Technical meeting on a green, sustainable and inclusive economic recovery for the civil aviation sector

Geneva, 24–28 April 2023

The Technical meeting on a green, sustainable and inclusive economic recovery for the civil aviation sector,

Having met in Geneva from 24 to 28 April 2023,

Adopts the following:

▶ Conclusions and recommendations on the promotion of decent work to shape a green, sustainable and inclusive economic recovery for the civil aviation sector[1]

Introduction

1. The civil aviation sector plays a crucial role in economic, social and sustainable development and is vital for the transport of passengers and delivery of time-sensitive and high-value goods. The sector is one in which connectivity, growth and quality service have gone hand in hand with the development of technical policies and regulations that ensure its safety and security. Investment in sustainable aviation ecosystems has a strong impact in the employment and supply chains of related sectors, including travel, tourism, and health. Connectivity by air is crucial for small island, developing, landlocked countries and geographically isolated regions.

Challenges and opportunities experienced in the civil aviation sector for the promotion of full and productive employment and decent work

2. The aviation industry is committed to remain one of the safest modes of transport by complying with the technical and operational aspects of the International Civil Aviation Organization (ICAO)'s standards and recommended practices. The sector's growth has led to increased demand and job opportunities as it provides both considerable direct, as well as, indirect employment to related sectors. At the same time, the sector faces pressures in terms of globalization and financing vital climate action policies at all levels. Also, rapid technological changes, such as digitalization, automation and robotization, the impact of artificial intelligence, the development of unmanned aircraft systems and remote towers, may impact

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[1] In accordance with established procedures, these conclusions will be submitted to the 349th Session of the Governing Body of the ILO (November 2023) for its consideration.

employment and the nature of work. Also, there is a need to increase cooperation to accelerate diversity and inclusiveness, including through social dialogue.

3. The sector was one of the worst hit by the COVID-19 pandemic and is still fully in the process of an uneven and incomplete recovery. In the aftermath of the pandemic, workforce challenges emerged in many of the occupational groups. This has negatively affected the industry's recovery. The pandemic presents a unique opportunity to identify and benefit from best practices and lessons learned, and collaborate to enhance international cooperation, maintain connectivity, preserve skills, accelerate recovery from future shocks, and increase the attractiveness of the industry.

4. The sector experiences gender imbalances throughout the employment cycle including, among others, in regard to recruitment, development opportunities and wage gaps. Addressing these gaps and imbalances would support the realization of fundamental principles and rights at work, and a world of work free from discrimination, violence and harassment.

5. Challenges surrounding attraction and retention of aviation personnel may derive from a variety of factors, including the cost of training, certification and reskilling, stereotypes, bias, the perceived reputation with respect to environmental footprint and legal barriers. In order to attract and encourage workers to remain in the industry, career prospects and terms and conditions of work should be competitive and promote decent work. While the aviation industry creates many decent jobs, various decent work deficits exist, including, in connection with occupational safety and health, working conditions, as well as violence and harassment, including those posed by disruptive passengers on board aircraft and at airports.

6. Different contracting models and employment arrangements provide the flexibility for the delivery of services, may offer a stepping stone to employment in the sector and respond to the needs of workers. Increasingly, many are in forms of work, such as part-time work, fixed-term contracts and working through private employment agencies, that can offer a stepping stone to employment, especially for workers who face higher barriers on the labour market such as young, low-skilled and migrant workers. These types of work may give rise to decent work deficits when, among other reasons, they are not regulated well, are not used for the specific legal purpose they are intended for but to circumvent the employer's legal and contractual obligations, or do not afford adequate labour and social protection, and fundamental principles and rights at work. This can contribute to undercutting fair competition and deepening inequalities in the labour market.

7. Structural change in terms of ownership, operations and the consolidation, and adoption of new business models and practices (including ownership and control in countries other than the State of registry) constitutes features of the industry that could have an impact on employment and labour protection and may represent a challenge for regulatory oversight and enforcement. Dealing with these specificities of the sector in a coherent manner, in the policy, regulatory and practice spheres, can advance decent work in the sector and overcome safety and health, and inspection challenges.

8. Aircrew and other aviation workers may often encounter specific barriers in accessing social and labour protection due to the lack of appropriate regulatory frameworks to address the cross-border nature of their work.

What needs to be done to ensure a safe and healthy working environment and a just transition to a future of work that contributes to sustainable development

9. Operational safety, the development and application of preventive and remedial measures to ensure a safe and healthy working environment are interrelated. Therefore, ensuring decent work, including by reaffirming the continued relevance of the employment relationship as a means of providing certainty and legal protection to civil aviation workers, is paramount to attract and retain low- and high-skilled workers, and preserve jobs, while recognizing the particularities of the sector.

10. Policy coherence, alignment, coordination and collaboration at the international level is a prerequisite for a sustainable future of work in the sector. International technical guidance and oversight measures, including safety and health management systems, already exist for some sub-sectors and should be harnessed, promoted, expanded, effectively implemented and aligned with international labour instruments and tools.

11. The increasing demand for air transport requires investments to facilitate a just transition to environmental sustainability and reach targets defined by the industry. In view of the pace of technological innovation and energy transition efforts, a human-centred approach is needed to promote decent work and invest in training, skilling and lifelong learning. This may require international alignment of training and certification requirements, ensuring high quality and safety standards. Cross-border recognition of skills and competencies can be important for improving international sustainable development of the industry to enhance safety and quality of operations.

12. Social dialogue reconciles and paves the way for workers, employers and governments to realize a human-centred approach to the future of work in order to ensure the sector's growth, continuity, stability, and overall sustainability, in years to come. Social dialogue, with collective bargaining at its heart, should be encouraged to take place at all levels – workplace, enterprise, national, regional, and international. Consultation, exchanges of information and other forms of dialogue between social partners and with governments are also important.

13. "Just culture" (positive safety culture) supported by effective grievance mechanisms and by global coordination – that aim to make the industry safer without fear of retaliation – could effectively level playing fields between countries, support compliance with technical regulations, and can proactively address violence, harassment and other incident and event reporting concerns.

14. While some progress has been made in ensuring a more inclusive, respectful and diverse work environment, there are still gaps in addressing inequalities with respect to people vulnerable to discrimination. The sector must approach all aspects of its work through a lens of diversity, equality and inclusion, leaving no one behind. For example, the fair recruitment of migrant workers, equality and diversity programmes and measures promoted by governments, workers and employers, and at the company level, can help in combating occupational segregation and pay gaps, enhance work–life balance, and promote social justice and decent work for all.

Recommendations for future action by the International Labour Organization and its Members

15. All ILO Member States have the duty to adopt, implement and effectively enforce national laws and regulations to ensure that fundamental principles and rights at work and ratified international labour Conventions protect and are applied to all workers in the civil aviation sector, taking into account their obligations under other international labour standards. They should also engage in sustainable procurement practices, guided by international labour standards. The civil aviation industry has a responsibility to respect human and labour rights in their supply chains, consistent with the United Nations Guiding Principles on Business and Human Rights, and the ILO Tripartite Declaration of Principles concerning Multinational Enterprises and Social Policy and to comply with national laws wherever they operate.

16. Where appropriate, governments should provide for adequate policy and regulatory frameworks, invest, and cooperate to ensure the industry can tackle climate change and ensure a just transition, not only in air activities but also in airport-based professions that face extreme weather conditions.

17. Governments should strengthen labour administration and labour inspection systems and promote a "just culture" in order to ensure full compliance with laws and regulations. This will preserve the sector's excellent track record in terms of safety by allowing workers access to appropriate, effective and timely legal recourse, remedy and complaints mechanisms.

18. Governments should promote and advance an enabling environment for sustainable enterprises, as well as provide for targeted measures to support the sector's resilience and preparedness, especially in situations of crisis.

19. Governments, employers' and workers' organizations, as appropriate to their spheres of responsibility, should:

(a)   create an enabling environment for effective social dialogue, in all its forms, including cross-border social dialogue, and take action to ensure effective recognition of the right to freedom of association and collective bargaining, in all segments of the civil aviation sector;

(b)   establish or strengthen regular tripartite aviation consultation forums at global, regional and national levels to develop and implement aviation policies and, where applicable, to review policies to ensure adaptability;

(c)   ensure a safe and healthy working environment for all aviation workers taking into account specific hazards faced by different occupations, effectively managing fatigue – where appropriate implementing fatigue risk management programmes for relevant personnel – mental health, stress and other health hazards, and addressing violence and harassment in the world of work;

(d)   draw upon best practices, and implement policy and regulatory frameworks for the management of working time and rest periods, recognizing the sector's unique characteristics;

(e)   draw upon best practices, and implement comprehensive policy frameworks on crises resilience and preparedness,[2] including financial support, integrating lessons learned on mobility restrictions and timeliness of measures;

(f)   put in place an enabling policy environment and measures for a sustainable recovery of the sector that promote sustainable enterprises, productivity, growth, innovation, and decent jobs, and foster a just energy transition;

(g)   actively foster equal and inclusive employment policies in the sector promoting full employment, decent work and equal pay for work of equal value;

(h)   coordinate the assessment of labour market needs, and address skills shortages through retraining and upskilling, best practice cross-border skills recognition, to achieve high safety and quality standards, professionalization certification, apprenticeships, lifelong learning, including through the establishment of mechanisms for tripartite collaboration, to help restore the attractiveness of the industry, and promote more diversity in the workforce, while ensuring operational safety, and support this goal through public funding mechanisms;

(i)   address challenges of cross-border and international mobility of workers according to national regulations, including but not limited to dual taxation, barriers to visas and work permits and responsible government oversight, including to protect cross-border workers and advance decent work and fair recruitment;

(j)   provide universal access to comprehensive, adequate, and sustainable social protection systems to workers in the sector, including self-employed workers, and arrange to enhance the portability of social benefits across borders, and regardless of employment status;

(k)   promote equality of opportunity and treatment for all, especially women, including by ending gender biased practices, where they exist, and through policies that provide access for women to work and career progression in technical roles, accredited roles and leadership positions;

(l)   tackle not only gender inequality, but all inequalities and discrimination faced by workers in all segments of the sector. Discrimination on any ground has the effect of nullifying or impairing equality of opportunity or treatment in employment or occupation and has to be adequately addressed and combated; and

(m)   Promote and engage in capacity-building within the entire aviation ecosystem to support the implementation of the ICAO–OHCHR *Guidelines for Training Cabin Crew on Identification and Response to Trafficking in Persons*.[3]

20.   The Office should:

(a)   promote the ratification and effective implementation of international labour standards, ILO instruments, declarations and tools relevant to the various aviation sub-sectors, and strengthen the capacity of constituents to respect, promote and realize the fundamental principles and rights at work (see Appendix I);

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[2] Recommendations of the Joint Action Group to review the impact of the COVID19 pandemic on the world's transport workers and the global supply chain (JAG-TSC recommendations).

[3] In accordance with Annex 9 of the Chicago Convention.

(b)   build the capacity of constituents to engage in effective social dialogue to ensure full and productive employment, decent work for all, and just transition in the sector;

(c)   provide technical support to constituents, as appropriate, on the effective implementation of the Violence and Harassment Convention, 2019 (No. 190), and on a safe and healthy working environment as a fundamental right from a sectoral perspective, including in cooperation with the International Training Centre of the ILO, Turin;

(d)   promote actions to close the gender participation and pay gap and end discrimination at work, and promote the participation of women in the sector;

(e)   support the design and implementation of skills, reskilling, apprenticeships and lifelong learning schemes;

(f)   produce a compendium of best practices focused on policy coherence and efficiency, conduct evidence-based research, in particular on occupational safety and health, collect data and statistics on opportunities and challenges, and undertake an analysis of the extent of application of international labour standards to civil aviation;

(g)   facilitate, together with ICAO, a workshop with the social partners to explore priorities and challenges of just transition planning in the aviation sector and decide on any further strategic actions, steps and opportunities for tripartite cooperation;

(h)   conduct research on recruitment and retention of aviation workers and the promotion of diversity, including opportunities for women aviation workers, in consultation with the social partners, with a view to inform further action by the ILO, including the possibility to convene a meeting of experts or any other intervention to address these matters;

(i)   collaborate with ICAO, through consultation with tripartite constituents, and within the ILO–ICAO agreement, to work towards evaluating the need for effective labour and social standards specifically as it pertains to aviation, particularly on key occupational safety and health concerns, such as work and rest times;

(j)   engage in development cooperation projects, taking into account the diverse circumstances, needs, priorities, and levels of development of its Member States, including small island developing states, and conduct regional meetings and workshops to that effect;

(k)   strengthen coordination, synergies, and cooperation with relevant multilateral organizations, in particular with ICAO, including on the Next Generation of Aviation Professionals, and continue the ILO–ICAO Agreement beyond 2027, adding value with a new area of common concern: "decarbonization and just transition",[4] in order to promote policy coherence, and involve social partners therein;

(l)   strengthen collaboration with ICAO in order to reach the collective Long-term Global Aspirational Goal for International Aviation of net-zero carbon emissions by 2050 as included in ICAO Resolution A41-21, recognizing each Member State's special circumstances and respective capabilities; and

(m) in line with the ILO–ICAO Agreement under article 1, reinforce cooperation with ICAO to promote policy coherence in relation to the future of decent and sustainable work in aviation, in pursuit of its human-centred approach to the future of work, recognizing the

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[4] To help implement ICAO goals related to carbon neutrality, and realize a just transition and decent work.

strong, complex and crucial links between social, trade, financial, economic and environmental policies.

Appendix I

Non-exhaustive reference list of ILO instruments, declarations, and guidance and other international instruments and guidance to advance decent work in the civil aviation sector

International labour standards

Fundamental instruments

- Forced Labour Convention, 1930 (No. 29), its 2014 Protocol, and the Forced Labour (Supplementary Measures) Recommendation, 2014 (No. 203)

- Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87)

- Right to Organise and Collective Bargaining Convention, 1949 (No. 98)

- Equal Remuneration Convention, 1951 (No. 100), and the Equal Remuneration Recommendation, 1951 (No. 90)

- Abolition of Forced Labour Convention, 1957 (No. 105)

- Discrimination (Employment and Occupation) Convention, 1958 (No. 111), and the Discrimination (Employment and Occupation) Recommendation, 1958 (No. 111)

- Minimum Age Convention, 1973 (No. 138), and the Minimum Age Recommendation, 1973 (No. 146)

- Occupational Safety and Health Convention, 1981 (No. 155), and Occupational Safety and Health Recommendation, 1981 (No. 164)

- Worst Forms of Child Labour Convention, 1999 (No. 182), and the Worst Forms of Child Labour Recommendation, 1999 (No. 190)

- Promotional Framework for Occupational Safety and Health Convention, 2006 (No. 187), and the Promotional Framework for Occupational Safety and Health Recommendation, 2006 (No. 197)

Governance (priority) Conventions

- Labour Inspection Convention, 1947 (No. 81), and the Labour Inspection Recommendation, 1947 (No. 81)

- Employment Policy Convention, 1964 (No. 122), and the Employment Policy Recommendation, 1964 (No. 122)

- Labour Inspection (Agriculture) Convention, 1969 (No. 129), and the Labour Inspection (Agriculture) Recommendation, 1969 (No. 133)

- Tripartite Consultation (International Labour Standards) Convention, 1976 (No. 144), and the Tripartite Consultation (Activities of the International Labour Organisation) Recommendation, 1976 (No. 152)

Technical Conventions

- Labour Clauses (Public Contracts) Convention, 1949 (No. 94)

- Protection of Wages Convention, 1949 (No. 95)

- Social Security (Minimum Standards) Convention, 1952 (No. 102)

- Radiation Protection Convention, 1960 (No. 115)

- Maximum Weight Convention, 1967 (No. 127)

- Human Resources Development Convention, 1975 (No. 142)

- Working Environment (Air Pollution, Noise and Vibration) Convention, 1977 (No. 148)

- Collective Bargaining Convention, 1981 (No. 154)

- Termination of Employment Convention, 1982 (No. 158)

- Private Employment Agencies Convention, 1997 (No. 181)

- Violence and Harassment Convention, 2019 (No. 190)

Technical Recommendations

- Labour Inspection (Mining and Transport) Recommendation, 1947 (No. 82)

- Radiation Protection Recommendation, 1960 (No. 114)

- Termination of Employment Recommendation, 1982 (No. 166)

- Employment Policy (Supplementary Provisions) Recommendation, 1984 (No. 169)

- Human Resources Development Recommendation, 2004 (No. 195)

- Employment Relationship Recommendation, 2006 (No. 198)

- Social Protection Floors Recommendation, 2012 (No. 202)

- Transition from the Informal to the Formal Economy Recommendation, 2015 (No. 204)

- Employment and Decent Work for Peace and Resilience Recommendation, 2017 (No. 205)

- Violence and Harassment Recommendation, 2019 (No. 206)

Declarations

- ILO Declaration on Fundamental Principles and Rights at Work and its Follow-up, adopted at the 86th Session of the International Labour Conference (1998) and amended at the 110th Session (2022)

- ILO Declaration on Social Justice for a Fair Globalization (2008)

- Tripartite Declaration of Principles concerning Multinational Enterprises and Social Policy (2017)

- ILO Centenary Declaration for the Future of Work (2019)

Other ILO guidance

- Resolution concerning the promotion of sustainable enterprises (2007)

- *Guidelines for a just transition towards environmentally sustainable economies and societies for all* (2015)

- Resolution concerning decent work in global supply chains (2016)

- *General principles and operational guidelines for fair recruitment and Definition of recruitment fees and related costs* (2019)

Other international instruments and guidance

- United Nations *Guiding Principles on Business and Human Rights* (2011)

Appendix II

Non-exhaustive reference list of civil aviation resources on labour and social matters

Conventions

- Convention on International Civil Aviation (Chicago Convention), its Annexes and Standard and Recommended Practices (SARPs)

- Convention on Offences and Certain Other Acts Committed On Board Aircraft (Tokyo Convention, 1963)

- Convention for the Suppression of Unlawful Seizure of Aircraft (Hague Convention, 1970)

- Convention for the Suppression of Unlawful Acts against the Safety of Civil Aviation (Montréal Convention, 1971)

- Protocol for the Suppression of Unlawful Acts of Violence at Airports Serving International Civil Aviation, Supplementary to the Convention for the Suppression of unlawful acts against the safety of civil aviation (Airports Protocol, 1988)

- Convention on the Suppression of Unlawful Acts Relating to International Civil Aviation (Beijing Convention, 2010)

- Protocol Supplementary to the Convention for the Suppression of Unlawful Seizure of Aircraft (Beijing Protocol, 2010)

- Protocol to Amend the Convention on Offences and Certain Other Acts Committed on Board Aircraft (Montréal Protocol, 2014)

ICAO guidelines, manuals and resolutions

- Guidelines for Reporting Trafficking in Persons by Flight and Cabin Crew (Circular 357)

- Manual for the Oversight of Fatigue Management Approaches (Doc 9966)
  - ο Fatigue Management Guide for Airline Operators (2015)
  - ο Fatigue Management Guide for Air Traffic Service Providers (2016)
  - ο Fatigue Management Guide for General Aviation Operators of Large and Turbojet Aeroplanes (2016)
  - ο Fatigue Management Guide for Helicopter Operators (2020)

- Manual on Human Performance for Regulators (Doc 10151)

- Manual on the Legal Aspects of Unruly and Disruptive Passengers (Doc 10117)

- Policy and Guidance Material on the Economic Regulation of International Air Transport (Doc 9587)

- Resolution A41-21 Consolidated Statement of Continuing ICAO Policies and Practices Related to Environmental Protection – Climate Change

- Resolution A41-24 Aviation's contribution towards the United Nations 2030 Agenda for Sustainable Development

- Resolution A41-26 ICAO Gender Equality Programme promoting the participation of women in the global aviation sector

- Safety Report (2022 edition)

- Template Air Services Agreement (Doc 9587)

- World Air Services Agreements Database

ICAO useful resources

- A39-WP/193 Improving Just Culture

- A41-WP/354 Attracting and developing the aviation ecosystem's workforce to ensure the industry's long-term sustainability and resilience

- Air Transport Regulation Panel

- HLCC 2021-WP/4 Global Initiative to Strengthen the Regulation of Ground Handling

- HLCC 2021-WP/90 Ground Handling as a Key Component of the Long-Term Resilience and Sustainability of the Aviation System

- Secretariat Study on the Safety and Security Aspects of Economic Liberalization