

(English version)

Question for written answer E-002076/19
to the Commission
Lukas Mandl (PPE)
(18 April 2019)

Subject: Pay-to-fly contracts and atypical employment in air transport

In addition to theoretical training, extensive practical flying experience is required in order to obtain an airline pilot's licence. Young pilots must demonstrate they have 1 500 hours' flying experience, including 500 hours on commercial aircraft. Some airlines, especially in the low-cost sector, exploit this fact and refuse to pay pilots adequate salaries for their work, even demanding a fee for enabling them to accumulate the required flying hours ('pay-to-fly' contracts). In general, atypical forms of employment are common at low-cost airlines; this also applies to cabin crew, ground staff, etc.

To what extent are pay-to-fly contracts and atypical employment in air transport compatible with the principles of labour law?

What measures has the Commission taken so far to prevent this practice, which puts people employed in air transport at a serious disadvantage, and to prevent distortions of competition to the detriment of other airlines which pay their employees fairly?

Does the Commission believe that pay-to-fly contracts present a risk to aviation safety, as pilots have to work excessive hours and without the necessary protection from labour law?

Answer given by Ms Thyssen on behalf of the European Commission
(5 July 2019)

As described by the Honourable Member, extensive practical flying experience is required to obtain an airline transport pilot licence.

The Commission collected input on pilot training practices, including pay-to-fly in a study ⁽¹⁾ and issued in March 2019 a Report on Maintaining and promoting high social standards in aviation ⁽²⁾. The Commission is not aware of any circumvention of national legislation applying the labour law *acquis* due to pay-to-fly schemes.

The Authorities of Member States are responsible for assessing whether pilots who pay to gain flying experience to operate as a regular pilot on commercial passenger flights should be considered as workers and benefit from the protection of the national and EU labour law.

The Commission supports a closer cooperation between Member States in dealing with cases of abuse of EU rules, including through the European Labour Authority for matters falling under its competence.

A Commission group including experts from aviation and labour authorities is in the process of being established to advise on enforcement of labour law in aviation. A seminar of the European Platform tackling undeclared work later in 2019 will explore approaches to atypical practices in the aviation sector.

EU aviation safety rules apply in the same way to aviation personnel, regardless of their contractual relationship with the airline. The Commission has no evidence that pay-to-fly schemes present a risk to aviation safety.

⁽¹⁾ Ricardo study on employment and working conditions of aircrews in the EU internal aviation market <https://publications.europa.eu/en/publication-detail/-/publication/97abb7bb-54f3-11e9-a8ed-01aa75ed71a1>

⁽²⁾ Report Aviation Strategy for Europe: Maintaining and promoting high social standards COM(2019) 120 final.