



**WORKING PAPER**

RASG-PA/15 — WP/02  
29/12/25

**Fifteenth Meeting of the Regional Aviation Safety Group – Pan America (RASG-PA/15) and Fifth RASG-PA–GREPECAS Joint Meeting (RASG-PA–GREPECAS/5)**  
Mexico City, Mexico, 2 to 4 March 2026

**Agenda Item 2: Follow-up on Valid Conclusions and Decisions from RASG-PA Meetings**

**STATUS OF VALID CONCLUSIONS AND DECISIONS**

(Presented by Secretariat)

<b>EXECUTIVE SUMMARY</b>	
This working paper presents the status of the valid Conclusions and Decisions from previous meetings of the Regional Aviation Safety Group – Pan America (RASG-PA).	
<b>Action:</b>	Presented in Section 3.
<i>Strategic Goals 2026-2050:</i>	<ul style="list-style-type: none"> <li>• Every flight is safe and secure</li> <li>• Aviation delivers seamless, accessible, and reliable mobility for all</li> </ul>
<i>References:</i>	<ul style="list-style-type: none"> <li>• <i>RASG-PA Procedural Handbook</i> (5th Edition, Rev. 1, 2024)</li> <li>• <i>RASG-PA/13 and RASG-PA/14 Final Reports</i></li> <li>• <i>ESC/40 Meeting Summary of Discussions</i></li> </ul>

**1. Introduction**

1.1 For the reference of the Meeting, RASG-PA and its Executive Steering Committee record their meeting outcomes and activities as Conclusions and Decisions, as follows:

**Draft**

**Conclusions:** Actions taken by the RASG-PA that mandate communication and subsequent action by external bodies, specifically ICAO, States or Territories, and international organizations or industry stakeholders.

**Decisions:** Internal agreements reached solely within the RASG-PA structure.

## 2. Development

2.1 The status and follow-up remarks for Conclusions and Decisions is the result of a review by the Secretariat based on information available. The status for each Conclusion and Decision is designated as valid, completed or superseded, and reported in the **Appendix**.

2.2 The review of *Conclusion RASG-PA/14 C02* showed that the costs and timelines proposed for conducting the study on the causes of low State Safety Programme (SSP) implementation in the region are excessively high. Consequently, the following draft Conclusion is proposed to supersede RASG-PA/14 C02:

<b>DRAFT CONCLUSION</b>	
<b>RASG-PA/15/C01</b>	<b>RASG-PA SUPPORT FOR THE IDENTIFICATION OF THE ROOT CAUSE OF THE LOW IMPLEMENTATION OF THE SSP IN THE PAN AMERICAN REGION</b>
<b>What:</b> That the NACC and SAM Regional Offices present to RASG-PA an analysis of the main obstacles to SSP implementation, together with proposed solutions and an estimated timeline for their execution by the ESC/41 meeting.	<b>Expected impact:</b> <input type="checkbox"/> Political / Global <input checked="" type="checkbox"/> Inter-regional <input type="checkbox"/> Economic <input type="checkbox"/> Environmental <input checked="" type="checkbox"/> Operational/Technical
<b>Why:</b> To identify the main obstacles to the establishment and implementation of the SSP.	
<b>When:</b> By ESC/41	<b>Status:</b> <input checked="" type="checkbox"/> Valid / <input type="checkbox"/> Superseded / <input type="checkbox"/> Completed
<b>Who:</b> <input type="checkbox"/> States <input checked="" type="checkbox"/> ICAO <input type="checkbox"/> Other:	

2.3 With regard to *Conclusion ESC/39/C01*, the Ad hoc Group was not formed, partly due to the restructuring that took place at IATA, responsible for leading this group, but also due to a lack of nominations from the RASG-PA Members. The following draft decision is proposed to supersede *ESC/39/C01*:

<b>DRAFT DECISION</b>		<b>CREATION OF THE AD-HOC GROUP TO SUPPORT STATES IN THE COMPLETION OF ACCIDENT INVESTIGATIONS AND ISSUANCE OF FINAL REPORTS</b>	
<b>RASG-PA/15/C02</b>			
<b>What:</b>	The creation of an Ad hoc Group headed by IATA is approved to identify how to support States in the completion of accident investigations that occur in their territories and issuance of respective final reports. To that end: a) Members nominate participants for the Group by 30 May 2026; and b) a proposal for a regional strategy to find the best way to support States in compliance with Annex 13 be presented to the ESC/41.	<b>Expected impact:</b>	<input type="checkbox"/> Political / Global <input checked="" type="checkbox"/> Inter-regional <input type="checkbox"/> Economic <input type="checkbox"/> Environmental <input checked="" type="checkbox"/> Operational/Technical
<b>Why:</b>	To enable the publication of accident reports that allow access to reactive data to improve operational safety.		
<b>When:</b>	By 30 May 2026 and ESC/41	<b>Status:</b>	<input checked="" type="checkbox"/> Valid / <input type="checkbox"/> Superseded / <input type="checkbox"/> Completed
<b>Who:</b>	<input checked="" type="checkbox"/> States <input type="checkbox"/> ICAO <input checked="" type="checkbox"/> Other:	IATA and industry members	

2.4 With regard to *Decision ESC/40/D05*, the Ad hoc Group has also not been formed. The Secretariat requests that Members designate participants by 30 May 2026, so that the deadline set out in *ESC/40/D05* can be met.

**3. Suggested Action**

3.1 The Meeting is invited to:

- a) take note on the status of valid Decisions/Conclusions; and
- b) approve the proposals presented in this paper.

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**APPENDIX  
STATUS OF OUTSTANDING CONCLUSIONS AND DECISIONS**

Number	Conclusion/Decision	Responsible for action	Target Completion Date	Status (Valid, Completed, Superseded)	Follow-up
RASG-PA/14 D01	<b>APPROVAL OF THE STATUS OF THE RASG-PA INDICATORS</b>				
	The status of RASG-PA indicators as presented in Appendix B to this report is approved for submission to the Air Navigation Commission (ANC) and the ICAO Council.	Secretariat and Members	Immediately	Completed	
RASG-PA/14 D02	<b>APPROVAL OF THE RASG-PA ACTIVITY REPORT FOR SUBMISSION TO THE ANC AND THE ICAO COUNCIL</b>				
	The RASG-PA activity report is approved for submission to the Air Navigation Commission and the ICAO Council	Secretariat	Immediately	Completed	

Number	Conclusion/Decision	Responsible for action	Target Completion Date	Status (Valid, Completed, Superseded)	Follow-up
<b>RASG-PA/14 D03</b>	<b>AD-HOC GROUP TO ASSESS THE COORDINATION OF PA-RAST/MAC–GTE SAFETY ISSUES</b>				
	<p>An Ad-hoc Group is established under the responsibility of PARAST/MAC, in coordination with the GREPECAS GTE and the ICAO Secretariat, to assess the root cause of the identified issues which results will be presented by the ESC/40 meeting.</p>	<p>Ad-hoc Group</p>	<p>ESC/40</p>	<p>Valid</p>	<p>PA-RAST MAC and GTE are collaborating to develop a Regional Safety Advisory (RSA) with recommendations to address an initial list of contributing factors related to LHD in RVSM airspace. Publication of this RSA is expected in Jan 2026. Other RSA will follow as analysis of issue continues. To be represented at the ESC/41 meeting.</p>

Number	Conclusion/Decision	Responsible for action	Target Completion Date	Status (Valid, Completed, Superseded)	Follow-up
RASG-PA/14 D04	<b>TCAS RA EVENTS REDUCTION AND MITIGATION STRATEGY IN CAR/SAM FIRs</b>				
	Considering the risk represented by the TCAS-RA (Resolution advisory) events in the airspace, and its implication for the safety and efficiency of aviation, a strategy is implemented to enhance the collection, analysis and reduction measures on a data based-drive approach which results are to be presented at the RASGPA/15 GREPECAS 23 meetings.	ATSP; Industry, CAAs, PA RAST	RASGPA/15, GREPECAS/23	Valid	Initial work of PA-RAST MAC project team related to TCAS-RA is focusing on combining TCAS-RA and LHD data into one visual to provide a broader view of MAC risk in the region. To be presented at the RASG-PA/16 and GREPECAS/24 Plenaries
RASG-PA/14 C01	<b>IMPROVEMENT OF THE GASP IMPLEMENTATION MONITORING PROCESS</b>				
	That the Secretariat and PA-RAST analyse the recommendations in paragraphs 2.2 and 2.3 and propose specific actions to the ESC for their implementation by ESC/40.	Secretariat and PA- RAST	ESC/40	Valid	Working Paper 09 - Actions to Address Stagnated GASP Implementation Indicators is being proposed in response to RASG-PA/14/C01

Number	Conclusion/Decision	Responsible for action	Target Completion Date	Status (Valid, Completed, Superseded)	Follow-up
<p><b>RASG-PA/14 C02</b></p>	<p><b>PROJECT CONCEPT ON THE LOW IMPLEMENTATION OF SSP IN THE REGION</b>                      That the Secretariat entrust an external and independent academic entity with conducting a study on the causes of low SSP implementation in the region and once the study results are known, the findings and recommendations of RASG-PA be submitted to the Air Navigation Commission (ANC) and the detailed project charter be submitted for approval no later than the ESC/40 meeting</p>	<p>Secretariat</p>	<p>ESC/40</p>	<p>Superseded</p>	<p>After contacting several top-tier academic institutions, it was determined that the costs and timelines proposed for conducting the study on the causes of low SSP implementation in the Region are excessively high. Consequently, a Draft Conclusion is being proposed suggesting that each Regional Office carries out an analysis of the main obstacles to SSP implementation, together with proposed solutions and an estimated timeline for their execution. The results should be presented at the ESC/41 meeting.</p>

Number	Conclusion/Decision	Responsible for action	Target Completion Date	Status (Valid, Completed, Superseded)	Follow-up
ESC/39 C01	<p><b>CREATION OF THE AD-HOC GROUP TO SUPPORT STATES IN THE PRODUCTION OF REPORTS ON ACCIDENTS</b></p> <p>The creation of an Ad-Hoc group headed by IATA is approved to identify how to support States in the production of reports on accidents that occur in their territory, developing a proposal for a regional strategy to find the best way to support States in the production of accident investigation reports</p>	IATA and Secretariat	ESC/40	Valid	The Ad hoc Group foreseen under ESC/39/C01 has not yet been established. Following ESC/39, organizational changes within IATA resulted in a temporary reduction of its engagement in RASG-PA, and the matter was not further pursued. While IATA is gradually resuming its participation, follow-up on this conclusion remains pending and the discussion will need to be reactivated
D01	<p><b>ALIGNMENT OF FUNDING PROPOSALS WITH DONOR EXPECTATIONS</b></p> <p>That, the PA-RAST Co-Chairs, in coordination with the Secretariat, align the development of work programmes and funding proposals with donor expectations, ensuring that:</p>				

Number	Conclusion/Decision	Responsible for action	Target Completion Date	Status (Valid, Completed, Superseded)	Follow-up
	a) proposals are prepared in a timely manner, respecting Airbus (October) and Boeing (November) internal cycles;	PA-RAST Co-chairs	PA-RAST/69	Valid No proposals were made during this cycle	PA-RAST work has been relying on member participation and support to advance safety activities. In the conduct of its activities, the group is not instinctively considering seeking contractor support to perform work. This is a missed opportunity for further advancing safety. PA-RAST will work to more directly consider contracted support as part of solutions to help deliver on safety management activities. Additionally, a proposal to amend the RASG-PA Procedural Handbook will be submitted to RASG-PA/15 to incorporate donors' internal cycle requirements into the funding request process.
	b) requests clearly state the amount, purpose, expected safety outcome, and timeframe;	PA-RAST Co-chairs	PA-RAST/69	Valid	
	c) proposals are directly linked to risk reduction priorities in the Pan-American Region.	PA-RAST Co-chairs	PA-RAST/69	Valid	

Number	Conclusion/Decision	Responsible for action	Target Completion Date	Status (Valid, Completed, Superseded)	Follow-up
ESC/40 D02	<b>IMPLEMENTING AVIATION SAFETY ACTION PROGRAMMES IN THE RASG-PA REGION</b>				
	That, considering the potential benefit of Aviation Safety Action Programme (ASAP), PA-RAST implement the RASG-PA ASAP Pilot Project, with the following components:				
	a) establish the RASG-PA ASAP Working Group (RAWG), co-led by United States and Aeromexico;	PA-RAST	RASG-PA/16	Completed	
	b) develop an ASAP Implementation Guidance document based on existing models and tailored to regional needs including RASG-PA previous results on Safety Data Protection;	PA-RAST	RASG-PA/16	Completed	Draft Implementation Guidance has been developed and will remain in “draft” format to adopt lessons learned through the pilot project. See attachment
c) publish a RASG-PA Safety Advisory announcing the availability of the guidance in English and Spanish;	PA-RAST	RASG-PA/16	Valid	RSA will be published at the conclusion of the pilot project, and the implementation guidance is finalized	

Number	Conclusion/Decision	Responsible for action	Target Completion Date	Status (Valid, Completed, Superseded)	Follow-up
	d) launch a targeted pilot project within one month of publication, in partnership with a selected State and service provider;	PA-RAST	RASG-PA/16	Valid	Pilot Project is in progress with Colombia and Avianca
	e) promote ASAP and Just Culture through social media, workshops, and as a focus topic in a future RASG-PA Safety Day;	PA-RAST	RASG-PA/16	Valid	In progress
	f) revise the Implementation Guidance based on lessons learned during the pilot project; and	PA-RAST	RASG-PA/16	Valid	In progress
	g) enable safety intelligence sharing with RASG-PA from organisations implementing ASAP	PA-RAST	RASG-PA/16	Valid	In progress

Number	Conclusion/Decision	Responsible for action	Target Completion Date	Status (Valid, Completed, Superseded)	Follow-up
ESC/40 D03	<b>INTERNAL REALLOCATION OF FUNDS IN THE RST PROJECT OF RASG-PA</b>				
	That, in order to optimize the use of the resources made available for the RST Project and to provide greater support for its implementation, ESC authorize immediately the reallocation of the remaining balance of the project funds initially allocated for specific RST training, totalling USD 1,448, to be redirected to the execution of RST Go Team missions, thereby augmenting the remaining balance available for such missions	ESC	Immediately	Completed	

Number	Conclusion/Decision	Responsible for action	Target Completion Date	Status (Valid, Completed, Superseded)	Follow-up
<b>ESC/40 D04</b>	<b>PREPARATION OF A WORKING PAPER ON THE ALIGNMENT OF ANC GLOBAL CHALLENGES WITH RASG-PA ACTIVITIES</b> That, CANSO, with the support of the Secretariat, prepare a Working Paper for the next RASG-PA Plenary meeting, demonstrating how the global challenges identified by the ANC are already addressed by RASG-PA activities. The paper shall:				
	a) map each global challenge to existing Safety Enhancement Initiatives and workstreams under RASG-PA;	CANSO	RASG-PA/15	Valid	CANSO will present WP03 for review and approval of the RASG-PA Plenary/15. If the WP is accepted this decision will be completed.
	b) highlight tangible outcomes and supporting data achieved to date; and	CANSO	RASG-PA/15	Valid	
	c) confirm that no new activities are required, as current workstreams already align with ANC conclusions and AN-Conf/14 outcomes.	CANSO	RASG-PA/15	Valid	

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Number	Conclusion/Decision	Responsible for action	Target Completion Date	Status (Valid, Completed, Superseded)	Follow-up
ESC/40 D05	REVIEW AND PRIORITIZE THE IMPLICATIONS OF THE GASP 2026-2028 UPDATES				
	That, an Ad hoc Group be established to comprehensively review and prioritise the implications of the ICAO Global Aviation Safety Plan (GASP) 2026-2028 updates for the Pan-American region, and suggest future actions for the RASG-PA, observing the following:				
	a) the group shall be composed by representatives of the two Regional Offices (NACC and SAM) and other interested RASG-PA members	Ad hoc Group	ESC/41	Valid	The Group has not been formed yet due to the lack of nominations from the part of the Members. A request to nominate participants will be reinforced during RASG-PA /15.
	b) interested members shall nominate their representatives by August 31, 2025, informing the Secretariat through <a href="mailto:NACC-RASGPA@icao.int">NACC-RASGPA@icao.int</a>	Ad hoc Group	ESC/41	Valid	
	c) the group shall deliver the results of the work by the ESC/41	Ad hoc Group	ESC/41	Valid	

— END —

**ATTACHMENT TO APPENDIX  
RASG-PA ASAP Implementation Guidance  
(Draft)**

**1. Purpose**

To support aviation service providers (air carrier operators, ANSP, and MRO/AMOs, etc) in Pan American States in the establishment of a voluntary, confidential, and non-punitive safety reporting program called the Aviation Safety Action Program (ASAP). ASAP is a program aimed at improving aviation safety under which covered employees of certificate-holding entities with an ASAP are encouraged to voluntarily report, without fear of retribution or disclosure, safety information that may aid in identifying potential unsafe conditions so they may be proactively mitigated before they result in accidents.

Under a typical Safety Management System (SMS) framework, it is expected that a service provider enables a means by which employees can communicate safety information to management without fear of reprisal. The ASAP can be considered a reasonable option to meet this requirement.

**2. Scope**

This guidance applies to:

- National Civil Aviation Authorities (CAA) in the RASG-PA region
- Aviation Service Providers
- Air carrier operators (e.g., airlines, cargo operators)
- Air Navigation Service Providers
- Maintenance organizations
- Employee representatives (e.g., labor unions)
- Third-Party Facilitators (optional)

The guidance is intended to help establish and operate an ASAP in accordance with local legal frameworks, while aligning with international best practices. The State should ensure its legal framework authorizes the creation and oversight in a manner to support the non-punitive and confidential nature of the program.

### **3. Implementation Structure**

#### **A. Stakeholder Engagement**

- The CAA will initiate consultations with:
  - Aviation Service Providers
  - Applicable Labor unions or employee groups
  - Legal advisors
  - Aviation training institutions
- Stakeholders will form a National ASAP Steering Committee (NASC) to oversee initial implementation, aligned with this guidance and assistance from the RASG-PA Aviation Safety Program Working Group (RAWG).

#### **B. Readiness Assessment**

- The CAA, with NASC support, should assess:
  - The legal feasibility of non-punitive, confidential reporting
  - Operator's willingness and resources to implement ASAP
  - Availability of training and facilitation support
- A formal registration process should be established for aviation service providers to request program approval, including documentation requirements and timelines.
- If the conclusion of the assessment is that the CAA cannot legally support and participate as one of the parties in the ASAP, the service provider may implement an ASAP with its employee group. In this case, steps 4 through 12 will need to be carried out without references to the CAA.

### **4. Memorandum of Understanding (MOU)**

- Each ASAP must be governed by an MOU between:
  - Service Provider
  - CAA

- Employee representative groups such as labor unions (if applicable)
- The MOU should cover:
  - Scope of coverage (employee categories, types of events)
  - Report acceptance and exclusion criteria
  - Roles and responsibilities of all parties
  - Corrective action framework
  - Data privacy provisions aligned with local law
  - Conditions under which the CAA may suspend or revoke the program.

Note: see Appendix A for MOU template.

#### **5. Event Review Committee (ERC)**

- Composition:
  - Aviation Service Provider management representative
  - Labor/employee representative (if applicable)
  - Qualified inspector from the CAA
- Responsibilities:
  - Review and decide on the acceptance of ASAP reports
  - Propose safety-related corrective actions for the reported issues
  - Monitor implementation of corrective actions and safety improvements

ERC decisions should be made by consensus and documented thoroughly. If consensus cannot be reached, the CAA's representative may make the final determination (In the case where the CAA is not participating, Service Provider's management and labor/employee representative will determine how a lack of consensus will be addressed). Appeals may be considered per terms in the MoU.

## **6. Use of Third-Party Facilitators (Optional)**

If the operator or CAA lacks experience with ASAPs, a third-party facilitator can assist by:

- Administering the reporting platform
- Facilitating ERC meetings
- Training ERC members and staff
- Supporting data analysis and reporting

## **7. Report Processing and Protections**

### **A. Accepted Reports**

- Must not involve:
  - Intentional violations
  - Criminal activity or falsification
  - Substance or alcohol abuse
  - Events outside the scope of employment
  - Repeated uncorrected noncompliance
- Corrective actions may include training, counseling, or mentoring but must remain non-punitive.

### **B. Confidentiality and Legal Protections**

- Reports must be stored securely and de-identified for analysis
- The program must ensure:
  - Legal protection of the reporter's identity

- Anonymous reports should be permitted and processed when they contain enough details to support safety analysis.
- Limited use of report data, restricted to safety improvement purposes

## **8. Training and Capacity Building**

- The CAA and Service Provider should establish an ASAP training curriculum based on materials from States with mature programs (such as the United States, Mexico adapted for national use).
- ERC members must be trained in:
  - Risk analysis and classification
  - Consensus decision-making
  - Local regulatory considerations
- Training should be conducted in collaboration with national aviation training centers or ICAO-endorsed institutions.
- CAA inspections must be trained to conduct ERC oversight, resolve disputes and monitor compliance.

## **9. Data Collection and Analysis**

- Each Aviation Service Provider must maintain a secure ASAP database to:
  - Record reports
  - Track corrective actions
  - Identify trends and systemic issues
- The aviation service provider with inputs from the CAA, will aggregate anonymized data for national safety trend analysis and submit relevant insights to RASG-PA via the PA-RAST.
- Aviation Service Providers must submit periodic reports (e.g., quarterly) to the CAA summarizing key findings and program outcomes.

**10. Evaluation and Continuous Improvement**

- Biennial program reviews must be conducted by all MOU signatories.
- Periodic summaries of the state and implementation progress of the program and other relevant information (e.g., quarterly) should be prepared by the air carrier operator and submitted to the CAA for oversight.
- Lessons learned and best practices will be shared nationally and with RASG-PA to support broader safety improvements.

**11. Promotion and Cultural Integration**

- Promote the ASAP nationally through:
  - Awareness campaigns explaining non-punitive reporting
  - Engagement with pilots, technicians, dispatchers, and other stakeholders
  - Sharing success stories from other jurisdictions (e.g., U.S. and Mexico)
- Encourage senior management and union leadership to publicly support the program.

**12. Proposed Implementation Timeline****Phase 1: Preparation (0–6 months)**

- CAA, Aviation Service Provider, and employee group/labor representatives sign the MOU
- Form ERC
- Conduct initial training

**Phase 2: Operational Rollout (6–12 months)**

- Begin receiving ASAP reports
- Hold regular ERC meetings
- Establish feedback loop with reporters

**Phase 3: Expansion and Maturity (12+ months)**

- Integrate ASAP data into the air carrier operator SMS
- Aggregate de-identified data for national trend monitoring
- Evaluate and refine procedures based on early results

**13. Alignment with RASG-PA**

- The CAA and participating air carrier operators should:
  - Coordinate with the RAWG for technical support and peer exchange
  - Participate in regional data-sharing efforts to support the identification of safety risk
  - Share periodic implementation updates to RASG-PA

**Appendix A – ASAP MOU Template****MEMORANDUM OF UNDERSTANDING (MOU)**

We the parties of this MOU agree to work together to review, analyze, and resolve safety events submitted to the Aviation Safety Action Program (ASAP).

This MOU is between the **STATE CIVIL AVIATION AUTHORITY (CAA), ABC Airlines (ABCA), and participating labor groups** for employees if they wish to participate.

1. OPERATOR INFORMATION. **ABC Airlines (ABCA)** holds an air carrier operating certificate issued under **STATE REGULATORY REFERENCE HERE** and conducts its operations as authorized in **ABCA's** operations specifications (OpSpecs) issued pursuant to **STATE REGULATORY REFERENCE HERE**. **ABCA** operates approximately **[XXX]** aircraft, and employs approximately **[XXX]** employees related to this MOU.

2. PURPOSE OF THIS MOU. The **CAA, ABCA, and any participating labor groups** are committed to improving flight safety. Each party has determined that safety is enhanced if there is a systematic approach for employee groups to promptly identify and correct potential safety hazards. The primary purpose of the **ABCA** ASAP is to identify safety events and to implement corrective measures that reduce the opportunity for safety to be compromised. In order to facilitate flight safety analysis and corrective action, the **CAA, ABCA, and the participating employee labor groups** agree to implement this ASAP voluntarily. This ASAP is intended to improve organizational safety through self-reporting, cooperative follow-up, and appropriate corrective action. This ASAP is based on a safety partnership that includes **CAA and the eligible entity**, and may include a third party, such as the employee's labor group or safety organization serving as an ASAP facilitator. To encourage an employee to voluntarily report safety issues, enforcement-related incentives have been designed into the program.

3. BENEFITS. The program will foster a voluntary, cooperative, nonpunitive environment for the open reporting of safety concerns. Through such reporting, all parties will have access to valuable safety information that may not otherwise be obtainable. This information will be analyzed in order to develop mitigation strategies and employee corrective actions if necessary to help solve safety issues and possibly eliminate deviations from **STATE REGULATORY REFERENCE HERE**. For a report accepted under this ASAP MOU, the **CAA** will not use any enforcement action to address certain apparent violations of the regulations. This policy is referred to in this MOU as an “enforcement-related incentive.”

4. APPLICABILITY. The **ABCA** ASAP applies to all participating ASAP employees of **ABCA** and only to events that occur while acting within the scope of their employment with **ABCA**. Reports of events involving apparent noncompliance with **STATE REGULATORY REFERENCE HERE** that appear to involve intentional or reckless conduct, criminal activity, substance abuse, controlled substances, alcohol, or intentional falsification are excluded from the program. Reports of events that directly involve an employee, but that occurred while he or she was acting outside the scope of his or her employment for the eligible entity, are also excluded.

5. DECISION MAKING. The success of an ASAP is built on the ability of the event review committee (ERC) to achieve consensus on the acceptance or exclusion of each event that is reported. Consensus of the ERC means the voluntary agreement of all representatives of the ERC. The ERC reaches a consensus when deciding whether to accept a report into the program and when deciding on corrective action recommendations related to the reporter, arising from the event (except as provided in paragraph 6 below).

6. AUTHORITY. This agreement is entered into under the authority of **STATE REGULATORY REFERENCE HERE**. The **CAA** retains all of its legal authority and responsibilities contained in **STATE REGULATORY REFERENCES HERE**. In the event there is not a consensus of the ERC on decisions concerning a report involving an apparent violation(s), reckless or intentional conduct, or a qualification or medical certification issue, the **CAA** ERC representative decides whether to accept or reject the report.

7. TERMS OF THIS AGREEMENT. All ASAPs, whether new or previously established, enter as continuing programs. A review of a continuing program is required every 2 years to ensure its objectives are met. The review is accomplished by all signatories of the MOU.

8. VOLUNTARY WITHDRAWAL. Any signatory party to the MOU may withdraw from the MOU at any time and for any reason. The withdrawal of a party, or the termination or modification of a program, will not adversely affect anyone who acted in reliance on the terms of a program in effect at the time of that action (i.e., when a program is terminated, all reports and investigations that were in progress are to be handled under the provisions of the program until they are completed).

9. POINTS OF CONTACT. The ERC is comprised of a management representative from the eligible entity, a representative from the employee labor group (if applicable), and a specifically qualified CAA inspector from the appropriate CAA office for ABCA, or his or her designated alternates as appropriate. In addition, ABCA will designate one person who will serve as the ASAP manager. The ASAP manager will be responsible for program administration, including the development and regular maintenance/updating of an ASAP manual or other process document that defines the nature, policy, and procedures of the ASAP and its participants. In some cases (while not ideal), the ASAP manager is also the company management representative to the ERC and may perform both functions. Management officials (other than the airline representative) of any party to this MOU should not be voting members of the ERC and should refrain from influencing any ERC decisions.

10. ACCEPTANCE POLICY. The following criteria are met in order for a report to be accepted under the ASAP:

(1) ASAP reports are accepted unless excluded by one of the criteria listed below

(a) Any possible noncompliance with STATE REGULATORY REFERENCE HERE disclosed in the report that involves reckless conduct or intentional conduct

Note: There is a narrow circumstance under which the ERC considers acceptance of a report despite the intentionality of a violation. Under **STATE REGULATORY REFERENCE HERE**, in an in-flight emergency requiring immediate action, the pilot in command (PIC) may deviate from any rule in **STATE REGULATORY REFERENCE HERE** to the extent required to meet that emergency. In considering accepting the report, the ERC should evaluate whether such action may have been the safest course given the circumstances at the time of the incident. If the deviation was the result of an event outside the control of the pilot or not otherwise evidencing a lack of diligence (e.g., to address a flight-threatening mechanical malfunction), the ERC may determine that acceptance of the report is appropriate.

(b) The reported event involves criminal activity, substance abuse, controlled substances, alcohol, or intentional falsification. Reports involving those events will be referred to the appropriate **CAA** office for further handling. The **CAA** may use the content of such reports for any **CAA** action and will refer such reports to law enforcement agencies, if appropriate.

(c) The report discloses an event that involves an employee acting outside the scope of his or her employment for the eligible entity.

Note: The ERC may exclude a report that reflects an instance of a repeated act of the same or similar noncompliance by the same individual due to a common root cause that was previously accepted and addressed with corrective action under the ASAP.

(2) Timeliness. While timeliness considerations are generally a relevant factor in determining whether to accept a report (i.e. time period requirements as a condition for acceptance of reports), the responsibility of the ERC is to review all information available and determine whether acceptance of the report is in the best interest of safety. Timeliness considerations do not apply to sole-source reports.

11. EMPLOYEE FEEDBACK. The ASAP manager, in coordination with the ERC, publishes pertinent event recaps, data, and trend information derived from filed and processed reports, and ASAP analysis in accordance with **ABCA's** defined procedures. Any employee who submitted a report may also contact the ASAP manager to inquire about the status of his or her report. In addition, each employee who submits a report accepted under the ASAP receives individual feedback on the final disposition of the report.

12. INFORMATION AND TRAINING. Each ABCA participating employee and manager receives written guidance outlining the details of the program at least 2 weeks before the program begins. Each participating employee group also receives additional instruction concerning the program during the next regularly scheduled recurrent training session, and on a continuing basis in recurrent training thereafter. All new-hire employees receive training on the program during initial training.

13. RECORDKEEPING. All documents and records regarding this program are kept by the ABCA ASAP manager and made available to the other parties of this agreement at their request. The parties should maintain those records necessary for a program's administration and evaluation and as required by law. Records submitted to the CAA for review relating to an ASAP are protected to the extent allowed by law.

14. DEVELOP A POLICY AND PROCEDURES MANUAL. The ERC is encouraged to develop and maintain a manual outlining ASAP processes and procedures for reviewing and analyzing reports. Information for developing this manual can be located on the CAA ASAP website (if exists).

15. SIGNATORIES. All parties to this ASAP are entering into this agreement voluntarily.

Labor Group Manager Name (if applicable): \_\_\_\_\_

Labor Group Manager Signature (if applicable): \_\_\_\_\_

Date: \_\_\_\_\_

Company Executive Name: \_\_\_\_\_

Company Executive Signature: \_\_\_\_\_

Date: \_\_\_\_\_

CAA Appropriate Office Manager Name: \_\_\_\_\_

CAA Appropriate Office Manager Signature: \_\_\_\_\_

Date: \_\_\_\_\_