

**Board of Pilot Commissioners for the Bays
of San Francisco, San Pablo, and Suisun**

660 Davis Street, San Francisco, CA 94111
Phone: (415) 397-2253 Fax: (415) 397-9463
bopc@ca.gov www.bopc.ca.gov

**PILOT FITNESS COMMITTEE MINUTES
March 23, 2015
10:00 a.m.****Committee members present**

Knute Michael Miller, Chairman
Brig. Gen. Chester L. Ward, MD
Robert Kosnik, MD
Barbara Price
Capt. Joe Long

Staff present

Allen Garfinkle, Executive Director
Roma Cristia-Plant, Assistant Director
Dennis Eagan, Board Counsel
Kelly Dolcini, Staff Services Analyst
Sigrid Hjelle, Office Technician

Public present

Pacific Merchant Shipping Association (PMSA) Vice President Mike Jacob; San Francisco Bar Pilots (SFBP) Counsel and Business Director Ray Paetzold; and, SFBP President Capt. Pete McIsaac

Open Meeting

Prior to the start of the meeting, Chairman Miller introduced all Committee members present as well as members of the audience for those joining the meeting telephonically.

1. Call to Order and Roll Call.

Chairman Miller called the meeting to order at 10:15 a.m. He asked Staff Services Analyst Kelly Dolcini to call roll and she found that a quorum was established.

2. Approval of minutes of Committee meeting of January 28, 2015.

Chairman Miller pointed out two non-substantive edits to the minutes.

MOTION: General Ward moved to approve the January 28, 2015 meeting minutes pending the non-substantive edits. Capt. Long seconded the motion.

VOTE: Yes: Miller, Ward, Kosnik, and Long. No: None. Abstain: Price.

ACTION: The motion was approved.

3. Staff report on progress of implementation of the new (UCSF) fitness determination protocols and lessons learned.

Executive Director Garfinkle reported that the interagency agreement with UCSF to perform medical assessments and fitness determinations has been going well, and that their staff, especially primary appointment contact Barret Bestard, has been very responsive to the needs of the BOPC and SFBP. The first amendment to the contract is in process and Board staff are waiting for budget figures from UCSF. He indicated that there are still a few glitches in the process to work out in the delivery of medical services. At the suggestion of Dr. Kosnik, Mr. Garfinkle reported that the Committee may want to adopt regulations to allow for a conditional Fit For Duty determination, which would allow a pilot to continue to perform his duties, but require the pilot to obtain additional required medical testing and/or oversight.

Dr. Kosnik reported that from the UCSF perspective, that they are running into timing issues with examinations and test results being completed near or on pilot license renewal dates, and suggested that the Committee and Board consider extending the recommended 60-day window to complete pilot medical assessments and the issuance of the fitness for duty determinations. There was a brief discussion of scheduling issues and the possibility of opening communication between SFBP, BOPC, and UCSF to provide feedback and improve the appointment and testing process, and Mr. Garfinkle agreed to facilitate that communication.

4. Committee discussion of the possible need for and timing of amendments to the existing fitness determination regulations.

This agenda item was discussed along with agenda item 3.

5. Review and discuss proposals received from researchers for a fatigue study. Possible selection of a researcher and recommendation to the Board to begin the contracting process with selected state entity or allied agency.

Chairman Miller conveyed that he, Capt. Long, and Board staff had a teleconference the prior week with Loretta Maddux, the Board's contract analyst at the California Highway Patrol (CHP) about state contracting protocols when contracting with a governmental entity, and contracting issues related to the proposals received from researchers at

Washington State, UCSF and San Jose State University Foundation (SJSU). Dr. Kosnik then recused himself from the discussions since he is an employee of UCSF. Capt. Long expressed his desire to contract with a significant amount of experience in occupational fatigue issues. He noted that Dr. Hobbs of SJSU has written regulations for the International Maritime Organization, has related experience in his medical residency, has excellent data analysis expertise, and had proposed a longer 18 month monitoring period. He also indicated that the additional monitoring period likely added additional costs to the study, but that he perceived additional value for that added cost.

Chairman Miller agreed with Capt. Long's assessment of the SJSU proposal, and stated that while all of the researchers had strong credentials, he determined that SJSU's proposal contained a study methodology that was more specific and detailed. Chairman Miller briefly reviewed backgrounds of the proposed primary researchers, and concluded that the primary researcher from UCSF did not have a long tenure of performing similar fatigue studies, that the primary researcher from Washington State was a post-doctoral fellow doing most of the work with oversight from a full professor, and that Dr. Hobbs at SJSU has a significant amount of related, relevant research experience, and that it was reflected in that university's very detailed and specific proposed study methodology..

Chairman Miller also indicated that he calculated the UCSF proposal included approximately 2,480 work hours, that the Washington State proposal included approximately 1,440 work hours, and the SJSU proposal included about 3,291 work hours, another evidence of that university's thoughtful, thorough and specific proposed study methodology.

General Ward also agreed that the SJSU proposal had assigned an experience researcher, that the other two universities had assigned researchers with less research experience, and that an important factor to him was that SJSU was local, which he determined would be a positive factor in carrying out the study, and would likely reduce travel costs. He also stated that he felt Dr. Hobbs had a sound understanding that the use of actigraphy may be difficult to implement, although this option was contained in the SJSU study proposal.

Chairman Miller indicated that he believed that proximity of the researcher is important to effectively carrying out the study. He summarized that both SJSU and UCSF proposals contained researchers with maritime expertise, but that he is not certain that the researcher team necessarily must contain this expertise given that the Board and the SFBP can assist the researcher with maritime issues.

Ms. Price stated that she liked the SJSU proposal, and was impressed by the NASA credentials and the expertise brought by researchers from San Jose State.

Capt. Long stated that he thought there was room for a price decrease if optional components of the SJSU proposal are not implemented, specifically the actigraphy component.

Mr. Jacob stated that the SJSU proposal appeared to be a good one, and that he also thought the Board could achieve some price reduction in the final study costs. He reminded the

Committee that the study must ensure that the statues are being followed. He also stated the Board has already experience with spreading the cost of a manpower study over a long benefit period with the 1986 Manalytics study, and that he anticipates that this new study will also have a long benefit period.

General Ward stated that he would encourage the use of actigraphy, and Ms. Price responded that she did not believe that the use of actigraphy was possible given the sentiments of the pilots, and that a useful study could be conducted without such technology.

MOTION: Ms. Price moved to recommend to the Board that the Board instruct staff to commence negotiating a contract with San Jose State University Foundation. General Ward seconded the motion.

VOTE: Yes: Miller, Ward, Price and Long. No: None. Abstain: Kosnik.

ACTION: The motion was approved.

6. Public Comment on Matters not on the agenda.

There were no comments.

7. Proposals for additions to next meeting agenda.

There were no proposals.

8. Adjournment.

There being no further business before the Committee, Chairman Miller called for a motion to adjourn.

MOTION: General Ward moved to adjourn the meeting, Capt. Long seconded the motion.

VOTE: Yes: Miller, Ward, Price, Kosnik and Long. No: None. Abstain: None.

ACTION: The motion was approved.

The meeting was adjourned at 11:40 a.m.

Respectfully submitted,

Kelly Dolcini,

Staff Services Analyst