

## SECTION 6

### MISCELLANEOUS

#### A. DETERMINATION OF TEMPORARY UNFITNESS FOR FLIGHT

1. In such instances where a pilot determines he or she is temporarily unfit to exercise the privileges of his or her airman certificate, in accordance with any part of the Federal Aeronautical Information Manual, Chapter 8, section 1-1, dated 2/11/2010 and 8/25/2011, the pilot shall be the sole and final authority and such decision shall be binding on all parties. This right shall not be diminished due to other pilots exercising their authority to determine their temporary unsuitability for exercise of airman certificates.
- b. No certificate holder may bring about disciplinary action or harassment against any a pilot who determines he or she is temporarily unfit to exercise the privileges of his or her airman certificate, in accordance with any part of the Federal Aeronautical Information Manual, Chapter 8, section 1-1, dated 2/11/2010 and 8/25/2011. Any flightcrew member who is discharged, threatened, harassed, disciplined, or suffers any other manner of adverse discrimination in the terms and conditions of employment by his or her employer because of a temporary and self-assessed determination of unfitness to exercise the privileges of his or her airman certificate, in accordance with any part of the Federal Aeronautical Information Manual, Chapter 8, section 1-1, dated 2/11/2010 and 8/25/2011, shall be entitled to no less than three times all relief necessary to make the employee whole, plus applicable recovery costs, including customary legal fees.
  - a. The Administrator may fine certificate holders for violations of this paragraph \$27,500 per incident.

#### B. LEGAL SEVERABILITY OF “FAIR TREATMENT OF EXPERIENCED PILOTS ACT - PART 2”

1. Any portion of this act found to be unlawful by the various courts shall in no way disqualify other sections of this act from full enforcement.

C. LEGAL LIABILITY DUE TO DOMESTIC CODE SHARING

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