



TRADE UNIONS' TRANSITION

Enhancing Participation in Time of Crisis (TUTEPToC)

FINAL GUIDE



EN



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INTRODUCTION

The COVID-19 pandemic has taken an enormous human, social and economic cost on the world and civil aviation. At the same time, civil aviation has demonstrated its ability as a global actor in overcoming difficulties with vital air cargo services that keep global supply chains functioning and enable timely emergency and humanitarian response.

Passenger air services were crucial in the return of hundreds of thousands of people during the early stages of this public health emergency.

It is important to recognise the role of aviation in economic growth, job creation, distribution of goods and services, and global connectivity.

It is a sector that shortens distances between countries, promotes their social and cultural wealth, and provides critical access to remote regions, island territories and other vulnerable states.

Bringing back air connectivity will be a key contribution to the rapid and effective recovery of the post-COVID-19 economy.

Below is the air transport map for March 2019 and the end of March 2020.



The new COVID-19 pandemic radically changed the situation in the labour market.

The results were more severe in Italy than in any other European Member State, but over the months, it has been catastrophic for all countries both at the European and global levels.

The pandemic severely affects public sector workers, particularly in the aviation sector (pilots, air traffic controllers, etc.).



Initially, the pandemic limited the free movement of people and seriously impacted the economy, society and the working environment.

This situation negatively affects the realisation of workers' rights to information, consultation, and participation.

Public sector workers are faced with the decisions taken by their companies without employee participation in decision-making processes.

How the crisis caused by COVID-19 influences workers' information, cooperation and participation rights requires immediate observations and some response.

To address these issues, the project aims to support trade unions and employees to engage with companies to tackle the crisis caused by the pandemic.

Achieving these goals depends strongly on the organised lab workforce in the European Union; employees must be prepared for such changes. Increased involvement and consultation with employers will positively affect restructuring during the crisis.

The project included preparation, implementation, monitoring, and dissemination phases.

The activities were based on an integrated approach and focused on value-added results.

The number of in-person discussions and experience exchange activities, together with the analysis implemented by the experts, brought sustainable results to the project, which will be maintained through strong monitoring and dissemination activities.

The final results strongly benefit all public sector employees with a specific focus on aviation.

The participants have formed a heterogeneous group due to their nationalities and very different points of view.

Leader

- FAST - Confsal - Autonomous Federation of Transport Trade Unions, Italy

Co-applicants

- BSW - Educational Institute of the Saxon Economy, non-profit limited liability company, Germany



- OPZZ, Poland
- FPP - The Federation of Polish Entrepreneurs, Poland

Partners

- LDSPS - Lithuanian Service Workers' Trade Union, Lithuania
- SNTT - National Technical Union Tarom, Romania
- STV - Trade Union of Transport and Communications, Macedonia
- ASITECO - Industrial, Technical and Trade Association, Spain

The participants worked hard and contributed with their experience, which allowed us to achieve the objectives set for this project.

The main objective of the action was the following two:

- to ensure the participation of workers in the decision-making process in times of crisis caused by the new pandemic;
- analysing how COVID-19 affected workers' participation and consultation rights in companies is a crucial project issue.

The specific objectives of the action were defined as the following:

- to increase workers' participation in companies in the aviation sector and to provide support to make workers' participation and consultation rights effective at the time of the crisis;
- to analyse and improve the understanding and knowledge of public sector workers (specifically in aviation) in the application of their rights under Directive 2009/38/EC and 2003/72/EC4 and 2003/72/E;
- to allow both employees and employers to identify their concerns and present it at an international consultation meeting in order to familiarise each other's vision of the crisis and find possible problematic solutions;
- to raise awareness of both workers and employers on how to implement EC directives in times of crisis and how to strengthen consultation mechanisms during the crisis;
- to provide possible solutions on how to involve workers in decision-making in the crisis caused by COVID-19, the challenges of employees and employers in the crisis;
- to deliver guiding principles on how to manage workers' equal



participation in decision-making effectively, decision-making during periods of restructuring and transition caused by COVID-19 and affected (among others) by the Commission's strategy to reduce emissions from aviation;

- to ensure the importance of cooperation and open decision-making on not taking into account workers' interests during the crisis;
- to increase the knowledge and practical skills of public sector (aviation) workers to defend their rights and lobby their interests during the crisis;
- to provide employees and employers with joint findings on conditions in terms of information, consultation and participation during the new pandemic and provide implications on how to address the problem from a long-term perspective;
- to transfer positive knowledge from stakeholders at the EU level related to workers' participation in decision-making during the crisis;
- to raise awareness on increasing consultation and participation mechanisms in aviation companies during the crisis and suggest common approaches that benefit both employees and employers.

The main outcomes of the project have been:

- increased workers' participation in aviation companies and improved knowledge on the implementation of workers' participation and consultation rights in times of crisis;
- analysed and improved the understanding and knowledge of public sector workers (focus on aviation) on the implementation of their rights according to Directive 2009/38/EC and 2003/72/EC4 and 2003/72/E during the crisis;
- gained common visions and exchanged problem-solving approaches between employees and employers considering the impact of the new pandemic and affected by the Green Deal priorities;
- raised awareness of both workers and employers on how to implement EC directives in times of crisis and how to strengthen consultation mechanisms during the crisis;
- delivered possible solutions on workers' participation in decision-



making in the crisis caused by COVID-19, challenges of employees and employers in the crisis;

- provided guiding principles on how to effectively manage the equal participation of workers in decision-making during periods of restructuring and transition caused by COVID-19 and affected (among others) by the Commission's strategy to reduce aviation emissions;
- it ensured the importance of cooperation and open decision-making over disregarding workers' interests during the crisis;
- increased knowledge and practical skills of public sector workers (with emphasis on aviation) to defend their rights and lobby their interests during the crisis;
- provided employees and employers with joint conclusions on conditions in terms of information, consultation and participation during the new pandemic and provided implications on how to address the problem from a long-term perspective;
- transferred positive knowledge from stakeholders at the EU level related to workers' participation in decision-making during the crisis;
- it raised awareness on how to increase consultation and participation mechanisms in aviation companies during the crisis and suggested common approaches that benefit both employees and employers.

EFFECTS OF COVID-19 ON THE AIR TRANSPORT SECTOR

The aviation sector has experienced many crises, e.g. 9/11, which caused many changes in security controls, the Iraq war and SARS in 2003, which caused airlines to lose millions of dollars, and the global crisis, which bankrupted many airlines. According to several experts, this is undoubtedly the worst crisis compared to those mentioned above. It is an unprecedented crisis that will change the aviation sector forever, marking a before and after in history.

The aviation industry was in a very good moment before the beginning of the COVID-19 crisis. Then with the closure of borders worldwide, the situation worsened in a matter of days, and within a week, the airspace



could be said to be practically empty. Only flights for repatriation or medical material supply were being carried out.

Many changes and adaptations are being made, such as frequent aircraft disinfection, sanitary checks, and the mandatory use of face masks.

All this with the aim of being able to resume activity while guaranteeing

safety at all times for both passengers and crew, as has been the case during the two years of the pandemic.

As far as road transport is concerned, any movement in and out of each territory was prohibited, except for work purposes, emergencies or to obtain basic necessities such as food or medicines. The consequences of this are a decrease in the demand for fuel, the use of car parks has decreased, and roads were less congested, at least in the first and second wave.

The impact of COVID-19 was also felt in ports, for example, in China, where activity decreased by 17% and North America by approximately 18% in 2020/21. Faced with this situation, the carriers decided to transfer some of the ships no longer needed on the usual trade routes to other routes to optimise their utilisation.

As far as cruise ships are concerned, many could not dock in any port as they were refused entry, and others were forced to stay in quarantine (as of today in 2022, this is not the case as a general rule). In addition, many lines have decided to cancel or modify their scheduled voyages.

This situation affected the sector very negatively, causing great economic losses. Still, it took some time to return to normality once travel was restored because short-haul cruises would have to be made. For example, European ports may already be open but those in America, Africa, and Asia, are not.

On 29 April 2020, the situation of airports and airlines worldwide was shown below.



The airports with the highest number of operations were:

- Frankfurt - 230 operations per day;
- Heathrow - 177 operations per day;
- Schiphol - 164 operations per day;
- Oslo - 152 operations per day;
- Leipzig - 150 operations per day.

The airlines with the highest number of flights were:

- Widerøe - 161 flights per day;
- Turkish Airlines - 109 flights per day;
- Lufthansa - 104 flights per day;
- Qatar - 83 flights per day.

These figures were far below the average. It was estimated that air transport fell by 83% worldwide.

This situation caused airlines to run out of cash, directly impacting these companies' workers.

BOING VS AIRBUS

As far as the major aircraft manufacturers Boeing and Airbus are concerned, the impact of COVID-19 on them has been as follows.

Airbus reduced aircraft production by a third from the normal manufacturing rate before the COVID-19 crisis.

This was done to adapt to the new market.

The aeronautics consortium received 290 orders and made 122 aircraft deliveries in the first quarter of the year, of which 21 orders and 36 deliveries were made in March, even though the plants in Spain and France were shut down for four days to implement preventive measures in the face of the pandemic.

The company explained at the time that it has 60 aircraft manufactured and awaiting delivery, as customers prefer to delay them due to the current situation. The new production average to 2022 is 40 A320s, six A350s and only two A330s per month.



According to Airbus, it has taken these measures to adapt production to the current situation and is taking operational and financial measures to moderate the impact of the pandemic.

In addition, it warned its employees in 2020 that there would be many redundancies in the coming months

and requested the bank's support to expand its commercial credit lines. In 2022, the Works Councils are still negotiating different measures to alleviate this situation; for example, in Spain, there have been days of strikes and partial stoppages supported by the majority of workers.

Boeing, for its part, has suffered a decrease in demand of 70%; during 2019, it delivered 159 aircraft, and during the first months of 2020, only 50. Currently, it has increased the delivery of aircraft, but it does not reach the figure for 2018-2019.

This situation is compounded by the coronavirus crisis, which has put the company in a very difficult situation.

The company suspended production in the state of Washington on 25 March 2020 due to the coronavirus and has implemented preventive measures to resume activity, including using masks, taking the temperature of employees and keeping a social distance.

The aim is to maintain these measures and adjust them according to the evolution of the crisis. In addition, they have asked the US government to aid at least 60 billion dollars to deal with this situation in 2021.

COVID-19 AND ITS EFFECT ON PASSENGER TRANSPORT

The global crisis caused by COVID-19 has reached an unprecedented level for airlines.

To give an example to clarify the situation, we will take 9 June 2020 from the different world regions.

North American airlines have suffered losses of 24 billion euros, which equates to a loss of 38 euros per passenger.

The net margin for airlines is 16.8%, which is considerably better than elsewhere and is due to government support.



In Europe, the economic losses are estimated at 22.5 billion euros in 2020, equivalent to 35 euros per passenger. The net margin will be -22.1%, or 18.3 billion euros in 2021, equivalent to 27 euros per passenger and a net margin of 18%.

In 2022, as COVID-19 restrictions have become laxer in many countries, it is expected to be close to the pre-pandemic figures of 2019.

A clear example has been the Easter holiday in Spain, where the most important airports, Madrid, Barcelona, Tenerife, Mallorca and Malaga, have been close to the rates of Easter 2019.

According to the ICAO, airlines faced in these two years of the COVID-19 pandemic a decrease of 1.5 billion passengers on international flights in 2020 and about 1 billion passengers on international flights in 2021. There were fewer passengers, with less budget and more health checks.

In addition, the seating capacity available for international travel in some cases was reduced by three quarters, resulting in a loss of 250 billion euros.

1. The main consequence of all this was a decrease in the number of airlines. For example, as of 13 June 2020, ten airlines had already closed because of COVID-19, such as South African Airways, Avianca, Latam, Thai, Air Mauritius, Tame, Flyest and some subsidiaries of Norwegian. The number of airlines that closed down probably increased over time.

HOW HAS COVID-19 AFFECTED AIR CARGO TRANSPORT?

The impact of COVID-19 on air cargo transport has been less than on passenger transport, but still, the impact has been significant.

In March 2020, international air cargo demand decreased by 15.8% compared to the previous year.

The impact has not been as noticeable because demand for pharmaceuticals, online shopping and medical equipment has increased as air cargo transport has become a key element in the fight against COVID-19 as it ensures that essential equipment and supplies reach their destination.

For example, Airbus has transported 20 million masks from China to Europe on A330-800s.



The IATA has worked with governments over the past two years to ensure that all cargo can be transported efficiently, such as making alternative airports available, ensuring adequate staffing and facilities, and setting global standards.

One of the causes of the decline in cargo transport was the cancellation of commercial flights as around 50% of the cargo was carried in the hold of these flights.



In response to this situation, as mentioned above, some airlines such as Delta, Qatar Airways and Cathay Pacific were using the passenger cabin to transport cargo.

This measure helped to increase the volume of cargo transported, but it is still not enough, and this caused an

increase in fares as demand increased and supply decreased.

For example, transporting 1kg from Hong Kong to North America costs 8 euros, and in 2020 1kg will cost 12 euros.

This situation was temporary as flights have been gradually resumed, and therefore the usual cargo carrying capacity has gradually been restored. Even so, cargo volumes are estimated to decrease by 14-31% during 2020 and 7%-22% in 2021.

MEASURES TAKEN BY AIRLINES TO COPE WITH THE CRISIS AND ADAPT TO THE NEW NORMALITY

This section sets out the solutions some airlines have proposed to passengers in the current situation and the measures they have taken to overcome the crisis.

In general, the solutions offered to passengers have been the provision of vouchers, free date changes or refunds, and all airlines have added a section on their websites or apps to provide information about this.

In terms of measures taken to survive, we can highlight the reduction of staff, capacity reduction, ERTE (temporary suspension of employment), etc.



Another key decision by airlines to survive has been to carry cargo on passenger aircraft, and Airbus proposed a rapid conversion of the A330 and A350 to meet the demand of several airlines with little passenger activity.

According to the Airbus statement, it will be possible to install cargo pallets on the seat rails once the seats have been removed. This will make loading and unloading operations easier, parcels will be much more securely fastened during the flight, and there will be better safety conditions. This aim was to temporarily increase airfreight capacities to cope with the demand during the COVID-19 crisis and to try to compensate for the slowdown in passenger traffic.

EXCEPTIONAL MEASURES TAKEN DURING THE COVID-19 CRISIS IN THE AVIATION SECTOR

On 17 March 2020, the members of the European Council agreed to apply a temporary restriction on non-essential travel from third countries to the European Union and Schengen associated countries. This order entered into force on 23 March 2020 and was initially valid for 30 days.

Passengers may not enter a member state of the European Union except for:

- a. nationals and residents of an EU or Schengen member state, going directly to their place of residence;
- b. holders of a long-term visa issued by an EU or Schengen Member State travelling to the country that issued the visa;
- c. cross-border workers;
- d. health or elderly care professionals in the performance of their duties;
- e. transport of goods personnel;
- f. diplomats, international organisations, military personnel and members of humanitarian organisations in the performance of their duties;



- g. persons travelling for duly accredited imperative family reasons;
- h. persons documenting force majeure or necessity, or whose entry is permitted for humanitarian reasons.



The airlines did not have enough money to reimburse the amount of the tickets to travellers whose flights had been cancelled, so the airlines proposed to give vouchers that would be used to rebook the same amount. Another solution was to change the flight date or wait as they hoped that

in the future, they would be able to reimburse the money for those tickets. All these measures were taken to try to keep the industry running.

In the aviation sector, costs are very high, and margins are very low. All of this caused many airlines to consider making temporary staffing adjustments so that they could stop facing variable costs and only have to assume fixed costs. The costs they have to face, even if they do not fly, are the following:

- aircraft leasing costs;
- hangar costs;
- insurance costs.

As far as air cargo transport is concerned, priority was given in those days to flights carrying medical equipment such as respirators, tests, surgical masks, personal protective equipment, gloves, etc. All of this was destined for the fight against COVID-19, and the aim was for these flights to reach their destination, public and private hospitals, as soon as possible.

THE GREEN DEAL IN THE TRANSPORT SECTOR; A CHALLENGE IN THE FACE OF THE PANDEMIC

Transport contributes around 5% to the EU's GDP and employs more than 10 million people in Europe, making the transport system crucial for European businesses and global supply chains. At the same time, transport costs our society: greenhouse gas emissions and pollutants, noise, congestion and traffic accidents.



Transport emissions currently account for around 25% of the EU's total greenhouse gas emissions, which have increased in recent years. Our goal of being the first climate-neutral continent by 2050 requires ambitious changes in the transport sector. A clear pathway is needed to achieve a 90% reduction in transport-related greenhouse gas emissions by 2050.

An increasing number of European companies are promoting their social responsibility strategies in response to various social, environmental, and economic pressures. They aim to send a signal to the stakeholders with whom they interact: employees, shareholders, investors, consumers, public authorities and NGOs. By doing so, companies invest in their future and expect that the commitment they have made voluntarily will contribute to their profitability.



By affirming their social responsibility and voluntarily undertaking commitments that go beyond regulatory and conventional obligations, which they should fulfil in any case, companies seek to raise standards of social development, environmental protection and respect for human rights and adopt an open mode of governance that reconciles the interests of various stakeholders in a comprehensive approach to quality and sustainability. The European Union is interested in corporate social responsibility to the extent that it can contribute positively

to the strategic goal set in Lisbon: "to become the most competitive and dynamic knowledge-based economy in the world, capable of sustainable economic growth with more and better jobs and greater social cohesion".





The Green Paper aims to launch a broad debate on how the European Union could promote corporate social responsibility at the European and international level, in particular on how to make the best use of existing experiences, encourage the development of innovative practices, increase transparency and enhance the reliability of assessment and validation. It proposes an approach based on deeper partnerships in which all actors play an active role.



The European Green Deal and its timetable to become climate neutral by 2050 create great uncertainty about whether jobs will be lost. What does this mean for us as workers? Although in the Just Transition mechanism of the European Green Deal, there is a special budget for the retraining of workers

affected by job losses, even if we do not mobilise as a trade union, we believe that the funds allocated for this purpose will not be effective if appropriate programmes developed in agreement with trade unions are not adopted.

Regarding green transport, we can say that one of the world's biggest polluters and climate change are cities, which are a complex economic, social and environmental system.

Finding alternatives to reduce the use of private vehicles in road traffic with environmentally friendly alternative transport will contribute significantly to reducing pollution.

Therefore, and in line with the UN 2030 Agenda for Sustainable Development, it is crucial to ensure a just workforce transition and create decent, high-quality jobs. Trade union involvement in the leadership of the policy process is therefore of particular importance. This importance is emphasised both at the international and European level.



In addition to promoting green transport, green jobs and the whole green agenda, it is necessary to negotiate agreements that define the skills and needs of workers. Contracts should be negotiated at sectoral and company levels to determine the future development of skills needs and to promote lifelong learning, especially



in the sectors concerned, including transport.

Energy production and use account for over 75% of the EU's greenhouse gas emissions. Decarbonising this sector is therefore paramount for a sustainable continent. The aim is to prioritise the use of clean and renewable energy. To this end, it is necessary to modernise infrastructures and promote energy and eco-efficiency.

Industry accounts for the other major share of European emissions. It causes 20% of polluting gases, and only 12% of the materials it uses come from recycling. The European Commission's Industrial Strategy included in the Green Deal foresees support for companies to modernise their processes.



In addition, circular and zero-emission production will be encouraged. The key sectors for curbing emissions are:

- textiles;
- electronics;
- plastics;
- construction.

It is precisely construction, more efficient structures that will be key to sustainable development. One of the objectives of the Green Deal is to renovate buildings constructed before the implementation of energy efficiency in construction. Buildings currently consume 40% of total energy.

The European Green Deal proposes initiatives to develop new building possibilities and invest in the energy efficiency of buildings.

INFORMATION, CONSULTATION AND PARTICIPATION OF WORKERS IN THE AVIATION SECTOR IN PANDEMIC AND POST-PANDEMIC SITUATIONS

Due to the COVID-19 outbreak, various measures are being taken at the EU, national, sectoral and workplace levels. In crises, workers' rights to information, consultation and participation in the workplace play a key role as intrinsic parts of corporate governance.

It is essential that the interests of the workforce are also included in a company's response to the crisis. European Works Councils and works councils of SEs, as well as workers' representatives, including OSH



representatives and national works councils, are key actors in protecting and promoting workers' collective and individual rights and working conditions. As clearly set out in the EU and national law, workers' rights to information and consultation cover, among other things, the activities of the undertaking or establishment, the economic and employment situation and forecasts, and any anticipatory measures envisaged, in particular where there is a threat to employment, as well as decisions that may lead to substantial changes in work organisation, the working environment and contractual relations.



According to the EU law, the timing and quality of the information provided must allow workers' representatives to make a thorough assessment of the potential impact of the measures and to prepare for consultation. Consultation includes establishing dialogue and exchanges of views

between management and employee representatives intending to reach an agreement on the issues under discussion before decisions are taken, including the possibility of meeting with management, and obtaining a reasoned response to any views of employee representatives.

Workers' information and consultation rights are essential to health and safety.



Workers' representatives must be informed and consulted on measures taken to protect health and safety at work and to ensure that workers are protected from dangerous or hazardous working conditions. This also applies to measures concerning work equipment, protective clothing

and teleworking arrangements. Obviously, the COVID-19 pandemic greatly impacts health and safety, work organisation, economic and financial conditions of companies and other issues. Whether because of compliance with social distancing measures, the supply of parts from a directly affected site is interrupted, or because of reduced market demand, companies may be forced to close temporarily or change the way they work radically. Crisis management and its different aspects must be informed and consulted at local, national and transnational levels, particularly concerning any developments or changes. The



consequences and management of the COVID-19 crisis are transnational issues that must also be dealt with by European Works Councils. As the COVID-19 pandemic crisis spreads across Europe, it is clearly affecting multinationals in a complicated way. This is where EWCs have a crucial role to play.



In particular, the unprecedented COVID-19 crisis requires management and labour to work for hand in hand to protect workers and to:

1. provide necessary and sufficient health and safety measures and equipment at the company level to workers who cannot work remotely;
2. focus efforts on prevention, including social distancing at the workplace, adapting working hours to prevent workers from commuting during peak hours, ensuring continuity of employment and maintaining decent working conditions;
3. adapt quickly to the rapid evolution of the crisis and envisage relevant measures and decisions in close coordination with trade unions and workers' representatives to protect workers, such as the organisation of teleworking and income support schemes for workers whose income and jobs are affected and support affected enterprises;
4. fully respect national and EU law, and in particular information, consultation and participation rights, including in the health and safety field.

Among other things, it is necessary to underline that emergencies and measures cannot be suspended. It must be fully in line with: (1) the provisions of (the relevant national legislation transposing) Directives 2002/14/EC establishing a general framework for informing and consulting employees, 98/59/EC on collective redundancies and 2001/23/



EC on transfers of undertakings, the Takeover Bids Directive 2004/25/EC and the recent Directive 2019/2121 on cross-border conversions, mergers and divisions, as well as other European and national legal instruments regulating employees' information and consultation rights.



Workers' information and consultation rights are particularly important where health and safety issues are concerned;

2. the provisions of EWC or EWC-SE agreements and of (national legislation transposing) Directive 2009/39/EC on European Works Councils, Council Directive 2001/86/EC on employee participation in public limited companies and Directive 2003/72/EC on the European Cooperative Society;
3. the provisions of national and European law regulating workers' participation rights, including representation rights on the board of directors. On 20 May 2020, the ETUC and the European Trade Union Federations sent a letter to Commissioner Schmit on anticipating and managing the impact of the COVID-19 crisis on jobs and workplaces: Swift action is needed to enforce workers' participation rights.

The letter states, among other things, that "at one of the most critical times for European workers, their workplace representatives must – both at the national and the European level and before any decision is taken – have:

- timely access to meaningful and comprehensive up-to-date information about the likely impact of the COVID-19 crisis on the company's economic performance, jobs and working conditions;
- enough time and resources to run an in-depth assessment of the information provided with the support of economic/financial experts to work on alternatives to redundancies, closures, and any other measures which would negatively impact workers' interests;
- the genuine opportunity to discuss those alternatives with real decision-makers, including top management and board members (if any), who must provide a motivated response to the proposed alternatives and justification for the final decision which will be made;
- the guarantee that non-compliance with information, consultation and participation obligations warrant deterrent sanctions, i.e. the suspension of the management decision until workers' rights are properly respected."

Consultation with employee representatives implies an exchange of information, a dialogue, which necessarily precedes the decision of the company manager; otherwise, it is useless.



Since the beginning of the state of a health emergency, staff representatives have been playing their role with an increased awareness of their competencies and responsibilities. More than ever, they are the bridge between isolated and concerned

employees and their management, seeking the right balance between health protection and “service needs”, as they say in the public service. Involving the social partners in serious decisions affecting the health of employees and their safety in the life of companies today underpins our social dialogue: listening to the voice of workers.

SITUATIONS IN EWCS AND SE WORKS COUNCILS IN THE CONTEXT OF THE COVID-19 CRISIS

The COVID-19 crisis is also affecting the functioning of EWCs and SE Works Councils. The following examples drawn from practices reflect possible attempts to adapt and change existing information and consultation processes and should be taken with caution and possibly considered as potential risks. They deal with adaptation to social distancing measures and travel bans, which make face-to-face meetings impossible. Several face-to-face meetings and international travel of EWCs have been cancelled. The use of videoconferencing and conference calls, excluding interpretation services, is often unilaterally imposed by management, even for negotiations.



Restructuring and job cuts are taking place without information and consultation of EWCs. EWCs have sought ways to maintain their continuity while preserving their rights to adequate information and consultation. Some EWCs have asked companies to postpone (not cancel) regular information and consultation

procedures until the process can properly take place, ensuring the full participation of workers' representatives.



STRATEGIES FOR CONSULTATION AND PARTICIPATION OF EMPLOYEES IN DECISION-MAKING

Employee participation should be understood from two points of view:

a. Participation as motivation:

rarely, people are not motivated when they are consulted on actions that affect them by "getting in on the act". Moreover, most people at an operation's centre know the problems and their solutions. Therefore, the right form of participation produces motivation and knowledge valuable to the enterprise's success.



The knowledge and experience of staff members are among the most important resources of an organisation. Employees who perform a task daily know better than anyone else what setbacks are likely to occur and why. They may also have the most practical ideas for improving the process.

Employees involved in decision-making generally feel committed to making the proposed measures work.



What undermines the motivation of employees, and how can you avoid it?

There are two types of employees: those who are in the company just to earn a salary and those who are enthusiastic about their work. The latter is becoming more and more abundant. On the other hand, people study for a job they love and are not content to just put up with it. That is why employee motivation is becoming more and more important.

Aspects that undermine employee motivation

Here are five possible reasons why employees may be losing motivation.



1. Not seeing room for improvement

This happens in workers who have been in the same company for a long time, in the same job, doing the same tasks daily, and do not see that this situation will change. Then this monotonous dynamic leads them to come to work reluctantly.

2. Unfavourable working environment

In companies, something similar to what happens in schools. Some



people fit in well and make friends, but others do not fit in, and this can affect them.

3. Lack of training

In many companies, the priority is productivity. Doing things continuously is not always the best thing to do.

Some workers start to produce with enough knowledge to move on.

4. Poor communication with supervisors

Sometimes employees do not feel comfortable talking to their supervisors, which leads to insecurity and even fear when it comes to suggesting something.

5. Work-life imbalance

This is a problem that is occurring during the COVID-19 crisis due to teleworking. Many workers do not manage it well, so they have many interruptions and a mixed professional and personal life, which results in a lot of stress.

The consequences of unmotivated employees can lead to absenteeism, low productivity, loss of employees and the danger of creating a bad reputation for the company because those who leave speak ill of it.

Solutions to employee motivation problems

A demotivated employee is not irrecoverable. In fact, their mood is likely to change if HR and the company look for solutions. Here are some activities to motivate employees related to the problems mentioned in the previous section.

1. Designing a career development plan

In order to provide a career development plan, employees' skills must



be assessed and new responsibilities assigned to them.

2. Communication is key

Effective communication should be both vertical and horizontal.

Horizontal relationships should be close so that all employees are aware of the company's activities and are encouraged to participate.

Listening is important because the first element contributing to effective communication is listening. For an employee to want to communicate, they must feel listened to. If they do not feel this way, they will not want to communicate with others.

3. Recognition of employee achievements

One of the best motivational techniques for any employee is recognising good work. This recognition implies positive reinforcement and will make employees feel part of the company and motivated to perform their activities.



4. Training plan

Many employees feel stagnant because they do not receive training, which is why it is so important for HR to design training plans.

Continuous training contributes to the

5. Work Coaching

This is the most popular technique because it is the most complete when it comes to working on motivation.

Job coaching is based on asking the employee what makes him/her uncomfortable about the work he/she does in the company. Once the employee has answered, the technique consists of asking questions and having a conversation in which the employee makes an introspection to change his or her reality.

A motivated employee is the one who will make the company grow more.

b. Participation as a form of recognition.

It appeals to the need for affiliation and acceptance. Above all, it gives people a sense of fulfilment. Employees should be encouraged to participate in matters where they can help,



and while they are listened to very carefully, in matters that require their decision, it is up to them to decide. However, to be effective, recognition measures need to be implemented correctly and at the right time. In a context marked by the rise of teleworking and increasingly common family reconciliation measures, recognition at work is becoming more important in day-to-day management.



It makes it easier to maintain high levels of employee motivation and commitment, even when they are not physically present in the company. In addition, recognising good performance positively affects the workforce, as it generates feedback that encourages the employee to continue surpassing goals.

It is something innate in human beings. From an early age, we evolve positively

towards maturity through recognition, affection and respect. In fact, the feedback we receive at an early age reinforces us positively and favours good self-esteem later on. When we reach maturity, we still need recognition for our actions. We need our talents to be positively valued by family, friends or, of course, at work. Encouraging recognition at work generates great personal satisfaction in employees so that they will be happy at work and in their personal lives. This is the key to retaining talent in the company. The fact that the employee feels recognised for his efforts will make him a loyal and motivated worker for the company's success. Otherwise, they will look for other options where they feel better valued. Not all recognition actions include financial retribution. Nor should it be limited to classic pats on the back or highlighting the employee's image for 30 days. Feedback to the employee must be constructive, uplifting and intelligent.



THE FOUNDATIONS OF PARTICIPATIVE MANAGEMENT

The first thing to remember is that participation is closely related to the environment's professional,

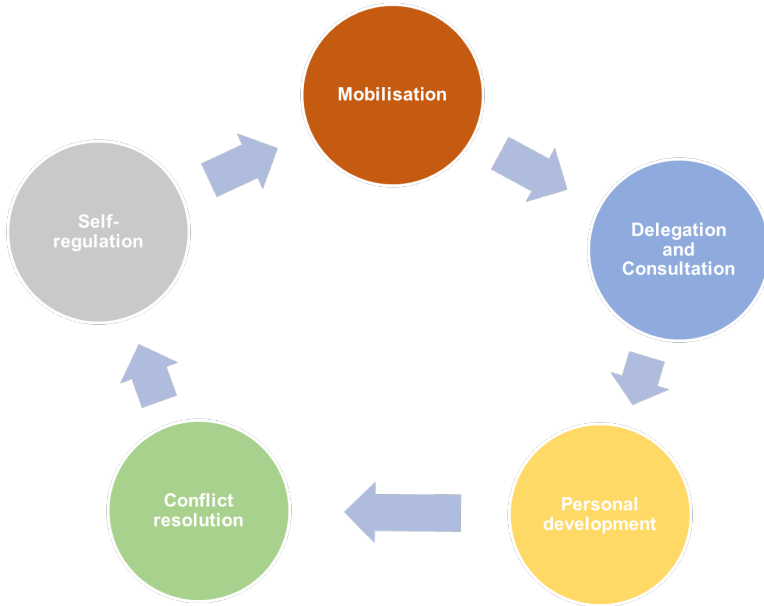


collaborative and technical opportunities.

Effectiveness is measured in terms of the quality of the intermediaries, the richness of the information processed the operational value of the decisions taken and their practical application.

People decide to participate in a joint project when they:

- have the necessary personal means, e.g. trust towards the organisation and management, sufficient knowledge;
- they see the advantages of doing so, e.g. greater recognition, economic advantages;
- the technical structures are adapted to it, in the sense of making the operation of the project more flexible;
- the organisation allows it. First of all, there is a size criterion. If too many people work on the same job, it will be useless to ask for individual participation. To encourage the participation and commitment of all members, the maximum number of people in a production unit should be around 150-250.
- Participatory management is based on five fundamental principles:
- mobilisation must be at the heart of the company's teams to make the most of each individual's resources and skills;
- delegation and consultation must allow employees to be autonomous. They now make the decisions and have more responsibility;
- personal development is fundamental; it is based on listening and communication to help employees and managers to enhance their skills and abilities that they can bring to their knowledge as well as to the company;
- when there is a problem, the people concerned are best placed to solve it; if the team cannot manage the situation, management will intervene, but only as a last resort;
- the last major pillar of participative management is self-regulation. The manager sets boundaries to contain disagreements that may arise from everyone's expresión.



When the autonomy and participation of employees decrease, it means that the influence they have gained is not what they expected. In other words, participation fails when all methods and processes are imposed from above.

It is also important to consider the influence of new technologies on participation:

- they have increased the complexity of the work. This can only be achieved by making employees more accountable;
- new technologies have changed jobs, making them less flexible. Successive adaptations require exchanges and training courses;
- they also contribute to employees' autonomy while developing interdependence within the organisation. Computerisation and bureaucracy facilitate networking. Other technologies increase the speed of responses to the environment and the need for interdepartmental consultation and cooperation.

Participatory management, through communication, creates a better working climate and thus improves the social climate at work. Employees feel a lower rate of stress because they are listened to. With this type of management, we notice a decrease in hierarchical tensions. In addition,



employees feel valued because they really play a role in the company.

OUR COMMITMENT TO THE HARVARD METHOD AS A NEGOTIATION MODEL

"Harvard negotiation model is one of the most widely used in all organisations, and we firmly believe that it should be used as a negotiation methodology in companies, in the European Committees, and of course, it helps to integrate, motivate and encourage the involvement of workers in decision-making. It is characterised by its simplicity and practicality. Characteristics despised - unfortunately - in most political traditions.

The Harvard negotiation model is known worldwide thanks to the work of Roger Fisher, and William Ury called "Getting to Yes" and is one of the most widespread organisationally. The principles of this method relate to the collaborative negotiation strategy, in which it is important that all parties gain equally.

In 1981 they published a book entitled "Getting to Yes: Negotiating Agreement Without Giving In", in which they explain the basic principles of the methodology and how to put it into practice. The book is an important source of study and reference in the world of negotiations.

This method arose to break with negotiation strategies by positions that tend to be aggressive, imposing, or attack-defence and to promote collaboration between the parties involved to reach mutually beneficial agreements through structured, prudent, friendly discussion and the establishment of clear and precise objectives.



It is a flexible methodology which is not limited to a specific field. As Ury and Fisher point out in their book, principled negotiation "can be used by US diplomats in arms control talks with Russia; Wall Street lawyers representing 500 companies; and couples who want to decide anything".



The four fundamentals of the Harvard negotiation model

Separate the person from the problem

Focus on interests rather than positions

Invent mutually beneficial options

Insist on objective criteria

1. Separate the person from the problem

According to our life journey and socialisation processes, human beings are characterised by being emotional and forging beliefs.

In situations of conflict with other people, it is difficult not to get upset or offended precisely because we unconsciously or voluntarily mix the objective reasons for the problem with personal opinions or emotions associated with disgust, anger or rejection.

2. Focus on interests rather than positions

In a negotiation, it is normal that different or even opposing positions are put on the table. However, there is an interest or a need to be satisfied behind every position (attitude or opinion on a situation).

The Harvard model proposes attacking interests over positions since a middle ground or solution can be found to satisfy the desires of the negotiating parties.

For example, if you offer a solution to your counterpart that is also in tune with your wishes, his or her position will likely change, and he or she may opt for a cooperative negotiation strategy.

On this principle, Roger Fisher and William Ury narrate the following



situation:

Think of the story of two men who are fighting in a library. One wants to open the window, and the other wants it closed. They argue about how far the window should be open: just a crack, halfway, three-quarters.

Neither solution satisfies them both. Then the librarian comes in. She asks the one why he wants to open the window: "To get fresh air". She asks the other why he wants to close the window: "So that there is no draught".

After a moment's thought, the librarian opens a window in the next room, thus bringing in fresh air without a draught. To make the solution sensible, conciliate.

3. Come up with mutually beneficial options

After understanding your counterpart's interests and reaching an agreement, it is important to put mutually beneficial options and alternatives on the table.

In a context of pressure or tension, finding these alternatives is not necessarily a straightforward process, and Fisher and Ury propose the following actions to achieve this:

separate the act of inventing options from the act of judging them,
hold brainstorming sessions to create ideas that can solve the problem,
broaden the options for discussion, rather than looking for a single answer,

focus your efforts on offering as many alternatives as possible, and don't get bogged down in a single solution. All ideas are welcome, and each has value in the negotiation process.

Seek mutual benefits.

Let your counterpart know that the negotiation intends to share the pie equally and that it is not about replicating a zero-sum game, where there is always a loser. Therefore, all ideas should be focused on meeting everyone's needs.

Come up with ways to make it easier for others to make their decision.

Put yourself in your partner's shoes, and from all the ideas that have been thought of, choose the one that not only benefits you but is also easy for everyone to implement.



4. Insist on objective criteria

This principle means suggesting that mutual advantages be sought wherever possible and that where there is a conflict of interest, the outcome should be based on some fair criteria independent of the will of the parties.

If resolving differences of interest through positions or emotions definitely does not work, it is important to negotiate on objective criteria and principles, which are present in regulations or contracts, for example.

These objective criteria can be variable, whose measurement is accessible to all.

Let's say you negotiate payment terms for your raw materials with a supplier. To reach an agreement, you establish that the following indicators should be constantly measured: time of the purchasing process, efficiency in the delivery of invoices and orders, among others.

Based on these indicators, both you and your supplier can know whether the agreement is being fulfilled or not. As you will see, these are objective criteria that do not depend on the opinion or will of one person.

In short, the Harvard negotiation method is an opportunity to resolve problems or conflicts under fair principles and objective criteria, regardless of the positions or will of the parties, to cooperate and achieve mutual benefit.

The good negotiator is the one who does not see the other party as an opponent to be defeated but as an ally with whom to collaborate to reach the best agreement, with both parties achieving even more than they had originally imagined.

This negotiation methodology considers seven basic aspects that allow us to face conflictive situations in which we want to reach win-win agreements without being losers.

There are not seven steps but seven elements to analyse in each negotiation, before, during and after, which will help us to feel confident when negotiating.

The seven elements, which fall into three categories and which summarise this model for negotiating, are as follows:



Attention on people	Movement towards the problems	Exchange of proposals
Relationship	Interests	Alternatives
Communication	Options	Commitment
Influencing people	Legitimacy	

A) Attention to people

1 Relationship

When we are in a negotiation, we must understand that the other party is pursuing its interests. Therefore, attack the problem and not the person because we seek to build trust, which will help us in the negotiation and the implementation phase of the negotiation agreement.

2 Communication/ Influencing people

Listen empathetically, and communicate assertively how we will exchange things (email, verbal, telephone). Keep communication open and do not cut off communication when we get angry. We cannot damage communication either during the process, before or after.

When we enter into a difficult negotiation, it is important before entering to write down all the points we want to address and then go for them at the negotiating table. This will help to make communication more efficient.

B) Movement towards the problems

3. Interests

These are the needs, desires, and motivations. We seek to expand the pie, to help the other party achieve their interests.

We are not responsible for the other party's interests, but we can look for someone to satisfy them. By understanding the other party's interests, we can see our interests we had not contemplated. Interests are never fixed. They change because they solve problems.



The position may change throughout the negotiation. I buy a house with a swimming pool, but in searching for a house, I can see another house that I love, which does not have a swimming pool. I change my position because it satisfies my interests.

Good negotiators are those who go to a negotiation to solve a problem, I can help the other, and the other can help me. They will not only seek to satisfy their own interests but also those of others.

4. Options

They are like the oil in the engine. They keep the negotiations flowing. They are pieces of a possible agreement. How to satisfy the interests of both parties.

The most basic form of options is trade-offs, but being a good negotiator means looking at many options. To put different options on the table without judgement, to move forward with different ideas to generate a bigger pie. These are what I always show and bring to the table. And if we have confidence in the other party, we show the options to both parties without compromise to help us understand each other better, even if later we see that they are useless and discarded.

Options generate value, and the best way is to show ideas on both sides without the risk of changing those ideas.

Options are key to generating the best agreements.

5. Legitimacy

What is fair and not fair in negotiation.

One of the big mistakes in negotiating is to think that we are all rational, and the other is that we are all honest.

Interests, options and legitimacy are where the resolution of the problem is focused, so this is where the most work needs to be done in negotiation.

Our decisions are not rational. Our decisions are conditioned by our emotions, our ego, how we feel we are treated, and what we think is fair.

Legitimacy is what is fair, the standards in the market, and how others do it.

Legitimacy is important because it will help us to move forward; otherwise, we can block ourselves



C) Exchange of proposals

6. Alternatives

Alternatives I have if I don't reach an agreement. Establishing alternatives is what gives power in the negotiation.

BATNA - best alternative to a negotiated agreement. How much we are worth in the market. This is a great source of power. Sometimes I don't show them when it is worse than what the other might think, and sometimes, it is good to put the BATNA on the table when it is very valuable.

It is very important to work before the negotiation to improve that better alternative.

7. Commitment.

There is already a path of action. It is key that we have a commitment and get commitment from the other side. This will help us to implement the agreement.

You have to pay a lot of attention in the negotiation when the other side starts to talk about what they are committed to.

CURRENT SITUATION OF AIRPORT WORKERS AFTER THE PANDEMIC

For example, at the beginning of July 2022, the endless queues in the passport control area of terminal T4 at Adolfo Suárez Madrid-Barajas airport raised the alarm about a situation that the airline employers' Association (ALA) was already warning about. The situation is not alien to the rest of Spanish and European airports, which these days are suffering a wave of mass cancellations and strikes collapsing infrastructures.

Between 8 and 9 June, workers at Paris Charles de Gaulle airport, France's main airport, went on strike. This meant that 25% of flights were cancelled. In addition, Air France, the main airline at the airport, announced the cancellation of 85 short and medium-haul flights. According to French media reports, unions are demanding better working conditions and a 300 euro pay rise. They estimate that 15,000 jobs were lost in two years in the airline industry because of COVID-19. And now, with the resumption of air traffic, the French airport authority ADP announced that there were 4,000 vacancies at the Paris airports,



but they had major recruitment problems. Hence the pressure on staff.

The UK is also experiencing chaos at its airports due to staff shortages, although in its case, it is an effect of Brexit. The end of free movement of workers from the EU to the UK is exacerbating the staffing crisis in the aviation sector. In early June, the transport minister, Grant Shapps, warned that cancellations would continue and blamed airlines for selling more tickets. Even during the Easter holidays, there were queues of up to three hours to get through checkpoints at some airports.

Amsterdam-Schiphol airport, the second busiest in the EU, has been in chaos since early May due to staff shortages and increased travellers following the Covid-19 pandemic.

The lack of staff has resulted in endless queues at check-in desks, security and passport control. Disruptions have led to widespread delays and even flight cancellations, particularly severe in early May.

The airport has asked airlines to reduce the number of flights or redirect them to regional airports with less traffic. It has also launched a plan to recruit workers and has reached an agreement with the unions for a new recruitment plan.

The pact will result in an extra pay of 840 euros for the summer. In addition, passengers are advised to bring as little baggage as possible. Entry to the terminal will be limited to those whose aircraft take off within four hours to avoid any threat of strike action in the coming weeks.

Despite this, Schiphol expects the long queues and chaotic situation to continue throughout the summer, particularly during July, August and weekends. Zaventem airport in Brussels experienced a similar problem last June due to the automatic passport control gates breakdown.

The delay only affected passengers travelling outside the Schengen zone and has not been repeated so far.

In the case of Spain, Iberia and part of the airline industry asked for more police, and the government responded with a reinforcement of 300 for Barajas and 200 more for the rest. In total, 500 more police officers will cover the number of places this summer, which has not yet been made effective.

Iberia put the number of customers who have missed their connections since 1 March due to problems with passport controls at around 15,000. The Association of Airlines (ALA) has already warned of these delays and called for increased police manning of passport controls at airports



with high international traffic.

The origin of these problems in Spain is that this is the first summer with the requirement to control passports for the United Kingdom, Spain's main source of tourists.



However, in Spain, the biggest problems could be at Barcelona airport this summer due to air congestion problems. Notably, 80% of the incidents in Spanish airspace are located in France and Germany. In other words, it is not a problem for Enaire (which manages Spanish air traffic), but for Europe.

The saturation of traffic this year goes beyond this. Moreover, it is expected that this situation could worsen in the coming months in France due to the reduction of activity at the control centre in Reims (France) until the end of August due to the implementation of a new air navigation system, as ALA warned months ago.

Far from improving, the situation is likely to get worse. Airports Council International (ACI Europe), the umbrella association for airports, and the Airport Services Association (ASA) have warned that problems will worsen over the summer, especially at the largest hubs.

66% of European airports expect an increase in flight delays, 16% expect more cancellations, and 35% believe staff shortages will continue to affect their operations beyond the summer.

The Airports Council International notes that the recovery in passenger traffic has accelerated dramatically and suddenly in recent weeks. Although it has not yet reached pre-pandemic levels, flows are increasingly concentrated at peak periods.

Operating with this sudden increase and concentration of air traffic has been a challenge for airports and their operational partners, particularly ground handling services.

This has resulted in increased flight delays and cancellations and, in general, a worsening passenger experience at many airports, as key processes, such as check-in, security screening or baggage drop-off, involve longer waiting times. While each airport is unique, and the extent



of these disruptions varies significantly, the main underlying reason has been the inability to expand staffing levels to the levels necessary to accommodate the increase in passenger traffic.

This ground handling and airport staff crisis is primarily due to the impact of the COVID-19 crisis, as many of these workers were made redundant due to the collapse of air traffic in 2020 and 2021.

In addition, these jobs have for many years been at the lower end of the pay scale and involve working shifts seven days a week. This makes it difficult to attract candidates at a time when the labour market is recovering across Europe.

In the short term, there is no quick and easy solution. But airports and ground handling services suggest several measures to reduce queues and delays. Firstly, faster security clearances for workers. And also, that airlines adapt their schedules to reduce peak traffic and return unused flight entitlements.





THE PARTNERSHIP





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