

**Question for written answer E-009633/2016
to the Commission**

Rule 130

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Subject: European law and labour law, particularly in the air transport sector

The practice guide 'Jurisdiction and applicable law in international disputes between the employee and the employer' by the Commission states the following (p. 10):

'While it is desirable that disputes over contracts of employment should as far as possible be brought before the courts of the Member State whose law governs the contract, the tests applied to determine forum and governing law for employment disputes are not exactly aligned. As a result thereof, the court with jurisdiction may have to apply a foreign law to certain aspects of the claim'.

For a document which is supposed to help legal practitioners and, rightly, to remove legal uncertainty of this nature, this seems slightly odd and reveals the grey areas permitted by certain EU regulations. In the air transport sector, for example, this legal uncertainty has made it possible for Ryanair to employ staff based in Italy under Irish contracts and for Norwegian Airlines to source its cabin crew in Thailand.

1. Will the Commission take measures to end these unacceptable practices?
2. With regard to employment disputes, can the Commission clarify the position it took in the above-mentioned practice guide?