POSITION PAPER

Europeans for Fair Competition

E4FC input to the Fair Labour Mobility Package

November 2025

Europeans for Fair Competition (E4FC) is a coalition of European airlines and unions representing airline employees fighting for fair competition and high social standards with the objective to safeguard European aviation, European jobs, and to sustain connectivity for Europe's citizens.

The members of E4FC welcome the European Commission's plan for a Fair Labour Mobility Package as announced in the European Commission's Work Programme for 2026. Both the legislative proposal for the European Social Security Pass and the extension of the European Labour Authority's mandate can significantly contribute to enforcing social laws across the Member States, ensuring a level playing field and fair competition for social standards within the EU.

Over recent years, the EU Single Aviation Market has experienced heightened competition due to the emergence of new airline business models and increased accessibility for non-EU carriers. These evolving business models frequently circumvent applicable labour and social laws, undermining social rights and creating distortions in fair competition, as opposed to legacy airlines which respect decent social standards, which obviously come at extra costs. Therefore, we cannot speak of a (social) level playing field on intra-EU operations.

Examples of these unfair practices include the establishment of fake or fictitious home bases, fraudulent manipulation of social security certificates, exploitation through bogus self-employment, improper use of worker posting, and the lack of oversight in national and transnational operations, leading to a near absence of enforcement of social (security/taxation) laws.

E4FC would like to share its input to the ongoing consultation on the Fair Labour Mobility Package.

Proposal for a European Social Security Pass

The coordination of social security systems for the posting of workers is handled through the use of certificates (A1, formerly E101) issued by national authorities, confirming that a given worker is affiliated with a Member State's social security system. However, this system is exploited through tacit approval of these certificates by certain Member States, which facilitates fraudulent practices. Furthermore, current legislation also allows for considerable periods where crew may be posted or rotated in such a way that local social security legislation is circumvented.

E4FC, therefore fully supports the proposal of the European Commission to legislate the European Social Security Pass. Such an identification document (either as a card or in

electronic form) would greatly simplify checks on air crew regarding their employment status. E4FC, however would like to underline that in order to guarantee the security and the authenticity of the pass, the issuing authority must be the social security authority of the Member State and not a company. Furthermore, the EU should establish a refutable presumption of direct employment in aviation. This could be valuable to prevent bogus self-employment.

Proposal to strengthen the European Labour Authority

E4FC has been closely coordinating with the European Labour Authority over the past years and welcomes the increased efforts to include aviation under the scope of its activities.

The lack of a comprehensive EU-wide social legislation concerning air crew, coupled with significant variations in labour laws across Member States and the reluctance of some Member States to enforce social rules, resulted in a fragmented regulatory framework, which some parties gratefully took advantage of.

Therefore, Europeans for Fair Competition (E4FC) firmly believes that the European Labour Authority (ELA) should assume a central role in addressing the challenges pertaining to cross-border mobility within the European aviation sector. ELA's proactive involvement in aviation is crucial to combat the circumvention of social laws and tackle the aforementioned issues.

Contact

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