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European Transport Workers' Federation
Fédération Européenne des Travailleurs des Transports
Europäische Transportarbeiter-Föderation
Federación Europea de los Trabajadores del Transporte

Brussels, 21 April 2016

EESC Hearing on 'Aviation Strategy for Europe'

**Dear Commissioner,
Dear Chair,
Ladies and Gentlemen,**

The ETF represents more than 270.000 aviation workers in 41 European countries.

You have asked me to answer to 2 questions:

- how to convince Member States to support the Aviation Strategy of the Commission
- what are the incentives for trade unions to support the implementation of the Aviation Strategy

Let me inform you that I can't answer positively to your 2 questions because the overall message of the Commission so-called 'Aviation Strategy for Europe' is in line with a hyper-liberal and excessive market-driven attitude. The ETF does not approve this approach as only business and market forces will decide the fate of the European aviation industry. The Commission ignores the social dimension of a real sustainability. Social dumping and flags of convenience, which are the day-to-day growing reality of the workers, are being totally skipped by the Commission.

Moreover, opening European aviation to unequal competition and hoping EU airlines will survive is not realistic.

The US Department of Transport (DOT) issued last Friday an order that would tentatively grant Norwegian Air International (NAI) a foreign air carrier permit. We regret the permanent pressure of the European Commission to the US DOT to grant approval to NAI despite a labour clause that guarantees a fair treatment of workers. Together with other stakeholders, the ETF has been opposing this approval since the beginning. We call on the EU to legally address the flags of convenience model in aviation and the fair use of third country workers on EU registered aircrafts. To date, nothing is proposed by the Commission.

As regards the mandates requested by the Commission to negotiate Air Transport agreements with some key countries, it is paramount and a precondition to begin the negotiations that the concerned countries have ratified some ILO fundamental conventions such as freedom of association and protection of the right to organize, the acknowledgement of the right to negotiate collective agreements, the abolishment of forced labour or the protection of maternity.

In addition, jobs in aviation that used to be prestigious and high-quality are disappearing and being outsourced or replaced by cheaper and precarious work. It is clear that this can be attributed to the liberalisation of the industry without paying due attention to working conditions.

Atypical or precarious work in aviation includes the excessive use of agency work, zero-hours contracts, two-tier employment standards (in which older employees maintain their decent working conditions when their newly hired colleagues have much worse conditions and standards), the hiring of third-country nationals who work on board of EU-registered airplanes but with working conditions from their country of origin, bogus self-employment or pay-to-fly. Letter box companies and virtual airlines are developing as well.

ETF promotes direct employment and requests Equality of treatment for all the workers.

Does the Commission aviation package address these issues? No!

In the ground handling sector, workers' jobs are still not protected in case of call for tenders or partial loss of activities.

For aircrew, the ETF requests a better regulation on the issue of homebase. We want the Commission to pin down the relationship between the homebase and the labour law and social security applicable and therefore to amend the definition of home base in Regulation (EU) 83/2014 and Regulation (EC) No 465/2012.

The current EU immigration legislation also provides less protection for mobile staff than for any other group of workers. In order to guarantee equal working conditions, we need to extend the validity of residence and work permits to third-country crewmembers working on board of EU-registered airplanes and therefore to extend the scope of Directive 2011/98/EU (Single Permit Directive).

Let me shortly address the method of the Commission.

Chapter 6.3 of the tool 10 'Stakeholder consultation in the context of impact assessment guidelines' of the Commission 'Better Regulation' states the following:

'Sectoral social dialogue committees, for the sector of activity for which they are established, should be consulted on developments at Union level having social implications. Commission should therefore verify whether its initiatives will create social implications for a sector for which a sectoral social dialogue committee exists. If that is the case, a consultation of the committee should be organised with the assistance of DG EMPL'.

Commission publishes a revision of the EASA Basic Regulation (which has social implications) and we are informed that Commission will present a revision of Regulation 868/2004 concerning protection against subsidization and unfair practices (which will also have social implications in terms of jobs). **The Aviation Social Dialogue Committee has never been consulted on these 2 important dossiers.**

Therefore, when the Commission announces a strengthening role of the Social Dialogue Committee, the first thing to be done is to consult it. In addition, Commission reduced the number of financed Social Dialogue meetings.

In conclusion, globalization, environment, demographic changes, digitalisation and new business models disrupt the aviation labor market. New business models are emerging, distortions of competition are sought and practiced by some companies, cheaters abuse and unscrupulous companies use all the tricks to circumvent social and fiscal legislation. Precariousness and job insecurity spread all over Europe and globally as well.

On 4 June 2015, at the European high-level conference on social agenda for transport, the ETF was encouraged by Commissioner Bulc who stated that social dumping has no place in the EU. Ten months after, **ETF sees that no action in this direction has been taken** by the Commission and the difficulties of the workers are bigger and bigger.

Therefore the ETF strongly calls the Commission to regulate the EU aviation market, to stop precarious work, to set up a framework favoring the creation of quality jobs and to establish the equal treatment for all!

Thank you.

François Ballesterio
Political Secretary