

STATEMENT BY EUROPEAN SOCIAL PARTNERS

Aviation plays a fundamental role in the European economy and employment, supporting currently 2.6 million jobs and contributing €365 billion, or 2.4% to European GDP. Together with the other sub-sectors, ground handling contributes to the economy and the employment of the whole aviation industry.

In December 2015, the European Social Partners (ESP) in Ground Handling – ACI Europe, AEA,¹ ASA and ETF – have embarked on a two-year joint project entitled ‘Ground Handling Social Dialogue Support’. They identified four topics that needed further research and discussion: status of the ground handling market access, social rights, vocational training and quality standards. Two consultant companies – Syndex and STC-Group – were selected to perform a legal and industrial research on these topics. The findings were subsequently discussed during two seminars and presented in a final conference. This report is the outcome of all this work. We would like to thank Syndex and STC-Group for their commitment and their help in identifying the main challenges of the ground handling sector.

Besides the formal outcome of the project, the joint work enabled the ESP to meet on a regular basis, discuss and build mutual trust and understanding. In the light of the study results, the ESP have identified the following main issues that are planned to be the core part of the Working Programme of their social dialogue in the coming months. Furthermore, the ESP are urging the European Commission to consider all of them with specific attention during the assessment of Directive 96/67/EC on access to the ground handling market at Community airports that will start in 2018 as announced as part of the Aviation Strategy in Europe.

They specifically relate to:

Market access: the market developments in European aviation have caused an excessive pressure on the ground handling companies as well as their workers. Always tighter margins have led to both social and operational problems. Legal loopholes regarding the selection processes were identified by the study. The EU Directive does not cover all market-opening challenges. Especially, the authorization/control of subcontracting differs very much between countries and airports, a consequence of the mosaic of rules regarding market opening restrictions and authorizations.

Social rights: Overall, the specific protection of social conditions of the ground handling workers is left to the good will of social partners, who can set up standards through the adoption of collective agreements (CLAs). From an EU perspective however, social dialogue remains difficult in many places and the protection for the transfer of staff offered by CLAs varies greatly from one country to the next or even within one country, reinforcing therefore the inequalities among the workers of the sector and distorting a fair competition. In addition,

¹ Association of European Airlines which dropped out during the study process because it closed down

in case of total or partial loss of activity, Directive 2001/23/EC on transfer of undertakings may provide a partial protection.

It should be helpful to get a more precise picture on how different Member States have used this Directive in the field of ground handling as well to study if some good CLAs can be an asset to tackle the existing loopholes on transfer of staff at EU level.

Vocational Training, Qualifications and Quality Standards: as customers, airlines have to decide the type of handling services they need for their aircraft and passengers. However, minimum quality standards have to be implemented in order to ensure safe and interactive operations at a given airport. The study showed that quality standards are established by different national, European and international players. Therefore, a plethora of different quality standards exists.

Training and skills are the other side of the coin of service quality. The increasing market and price pressure may strongly impact training and qualifications. Furthermore, in a labour-intensive industry, the multiplication of training and qualification standards and their financial consequences may really distort competition between handling companies, not to mention the operational and safety consequences. It also hampers intra-European workers' mobility. At the moment, the right to training is established by law, by a collective agreement, or on the basis of other agreements. Paid time-off is not a right for every employee.

Furthermore, the ESP welcome the inclusion of ground handling into the remit of the European Aviation Safety Agency (EASA) and the development of robust Europe-wide safety-related rules. They are ready to play an active role in cooperating with the Agency with the aim to improve and contribute to better harmonisation of ground handling safety. To maintain a level of safety for the travelling public and the quality the passenger experiences in the European aviation sector, it would be advisable to train the minimum competences needed to perform a certain job. The training should be standard for the task to reduce duplicate training (cost and confusion for employees) and lower the likelihood of error due to confusion over which process is applicable to which airline.

In conclusion, the ESP remain committed to jointly work on the evaluation of the Ground Handling Directive with the view to better identify the loopholes and the discrepancies in the market access to avoid distortion of competition. A special attention should be given to the transfer of staff through the role of the national and sectoral CLAs and the Directive on Transfer of Undertakings. Finally, as an important tool for a safe, fair and qualified system, greater harmonisation of training standards will also be part of the Social Dialogue programme and should be considered by the European Commission as part of the evaluation. The ESP are also ready to work on solutions to be considered after the evaluation process.

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