



A bold voice for transportation workers

BREXIT: AVIATION AGREEMENT MUST INCLUDE WORKER PROTECTIONS

The labor movement has a long and committed record of advocating for strong labor provisions in U.S. trade agreements. In 2011 the U.S.-EU-Norway-Iceland air transport agreement included a landmark labor clause designed to protect labor standards as air services are liberalized under the agreement (Article 17 *bis*). Now, as the U.S. and U.K. negotiate a new air services agreement in the wake of the U.K.'s decision to leave the European Union, a strong, enforceable, labor article must be included in the agreement.

With Brexit looming, concluding an air services agreement is imperative. All parties agree that continuing uninterrupted air service between the U.S. and U.K. is not only beneficial to countries on both sides of the Atlantic, but critical to the economies of our nations. Air service between the U.S and U.K. is an important conduit for passengers and goods throughout the globe and supports thousands of quality jobs in the transportation sector. Transportation labor agrees that an agreement should be negotiated expeditiously and believes an agreement can be reached that benefits all parties, including aviation workers.

The U.K. has come to the table asking for the agreement to include an airline ownership and control provision that is substantively identical to the provision in the U.S.-EU Air Transport Agreement (ATA). That provision allows U.K. carriers to be owned by the nationals of any EU country. In effect, the U.K. wishes to maintain the status quo with respect to its airlines' ownership and control opportunities. This is understandable in that several U.K. airlines have developed ownership structures under the ATA provision.

The status quo, however, is more comprehensive than just the ownership and control provision in the ATA. The U.S.-EU agreement includes a labor provision – Article 17 *bis* - that was designed to ensure that the ownership opportunities created by the ATA not be used to undermine labor standards. If the U.S. is to agree to the U.K.'s request for a flexible ownership provision, the U.S.-U.K. agreement must include the corresponding labor provision. It must also be recognized that Article 17 *bis* has not been properly enforced by U.S. regulators as the ATA has been implemented by the parties. Going forward, this problem must be rectified so that Article 17 *bis* has real and enforceable meaning and can be used to protect front-line workers.

While transportation labor believes that aviation open skies agreements can be beneficial for our nation, they must be conducted on a fair basis, so that liberalization does not come at the expense of airline workers by creating a race to the bottom with respect to wages and working conditions. Article 17 *bis*, already applies to the U.K. and should be included by the negotiators in the final agreement.

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