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# SUSTAINABLE URBAN MOBILITY PACKAGE

## within the

# European Strategy for Sustainable and Smart Mobility

- ETF position on the upcoming revision of the Sustainable Urban Mobility Package within the European Commission's Sustainable and Smart Mobility Strategy -



Our paper is divided into 5 parts:

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## Key demands

1. **The EU shall demonstrate a clear political will and force Member States and authorities to promote public transport as the backbone of sustainable urban mobility by**
  - Establishing binding targets at EU, national, regional and local level to double the use of collective public transport by 2025;
  - Making Sustainable Urban Mobility Plans (SUMP) mandatory including the obligation to consult trade unions and civil society organisations;
  - Give support to campaigns aiming to re-establish the public's confidence in the use of collective public transport during/after Covid-19 as a safe transport mode.
  
2. **The EU shall support the financial stability of collective public transport and the necessary investment in infrastructure and rolling stock by**
  - Stepping up targeted financial support through the Recovery Fund, CEF, Cohesion Fund, Regional Development Fund, to finance sustainable infrastructure and urge Member States to include urban public transport in their national recovery plan;
  - Urge Member States' central governments to provide sufficient financial means and other organisational support to the municipalities and the necessary legal framework;
  - Provide a framework for different instruments financing collective public transport; promote instruments like alternative tax-based possibilities of funding by businesses (inter alia corporate levies as in France or Vienna);
  - Focus research on solutions that put peoples' (workers and users) needs first.
  
3. **Within the digital transformation of urban mobility, the EU must recognise urban /rural mobility's public good prerogative and enforce it to ensure democratic accountability and fair working conditions by:**
  - Providing a regulatory framework to ensure that MaaS platforms are in public hands. They must be operated by the public transport authority or by the own public transport operator of a city and access conditions have to be regulated to ensure accessibility and affordability for citizens.
  - Providing a clear social policy and regulatory framework for so-called new mobility services (e.g. ride-hailing as Uber, e-scooters, on-demand mini-buses) to prevent precarious working conditions, bogus self-employment; regulation for platforms must ensure that their drivers are recognised as workers with all rights as a worker.



#### 4. Quality services, as well as the resilience of public transport, needs fair and quality working conditions. The ETF demand the EU to use the PSO Regulation 1370/2007 am. by Regulation 2016/2338 and

- End the pressure for the liberalisation and privatisation of public transport (e.g. through the country-specific recommendations within the European Semester, or the instrument of National Recovery Plans within the European Recovery Plan)
- Urge member states to introduce social criteria, the application of the Collective Bargaining Agreements (CBA) in place where the service is delivered in public service contracts and to guarantee a compulsory transfer of all staff in the case of change of operator while securing all acquired rights including pension rights.
- Urge member states and their political levels to use the possibilities of the PSO regulation (Article 4.4, 4.6 and respective recitals) to ensure such social conditions in tendering and in awarding public service contracts;
- Urge Members States to use Articles 4.4 , 4.5 and 4.6 PSO Regulation to introduce national rules on the mandatory transfer of staff in case of change of operator while respecting the declaration of the European Parliament(Annex<sup>1</sup> to the legislative resolution, 2<sup>nd</sup> reading)

### Our vision of the role of public transport

#### 1. The ETF insists that mobility is a citizens' right.

The Universal Declaration on Human Rights (Article 13) guarantees the right to freedom of movement, the right to mobility.

Public transport is the best means to ensure this right on a daily basis, universally. It must have the tasks to ensure accessibility, affordability, safety, inclusive and quality services for all European citizens. Collective public transport is essential to prevent transport poverty. In this sense, we support a policy that “puts people first”.

- ***It is a public policy task to enforce these principles. Mobility is a public good.***

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#### <sup>1</sup> ANNEX TO THE LEGISLATIVE RESOLUTION

##### **Statement by the European Parliament on the transfer of staff**

According to Recital 14 and Article 4, paragraphs 4a, 4b and 6, Member States must fully respect Directive 2001/23/EC relating to the safeguarding of employees' rights in the event of transfers of undertakings and are entitled to go beyond the application of this Directive taking additional measures for staff protection in compliance with Union law, such as requiring a mandatory transfer of staff even if Directive 2001/23/EC would not apply.





## 2. Public transport is essential to reach EU climate goals.

ETF supports the EU climate goals to reach carbon neutrality by 2050 and reduce greenhouse gas emissions by 55% until 2030. Public transport is crucial to achieving those goals. It must be the backbone of a sustainable mobility strategy in the urban and rural areas and regions.

Priority must be given to a modal shift from private car use to collective public transport, walking and cycling as sustainable transport modes.

- *It is a public policy task to ensure a sustainable urban transport system that enforces the climate goals but also public health (clean air, less noise), road safety and security as well as a fair share of urban space.*

## 3. “People first” also means “public transport workers first”.

ETF insists that public transport is not only a mobility provider but also relevant for **local and regional employment**. Around 2 million people are employed in urban public transport (UPT) according to UITP. Local public transport operators are important employers, often the biggest single employer in a town. Investment in urban mobility is a key measure to create employment.

Furthermore, the Covid-19 pandemic has shown that public transport workers are key workers. They are key to resilient mobility and to provide the necessary quality services to ensure accessibility and sustainability goals.

- *It is a public policy task to provide the right framework conditions to ensure quality working conditions in urban public transport and urban mobility. This is relevant for the organisation of collective public transport services as well as for the so-called other mobility service providers (e.g. ride-hailing as Uber, e-scooters, on-demand mini-buses).*

The climate and health crisis both demonstrate that public transport in public ownership is the most appropriate way to achieve vital policy goals.

## The role of the EU, political decision-makers and public authorities

Sustainable urban mobility with collective public transport, walking and cycling as the backbone of a transport system requires clear political will and prioritising at all levels of political decision making. To realise its sustainable and climate-friendly mobility potential; the public transport network and infrastructure in urban areas, as well as rural areas, need to be expanded, and the quality of services needs to be improved. Political leaders cannot rely on new market-based mobility services to ensure accessible, affordable, inclusive and quality public transport that is also climate-friendly. This requires long term urban mobility, urban space planning and strong political will.





The EU shall demonstrate a clear political will and force Member States and authorities to promote public transport as the backbone of sustainable urban mobility by

- Establishing binding targets at EU, national, regional and local level to double the use of collective public transport by 2025;
- Making Sustainable Urban Mobility Plans (SUMP) mandatory including the obligation to consult trade unions and civil society;
- Give support to campaigns aiming to re-establish the public's confidence in the use of collective public transport during/after Covid-19 as a safe transport mode;

Mobility is an aspect of quality of life that needs to be substantially improved in both urban and rural areas. It requires decisive financial means, investment in infrastructure, vehicle fleets, digital modernisation and in people, meaning the workers who provide the mobility and public transport services.

The EU must support the financial stability of collective public transport and the necessary investments in infrastructure by

- Stepping up targeted financial support through the Recovery Fund, CEF, Cohesion Fund, Regional Development Fund, to finance sustainable infrastructure and urge Member States to include urban public transport in their national recovery plans;
- Urge Member States' central governments to provide sufficient financial means and other organisational support to the municipalities and the necessary legal framework;
- Provide a framework for different instruments financing collective public transport; promote instruments like alternative tax-based possibilities of funding by businesses (inter alia corporate levies as in France or Vienna);
- Focus research on solutions that put peoples' (workers and users) needs first.

### **Smart Mobility - Mobility As A Service (MaaS) - New Mobility Services**

Technological developments and digitalisation are generating new mobility options in urban areas. This development is reflected in talks about the “mobility mix”, the “public transport ecosystem” or the new concept of “Mobility as a Service”. New mobility services emerge, and new mobility providers are entering the market. For the ETF two relevant questions require answers:

- 1. How to guarantee the role of policy decision-makers and public authorities, and what is the right regulatory framework to ensure urban mobility as a public good for citizens?**

MaaS is more than an app or an online platform. It can be disruptive and severely influence urban mobility patterns and thus have an important impact on public policy goals. It depends on the governance and the access conditions that are affecting the so-called mobility-mix and thus preventing, for example, that ride-sharing or ride-hailing services replace collective public transport services and create unfair competition.

ETF insists that the definition of urban mobility strategies, the sought out mobility mix, and the provision of accessible, affordable and inclusive mobility must be a public decision,



under public control. They must be defined by local and regional politics, managed by public authorities.

## 2. How to ensure fair and decent working conditions for workers engaged by the so-called new mobility service providers?

Experiences show that new mobility service providers, whose business models are based on platforms, apps and the use of smartphones, are often part of the gig economy. These business models refuse to recognise the role of an employer, exploit people by offering precarious working conditions and create unfair competition. One can name Uber: look at the requirements of the so-called “juicers”, the people who are charging the e-scooters during the night or ask on-demand mini-bus drivers about their work contract. Tailor-made mobility offers often come with precarious conditions for staff.

Regulation (European, national and local) is necessary to define the conditions for mobility services providers to offer their services under socially fair conditions and ensure fair competition.

To participate in the MaaS platform, policymakers and public authorities must regulate the access condition. They must ensure public policy goals; all services must be accessible, affordable, inclusive, safe and secure and of good quality. Good quality services include good quality working conditions. Fair working conditions have to be ensured by all providers of mobility services participating in MaaS. Authorities shall link the requirement to respect minimum social conditions based on collective bargaining agreements when issuing licenses to mobility service providers.

Within the digital transformation of urban mobility, the EU must support and enforce the public good nature of urban /rural mobility to ensure democratic accountability and fair working conditions by:

- Providing a regulatory framework to ensure that MaaS platforms are in public hands. They must be operated by the public transport authority or by the own public transport operator of a city and access conditions have to be regulated to ensure accessibility and affordability for all citizens.
- Providing a clear social policy and regulatory framework for so-called new mobility services to prevent precarious working conditions, bogus self-employment; regulation for platforms must ensure that their drivers are recognised as workers with all rights as a worker.

## For fair quality working conditions in urban public transport

The demographic situation in the urban public transport sector is worrying. The average age is high and the industry has difficulties in attracting young workers and women. Share of women working in UPT is only 17% - 18% in Europe. The consequences are already taking their toll in UPT companies: workers are overburdened due to permanent overtime attributable to lack of personnel. Lack of personnel, drivers, have led to cancelled services.



On the other hand, Covid-19 has shown the world that UPT workers are key workers. Lack of personnel challenges the economic sustainability of the sector, mobility offers for citizens and threatens its resilience.

Additionally, attracting more passengers to UPT and stimulating a modal shift from private car use to collective public transport requires good quality public transport services. Without quality working conditions, this cannot be guaranteed.

Working in urban public transport, in particular as a driver (up to 70% of employment in a local public transport) is a tough job. On the one hand, working time is unfavourable in a public service provided seven days a week, sometimes 24h a day with shift work, regular night and weekend work. On the other hand, drivers are exposed to health threats in congested cities (air pollution, stress due to aggressive driving behaviour) and aggressive passengers. The preventive measures to fight Covid-19 in public transport has led to increased aggressive behaviour.

Furthermore, competition in urban public transport is based on the cheapest offer, which is achieved through cutting labour costs and stimulates a race to the bottom. Cost-cutting and out-sourcing of activities put pressure on working conditions and wages. Additionally, unfair competition and precarious social conditions in the so-called new services that promise “tailor-made mobility solutions” adds to the downwards spiral in urban mobility.

Of course, working conditions are the responsibility of collective bargaining between trade unions and UPT companies. However, in public transport as a public service, there is a third party entering the equation: the competent authorities. They are responsible for providing the financial means and the regulatory framework conditions. However, these competent authorities have the authority to impose social criteria, social conditions and an obligation to transfer staff in case of a change of operator. They must make good use of this right.

While public transport is an indispensable component of a sustainable climate policy, climate protection expectations placed upon public passenger transport can only be fulfilled if sufficient investments are made in:

- Good remuneration and social standards for employees
- Qualification, training and continuous training
- Good working conditions including attractive working time arrangements, enabling work-life-balance
- Safety and security of passengers and public transport workers
- Continuous quality improvements in public passenger transport
- the digital transformation in the sector must be accompanied by a just transition and workers’ participation.

All this is necessary to attract young workers and women and to offer quality services.







*To ensure fair quality working conditions, we call on the EU to*

- *End the pressure for the liberalisation and privatisation of public transport (e.g. through the country-specific recommendations within the European Semester, or the instrument of National Recovery Plans within the European Recovery Plan)*
- *Urge member states to introduce **social criteria**, the **application of the CBA** in place where the service is delivered in public service contracts and a **compulsory transfer of all staff** in the case of change of operator while guaranteeing all acquired rights including pension rights.*
- *Urge member states and their political levels to use the possibilities of the **PSO regulation (Article 4.4, 4.6 and respective recitals)** to ensure such **social conditions in tendering and in awarding public service contracts**;*
- *Urge Member States to use **Articles 4.4 , 4.5 and 4.6 PSO Regulation** to **introduce national rules on the mandatory transfer of staff** in case of change of operator while respecting the declaration of the European Parliament(Annex to the legislative resolution, 2<sup>nd</sup> reading)*

