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Position Paper

Atypical employment and subcontracting in European aviation: the hidden cost of flexibility

EurECCA, the largest independent European Cabin Crew Association is deeply concerned by the growing prevalence of atypical employment and subcontracting practices in the European aviation sector.

While airlines increasingly justify such models as necessary tools to enhance flexibility and competitiveness, their expansion has led to significant social, legal, and safety challenges that undermine fair working conditions, legal certainty, and the integrity of the European single aviation market.

Defining atypical employment in aviation

In the context of aviation, **atypical employment** encompasses all forms of work arrangements between a aircrew member and an airline **other than a direct, open-ended employment contract**. These include:

- **Self-employment**, often used to disguise dependent labour relationships;
- **Part-time work** and **temporary contracts**;
- **Temporary agency work**;
- **Subcontracting chains** and **outsourcing arrangements**, including wet leasing (ACMI) and brokered labour provision.

While these models can, in theory, support operational flexibility, their **misuse has become systemic** and now serves primarily as a mechanism to **reduce labour costs** and **circumvent social, tax, and labour law obligations**.

The rise of subcontracting and outsourcing chains

Subcontracting and outsourcing have become standard practices in aviation, mirroring trends in other industrial sectors. Airlines often rely on complex networks of intermediaries to recruit and employ aircrew, creating **multi-layered chains of responsibility** that obscure accountability.

Although not all subcontracting is inherently problematic—wet lease (ACMI) arrangements, for example, can be legitimate tools for operational needs—issues arise when these structures are **used to conceal bogus employment constructions**.

In such cases, the “subcontractor” functions merely as a **labour broker**, providing workforce rather than genuine services or operational expertise.



This practice gives rise to **triangular or even multi-party relationships** involving:

- A **client airline** seeking to acquire labour without assuming the obligations of an employer;
- An aircrew providing labour under uncertain or precarious conditions;
- One or more **intermediaries**, acting as agencies or brokers, who legally appear as employers but effectively serve as administrative buffers.

The thin line between legal flexibility and social dumping

EurECCA emphasizes that the **boundary between lawful outsourcing and bogus employment is increasingly blurred**.

When these constructions are set up primarily to **evade labour, social security, or tax obligations**, they become a form of **social engineering**—designed not to enhance efficiency but to **undermine social standards**.

Such practices lead to:

- **Unequal pay** for crew performing identical duties on the same aircraft;
- **Lack of social protection**, including access to unemployment, sick leave, or pension rights;
- **Legal uncertainty** regarding applicable national law and jurisdiction;
- **Difficulties in enforcement**, as responsibilities are fragmented among multiple entities.

These outcomes amount to **social dumping**, eroding fair competition and threatening the European model of social dialogue and protection.

Impact on cabin crew and the labour market

For cabin crew, these arrangements translate into precarious and unstable working lives. Many operate under contracts that:

- Deny access to standard employment benefits;
- Impose self-employment status without genuine autonomy;
- Leave them dependent on intermediaries who exercise de facto control but avoid de jure responsibility.

This creates a class of “**permanently temporary**” **cabin crew**, subject to arbitrary scheduling, limited income stability, and minimal career progression.

The proliferation of such contracts also **distorts competition** between airlines adhering to fair employment practices and those exploiting legal loopholes.



EurECCA's position and recommendations

EurECCA calls on the **European Commission, the European Parliament, and Member States** to take decisive action to restore fairness and legal clarity in aviation employment. We propose the following measures:

1. **A binding definition of the operational base;**
2. **Clear legal definitions** distinguishing genuine subcontracting from bogus constructions in aviation;
3. **Full transparency** in employment relationships, requiring disclosure of all intermediaries and employment conditions to authorities and aircrew;
4. **Stronger enforcement mechanisms** to ensure compliance with labour, tax, and social security legislation across borders;
5. **Joint and several liability** for airlines and intermediaries in subcontracting chains;
6. **Recognition of aircraft as workplaces**, ensuring that occupational health and safety standards apply uniformly, regardless of contractual form;
7. **Civil aviation as a priority sector;**
8. A new EU **framework law** with **aviation-specific** provisions;
9. **National reforms without delay;**
10. **Direct employment and equal treatment;**
11. **Licensing and oversight of crew agencies;**
12. **Stronger cooperation** with the **European Labour Authority (ELA);**
13. **Linking public funding to fair labour practices.**

The growing normalisation of atypical and subcontracted employment in aviation represents a **serious threat to fair competition, aircrew protection, and the social fabric of Europe's air transport sector.**

Flexibility cannot come at the expense of legality, safety, or human dignity.

EurECCA urges European policymakers to act swiftly to close loopholes, ensure equal treatment for all aviation workers, and reaffirm that **the European sky must not become a space of deregulated labour.** Read our previously written Position Paper on the EP draft report on subcontracting chains and intermediaries (2025/2133(INI)) [here](#).

EurECCA stands for fair skies and fair work

**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 50,000 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.