



EUROPEAN COMMISSION ADOPTS SOCIAL AGENDA FOR AIRCREWS, BUT IT IS LATE AND INCOMPLETE

Today, 1 March 2019, the European Commission has adopted its report Aviation Strategy for Europe: maintaining and promoting high social standards. It offers a set of non-binding proposals, which are supposed to set the tone for EU work on aircrews over the next months and years. The European Transport Workers' Federation (ETF) has worked hard for more than one year to feed the Commission with ideas and thoughts that defend workers. Today we are concerned by the Commission's lack of ambition.

The ETF, representing more than 100 000 aircrew staff (cabin crew and pilots) regrets that the Commission adopts its proposal one year later than planned and just before the European elections. This means the proposals cannot create binding legislation to protect aircrew's jobs and working conditions.

In addition, the ETF's two other main requests are not addressed. Indeed, the ETF strongly insisted that the Commission adopts some guidance on the use/abuse of temporary agency workers in aviation, to clarify notably the scope and the length of the use of these workers simply to avoid normal labour relations. In addition, the Commission did not give any answer on the single permit directive for third country cabin crews and pilots working in airlines registered in European Economic Area countries. Finally, the Commission did not give any solid answer to the development of bogus self-employment, which is a growing threat in the aviation industry, including for cabin crews.

However, ETF recognises the Commission's positive step in recognising, for the first time, the fact that atypical forms of employment are quite developed in aviation and need to be regulated more clearly. The ETF is also satisfied that the Commission urges Member States to enforce the national applicable law for all aircrews in Europe following the European Court of Justice (ECJ) Jurisprudence.

Kris Major, ETF Joint Aircrew Committee President, stated: *'First of all, the ETF has always insisted that concrete solutions for aircrews' problems are absolutely necessary to protect our unique profession and safe aviation. The outcome, however, is far too vague and is akin to administering homeopathic medicine where there is a requirement for surgery. Secondly, the Commission conveniently relies on legislation that is already in the pipeline (European Labour Authority, Posted Workers, Enforcement, Transparent and Predictable working conditions or even EASA) and which concerns all workers. It does not propose any measures which focus specifically on aircrew. As such this creates a situation in which the Commission solution will neither be comprehensible nor credible for our aircrews'.*

Therefore, the ETF calls on the Commission and the other EU Institutions to urgently complete the Social Agenda for aviation. They should draft specific measures for aircrews, who are highly mobile workers working in an industry where business models are evolving rapidly and deliberately to the detriment of the employees. There are various upcoming milestones that could be used to frame this process:

- The Commission's insistence on the enforcement of existing labour law rules at national level to ensure continued compliance with EU law as interpreted by the ECJ
- The high-level workshop that the Commission is organising
- The ad hoc group of Member State experts dealing with aviation and labour matters which will be set up
- The seminar that will be organised by the European Platform on undeclared work with a special focus on bogus self-employment of aircrews.

ETF Political Secretary, **François Ballestero**, commented: *'The ETF is disappointed with the final outcome of the Commission Social Agenda report because it does not give strong answers to the social problems encountered by aircrews. Nevertheless, the ETF is willing to carry on working with the Commission, the Member States and the other social partners to find appropriate solutions. The most important to us is to achieve effective solutions for the people working in aviation. Therefore, the ETF will continue its fight against the social dumping that exists in the industry aiming at a fair aviation for all'.*

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