

## Management Board Decision

**DECISION N° 08-2022**

**of 18 July 2022**

### **ADOPTING FINANCING DECISION FOR A STUDY ON THE IMPACT ANALYSIS, PREVENTION AND MANAGEMENT OF ATCOs FATIGUE IN THE EU**

THE MANAGEMENT BOARD OF THE EUROPEAN UNION AVIATION SAFETY AGENCY,

Having regard to Regulation (EU) 2018/1139 of the European Parliament and of the Council of 4 July 2018 on common rules in the field of civil aviation and establishing a European Union Aviation Safety Agency ("EASA Basic Regulation"), and in particular Article 75 thereof;<sup>1</sup>

Having regard to the EASA's Financial Regulation, adopted by MB decision 02-2019, and in particular Article 72(2) thereof, in conjunction with Article 110 of the Financial Regulation;<sup>2</sup>

WHEREAS:

- (1) Articles 40(1) and 48 of the EASA Basic Regulation provide that the provision of ATM/ANS and the air traffic controllers involved in the provision of ATM/ANS shall comply with the essential requirements set out in Annex VIII of the Basic Regulation. Paragraph 5.2 of this Annex provides that the provision of ATC services shall not be undertaken unless the prevention of fatigue of personnel providing an ATC service is managed through a rostering system.
- (2) Annex IV of Commission Implementing Regulation (EU) 2017/373<sup>3</sup> in its Sub-Part A, Section 3, imposes on air traffic service providers specific human factors requirements related to stress, fatigue and rostering, as part of their safety management systems.
- (3) Regulation (EU) 2017/373 was adopted in 2017 and became fully applicable in 2020. There is a need to gather information about how this Regulation has been implemented across the EU, to assess the added value of the EU regulatory action and analyse possible difficulties or gaps.

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<sup>1</sup> Regulation (EU) 2018/1139 of the European Parliament and of the Council of 4 July 2018 on common rules in the field of civil aviation and establishing a European Union Aviation Safety Agency, and amending Regulations (EC) No 2111/2005, (EC) No 1008/2008, (EU) No 996/2010, (EU) No 376/2014 and Directives 2014/30/EU and 2014/53/EU of the European Parliament and of the Council, and repealing Regulations (EC) No 552/2004 and (EC) No 216/2008 of the European Parliament and of the Council and Council Regulation (EEC) No 3922/91

<sup>2</sup> Regulation (EU, Euratom) 2018/1046 of the European Parliament and of the Council of 18 July 2018 on the financial rules applicable to the general budget of the Union, amending Regulations (EU) No 1296/2013, (EU) No 1301/2013, (EU) No 1303/2013, (EU) No 1304/2013, (EU) No 1309/2013, (EU) No 1316/2013, (EU) No 223/2014, (EU) No 283/2014, and Decision No 541/2014/EU and repealing Regulation (EU, Euratom) No 966/2012.

<sup>3</sup> Commission Implementing Regulation (EU) 2017/373 of 1 March 2017 laying down common requirements for providers of air traffic management/air navigation services and other air traffic management network functions and their oversight, repealing Regulation (EC) No 482/2008, Implementing Regulations (EU) No 1034/2011, (EU) No 1035/2011 and (EU) 2016/1377 and amending Regulation (EU) No 677/2011

- (4) In addition, the Agency's knowledge on this subject should be enhanced through the collection of complementing data and research actions, with a view to provide additional support to ANSPs and ATCOs, and/or undertake further regulatory developments.
- (5) New concepts and technologies, such as digital technologies are being deployed in the mobility domain that have already or may soon impact the provision of air traffic services, such as virtual reality, AI, machine learning, etc. In this context, it would be appropriate to measure or anticipate the future impact of these technologies on the occupational fatigue of air traffic controllers.
- (6) It is hereby proposed to have an integrated approach to the current and future challenges of ATCO fatigue and include these elements into a single contract with a view to develop a comprehensive study.

HAS DECIDED AS FOLLOWS:

The Financing Decision for the study contract on the "Impact analysis, prevention and management of air traffic controllers' fatigue" is granted, as laid down in the Annex and the Explanatory Note to this Decision.

Done in Warsaw, 18 July 2022

(signed)  
PIOTR SAMSON  
Chair of the Management Board



## **Annex to Decision MB N° 08-2022**

### **FINANCING DECISION FOR A STUDY ON THE PREVENTION AND MANAGEMENT OF ATCOs FATIGUE IN THE EU**

The financing and the launch of the procurement procedure to support the independent assessment of adequate funding of staff supporting earmarked projects will be as described below:

Type of Contract: Direct contract after an open call for tenders (Open procedure)

Duration: 12 months

Financial envelope: maximum of 1,3 M€ with a possible extension of 10% to account for unexpected risks in the execution of the contract

Planned Launch date: July 2022

