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Position Paper

Historic ruling for Cabin Crew in Spain A step towards early retirement rights for Cabin Crew in Europe

Background and Context

EurECCA, the European Cabin Crew Association, welcomes the recent judgement issued by the Social Court of Tenerife that establishes a 30% reduction coefficient for legal age retirement for cabin crew members in Spain. This decision marks a significant milestone in acknowledging the demanding and hazardous nature of the cabin crew profession and granting the right to earlier retirement. This judgment sets a precedent for over 30,000 cabin crew members in Spain who may now benefit from earlier access to retirement.

Summary of the Court's Judgement

The Social Court of Tenerife ruled in favor of a cabin crew member who petitioned for a reduction coefficient of 30% to be applied to the years effectively worked as cabin crew for every 10 years of service.

This is the first application in Spain of a reduction coefficient specifically to cabin crew members, acknowledging the physical and mental demands, irregular schedules, exposure to occupational risks, adverse working conditions, ergonomic challenges, premature physical aging, and the gender-discriminatory context in which many cabin crew operate. These ruling challenges the exclusion of cabin crew from previous legislative frameworks addressing pension adjustments for hazardous professions.

The judgement explicitly extends the principle of working conditions hardship to cabin crew, ensuring that their years of service are proportionately credited for early retirement benefits. By doing so, it addresses the historical oversight of excluding cabin crew from the scope of such protections and aligns their treatment with that of other aviation professionals as pilots for whom these reduction coefficients have long been applicable.



Key Points of Analysis

1. **Recognition of hardship to Cabin Crew's Working Conditions:**
 - The judgment underscores the acknowledgment of the physical and mental assessment of cabin crew work, including extended periods of standing, exposure to cabin pressure, irregular hours, and occupational risks such as turbulence or emergency situations.
 - By applying the reduction coefficient, the court has validated cabin crew members' claims that their work is comparable to other high-risk professions already granted early retirement options.
2. **Social and Gender Implications:**
 - The Court's decision also addresses systemic gender discrimination, as a significant portion of cabin crew are women who have historically been excluded from pension reforms.
 - EurECCA views this ruling as a step forward in promoting gender equity in retirement policies across Europe.
3. **Potential Impact Across Europe:**
 - While the ruling applies to Spain, it opens the door to similar legal claims across Europe, setting a precedent for the harmonization of retirement policies in the aviation sector.
 - This decision highlights the need for European-wide recognition of the cabin crew profession as one requiring specific provisions for early retirement.
4. **Enhanced Social Security:**
 - This decision ensures that cabin crew members receive adequate social security benefits proportional to their contributions under strenuous working conditions.

Implications for Cabin Crew Members

This ruling has several profound implications for cabin crew working in Spain:

1. **Earlier Access to Retirement:** Cabin crew members will now be eligible for retirement at an earlier age, taking into account the reduction coefficients applied to their years of service.
2. **Recognition of Hardship:** The judgment formally acknowledges the hazardous and physically demanding conditions inherent to the cabin crew profession.

Analysis and Broader Impact

This judgment underscores the necessity of equitable treatment for all aviation professionals. The court's reasoning, rooted in the principles of fairness and non-discrimination, emphasizes that cabin crew members face risks and hardships comparable to those of technical flight crew.



These include:

- Frequent exposure to high-altitude environments and irregular schedules.
- Recurrent physical strain due to prolonged standing, heavy lifting, and the need to operate in confined working places and stressful environments.
- Increased vulnerability to health issues due to disrupted circadian rhythms and potential exposure to radiation.

By acknowledging these realities, the judgment establishes a benchmark for other jurisdictions in Europe, providing a compelling case for harmonized treatment of cabin crew across the EU.

Conclusion and Call to Action

EurECCA applauds this decision as a vital step forward in achieving social justice for cabin crew members. However, this victory also highlights the need for a unified European approach to the recognition of workplace hardship in the aviation sector.

EurECCA urges the European Commission, national governments, and relevant stakeholders to:

- Expand the application of workplace hardship criteria to cabin crew members across all EU Member States.
- Ensure that reduction coefficients and early retirement provisions are consistently applied to reflect the demanding nature of the profession.
- Promote legislative reforms to address the physical and psychological challenges faced by cabin crew members, safeguarding their health and well-being.

This ruling highlights the need for a coordinated European effort to ensure that the pension rights of cabin crew members reflect the realities of their profession.

EurECCA remains committed to advocating for the rights of cabin crew and calls on European policymakers to seize this momentum to ensure that the hardships faced by cabin crew are addressed equitably in all Europe, fostering a just and inclusive aviation industry for all.

EurECCA strongly supports the ruling by the Social Court of Tenerife as a groundbreaking achievement for cabin crew in Spain. It represents a critical recognition of the unique challenges and risks associated with their profession and paves the way for social advancements in retirement rights as a potential model for Europe-wide adoption.



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

FLYING TOGETHER – PROTECTING EACH OTHER

About EurECCA: established in Brussels in 2014, the European Cabin Crew Association, EurECCA, represents, protects and develops the rights and needs of cabin crew all over Europe. It is composed of cabin crew unions from European Union Member States as well as accession and bordering states and represents some 23,000 cabin crew accounting for 70% of all organized cabin crew in Europe. EurECCA has no political connections. EurECCA's work is around Cabin Crew working conditions, wages, social protection and health and safety at work.

EurECCA European Cabin Crew Association AISBL
Avenue Louise 143/4
1050 Brussels, Belgium

www.eurecca.eu
contact@eurecca.eu