



EUROPEAN COMMISSION

DG Employment, Social Affairs and Inclusion

Employment and Social Legislation, Social Dialogue
Social dialogue, Industrial Relations

Brussels, 24 February 2011

**SECTORAL DIALOGUE
COMMITTEE
CIVIL AVIATION**

Minutes of the ATM working group meeting

25 November 2010

Chair: morning: Mr Martis (employers), afternoon: Mr Etienne (workers)

1. Adoption of the agenda and approval of the minutes from the last meeting

Participants introduced themselves. There was a brief exchange between the parties on the situation of ATM in Europe and the need for a better common understanding and cooperation. The agenda was adopted with one addition under point 3 (report from the 27 September ad hoc meeting). The minutes of the 24 June meeting were adopted.

2. ATM work programme

Based on the results of the FAB survey and the four items identified at the ad hoc meeting of 27 September, a draft work programme for the working group had been established together. CANSO came back on the first point (with five sub-points), declaring they would prefer not to pick individual elements but use the wording of the survey's key findings as a whole. This led to a discussion on the work done on 27 September where the nine key findings had been jointly analysed (some of them being pure facts). It was decided to sort the problem out during the break. The working group accepted the final version of the long-term agenda at the end of the meeting (see annex).

CANSO also gave their members' feedback on a possible new FAB conference: instead of limiting oneself to FABs, one should cover all social aspects of the SES II implementation, including FABs. The workers' side found the suggestion interesting but pleaded for a format which could be productive and allow for participants to get answers during the conference. CANSO would organise a telephone conference with the workers' side on 3 December to discuss this further.

The social partners also discussed the meaning of the 5th pillar, referring to the 25 March 2009 Statement by the Commission on the importance of the human factor related to the Single European Sky¹. The representative of DG MOVE specified that the human factor was not a separate pillar but of horizontal nature, i.e. relevant for each pillar. The social

¹ http://ec.europa.eu/transport/air/single_european_sky/doc/2009_03_25_commission_statement.pdf

partners considered it important to define it and to come to a common understanding, possibly by setting up a subgroup (can be integrated in the work programme of the planned social dialogue project proposal). Apparently, EASA had asked Eurocontrol to carry out a study on human factors. It was agreed to discuss this matter at the telephone conference, too.

3. Follow-up of the workshop of 5 February 2010

The social partners assessed their partnership after the ATM social dialogue workshop of February. CANSO considered the relationship was better and that it went in the right direction. ETF also thought that the dialogue was moving on even though the workers' side considered that there was not enough joint action. The chair (employers) underlined that against the background of the huge transformation process ahead, it was crucial to understand what the other side was talking about. The workers' side agreed to put a follow-up point on the agenda of each meeting to "feel the temperature" of the partnership.

4. Information from DG Mobility and Transport

Ms Thomas (DG MOVE) informed the participants on the state of play with regard to the establishment of a "Consultative expert group on the social dimension of the single European sky". The file was now ready to be launched by the Cabinet for adoption by written procedure. Given the time elapsed since the first discussion of the draft, in particular in comparison with the time needed for the adoption of the whole single European sky II package (two years), ATCEUC wondered whether the Commission had the political will to create the group in the end. ETF and CANSO shared this frustration. More than frustration, ETF expressed unhappiness about the situation where in the end concrete implementing rules from SES II package were adopted without consultation of this group. The three organisations decided to send a joint letter to Commissioner Kallas raising his awareness of the negative consequences should the group not be created. ECA announced their support for such a letter, too².

The Commission representative informed further on developments related to the performance targets (possibly to be adopted by the Single Sky Committee on 3 December), the network manager/guidance material (to be adopted in January 2011), and SESAR (task force for better governance). ETF and ATCEUC stated that the consultation on the performance scheme had not been appropriate. The workers' side expressed its wish to be consulted on the FAB guidance material.

5. Social implications of the adoption of the performance targets

ATCEUC reiterated that these targets would have a huge impact on workers, especially ATCOs and ATSEPs. Unfortunately, social dialogue was not properly working in some countries. ATCEUC therefore called upon CANSO to make sure their members hold a real social dialogue at national level and do not impose changes unilaterally. The workers' side was interested to discuss the safety targets with CANSO. CANSO expressed their commitment to make the performance scheme work; the next step would be for Member States to issue national performance plans. For CANSO, the main

² The joint letter was sent on 30 November 2010. The Commission Decision C(2010) 9016 on the establishment of the consultative expert group was adopted on 20 December 2010.

problem was the capacity target. ETF, for which the national plans would be crucial too, said they would welcome to hear the outcome of CANSO's internal discussion on the plans. The workers' side stressed the fact that we were at the beginning of a consultation process on target setting and that the workers' side did not accept the Commission target adopted at the last Single Sky Committee. The workers' side stressed the importance of workers to be included in the preparation of the national performance plans. ETF and ATCEUC expressed their doubt about the second targets, especially their impact on safety. CANSO reassured the workers' side that they would not hesitate to tell the Commission if other targets were to put safety at threat.

6. EASA working groups and discussion about a possible joint approach

Mr Engelstad (EASA, Rulemaking Officer – Operations) made a presentation of EASA's on-going on ATM/ANS (see slide presentation), talking amongst others about the three ATM rulemaking groups and the rulemaking process³. The exchange with the EASA representative focussed on the following subjects: social partner organisations represented within EASA' working groups as technical experts, not as social partners; the difference between EASA's regulatory impact assessments (RIA) and the Commission's usual impact assessments (IA) accompanying legislative proposals⁴; the concept of principle place of business vs. principle place of operation; how to best put in place a process allowing for proper consultation of social partners. Mr Engelstad was open for joint proposals coming from the social partners, for instance relating to the terms of reference of ATM.001 working group which could probably be updated, or to a memorandum of understanding, which was considered by the Agency to be the most appropriate option. It would however not be possible that EASA be bound by a social partner text in the future. He also said that the social partners should avoid discrepancies between contributions made by their representatives in the working groups on the one hand and by social partner joint opinions on the other hand. Both sides of industry agreed that they needed to further discuss amongst themselves what solution would be desirable. They would come back to the Agency afterwards.

7. Any other business

The next meetings are planned for 24 February and 23 June 2011 (tbc).

³ See also <http://easa.europa.eu/rulemaking/rulemaking-directorate.php>

⁴ http://ec.europa.eu/governance/impact/index_en.htm

Annex: Long-term agenda:

1. Follow up the conclusions of the FAB survey; priority consideration will be given to the following key findings:
 - a. joint definitions on involvement levels are needed
 - b. facilities problem (for consultation)
 - c. problems in the setting-up of consultation arrangements
 - d. Social Dialogue needs to be reinforced in the implementation phases
2. Create a common understanding (based on the Palermo report) on the definition of 5th pillar and on its implementation/consequences in the ATM industry
3. Prepare joint input on the social aspects of EASA work on ATM
4. Monitor the significant social implications of the SES II implementation measures

List of participants 25 November 2010

<p><u>Employers (7 ♂, 4 ♀)</u></p> <p><i>CANSO:</i> Ms Aiello (IT) Ms Bender (DE) Mr Cazalis (FR) Mr Cerny (CZ) Mr Harperink (NL) Mr Liu (NL) Mr Martis (<i>CANSO</i>) Mr Muir (UK) Ms Rullier (<i>CANSO</i>) Mr Schöneck (HU) Ms Willert (DE)</p>	<p><u>Workers(20 ♂, 1 ♀)</u></p> <p><i>ETF:</i> Mr Antoniani (IT) Mr Ballestero (<i>ETF</i>) Mr Etienne (FR) Mr Fischer (DE) Mr Gautrey (UK) Mr Graham (UK) Mr Joffrin (FR) Mr King (UK) Mr Lakatos (HU) Mr Liorzou (FR) Mr Markov (BG) Mr Martynek (PL) Mr Mooney (<i>IFATSEA</i>) Mr Payr (AT) Mr Rubini (IT)</p> <p><i>ATCEUC:</i> Mr Burgues (<i>ATCEUC</i>) Ms Leoni (IT) Mr Radu (RO) Mr Sacchetti (IT) Mr Wörz (<i>IFATCA</i>)</p> <p><i>ECA:</i> Mr Michel (<i>ECA</i>)</p>
<p style="text-align: center;"><u>European Commission</u></p> <p style="text-align: center;">Ms Durst (DG EMPL) Ms Thomas (DG MOVE)</p>	
<p style="text-align: center;"><u>Others</u></p> <p style="text-align: center;">Mr Engelstad (European Aviation Safety Agency, EASA)</p>	