

Embracing Skill Enhancement

BY WAYNE ROSENKRANS

ATSAP reports exceed expectations as program refinements overcome FAA managers' initial objections.

By several indications, the Air Traffic Safety Action Program (ATSAP) of the U.S. Federal Aviation Administration's (FAA's) Air Traffic Organization is moving beyond the initial growing pains of this voluntary, non-punitive safety reporting method for air traffic control (ATC). The volume of ATSAP reports already dwarfs that of an older parallel program, and the quality and significance of report content have been praised by independent safety analysts (*ASW*, 3/12, p. 43).

Recent refinements to ATSAP include efforts to improve strained working relationships, particularly around the notion of imposing — in a punitive sense — remedial study and practice for inadvertent noncompliance and operational errors by controllers. Last year, David Conley, president of the FAA Managers Association (FAAMA) and manager of tactical operations, Southwest United States, FAA, told a congressional committee that while FAAMA was “pleased to see this steady report [increase in ATSAP],” some members of the association were struggling with a frustrating adjustment to perceived curbs on their

authority to assign skill-enhancement training¹ and were concerned about potentially diminished personal accountability among their employees.² “ATSAP is an important change ... a work in progress that requires the closest attention from managers across the FAA, as well as the fullest cooperation of our employees and their unions,” Conley said.

A new Air Traffic Organization policy order,³ effective in 2012, now supplements and clarifies the 2008 memorandum of understanding (MOU) between the FAA and the National Air Traffic Controllers Association (NATCA), a document that Conley cited.

“Historically, [ATC] facility management handled performance deficiencies if they were identified through the post-accident or incident investigation of known safety events,” Conley said. “If an employee performance deficiency was observed during these investigations, then skill-enhancement [training] could be assigned. ... Unfortunately, [reports accepted by ATSAP event review committees (ERCs)] are creating practical barriers for their use in the performance-management process.

In some instances, managers find their hands tied with process constraints that prevent them from using their experience and intuition to coach, mentor and train controllers toward correcting deficiencies. Before managers can take action, they are instructed to wait for the recommendations of [an ERC,] whose members are evenly comprised of both labor and management participants.”

Several anecdotal examples illustrated what managers considered “barriers” to their long-established methods of risk mitigation. “[FAAMA] received a report in one case where an employee, a new public hire who certified on [the person's first ATC] position after training for several months, was involved in a loss of separation nine days after certifying, and filed an ATSAP report,” Conley said. “The manager requested skill-enhancement training immediately after the event to correct the deficiency. Through the ATSAP process, the ERC ... did not reach a consensus on what occurred, and the [request for] skill-enhancement training was denied. The employee involved in this safety incident received no training and no

corrective action. This should be a concern for each of us.”

The latest policy order, however, clarifies what types of safety checks and remedial actions ATC facility managers can initiate while awaiting an ERC’s decision about skill-enhancement training, reminding them that no decertification or disciplinary action can be taken for events covered by an ERC-accepted ATSAP report. The facility manager must “conduct performance skills checks or operational skills assessments associated with an event/problem covered by an accepted ATSAP report only when performing a covered event review or when approved or directed by the ERC.

“As appropriate, or at any time at the request of the employee, [managers can] perform a ‘safety check’ ... an undocumented observation period to confirm the employee’s self-confidence to provide air traffic services after a safety event. ... Management must coordinate with the ATSAP ERC any issues arising during a safety check that would preclude the employee from resuming normal duties.”

The policy order also contains clarification about relatively new employees. Regarding employees covered by ATSAP and receiving on-the-job training, the order says, “The protective provisions in the applicable MOU apply to all employees. Employees receiving [on-the-job training] for initial qualification training are required

to reach the standards necessary to achieve a position of facility certification, and ATSAP will not interfere in that process.”

Uneven Understanding

At the time of the testimony in 2011, FAAMA cited confusion about ATSAP among some managers, and Conley later in the year raised the issue with a safety official at the Air Traffic Organization. “Misperceptions about what is permitted in performance management under ATSAP continue to be prevalent, and we encourage the FAA to step up training for managers in this area,” Conley had told the congressional committee. “Poor field training and, in some cases, attitudes have resulted in a victim mentality where some managers yielded all their tools because one effort to address performance became constrained.”

‘In some cases, attitudes have resulted in a victim mentality.’



Conley reported on FAA responses to both concerns by the safety official in an interview published by FAAMA.⁴ Joseph Teixeira, vice president of the Air Traffic Organization’s Office of Safety, was quoted as saying that ATSAP ERCs have supported the managers who carefully study safety events; engage with the ATSAP report submitters to assess what occurred and the person’s thought processes, skills and knowledge; and effectively articulate their own perspective and recommendations. Teixeira also attributed early frustration of managers with ATSAP to the new requirements for them to justify their proposed assignments of skill-enhancement training by identifying the specific skills and knowledge to be covered based on evaluations and specific reasons. The FAA’s enhancements to the ongoing education of ATC managers and supervisors about ATSAP will include the top lessons learned in the previous 12 months, he added.

Gaming ATSAP

FAAMA in 2011 also had expressed concern about “the potential erosion of personal accountability if there are not limits on a controller’s or a technician’s ability to file multiple ATSAP reports without some form of consequence.” Conley said, “While we believe the [FAA] is going in the right direction on changing the safety culture, under the ATSAP program, individual controller performance ... has become difficult to manage. ... As the comfort level with the ATSAP program grows among the controller workforce, it could be used as a way to avoid perceived punitive action as opposed to meeting its goals of pointing out vulnerabilities in the system, followed by appropriate corrective action. ... [We have an] unacceptable situation where someone in a facility can report [a] risk that the facility management

may never learn about [instead of] turning that data into usable information for field facilities.”

The policy order partly addresses these issues by stating that ERCs must take responsibility for determining, on a case-by-case basis, the disposition of “repeated similar instances” of the ATSAP report submitter’s noncompliance with ATC directives. The submission of an ATSAP report via the program’s website — as required “within 24 hours of the end of the employee’s duty day on the day of occurrence or within 24 hours of becoming aware of a possible noncompliance” — exempts the submitter from disciplinary action and certificate action per terms of the MOU, but also involves ongoing cooperation with the ERC’s investigation and decision to assign skill-enhancement training.

Facility managers even have been directed to remind employees that they may file ATSAP reports and must provide them time to do so.

Lessons Learned

One indicator of ATSAP progress and benefits is that, since September 2010, NATCA has published the *ATSAP Alert* and *ATSAP Briefing Sheet*, detailing insights and actions to reduce risk in ATC. The publications have addressed conflicting data on flight plans and flight progress strips for reduced vertical separation minimum operations; ATC procedural drift in phraseology for taxi instructions; failures to ensure that pilots have accepted responsibility to “maintain visual separation”; balancing safety with latitude for developmental controllers to gain experience near the completion of their on-the-job training; unfamiliar risks in conducting opposite-direction operations; ATC assistance to airlines investigating non-safety-critical resolution

advisories from traffic-alert and collision avoidance systems; adapting to an airline’s new climb profiles; avoiding phraseology that could dissuade pilots from voluntary safety reporting; confusing ATC phraseology about “full length” of a runway when thresholds have been displaced by construction activity; loss of separation during interruptions of controllers’ logical sequence of tasks; and ATC procedural deviations intended to benefit military flights.

Also, in October 2011, FAAMA signed a consultative relationship agreement with the FAA that facilitates periodic discussion of managers’ advice and concerns, such as progress on resolving concerns about ATSAP.

Sometimes overlooked is the specific requirement that, rather than seek to avoid skill-enhancement training, controllers should take advantage of it — an attitude that the FAA’s Teixeira called “embracing correction.” Essentially, ATSAP report submitters forfeit their protection — and their cases may be reopened or referred to the Air Traffic Organization and/or Air Traffic Safety Oversight Service — “if they fail to complete the recommended skill enhancement in a manner satisfactory to all members of the ERC,” the MOU says. ➔

Notes

1. The FAA defines *skill enhancement* as “individually focused education and training designed to address an identified qualification issue of an employee in a skill or task.”
2. Conley, David S. Written testimony submitted to the House Transportation and Infrastructure Committee, U.S. Congress. Feb. 9, 2011.
3. FAA. Air Traffic Organization Policy Order JO 7200.20, *Voluntary Safety Reporting Programs*, effective Jan. 30, 2012.
4. FAAMA. “David Conley’s Conversation With Joseph Teixeira.” *Managing the Skies*, May–June 2011.