

European Agreement on the Organisation of Working Time of Mobile Staff In Civil Aviation

Brussels the 22 March 2000



European Agreement on the Organisation of Working Time of Mobile Staff In Civil Aviation

concluded by

**the Association of European Airlines (AEA),
the European Transport Workers' Federation (ETF),
the European Cockpit Association (ECA),
the European Regions Airline Association (ERA) and
the International Air Carrier Association (IACA)**

Having regard to the Treaty establishing the European Community and in particular Articles 138 and 139(2) thereof;

Whereas Article 139(2) of the Treaty provides that agreements concluded at European level may be implemented at the joint request of the signatory parties by a Council decision on a proposal from the Commission;

Whereas the signatory parties hereby make such a request;

Whereas the signatory parties consider that the provisions of this Agreement are "more specific requirements", within the meaning of Article 14 of Council Directive 93/104/EC, and that the provisions of that Directive should not apply;

The signatory parties have agreed the following:

○ **Clause 1**

1. The Agreement applies to the working time of mobile staff in civil aviation.
2. It lays down more specific requirements within the meaning of Article 14 of Council Directive 93/104/EC relating to the organisation of working time of mobile staff in civil aviation.

○ **Clause 2**

1. "Working time" means any period during which the worker is working, at the employer's disposal and carrying out his activity or duties, in accordance with national laws and/or practice.
2. "Mobile staff in civil aviation" means crew members on board a civil aircraft, employed by an undertaking established in a Member State.
3. "Block flying time" means the time between an aircraft first moving from its parking place for the purpose of taking off until it comes to rest on the designated parking position and until all engines are stopped.

○ **Clause 3**

1. Mobile staff in civil aviation are entitled to paid annual leave of at least four weeks, in accordance with the conditions for entitlement to, and granting of, such leave laid down by national legislation and or/practice.
2. The minimum period of paid annual leave may not be replaced by an allowance in lieu, except where the employment relationship is terminated.

○ **Clause 4**

1. (a) Mobile staff in civil aviation are entitled to a free health assessment before their assignment and thereafter at regular intervals;
(b) Mobile staff in civil aviation suffering from health problems recognized as being connected with the fact that they also work at night will be transferred whenever possible to mobile or non-mobile day work to which they are suited.
2. The free health assessment referred to in paragraph 1 (a) must comply with medical confidentiality.
3. The free health assessment referred to in paragraph 1 (a) may be conducted within the national health system.

○ **Clause 5**

1. Mobile staff in civil aviation will have safety and health protection appropriate to the nature of their work.
2. Adequate protection and prevention services or facilities with regard to the safety and health of mobile staff in civil aviation will be available at all times.

○ **Clause 6**

Necessary measures will be taken to ensure that an employer, who intends to organise work according to a certain pattern, takes account of the general principle of adapting work to the worker.

○ **Clause 7**

Information concerning specific working patterns of mobile staff in civil aviation should be provided to the competent authorities, if they so request.

○ **Clause 8**

1. Working time should be looked at without prejudice to any future Community legislation on flight and duty time limitations and rest requirements and in conjunction with national legislation on this subject which should be taken into consideration in all related matters.
2. The maximum annual working time, including some elements of standby for duty assignment as determined by the applicable law, will be 2000 hours in which the block flying time will be limited to 900 hours.
3. The maximum annual working time should be spread as evenly as practicable throughout the year.

○ **Clause 9**

Without prejudice to Clause 3, mobile staff in civil aviation will be given days free of all duty and standby, which are notified in advance, as follows:

- (a) at least 7 local days in each calendar month, which may include any rest periods required by law; and
- (b) at least 96 local days in each calendar year, which may include any rest periods required by law.

○ **Clause 10**

The parties will review the above provisions two years after the end of the implementation period laid down in the Council decision putting this Agreement into effect.

Brussels the 22 March 2000



Association of European Airlines

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