



Position Paper

Brussels, May 12, 2021

CABIN CREW SELF-EMPLOYMENT EurECCA CALLS FOR A COORDINATED EUROPEAN POSITION TO PUT AN END TO AIRLINES FORCING CABIN CREW TO WORK AS SELF-EMPLOYED

Crew members working for airlines generally perform their services “for a certain period of time for and under the direction of another person in return for which he receives remuneration” and therefore, following established caselaw from the Court of Justice of the EU (Case 66/85, La-wrie-Blum, para 17), they are workers and cannot be considered self-employed.

Although some forms of genuine air crew self-employment might exist notably in the private/business aviation sector, the way in which commercial aviation works makes this type of relationships virtually impossible.

Crews would not meet most of the criteria that characterize self-employment:

- Autonomy and own financial risk
- Freedom in the organization of work (working hours, time off)
- Use of own tools/work in own premises/stocks own tools in their main establishment
- Working for several clients

EurECCA asks EU Commission to set up conditions for an ENFORCEMENT OF THE LAW - Rome I - that could led, in short times, to:

- European definition of Cabin Crew profession
- Prohibition to operate as self employed.
- Penalties for Member States that do not carry out inspections,
- Legal presumption of direct employment.
- List of guidance for self-employment, to be applied to EU member states (in this way to demonstrate that self employment cannot be applied to aircrew).

A dedicated campaign will start in the next days: stay tuned!

**EurECCA represents, protects and develops the rights
and needs of cabin crew all over Europe**