



Joint CANSO-ETF Analysis of the ATM Social Dialogue FAB Questionnaire

2009, June 30th

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Introduction

In the joint statement of the European Conference on Functional Airspace Blocks that took place on 8-9 October 2008 in Paris, CANSO and ETF¹ agreed that “each year, at the last ATM social dialogue working group meeting, the social partners will assess the progress made by their members as regards to consultation between workers and employers on the development of FABs.

For this reason, the Social Partners jointly drafted a first questionnaire to assess the consultation process concerning Functional Airspace Blocks during the Feasibility Study.

The questionnaire was based on:

- the ETF-CANSO "Guidelines for Consultation arrangements for FABs" (17/07/2007)
- the "Report by the Social Dialogue ATM Work Group on the implications of FABs" (11/06/2006)

The survey was launched on September 1st 2008 and was closed on October 15th 2008 (postponed from September 22nd, the original deadline).

During 1.5 months ETF and CANSO secretariats received 39 answers:

- 16 by CANSO members (15 ANSP + 1 as FAB Steering Group)
- 23 by ETF members
- 18 EU Countries + MUAC
- 8 FABs
- 4 FABs received answers from both sides

It was agreed in advance that the survey results will be jointly accessible for and analyzed by CANSO and ETF secretariats and that the results of the questionnaire will be treated confidentially.

For this reason, you will not find any personal/organizational details in this document but aggregated data to guarantee the confidentiality.

Based on the data, a European analysis considering all answers received as well as 4 FABs analysis for the FABs that received answers from both sides (employers and employees) were illustrated and compared.

In the following document you will find key elements, key findings, key learnings and tendencies based on the data received. All these data are presented in an aggregated way in the annexes of this document.

¹ **CANSO - the Civil Air Navigation Services Organisation** – is the global voice of the companies that provide air traffic control. Founded in 1998, it represents the interests of the Air Navigation Service Providers (ANSPs) worldwide. The Mission of CANSO is to provide a global platform for customer and stakeholder driven civil Air Navigation Services (ANS), with paramount emphasis on the provision of safe, efficient and cost effective service. Currently, CANSO members control 60% of world airspace and over 80% of world air traffic.

ETF - European Transport Workers' Association – is a new pan-European trade union organisation which embraces transport trade unions from the European Union, the European Economic Area and Central and Eastern European countries. It was created at a founding congress in Brussels on 14-15 June 1999. The ETF has affiliated unions which organise workers in railways, road transport, maritime transport, ports and docks, inland navigation, civil aviation, fisheries and tourism services. The ETF represents more than 2.5 million workers from 40 European countries.

European Analysis

The following summary of the provided data shall highlight the key information received.

For the reading: In principle every question of the European survey was divided into two answering levels: one for the ANSP or national level, one for the respective FAB level. For every question, TUs/Associations and providers could add comments and suggestions.

In addition to the European survey, the results for the 4 FABs with contribution from both sides were analyzed at a deeper level and benchmarked to the overall outcome. They will be marked as results from the “regional FAB level”.

Q1: Have consultation arrangements been set up?

Workshop – Stakeholder Forum – Social Forum – Meetings at decision making level

ANSP Level

More than 50% (from 52% to 57%) of TUs answered NO

TUs / Associations: Only information meetings with staff representatives took place.

Remark: There are differentiations at regional FAB level due to different national arrangements in the respective ANSPs.

FAB Level

There are opposite views/readings whether “workshops” were arranged or not:

- 65% of TUs say NO
- 88% of ANSP say YES

The “Stakeholder Forum” is the most used consultation arrangement.

The less used consultation arrangement is the “Meeting at Decision Making Level”

Providers: Consultation took place in form of information.

Q2: How are the trade unions involved in the FAB developments?

Being informed – Advising – Being consulted

Q2 uses the 3 levels of involvement identified in the Social Dialogue FAB Report:

- **Being informed**
The sub group defines being informed as the passing of information from one party to another. It does not constitute consultation.
- **Advising**
The sub group defines this role as providing advice. Different kinds of advice will be required at different phases of the creation of an FAB.
- **Being consulted**
The sub group defines this role as the formal process of consultation that can lead to negotiation with interested parties. It will be conducted in different ways at different phases of the process.

ANSP Level

Both parties agreed on the involvement level of “being informed” (87% says YES).

TUs/Associations feel not advised and clearly not consulted.

Diversity of answers within providers regarding advising and being consulted has been identified.

TUs / Associations: TUs need to be consulted.

Providers: During the Feasibility Study no major implementation decisions have been taken.

FAB Level

The ANSP level results are confirmed also at FAB level.

Q3: In which form(s) are TUs / staff representatives involved?

Meetings – Project documentation – Newsletter – and for the FAB level in addition: Participation inside the project

ANSP Level

The main tool to involve TUs is “meetings” (76% says YES)

There are different views or interpretations about the other listed tools:

In their big majority TUs say NO regarding the tools “documentation and newsletter” while ANSPs give mixed answers with a tendency to YES.

FAB Level

The ANSP level results are confirmed also at FAB level.

In addition, as regards the tool “Participation of TUs inside the project” the joint answer in general is NO. However, at regional FAB level the answers at CANSO side differ.

TUs / Associations: TUs request to be allowed to extend their number of delegates / representatives.
Even if it seems that TU are involved it is not as true as it is supposed to be.
TUs believe that their influence on the project is low.
TUs were not deeply involved in the progress of the FAB.

Providers: The participation of TUs is expected but not yet defined.

No participation inside the project as the TUs were not member of the WGs.

**Q4: Are TUs / staff representatives involved in meetings about your FAB?
If so, how many per year?**

0 1 to 3 4 to 6 7 to 10

Both at ANSP and FAB level the majority says that “1-3” meetings took place per year.

TUs/Associations and providers shared statement:

Occasionally, it appears there were no explicit FAB meetings at ANSP-level but FAB was discussed in other (regular) meetings.

**Q5: What are the arrangements for the organization of the meetings?
Joint agenda – Minutes - and for the FAB level in addition: Facilities (cost reimbursement, paid leave, etc...)**

ANSP Level and FAB Level

There are opposite views about the “joint agenda” and “minutes”:

In general, TUs miss a “joint agenda” and “minutes” while providers believe these arrangements were provided.

On FAB level in addition, facilities were discussed. TUs clearly state that facilities were not provided, while ANSPs in majority gave a “NO ANSWER”. At regional FAB level, there are nuances depending on the respective ANSP policies.

**Q6: Are you satisfied with the way the views of employees are considered?
(only answered by TUs/staff representatives; not mandatory for management side)**

ANSP and FAB Level

Both at ANSP (78%) and FAB (70%) level TUs are dissatisfied.

TUs / Associations: TUs are not listened, considered, involved.

Q7: Is consultation foreseen on the possible social consequences of the FAB?

Both at ANSP and FAB level, there is an opposite view on “consultation foreseen on the possible social consequences of the FABs”.

ANSP Level

74% of TUs say NO

81% of ANSPs say YES

FAB Level

70% of TUs say NO

81% of ANSPs say YES

Q8: Where the views of the employees are not accepted, are the reasons for rejection set out?

On average, it is not yet applicable.

Q 9: Suggestion to improve the consultation process

TUs/Associations:

1. The CANSO-ETF consultation guidelines should be better implemented and respected in all FABs.
2. TUs must be involved at each level (working group to steering committee)
3. Consider the social partners as real partners!!!
4. Improve information circulation and feedback process from ANSP.
5. TUs need to be closer to the decision making.
6. Define a formal consultation process (social forum).
7. Implement a just culture vision in the FAB projects.
8. Organize meetings on a more frequent basis.
9. Social Dialogue is necessary at ANSP and FAB level.
10. Force ANSPs or the organizations concerned to invite ALL the Trade Unions.

Providers:

1. The social dialogue arrangements during implementation phase of social dialogue should be reinforced beginning 2009.
2. More people dedicated to management tasks and more availability/flexibility for controllers to participate.

Q 10: Any further comments

No further key findings have been provided which are not already listed in the suggestions.

Conclusions

The above highlighted key findings already lead to the following key learnings and tendencies:

- Different ways of interpretation of involvement levels, forms and processes – more precise and joint definitions on involvement levels are needed
- In general, information process has been activated
- Social Dialogue needs to be reinforced in the implementation phases
- TUs felt informed but they wanted to be asked for their advice and to be consulted
- Concern at employees' side not being listened, considered, involved nor treated as real partners in the project
- At TUs / Associations side, there is still the open question regarding the number of representatives and the facilities problem
- In general, TUs identified problems in the setting up consultation arrangements and feel dissatisfied with the way the views of employees are considered
- The providers' side stated that due to the fact that no decisions have been taken in the Feasibility Study, involvement levels for staff representatives were adequate
- Providers side clearly state that consultation on the possible social consequences of the FAB is foreseen; TUs had the opposite view

Based on the identified key learnings and tendencies, the working group suggests to discuss at the ATM Social Dialogue possible joint recommendations.

Annexes

- the ETF-CANSO "Guidelines for Consultation arrangements for FABs" (17/07/2007)
- the "Joint statement of the European Conference on Functional Airspace Blocks" (Paris, 8-9/10/2007)
- European FAB Questionnaires: diagrams



Annexes

at the Joint CANSO-ETF Analysis of the ATM Social Dialogue FAB Questionnaire

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Guidelines for Consultation arrangements for Functional Airspace Blocks

17.07.2007

Preamble

1. It is agreed that it is the responsibility of the ANSP to plan, organise and manage the company.
2. It is recognised that consultation in the decision making process involving Social Partners is central to the development of Functional Airspace Blocks (FABs). The Establishment of FABs involving change is more likely to be accepted by employees if they are involved in arriving at agreed decisions. Employee commitment to change is best achieved through involvement where employees know what the FAB is attempting to achieve and how decisions are influenced by them.
3. The establishment of a long term-reliable and stable relationship will enable consultation to take place in an atmosphere of trust. To this end the parties will therefore make every effort to implement best practice arrangements to ensure continuity and to maintain their representative status.
4. This understanding of best practice on consultation arrangements must be read in conjunction with the CANSO/ETF Report by the Social Dialogue on ATM Work Groups on the Implications of FABs. These cover “Common Understanding”, “Institutional Roles”, “Consultation” and “Just Culture”.

Process

1. It is accepted that the early involvement of employee representatives in the decision making process is vital. To this end management should seek and take account of the views of employees in the decision making process on a FAB. ANSPs and their respective employee representatives should agree consultative arrangements that provide for involvement at such a stage that influence on the decision making process is secured.
2. An ethos of early/timely consultation thereby avoiding difficulties at a later stage of establishing a FAB is accepted by Social Partners. There should be an ethos of “no surprises” as the FAB arrangements evolve. It is also agreed that ANSPs and employee representatives should foster a culture of information sharing and joint problem solving.

Consultation

1. It is recognised that all issues regarding the formation of a FAB could be open for discussion in the appropriate forum. However both parties recognise that many issues are subject to consultation/negotiation within other ANSP fora e.g. terms and conditions of employment. It is also recognised that in some circumstances other European laws will apply.

2. It is acknowledged that where the views of employees are accepted they should be recognised. Where the views of the employees are not accepted the reasons for rejection should be set out by the ANSP.
3. It is accepted that currently applied decision making and consultation practices where appropriate are adjusted to reflect the specific issues of individual FAB projects. The “bottom up” approach as defined in the Palermo Conference statement is implemented.
4. At the beginning of the consultation process the parties will wish to consider how to protect the process from strikes, lockouts or other action designed to bring pressure to bear on either party.
5. Where the implementation of a FAB leads to change in the roles and/or locations of workers in more than one country, Social Partners will wish to consider how to handle the resulting social impact, particularly as it affects jobs and terms and conditions of all workers involved. Subject to applicable National and European legal requirements, and in the spirit of the Directive 94/45EC of 22 September 1994 on the establishment of a European Works Council, Social Partners will wish to consider:
 - The setting up of trans-national consultation body to involve all Social Partners directly concerned with the FAB
 - The use of existing National consultation frameworks
 - Social Partners involved in the FAB may agree other arrangements
6. Whilst every effort should be made towards greater convergence of consultation arrangements, in line with the “bottom up” it is recognised that “one size does not fit all” and that flexibility to reflect different cultures and legal regulations needs to be accommodated.

Resources

1. It is accepted that employee representatives will be given the opportunity to acquire the skills and support services needed to engage in the consultative process. Employee representatives are allowed paid leave to attend consultation meetings.
2. It is also recognised that ANSPs must allow sufficient time for the FAB consultation process to be completed in a satisfactory manner.

8-9 October 2007 | Paris, France | *FABs: what added value?*

Joint Statement

EUROPEAN CONFERENCE ON
FUNCTIONAL AIRSPACE BLOCKS



The Civil Air Navigation Services Organisation (CANSO) and the European Transport Workers' Federation (ETF), as the recognised social partners respectively representing Air Traffic Management employers and employees within the European Social Dialogue, jointly organised a conference on Functional Airspace Blocks (FABs) in Paris on 8 and 9 October 2007, with the support of the European Commission.

This was the second conference on FABs organised by CANSO and ETF. The first conference was held in Palermo, Sicily in 2004 following the publication of the Single European Sky Regulations. Following that conference, through a number of sub-groups and the support of the European Commission, the social partners delivered a "Report by the Social Dialogue ATM Work Group on the implications of FABs" in January 2007.

These conferences are integrated in a continuous process of the work of the ATM Social Dialogue working groups.

1. The objectives of the Paris conference

At the Paris conference the social partners:

- Further evaluated what was meant by the bottom-up approach as the path to the establishment of FABs, including benefits and risks
- Identified the challenges facing the ATM industry and considered, through the active participation of the conference delegates, the complexity of establishing FABs
- Exchanged views on FAB operational and technical issues.

2. Social partners are committed to SES and FABs.

The Social Partners through the ATM Social Dialogue Working Group (CANSO/ETF) will promptly identify and discuss the social consequences associated with these issues.

The social partners reaffirm their commitment to the Single European Sky and to the implementation of FABs through the bottom-up approach.

CANSO and ETF also reaffirm the primacy of safety in Air Traffic Management.

The social partners are satisfied that enhancement of ATM services can best be achieved through the bottom-up approach and through ongoing dialogue with all aviation stakeholders. Such an approach will add operational value and make ATM more efficient and cost-effective and sustainable for environment.

A successful bottom-up approach will only be achieved where stakeholders in all the different phases of FAB development play their full appropriate roles.

3. Full involvement of staff is a key to success.

It is recognised and accepted that the involvement of the staff representatives through Social Dialogue is necessary to the success of FABs

ANSPs know best how to work with their staff to achieve change to cope with predicted traffic growth. ATM personnel are key experts whose opinion is an integral element of FAB development.

Social Partners recognise that the establishment of a long-term reliable and stable relationship will enable consultation to take place in an atmosphere of trust.

Human Resources issues have to be included by social partners for analysis at an early stage in any FAB project at company/ national level and /or at FAB level.

4. The primary aim of a FAB is to increase overall ATM performance.

Good performance is the result of good governance.

Performance is a balance between various objectives such as capacity, cost-effectiveness, flight-efficiency and environment.

Performance of the ATM system also requires a total network approach since airspace users, ANSPs and airports play an important role in a gate-to-gate perspective.

We need to acknowledge and promote the quick wins that ANSPs and their staff deliver on a day by day basis and agree that FABs can bring additional improvements over time. Quick wins should not detract from long-term goals.

5. Social partners will address fragmentation successfully

The best way to reduce fragmentation is to improve cooperation and strengthen convergence.

Problems are complex, interrelated, have long lead times and involve all areas of the organizations, including public authorities. If changes are applied in a pragmatic cost effective way, benefits will come progressively, taking into account the life cycle of investment.

Measures to be taken in order to reduce fragmentation have to be based on a comprehensive cost benefit analysis, including social cost, showing clear added value.

Successful de-fragmentation will only be possible with the consensus of social partners.

6. The EC and States should facilitate the removal of obstacles to FAB developments

Employers and employees cannot deliver if States and EC do not address the hurdles.

FAB implementation needs pro-active cooperation between States and ANSPs at a regional level. It is important that they share common objectives and develop a common vision agreed at a sufficiently high political level.

We call on EC to organize a conference involving States and social partners at the earliest opportunity to discuss FABs.

While the "Social Dialogue Work Groups Report" and the "High Level Group Report" identified institutional and legal hurdles to the creation of a FAB, there is no common understanding or definition of a FAB. This creates different understandings and expectations across States and ANSPs.

The European Commission must address these issues by developing appropriate guidance material by reference to the Social Partners' Report.

ETF and CANSO also call for States to ensure that departments of Defense are more involved in FAB developments.

The Way Forward for a successful implementation of FABs

CANSO and ETF will continue to work together to ensure the successful implementation of Functional Airspace Blocks through the bottom-up approach. As social partners, we agree to:

Commit ourselves to the development of FABs for the delivery of a safer, more efficient, cost effective and environmentally aware service to all airspace users.

Put into place the appropriate tools to improve the atmosphere of trust between the ANSPs in order to make co-operation increasingly productive.

Involve staff and their representatives as social and technical experts in FABs including consultation at every stage.

Involve Trade Unions and/or staff representatives at national and multinational levels as an essential investment for the future.

The establishment of a long term reliable and stable relationship will enable consultation to take place in an atmosphere of trust. To this end the parties will therefore make every effort to implement best practice arrangements to ensure continuity and to maintain their representative status.

It is recognized that all issues regarding the formation of a FAB could be open for discussion in the appropriate forum. However both parties recognize that many issues are subject to consultation/negotiation within other ANSP fora e.g. terms and conditions of employment. It is also recognized that in some circumstances other European laws will apply.

Each year, at the last ATM social dialogue working group meeting, the social partners will assess the progress made by their members in order to achieve the above goals.

Moreover CANSO and ETF agree to:

- Consider airport capacity problems in any FAB project, carefully taking into consideration environmental objectives.
- Encourage States to ensure that National Supervisory Authorities are sufficiently developed to undertake their task and that they are properly funded and resourced.
- Urge States to clearly commit towards the implementation of FABs by removing identified institutional and legal hurdles.
- Support adequate EC actions that facilitate the removal of hurdles to FAB developments.
- Request EC to fully associate social partners in the consultation of the 2nd SES package.
- Work on a common input for the 2nd package.
- Strengthen the cross-border cooperation to address de-fragmentation.
- Engage with customers to better explain what is involved in the development of a FAB.
- Invite the EC to organise a conference with States and Social Partners to discuss the FAB implementation issues.

CANSO - the Civil Air Navigation Services Organisation – is the global voice of the companies that provide air traffic control. Founded in 1998, it represents the interests of the Air Navigation Service Providers (ANSPs) worldwide. The Mission of CANSO is to provide a global platform for customer and stakeholder driven civil Air Navigation Services (ANS), with paramount emphasis on the provision of safe, efficient and cost effective service. Currently, CANSO members control 60% of world airspace and over 80% of world air traffic.



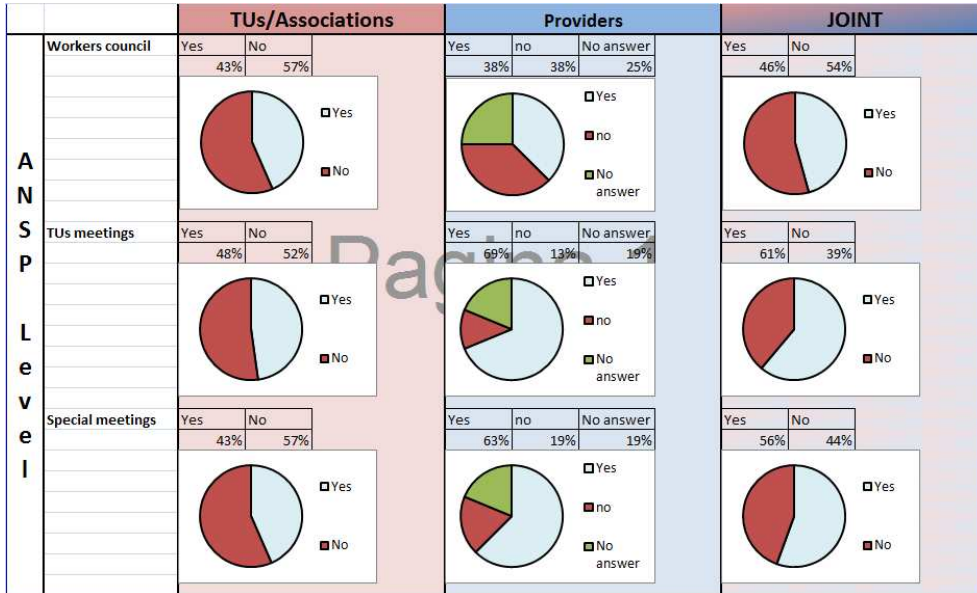
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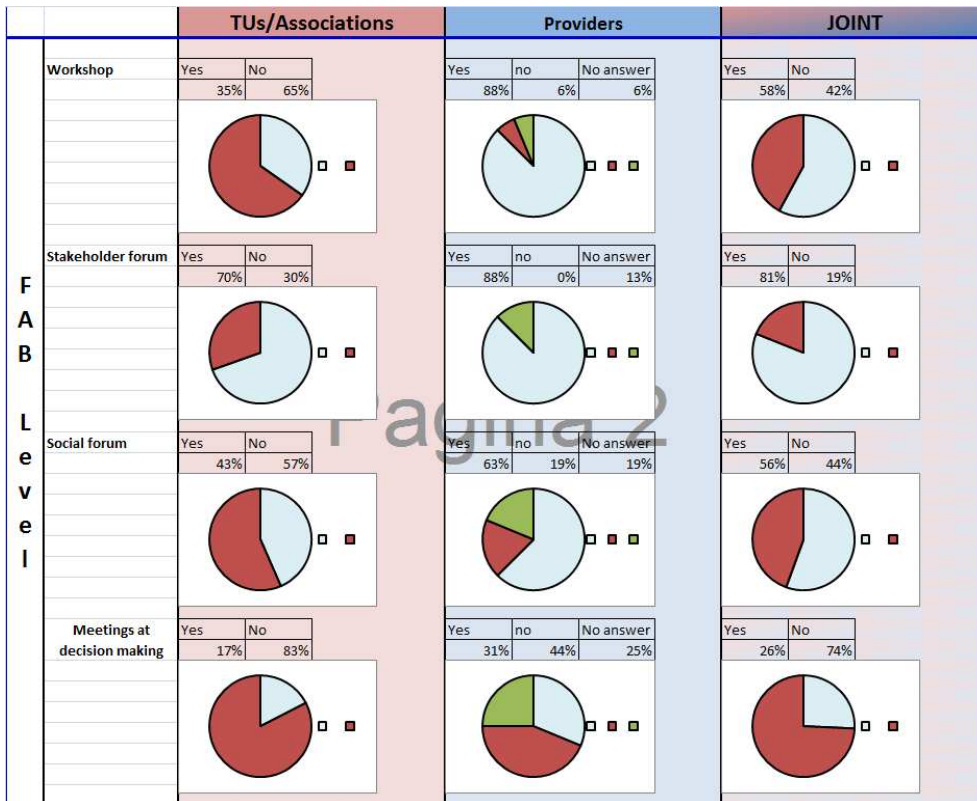
European FAB Questionnaire: diagrams

Q1: Have consultation arrangements been set up?

ANSP Level

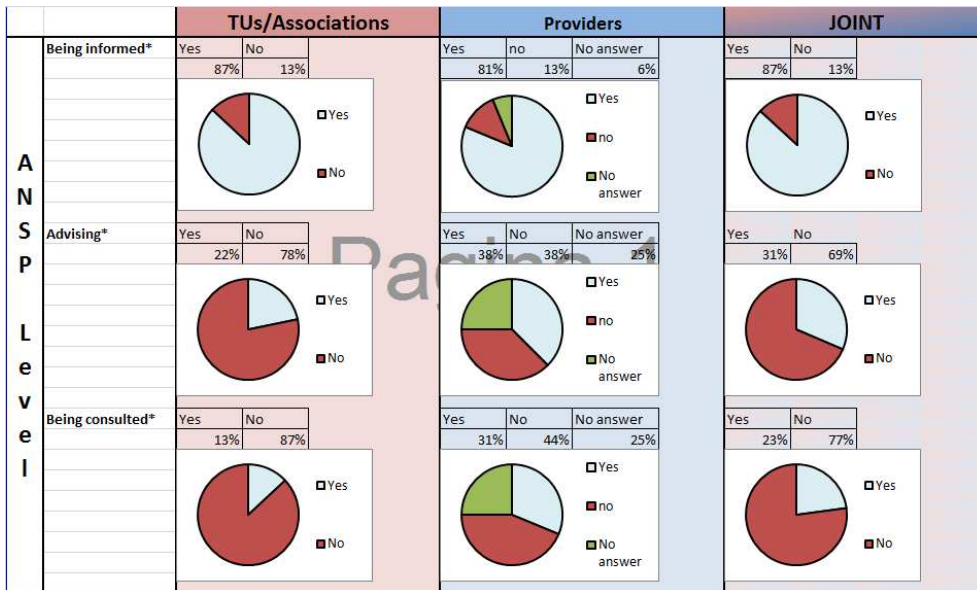


FAB Level

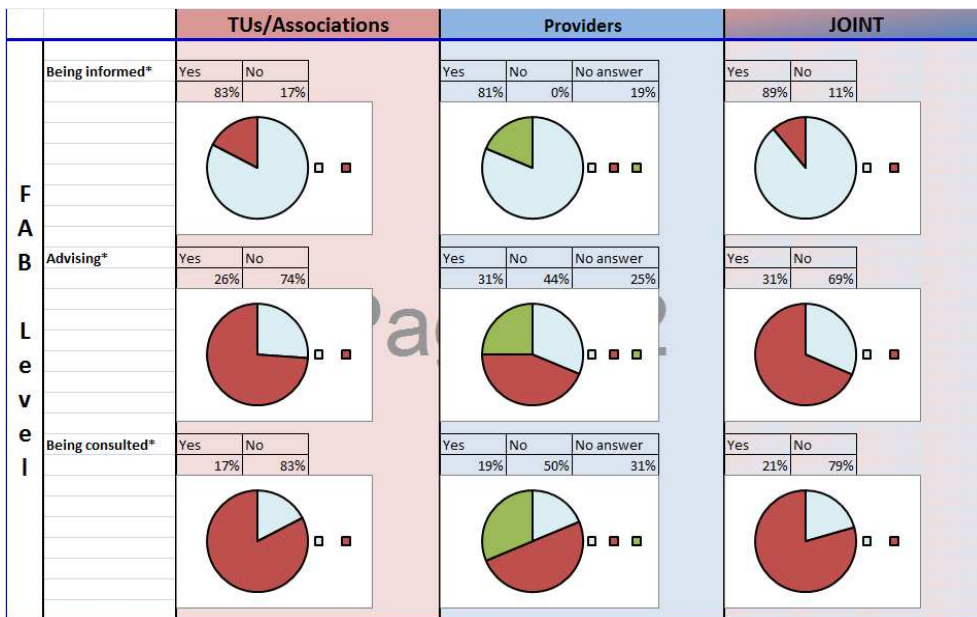


Q2: How are the trade unions involved in the FAB developments?

ANSP Level

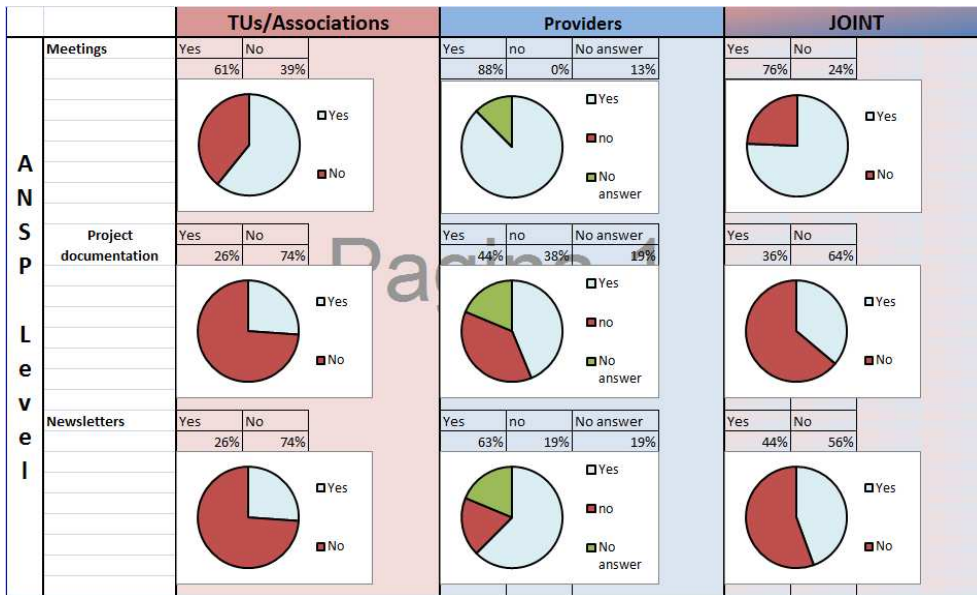


FAB Level

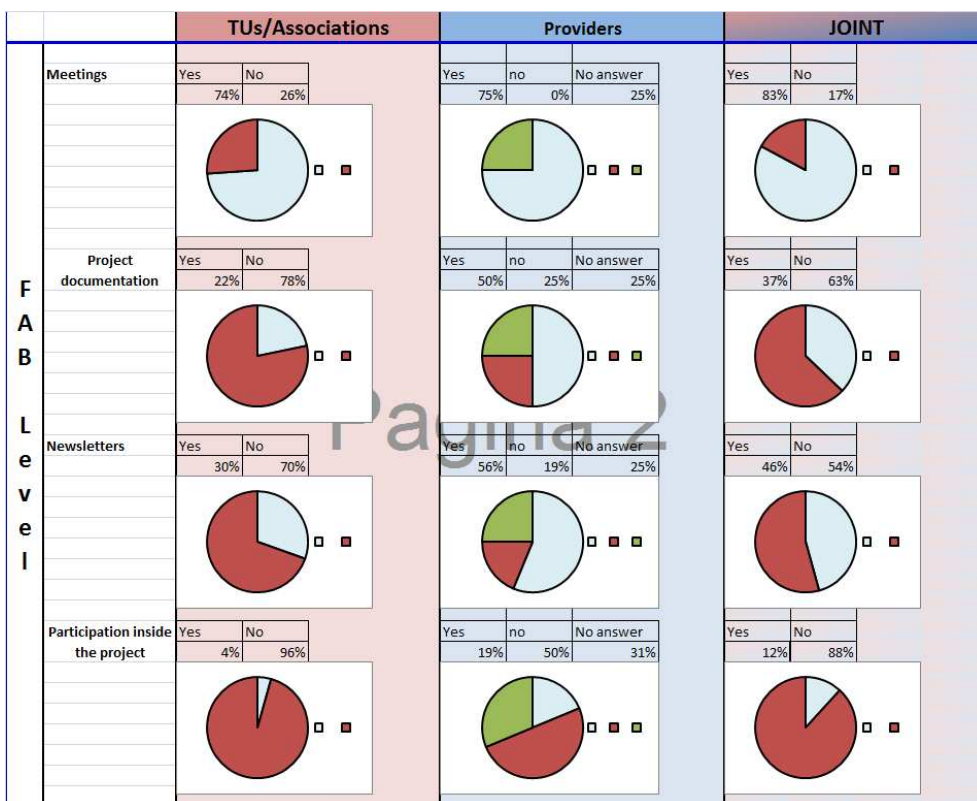


Q3: In which form(s) are TUs / staff representatives involved?

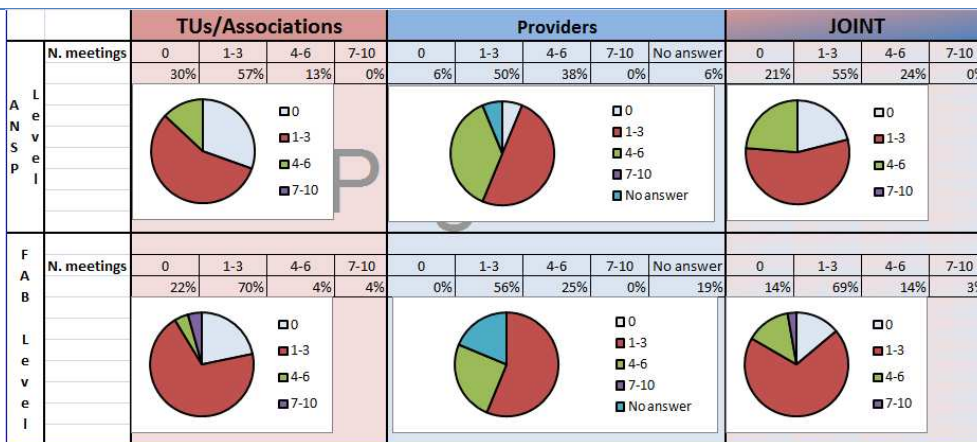
ANSP Level



FAB Level

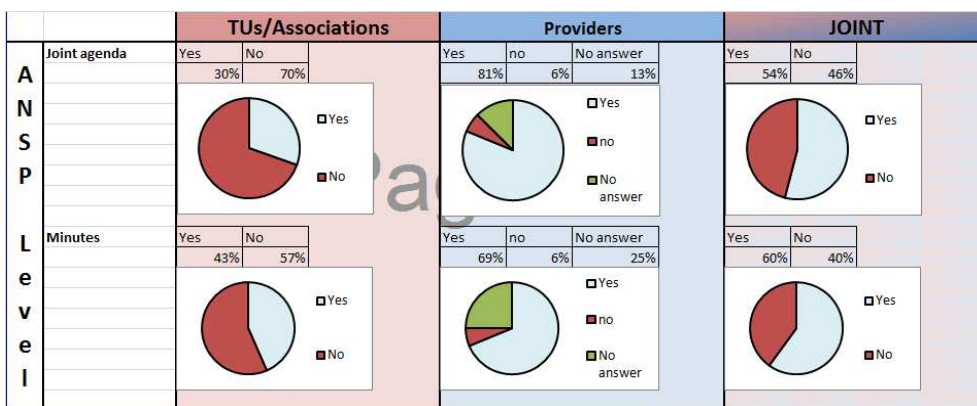


**Q4: Are TUs / staff representatives involved in meetings about your FAB?
If so, how many per year?**

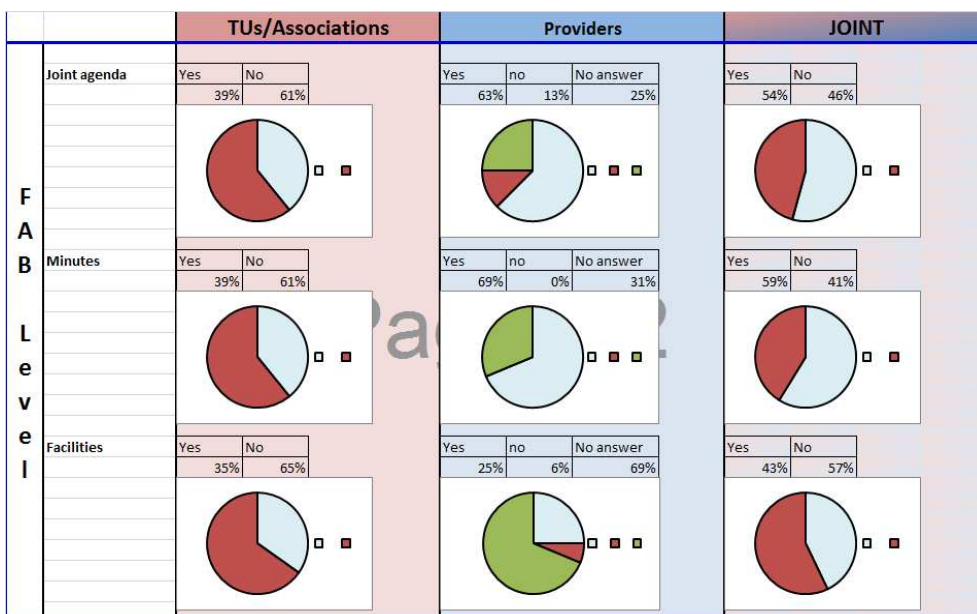


Q5: What are the arrangements for the organisation of the meetings?

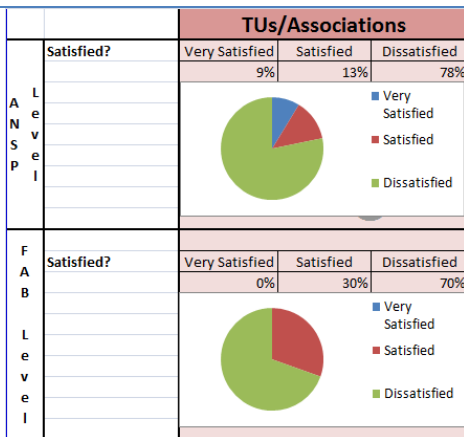
ANSP Level



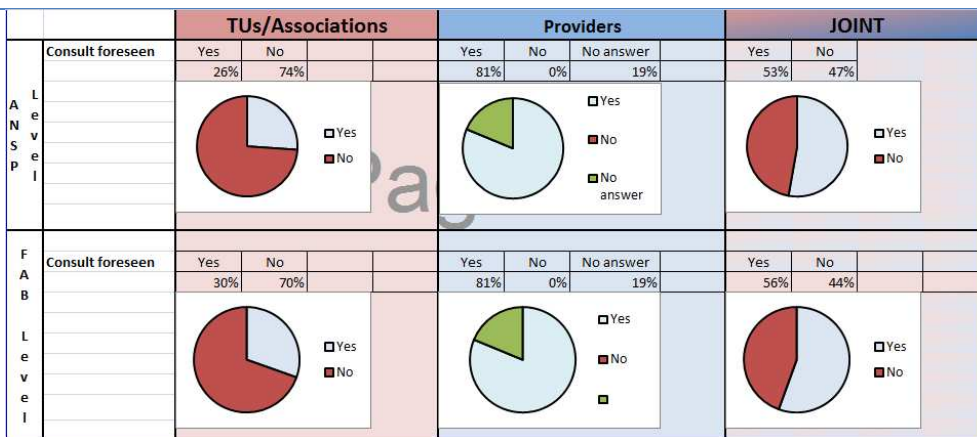
FAB Level



Q6: Are you satisfied with the way the views of employees are considered?



Q7: Is consultation foreseen on the possible social consequences of the FAB?



Q8: Where the views of the employees are not accepted, are the reasons for rejection set out?

