



EUROPEAN COMMISSION  
DG Employment, Social Affairs and Inclusion

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

**SECTORAL DIALOGUE  
COMMITTEE  
CIVIL AVIATION**

**Minutes of the plenary meeting**

**22 June 2017**

Chair: Michael Collins (workers)

**1. Adoption of the agenda**

The draft agenda was adopted.

**2. Adoption of the minutes of the last plenary meeting**

Minutes of the plenary meeting on 16 June 2016 were adopted.

**3. Report from the working groups**

**3.1. Air Traffic Management**

ETF presented the outcomes of the 2015 ATM project<sup>1</sup> and the final conference in Bratislava (September 2016). At this occasion the social partners adopted a joint declaration<sup>2</sup> promoting notably the wide dissemination of the *Toolbox for Successful Social Dialogue in ATM*<sup>3</sup> at grassroots level. Other results of the project are the *Just Culture toolkit* and the *Task Safety Impact Assessment Tool (TSIAT)* produced jointly by the social partners for assessing and quantifying the safety impact of tasks on the ATM/ANS system. The social partners also intend to work with EASA on these topics.

CANSO presented the joint project launched in 2017 "*Reinforcement of Social Dialogue in the field of Air Traffic Management (ATM)*"<sup>4</sup> which focuses on the social impact deriving from the introduction of new technologies in ATM, addresses the social implications of SESAR and continues the work in progress on just culture. The 1<sup>st</sup> roundtable took place in May 2017 about change management in view of the third

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<sup>1</sup> VS/2015/0041

<sup>2</sup> <http://ec.europa.eu/social/BlobServlet?mode=dsw&docId=11673&langId=en>

<sup>3</sup> <https://www.google.be/url?sa=t&rct=j&q=&esrc=s&source=web&cd=2&cad=rja&uact=8&ved=0ahUKEwj757Du8ezVAhXBI1AKHZFkC8YQFggrMAE&url=http%3A%2F%2Fwww.atceuc.org%2Fuploads%2Fdocs%2Fbrochure-atceuc-canso-etf-toolbox-march-2016.pdf&usg=AFQjCNF-gkh25VwNdQQ3HtDPsdAhLthmjQ>

<sup>4</sup> VS/2015/0342

[www.ec.europa.eu/socialdialogue](http://www.ec.europa.eu/socialdialogue)

reference period (RP3) of the SES Performance and Charging Schemes. The project will end in October 2018.

In addition, ETF indicated that a new proposed project was submitted under the 2017 call for proposals in order to further disseminate the *Toolbox for Successful Social Dialogue in ATM* in the Member States, in line with the Commission's communication "Open and connected Europe". The results of the selection process should be known by the end of the year.

### **3.2. Ground handling**

ETF reported on the implementation of the "Ground Handling Social Dialogue Support" project<sup>5</sup> taking place in the context of the assessment, by the Commission, of the 1996 Directive on Ground handling and the inclusion of ground handling in the framework of EASA. The social partners have conducted a survey to gather data on the functioning of the Directive which was presented at the final conference in Copenhagen in April 2017. The conclusions of the conference<sup>6</sup> underline notably the need for common rules to ensure a level playing field, quality of services and safety issues (see also point 5). As the Commission announced that the evaluation of the Directive is only foreseen to start at the end of 2017, the social partners decided to continue to work on the presentation of the results in their final report (foreseen for October 2017).

### **3.3. Air Crew**

ECA explained that due to the absence of the representatives of the airlines in the SSDC it was not possible to progress last year on social dialogue issues. A proposal for continuing the work in 2017 will be suggested to the employers' organisations (see point 6).

## **4. Status Quo of the European Social Partners in the airline industry**

Sylvie Finné (DG EMPL) introduced the subject and indicated that following the cessation of the Association of the European Airlines' (AEA) activities, different Airlines' organisations or companies have contacted the Commission regarding the replacement of AEA as European social partners' organisations in the SSDC. The Commission has always expressed that it is important to have a well-functioning committee, with the most representative organisations involved. The role of the Commission in the process is to ensure that the organisations members of a Sectoral Social Dialogue Committee are complying with the criteria fixed in the Commission Decision 98/500. In that context, the "Airline Coordination Platform" had introduced a request to attend the plenary meeting as observer in view of its application as a European social partner in the Civil Aviation SSDC. This request was accepted by the organisations members of the SSDC.

Hans Ollongren, Director, Head of Public & Regulatory Affairs and Alliances, SAS Scandinavian Airlines, presented the new organisation "Airline Coordination Platform", its membership, its purpose to represent the network carriers to deal with issues related to

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<sup>5</sup> VS/2015/0342

<sup>6</sup> <https://www.google.be/url?sa=t&rct=j&q=&esrc=s&source=web&cd=1&cad=rja&uact=8&ved=0ahUKEwj0sePb-zVAhVDnRoKHRAJDcYQFggmMAA&url=http%3A%2F%2Fwww.etf-europe.org%2Ffiles%2Fextranet%2F-75%2F47437%2Fjoint%2520conclusions%2520GH%2520conf%2520CPH%2520280417.pdf&usg=AFQjCNGSsoo2Tc5PtYcMZgM0qXeqw2bJ-w>

external relations and social issues; its positions on social issues and its contribution to the social dialogue.

Both sides of the social partners welcomed that part of the Airline industry is willing to participate in the European social dialogue. However the members also raised several questions related to the governance and the possible conflicting positions with some members of A4E (European Airline for Europe) having a very strong competition agenda and taking positions against the social dialogue. Members of the SSDC wondered whether the individual airlines members of A4E would influence the decisions taken by the "Airline Coordination Platform" regarding social issues. The delegations stressed the need for a genuine social dialogue, involving responsibility and trust among partners. Hans Ollongren, responded that it would not have conflict of interest and that the "Airline Coordination Platform" would meet the criteria of Commission Decision 98/500.

Sylvie Finné indicated that the Commission has not yet received a formal application from the "Airline Coordination Platform" explaining how the criteria will be met and indicating the recognisance of the "Airline Coordination Platform" as a social partner by the other members of the SSDC. She also indicated that one of the issues that is analysed through the representativeness studies carried out by EUROFOUND is whether the organisations have a proper mandate to represent their membership's organisations in the SSDC.

It was concluded that the participation of the "Airline Coordination Platform", as informal observer, will be decided on an ad-hoc basis.

Koen Vermeir presented the changes affecting AIRE, the new name for IACA, which has increased its membership to 19 Airlines members. He stressed that the AIRE share the common European aviation area and it therefore aims to strive for good regulation in the EU, good governance, fairness, non-discrimination between airlines, ethical behaviour and sound economic justification. On this issue, some participants also stressed the need for the organisation to have a genuine interest and involvement in social dialogue, including in the working groups.

## **5. Meeting with the Commission (DG MOVE) notably on the implementation of "an Aviation Strategy for Europe" and the challenges at global level**

Filip Cornelis (Director ff. DG MOVE) presented the state of play of the recent initiatives in the field of civil aviation. He mentioned the recent Communication "Open and connected Europe" and its accompanying documents<sup>7</sup>, the revision of the EASA Regulation (216/2008), the Commission's proposal on safeguarding competition in air transport, and the repealing of Regulation (EC) No 868/2004<sup>8</sup>. He announced the upcoming evaluation of internal aviation market rules (1008/2008) that will include questions regarding the impact of operational bases of airlines, principal place of business and home base of air crews on employment and working conditions. He confirmed that the evaluation of the ground handling Directive (96/67/EC) is foreseen to be prepared from 2018. He also indicated that inputs from the European social partners to those evaluations will be welcomed.

There was a debate with Q&A with DG MOVE. The trade union organisations (ETF and ECA) reacted by expressing their strong disappointment and frustration concerning the

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<sup>7</sup> [https://ec.europa.eu/commission/news/open-and-connected-aviation-2017-jun-08\\_en](https://ec.europa.eu/commission/news/open-and-connected-aviation-2017-jun-08_en)

<sup>8</sup> <https://ec.europa.eu/transport/sites/transport/files/c20173712-guidelines-pso.pdf>

recent communication "Aviation: Open and Connected Europe" and the Commission's Staff Working Document on ATM service continuity<sup>9</sup>. ETF presented its declaration on this topic. The employers' organisation in the ATM sector (CANSO) also expressed its concerns that the Commission's intervention is disproportionate in an area in which the social dialogue is functioning well. Both sides of social partners' organisations insisted that engaging with the social dialogue implies for the Commission that it takes it seriously and consider the evidence already provided on the problematic working conditions issues in the aviation sector. The trade unions considered that the Commission is only paying attention to the position of some airlines.

The European employers' organisations consider that social dialogue offers a lot of opportunities to work towards common baselines for quality and training in ground handling to ensure a level playing field among operators. ASA and ACI (supported by ETF) also raised the issue of ground handling safety procedure (different safety requirements imposed by different carriers) and their concerns regarding the Council general approach on the Annex VII of the EASA Regulation 216/2008 whereby the aim of common safety standards would be defeated as airlines might still impose their own standards.

Filip Cornelis responded by underlining that the Commission's aviation strategy (December 2015) considers the employment and social dimensions. There are cases reported regarding misapplication of employment and social conditions in EU law. However, the application of EU law is a Member States responsibility. In that respect the Commission has published a *Practice Guide* on the relevant current legal provisions (including case law) on matters of private international law in the area of employment contracts. Regarding more particularly safety, EASA are continuously monitoring the effect of the new business models in aviation. Regarding social and employment issues, these should be addressed within the horizontal instruments such as the European Platform tackling undeclared work. Regarding the Commission's document on 'Practices favouring Air Traffic Management Service Continuity' he recalled the non-binding nature of the document and that it does not question the right to strike in any way. It provides a description of the impact of strikes in Air Traffic Management (ATM) and identifies existing practices favouring ATM service continuity observed in the Member States, and is presented for discussion within Member States, among Air Navigation Service Providers and stakeholders, including social partners. Therefore, the Commission sees no reason to withdraw the Staff Working Document. He also acknowledged the concerns regarding ground handling safety procedure adding that it should be ensured that ground handling is not lost from sight during the pending trilogue.

The debate with the Commission was animated but fruitful. The social partners thanked the Commission for the good discussion. To be noted that at the request of the trade unions, Commissioners BULC and THYSSEN will meet with ETUC, ETF and ECA on the 18 July 2017.

## **6. Adoption of the 2016-2018 work programme**

The work programme 2016-2018 was already adopted at the last plenary meeting; there are no changes in the activities foreseen<sup>10</sup>.

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<sup>9</sup> [https://ec.europa.eu/transport/modes/air/news/2017-06-08-aviation-open-and-connected-europe-jobs-growth-investment-and-global\\_en](https://ec.europa.eu/transport/modes/air/news/2017-06-08-aviation-open-and-connected-europe-jobs-growth-investment-and-global_en)

<sup>10</sup> <https://circabc.europa.eu/sd/a/4e649613-5a93-471c-9ccc-7f31baa31d9e/CivilAv-2016-2018-WP.pdf>

Regarding the work in the area of *Air Crew*, ECA and ETF proposed to relaunch the activities and notably to work on the abuses of the use of temporary agency; starting with an informal meeting where the airlines representatives will be invited (ERA, AIRE and "Airline Coordination Platform" as observer).

## **7. Election of the new Chair and vice-Chair**

G rard Borel, General Counsel for the Airport Council International (ACI) was nominated as the Chair of the SSDC for a mandate of two years. Otjan de Bruijn from European Cockpit Association (ECA) was nominated as vice-Chair.

The Committee thanked Michel Collins for his excellent service and very good chairing of the committee.

## **8. AOB**

- A draft letter to Commissioner BULC about a tweet in favour of the RYANAIR was submitted by the Trade Union to the employers' organisations which decided not to support this letter.

## List of participants 22 June 2017

<b>Employers: 11 (6 ♂, 5 ♀)</b>	<b>Workers: 37 (30 ♂, 7 ♀)</b>
<p><b>CANSO</b>            Mr Danilo Pisciotto (IT)            Ms Catherine Crocoll (CH)            Ms Sarah Paterson (UK)            Mr Owen Davies (UK)            Ms Aleksandra Skrypczak (PL)            Ms Edyta Marczyzn (PL)            Ms Agnieszka Byrt (PL)</p> <p><b>ACI</b>            Mr Gérard Borel (FR)</p> <p><b>ASA</b>            Mr Bob Schmitz (BE)</p> <p><b>AiRE</b>            Mr Koen Vermeir (BE)</p> <p><b>Airline coordination platform</b> (observer)            Mr Hans Ollongren (SV)</p>	<p><b>ETF</b>            Mr Michel Collins (SW) Chair SDC            Mr François Ballester (ETF secretariat)            Mr Josef Maurer (ETF secretariat)            Ms Anu Hietala (BE)            Mr Enrique Carmona (ES)            Mr Laurent Notebaert (FR)            Mr Charles-André Quesnel (FR)            Mr Didier Dague (FR)            Ms Audrey Vasseur-Delaye (FR)            Mr Christophe Laratte (FR)            Mr Alain Thromas (FR)            Ms Felicitas von der burg (DE)            Mr Robert Hengster (DE)            Ms Christina Pratl (AU)            Mr Antonio Furtado (PT)            Mr John Karsten Kristensen (DK)            Mr Simone De Cesare (IT)            Mr Michele Longano (IT)            Mr Mauro Mari (IT)            Mr Alberto Mazzei (IT)            Mr Luigi Mansi (IT)            Mr Chaker Nassar (SV)            Mr Jimmi Hall (SV)            Mr Juan Núñez Fuentés (ES)            Mr Jaime Quintana (ES)            Ms Rebecca Fawcus (ES)            Mr Kris Major (UK)            Mr Oliver Richardson (UK)            Mr Brian Norbury (UK)            Ms Antonia Panayotova-Sabeva (BG)</p> <p><b>ECA</b>            Mr Philip von Schoppenthau (DE)            Mr Ignacio Plaza (ECA secretariat)            Mr Jonathan Horne (UK)            Mr Stefano Piri (IT)            Mr Otto de Bruijn (NL)            Mr Dirk Polloczek (DE)            Ms Rosella Marasco (IT)</p>
<p><b>European Commission</b>            Mr Cornelis, acting director MOVE.E "Aviation and international transport affairs"            Ms Kere - DG MOVE.DDG2.E.3 "Single European sky"            Ms Siebert - DG MOVE.DDG2.E.1            Ms Nordahl – DG MOVE. DDG2.E.1            Mr Le Comte - DG MOVE.DDG2.E.1            Ms Rouissi - DG MOVE. DDG2.E.1            Ms Marin-Combeaud - DG MOVE.DDG1.B.5            Ms Finné (EMPL.A2 - Social dialogue)</p>	