determination, it can also be a current state or condition. For example, if you’ve just completed a particularly demanding situation, such as a high-speed abort or engine failure after takeoff, you may find yourself in a position in which you shouldn’t be continuing a flight duty period—and that determination wouldn’t be due to fatigue, but rather for fitness for duty as a present state or condition.

In a prospective application of fitness for duty, you may find that after a couple of legs and a lengthy delay, the five-hour flight followed by a Cat. III approach that’s extending your flight duty period very late on your body clock may not be the best course of action. In this case, stating that you aren’t fit for duty would be your rationale—because while not being fatigued at that moment, you highly anticipate you will be due to the long duty day and late hour of the day. In this example, since you’ve concluded that you aren’t currently fatigued, your fitness may permit an acceptable change to your schedule (reroute). In all of these examples, explaining your situation in plain language, such as “I’m not fit to accept an extension,” will likely facilitate the appropriate course of action in the shortest amount of time.

Some pilots have reported feeling pressured to continue when they were unsure or declared they were fatigued or inclined to refuse an extension. FAR Part 117 was designed for both parties, the certificate holder (your airline) and the pilot-in-command, to be co-responsible in the decision-making process. Pilot pushing is a serious allegation. If you believe you’re being pushed after you’ve made the correct decision to extend or not extend from a safety standpoint, you should report the details to your ALPA representative and file an Aviation Safety Action Program (ASAP) report. ALPA will follow up as required with your flight operations management to ensure that the system works as intended.

It’s important to restate that the decision to accept or refuse an extension is no different from any other operational decision that we make every day. Whether you’re a newly minted captain or a seasoned veteran, you have a responsibility under FAR Part 117 to determine both your, and your crew’s, ability to accept an extension.

In addition to scheduling notifications and electronic flight bag tools your carrier may provide, ALPA’s Part 117 smartphone and tablet app is popular with many pilots and provides a ready means to help track Part 117 compliance.

In summary, the decision to extend or to refuse an FDP extension is the responsibility of the pilot-in-command. This decision is just like any other operational decision that every crew makes every single day when the situation presents itself. We don’t let outside pressures sway our decision during other operational situations, and handling the need for an extension should be no different. Don’t rush—consider all available information and make the informed decision. You’ll be supported. ALPA has your back!