



To **Nicolas Schmit**
Commissioner for Jobs and Social Rights
European Commission

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Dear Commissioner Schmit,

As you may have seen through recent media reports, Norwegian Air Shuttle and a number of its subsidiaries have entered into examinership in Ireland, where Norwegian Air Shuttle has offshored some of its operations under a number of shell companies. These companies had predominantly maintained Norwegian's non-Scandinavian and long-haul operations most of which has since been closed down after the recent state aid package given by the Norwegian government to the airline. Also, the Norwegian government recently offered to further support Norwegian Air Shuttle once the company will successfully exit the examinership process used by the company to restructure itself, leaving behind all the workers deemed no longer necessary.

For many years, the ETF, ITF and other social partners [have campaigned to end the complex 'flag of convenience' model that Norwegian and other airlines have operated to cut costs of workers and aircraft](#), and use advantageous tax jurisdictions within the European Union. At all times we were conscious that at any point these workers could be abandoned in the complex web of companies that employs them.

Unfortunately, that day has come, and we have been made aware that workers of one of the Irish subsidiaries Norwegian Air Resources Limited with whom the workers in France and Italy are employed, are being made redundant as part of the examinership proceedings occurring in Ireland under the examinership lead by KPMG. We have been made aware that the parent company Norwegian Air Shuttle has refused to engage with unions representing these workers who have intended to negotiate an agreeable end to the employment of these workers and fair redundancy packages. Additionally, we are deeply concerned that these cuts are taking place without the applicability of national law as per the contracts of employment of the workers, which clearly state the application of French and Italian law respectively.

This is yet again another consequence of the complex and unclear situation which many air crew across Europe find themselves in, and is a clear example of an economic employer abandoning its workers under the pretext of cost saving. It is clear that these workers are employed by Norwegian Air Shuttle; they wear Norwegian uniforms, operate on Norwegian aircraft and work on routes sold by Norwegian Air Shuttle. Therefore, there is an obligation on the parent company to act in good faith with trade unions in the national context as agreed through the collective bargaining process.

Given the complexity and transnationality of this issue we would welcome the support of both you and DG EMPL in addressing this matter. We will engage with the Norwegian government, the Irish government and KPMG on behalf of our members in France and Italy, but what is clear is the need for the airline, and the liquidators to engage directly with the workers in question and agree fair terms of redundancy under the context of their respective national laws. Any support that can be given to better the use of social dialogue on this matter would be welcomed.

We remain deeply concerned that both the liquidator and Norwegian Air Shuttle will simply ignore these workers and they will fall between the cracks of this broken system. We would also welcome the Commission's guidance on the rights of these workers to remedy should the liquidation proceed in Ireland, and the redundancy package not meet the standards as set in national law in France and Italy respectively.

Yours Sincerely,



Livia SPERA
ETF Acting General Secretary