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2009 - 2014

Committee on Employment and Social Affairs

2011/0397(COD)

26.6.2012

AMENDMENTS 25 - 97

Draft opinion
Thomas Mann
(PE491.100v01-00)

Proposal for a regulation of the European Parliament and of the Council on groundhandling services at Union airports and repealing Council Directive 96/67/EC

Proposal for a regulation
(COM(2011)0824 – C7-0457/2011 – 2011/0397(COD))

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PE492.654v01-00

EN

United in diversity

EN

Amendment 25
Jean Lambert

Proposal for a regulation

–

Proposal for rejection

The European Parliament rejects the Commission's Proposal.

Or. en

Amendment 26
Jutta Steinruck, Evelyn Regner, Alejandro Cercas, Andrea Cozzolino

Proposal for a regulation
Recital 17

Text proposed by the Commission

(17) ***Ambiguity exists as to whether*** Member States ***may require*** the takeover of staff upon a change of provider for groundhandling services ***to which access is limited***. Discontinuity of staff ***can have*** a detrimental effect on the quality of groundhandling services. ***It is therefore appropriate to clarify*** the rules on the ***takeover*** of staff beyond the application of Directive 2001/23/EC on ***transfers of undertakings*** enabling Member States to ***ensure adequate employment*** and working conditions.

Amendment

(17) Member States ***should ensure legally and without any ambiguity*** the takeover of staff upon a change of provider for groundhandling services. Discontinuity of staff ***has*** a detrimental effect on the quality of groundhandling services. The rules on the ***transfer*** of staff beyond the application of Directive 2001/23/EC on ***the change of groundhandling providers*** enabling Member States to ***safeguard employee's rights, high labour standards*** and ***decent*** working conditions ***should be amended where necessary via provisions for the transfer of staff. Dismissal on economic, technical or organisational grounds should not be permitted in this context.***

Or. en

Amendment 27
Nadja Hirsch

Proposal for a regulation

Recital 17

Text proposed by the Commission

(17) *Ambiguity exists as to whether* Member States may require the takeover of staff upon a change of provider for groundhandling services to which access is limited. Discontinuity of staff can have a detrimental effect on the quality of groundhandling services. It is therefore **appropriate** to clarify the rules on the takeover of staff beyond the application of Directive 2001/23/EC on transfers of undertakings enabling Member States to ensure adequate employment and working conditions.

Amendment

(17) ***In the context of the judgment of the Court of Justice of the European Union of 14 July 2005, Case C-386/03 Commission v Germany¹, it is necessary to clarify how*** Member States may require the takeover of staff upon a change of provider for groundhandling services to which access is limited. Discontinuity of staff can have a detrimental effect on the quality of groundhandling services. It is therefore ***absolutely essential*** to clarify the rules on the takeover of staff beyond the application of Directive 2001/23/EC on transfers of undertakings enabling Member States to ensure adequate employment and working conditions.

¹ [2005], I-6947.

Or. de

Amendment 28

Thomas Händel

Proposal for a regulation

Recital 17

Text proposed by the Commission

(17) Ambiguity exists as to whether Member States may require the takeover of staff upon a change of provider for groundhandling services to which access is limited. Discontinuity of staff can have a detrimental effect on the quality of groundhandling services. It is therefore **appropriate to clarify the rules on the** takeover of staff beyond the application of Directive 2001/23/EC on transfers of

Amendment

(17) Ambiguity exists as to whether Member States may require the takeover of staff upon a change of provider for groundhandling services to which access is limited. Discontinuity of staff can have a detrimental effect on the quality of groundhandling services. It is therefore **absolutely essential to ensure** the takeover of staff beyond the application of Directive 2001/23/EC on transfers of

undertakings enabling Member States to ensure adequate employment and working conditions.

undertakings enabling Member States to ensure adequate employment and working conditions.

Or. de

Amendment 29
Philippe Boulland

Proposal for a regulation
Recital 17

Text proposed by the Commission

(17) Ambiguity exists as to whether Member States may require the takeover of staff upon a change of provider for groundhandling services to which access is limited. Discontinuity of staff can have a detrimental effect on the quality of groundhandling services. It is therefore **appropriate** to clarify the rules on the takeover of staff beyond the application of Directive 2001/23/EC on transfers of undertakings enabling Member States to ensure adequate employment and working conditions.

Amendment

(17) Ambiguity exists as to whether Member States may require the takeover of staff upon a change of provider for groundhandling services to which access is limited. Discontinuity of staff can have a detrimental effect on the quality of groundhandling services. It is therefore **essential** to clarify the rules on the takeover of staff beyond the application of Directive 2001/23/EC on transfers of undertakings, **in consultation with the social partners**, enabling Member States to ensure adequate employment and working conditions.

Or. fr

Amendment 30
Veronica Lope Fontagné

Proposal for a regulation
Recital 17

Text proposed by the Commission

(17) Ambiguity exists as to whether Member States may require the takeover of staff upon a change of provider for groundhandling services to which access is limited. Discontinuity of staff can have a

Amendment

(17) Ambiguity exists as to whether Member States may require the takeover of staff upon a change of provider for groundhandling services to which access is limited. Discontinuity of staff can have a

detrimental effect on the quality of groundhandling services. It is therefore appropriate to clarify the rules on the takeover of staff beyond the application of Directive 2001/23/EC on transfers of undertakings enabling Member States to ensure adequate employment and working conditions.

detrimental effect on the quality of groundhandling services. It is therefore appropriate to clarify the rules on the takeover of staff beyond the application of Directive 2001/23/EC on transfers of undertakings enabling Member States to ensure adequate employment, *safety* and working conditions.

Or. es

Amendment 31
Joanna Katarzyna Skrzydlewska

Proposal for a regulation
Recital 17 a (new)

Text proposed by the Commission

Amendment

(17a) The provisions of this regulation should ensure appropriate safety levels, so that high staff turnover and a large number of contracts with subcontractors do not pose a risk to safety standards;

Or. pl

Amendment 32
Joanna Katarzyna Skrzydlewska

Proposal for a regulation
Recital 17 b (new)

Text proposed by the Commission

Amendment

(17b) The legislator should ensure that it is possible for a Member State to recommend that staff be transferred if there is a change in the supplier of a limited groundhandling service.

Or. pl

Justification

Making it possible for Member States to oblige suppliers or airport users to transfer staff will not increase the quality of groundhandling services or the level of competitiveness.

Amendment 33

Jutta Steinruck, Alejandro Cercas, Evelyn Regner

Proposal for a regulation

Recital 28

Text proposed by the Commission

(28) In a labour-intensive sector such as groundhandling, continuous staff development and training have a strong impact on service quality. Minimum ***training requirements should therefore be set*** to ensure the quality of operations in terms of reliability, resilience, safety and security, and to create a level playing field among operators.

Amendment

(28) In a labour-intensive sector such as groundhandling, continuous staff development, ***education*** and training have a strong impact on service quality ***and the safety of operations. The competent authorities in the Member States in cooperation with EASA, airport operators and the social partners should set ambitious*** minimum ***standards*** to ensure the ***highest*** quality ***for education and training*** of ***employees in the groundhandling sector. These standards should be regularly updated and developed in order to contribute to the quality of*** operations in terms of reliability, resilience, safety and security, and to create a level playing field among operators. ***No new service providers should be approved until the required standards are met at the respective airport.***

Or. en

Amendment 34

Thomas Händel

Proposal for a regulation

Recital 28

Text proposed by the Commission

(28) In a labour-intensive sector such as groundhandling, continuous staff development and training have a strong impact on service quality. Minimum training requirements should therefore be set to ensure the quality of operations in terms of reliability, resilience, safety and security, and to create a level playing field among operators.

Amendment

(28) In a labour-intensive sector such as groundhandling, continuous staff development and training have a strong impact on service quality. Minimum training requirements should therefore be set to ensure the quality of operations in terms of reliability, resilience, safety and security, and to create a level playing field among operators. ***The European Aviation Safety Agency should be entrusted with the task of developing minimum standards for education and training which the Member States can and should follow. This task should be included in Regulation No 216/2008.***

Or. de

Justification

Aviation safety is regulated on a European level. The training of workers is regulated by the Member States, even though their work is classified as safety-related. The Aviation Safety Agency should develop minimum standards that can be used by the Member States as a guide when developing training requirements.

Amendment 35
Veronica Lope Fontagné

Proposal for a regulation
Recital 28

Text proposed by the Commission

(28) In a labour-intensive sector such as groundhandling, continuous staff development and training have a strong impact on service quality. Minimum training requirements should therefore be set to ensure the quality of operations in terms of reliability, resilience, safety and security, and to create a level playing field among operators.

Amendment

(28) In a labour-intensive sector such as groundhandling, continuous staff development and training have a strong impact on ***both*** service quality ***and operational safety***. Minimum training requirements should therefore be set to ensure the quality of operations in terms of reliability, resilience, safety and security, and to create a level playing field among operators.

Amendment 36
Philippe Boulland

Proposal for a regulation
Recital 28

Text proposed by the Commission

(28) In a labour-intensive sector such as groundhandling, continuous staff development and training have a strong impact on service quality. Minimum training requirements should therefore be set to ensure the quality of operations in terms of reliability, resilience, safety and security, and to create a level playing field among operators.

Amendment

(28) In a labour-intensive sector such as groundhandling, continuous staff development and training have a strong impact on service quality. Minimum training requirements, ***harmonised at a European level***, should therefore be set to ensure the quality of operations in terms of reliability, resilience, safety and security, and to create a level playing field among operators.

Or. fr

Amendment 37
Ole Christensen, Jutta Steinruck

Proposal for a regulation
Recital 28 a (new)

Text proposed by the Commission

Amendment

(28 a) In order to improve the working conditions of baggage handlers, limits in the maximum allowable baggage weight should be reduced further, especially where baggage handling is performed manually. When handling baggage manually, the weight of individual pieces of baggage should also be clearly indicated through a baggage tagging system dividing baggage items into different weight classes.

Or. en

Amendment 38

Jutta Steinruck, Alejandro Cercas, Andrea Cozzolino

Proposal for a regulation

Recital 31

Text proposed by the Commission

(31) Member States should ***retain the power to ensure*** an adequate level of social protection ***for the staff of undertaking providing groundhandling services.***

Amendment

(31) Member States should ***ensure that the staff of undertakings providing groundhandling services enjoy*** an adequate level of social protection, ***fair working conditions and decent living wages, which should also be ensured in the event of subcontracting and service contracts. No new service providers should be approved until the required standards are met at the respective airport.***

Or. en

Amendment 39

Philippe Boulland

Proposal for a regulation

Recital 31

Text proposed by the Commission

(31) Member States ***should retain the power to*** ensure an adequate level of social protection for the staff of undertaking providing groundhandling services.

Amendment

(31) Member States ***must*** ensure an adequate level of social protection for the staff of undertaking providing groundhandling services. ***In the absence of adequate social protection, accreditation may be suspended, withdrawn or withheld.***

Or. fr

Amendment 40

Thomas Händel

Proposal for a regulation
Recital 31

Text proposed by the Commission

(31) Member States should **retain the power to** ensure an adequate level of social protection for the staff of **undertaking** providing groundhandling services.

Amendment

(31) Member States should ensure **that** an adequate level of social protection **is guaranteed** for the staff of **undertakings** providing groundhandling services.

Or. de

Amendment 41
Ole Christensen

Proposal for a regulation
Recital 31 a (new)

Text proposed by the Commission

Amendment

(31 a) Considering that work in the field of baggage handling services can lead to the risk of employees being worn out early in their working life, this Regulation gives Member States the possibility of introducing national legislation in order to improve working conditions.

Or. en

Amendment 42
Thomas Händel

Proposal for a regulation
Recital 31 a (new)

Text proposed by the Commission

Amendment

(31a) This also involves applying representative collective agreements for the various airports in relation to pay and

other employment conditions.

Or. de

Amendment 43

Jutta Steinruck, Alejandro Cercas, Ole Christensen, Andrea Cozzolino

Proposal for a regulation

Article 12 – title

Text proposed by the Commission

Amendment

Safeguarding of employees' rights in the event of transfer of staff *for services subject to market access restrictions*

Safeguarding of employees' rights in the event of transfer of staff

Or. en

Amendment 44

Jutta Steinruck, Alejandro Cercas, Ole Christensen, Andrea Cozzolino

Proposal for a regulation

Article 12 – paragraph 1

Text proposed by the Commission

Amendment

1. This Article applies *only* to groundhandling services *for which the Member State concerned has limited the number of suppliers in accordance with Article 6 or 14.*

1. This Article applies to *all* groundhandling services.

Or. en

Amendment 45

Phil Bennion, Philippe De Backer

Proposal for a regulation

Article 12 – paragraph 2

Text proposed by the Commission

2. Where, following the selection procedure laid down in Articles 7 to 10, **a** supplier of groundhandling services mentioned in paragraph 1 **loses its authorisation to provide these services**, Member States may require **supplier(s)** of groundhandling services which subsequently provide these services to grant staff previously hired to provide these services the rights to which they would have been entitled if there had been a transfer within the meaning of Council Directive 2001/23/EC¹⁷.

Amendment

2. Where, following the selection procedure laid down in Articles 7 to 10, **any** supplier of groundhandling services, **including self-handling airport users**, mentioned in paragraph 1 **is replaced by one or more supplier**, Member States may require **suppliers** of groundhandling services which subsequently provide these services to grant staff previously hired to provide these services the rights to which they would have been entitled if there had been a transfer within the meaning of Council Directive 2001/23/EC¹⁷.

Or. en

Amendment 46

Joanna Katarzyna Skrzydlewska

Proposal for a regulation

Article 12 – paragraph 2

Text proposed by the Commission

2. Where, following the selection procedure laid down in Articles 7 to 10, a supplier of groundhandling services mentioned in paragraph 1 loses its authorisation to provide these services, Member States may **require** supplier(s) of groundhandling services which subsequently provide these services **to** grant staff previously hired to provide these services the rights to which they would have been entitled if there had been a transfer within the meaning of Council Directive 2001/23/EC¹⁷.

Amendment

2. Where, following the selection procedure laid down in Articles 7 to 10, a supplier of groundhandling services mentioned in paragraph 1 loses its authorisation to provide these services, **and when the supplier of groundhandling services ceases the performance of groundhandling services for an airport user or when a self-handling airport user decides to cease self-handling**, Member States may **recommend that** supplier(s) of groundhandling services which subsequently provide these services grant staff previously hired to provide these services the rights to which they would have been entitled if there had been a transfer within the meaning of Council Directive 2001/23/EC¹⁷.

Amendment 47
Nadja Hirsch

Proposal for a regulation
Article 12 – paragraph 2

Text proposed by the Commission

2. Where, following the selection procedure laid down in Articles 7 to 10, a supplier of groundhandling services mentioned in paragraph 1 loses its authorisation to provide these services, Member States *may* require supplier(s) of groundhandling services which subsequently provide these services to grant staff previously hired to provide these services the rights to which they would have been entitled if there had been a transfer within the meaning of Council Directive **2001/23/EC**¹⁷.

Amendment

2. Where, following the selection procedure laid down in Articles 7 to 10, a supplier of groundhandling services mentioned in paragraph 1 loses its authorisation to provide these services *or a supplier ceases to provide an airport user with groundhandling services that represent a significant part of its groundhandling service, or an airport user that provides its own groundhandling services decides to cease such services*, Member States *shall* require supplier(s) of groundhandling services *or airport users that provide their own groundhandling services* which subsequently provide these services to grant staff previously hired to provide these services the rights to which they would have been entitled if there had been a transfer within the meaning of Council Directive **2001/23/EC**.

A significant part as referred to in the first sentence of subparagraph 1 above always applies if more than 5 % of its groundhandling services are affected. Article 4(1), second sentence, of Directive 2001/23/EC shall not apply to the cases outlined in the first sentence of subparagraph 1 of this paragraph. Dismissal on economic, technical or organisational grounds shall not be permitted.

Amendment 48

Jutta Steinruck, Evelyn Regner, Alejandro Cercas, Andrea Cozzolino

Proposal for a regulation

Article 12 – paragraph 2

Text proposed by the Commission

2. Where, following the selection procedure laid down in Articles 7 to 10, a supplier of groundhandling services mentioned in paragraph 1 loses its authorisation to provide these services, Member States *may* require supplier(s) of groundhandling services which subsequently provide these services to grant staff previously hired to provide these services the rights to which they would have been entitled if there had been a transfer within the meaning of Council Directive **2001/23/EC**¹⁷.

Amendment

2. Where, following the selection procedure laid down in Articles 7 to 10, a supplier of groundhandling services mentioned in paragraph 1 loses its authorisation to provide these services *or where a service provider ceases to provide groundhandling services to an airport user or where a self-handling airport user decides to cease self-handling*, Member States *shall* require supplier(s) of groundhandling services *or self-handling airport users* which subsequently provide these services to grant staff previously hired to provide these services the rights to which they would have been entitled if there had been a transfer within the meaning of Council Directive **2001/23/EC**. *The provisions set out in Article 4(1), second sentence, of Directive 2001/23/EC shall not apply in these cases.*

Or. en

Amendment 49

Veronica Lope Fontagné

Proposal for a regulation

Article 12 – paragraph 2

Text proposed by the Commission

2. Where, following the selection procedure laid down in Articles 7 to 10, a supplier of groundhandling services mentioned in paragraph 1 loses its authorisation to provide these services, Member States *may* require supplier(s) of groundhandling services which

Amendment

2. Where, following the selection procedure laid down in Articles 7 to 10, a supplier of groundhandling services mentioned in paragraph 1 loses its authorisation to provide these services, Member States *shall* require supplier(s) of groundhandling services which

subsequently provide these services to grant staff previously hired to provide these services the rights to which they would have been entitled if there had been a transfer within the meaning of Council Directive 2001/23/EC¹⁷ .

subsequently provide these services to grant staff previously hired to provide these services the rights to which they would have been entitled if there had been a transfer within the meaning of Council Directive 2001/23/EC¹⁷ .

Or. es

Amendment 50
Thomas Händel

Proposal for a regulation
Article 12 – paragraph 2

Text proposed by the Commission

2. Where, following the selection procedure laid down in Articles 7 to 10, a supplier of groundhandling services mentioned in paragraph 1 loses its authorisation to provide these services, Member States may require supplier(s) of groundhandling services which subsequently provide these services to grant staff previously hired to provide these services the rights to which they would have been entitled if there had been a transfer within the meaning of Council Directive 2001/23/EC¹⁷.

Amendment

2. Where, following the selection procedure laid down in Articles 7 to 10, a supplier of groundhandling services mentioned in paragraph 1 loses its authorisation to provide these services, Member States may require supplier(s) of groundhandling services which subsequently provide these services to grant staff previously hired to provide these services the rights to which they would have been entitled if there had been a transfer within the meaning of Council Directive 2001/23/EC¹⁷. ***These rights include the mandatory application of the representative collective agreements.***

Or. de

Justification

If the application of the representative collective agreements is not mandatory, competition will consist of underbidding on price, which will lead to wage dumping. This is irreconcilable with quality, efficiency, security, social protection and a social market economy.

Amendment 51
Phil Bennion, Philippe De Backer

Proposal for a regulation
Article 12 – paragraph 3

Text proposed by the Commission

3. Member States shall limit the requirement in paragraph (2) to the employees of the previous supplier who are involved in the provision of services *for which* the previous supplier *lost authorisation*, and who voluntarily accept to be taken on by the new supplier(s).

Amendment

3. Member States shall limit the requirement in paragraph (2) to the employees of the previous supplier, ***including self handling airport users***, who are involved in the provision of ***groundhandling*** services ***that*** the previous supplier ***stops providing***, and who voluntarily accept to be taken on by the new supplier(s) ***or self-handling airport user***.

Or. en

Amendment 52
Jutta Steinruck, Evelyn Regner, Alejandro Cercas

Proposal for a regulation
Article 12 – paragraph 3

Text proposed by the Commission

3. Member States shall limit the requirement in paragraph (2) to the employees of the previous supplier who are involved in the provision of services for which the previous supplier lost authorisation, and who ***voluntarily*** accept to be taken on by the new supplier(s).

Amendment

3. Member States shall limit the requirement in paragraph (2) to the employees of the previous supplier who are involved in the provision of services for which the previous supplier lost authorisation, and who accept to be taken on by the new supplier(s) ***or self-handling airport user. The costs of redundancy plans for departing staff shall be borne by airport users in proportion to their share of traffic.***

Or. en

Amendment 53
Joanna Katarzyna Skrzydlewska

Proposal for a regulation
Article 12 – paragraph 3

Text proposed by the Commission

3. Member States shall limit the **requirement** in paragraph (2) to the employees of the previous supplier who are involved in the provision of services for which the previous supplier lost authorisation, and who voluntarily accept to be taken on by the new supplier(s).

Amendment

3. Member States shall limit the **recommendation** in paragraph (2) to the employees of the previous supplier who are involved in the provision of services for which the previous supplier lost authorisation, and who voluntarily accept to be taken on by the new supplier(s).

Or. pl

Amendment 54
Jutta Steinruck, Evelyn Regner, Alejandro Cercas

Proposal for a regulation
Article 12 – paragraph 4

Text proposed by the Commission

4. Member States shall limit the requirement in paragraph (2) so that it is to be proportionate to the volume of activity effectively transferred to the other supplier(s).

Amendment

deleted

Or. en

Amendment 55
Joanna Katarzyna Skrzydlewska

Proposal for a regulation
Article 12 – paragraph 5

Text proposed by the Commission

5. Where a Member State imposes a requirement as referred to in paragraph (2), tender documents for the selection procedure laid down in Articles 7 to 10 shall list the staff concerned and give the

Amendment

deleted

relevant details of employees' contractual rights and the conditions under which employees are deemed to be linked to the services in question.

Or. pl

Amendment 56

Jutta Steinruck, Evelyn Regner, Alejandro Cercas, Ole Christensen

Proposal for a regulation

Article 12 – paragraph 5

Text proposed by the Commission

5. Where a Member State imposes a requirement as referred to in paragraph (2), tender documents for the selection procedure laid down in Articles 7 to 10 shall list the staff concerned and give the relevant details of employees' contractual rights and the conditions under which employees are deemed to be linked to the services in question.

Amendment

5. Tender documents for the selection procedure laid down in Articles 7 to 10 shall list the staff concerned and give the relevant details of employees' contractual rights and the conditions under which employees are deemed to be linked to the services in question. ***Staff and union representatives shall have access to those lists.***

Or. en

Amendment 57

Jutta Steinruck, Alejandro Cercas

Proposal for a regulation

Article 12 – paragraph 6

Text proposed by the Commission

6. Where a supplier of groundhandling services stops providing to an airport user groundhandling services which constitute a significant part of the groundhandling activities of this supplier in cases not covered by paragraph (2), or where a self-handling airport user decides to stop self-handling, Member States may require the supplier(s) of groundhandling services or

Amendment

deleted

self-handling airport user which subsequently provide these groundhandling services to grant staff previously hired to provide these services the rights to which they would have been entitled if there had been a transfer within the meaning of Council Directive 2001/23/EC.

Or. en

Amendment 58
Phil Bennion, Philippe De Backer

Proposal for a regulation
Article 12 – paragraph 6

Text proposed by the Commission

Amendment

6. Where a supplier of groundhandling services stops providing to an airport user groundhandling services which constitute a significant part of the groundhandling activities of this supplier in cases not covered by paragraph (2), or where a self-handling airport user decides to stop self-handling, Member States may require the supplier(s) of groundhandling services or self-handling airport user which subsequently provide these groundhandling services to grant staff previously hired to provide these services the rights to which they would have been entitled if there had been a transfer within the meaning of Council Directive 2001/23/EC.

deleted

Or. en

Amendment 59
Joanna Katarzyna Skrzydlewska

Proposal for a regulation
Article 12 – paragraph 6

Text proposed by the Commission

Amendment

6. Where a supplier of groundhandling services stops providing to an airport user groundhandling services which constitute a significant part of the groundhandling activities of this supplier in cases not covered by paragraph (2), or where a self-handling airport user decides to stop self-handling, Member States may require the supplier(s) of groundhandling services or self-handling airport user which subsequently provide these groundhandling services to grant staff previously hired to provide these services the rights to which they would have been entitled if there had been a transfer within the meaning of Council Directive 2001/23/EC.

deleted

Or. pl

Amendment 60

Jutta Steinruck, Alejandro Cercas

Proposal for a regulation Article 12 – paragraph 7

Text proposed by the Commission

Amendment

7. Member States shall limit the requirement in paragraph (6) to the employees of the previous supplier who are involved in the provision of groundhandling services that the previous supplier stops providing, and who voluntarily accept to be taken on by the new supplier(s) or self-handling airport user.

deleted

Or. en

Amendment 61
Phil Bennion, Philippe De Backer

Proposal for a regulation
Article 12 – paragraph 7

Text proposed by the Commission

Amendment

7. Member States shall limit the requirement in paragraph (6) to the employees of the previous supplier who are involved in the provision of groundhandling services that the previous supplier stops providing, and who voluntarily accept to be taken on by the new supplier(s) or self-handling airport user.

deleted

Or. en

Amendment 62
Joanna Katarzyna Skrzydlewska

Proposal for a regulation
Article 12 – paragraph 7

Text proposed by the Commission

Amendment

7. Member States shall limit the requirement in paragraph (6) to the employees of the previous supplier who are involved in the provision of groundhandling services that the previous supplier stops providing, and who voluntarily accept to be taken on by the new supplier(s) or self-handling airport user.

deleted

Or. pl

Amendment 63
Jutta Steinruck, Alejandro Cercas

Proposal for a regulation
Article 12 – paragraph 8

Text proposed by the Commission

Amendment

8. Member States shall limit the requirement in paragraph (6) to the employees of the self-handling airport user who are involved in the provision of groundhandling services for which the self-handling airport user decides to stop self-handling, and who voluntarily accept to be taken on by the new supplier(s) or self-handling airport user.

deleted

Or. en

Amendment 64
Joanna Katarzyna Skrzydlewska

Proposal for a regulation
Article 12 – paragraph 8

Text proposed by the Commission

Amendment

8. Member States shall limit the requirement in paragraph (6) to the employees of the self-handling airport user who are involved in the provision of groundhandling services for which the self-handling airport user decides to stop self-handling, and who voluntarily accept to be taken on by the new supplier(s) or self-handling airport user.

deleted

Or. pl

Amendment 65
Phil Bennion, Philippe De Backer

Proposal for a regulation
Article 12 – paragraph 8

Text proposed by the Commission

Amendment

8. Member States shall limit the requirement in paragraph (6) to the employees of the self-handling airport user who are involved in the provision of groundhandling services for which the self-handling airport user decides to stop self-handling, and who voluntarily accept to be taken on by the new supplier(s) or self-handling airport user.

8. Member States shall limit the requirement in paragraph (2) to the employees of the self-handling airport user who are involved in the provision of groundhandling services for which the self-handling airport user decides to stop self-handling, and who voluntarily accept to be taken on by the new supplier(s) or self-handling airport user.

Or. en

Amendment 66

Jutta Steinruck, Alejandro Cercas

Proposal for a regulation

Article 12 – paragraph 9

Text proposed by the Commission

Amendment

9. Member States shall limit the requirement in paragraph (6) so that it is to be proportionate to the volume of activity effectively transferred to the other supplier or self-handling airport user.

deleted

Or. en

Amendment 67

Phil Bennion, Philippe De Backer

Proposal for a regulation

Article 12 – paragraph 9

Text proposed by the Commission

Amendment

9. Member States shall limit the requirement in paragraph (6) so that it is to be proportionate to the volume of activity effectively transferred to the other supplier or self-handling airport user.

deleted

Amendment 68
Minodora Cliveti

Proposal for a regulation
Article 12 – paragraph 10 a (new)

Text proposed by the Commission

Amendment

10 a. The Member States shall ensure that wage dumping is prevented not only as applied to the permanent groundhandling employees but also in the event of a transfer of staff, in order to guarantee adequate social standards and to improve the quality of groundhandling services;

Or. en

Amendment 69
Minodora Cliveti

Proposal for a regulation
Article 12 – paragraph 10 b (new)

Text proposed by the Commission

Amendment

10 b. The competent authorities of the Member States shall take due account of trade union rights and collective bargaining in groundhandling services, in order to ensure that there is adequate social protection for the staff recruited to provide these services;

Or. en

Amendment 70
Minodora Cliveti

Proposal for a regulation
Article 12 – paragraph 10 c (new)

Text proposed by the Commission

Amendment

10 c. As a cushion against any harmful effects of liberalisation in the groundhandling sector, binding minimum service quality standards need to be defined and enforced by airport managing authorities in the interest of safe, reliable and efficient operations;

Or. en

Amendment 71
Phil Bennion, Philippe De Backer

Proposal for a regulation
Article 20 – paragraph 1

Text proposed by the Commission

Amendment

An undertaking applying for an approval shall demonstrate that its employees have the qualification, professional experience and length of service necessary for the performance of the activity it ***applies for***.

An undertaking applying for an approval shall demonstrate that its employees have the qualification, professional experience and length of service necessary for the performance of the activity ***for which it has applied***.

Or. en

Amendment 72
Jutta Steinruck, Alejandro Cercas

Proposal for a regulation
Article 20 – paragraph 1

Text proposed by the Commission

Amendment

An undertaking applying for an approval shall demonstrate that its employees have the qualification, professional experience and length of service necessary for the

An undertaking applying for an approval shall demonstrate that its employees have the qualification, professional experience and length of service necessary for the

performance of the activity it applies for.

performance of the activity it applies for.
Individual requirements concerning qualifications, professional experience and length of service shall be set for each airport by the competent authorities in the Member State in cooperation with EASA as well as the airport operator and the social partners concerned. Moreover, general standards for groundhandling staff shall be established at EU level by EASA in cooperation with the competent authorities of the Member States, the airport operators and social partners. These requirements shall be monitored by the competent authorities in the Member States in cooperation with EASA.

Or. en

Amendment 73
Nadja Hirsch

Proposal for a regulation
Article 20 – paragraph 1

Text proposed by the Commission

An undertaking applying for an approval shall demonstrate that its employees have the qualification, professional experience and length of service necessary for the performance of the activity it applies for.

Amendment

An undertaking applying for an approval shall demonstrate that its employees have the qualification, professional experience and length of service necessary for the performance of the activity it applies for.
Requirements in terms of qualifications, professional experience and length of service shall be worked out by the airport operators concerned for the locations in question and shall be laid down and monitored by the competent authorities in the Member States.

Or. de

Amendment 74
Thomas Händel

Proposal for a regulation
Article 20 – paragraph 1

Text proposed by the Commission

An undertaking applying for an approval shall demonstrate that its employees have the qualification, professional experience and length of service necessary for the performance of the activity it applies for.

Amendment

An undertaking applying for an approval shall demonstrate that its employees have the qualification, professional experience and length of service necessary for the performance of the activity it applies for. ***Where European minimum standards are developed as recommendations for education and training, Member States should use these as a guide in order to ensure the highest possible safety standards throughout Europe.***

Or. de

Amendment 75
Joanna Katarzyna Skrzydlewska

Proposal for a regulation
Article 34 – paragraph 1

Text proposed by the Commission

1. Suppliers of groundhandling services and self-handling airport users shall ensure that all their employees involved in the provision of groundhandling services, including managing staff and supervisors, regularly attend specific and recurrent training to enable them to perform the tasks assigned to them.

Amendment

1. Suppliers of groundhandling services and self-handling airport users shall ensure that all their employees involved in the provision of groundhandling services, including managing staff and supervisors, regularly attend specific and recurrent training to enable them to perform the tasks assigned to them. ***By means of appropriate measures, supervisory authorities in the Member States shall check compliance with training standards. If the relevant authorities in a Member State find that training standards have not been complied with, the continued provision of services by suppliers of groundhandling services and self-handling airport users shall be blocked until the required standards are achieved.***

Amendment 76
Philippe Boulland

Proposal for a regulation
Article 34 – paragraph 1

Text proposed by the Commission

1. Suppliers of groundhandling services and self-handling airport users **shall ensure** that all their employees involved in the provision of groundhandling services, including managing staff and supervisors, regularly attend specific and recurrent training to enable them to perform **the** tasks assigned to them

Amendment

1. Suppliers of groundhandling services and self-handling airport users **must require** that all their employees involved in the provision of groundhandling services, including managing staff and supervisors, regularly attend specific and recurrent training, **harmonised at European level**, to enable them to perform **those** tasks assigned to them

Or. fr

Amendment 77
Phil Bennion, Philippe De Backer

Proposal for a regulation
Article 34 – paragraph 1

Text proposed by the Commission

1. Suppliers of groundhandling services and self-handling airport users shall ensure that all their employees involved in the provision of groundhandling services, including managing staff and supervisors, **regularly** attend specific and recurrent training to enable them to perform the tasks assigned to them.

Amendment

1. Suppliers of groundhandling services and self-handling airport users shall ensure that all their employees involved in the provision of groundhandling services, including managing staff and supervisors, attend **at least two days of initial training when taking up a new job, and subsequent** specific and recurrent training to enable them to perform the tasks assigned to them. **This training must meet minimum European standards and be relevant to the specific tasks to which the**

employee is assigned.

Or. en

Amendment 78

Jutta Steinruck, Evelyn Regner, Alejandro Cercas, Andrea Cozzolino

Proposal for a regulation

Article 34 – paragraph 1

Text proposed by the Commission

1. Suppliers of groundhandling services and self-handling airport users shall ensure that all their employees involved in the provision of groundhandling services, including managing staff and supervisors, regularly attend specific and recurrent training to enable them to perform the tasks assigned to them.

Amendment

1. Suppliers of groundhandling services and self-handling airport users shall ensure that all their employees involved in the provision of groundhandling services, including managing staff and supervisors, regularly attend specific and recurrent training to enable them to perform the tasks assigned to them ***and to prevent accidents and injuries. The competent authorities in the Member States shall monitor compliance with education and training standards. Recurrent training at the expense of the concerned groundhandling service provider or self-handling airport users may be required. No new service providers shall be approved until the required standards are met at the respective airport.***

Or. en

Amendment 79

Phil Bennion, Philippe De Backer

Proposal for a regulation

Article 34 – paragraph 2

Text proposed by the Commission

2. Every employee involved in the provision of groundhandling services shall attend at least two days of training

Amendment

deleted

relevant for the tasks assigned to the employee. Every employee shall attend the relevant training when taking up a new job or when a new task is assigned to the employee.

Or. en

Amendment 80
Jutta Steinruck, Alejandro Cercas

Proposal for a regulation
Article 34 – paragraph 2

Text proposed by the Commission

2. Every employee involved in the provision of groundhandling services shall attend *at least two days of* training relevant for the tasks *assigned to the employee*. Every employee shall attend *the* relevant training *when* taking up a new job or *when a new task is assigned* to the *employee*.

Amendment

2. Every employee involved in the provision of groundhandling services shall attend *basic theoretical and practical education and specific* training relevant for the *assigned* tasks. Every employee shall attend relevant training *before* taking up a new job or *starting a newly assigned* task. *Airport specific details and the minimum duration concerning the education and training shall be determined by the competent authorities in Member States in cooperation with EASA as well as concerned airport operators and social partners. A practical and a theoretical test shall serve to demonstrate that the relevant skills and knowledge have been acquired during the courses. The training costs shall be borne in full by the employers.*

Or. en

Amendment 81
Joanna Katarzyna Skrzydlewska

Proposal for a regulation
Article 34 – paragraph 2

Text proposed by the Commission

2. Every employee involved in the provision of groundhandling services shall attend **at least two days of** training relevant for the tasks assigned to the employee. Every employee shall attend the relevant training **when** taking up a new job or **when** a new task is assigned to the employee;

Amendment

2. Every employee involved in the provision of groundhandling services shall attend **theoretical and practical basic** training, **as well as training** relevant for the tasks assigned to the employee. **The scope and minimum duration of such training shall be determined by the relevant authorities in Member States, in cooperation with the given operators in the groundhandling services sector.** Every employee shall attend the relevant training **immediately after** taking up a new job or **after** a new task is assigned to the employee, **and before starting work in this field;**

Or. pl

Amendment 82
Nadja Hirsch

Proposal for a regulation
Article 34 – paragraph 2

Text proposed by the Commission

2. Every employee involved in the provision of groundhandling services shall attend **at least two days of** training relevant for the tasks assigned to the employee. Every employee shall attend the relevant training when taking up a new job or when a new task is assigned to the employee.

Amendment

2. Every employee involved in the provision of groundhandling services shall attend **theoretical and practical basic** training **and training** relevant for the tasks assigned to the employee, **in relation to which the competent authorities in the Member States, together with the airport operators concerned, shall determine details for the location and the minimum duration. The duration of training should not be less than five days. The passing of a practical and a theoretical test shall serve to demonstrate that the relevant skills and knowledge have been acquired from the courses. The training costs shall be borne in full by the employers.** Every employee shall attend the relevant training

when taking up a new job or when a new task is assigned to the employee.

Or. de

Amendment 83
Dieter-Lebrecht Koch

Proposal for a regulation
Article 34 – paragraph 2

Text proposed by the Commission

2. Every employee involved in the provision of groundhandling services shall attend ***at least two days of*** training relevant for the tasks assigned to the employee. Every employee shall attend the relevant training when taking up a new job or when a new task is assigned to the employee.

Amendment

2. Every employee involved in the provision of groundhandling services shall attend ***theoretical and practical basic*** training ***and training*** relevant for the tasks assigned to the employee ***which the employee shall attend at regular intervals. The competent authorities in the Member States, together with the airport operators concerned, shall determine details for the location, frequency and minimum duration of this training.*** Every employee shall attend the relevant training when taking up a new job or when a new task is assigned to the employee.

Or. de

Amendment 84
Philippe Boulland

Proposal for a regulation
Article 34 – paragraph 2

Text proposed by the Commission

2. Every employee involved in the provision of groundhandling services ***shall*** attend at least two days of training relevant for the tasks assigned to the employee. Every employee shall attend the relevant training when taking up a new job or when

Amendment

2. Every employee involved in the provision of groundhandling services ***must*** attend at least two days of ***theoretical and practical*** training relevant for the tasks assigned to the employee. Every employee shall attend the relevant training when

a new task is assigned to the employee.

taking up a new job or when a new task is assigned to the employee.

Or. fr

Amendment 85

Joanna Katarzyna Skrzydlewska

Proposal for a regulation

Article 34 – paragraph 3 – introductory part

Text proposed by the Commission

3. Where relevant for the **activity** of groundhandling services in question, training shall cover at least

Amendment

3. Where relevant for the **type** of groundhandling services in question, training, **the scope and manner of execution of which shall be determined by regulations in the individual Member States, shall** cover at least:

Or. pl

Justification

The most important factor which will ensure that training is effective is not its duration, but its content, which should be standardised throughout the European Union. In order to increase service quality standards, it is also crucial for staff to undertake training before they start work.

Amendment 86

Philippe Boulland

Proposal for a regulation

Article 34 – paragraph 3 – introductory part

Text proposed by the Commission

3. Where relevant for the activity of groundhandling services in question, training shall cover at least:

Amendment

3. Where relevant for the activity of groundhandling services in question, training **which is harmonised at a European level and can be completed using specific tests appropriate to certain**

Member States shall cover, at least:

Or. fr

Amendment 87

Jutta Steinruck, Alejandro Cercas

Proposal for a regulation

Article 34 – paragraph 3 – introductory part

Text proposed by the Commission

3. Where relevant for the activity of groundhandling services in question, training shall cover at least:

Amendment

3. Where relevant for the activity of **the** groundhandling services in question, training **and tests** shall cover at least:

Or. en

Amendment 88

Jutta Steinruck, Alejandro Cercas

Proposal for a regulation

Article 34 – paragraph 3 – subparagraph 1 (new)

Text proposed by the Commission

Amendment

The specific content of the courses and tests and their proper conduct shall be regulated and monitored by the competent authorities in Member States in cooperation with EASA. EASA shall define the training criteria to be met in order to establish a European certification standard for the safety-related functions as referred to in Article 21.

Or. en

Amendment 89

Veronica Lope Fontagné

Proposal for a regulation
Article 34 – paragraph 3 – point g

Text proposed by the Commission

(g) functional training for passenger handling, including training on passenger boarding bridge training and passenger information and assistance in accordance with Regulations (EC) No 261/2004 and (EC) No 1107/2006;

Amendment

(g) functional training for passenger handling, ***with emphasis on those passengers with special needs, in particular those with limited mobility or disabilities;*** including training on passenger boarding bridge training and passenger information and assistance in accordance with Regulations (EC) No 261/2004 and (EC) No 1107/2006;

Or. es

Amendment 90
Joanna Katarzyna Skrzydlewska

Proposal for a regulation
Article 34 – paragraph 3 – point p a (new)

Text proposed by the Commission

Amendment

(pa) measures to protect against occupational health hazards for groundhandling employees,

Or. pl

Amendment 91
Jutta Steinruck, Alejandro Cercas

Proposal for a regulation
Article 39 – paragraph 1 – introductory part

Text proposed by the Commission

Amendment

1. The Commission shall submit a report to the European Parliament and the Council on the implementation of this Regulation not later than **5** years after the date of application of this Regulation. The report

1. The Commission shall submit a report to the European Parliament and the Council on the implementation of this Regulation not later than **3** years after the date of application of this Regulation. The report

shall in particular assess **any significant** impact on the quality of groundhandling services, employment and working conditions. The report shall **include** the following **set of** indicators and criteria **for a sample of airports**:

shall in particular assess **the** impact on the quality of groundhandling services **as well as** employment and working conditions. The report shall **examine** the following indicators and criteria:

Or. en

Amendment 92
Jutta Steinruck, Alejandro Cercas

Proposal for a regulation
Article 39 – paragraph 1 – point l

Text proposed by the Commission

(l) minimum quality standards for groundhandling undertakings;

Amendment

(l) minimum quality standards for groundhandling undertakings **in the Union with regard to the eleven categories of services**;

Or. en

Amendment 93
Jutta Steinruck, Alejandro Cercas, Evelyn Regner, Andrea Cozzolino

Proposal for a regulation
Article 39 – paragraph 1 – point n

Text proposed by the Commission

(n) transfer of staff and its impact on the protection of employees;

Amendment

(n) transfer of staff and its impact on the protection of employees, **particularly the number of staff transferred where a change of groundhandling service provider occurred, the number of staff who accepted voluntary redundancy where a change of groundhandling service providers occurred, the development of wages in the case of transferred workers; the number of cases brought before employment tribunals in connection with transfers; the number of**

staff who accepted voluntary redundancy and are dependent on payments from national social security systems;

Or. en

Amendment 94

Joanna Katarzyna Skrzydlewska

Proposal for a regulation

Article 39 – paragraph 1 – point n

Text proposed by the Commission

n) transfer of staff and its impact on the protection of employees;

Amendment

(n) transfer of staff, ***if applicable***, and its impact on the protection of employees;

Or. pl

Amendment 95

Jutta Steinruck, Evelyn Regner, Alejandro Cercas, Andrea Cozzolino

Proposal for a regulation

Article 39 – paragraph 1 – point o

Text proposed by the Commission

(o) employment and working conditions in the groundhandling sector.

Amendment

(o) employment and working conditions in the groundhandling sector, ***particularly trends in wages and salaries in comparison with trends in prices charged for groundhandling and in comparison with changes in the productivity of groundhandling services at the airport as a whole and those supplied by individual groundhandling service providers.***

Or. en

Amendment 96

Jutta Steinruck, Alejandro Cercas

Proposal for a regulation
Article 39 – paragraph 1 – point o a (new)

Text proposed by the Commission

Amendment

(o a) link between delays caused by groundhandling services and insufficient quality standards;

Or. en

Amendment 97
Jutta Steinruck, Evelyn Regner, Alejandro Cercas, Andrea Cozzolino

Proposal for a regulation
Article 40 – paragraph 1

Text proposed by the Commission

Amendment

Without prejudice to the application of this Regulation, and subject to the other provisions of Union law, Member States may take the necessary measures to ensure protection of rights of workers.

Member States shall ensure legally that the staff of undertakings providing third party groundhandling or self-handling services enjoy an adequate level of social protection, fair working conditions and decent living wages. No new service providers shall be approved until the required standards are met at the respective airport.

Or. en