



MESA AIRLINES ASAP

ALPA Central Air Safety Committee (CASC)

Introduction

The Aviation Safety Action Program (ASAP) is a consensus based pilot reporting program which is used at almost every 121 carrier in the United States. The concept was a result of the original US Air Altitude Awareness program which was established in 1990. The Mesa Aviation Safety Action Program (MSAP) is a partnership between Mesa, ALPA, and the FAA. These parties have come together to realize the importance of using pilot reports to help gather safety related information. The collected information will be reviewed and analyzed to help monitor trends and identify problem areas. These areas will be given corrective measures which will be continually monitored to ensure effectiveness. The hope is that this program will prevent an accident or incident using proactive measures rather than reactionary measures afterwards. Also, the implementation of ASAP at Mesa will allow all of our employees and passengers, the opportunity to be involved with an air carrier that is committed to safety.

ASAP is a program that encourages pilots to voluntarily report safety related incidents without the fear of reprisal from the Company, and either no action or only administrative action (letter of correction, letter of warning) from the FAA. The purpose of ASAP is to bring the pilot group together with the Company, the FAA, and ALPA, to identify safety problems, develop corrective safety initiatives, and monitor the effectiveness of the safety initiatives through a consensus-based process. Line pilots are the key ingredient in providing ASAP with real-time safety information. Under ASAP, safety issues are resolved through corrective action rather than through punishment or discipline. ASAP's concept is to foster a non-punitive atmosphere in order to maximize reporting potential. ASAP safety data, much of which would otherwise be unobtainable, is used to develop corrective actions for identified safety concerns, and to educate the appropriate parties to prevent a reoccurrence of the same type of safety event.

The key elements of the ASAP are:

- Proactive safety problem identification and resolution
- Strong reporting incentives
- Association with NASA ASRS
- Airline and employee commitment, response, and accountability
- Flight safety benefits to the Company, the pilots, the FAA, and traveling public

The purpose of this document is to familiarize you with the provisions of the Mesa ASAP (MSAP)

If you have any questions, comments, or concerns, don't hesitate to contact the ALPA CASC ERC Representative Mike Downing at mike.downing@alpa.org or (480) 335-5829. You can also contact Mesa ASAP Manager Maury Downs at maury.downs@mesa-air.com or (602) 685-4391.

ASAP Definitions

Although you will see many of the following terms later in this document, it is important that some of the applicable definitions be provided.

Aviation Safety Action Program (ASAP) – A program where voluntarily supplied safety information is reviewed, risk-assessed, and responded to by an air carrier, the FAA, and an ALPA representative.

ASAP Report – A written account of an event that involves an operational or maintenance issue related to aviation safety and reported through an ASAP.

Event Review Committee (ERC) – A group comprised of a representative from each party to the ASAP, which reviews and analyzes submitted ASAP reports. The ERC may share and exchange information and identify actual or potential safety problems from the information contained in the reports. The ERC is comprised of a management representative from Mesa Airlines Safety Department, a representative from ALPA Central Air Safety Committee, and a specially qualified FAA inspector from the Certificate Management Office (CMO).

Consensus of the Event Review Committee (ERC) – The voluntary agreement of all representatives of the ERC to each decision required by the MOU. The ERC should strive to reach a consensus on the recommended corrective action to address a safety problem. In the event there is not a consensus of the ERC on decisions concerning a report involving an apparent violation of the FAR's or a qualification issue, the FAA ERC representative will decide how the report will be handled. The FAA will not use the report in any subsequent enforcement action, except those which involve criminal activity, substance abuse, controlled substances, alcohol, or intentional falsification.

Corrective Action – Any safety-related action determined necessary by the ERC, based upon review and analysis of the reports submitted under an ASAP.

Covered Under the Program/Included in ASAP – The enforcement-related incentives and other provisions of the ASAP applicable to the employee who submitted the report.

Enforcement-Related Incentive – The assurance that either administrative action (letter of correction or warning notice) or no action will be taken by the FAA to address reported FAR violations included in the program.

Memorandum of Understanding (MOU) – The written agreement between two or more parties setting forth the purposes for, and terms of, an ASAP.

Sufficient Evidence – Evidence gathered by an investigation not caused by, or otherwise predicated on, the individual's ASAP Report. For apparent violations covered under an ASAP, no more than administrative action (letter of correction or warning notice) will be taken against an individual for violations reported under the program. There must be sufficient evidence to prove the violation, other than the individual's report.

Sole-Source Report – A report is considered a Sole-Source Report when all evidence of the event is discovered by or otherwise predicated on the report. Apparent violations disclosed in ASAP Reports that are covered under the program and are Sole-Source Reports will be addressed with an ERC response (no FAA action).

Non-Sole Source Report – For Non-Sole Source Reports, someone external (i.e.: ATC< FAA inspector) files a FAA report. A Non-Sole Source is usually a safety-related report that appears to involve a violation of the FARs or Company operating procedures. For a Non-Sole Source Report, the FAA must have sufficient evidence to substantiate the finding.

OK...So How Does it Work?

The operation of this program will be a little different from the current system. Pilots should continue to submit safety reports as before, but will now file an ASAP report instead of a Safety Awareness Report. The ASAP Reports will go to the ASAP manager. They will be risk-assessed, de-identified, and sent to the ERC. As required, the ERC will meet to review an abbreviated, de-identified summary of the original ASAP Reports submitted by flight crews. If additional information is needed, the narrative section of the full ASAP report will then be reviewed by the ERC. If the ERC determines that further follow-up information is needed, the crew may be asked to participate in an interview attended by the ERC members.

Prior to the implementation of ASAP, when flight crews were involved in a possible FAR violation, the crew was subject to enforcement action by the FAA (a monetary fine or suspension of their pilot certificate). Under ASAP, when an incident occurs where a FAR has been violated and the flight crew has submitted a timely report which is included in the program, the worst that can happen is a letter of correction or warning notice. If the ASAP report is sole-source, then no action will be taken by the FAA.

Pilots are encouraged to fill out and submit an ASAP report anytime they feel they may have been involved in potential FAR violations, procedural violations, have been involved in significant safety events, or would like to report unsafe conditions.

If a pilot believes he/she has been involved in a violation or significant safety event, he/she must fill out an ASAP report within 24 hours at the end of the flight sequence for that day. If a computer is not available, the pilot must notify the Mesa Airlines ASAP Manager at (602)685-4391, within 24 hours after the end of the flight sequence for the day of occurrence. The preferred initial report is online; however, it can also be made by calling the number listed above. If the initial report was made by telephone, the reporting crewmember must still submit the online ASAP Report and ensure that the ASAP Manager receives the report within three calendar days of the event.

Example:

If the event occurred at 1200 hours on Thursday and the pilot completes all the flight segments that day at 2100, the event notification should be made no later than 2100 hours the following day (Friday).

Each flight crewmember submitting a report will receive confirmation that the report has been received by Mesa Airlines, Inc. In addition, the flight crewmember will be notified, if applicable, of the corrective action and resulting administrative closure of the report.

The ASAP Report will not be used to initiate any Company disciplinary action or as evidence for any purpose in a FAA enforcement action, except when the report is excluded from the ASAP due to the involvement in:

- Criminal activity
- Substance abuse
- Controlled substances

- Alcohol
- Intentional falsification

ASAP offers a unique opportunity for Mesa Airlines, Inc., flight crews, ALPA, and the FAA to work together to identify safety problems, implement safety initiatives, and educate the pilot group in order to improve safety at Mesa Airlines, Inc. This program, coupled with FOQA, internal audits, and other safety programs at Mesa Airlines, Inc. will raise the level of safety awareness and reduce the risk of incidents and accidents at Mesa Airlines, Inc.

Reports that appear to involve criminal activity, substance abuse, controlled substances, alcohol, and intentional falsification will be referred to the FAA ERC representative and to Mesa Airlines, Inc., Flight Operations Management for further handling. Intentional falsification means a false statement in reference to a material fact made with the knowledge of its falsity. It does not include mistakes, inadvertent omissions, or errors.

Reports that appear to involve intentional disregard for safety will be excluded from ASAP and will be referred to the FAA ERC representative for further handling.

When a crewmember meets the ASAP reporting requirements, future participation is not limited. Unlike the NASA ASRS, there is no limit to the number of times a crewmember may use the services of the ASAP. However, the ASAP Report is not a substitute for the NASA Report. All crewmembers are encouraged to continue submitting a NASA Reports when appropriate.

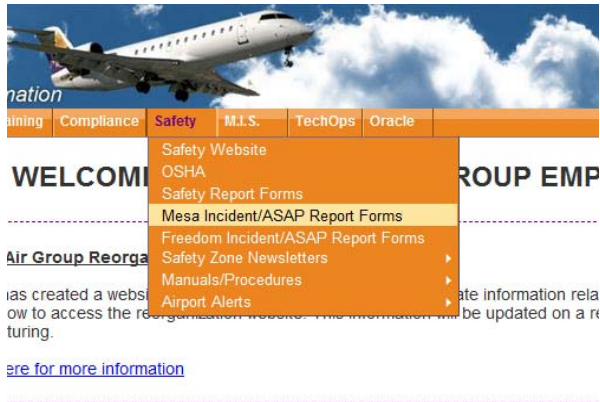
Under ASAP, when an incident occurs where a FAR has been violated and the flight crew has submitted a timely report which is included in the program, the worst that can happen is a letter of correction or warning notice. Both will be expunged from a pilot's record after two years and will not show up on a PRIA report.

Each flight crewmember submitting a report will receive confirmation that the report has been received via email. In addition, the flight crew will be notified of any follow-up action recommended by the ERC.

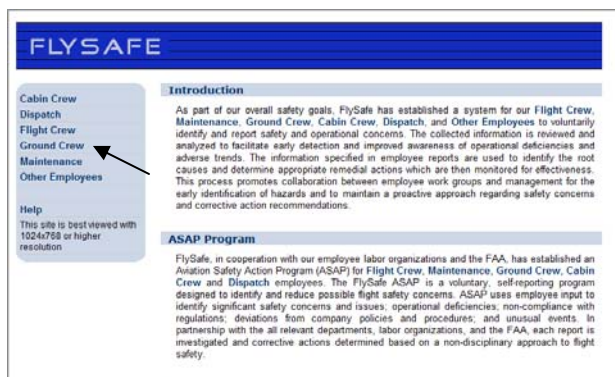
How to Submit a Report

It is very easy to file an ASAP report. Here are some steps to find and log onto the ASAP reporting site.

1. Log onto mesa-air.com employee section.
2. On the top page there are nine sections. Find the safety tab and right click on it. A drop down menu should appear. Click on the Mesa incident/ASAP report forms.



3. A new page should open up with the heading Fly Safe. Click onto the flight crew tab on the left side of the page.



4. A Username and password page should open up. Your username and password will be different for every pilot. These items will be given to the pilot group when ASAP becomes operational.

A screenshot of the ASAP WBAT - MESA-SAFETY login page. The page has a blue header with the text 'ASAP WBAT - MESA-SAFETY'. Below the header, there is a section titled '"Login Required"'. Underneath, there are two input fields: 'Username:' and 'Password:'. At the bottom of the page, there are three buttons: 'Log In', 'Home', and 'Log In Help'.

Why is ASAP at Mesa?

ASAP offers a unique opportunity for Mesa, its flight crews, ALPA, and the FAA to work together to identify safety problems, implement safety initiatives, and educate the pilot group in order to improve safety at our airline. This program, coupled with FOQA, internal audits, and other safety programs at Mesa, will raise the level of safety awareness and reduce the risk of incidents and accidents at Mesa.

What are some of the areas where safety problems may be identified and corrected by the Mesa ASAP?

1. Altitude deviations
2. Runway incursions
3. Navigation errors
4. Aircraft systems operation
5. ATC irregularities
6. National airspace issues
7. TCAS events
8. MEL follow-up actions
9. Airport surface markings
10. Ground de-icing
11. Bird strikes
12. Dispatch requirements

ASAP Questions and Answers

This section addresses the most frequently asked questions and will give each flight crewmember a better understanding of how ASAP works.

Q. If I submit an ASAP Report which involves a FAR violation, what criteria must be met in order for the report to be included into the program?

A. The report must be submitted in a timely manner, usually within 24 hours after the end of the flight sequence of the day of the occurrence, absent extraordinary circumstances. A telephone call to the Mesa ASAP Manager with a follow-up hard copy report will satisfy this requirement. The Mesa Safety Department may be reached at (602)685-4391.

Q. What if a report is submitted after the 24-hour period following the event?

A. The ERC will review all available information to determine whether extraordinary circumstances were present, or whether the employee knew or should have known about a possible violation within 24 hours. If the employee did not know or could not have known about the violation, or if extraordinary circumstances were present, then the report will be accepted into ASAP provided all other ASAP acceptance criteria have been met. If the employee knew or should have known about the apparent violation, then the report will not be included in ASAP.

All sole source reports (explained below) will be accepted regardless of time the reports were submitted.

Q. What about repeated violations?

A. Reports involving the same or similar alleged violations previously covered under ASAP, that otherwise satisfy the acceptance criteria, may also be included in ASAP. The ERC will determine on a case-by case basis whether such reports will be included.

Q. Why would a report be excluded from ASAP?

A. A report will be excluded if:

1. The apparent violation was not inadvertent or appeared to involve an intentional disregard for safety.
2. The report appeared to involve criminal activity, substance abuse, controlled substances, alcohol, or intentional falsification. These reports may be pursued by the FAA for enforcement purposes.
3. Untimely reports excluded by the ERT.
4. Reports that take place when a pilot is not on duty.
5. Reports involving medical certification or medical qualification issues.
6. A report that was initially included in ASAP will be excluded from the program if the employee fails to complete the recommended corrective action in a manner satisfactory to all members of the ERC, and the individual will not be entitled to the enforcement-related incentive. (Violations

excluded from the program will be referred by the FAA ERC representative to the appropriate FAA office for additional investigation, re-examination, and/ or enforcement action.)

Q. Do I need to file a NASA report if I file an ASAP report?

Yes, but it is easy using the same report submitted to the ASAP, merely check the box indicating you'd like to submit a NASA report simultaneously.

The two programs, NASA ASRS and ASAP, are completely independent of each other. By completing an ASRS Report, your safety information will be entered into the NASA Safety Database.

The immunity provisions of the NASA program may well apply to any possible enforcement action that could be taken by the FAA if your report is excluded from the ASAP, especially if timeliness was the reason for exclusion.

Q. What happens to me if my report is excluded from ASAP?

A. The event (not the report) may be referred back to the reporting FAA Office for further action. This could include no action, a letter of correction or warning notice, or enforcement action. You would be in the same situation as if there were no ASAP at Mesa. However, your NASA immunity would apply and the ALPA Violations Committee, as well as the ALPA lawyers, would represent you in any action with the FAA. Remember, the FAA cannot use your report in any action against you. Additionally, if your report is sole-source and is excluded from the program, then only a letter of correction or warning notice may be issued by the FAA.

Q. How Does ASAP enhance safety at Mesa?

A. The provisions of ASAP let the pilot know where he or she stands with regard to FAA action, i.e., letter of correction or warning notice, or no action. Now the crew is free to participate with the ERC from investigative and educational perspectives. The pilots will be able to review everything available about the incident: ATC tapes, radar data, and Company and FAA documents. The flight crew will participate in the analysis of why the incident occurred, as well as make suggestions in an effort to prevent a recurrence. The pilots may also participate (anonymously) through the feedback to the rest of the pilot group by describing the incident in any ASAP related event publications.

ASAP will help find root causes of operational deficiencies using pilot reports. This data will be used to make changes in all aspects of our operation. The changes will be reviewed to continually ensure effectiveness. In certain circumstances, the pilot reports will be immediately disseminated to the pilot group. This will be done to ensure vital time sensitive information is given out as soon as practical.

The bimonthly newsletter ASAP in Action will be sent out to the pilot group. This newsletter will include some de-identified ASAP reports. This publication can be used to learn from others experiences.

Q. How long will this program last?

A. The demonstration period is 18 months, after which the program will be reviewed and renewed by the FAA every two years.

Q. What if one of the parties, Mesa, ALPA, or the FAA, disagree with the way a report was handled, or any other aspect of the program? Do they have options?

A. Yes, any of the parties may terminate the program at any time by notifying the other parties in writing. Also, if you are in the program at the time it is terminated, you will still receive all the benefits of the program until all actions surrounding your event are concluded.

Q. Is there anything for which I should not submit a report?

A. Yes, medical certification and medical qualification issues, or if your report includes any information which will cause your report to be excluded from the ASAP.

Q. What is Administrative Action?

A. A possible outcome given to a submitter of an ASAP report as a result of a FAR violation. This outcome, if determined to be prudent by the ERC, will be given if sufficient evidence exists outside of an ASAP report to determine that a violation occurred. The two types of administrative action are a letter of warning and a letter of correction. Per the MOU, administrative action can only be given to non sole source reports.

Q. What is an Enforcement Related Incentive, and what protections will my report receive?

A. An enforcement related incentive is a tool used to encourage MAG pilots to submit an ASAP report. In the past, if an FAR was violated a pilot could be suspended, fined, or given a letter in their airmen file. Under ASAP, if an ASAP report is accepted, the worst outcome a pilot can expect is administrative action. Administrative action under ASAP is filed differently than outside of ASAP. It is filed under code 44. This protects an ASAP report significantly more than a letter not involved with ASAP. This letter will not show up on a PRIA, will not show up if a record is pulled for an interview, and will be removed after two years. The record of the administrative action will only exist in an FAA file, which only the FAA will be able to see.

A pilot's confidentiality will also be protected when a report is submitted.

Q. What is intentional falsification?

A. A false statement in reference to a material fact made with knowledge of its falsity. It does not include mistakes, inadvertent omissions or errors.

Q. What is a sole source report? What are the possible consequences of a sole source report that has been accepted into ASAP?

A. It's a report in which all of the information contained in the report has been provided by the ASAP report.

A sole source report will be closed with no action.

Q. What is a non-sole source report? What are the possible consequences of a non sole source report that has been accepted into ASAP?

A. It is when outside evidence exists to initiate a report that would be investigated as if there wasn't an ASAP program. The FAA has discovered all evidence using resources other than the submitted ASAP report.

If there is sufficient evidence to support a violation of 14 CFR, the report will be closed with administrative action. Non-sole source reports without sufficient evidence to support a violation of 14CFR will be closed with a FAA Letter of No Action.

If the non sole source report demonstrates a lack of qualification or raises a question of a lack of qualification, the report will be addressed with appropriate corrective action recommended by the ERC. Corrective action must be completed to the satisfaction of all of the ERC members, or the report will be excluded from ASAP and will be referred for appropriate action.

Q. How will the pilot know if his/her ASAP Report was received?

A. During normal business hours, the ASAP Manager or designee will send confirmation to each reporting flight crewmember who submits an ASAP Report.

Q. Can you explain corrective action? What can it include?

A. Corrective action is a solution that may be given by the ERC as a result of a non sole source ASAP report. Corrective action may be given if the non sole source report demonstrates a lack of qualification or raises a question of a lack of qualification. Corrective action can include training (simulator, ground, counseling, etc). This training will be done by the Mesa Safety Department and will be kept anonymous. No records of training events will be kept and instructors may sign confidentiality agreements. Corrective action will not include checking events.

Corrective action can be given to an individual and also to the company, in the form of a recommendation to change company policy, procedures, or training. Corrective action given to the company will be tracked and reviewed to ensure its effectiveness.

Q. What protections are given to my ASAP report?

A. ASAP reports are de-identified. Any information that might reveal the identity of the ASAP submitter will be expunged from the report before it is sent to the ERC. If the ERC needs more information, the ERC may ask the submitter of an ASAP report for an interview. The ERC will protect the identity of the pilot involved in the ASAP report, and if necessary may sign confidentiality agreements. Also if corrective action is recommended by the ERC, the training event will not be recorded or filed. Also, the instructor will not reveal the identity of the pilot.

What an ASAP Program is not.

It is not an immunity program.

It does not apply to deliberate acts.

It does not apply to criminal activity.

What an ASAP program is.

ASAP is a proactive, corrective action-based safety program. ASAP has the commitment of all parties: Mesa, ALPA, and the FAA.

Conclusion

Mesa's ASAP has the following benefits:

- 1) Individual pilots win because they are able to participate in an in-depth analysis of reported events from a safety perspective, without the fear of enforcement action.
- 2) Mesa wins because it is obliged to operate with the highest degree of safety. Also, the Company's ability to address safety issues is enhanced through the program.
- 3) The FAA wins because this program allows it to more thoroughly fulfill its surveillance requirements.
- 4) The Mesa flight crews win because they receive safety information feedback through incident reports.
- 5) The traveling public wins because of the safety benefits of the program.