



EUROPEAN COMMISSION  
DG Employment, Social Affairs and Inclusion

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

## SECTORAL DIALOGUE COMMITTEE

### Minutes of the plenary meeting

21 June 2019

Chair: Gérard Borel (employers)

#### 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 22 June 2018 were adopted.

#### 3. Decision on ACP and A4D as new members representing employers

The requests from the "Airline Coordination Platform" (ACP) and Airlines for Dialogue (A4D) to become member of the SSDC, within the aircrew working group were accepted by all members at the same time. Both organisations have introduced their application based on the principles governing the admission of new members defined by the Committee members. Their applications explain how they fulfil the criteria of the Commission Decision 98/500, confirm that their organisations are involved in and committed to social dialogue at national / company level with recognised workers' organisations and have the capacity to negotiate agreements. The applicants also guarantee that workers and/or trade union representatives enjoy the protections from any adverse treatment or adverse consequences due to exercising their functions.

The application's letters were signed by all members organisations.

The two organisations were warmly welcomed to join the SSDC aircrew working group.

#### 4. Report on the implementation of the SSDC Work Programme 2018-2020<sup>1</sup>

##### *a. General*

- ETF reported on the results of their survey on violence against women and third party violence in aviation. It was decided to build on the results of this survey to launch exchanges of good practices on how this issue is addressed in the airlines companies.

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<sup>1</sup> <https://circabc.europa.eu/sd/a/8df3a9fe-f429-447d-b3d2-4bb6b5a19d72/CivilAv-2018-2020-WP.pdf>

- ETF reported also about the cooperation with EASA on the implementation of the new Basic Regulation 2018/1139. It is foreseen the organisation of a specific meeting on security and social aspects as well as on specific aviation issues.

#### *b. Air crew*

- ECA/ETF reported on the Air Crew working group meeting from 19 December 2018, which aimed to discuss the issue of Temporary Workers Agencies. ECA also explained the state of play of a project submitted to the Commission through the call for proposals to support the social dialogue to support a study on “Should aircrew be declared posted? This project will analyse the legal situation of air crews, their contract and the impact on their relations with employees.

#### *c. Air Traffic Management*

- CANSO reported on the joint project “Reinforcement of the Social Dialogue in the field of ATM”<sup>2</sup>, the final event took place in Vienna on 2 – 3 October 2018, the social partners adopted a joint declaration<sup>3</sup>. To be mentioned in particular the finalisation of the Just Culture Toolbox, the developments under the Change Management Principles and Process, the meeting of the AsPRET (ATM social dialogue subgroup) with EASA on activities regarding the new basic Regulation and the joint declaration on psychoactive substances.
- ETF reported on the on-going project promotion of the Social Dialogue toolbox<sup>4</sup>, which had two meetings well attended, however due to structural issues, some countries did not have both sides represented, it is discussed how to improve the situation. It was also stressed that the promotion of the toolbox should contribute to reduce the industrial actions; however, this process would require longer-term cultural changes towards social dialogue and industrial actions. The final event is foreseen in Naples in September 2019.

#### *d. Ground handling*

- ACI reported on the development of standards on quality of services and discussions on quality training and documents drafted with the inputs of social partners. It is foreseen to strengthen exchanges of best practices.
- ETF also reported on the evaluation of the Ground Handling Directive, which should include the issues of transfer of staff.

### **5. Presentation of the project submitted for the implementation of Work Programme 2018-2020**

ETF presented the project submitted under the Commission’s call for proposals VP/2019/001 to support the social dialogue. The objective for the project is to support the implementation of the SSDC’s work programme. The aim is to have additional resources for the organisation of meetings and external expertise to continue and strengthen the work of the committee and to involve the new actors joining the committee. The project is foreseen to cover all the working groups activities as well as

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<sup>2</sup> Project VS/2016/0415

<sup>3</sup> <https://ec.europa.eu/social/main.jsp?catId=521&langId=en&agreementId=5564>

<sup>4</sup> Project VS/2017/0364

the general parts of the work programme. A steering committee will involve representatives of each SSDC's organisations.

Some organisations indicated that they would still contribute to the definition of the activities to be developed. The possibility to work on training, quality of pilot supply was mentioned by A4D; the trade union underlined the need to focus on social dialogue issues.

The selection of the projects by the Commission should be finalised by the end of 2019. Regarding the possibility to adapt the project's work programme, it is feasible with prior agreement by the Commission.

## **6. Information by the Commission (DG MOVE)**

Flores DIAZ PULIDO, Head of Unit for Aviation Policy, reported on key on-going files and priorities for future actions regarding the social dimension of the aviation.

She first reported on the main actions announced in the report adopted by the Commission on 1 March 2019<sup>5</sup> and on the high-level workshop on "working towards achieving socially responsible air transport", which took place on 4<sup>th</sup> April with all relevant stakeholders. She mentioned notably the creation of a group of experts from both aviation and labour authorities to advise the Commission and Member States on social matter related to aircrew. A first meeting took place on 5<sup>th</sup> April. The Commission is working on the formal setting up of the group; a meeting is foreseen beginning of 2020. She called for some synergies between the work by the experts' group and the social partners.

Regarding the Air regulation 1008/2008, she indicated that the ex-post evaluation is to be finalized. The impact assessment regarding the opportunity to revise the Regulation is on-going, including an open consultation ongoing.

The evaluation of the ground-handling directive has started<sup>6</sup> with the selection of the contractor. Sustainability and lack of capacity will be assessed together with the original aim of the Directive (market opening). Social and employment issues will also be taken into account. The end of the evaluation is foreseen mid-2020.

The EU Regulation 2019/712 on safeguarding fair competition in international air transport adopted on 10 May 2019, aims at ensuring fair competition between EU and non-EU air carriers. The Regulation outlines the investigative powers of the Commission and the measures it may impose relating to practices which distort competition between EU and non-EU air carriers, and which cause, or threaten to cause, injury to EU air carriers<sup>7</sup>.

As a general point, social partners asked to be structurally involved in these exercises. They raised the issues related to the drafting of questionnaires, which do not include all relevant issues; and the quality of the process for gathering the replies. It was indicated that such issues should be brought to the attention of the contractor.

In addition, trade union raised the issue of Ownership and Control, stating that the Commission should be careful about; easing the O&C rules in order to avoid unwanted

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<sup>5</sup> [https://ec.europa.eu/transport/modes/air/news/2019-03-01-social-standards-air-transport\\_en](https://ec.europa.eu/transport/modes/air/news/2019-03-01-social-standards-air-transport_en)

<sup>6</sup> [https://ec.europa.eu/info/law/better-regulation/initiatives/ares-2019-414136\\_en](https://ec.europa.eu/info/law/better-regulation/initiatives/ares-2019-414136_en)

<sup>7</sup> <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX:32019R0712>

results such as possible effect on unfair competition. The issue of third country and social clauses was also raised.

Concerning the evaluation of Directive on Ground Handling (96/67), ETF insisted that the social matters (especially transfer of staff) should be part of the evaluation.

A4D commented about the benefit of the liberalisation, which should not be looked only negatively. It was followed by a reaction from ETF regarding its costs for the workers.

Flores DIAZ PULIDO thanked for the good discussion, she took good note of all comments and ideas and would examine further possible ways to address them.

Christine BERG, head of unit for the Single European Sky, presented the developments linked to the evolutions in the ATM sector, notably the technological evolutions and how to consider the human dimension of these evolutions. She mentioned the conclusions of the recent report from the Wise Persons Group on the future of the Single European Sky and one of the recommendations regarding the definition of a roadmap on the human dimension of the SES<sup>[1]</sup>. She invited the social partners to take ownership of the development of this human dimension roadmap through joint contributions.

Social partners agreed on the principle to strengthen the consideration of the human dimension in the technological developments for the ATM sector. It is one of the key topics of the work programme for the ATM working group.

ACI insisted to involve the entire industry (employers, workers and the other stakeholders) in the process to be successful. CANSO welcomed the approach. The Unions stressed the need for relevant structures and resources to prepare the inputs to this process. The Commission Expert Group on the Human Dimension of the Single European Sky (EGHD) and the ATM Social Partners Regulatory Taskforce (ASPRET) under the ATM working group of the SSDC would seem to be the relevant framework for this work.

Christine BERG thanked for the positive feedback on the possibility to contribute to the human dimension, and confirmed that DG Move is ready to play a facilitator role in the project. She stressed the global framework and the articulation between the various initiatives. In response to questions on the future role of the Network Manager, she confirmed that the purpose was not about changing ultimately the responsibilities and liabilities of the ATCOs, but to extend the collaborative process. Concerning the concept of ATM Data Service Provider (ADSP) stemming from the Airspace Architecture Study report, she mentioned that it was not the intention to develop a solution to be imposed on all, but rather to open a new option for actors willing to operate under this ADSP model.

She insisted that the roadmap should be developed by the relevant stakeholders and that the Commission would stay in a support role. The ways to achieve this and through which working group(s) should be further discussed: she welcomed a feedback from the SSDC by this autumn. She called for a fresh momentum to work together at EU and national level. She hoped that social partners' contribution could help deliver an initial version of the roadmap by next summer.

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<sup>[1]</sup> <https://www.sesarju.eu/node/3330>

## **7. Meeting with EASA representative**

EASA participation was not possible. The last developments regarded the ECORYS study on the methodological approach for the quantification of social impact validated with the involvement of the social partners. The work on the socio-economic risks to aviation safety are to be launched with the social partners possibly in the autumn 2019.

## **8. Introduction of EurECCA on its interest in SSD**

The Chair welcomed the representatives EurECCA who presented their request to become a formal partner of the Sectoral Social Dialogue committee and their positions and involvement in the developments regarding social issues for the aircrew (see slides). As an aircrew organisation, EurECCA is applying for the aircrew-working group.

The Chair thanked the association for the presentation. The procedure for becoming a member of the aviation SSDC was reminded, notably the mutual recognition by the other social partners.

ECA asked about the timeline. EurECCA indicated that it would be as soon as possible.

The chair concluded that EurECCA will be informed about the follow-up.

## **9. Update on the representativeness study**

The kick off meeting for the launch of the representativeness study on the aviation sector took place on 29 March 2019 attended by all the SSDC members. The EUROFOUND representative presented the approach for the study. The first step was to define the demarcation for the work of the Committee based on the inputs of the social partners. Some social partners still need to reply to this request.

EUROFOUND contacted the EU level social partners' organisations to collect information regarding their statutes and affiliates.

Social partners commented that they provided EUROFOUND with the requested information; however, the request was not always adapted to the specificities of the sector, notably the fact that the organisations have direct members and are not always structured with national level intermediary organisations.

## **10. Designation of the new Chair (workers) and Vice-Chair (employers)**

New chair and vice chair were designed for the two next years:

- Chair: Charles André Quesnel (ETF Air Traffic Controller in Paris Center and member of USAC-CGT National Board) representing on the workers' side;
- Vice-Chair: Sylviane Lust (AIRE Director General), representing the employers side.

## **11. AOB**

- Next meetings:
  - ATM working Group: 17/10/2019
  - Air crew working Group: 12/12/2019

## List of participants 21 June 2019

<p><b>Employers 16 (13 ♂, 3 ♀)</b></p> <p><b>A4D</b>  Alan CAMPBELL (UK)  Darrell HUGHES (IE)  Diarmuid O CONGHAILE (IE)</p> <p><b>ACI</b>  Gérard BOREL (BE)</p> <p><b>ACP</b>  Olivier BERTRAND (FR)  Jan KÖRNER (DE)</p> <p><b>AIRE</b>  Sylviane LUST (BE)</p> <p><b>ASA</b>  Fabio GAMBA (BE)</p> <p><b>CANSO</b>  Catherine BICHARA (CH)  Eduardo GARCIA (BE)  Alison MACMASTER (UK)  Danilo PISCIOTTU (BE)  Rüdiger SCHWENK (DE)  Keely STAFFORD (UK)</p> <p><b>ERA</b>  Russell DUDLEY (UK)</p>	<p><b>Workers 33 (28 ♂, 5 ♀)</b></p> <p><b>ETF</b>  Andrea ABBATE (IT)  Dimitar BACHVAROV (BG)  François BALLESTERO (BE)  Henrik BAY-CLAUSEN (DK)  Antonio FRIGERIO (IT)  Philip GASTINGER (AT)  Wolfgang HIERONYMUS-AMBERGER (DE)  Karsten John KRISTENSEN (DK)  Lukas KRUPITZA (CH)  Kalin KULEV (BG)  Daniel LIEBHART (AT)  Kris MAJOR (UK)  Luigi MANSI (IT)  Mauro MARI (IT)  Alberto MAZZEI (IT)  Shauna MC CORMACK (IE)  Daniela MODONESI (IT)  Chaker NASSAR (SE)  Brian NORBURY (UK)  Charles-André QUESNEL (FR)  Israel QUIROS (ES)  Oliver RICHARDSON (UK)  Darren ROLLS (UK)  Robert SIARNOWSKI (PL)  Antoaneta STOIMENOVA (BG)  Gauthier STURTZER (FR)  Bjorn VANDEN EYNDE (BE)  Felicitas VON DER BURG (DE)  Wiebke WARNECK (BE)</p> <p><b>ATCEUC</b>  Jean-Denis LARRERE FR</p> <p><b>ECA</b>  Philip von Schöppenthau (BE)  Ignacio Plaza (BE)  Sarah KAMER (BE)</p>
<p><b>EurECCA delegation for the presentation</b>  Christoph Drescher – President  Luciana Passo – Vice President  Xavier Gautier – Secretary General  Annette Groeneveld – Board Member</p> <p><b>European Commission</b>  Sylvie Finné DG EMPL Social dialogue unit</p>	