



ULUSLAR ARASI TOPLANTI SONUÇ RAPORU

Toplantı Konusu: ECA LEGAL WORKING GROUP MEETING

Rapor Tarihi: 01.11.2019

Toplantı Yer ve Tarihi : BRUSSELS / 28-29.10.2019

Katılım Listesi:

Hazırlayan: KORCAN ALİBABA

ÖZET

ECA (European Cockpit Association) Legal Working Group meeting for 2019 was held at it's headquarter in Brussels, Belgium on 28-29 October. In the meeting; Approval Headlines of previous Legal Working Group Meeting 13 December 2018, Status and Action List of 2018 Meeting, Local Important Cases and Legal Developments of Countries, Posting - Self-Employment, Strike Survey, were briefed and discussed.

In previous meeting decision of creating a databank with all legal questions using fact sheets had been taken. Subjects for these fact sheets were; Pay to Fly, Pilots Background Check, Posting & Bogus Self-Employment, Strikes, Mergers, Drones, Wet Leasing, Transferring Undertaking. Some of these subjects were discussed during 2019 meeting. Fighting against Bogus Self-Employment was one of them. It was specified that the practice of hiring pilots through Self Employment Contracts is growing and would represent more than half of the contracts in the low cost sector in Europe. It was said that this represents a direct loss of revenue for social security system. It was also mentioned that these contracts affect the internal market, fundamental rights, legal certainty, Airlines Financial Liability, safety. Another fact sheet subject was Strike Process. Some of the associations shared their possible type of industrial actions, strike breaking rules, timing and conditions to be fulfilled.

In meeting, Ryan Air pilots and its latest developments were discussed by many associations because of it has operation in their countries. Also regulation information about German Part Time and Temporary Employment Act was shared. According to this act , unlike earlier, people can claim for part-time work for a limited period, minimum of one year to maximum of five years. After the expiration of this term, employees have the right to get back their full-time work. It was pointed out that this is especially important for families and women taking care of their children. On the other hand , It has been shared that total of 45 pilots in Iceland, operating the 737 Max , got a letter of dismissal in May 2019. In July 64 more pilots got laid off but at the same time was offered a % 50 salary . In August further 111 pilots were laid off and offered % 50 salary. It has been reported that a large of pilots announced they would appeal Iceland Air's decision. Total of 132 pilots have therefore been laid off in 2019 partly due to the 737 Max groundings but also due to seasonal fluctuations in Iceland Air's operation.

SONUÇ VE ÖNERİLER:

ECA Legal Working Group's goal is asisting reached the highest level of pilots legal rights, needs and collective interests for them. For this reason they agreed about benefits of a constructive meeting devoted to legal matters. Legal Working Group reviews of legal facts, issues and policies then compare it, exchange of knowledge with other members.