

International Transport Workers Federation

Air Traffic Services Committee Meeting

Madrid, 5 March 2014

Draft Report

Present: Please see the attached participation List (Annex 1).

Chair: Greg Myles (CATCA, Canada)

Secretariat: Joe McGee, Kemal Ulker

Agenda Item 1. Introductions and opening remarks

1. The Chair welcomed the participants to the meeting.

Agenda Item 2. Adoption of the provisional agenda

2. The Chair suggested that the Committee should take agenda items regarding international relations in the afternoon. He also recommended that the item on ICAO should be extended to include the recent follow-up meeting of the ILO GDF. With these changes, the agenda was accepted.

Agenda Item 3. Adoption of the previous report

3. The Report of the previous meeting held in June 2013 was adopted unanimously.

Agenda Item 4. Report and follow-up to the ICAO Assembly and follow-up on the ILO Global Dialogue Forum

4. Assistant Section Secretary presented a report about the work that has been undertaken regarding the 38th ICAO General Assembly.
5. Assistant Section Secretary provided an overview of the seven working papers presented by the ITF delegation at the ICAO General Assembly. He pointed out that these working papers were based on the technical support coming from the Section Committees as well as the continuation of our past work.
6. The cabin air quality proposal, presented evidence that inflight exposure to oil fumes sourced to the aircraft air supply system can compromise flight safety when crew members experience acute symptoms that either slow their reaction time or impair their decision-making abilities. This working paper was introduced together with IFALPA and enjoyed a high level of support.

7. The working paper on-board child restraints argued that to achieve one level of safety for baby travellers, regulations that permit occupants under the age of two from being carried on the lap of an adult without any restraint should be eliminated. This proposal, together with a similar work paper from the USA had a high level of support.
8. The ITF asked ICAO to monitor the implementation of just culture and non punitive reporting systems in member States and to include providing support and assistance to those member States that have yet to implement such systems. Australia, Korea, Brazil and the USA introduced similar papers that, together with the ITF's, they all had a high level of support.
9. FOC practices in aviation working paper reviewed the major effects of aviation deregulation and liberalisation with particular attention to civil aviation workers and. The paper asked ICAO to include the ITF in all future discussions that will be held on liberalisation. With this proposal, the ITF delegation managed to keep the reassurance from 6th Conference of our involvement in all discussions concerning liberalisation.
10. The ITF delegation demanded labour rights in fast growing airlines like Emirates, Etihad and Qatar Airways. As the delegation couldn't name countries, this expression was used. This was a controversial paper. In order to avoid a counter attack the ITF delegation turned it into an information paper. Nevertheless, the Commission noted the information provided and kept an appropriate record of it.
11. Assistant Secretary added that the Section work on Qatar has attracted a considerable media attention. The Secretariat has received numerous emails from Qatar Airways workers so far, and it is in the process of building a network that can be used in the future.
12. On airport infrastructure, the ITF delegation invited the Assembly to note the points of consensus relating to a sustainable aviation industry agreed at the recent ILO GDF, and to consider amending ICAO Doc 9082 to include the adoption of the "principles of non-discrimination, cost-relatedness, transparency and consultation with users, and worker and professional representatives in their national legislation, regulation or policies, as well as in air service's agreements, to ensure compliance by airports and air navigation services providers." The ITF delegation tried to bring the ILO onto the scene. This paper wasn't supported, although there was recognition of the need to enhance social dialogue.
13. On air pollution in airports, the ITF delegation proposed that ICAO should recognize that worker's exposure to ultrafine exhaust particles from aircraft and diesel engines in airports is an urgent and overlooked work. The ITF delegation urged ICAO to incorporate air pollution created by diesel engines into its policies and practices related to environmental protection of noise and local air quality. The paper was supported and sent to the Committee on Aviation Environmental Protection where the affiliates will need to ensure that the proposal will have a proper follow up.
14. The ITF's ATS Consultant emphasised the importance of the successful work that has been done by the ITF delegation and the Section Secretariat. He provided detailed information regarding the background of the Assembly.
15. He also informed the Committee regarding the work done by the Section to "kill" Qatar's bid to move the headquarters of ICAO from Montreal to Doha.
16. The Chair and the ATS Consultant highlighted that to turn this breakthrough into tangible results aviation unions should lobby their governments intensively.
17. Representatives of the PCS from Great Britain explained the situation on airport charges and the impact on jobs. They gave Heathrow as an example where the airport company was

under pressure from airlines and regulators. They pointed out that this has led to job cuts and attacks on terms and conditions of ATCs. It was the other UK Union.

18. Gauthier Sturtzer (France – CGT) thanked the delegation for all their work at the Assembly. He offered to help and actively take part in the Section's future ICAO work.
19. The ETF's ATM Committee Chair Riccardo Rubini reported on just culture developments in the European Union. He noted that in February 2014, the European Parliament adopted the compromise text agreed by the Commission, the Council and the Parliament on the new European occurrence reporting Regulation. The ETF is happy with this outcome as the Regulation represents a positive step forward in the creation of a just culture and will drive safety improvement throughout aviation in Europe. This was mainly achieved with the removal of the vague terminology of Gross Negligence from the Just Culture definition.
20. The Chair pointed out that this was an important victory.
21. The ATS Consultant reported on the ILO GDF ad hoc follow up meeting outcome. He explained the ITF's disappointment on the lack of progress, particularly in relation to the closer working relationship between the ILO and ICAO.
22. He explained that the Director-General of the ILO was invited to consult with the Secretary General of the ICAO on ways of strengthening cooperation between ICAO and the ILO on matters of common interest, and to discuss the 1953 Memorandum of Understanding between the two organizations with a view to its updating in order to take account of developments in the civil aviation industry. Guy Ryder has already started this process. However, it has been progressing rather slowly due to substantial resistance of ICAO.
23. The Forum recommended the ILO to engage in action-oriented research and dissemination of relevant information on trends and developments in civil aviation industry. This recommendation is mainly about the emergence of FOC practices in civil aviation industry. On this issue, ICAO is quite reluctant and the ITF asked the ILO to take the further steps on its own.
24. The Forum had also agreed that the ILO was tasked to take the Points of Consensus to ICAO to try and to ensure that ICAO takes into account social issues. This has been accomplished, but ICAO's indifference is as strong as ever.
25. ATS Consultant gave some lively examples regarding the dismissive attitude of several ICAO representatives towards working with the ILO on separate occasions.
26. The Chair introduced the subject of capacity building, which was also one of the items presented to the ILO GDF. He explained that the idea was try to build capacity in negotiations and industrial relations in the ANS sector.
27. Richard Landerville (Executive Board Member at Skycontrol) explained how having support and input from the ITF had improved matters within Skyguide. He went on to explain that he was now going to try to bring four unions in Switzerland together.

Agenda Item 5. Preparations for the Congress

28. Assistant Secretary introduced the Congress Theme Document and the Section's Work Programme. A discussion took place on some of the specific items and how these items would relate to the work of the ATS Committee.

29. Assistant Secretary reminded the Committee that at the next Congress, the Section will have less time (a bit more than a half day) available for the Section Conference. He also noted that there would be two civil aviation side events.
30. He drew attention to the Congress Theme Document prepared by the EB. He suggested that the Committee members should reflect on it and formulate their views.
31. The Chair took the opportunity to explain that as a result of his retirement from the Canadian Air Traffic Control Association (CATCA), he would be standing down from his post of Chair of the ATS Committee. He also explained that CATCA would be nominating Paul Winstanley at the ITF Congress. The National Air Traffic Controllers Association (NATCA - USA) indicated that they would be seconding that nomination.

Agenda Item 6. International relations; IFATCA, IFATSEA and CANSO

31. Assistant Secretary introduced the relations with IFATSEA. Last year in September he attended 43rd General Assembly of IFATSEA, and he emphasised the need of working together there. He explained that IFATSEA was going through restructuring and changed its constitution accordingly.
32. There was a short discussion regarding the establishment of the ad hoc MRO Steering Group. Assistant Secretary mentioned that affiliates representing ATSEPs can take part in this new ad hoc body.
33. The Chair introduced a general overview of the relationship between the ITF and IFATCA.
34. ATS Consultant explained the ongoing problems inside IFATCA.
35. Riccardo Rubini updated the Committee regarding the relations in Europe.
36. Richard D'Almedia (Synatramac-Benin) gave an explanation on the positive developments in ASECNA and how the ITF had helped with regards to reviving the FESTA (Federation of Workers' Unions of ASECNA). He pointed out that many ATCO organisations are members of IFATCA. The FESTA is now looking at expanding itself into English speaking African countries such as Nigeria. He explained that countries that have more than one union they have elections to decide on two representatives.
37. After a discussion, the Committee agreed that the ITF should try to meet with CANSO. Section Secretary and Section ATS Consultant will increase their efforts to this end.

Agenda Item 7. Update on SESAR and NextGen

38. Riccardo Rubbini updated the Committee on SESAR and the ETF's work to include social provisions to it. There is to be SESAR2, which will run to 2020 -deployment phase (2013-2020).
39. He explained that the EU had launched a PCP (Pilot Common Project) a draft regulation to implement a first package of SESAR outcome. It was composed by 4+2 (the 2 were pending items) to be deployed and industrialized in the close future. The ETF welcomed the will to transform, in reality, many years of activities.
40. The selected items didn't appear to have a social impact, but some of them would have an operational impact and the way they were described in the draft show us that this impact has been underestimated.

41. The ETF is stressing that some of the selected items are not mature enough to be deployed, and not yet validated in the SESAR.
42. In particular, the DCT (Direct route) and FRA (Free Route Airspace) were not well presented, and we see an unrealistic target in terms of horizontal and vertical extension.
43. In the draft, it was also not included the training plan, safety impact.
44. Safety automatic tools that could mitigate the safety impact (conflict detection, and others) were not included as a prerequisite for these innovations.
45. The ETF expressed our concern in the consultation process, and have agreed with CANSO (and the ETF has prepared the draft text) to have a joint expression.
46. Patricia Gilbert (NATCA-USA) explained the recent situation and the developments regarding NextGen.
47. She also informed the Committee on Optimization of Airspace & Procedures in the Metroplex (OAPM), Time Based Flow Management (TBFM), Data Communications (DataComm), Surveillance Broadcast Services, Terminal Automation Modernization & Replacement (TAMR), En Route Automation Modernization (ERAM), and Wake Turbulence Re-Categorization.
48. She highlighted that NATCA was involved in all aspects of the process as an essential stakeholder. In addition to being present on NextGen projects, NATCA was also represented as a member of the Radio Technical Commission for Aeronautics (RTCA), the FAA Management Advisory Council (MAC), and the NextGen Advisory Committee (NAC). (The details of her report can be found in Annex 2)

Agenda Item 8: Organising projects

49. The Committee noted that there are a number of projects are ongoing. The Committee agreed to have a more detailed discussion on this topic after the Congress.

Agenda Item 9: Right to strike and Minimum Service Level agreements

50. The ATS Consultant introduced the paper on minimum service levels and the right to strike.
51. He explained that the ILO does recognise that the right to strike could be restricted or even prohibited by governments in essential services. However, this is only where stoppages would mean a serious threat to life, personal safety or health. Hospital, utilities supply and telephone services can be designated as essential. However, in the transport sector, the ILO has identified only air traffic control, when this service is essential to guarantee air safety. In all other areas of transport operation, the strict sense of the term “essential services” does not apply.
52. He also pointed out that governments have been more and more using minimum services legislation to restrict transport workers’ rights. The ILO says that minimum service levels can be laid down in the event of a strike but only where “life or normal living conditions” are endangered, and trade unions should participate in defining the level of minimum service.
53. After providing this background information, he emphasised a number of decisions regarding the Minimum Service Levels that could apply.

54. It was also pointed out that this issue was of wider significance to the section then just to the ATS Committee and that the paper had been prepared by the ATS Consultant and the Assistant Section Secretary because of the concerns across the section.
55. It was agreed that affiliates would report back on the situation regarding the current minimum service level rules and would seek to challenge them. It was also agreed that a representative should be invited to the next meeting of the Committee or to the next meeting of the Section.

Agenda Item 10: Any other business

56. The ATS Consultant explained the recent developments regarding the Latvian trade union leader Ausra Straume.
57. After sending of a letter on behalf of her union regarding issues (such as training, rest times and fatigue) of ATS personnel in Latvia, in March 2012 Sister Straume was suspended from her ATCO duty. Furthermore, a disciplinary investigation was initiated against her.
58. Riccardo Rubini informed the Committee regarding the ETF's efforts to find a solution to this dispute.
59. The Committee decided to recommend the ITF and the ETF to send a joint letter to the President of Latvia.
60. Milorad Milanovic (Trade Union of the Workers of Traffic and Communications – Macedonia) explained he and his colleague Vladimir Risteski, both leaders of the union have been illegally dismissed on 31 May 2102 for expressing their views regarding the outcome of the collective bargaining agreement negotiations, and conditions and wages of their members.
61. The accusations against them were ridiculous and obviously made up to prevent them from exercising their legitimate trade union rights. Leaders of the SRSVM appealed to court and after a long and cumbersome process the Court ordered the reinstatement of both leaders.
62. However, their employer "MNAV Stock Company Skopje" refused to carry out the verdict of the Appellate Court and misused a technicality to deprive them from doing their work. For months, they have been forced to go work, stay idle and leave their workplace at the end of the working day. This attitude constitutes workplace psychological harassment.
63. The Committee decided to recommend the ITF to send a letter to President of Macedonia in coordination with the ETF assistant general Secretary Ekaterina Yordanova.
64. Regarding both disputes, the Committee decided to recommend the Secretariat to take further action if needed.