

Civil Aviation Social Dialogue Just Culture working group

Minutes of the meeting, held in Brussels on 04.10.2006

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Participants:

ETF: Graham Clarkson, Massillano Scafato,

ATCEUC: Gianfranco Sacchetti, Maria Billi,

IFATCA: Paul Neering

ECA: Fiona Mc Fadden, Deren Derya

AEA: Julia Egerer, Cristian Andrumovici, Samira Mir

ERA: Andrew Clarke

IACA: Koen Vermeir

CANSO: Billy Josefsson, Stanislav Cerny, Bernard Schwendimann, Vanessa Rullier

EUROCONTROL (PRU): Radu Cioponea (observer)

DG EMPL: Ellen Durst

1. Introduction of the participants

As the Just Culture sub group was enlarged, every participant introduced himself.

2. Adoption of the minutes of the 2006.05.22 meeting

The minutes of the last meeting were adopted with few changes.

Since the sub group is enlarged and becomes a working group of the Civil Aviation Sectoral Social Dialogue Committee, Ellen Durst raised the necessity to write from now on official minutes after each meeting. Vanessa Rullier will take care of the drafting of the minutes.

3. Identification of the main problems on Just Culture

General support of the initiative was noted.

Each association was invited to provide their own concerns on Just Culture. The following points were raised:

- Airlines have already high Just Culture standards but they fear that national authorities damage them by implementing a punitive legislation.
- Some small airline companies are not structured to put in place an internal safety reporting system.
- To improve trust between staff and management and between aviation stakeholders and legal authorities an honest communication and in depth knowledge about each others areas are essential to go forward
- Without mutual trust, it is impossible to maximizing reporting and making best use of the collected information and learning from past safety occurrences (become a learning organization)
- Culture change will not come overnight. It is therefore of utmost importance to aim for a full and transparent reporting within each aviation component.

- The social partners can efficiently identify, share best practices and learn from each other but they should not stop there And they should jointly address the legal dimension of Just Culture as well by providing concrete examples on how Just Culture or the absence of it impacts on the operations and working conditions
- It is necessary that legal changes come from the EC based on the proper data but also timed to ensure a functioning / true harmonization of the legal ground.

Ellen Durst informed the attendants that the Commission was preparing an impact assessment on the modification of Directives 94/56/EC (accident investigation) and 2003/42/EC (incident reporting). The social partners are part of the stakeholders which would be consulted in the framework of the study carried out by external consultants.

4. Identification of common objectives of the sub group

Objectives

The enlarged group constitutes a powerful platform where all employers and employees from the aviation sector are represented. Attendants recognized as essential:

- **To change mentalities through improving mutual trust between staff and management and between aviation stakeholders and legal authorities**
- **To have a non-punitive legal framework which encourages the reporting of safety occurrences**

The enlarged group considered essential to use this platform efficiently to go forward and to deliver a strong common message at the planned Just Culture conference in 2007 on:

- the concept of Just Culture
- the reasons why Just Culture is important for society and social partners
- the legal impediments to make down
- the ways to implement it

Terms of Reference

Terms of Reference for the enlarged group will be prepared on the basis of ATM working group's ones in order to take into account what has been done so far by the ATM sub group.

Terms of Reference will expressly mention that the group will highlight the need and value of Just Culture and all its elements.

It was agreed to adopt the Terms of Reference by correspondence.

5. Eurocontrol Workshop Details- 16th of October

Radu Cioponea gave a feedback on the work done so far by Eurocontrol and in particular explained that Eurocontrol is finalizing a study on the implementation of the EC 2003 directive over Europe. He reported that:

- By end of the summer, Czech Republic should amend its Air Policy Act in order to transpose the directive

- In Italy, the transposition of the EC directive is expected at the end of 2006
- Bulgaria has not taken the EC Directive into account in its national legislation

In order to make the legal and judicial authorities aware of the need of change, Eurocontrol is organizing a workshop on the 16th of October. The target audience is the legal attachés of the EU States, lawyers of States.

Radu Cioponea expressed his fear of overlap between Eurocontrol and social partner's activities. He advised the group not to focus their conference on any legal issue and to concentrate the conference on best practices.

Attendants disagreed with this view. They wish to link their actions with Eurocontrol's activities but considered that the enlarged group is such a powerful platform that they have to address the legal issues of Just Culture without redrawing the social dimension through presenting a roadmap and identifying best practices at the conference.

6. Just Culture conference to be held in Romania in May 2007

Date

According to the agenda of all the participants, the most suitable period is **the second part of June¹**.

Preparatory group

The working group which will take care of the organisation/preparation of the conference will be a small group (maximum 10 people).

Contributors to the seminar

- Safety managers of the AEA members proposed to speak.
- Francis Schubert from Skyguide as an international legal expert also proposed to make a presentation
- Andrew Clarke also proposed the name of David Gleave, Chief safety Investigator, Aviation Hazard Analysis, 538 Norfolk House, London Gatwick Airport, United Kingdom, david.gleave@aviationhazard.com
- The team that facilitated the Palermo conference 2004 are all potential contributors as well
- Professor Roland Akselsson, Lund University

Target audience

- The target audience should be aligned with the objective of the seminar. The judicial and legal national authorities as well as the management and staff of the aviation stakeholders should be praised.

¹ *Post meeting notes:* ACI is going to organize its general assembly from 13th to 15th June. The CANSO marketing & event manager will certainly be busy until the first week of June.

- Rapporteurs to the relevant committees to the European Parliament (such as the Committee for Transport and Tourism to the EP) could be invited.
- High level management staff from the EC should be invited.

Organization- Program

The seminar could deal with the following topics:

- What the Just Culture is
- What are the benefits of Just Culture – business, social, societal
- Presentation of the roadmap –how to get to the next step
- Identification / awareness of barriers

The marketing plan proposed was generally accepted.

Duration

It was suggested to plan the seminar over 2 days from lunch time to lunch time.

7. Roadmap proposed by Brendan Kelly from NATS

The roadmap proposed by Brendan Kelly (presented by Graham Clarkson) was widely supported. Few improvements can be done:

- Be adopted to consider the airlines and airports front line operators' positions. (The basic ideas covered in this document encompass all the risks that they daily face).
- The roadmap deals with Just Culture when accidents or incidents occur but should also cover the situations before any safety occurrence takes place and when a safety procedure goes wrong.

8. Roadmap proposed by Stanislav Cerny from ANS Czech Republic

Stanislav Cerny made a summary of the GAIN roadmap and provided a review of the EC legislation which showed that the criminal rules are missing.

Attendants agreed that plenty of documentation is available and that it should not be duplicated.

9. Roadmap presented by Andrew Clarke from ERA

Andrew Clarke made a presentation of the ERA paper on Just Culture.

He explained that the largest airlines certainly have several incidents that justify the implementation of an internal safety reporting system. He underlined that it is not the case of small airline companies which decided to create a safety committee dedicated to collect and dispatching safety-related information.

Andrew Clarke noted that IAHA could provide a valuable contribution to the work that the group is going to overcome.

10. Progress on financial Application form

Ellen Durst informed the group that the committee in charge of evaluating the grant applications met on 04.10.06. An official answer should be given in November 2006.

11. Next meeting

It was agreed that a small group will meet on the 24th of November to prepare all the elements of the conference if the EC funds are obtained.

Ellen Durst noted that the organisation of the preparatory meetings will be under the responsibility of the beneficiary of the grant.

However, the Just Culture working group as such would continue to exist.

Follow-up actions:

4. New terms of Reference to be proposed	Billy-Graham-Vanessa
6. Discuss follow-up organisational detail & marketing plan for the conference	Small organizational group (if EC funds got)
7. Adapt the roadmap made by Brendan Kelly to take airlines and airports' concerns on board	Structure and how to proceed to be discussed with Brendan Kelly on the 16th (Billy and Graham)
9. Get more information on the progress of the financial application form end of the week of the 9 th of Oct	Vanessa
10. Promote Just Culture	All