

## Who are we?

The European Transport Workers' Federation (ETF) represents more than 270,000 civil aviation workers from 81 trade unions located in 42 European countries. We are a recognized social partners and the only representative of aviation workers across all sub-sectors (air traffic management, aircrew, ground handling, maintenance, etc.).

## Introduction

Among other activities, the ETF has always been very committed to work with the European Aviation Safety Agency (EASA). Our representatives play an important role in the various EASA bodies. Based on the reasons above, we closely watch the proposed revision of the EASA Basic Regulation which is part of the Commission 'Aviation Strategy for Europe'. We believe that based on their on-the-job expertise, aviation workers as an important part of the aviation industry should get a more central role in EASA. This will also contribute to the overall goal of keeping the high and uniform level of safety throughout Europe. With these goals in mind, we have carefully analysed the state of play of the proposed revision. While we recognize that a number of points have been improved, there are still issues that need to be addressed. The aim of this document is to highlight the ETF priorities on this subject:

### 1. Interdependencies between safety and socio-economic factors

The ETF has carried out and/or participated in a number of studies which conclude that there is a direct link between safety and socio-economic factors. In other words, some safety rules developed by EASA do have a strong impact on workers' social conditions, as well as health & safety at work and vice versa. In this respect, we are happy to see that the TRAN Committee proposed a new article on socio-economic factors that would mandate EASA to address the interdependencies between safety and socio-economic factors. In addition, consultation mechanisms on effects of safety-related rules on social and health & safety should be established involving social partners both at EU and national level. We also support the proposal to ban pay-to-fly. However, we need to insist on the concrete proposals with regards to atypical employment, such as percentage limits and/or ban of the worst types of atypical employment, which may have safety consequences.

### 2. Cabin Crew Licensing

Cabin crew are first responders to emergency and an important part of the aviation safety chain. Therefore, the introduction of a cabin crew licensing scheme has been a long-standing claim of the ETF and its affiliates. While we acknowledge that the TRAN Committee proposed cabin crew certificate (as opposed to mere attestation), we still believe that there should be no "political" compromise over safety issues and cabin crew should hold a license issued by the competent authority. This would also facilitate free movement of workers among EU countries.

### 3. Ground handling

The TRAN supported the idea to include ground handling into the scope of EASA as proposed by the Commission. However, ETF proposals aiming at certification of staff and providers have not been reflected. Instead, EASA is invited to "rely in industrial standards". As the only representative of ground staff workers at EU level, the ETF welcomes the fact that ground handling has been included in the scope of this Regulation. However, we reject this 'light' approach of declaring compliance and relying only on existing industrial standards. We believe that both ground handling providers and personnel should be certified. Furthermore, the essential requirements included in Annex VII should be more developed and detailed, mainly in terms of training standards and qualifications as a mean to reduce the staff turnover having negative effects on the aviation safety chain.

### 4. Air Traffic Management – minimum services

The issue of minimum services in air traffic management has not been in the scope of the Commission proposal. Regrettably, it has been introduced through several amendments supported by the TRAN Committee. As ETF, we would like to stress that this issue has no safety relevance but tries to impose limitations on strikes via the "back door". The EU treaties clearly indicate that regulating the right of strike is a prerogative of the Member States. The right of strike is one of the fundamental social rights and as such, it belongs to modern society. Strikes and/or industrial actions are always the expression of social difficulties, e.g. the negative impact of the SES Performance Scheme, and inadequate social dialogue. In addition, experience from countries where minimum services exist show that they are not efficient to address the industrial actions.

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## 5. Flexibility provisions

As the name suggests, flexibility provisions allow Member States to grant exemptions from the substantive requirements (Chapter III of the Regulation) and/or to the implementing acts adopted on their basis. According to the current Regulation (EC) 216/2008, this is however limited to two months. The ETF is strongly opposed to the Commission proposal to extend this limit to eight months as this will have serious impact on the uniform application of the regulation and level playing field among the operators. Therefore, we support the TRAN amendments reducing the limit back to two months. The recent use of Article 14 Flexibility Provisions to delay the implementation of flight time limitations (FTL) has demonstrated the possible misuse.

## 6. No digital blackbox

We are concerned as everyone in the industry, by the difficulties to locate and find blackbox in some recent accidents. Some Industrials' proposals to enhance blackbox with ejection and floating capabilities black box should mitigate this issue. But a digital blackbox, meaning real-time transmission, raises a lot of questions with regards to cyber-security, data protection and dubious safety. The number of fatal accident is decreasing and the location issue has been raised in only 2 accidents during the 2 last decades. Therefore, ETF is of the view that this does not merit to change the paradigm of data recording and rise a controversial proposal based on privacy and confidentiality breach.

## 7. Transfer of responsibilities for multinational operators

The ETF position is against the transfer of responsibilities for multinational operations, mainly because EASA has yet to demonstrate extensive competence for oversight and enforcement on the front line of aviation; there is a risk that operators could try to escape from stringent national rules. Unfortunately, this view has not been reflected in the TRAN Committee which supported the transfer mechanism. Therefore – as an absolute minimum – there must be an obligatory consent of the national aviation authority transferring its competences to EASA.

## 8. Changes to Regulation 1008/2008 – wet-leasing

In the original proposal, the Commission tried to introduce changes to Regulation (EC) 1008/2008, namely in terms of wet-leasing. Given the fact that this regulation will be subject to a separate assessment, we believe that there should be no change implemented at this stage. We are happy to see that the TRAN Committee has taken the same view and supported the deletion of the corresponding article.

## 9. Public flight cost sharing

*Uberisation* is detrimental to working conditions and increases the precariousness of workers. EASA recognizes that the safety risk in general aviation is one thousand times higher than in commercial air transport. In line with the principle of 'one sky = one safety', there is an urgent need to address the practice of public flight cost sharing and clarify the definition of commercial air transport versus private air transport following ICAO Annex VI and the FAA interpretation. It means that a transportation activity open to the general public needs to comply with Commercial Air Transport rules: professional pilot and Air Operator Certificate (AOC).

## 10. Funding of EASA

En-route charges paid by airlines to Eurocontrol to finance the ATM/ANS service provision should not deviate from their initial aim. ETF considers crucial to keep transparency in the cost of ATM, which is already under extreme pressure to be reduced through the performance scheme introduced by SES 2. Allowing EASA access to those charges would adversely affect this objective. Without prejudice to the existing arrangements for certification, EASA, when establishing regulations, provides a public service to be financed by the general EU-budget.

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