



Galerie Agora,
Rue du Marché aux Herbes 105, Bte 11
B-1000 Brussels
Telephone +32 2 285 46 60
Fax +32 2 280 08 17
Email: etf@etf-europe.org
www.etf-europe.org

European Transport Workers' Federation
Fédération Européenne des Travailleurs des Transports
Europäische Transportarbeiter-Föderation
Federación Europea de los Trabajadores del Transporte

STATEMENT

COVID 19 - RAILWAY WORKERS KEEP SOCIETY RUNNING

Whether they're on a train, in a railway station, working in traffic management or infrastructure maintenance; railway workers are the key workers who keep Europe moving in times of crisis.

They're ensuring that goods are transported nationally and internationally across Europe, that people can commute to their place of work, and in better times that families can easily travel to their leisurely activities.

They play a part in the supply chain, and are part of public services that are essential in daily life, and even more so in times of crisis.

But it's not only operational staff that are keeping railways up and running; it's also office staff, and out-sourced and sub-contracted workers such as catering staff and cleaning staff to name a few.

This unprecedented crisis has directly exposed these key workers, and put them at risk of infection by the Sars-CoV-2 virus: on-board staff, station staff, and locomotives are working on the frontline and are in contact with hundreds of passengers every day.

Railway workers have a strong self-understanding of delivering public services and take professional pride in serving society as well as environmental sustainability, and they have the right to be protected against health hazards at their workplace. They are not professionals in dealing with contagious diseases; this is not part of their job. They also have the right to be protected against economic risks and uncertainties as well as any attempt to attack their collective rights.

We, therefore, call on governments and competent authorities managing public transport services, railway companies and infrastructure managers as well as all sub-contractors delivering services to the railways to recognize the importance of railway workers and recognize their bravery in this time of crisis. We ask for clear measures to show this recognition by:

- Protecting railway workers' health
- Protecting railway workers' employment
- Protecting railway workers' financial stability
- Protecting railway workers' collective rights in times of crises, for a strong social dialogue



President Frank Moreels

Vice Presidents Alexander Kirchner
Ekaterina Yordanova

Acting General Secretary Livia Spera



PROTECTING WORKERS' HEALTH & SAFETY AT WORK

Protecting workers health and safety at work is a priority and is a legal obligation of the employer¹. Protective equipment must be provided to all railway personnel that come in contact with passengers and customers.

- All railway workers must have access to toilets and sanitary facilities to follow sanitary requirements such as washing their hands.
- Employers have to properly inform workers about protection measures and how to behave to protect themselves.
- All services have to be organised in a way that physical distance guidelines can be fully respected.
- Employers must undertake every possible measure to ensure workers' health. If this is not possible, then employees should stay at home and their full income should be guaranteed.

Protection for railway workers with customer contact

On-board trains, companies have to ensure that ticket control can be done safely. When the companies cannot guarantee that an on-board staff member can do his/her job safely, there shall be no ticket control and no ticket sales. If this is the case, on-board staff should then only ensure their functions pertaining to operational safety and passengers' safety.

On-board staff should be equipped with appropriate protective masks, for themselves and for passengers in case a passenger is infected. Disinfectant gel or other, gloves and access to sanitary facilities with soap must be guaranteed for every staff member. Trains must be disinfected if an infected customer has travelled.

In railway stations, for ticket selling and customer information, the workplace must be organised in a way that distances can be kept, physical barriers such as windows must be (re-) installed.

For locomotive drivers, disinfection of the drivers' cabin (instruments, screens etc.) has to be ensured after each shift rotation. Access to sanitary facilities with proper hygienic possibilities has to be put into place (toilets, washing of hands with soap).

For cross-border operations of freight and passenger trains, personnel shall not be subject to travel restrictions and border health checks. Furthermore, health and safety measures should be harmonized in cross border operations.

In addition, for other workers in the railway system such as rolling stock maintenance workers, infrastructure maintenance workers etc. measures like physical distancing and access to sanitation must be ensured.

The number of situations in which railway workers are exposed to dangerous situations must be reduced to a minimum. Efforts to keep contact between railway employees and passengers to the bare minimum must be put into place.

It is important to continue offering public transport services as well as transporting goods, but in the current situation where the risk of spreading the infection is increasing, these services have to be

¹ A note on the legal obligations with the respective articles in EU legislation is available at the ETF website <https://www.etf-europe.org/wp-content/uploads/2020/04/HS-protection-legal-obligationslogo.pdf>



President Frank Moreels

Acting General Secretary Livia Spera

Vice Presidents Alexander Kirchner
Ekaterina Yordanova



reduced. However, we stress that this should only be for a limited period, regularly assessed and the conditions must be negotiated with trade unions.

We call on governments and railway companies to resume activities only after careful assessment of the health threat and when protective measures such as physical distance and personal protective equipment can be guaranteed.

PROTECTING RAILWAY WORKERS' EMPLOYMENT

The COVID 19 pandemic resulted in a lockdown of the population and closure of economic activities across Europe. In the short run, international and long-distance rail passenger services were cancelled or dramatically reduced while regional passenger services continued although with much-reduced frequency. These services take fellow key workers such as medical staff to their place of work. National and international freight transport continue but are also affected by the closure of borders among EU member states as well as by the decline of economic activities and trade.

We welcome measures such as 'short-time work' that were introduced by several European countries to protect workers from unemployment. We also take note that some railway companies decided to retain all their staff as it is important to keep well-trained personnel in their company. We believe that all railway companies and sub-contractors of railway companies should do the same. Railway personnel will be needed more than ever when activities resume after the crisis subsides.

However, not all countries adopted measures to protect workers from unemployment, there are projects to amend public service contracts under the PSO Regulation to provide fewer services with less staff. We denounce changes to PSO contracts to reduce services and thus the number of workers. Instead, we insist that governments and competent authorities continue financing public services to the fullest extent as originally contracted.

In particular, outsourced and sub-contracted staff and railway workers who are sent by temporary work agencies are insufficiently protected – if protected at all.

The ETF demands that no railway worker including those working in out-sourced services shall lose employment due to the confinement measures introduced by European governments as well as by companies for the duration of the crisis.

For railway companies in public hands, the public owner has to ensure continuity of employment for all, directly and indirectly, employed workers. If private companies fail to deliver public services, then governments must step in to ensure the continuity of services. However, we insist that this takeover of private profit-making operators by public authorities shall not be limited to times of crisis. For us, what we are currently experiencing is proof that public services are better ensured when in public ownership.

'Short-time work' models shall be introduced in all European countries and governments have to ensure the financing of such measures. They have to be designed in such a way that they also apply to outsourced railway workers and rail service providers workers, and workers with precarious work contracts.



President Frank Moreels

Acting General Secretary Livia Spera

Vice Presidents Alexander Kirchner
Ekaterina Yordanova



PROTECTING WORKERS' FINANCIAL STABILITY

The measures to lower the impact of the COVID 19 pandemic must not result in a loss of income for railway workers. The salaries including the flexible parts of the salaries - often a considerable part of the monthly salary - must continue being paid to all workers: to those who work on reduced shifts, those working from home, those who have to stay at home full-time because they have to care for children or the elderly and are doing jobs that cannot be done in the form of "smart working" or a home office and those who cannot work for various reasons.

All terms and conditions have to be negotiated at national and/or company level with the trade unions and workers' representatives. We reject any non-negotiated measure that affects workers' acquired rights such as forced anticipated holidays or measures such as the establishment of anticipated overtime that has to be taken at a later stage. On the contrary, key workers should be able to carry over their holidays for longer than the usual provisions foresee. Or there could be additional holidays granted to parents who have to stay at home because of closed schools and nurseries.

This protection must apply to sub-contracted and outsourced staff as well. Also, cleaners, caterers, night train staff, sub-contracted on-board staff, security staff are part of the railway system and thus key workers who keep the system running and any foreseen protection should be extended to them as well.

We call on railway companies including their sub-contractors to guarantee the income of railway workers. When the state "short-time work scheme" is covering only a part of the income, the company shall complete that amount to ensure that the salaries are paid in full.

To face the lockdown, companies rapidly adopted new work arrangements such as 'smart working' and work-from-home, telecommuting options and other flexible work arrangements. This proves that measures promoting a better work-life balance are possible. We believe that companies should keep all these possibilities open also for after the COVID 19 crisis. We call on railway companies to ensure and continue engaging in social dialogue and collective bargaining.

PROTECTING WORKERS' COLLECTIVE RIGHTS IN TIMES OF CRISIS FOR A STRONG SOCIAL DIALOGUE

Over the last weeks, we have seen multiple attempts by employers and governments to undermine workers' acquired rights by implementing solutions to cope with the COVID 19 pandemic at the expense of workers. We were informed by our members that some railway companies did not respect collective bargaining agreements and that they unilaterally established new terms of conditions, longer working hours: asking for flexibility of workers without negotiating these measures with the trade unions and workers' representatives. We also learned that companies used COVID-19 as an excuse to unilaterally stop collective bargaining that had started before the pandemic.

Furthermore, we were also informed that some EU Member States used the health crisis as a pretext to change national labour laws and social legislation and to abolish workers' rights without consulting the social partners.

We strongly condemn such behaviour. We call on railway companies to respect collective agreements. This crisis must not be used as an excuse to lower standards and disrespect the rights acquired by workers.

We call on railway companies to stop unilateral changes and to negotiate any adjustment that is justified and temporary together with trade unions.



President Frank Moreels

Acting General Secretary Livia Spera

Vice Presidents Alexander Kirchner
Ekaterina Yordanova



What's next?

This health crisis is showing how important rail services are for the public. In particular, how important it is to have a reliable system. This is true for both rail passenger services as a public service and rail freight services as an important part of the supply chain. Rail is a relevant part of the transport system not only for keeping our society running during a crisis but also as a sustainable transport system that is part of the solution to climate change. Most importantly, the railway workers who make all of this possible and keep society running are key; this pandemic has proven that.

In the short term, we expect that passenger transport will completely resume only when the full protection of frontline railway workers and passengers can be guaranteed. Companies need to have health and safety preparedness plans approved by the trade unions. We believe that different working schedules, more trains, and trains with more capacity are needed to offer safe journeys for passengers and workers.

We have huge concerns about how to attract passengers back to public (rail) services. For months, the message to the public has been to stay away from public transport and passengers are more likely to prefer using their private cars than public transport by rail, bus, tram and metro. This is detrimental to all sustainable mobility policies and we need a strategy to make public transport safe and increase trust.

In the long run, we expect governments to recognise the importance of railways and in particular of railway workers for the society, the economy and the environment. We expect European and national policymakers to adopt policies that ensure the recovery and the stability of the railway system and that railways play a vital role in providing accessible and affordable public service to the public and the communities. The crisis has shown that railway systems in public hands are more apt to continue vital services in times of crisis, in some countries governments had to intervene and take over privatised rail companies to ensure services. We call on European and national policymakers to reconsider their policies and to consider that railways should be in public hands instead of (de facto) privatising it.

Also, European rail freight strategies must be reassessed; we need cooperation instead of competition, we need a sustainable and socially fair multi-modal strategy.

Brussels, April 2020



President Frank Moreels

Acting General Secretary Livia Spera

Vice Presidents Alexander Kirchner
Ekaterina Yordanova

