



EurECCA Position Paper

Operational Base and Home Base

Why the difference matters for Cabin Crew

Brussels, 26 September 2026

EurECCA position

Where an airline really operates matters. It affects which authorities can inspect working conditions, which rules may apply, how cross-border abuses are investigated and whether cabin crew can effectively enforce their rights.

EurECCA calls on the European Union to introduce a clear and binding definition of Operational Base in the future revision of Regulation (EC) No 1008/2008. The definition must be based on operational reality, not only on the address, corporate structure or contractual choices of an airline.

The Operational Base and the Home Base are both important, but they describe different realities. They must not be confused or used to replace one another.

Why this matters to cabin crew

Cabin crew work in a highly mobile sector. During one working day, a crew member may cross several national borders. At the same time, the airline may be licensed in one country, own or lease aircraft in another, employ crew through an agency in a third country and operate permanent bases elsewhere.

This complexity can create uncertainty about who is responsible for protecting workers. It can also make it easier to use letterbox companies, artificial contracts, bogus self-employment, temporary agencies or repeated posting arrangements to disconnect cabin crew from the country where they actually work.

Physical mobility must not mean that cabin crew are treated as if they work nowhere. Rights must remain enforceable, even when operations cross borders.

Three concepts that must not be confused

Concept	What it identifies	Why it matters
Home Base	The location assigned to an individual crew member from which duties normally begin and end.	It is relevant to FTL, rest, social-security coordination and the factual assessment of the habitual place of work.
Operational Base	The place from which an airline carries out stable, usual and continuous operations with technical, material and human resources.	It shows the airline's genuine operational presence and helps authorities identify where enforcement is needed.
Principal Place of Business	The airline's main financial and operational centre, linked to its operating licence.	It identifies the carrier's central corporate base, but not every country from which the airline genuinely operates.

Home Base concerns the individual crew member

EU aviation rules define the Home Base as the location assigned by the operator to the crew member from which that person normally starts and ends a duty period or series of duty periods. The Home Base is also used as a connecting factor for social-security coordination and is an important factual indicator when courts identify the place from which aircrew habitually work.

However, the Home Base is not automatically the answer to every question about employment law, posting or jurisdiction. The real circumstances of the employment relationship remain important.

Operational Base concerns the airline's real activity

An Operational Base concerns the organisation of the airline. It is the place from which the carrier conducts stable, usual and continuous air transport activity using resources such as aircraft, crews, equipment, facilities, operational supervision and local management.

An airport does not become an Operational Base simply because an airline flies there. The assessment must look at the permanence of the activity, the resources deployed and the effective centre of the employees' professional activity.

Principal Place of Business is the airline's central corporate base

The Principal Place of Business is the airline's main financial and operational centre. It is linked to the Member State responsible for the carrier's operating licence. An airline normally has one Principal Place of Business, but it may operate several genuine Operational Bases in other Member States.

The Principal Place of Business must therefore not be used as the only reference for labour and social enforcement. The airline's real operations in other countries must also be taken into account.

The gap in current EU law

Recital 9 of Regulation (EC) No 1008/2008 recognises that employees may operate from an Operational Base located outside the Member State of the airline's Principal Place of Business. It also states that Member States should ensure the proper application of EU and national social legislation.

However, the Regulation does not provide a complete and generally applicable definition of Operational Base. As a result, authorities may use different criteria or may each consider another country to be responsible. This can create enforcement gaps precisely where cabin crew need effective protection.

What the absence of a definition can mean in practice

- uncertainty about which labour inspectorate or public authority is responsible;
- difficulty enforcing working-time, pay and occupational health and safety rules;
- artificial links to countries with little connection to the work actually performed;
- misuse of temporary agencies, letterbox companies or bogus self-employment;
- confusion between genuine temporary posting and permanent operations in another Member State;
- unequal competition between compliant airlines and operators that avoid labour and social obligations;
- fragmented responsibility in wet-leasing and other cross-border arrangements.

A binding definition will help to decide every question of applicable law, social security, posting or jurisdiction. Each legal instrument would still have to be applied. But it would provide a common factual starting point based on where the airline genuinely operates.

EurECCA proposed definition

EurECCA proposes the following definition for inclusion in EU legislation:

“Defined as the exercise of a regular, stable and continuous air transport activity using technical, material and human resources, including the use of employees whose actual centre of professional activity is at the aerodrome concerned (the centre of an employee’s professional activity is the place where he/she usually works or where he/she starts and ends his/her service).”

How an Operational Base should be identified

No single formal element should decide the issue. Authorities should examine all relevant facts, including:

- stable, usual and continuous flight operations;
- aircraft regularly stationed or operated from the airport;
- crews regularly starting and ending their professional activity there;
- technical facilities, equipment and operational resources;
- qualified personnel, operational supervision or local management;
- the effective centre of the employees’ professional activity;
- the duration, permanence and organisation of the airline’s presence.

What EurECCA is asking the European Union to do

- Include a binding definition of Operational Base in the revision of Regulation (EC) No 1008/2008.
- Keep the Operational Base and Home Base as distinct but complementary concepts.
- Require authorities to assess operational reality rather than rely only on contracts or corporate registration.
- Ensure that the Principal Place of Business cannot be used to conceal permanent operations in another Member State.
- Use the definition to support labour inspections, cross-border cooperation and coordinated enforcement, including through the European Labour Authority.
- Protect cabin crew against regulatory shopping, artificial posting and fragmented employment structures.
- Guarantee fair competition based on service, safety and efficiency rather than the avoidance of social obligations.

What this would change for cabin crew

A clear definition would give cabin crew, unions and public authorities a stronger factual basis for identifying where the airline has a real and permanent operational presence. It would make it easier to determine which authorities should investigate, exchange information and enforce the relevant rules.

It would also reduce the risk that an airline can separate its registered office, licence, aircraft, contracts, agencies and crews across several countries in order to weaken responsibility for working conditions.

Most importantly, it would help ensure that mobility does not lead to the fragmentation or loss of cabin crew rights.

Conclusion

Home Base and Operational Base are not competing definitions. The Home Base connects an individual crew member to a location. The Operational Base connects the airline's genuine activity to a territory. Both are necessary, and neither should be used to hide the reality represented by the other.

EurECCA therefore calls for a binding, practical and fact-based definition of Operational Base at EU level. Clear rules would protect workers, support responsible airlines and help national and European authorities enforce the law more effectively.

Key legal references

1. [Regulation \(EC\) No 1008/2008 — Recital 9, Article 2\(26\) and Article 4\(a\)](#)
2. [Regulation \(EU\) No 965/2012 — Annex III, point ORO.FTL.105](#)
3. [Regulation \(EC\) No 883/2004 — Article 11\(5\)](#)
4. [Joined Cases C-168/16 and C-169/16, Nogueira and Others](#)
5. [Regulation \(EU\) 2019/1149 establishing the European Labour Authority](#)

**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.

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OPERATIONAL BASE

Define as the exercise of a **regular, stable and continuous** air transport activity using technical, material and human resources, including the use of employees whose actual centre of professional activity is at the aerodrome concerned *(the centre of an employee's professional activity is the place where he/she usually works or where he/she starts and ends his/her service).*



REGULAR, STABLE AND CONTINUOUS

Air transport activity carried out on a regular, stable and continuous basis.



TECHNICAL, MATERIAL AND HUMAN RESOURCES

Use of resources such as aircraft, facilities, equipment, systems and qualified personnel.



OPERATIONAL BASE AERODROME CONCERNED



EMPLOYEES

Including the use of employees whose actual centre of professional activity is at the aerodrome concerned.



CENTRE OF PROFESSIONAL ACTIVITY

The place where the employee usually works or where he/she starts and ends his/her service.



The Operational Base reflects the real and effective link between the airline and the aerodrome, ensuring legal certainty, fair competition and the protection of social rights for mobile aviation workers.



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Annex 2 Operational Base and Home Base

DIFFERENCE BETWEEN OPERATIONAL BASE AND HOME BASE

