
Safety Violations or Misconduct during Training of FAA Employees

Reference: FAA Human Resource Policy Manual (HRPM) **Policies and Guidance**
ER-4.1 Standards of Conduct https://employees.faa.gov/org/staffoffices/ahr/emp_relations/pol_guidance/

General Guidance for Contract Training Providers:

Contract Training Provider General Responsibilities

- Provide quality training services in a safe and professionally managed training environment
- Provide a structured environment that affords the employee the ability to learn or refresh job-relevant knowledge and skills, in accordance with the contract
- Oversee the training program and monitor the behavior of employees who are in attendance
- Ensure employee compliance with applicable standards of conduct, including contractor training center policies, FAA policies, and all federal laws and regulations concerning professional integrity and conduct.
- If misconduct is reported or observed, document alleged facts and circumstances
- Obtain signed written statements from witnesses, in their own words
- Contact law enforcement authorities, if appropriate to protect life and property or administer tests
- Communicate with Flight Standards Training Division
- Exercise tact, good judgment, and discretion in addressing any allegation of FAA employee misconduct, safeguarding each employee's right to privacy and civil rights (including rights of due process)

Flight Standards Training Division (AFS-500) Responsibilities

- Communicate with training contractor to investigate alleged facts and circumstances
- Coordinate actions with affected FAA regional offices and field offices
- Maintain records of reported incidents concerning Flight Standards employees

Specific Guidelines:

It is not possible to anticipate every type of misconduct that could occur during training. However, the following will guide the contractor's handling of specific instances of alleged safety violations and misconduct. Instances addressed here include: drug and alcohol violations, abuse of authority, academic misconduct, and disregard for regulations and safety.

The contractor may deviate from this guidance as required based on the particulars of the circumstances, with the expectation that throughout the contractor's efforts to document and process such events, the contractor will consult with a representative of the Flight Standards Training Division whenever possible.

- I. Drug and Alcohol Violations.** Employees suspected to be under the influence of drugs or alcohol while attending training will be tested in accordance with FAA human resource policies.

Recommended actions:

- Act immediately to ensure the safety of all personnel. Suspend training activities, if appropriate.
- Document the alleged facts and circumstances
- Communicate the information that is collected with the Flight Standards Training Division

The Flight Standards Training Division (AFS-500) will coordinate with the regional office to obtain authorization for testing and provide this to the contractor

- Call local law enforcement to have the employee tested.

Present a copy of the regional office's authorization for testing to the employee when the test is conducted.

- Document the test result (or if applicable, the employee's refusal to comply with the authorized test) and provide a copy to the Flight Standards Training Division

The Flight Standards Training Division (AFS-500) will coordinate with the regional office and the employee's office supervisor or manager to determine the appropriate actions concerning the employee, and will provide additional guidance to the contractor

II. Abuse of Authority. Do not tolerate attempts to threaten, intimidate, or coerce the training staff.

Recommended actions:

- Exercise judgment in choosing to suspend or continue training until a final determination of fact has been made
- Document the alleged facts and circumstances
- Communicate the information that is collected with the Flight Standards Training Division

The Flight Standards Training Division (AFS-500) will coordinate with the regional office and the employee's office supervisor or manager to determine the appropriate actions concerning the employee, and will provide additional guidance to the contractor

III. Academic Misconduct. Do not tolerate academic misconduct such as providing unauthorized test answers to other employees, removing test materials from the training facility, use of unauthorized materials during tests or other performance evaluations, or causing distractions or otherwise inhibiting efficient use of training time and resources.

Recommended actions:

- Exercise judgment in choosing to suspend or continue training until a final determination of fact has been made
- Document the alleged facts and circumstances
- Communicate the information that is collected with the Flight Standards Training Division

The Flight Standards Training Division (AFS-500) will coordinate with the regional office and the employee's office supervisor or manager to determine the appropriate actions concerning the employee, and will provide additional guidance to the contractor

IV. Disregard for Regulations and Safety. Do not tolerate intentional or careless disregard for regulations and safety rules.

Recommended actions:

- Act immediately to ensure the safety of all personnel. Suspend training activities, if appropriate.

Contractor flight instructors are designated as pilot in command during flight training. An employees' willful failure to respond promptly to and fully comply with directions and instructions from the pilot in command is grounds for termination of further flight training.

- Document the alleged facts and circumstances
- Communicate the information that is collected with the Flight Standards Training Division

The Flight Standards Training Division (AFS-500) will coordinate with the regional office and the employee's office supervisor or manager to determine the appropriate actions concerning the employee, and will provide additional guidance to the contractor

- Report intentional or careless violations of federal regulations to the local FSDO TCPM or POI who has surveillance responsibility for the contractor's facility