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Mr John Hoyte
Chairman Aerotoxic Association



15th June 2010

Dear Mr Hoyte

We are in receipt of your 'open letter' of 13th May 2010 in which you raise a 'formal complaint' signed by 9 Associate members and 1 full member regarding their view of the Association's failings with regard to the issue of cabin air. Your letter also refers to a request for a meeting to take place in order to discuss the Cabin Air issue. I wish to address these issues in turn.

The complaint

Your letter states that the 'complaint' is founded upon rule 9.8 of the BALPA rules. This states:

If the NEC receives a complaint signed by 10 or more members with regard to the conduct of any member or associate member, it shall inform the complainants accordingly and make enquiries as appropriate, and if it does not find reason to proceed, it shall direct the General Secretary to notify the complainants accordingly. If the NEC does find reason to proceed, it shall direct the General Secretary to write to the member or associate member who is subject of the complaint giving notice of the complaint and details of the grounds.

In looking at this rule you will see that you have the right under the rule to challenge the **conduct** of a **member**. We believe this view is confirmed by the operation of Rule 10 which states an appellant must give notice in writing to the General Secretary within 30 days of the date upon which the disputed decision was communicated. Such notice shall state the grounds and arguments on which the proposed appeal is based.

Your letter does not specifically set out proper grounds of complaint, neither can we see what communication from BALPA this complaint is about. We can only

therefore conclude that as presently constructed this 'complaint' has no standing under our rule book.

If your approach is, as I suspect, about the policy the NEC and Conference has adopted on the issue of cabin air then the proper way to challenge the policy is either for the issue to be raised at our Conference in November (see Rule 18) – and in this context 'members' are full members and not associates) or by seeking a Special General Meeting of BALPA as provided by Rule 20.1 and which states:

If not less than 10% of the BALPA membership submit to the General Secretary a resolution requiring the cancellation, revision or amendment of any decision or direction of the NEC with a request that an SGM of BALPA shall be called for the purpose of considering the same, then an SGM shall be called at such place and on such date as may be fixed by the NEC, but in no case later than 40 days from the date of the receipt of the resolution by the General Secretary.

You will note the much higher threshold which was undoubtedly included by the original rule makers to give stability, allow the NEC manage the business of the Association yet allow a grievance that has a reasonable body of opinion to be heard.

The issue

Having found no basis in the rule book for your complaint (but pointing out how you might raise it constitutionally) we are left with the substantive issue of how we are approaching the issue of cabin air quality.

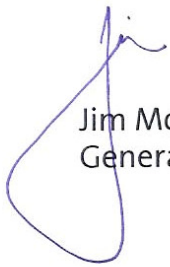
Just to recap, in April 2005 we held a very successful International Conference with high level speakers from across the globe. As a result of the conference we were able to persuade the DfT to refer the matter of Cabin Air Quality to the independent Committee on Toxicology for investigation and further advice – which had been our aim throughout and in sponsoring the conference. The conclusion of the expert Committee on Toxicology was that further research was required and this led directly to the current DfT sponsored research at Cranfield University. Meanwhile we have seen the EU sponsored Cabin Air research project brought to conclusion and appropriate standards written. In Australia, CASA has convened an expert group which is reviewing available evidence and although, when established in 2008 a report in the first quarter of 2010 was anticipated, this is still awaited.

What we all know is that a small number of our members have become unwell and felt unable to continue flying professionally, some admitting neurologically related symptoms. Whether these symptoms are as a result of exposure to pyrolysed aircraft oils or to some other occupational hazard, we need solid scientific proof before we are to assist our members.

The Association's approach may appear low profile but we are quite satisfied that the trials that have been undertaken have been properly managed and we support the integrity of the data that has been collected. The results of the Cranfield Research have unfortunately been delayed due to Prof. Helen Muir's untimely death, mid project, but the results of the airborne research are now being analysed and will then be peer reviewed prior to publication.

Advice to our members who have been exposed to a 'fume' event remains that medical assistance and treatment should be sought if subsequent illness is experienced. It would be irresponsible of us to advise otherwise.

Yours sincerely



Jim McAuslan
General Secretary