

Vragen en antwoorden luchtvaartmaatschappijen

Zembla stuurde 13 Europese luchtvaartmaatschappijen vragen over hun bedrijfsvoering. 6 van hen reageerden: AirBaltic, EasyJet, Norwegian, SmartLynx, Transavia en TUIFly. Hieronder vindt u hun antwoorden.

Van Avia Solutions Group, Eurowings, Jet2, Volotea, Vueling, Ryanair en Wizz Air ontvingen we geen reactie. De laatste twee gingen ook niet in op een interviewverzoek.

Ook van Airlines 4 Dialogue, een Europees samenwerkingsverband van luchtvaartmaatschappijen, ontving Zembla geen reactie.

Vragen aan alle luchtvaartmaatschappijen:

Dear Sir, Madam,

We are journalists working for the investigative program Zembla, broadcasted for over 25 years on Dutch public TV. The past months we have been investigating working conditions in European aviation. We have spoken to pilots and cabin crew members of several European low-cost carriers, Union-representatives and scientific researchers.

They have been telling us working conditions are deteriorating. The number of so-called atypical contracts in European aviation has increased over the past years, which puts workers in a weak and vulnerable position. Pilots and cabin crew members report an increasing workload and highly demanding rosters, ending up in them being fatigued. This has a direct impact on their professional functioning. For example, they experience pressure to work even when they are sick, fatigued or unfit for other reasons.

Scientific studies and research confirm these problems. Pilot and cabin crew unions have been expressing their concerns for some time, urging stricter social regulations.

Of course, we would like to hear the airlines' view on these subjects. Although no specific airlines will be mentioned in our broadcast, except Ryanair and Wizz Air, we would appreciate if you could respond to the following questions:

- The number of atypical contracts has increased over the past years. Recent studies (Ricardo, 2019 / Ghent, 2023) show that one in five flight crew members are atypically employed. What percentage of your personnel works on an atypical contract form (all types of contract, other than a direct, permanent full-time employment contract)?
- Several scientific investigations show a connection between atypical employment forms and flight safety. Flight crew members we spoke to confirm this. Do you acknowledge this connection and the risk that comes with it? How does your airline mitigate this risk?
- In 2017 EASA recommended airlines in a 'Practical Guide' to register and monitor for instance sick, fatigue and occurrence reporting, by contract form. Did your airline follow-up on this advice? If so, what does it show?

- Pilots and cabin crew have been telling us that they experience pressure to go beyond professional boundaries, and that they actually cross these lines. For instance, they are hesitant to call sick or fatigue, or refuse an extended duty, out of fear for consequences. They are also reluctant to report safety matters. Do you feel addressed by these statements? If so, what do you do to tackle the problems?
- A recent study commissioned by the European Cockpit Association (ECA) shows fatigue is a serious problem, with a quarter of almost 7.000 participants reporting 5 or more microsleeps in the investigated period of 4 weeks. 73% of them say they don't have enough rest between duties. Only 12% of the pilots said they had trust in their own airlines' fatigue reporting system. Do you feel addressed by these figures? What measures do you take to avoid negative consequences?
- In the ECA-survey 60% of the pilots expressed concern about potential negative consequences if they were to refuse to extend a flight duty under Captain's Discretion. What is your policy? Do you ever interfere with Captain's Discretion? If so, why?
- Is there a just culture within your airline? Do you encourage crew to always report everything without any negative consequences?

Our deadline is **Friday, October 6 at 12:00**. We are looking forward to receive your answers before then.

October 6, 2023

***airBaltic* on working conditions and safety**

Regardless of the type of employment contracts offered by airlines as part of the employment package, all EU airlines must adhere to highly detailed and standardized flight duty and rest time limitations imposed by the *European Aviation Safety Agency* and locally enforced by each *National Aviation Agency*. In addition to these limits, some airlines may implement what is known as a *Fatigue Risk Management System*. This system allows for a controlled extension of flight duty times, typically applied to carriers serving extremely remote destinations where standard working hours may not be adequate for completing the return flight.

While *airBaltic* does have the privilege approved by the *National Civil Aviation Authority*, the airline only employs this system for individual and non-commercial flights. These include ferry flights from the aircraft manufacturer in Canada to *airBaltic's* home base in Latvia or positioning flights for airshows on different continents. In these cases, standard published duty times would not be sufficient to complete the route.

The number of atypical contracts has increased over the past years. Recent studies (Ricardo, 2019 / Ghent, 2023) show that one in five flight crew members are atypically employed. What percentage of your personnel works on an atypical contract form (all types of contract, other than a direct, permanent full-time employment contract)?

All *airBaltic* flight crew members are directly employed. All employment agreements are with full social coverage, under labor law.

Several scientific investigations show a connection between atypical employment forms and flight safety. Flight crew members we spoke to confirm this. Do you acknowledge this connection and the risk that comes with it? How does your airline mitigate this risk?

As *airBaltic* directly contracts all its pilots and oversees their duty and rest times through the centralized airline *Crew Planning* and *Fatigue Risk Management* systems. The potential for additional fatigue arises only from factors beyond their employment with the airline, such as personal issues.

In 2017 EASA recommended airlines in a 'Practical Guide' to register and monitor for instance sick, fatigue and occurrence reporting, by contract form. Did your airline follow-up on this advice? If so, what does it show?

Given the anticipation of occasional dips in well-being, *airBaltic* has long implemented a system known as *unfit days*. Each employee on a duty roster has the autonomy to use two unfit days per year, without the need for formal registration. This provides a non-punitive means to balance personal well-being with assigned duties.

In the event of illness, there exists a government-regulated process for recording and compensating medical absences. The airline meticulously tracks and monitors each instance of illness. Employing the most sophisticated fatigue risk management tools in the industry allows *airBaltic* to proactively prepare for situations where added vigilance is required during longer flights on our network.

Pilots and cabin crew have been telling us that they experience pressure to go beyond professional boundaries, and that they actually cross these lines. For instance, they are hesitant to call sick or fatigue, or refuse an extended duty, out of fear for consequences. They are also reluctant to report safety matters. Do you feel addressed by these statements? If so, what do you do to tackle the problems?

This is not the case with *airBaltic*, as the airline demonstrates stable and improving long-term safety reporting trends. Additionally, *airBaltic* has implemented a confidential reporting system and adheres to the EU-mandated whistleblower reporting system to address any concerns regarding our working practices.

A recent study commissioned by the European Cockpit Association (ECA) shows fatigue is a serious problem, with a quarter of almost 7.000 participants reporting 5 or more microsleeps in the investigated period of 4 weeks. 73% of them say they don't have enough rest between duties. Only 12% of the pilots said they had trust in their own airlines' fatigue reporting system. Do you feel addressed by these figures? What measures do you take to avoid negative consequences?

First and foremost, *airBaltic* conducts regular internal surveys among its crew members to gauge their sentiments regarding the duty roster and gather insights on potential areas for improvement.

Furthermore, the airline holds routine *Fatigue Risk Action Group* meetings to thoroughly assess and analyze both summer and winter schedules. These meetings involve representatives from the crew members, the Safety office, and the *National Aviation Authority*. As with any airline operations, *airBaltic* also has specific flights with slightly lowered alertness levels, for example, night flights. In these cases, the airline has applied additional risk mitigation measures to ensure sufficient crew rest before and after.

In the ECA-survey 60% of the pilots expressed concern about potential negative consequences if they were to refuse to extend a flight duty under Captain's Discretion. What is your policy? Do you ever interfere with Captain's Discretion? If so, why?

airBaltic specifically requests its Captains to report any instances where discretion exceeds one hour, in accordance with the agreement with the *National Aviation Authority*. The airline is ready to provide assistance in decision-making only if the Captain seeks it.

Is there a just culture within your airline? Do you encourage crew to always report everything without any negative consequences?

In order to foster proactive cooperation and encourage an open reporting culture, automated messages are generated and sent to each reporter. These messages provide an overview of the investigation, including the stage owner and the anticipated date of closure. This system also enables reporters to engage with the stage owners, facilitating the exchange of additional details pertaining to the report they submitted on operational matters. The growing number of reports affirms the willingness of our crews to engage in information sharing and contribute to the enhancement of working conditions.

EasyJet

easyJet is a pan-European airline that operates from nine countries across Europe, where we base more than 300 aircraft and employ all of our crew locally. Our employment model is different to other carriers - in each country where we base aircraft, our people are hired on local contracts, pay local taxes as well as local social security contributions. All of our flight and cabin crew are employed on fixed term or permanent contracts directly with easyJet. We also work with national trade unions and employee representative bodies such as works councils in each market. Working with our unions in each market, we negotiate Collective Labour Agreements (CLAs) to ensure our local T&Cs are competitive.

easyJet operates its fleet of aircraft in strict compliance with all safety guidelines. All European airlines operate under EASA regulation and are overseen by national regulators. easyJet takes the issue of fatigue very seriously, fully complying with all safety and flight time limitations. The airline has an industry-leading fatigue management system in place which has been approved by our independent regulators. We have an open and just reporting culture where our pilots and crew are able not to operate if they do not feel fit to do so. As a result we have industry leading safety reporting levels which demonstrates the effectiveness of our just culture. Safety is our highest priority.

Norwegian

- The number of atypical contracts has increased over the past years. Recent studies (Ricardo, 2019 / Ghent, 2023) show that one in five flight crew members are atypically employed. What percentage of your personnel works on an atypical contract form (all types of contract, other than a direct, permanent full-time employment contract)?

Norwegian Air Shuttle are compliant to country (or local) Working Environment Act and all our employees have collective agreements. All our crew members have full-time employment contracts. In some few cases, we adjust workload and contract if the employee ask for that, but for us as a company, we strongly believe collective agreements and full-time employment contracts gives both us and the employee the best working conditions. We have local Base Management and the “Pilot Support Group” and Norwegian Peer Assistance Network (<https://norwegianairshuttle.sharepoint.com/sites/GroupHR/SitePages/Pilot-Support-Group.aspx>), and provide health insurance

- Several scientific investigations show a connection between atypical employment forms and flight safety. Flight crew members we spoke to confirm this. Do you acknowledge this connection and the risk that comes with it? How does your airline mitigate this risk?

Norwegian want to give employees a safe working environment and contracts. We believe full-time employment contracts is the best alternative for us as a company and for the employee.

- In 2017 EASA recommended airlines in a ‘Practical Guide’ to register and monitor for instance sick, fatigue and occurrence reporting, by contract form. Did your airline follow-up on this advice? If so, what does it show?

Norwegian acknowledges that pilots and crew at times has challenging conditions. Therefore, it is at the core of our business to secure their well being and welfare. Our roster is given two months ahead for better predictability and is 5 days on and 4 days off. We follow close all employee and have channels for them to address challenges in their every day. In addition, we are working with the crew and pilots to make their workday more agile. In Norwegian we have a safety management system which is approved by Norwegian and Swedish CAA. (We do not use atypical contracts/contract form).

- Pilots and cabin crew have been telling us that they experience pressure to go beyond professional boundaries, and that they actually cross these lines. For instance, they are hesitant to call sick or fatigue, or refuse an extended duty, out of fear for consequences. They are also reluctant to report safety matters. Do you feel addressed by these statements? If so, what do you do to tackle the problems?

Norwegian do not compromise on safety. We follow up our crew and pilots and they have the opportunity to call in not fit for flight. The HSE department follow up every employee when sick and there are no consequence for the employee. We follow the National Insurance Act in Norway on this point. We recognize that working irregular hours requires more caution when setting up individual work schedules for our industry like other industries running a 24/7 operations.

- A recent study commissioned by the European Cockpit Association (ECA) shows fatigue is a serious problem, with a quarter of almost 7.000 participants reporting 5 or more microsleeps in the investigated period of 4 weeks. 73% of them say they don't have enough rest between duties. Only 12% of the pilots said they had trust in their own airlines' fatigue reporting system. Do you feel addressed by these figures? What measures do you take to avoid negative consequences?

We are familiar with this study and are constantly evaluating our predictive, proactive and reactive processes in our fatigue risk management to mitigate potential flight safety risks and hazards.

- In the ECA-survey 60% of the pilots expressed concern about potential negative consequences if they were to refuse to extend a flight duty under Captain's Discretion. What is your policy? Do you ever interfere with Captain's Discretion? If so, why?

Use of "Captain's discretion", correctly called "Commander's discretion", is by its name depended on the Commander, in this case the captain.

- Is there a just culture within your airline? Do you encourage crew to always report everything without any negative consequences?

Yes, we do have a just culture in our company. This is stated in our safety policy and is an important part of our culture.

SmartLynx

At SmartLynx Airlines Ltd., we maintain a transparent and safety-first approach.

We currently have 280 employed crews, and to clarify, SmartLynx Airlines Ltd. does not have and has never had any atypical contracts with any crew members.

As an ACMI provider, our commitment to industry standards is unwavering. This year alone, we've undergone over 40 audits, ensuring we consistently meet the requirements of our global clientele. Proudly, we hold the IOSA certificate, a testament to our dedication to upholding the highest aviation standards.

Addressing the issue of flight safety and atypical employment, we firmly believe in ensuring the well-being of our flight crew. We actively advocate for fatigue reporting, understanding its intrinsic link to safety. The comfort and security of both our crew and passengers are paramount to us.

Lastly, we champion a 'just culture' within our airline, encouraging all crew members to report any concerns without anticipation. The values of integrity, transparency, and safety are deeply embedded in our operations, and we continuously strive to maintain an environment where these principles thrive.

Transavia

Het onderzoek dat u doet gaat in eerste instantie over problemen waarvan uzelf al zegt dat deze niet direct spelen bij Transavia. Wij herkennen de signalen waar u op wijst ook **niet** binnen onze organisatie. Daarmee voelen wij ook niet direct de noodzaak om al uw vragen een voor een te beantwoorden.

Wat ik kan zeggen is dat bij Transavia het melden van vermoeidheid, ongeschiktheid en veiligheidskwesties expliciet wordt gestimuleerd. Zo hebben we bijvoorbeeld een speciaal veiligheidsrapportageformulier voor vermoeidheid. Meldingen van vermoeidheid worden geanalyseerd in de zogenaamde actiegroep voor veiligheid bij vermoeidheid. Aan de hand van de resultaten worden de roostermethoden waar nodig aangepast. Ook ander soort meldingen worden altijd uiterst serieus genomen en waar nodig worden onze processen daarop aangepast.

Vanwege ons seizoensgebonden karakter heeft ongeveer 10-15% van onze werknemers een arbeidsovereenkomst voor bepaalde tijd tijdens het hoogseizoen. De overige werknemers hebben een arbeidsovereenkomst voor onbepaalde tijd.

TUI Fly

- The number of atypical contracts has increased over the past years. Recent studies (Ricardo, 2019 / Ghent, 2023) show that one in five flight crew members are atypically employed. What percentage of your personnel works on an atypical contract form (all types of contract, other than a direct, permanent full-time employment contract)?

Leisure airlines like TUI fly Netherlands are a seasonal business. We add capacity for the summer high season from April until October with non-permanent contracts. On a yearly basis around 15% are non-permanent.

- Several scientific investigations show a connection between atypical employment forms and flight safety. Flight crew members we spoke to confirm this. Do you acknowledge this connection and the risk that comes with it? How does your airline mitigate this risk?

It is not necessarily the type of contract that has an impact on flight safety. Flight safety e.g. is impacted by the level of training, the experience or the physical fitness of a flight crew member. We limit the number of less experienced crew on a flight. The fatigue level is managed by the legal flight time limitations and the crew rules set agreed in collective labor agreements. Furthermore crew roster are set up in accordance with our fatigue management system. Fatigue reports are collected by the safety department and if a trend occurs on a specific flight or combination of flights this trend or in some cases single events are discussed at the Fatigue safety action group where the relevant mitigation actions are taken.

- In 2017 EASA recommended airlines in a 'Practical Guide' to register and monitor for instance sick, fatigue and occurrence reporting, by contract form. Did your airline follow-up on this advice? If so, what does it show?

We are reporting directly to ECCAIRS, the EU Reporting platform.

- Pilots and cabin crew have been telling us that they experience pressure to go beyond professional boundaries, and that they actually cross these lines. For instance, they are hesitant to call sick or fatigue, or refuse an extended duty, out of fear for consequences. They are also reluctant to report safety matters. Do you feel addressed by these statements? If so, what do you do to tackle the problems?

Our operations are taking place in a blame-free and just culture environment. There are no sanctions nor consequences for flight crew members reporting sick, fatigue or refusing extended duties.

- A recent study commissioned by the European Cockpit Association (ECA) shows fatigue is a serious problem, with a quarter of almost 7.000 participants reporting 5 or more microsleeps in the investigated period of 4 weeks. 73% of them say they don't have enough rest between duties. Only 12% of the pilots said they had trust in their own airlines' fatigue reporting system. Do you feel addressed by these figures? What measures do you take to avoid negative consequences?

Over the last 10 years we have seen an evolution in the legislation where duties and duty periods became more and more restricted. Also the introduction of the fatigue management systems (based on scientific data) that monitor crew rosters and the fatigue safety action group where single fatigue events or trends are discussed are limiting the fatigue risk.

- In the ECA-survey 60% of the pilots expressed concern about potential negative consequences if they were to refuse to extend a flight duty under Captain's Discretion. What is your policy? Do you ever interfere with Captain's Discretion? If so, why? **No.**

- Is there a just culture within your airline? Do you encourage crew to always report everything without any negative consequences? **Yes.**

Ryanair

Zembla diende op 12 september onderstaand interviewverzoek in voor Ryanair-CEO Michael O'Leary.

Dear Sir, Madam,

We are journalists working for the investigative program Zembla, broadcasted for over 25 years on Dutch public TV. The past months we have been investigating working conditions in European aviation. We have spoken to pilots and cabin crew members of several European low-cost carriers (under which Ryanair), Union-representatives and scientific researchers.

They have been telling us working conditions are deteriorating. The number of so-called atypical contracts in European aviation has increased over the past years, which puts workers in a weak and vulnerable position. Pilots and cabin crew members report an increasing workload and highly demanding rosters, ending up in them being fatigued. This has a direct impact on their professional functioning. For example, they experience pressure to work even when they are sick, fatigued or unfit for other reasons.

Scientific studies and research confirm these problems. Pilot and cabin crew unions have been expressing their concerns for some time, urging stricter social regulations.

Of course, we would like to hear the airlines' view on these subjects. Therefore, we would like to request an interview with your CEO, Mr. O'Leary, as the matters described above, according to our sources, apply to Ryanair as well.

Kind regards,

*Bart Nijpels
Jan Salden*

Na een herinnering op 25 september ontvingen we op 27 september deze reactie van Jade Kirwan, hoofd communicatie:

Hi Jan,

As this is a collective airline query, can you please direct it to A4D (info@airlines4dialogue.com) who is best place to share a collective response.

Please also see the attached 2021 EASA report (page 11, section 3.1.7) which may be of use.

Many thanks,

Jade

Op 28 september stuurden we een herhaald verzoek:

Dear Jade,

Thanks for your suggestion, we will approach A4D as well. But this does not change the fact that we have requested an interview with Mr. O'Leary and we still would like to question him. Can you please let us know if he is available for us?

Kind regards,

Jan Salden

Hierop ontvingen we geen antwoord. Op 3 oktober stuurden we Ryanair dezelfde vragen als de andere luchtvaartmaatschappijen, maar ook daarop ontvingen we geen reactie.

Wizz Air

Op 12 september diende Zembla onderstaand interviewverzoek in voor Wizz Air CEO József Váradi.

Dear Sir, Madam,

We are journalists working for the investigative program Zembla, broadcasted for over 25 years on Dutch public TV. The past months we have been investigating working conditions in European aviation. We have spoken to pilots and cabin crew members of several European low-cost carriers (under which Wizzair), Union-representatives and scientific researchers.

They have been telling us working conditions are deteriorating. The number of so-called atypical contracts in European aviation has increased over the past years, which puts workers in a weak and vulnerable position. Pilots and cabin crew members report an increasing workload and highly demanding rosters, ending up in them being fatigued. This has a direct impact on their professional functioning. For example, they experience pressure to work even when they are sick, fatigued or unfit for other reasons. Scientific studies and research confirm these problems. Pilot and cabin crew unions have been expressing their concerns for some time, urging stricter social regulations.

Of course, we would like to hear the airlines' view on these subjects. Therefore, we would like to request an interview with your CEO, Mr. Jozsef Varadi, as the matters described above, according to our sources, apply to Wizzair as well.

Kind regards,

*Bart Nijpels
Jan Salden*

Daarop komt, ondanks herinneringen op 25 september en 27 september, geen reactie.

Op 3 oktober sturen we Wizz Air onderstaande vragen, maar daarop wordt niet gereageerd.

Dear Sir, Madam,

*Since we have not received a response to our interview request for Mr. Varadi we send you the following questions in writing on the matters described in our previous email (September 12). Our deadline is **Friday, October 6 at 12:00**. We are looking forward to receiving your answers before then.*

- 1. The number of atypical contracts has increased over the past years. Recent studies (Ricardo, 2019 / Ghent, 2023) show that one in five flight crew members are atypically employed. What percentage of your personnel works on an atypical*

contract form (all types of contract, other than a direct, permanent full-time employment contract)?

- 2. Several scientific investigations show a connection between atypical employment forms and flight safety. Flight crew members we spoke to confirm this. Do you acknowledge this connection and the risk that comes with it? How does your airline mitigate this risk?*
- 3. In 2017 EASA recommended airlines in a 'Practical Guide' to register and monitor for instance sick, fatigue and occurrence reporting, by contract form. Did your airline follow-up on this advice? If so, what does it show?*
- 4. Pilots and cabin crew have been telling us that they experience pressure to go beyond professional boundaries, and that they actually cross these lines. For instance, they are hesitant to call sick or fatigue, or refuse an extended duty, out of fear for consequences. They are also reluctant to report safety matters. Do you feel addressed by these statements? If so, what do you do to tackle the problems?*
- 5. A recent study commissioned by the European Cockpit Association (ECA) shows fatigue is a serious problem, with a quarter of almost 7.000 participants reporting 5 or more microsleeps in the investigated period of 4 weeks. 73% of them say they don't have enough rest between duties. Only 12% of the pilots said they had trust in their own airlines' fatigue reporting system. Do you feel addressed by these figures? What measures do you take to avoid negative consequences?*
- 6. In the ECA-survey 60% of the pilots expressed concern about potential negative consequences if they were to refuse to extend a flight duty under Captain's Discretion. What is your policy? Do you ever interfere with Captain's Discretion? If so, why?*
- 7. Is there a just culture within your airline? Do you encourage crew to always report everything without any negative consequences?*
- 8. In a leaked recording your CEO Jozsef Varadi called on his flight crew to "take the extra mile", despite them being fatigued. Does he still stand by these words?*
- 9. Crew members of Wizz Air say this statement has a negative effect on their willingness to call fatigue, even if they feel they should. Do you agree safety is at stake here?*
- 10. Did EASA react to Mr. Varadi's words? How?*
- 11. Your CEO has made statements advising against union membership. Do you feel that is appropriate?*
- 12. Why does Wizz Air have an agreement with EASA to directly monitor safety? Can we have a copy of the agreement? How much does Wizz Air pay for it?*
- 13. Mr. Varadi gave a keynote speech at the EASA conference in June this year. The text is nowhere to be found. Would you be so kind to send it to us?*
- 14. Several Wizz Air crew members we interviewed state that flight safety is not your main concern. Making profit is. What is your response to that?*
- 15. The president of ALPA describes Wizz Air in an interview with us as "an anti-union airline with a toxic culture", which raises both labor and safety concerns. What is your comment on this statement?*