



ECA
European Cockpit Association



UPDATED* CALL FOR TENDER: STUDY ON “Atypical forms of aircrew employment in the European aviation industry (with a focus on bogus self employment)”

1. Background

The Working Group on aircrew of the EU Sectoral Social Dialogue in Civil Aviation decided to start a dialogue on “outsourcing to temporary workers, independent and self-employed workers in air crew.” In order to facilitate the dialogue, the Social Partners decided to organise a study. The EU has accepted the project and granted funds for financing a study and organising a conference on the subject of “Atypical forms of aircrew employment in the European aviation industry (with a focus on bogus self employment).” This study will be carried out under this grant.

2. Purpose of the Contract

Research and preparation of a study on ‘Atypical forms of aircrew employment in the European aviation industry (with a focus on bogus self employment)’ and presentation of the study during a Conference.

For the purpose of the study, “atypical work” constitutes all forms of work that is not direct and indefinite employment, including hybrid contracts or undeclared work.

This will be carried out on the basis of: an analysis of existing literature; and field research in 10 selected countries when required, with the assistance of social partners of the Aircrew Working Group of the Sectoral Social Dialogue Committee on Civil Aviation responsible for the organisation of the Study (namely the European Cockpit Association (ECA), the Association of European Airlines (AEA) and the European Transport Workers Federation (ETF)). The Study outcome and Conference should be structured so as to best assist the Aircrew Working Group in determining any action to be undertaken on this subject.

3. Tasks

Description of tasks

The future contractor will conduct and coordinate research at EU level and, with the assistance of a network of experts established by him in 10 selected states namely Czech Republic, Estonia, UK, Spain, Ireland, Denmark, Germany, Austria, France and Iceland. The contractor will prepare a report and present it during a conference. This work will be done with the oversight of the steering committee.

The contractor will attend the meetings of the Steering Committee and periodically submit progress reports. He/she will work closely with this committee adapting the work, when necessary at the steering’s request.

Guidance

Applicant and Co-applicants: The Association of European airlines AEA, the European Cockpit Association (ECA) and the European Transport Workers federation (ETF-Associated organisation).



ECA
European Cockpit Association



The study shall conduct a thorough analysis to assess the impact of atypical work of aircrews in civil aviation divided into 5 parts, the offer shall cover all 5 parts:

— Part 1: Synthesis of the current situation of ‘atypical work’ in the selected countries and in the EU based on a review of relevant literature, national legislation and recent developments (case law).

— Part 2: Analysis of “atypical work” with aircrews in selected countries:

- Identify types and origin of “atypical” employment contracts and measure the weight of atypical work within the giving country.
- Analysis of different atypical work practices.
- Are there specific employment rules for mobile staff in civil aviation? Analysis and evaluation of possible gaps in the legislation and in the supply chain factors. Evaluation of measures put in place by the relevant member state to organise and to control atypical employment in the aviation market.
- Analysis of possible abuses of atypical work. To include apparent examples of work that appear to be in practice normal employment but that are defined (artificially) as an atypical relationship, and possible reasons and remedies for this.
- Collect information from labour inspectorates concerning mobile staff in civil aviation and find out if there is a specific procedure to carry out inspections on aircrews and the periodicity of inspections.
- Enquire about the understanding of national authorities concerning work permits and administrative requirements for crews with bases outside the national territory but operating habitually / occasionally in, within and out of their national territory or the territory of the EU. Analysis and evaluation of possible gaps. How do national authorities (social security/labour inspectorates/other) know whether aircrews operating in their territory are employed, in transit, posted or in an undefined working status. What default is or should be applied in the member state for those of an undefined status?
- Analysis of the existence or absence of representation of atypical workers at national/company level (theory & practice).

— Part 3: Surveys: preparation of questionnaires to analyse the quality of working conditions, the motivation, perceived advantages, disadvantages and threats of aircrews working with “atypical contracts.” Distribution, collection and analysis of surveys

— Part 4: “Atypical work and Safety”: Analyse possible impact of atypical contracts on safety and company cultures based on interviews to operators, crews (both in situation of typical and atypical work), regulators and HR specialists. Different aspects should be considered such as training, safety culture, aircrew’s independence when exercising professional judgement, Crew Resource Management (CRM), responsibility and oversight chain...

— Part 5: Compilation of information of parts 1 to 4 and preparation of the progress report, draft final report and final report. Presentation of the study at a closing event (conference).



ECA
European Cockpit Association



The length and content of the parts could be adapted or modified with the agreement of the parties when necessary to assess critical parts of the study and to stay in budget.

Alternative approaches and countries may be proposed and will be considered and evaluated as part of the tender. The study methodology should be based on data collection and verification techniques.

4. Expertise required

The future contractor must prove experience in the field of comparative research on employment and working conditions in the EU having participated ideally in at least 2 relevant projects in this area in the last 7 years.

In order to be able to carry out this study the future contractor must prove the capacity to set up and manage a network of experts having an excellent knowledge of the employment laws and practices in the EU and in 10 selected countries (Czech Republic, Estonia, UK, Spain, Ireland, Denmark, Germany, Austria, France and Iceland).

The future contractor will have to demonstrate the capacity to gather the necessary information, either directly or through appropriate correspondents in targeted institutions (labour inspectorates, social security, national civil aviation authorities) to cover the different objectives and areas of the study.

The project manager shall have at least 5 years of experience in working in employment matters and at least participated as coordinator or holding responsibilities in two relevant European projects on employment matters related to atypical work (self employment, social security, outsourcing...).

All members of the team should have a good command of English (spoken, reading and writing); collectively the team should have the ability to communicate in English. All correspondence and all the reports shall be in English.

The following evidence should be provided to fulfil the above criteria:

- List of relevant services provided in the past 5 years in the field of the study, with dates and recipients, public or private. The most important services shall be accompanied by a short summary of the service provided
- The educational and professional qualifications of the persons who will provide the service for this tender (incl. CVs).

5. Time schedule & reporting

The study will be divided in 6 phases:

- Start date February 2014: preparation of network & methodology
- March 2014: Preparation & finalisation of methodology with the steering (e.g. survey, interviews);



ECA
European Cockpit Association



- March to September 2014: Collection of surveys and interviews, analysis, preparation of progress report and discussion with steering (a progress report will be submitted and discussed with the steering end May / beginning of June).
- October 2014: Finalisation of the draft final report and discussion with the Steering.
- December 2014: Finalisation of the final report, and its presentation to the Conference (possibly early 2015).

The dates are indicative; they will be adjusted at the moment of the signature of the contract.

6. Payments

- 30% at the signature of the contract
- 20% at the presentation of first draft
- 30% after presentation of final report
- 20% after presentation of the results of the study/report at the Conference.

Real expenses for attendance to steering committee meetings will be reimbursed with the agreement of the steering.

7. Price

There are two options for payment of the contractor and local experts, with a preference for the most cost efficient option depending on the circumstances/organisational structure of the bidder:

OPTION 1 – The total award for the provision of service and expertise to the contractor and local experts will not exceed 110000EUR. Payment for the service of the 10 local experts will be made out of this sum by the contractor, in consultation with the steering. All real expenses for the contractor and local experts will be reimbursed separately and in addition to this amount with the approval of the steering

OPTION 2 – The total award for the provision of service and expertise to the contractor and local experts will not exceed 110000EUR. Payment for the service of the 10 local experts (not expected to exceed 55.000 EUR) will be made out of this sum by ECA, in consultation with the steering and the main contractor. All real expenses for the contractor and local experts will be reimbursed separately and in addition to this amount with the approval of the steering.

8. Award Criteria

- Understanding of the aims of the project. Weighting 20%
- Quality of the proposed methodology. Weighting 25%
- Organisation of the work and expertise of the proposed network of local experts. Weighting 25%
- Previous experience. Weighting 20%



ECA

European Cockpit Association



- Price competitiveness. Weighting 10%

There is no obligation to contract if it is found that none of the bidders has proven sufficient capacity or expertise to carry out the project.

9. Content & presentation of bids

Bids drafted in English shall arrive before 30.01.2014 - 16:00 to the following address:

Tender "Study atypical work"
European Cockpit Association
Rue du commerce 22
1000 Bruxelles - Belgium

10. Date of issue of the call : 18/12/2013 [Updated 20/12/2013*](#)

*** We have noticed and corrected the following errors in the version of the tender issued on the 18/12/2013:**

Page 4, under point 5 (Time schedule & reporting):

- December 2014: Finalisation of the final report, and its presentation to the Conference (possibly early 2015~~4~~).

Page 4, under point 6 (Payments): new text to clarify that real expenses refer to travel/subsistence to attend steering committee meetings normally to be held in Brussels :
Real expenses for attendance to steering committee meetings will be reimbursed with the agreement of the steering.

Page 5, Date of issue: 18/12/2013~~4~~

END