

Brussels, 29 October 2026

EurECCA Position Paper

Strengthening the European Labour Authority: Cabin crew must not be left behind

Our position

EurECCA welcomes the European Commission's proposal to strengthen the European Labour Authority (ELA). Better cooperation between national authorities, more effective cross-border inspections and improved analysis of employment practices can help ensure that European labour mobility is accompanied by genuine social protection. These objectives reflect several concerns raised by EurECCA in its contribution to the Commission's consultation in December 2025.

Yet the proposal overlooks an important feature of Europe's mobile workforce: civil aviation and aircrew are not expressly recognised among the sectors requiring particular attention. The Commission refers specifically to maritime transport and seafaring professions, but makes no corresponding reference to cabin crew, whose working lives are routinely organised across several Member States. EurECCA believes this gap should be corrected before the legislative proposal is adopted.

An international industry with fragmented enforcement

Commercial aviation is one of the clearest examples of a genuinely European labour market. An airline may be established in one country, recruit cabin crew through an agency in another and maintain operational bases in several others. Wet-leasing arrangements and other contractual partnerships can add further layers to the relationship between an operating airline, the undertaking employing the crew and the place where the work is actually organised.

These arrangements are not necessarily unlawful. They become a matter of concern when their complexity obscures the identity of the responsible employer, creates uncertainty about applicable employment rules or makes it difficult to verify social security affiliation. Cabin crew may then find themselves caught between national administrations, each with only part of the information needed to examine an employment relationship that crosses borders.

The distinction between a declared home base and the reality of work illustrates this difficulty. Under EU social security coordination law, the home base has a specific connecting role for flight and cabin crew. However, a formal contractual designation does not automatically settle every question concerning employment protection or the place where work is habitually performed.

Enforcement must be based on the relevant legal rules and the actual circumstances of each case, not merely on what appears in a contract.

What a stronger ELA could change

ELA was established in 2019 to help Member States cooperate on the application of EU rules concerning cross-border labour mobility and social security coordination. The Commission now proposes to strengthen its ability to support concerted and joint inspections, exchange information and identify recurring patterns of non-compliance. It also proposes clearer support concerning the employment and social security rights of certain third-country national workers.

For aviation, such improvements could make a tangible difference. The evidence needed to understand an airline's employment arrangements may be distributed across several countries, while a national inspection often reveals only one part of the picture. ELA could help competent national authorities connect that information, develop a shared understanding of the facts and coordinate their response where the matter falls within its legal mandate.

The revision would not make ELA an independent European labour inspectorate. Inspections would remain subject to the consent of the Member States concerned, and national authorities would retain their enforcement and sanctioning powers. The purpose of the reform is therefore not to replace national enforcement, but to make cross-border cooperation more effective. For EurECCA, that improvement will be meaningful only if the specific realities of aviation are properly understood.

Civil aviation deserves explicit recognition

The Commission's proposed Recital 23 draws attention to workers in sectors with a particularly strong cross-border dimension and expressly mentions maritime transport and seafaring professions. EurECCA supports this recognition, but considers it inconsistent to omit civil aviation. Cabin crew may cross several countries during a single working day, while their employer, operational base and relevant administrative authorities may be located in different jurisdictions.

The omission does not mean that aviation workers fall outside ELA's competence: the Authority can already support the enforcement of relevant EU mobility and social security rules in the sector. Explicit recognition would nonetheless help ensure that civil aviation is taken into account when ELA develops risk analyses and practical cooperation priorities. EurECCA therefore calls for flight crew and cabin crew to be added to Recital 23.

A better understanding of airline employment structures

Effective enforcement depends on understanding how airlines actually organise their activities. Wet leasing, temporary agency work, subcontracting, complex corporate structures and potentially artificial home-base designations may be relevant to investigations of cross-border employment practices. None of these arrangements should be presumed abusive solely because it exists; what matters is whether the applicable rules are observed in practice.

EurECCA calls for ELA's strengthened analytical work under Article 10 to acknowledge these aviation-specific realities. This would help national authorities identify patterns of possible non-compliance, distinguish legitimate business structures from problematic arrangements and focus their investigations on the facts that matter. It would also help protect responsible airlines from unfair competition based on the avoidance of social obligations.

Connecting expertise across European institutions

Labour and social security authorities do not always have detailed knowledge of operational bases, aircraft deployment or the commercial structures used in air transport. Aviation authorities, by contrast, may possess relevant sectoral expertise, even though their responsibilities are

different. EurECCA therefore supports an express reference to the European Union Aviation Safety Agency (EASA) among the bodies with which ELA may cooperate under Article 14.

This cooperation would not make EASA responsible for enforcing employment law, nor would it give ELA aviation safety powers. It would allow the two agencies to share appropriate expertise, and information where legally permitted, while respecting their separate mandates and applicable data protection requirements. European institutions should not work in isolation when complementary knowledge can improve the effectiveness of lawful enforcement.

Cabin crew representatives must have a voice

Trade unions and professional organisations often identify recurring employment difficulties before those difficulties become visible in official statistics. Their members experience directly the consequences of uncertain social security affiliation, changes in base designation and complex employment arrangements. This practical knowledge should inform the analysis of cross-border labour risks.

EurECCA therefore asks for more structured consultation of all European social partners in ELA's analytical activities. Such involvement would help institutions recognise emerging concerns without compromising the confidentiality of inspections or the independence of national authorities. They should contribute evidence and expertise; responsibility for investigations and enforcement must remain with the competent public authorities.

Four improvements requested by EurECCA

EurECCA calls on the European Parliament and the Council to introduce four targeted improvements to the Commission's proposal. First, civil aviation, flight crew and cabin crew should be explicitly recognised in Recital 23. Second, Article 10 should enable ELA's sectoral analyses to address aviation-specific employment structures, including wet leasing, temporary agency work, potentially artificial home bases and bogus self-employment. Third, Article 14 should explicitly identify EASA as a possible cooperation partner. Fourth, Article 10 should provide for appropriate structured consultation of representative sectoral social partners when analysing cross-border employment risks.

These requests are practical and proportionate. They do not create new substantive employment rules or transfer national inspection powers to ELA. Rather, they would ensure that a stronger European framework is capable of reflecting an industry in which international operations are the rule rather than the exception.

The outcome EurECCA seeks

The European single market has enabled airlines to organise their operations across national borders. Effective worker protection must be able to keep pace. Stronger inspection support, better exchanges between authorities and more informed sectoral analyses could all contribute to fairer conditions for cabin crew and fairer competition among airlines.

EurECCA welcomes the Commission's initiative, but urges the European Parliament, the Council and the Commission to ensure that aviation is explicitly reflected in the revised ELA framework. We are not seeking special treatment for cabin crew; we are asking that European rights can be effectively enforced in an industry whose working arrangements are fundamentally transnational.

The freedom to operate across Europe must go hand in hand with the responsibility to respect the rights of those who make European aviation possible. A stronger European Labour Authority must not leave cabin crew behind.

Key references

European Commission, COM(2026) 985 final, 15 September 2026, proposal revising Regulation (EU) 2019/1149 (procedure 2026/0272(COD)).
Regulation (EU) 2019/1149 establishing the European Labour Authority.
Regulation (EC) No 883/2004, Article 11(5), as amended by Regulation (EU) No 465/2012.
EurECCA contribution to the Commission consultation on strengthening ELA, December 2025.

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 across Europe. EurECCA is composed of cabin crew unions from EU Member States and neighbouring countries and works on working conditions, wages, social protection and health and safety at work.

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