Civil aviation: organisation of working time of mobile workers, agreement concluded by transport associations

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PURPOSE : to undertake Community action on the Organisation of Working Time of Mobile Workers in Civil Aviation. CONTENT : the purpose of this proposal for a Directive is to lay down minimum standards on the organisation of Working Time for Mobile Staff in the Civil Aviation sector. The European Agreement on the organisation of working time of Mobile Staff in Civil Aviation was concluded on 22 March 2000 between the organisations representing management and labour in the civil aviation sector. When the "White Paper on sectors an activities excluded the Working time Directive" was sent to the social partners, they were asked to treat it as the first round of formal consultation in respect of working time in the sectors and activities concerned. On 31 March 1998, the Commission launched a second phase consultation process on the content of its envisaged proposal, following the responses to the White Paper. Following the second phase consultation, the organisations representing management and labour at European level, 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) concluded a European Agreement on the organisation of Working Time of Mobile Staff in Civil Aviation on 22 March 2000. They forwarded the agreement to the Commission in accordance with Article 139(2) of the Treaty. The Commission considers that the adaptation, flexibility and organisation of working time are crucial aspects as regards both workers conditions and the dynamism of firms and play a considerable role in determining the situation of the labour market and the creation of employment. Within this context, the Commission wholeheartedly endorses the aim of the working time Agreement concluded by the AEA, EFT, ECA, ERA and IACA and sees it as an important step in three respects. Firstly, the introduction of Community minimum working time requirements for mobile staff in civil aviation constitutes a major step forward in creating a minimum set of fundamental rights for workers. Secondly, the Agreement strikes a balance between the need to ensure adequate protection for the health and safety of mobile staff in civil aviation with regard to working time and the requirements to allow adequate operating flexibility to airlines engaged in commercial aviation operations and to maintain appropriate public safety standards. Thirdly, the Agreement constitutes a remarkable achievement for sectoral social dialogue at Community level, confirms the crucial role of the European social partners in supplementing, completing and adapting at Community level national standards on working conditions, and illustrates the role that the social partners can play in the European Employment strategy agreed at the 1997 Luxembourg extra-ordinary summit and the subsequent Council Resolutions. The Commission believes that all the conditions are fulfilled for forwarding a proposal designed to implement this Agreement by way of a Council decision. In conclusion, the need to undertake Community action is justified by the fact that the social partners have agreed to undertake action at Community level and have requested the implementation of their Community level agreement through a Council Decision based on a proposal from the Commission.