



Social Conditions in Bus and Coach Transport in Europe

SUMMARY



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European Transport Workers’ Federation (ETF)
Galerie AGORA, Rue du Marche aux Herbes 105, Boite 11
1000 Brussels, Belgium
Tel.: +32 2 2854660
etf@etf-europe.org
www.etf-europe.org
Facebook: @ETFROADSECTION
Twitter: @ETF_Europe



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EVA – Europäische Akademie für umweltorientierten Verkehr gGmbH
Reinhardtstraße 23, 10117 Berlin
Tel.: +49 30 3087526
info@eva-akademie.de
www.eva-akademie.de



Authors

wmp consult – Wilke Maack GmbH
Katrin Vitols, Eckhard Voss
Schaarsteinwegsbrücke 2, 20459 Hamburg
Tel: +49 40 43278743
info@wilke-maack.de
www.wilke-maack.de



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SUMMARY

The scientific study analysed the economic trends in road passenger transport by buses and coaches, the effects of the COVID-19 pandemic, and the impact of these developments on the social conditions of bus and coach drivers in the sector. In addition, the study researched the extent to which national and EU regulations and especially social dialogue and collective labour agreements (hereafter CLAs) in selected Member States shape and improve the social and working conditions of drivers in the sector. In particular, the study examined the content of CLAs that can address, mitigate and regulate the challenges identified with regard to drivers' working conditions and terms of employment. With regard to modes of bus and coach transport, the study focused on regular (inter-urban) services, special regular services and occasional services. Urban public transport was not covered in this study.

The study was part of the EU-financed project "Social Conditions in Bus and Coach Transport in Europe" carried out by the ETF. In addition to the study, a further product of the project was a toolbox which provided examples of good practice that addressed challenges posed by negative developments and improved working and employment conditions of bus and coach drivers. The study was based on research conducted in eleven EU Member States (Austria, Belgium, Czechia, Denmark, France, Germany, Italy, Sweden, the Netherlands, Spain, and Slovakia). The methodology of the study consisted of an extensive literature analysis, interviews with trade union representatives in the surveyed countries and discussions in three cross-national workshops held in 2021. This summary captures the main findings of the study.

The bus and coach sector is an important pillar of national and international passenger transport in Europe. Moreover, the sector is of importance for EU Member States due to its economic significance and its significance for the labour market, as the sector is labour intensive.

The Covid-19 pandemic and market trends have severe impacts on the bus and coach sector and the working conditions of drivers

However, the sector has been hit hard by the COVID-19 pandemic and large parts of it have come to a standstill, with corresponding consequences for the workers in the sector. The bus and coach sector has seen an especially dramatic loss of business due to travel restrictions and changes in customer behaviour. Especially during the peaks of the pandemic business has largely collapsed. In the hard-hit segment of occasional services in particular the threat of bankruptcy became real for many operators, were it not for comprehensive government assistance programmes. All of the countries studied have issued financial aid packages and emergency measures for companies during the COVID 19 crisis. Nevertheless, the volume of employment of bus and coach drivers has declined. Companies that did not have a mixed business model and could not switch to other business areas were particularly affected. Drivers of affected bus and coach companies worked reduced hours or not at all. Especially marginal employment was cut back. In addition, many drivers left the sector, starting to work in other sectors such as logistics or haulage.

Short-time work subsidies played a major role in all the countries studied and avoided layoffs on a large scale. However, short-time work subsidies were accompanied by high income losses for drivers, since they only compensate a part of the wage payment. In addition, severe health risks due to contagion arose for the drivers, as they were often in close and sometimes unprotected contact with passengers. Furthermore, bus and coach drivers were strongly affected by the closing of restrooms and restaurants during the lockdowns, as they did not have access to this infrastructure during their breaks. It should be noted

Strenuous and unattractive social and working conditions result in a driver shortage

The liberalization of the passenger transport market and the increase in competition had a strong negative impact on working and employment conditions of bus and coach drivers. Personnel costs make up a substantial share of the cost of transportation and the competitive conditions paired with high profit-making intentions led to attempts to optimize human resources and minimise operating costs, especially labour costs. The “optimising” of human resources from management’s point of view lead to atypical employment, under-staffing with corresponding consequences for the workload and work intensity of the remaining employees as well as negative consequences for drivers’ pay. In addition, the shift to subcontracting went hand in hand with uncertain job prospects, limited-term or insecure employment contracts, and unpredictable pay for bus and coach drivers.

The low income of bus and coach drivers creates pressures and incentives to work long hours and overtime in order to achieving an adequate salary. In addition, drivers’ pay is often highly variable, as both week-to-week and season-to-season variations are common. Supplements, e.g., for long trips abroad, are important indispensable sources of income for some drivers. Some drivers have employment contracts for (involuntary) part-time work (BE, NL), work on zero-hour-contracts (NL in the past), are paid by the hour (DK) or work split shifts, so that employers only have to pay for the working time that is actually demanded. In some countries (CZ, NL, IT) formally retired drivers who want to increase their low pension payments by continuing to work are used. For employers, the advantage of employing retired drivers is that not all social security contributions have to be paid.

In general, it is not uncommon in the bus and coach sector to work with the tightest possible staffing levels. Before the outbreak of the pandemic, overtime and the reduced nine hours of rest were becoming the norm and a typical element of a drivers’ roster. This was mainly due to cost efficiency and profit maximisation on the part of the passenger transport operators, but also points to the massive shortage of drivers in the sector. Furthermore, not all work tasks carried out by bus and coach drivers are considered working time by the employers and drivers get paid for less work than they actually perform. The time drivers spend travelling to and from vehicles also often occurs within rest periods.

In addition, time pressure is increasing. Often schedules in road passenger transport are too tight and do not take into account delays e.g., because of traffic congestion or special demands of passengers. Due to excessive work demands bus and coach drivers suffer from high levels of occupational stress.

Another problem is the late announcement (and also cancellations) of shifts and irregular working schedules. The short notice of shifts is usually the result of bus and coach operators wanting to be as flexible as possible, to avoid additional costs when employees are called on days off, and because of pressure to accept hurried trips from customers. It is quite common in the bus and coach sector that drivers are only informed about their next assignment the afternoon of the previous day.

This does not allow the drivers to do any planning and negatively affects the work-life balance of bus and coach drivers, which is already off balance due to the long working hours. The work-life balance is further threatened by long stretches of work without days off, especially by occasional international trips which fall under the 12-day derogation.

Furthermore, infrastructure in Europe is marked by a general lack of rest areas for large vehicles and adequate places for breaks and rests. In addition, some accommodations paid by employers do not meet average standards and are, for example, shared by several drivers.

Providing a minimum floor of social and working conditions: European and national legislation

Trade union representatives pointed out in the targeted interviews and during the workshops that the process of liberalisation has not been accompanied by a parallel process of social harmonization. Social conditions in road transport are affected to a significant extent by regulations at the EU level. EU legislation pursues the goal of ensuring adequate social protection of drivers in the transport sector by creating minimum working standards (e.g. Directive 2002/15/EC on driving and working time, Regulations (EC) 561/2006 and (EU) 2020/1054 on rest periods and breaks, Directive 2006/22/EC on enforcement etc.). This legislation represents a minimum level that can be improved and exceeded by national legislation in the Member States. However, in our surveyed countries EU regulations were implemented on a one-to-one basis. National regulations often set minimum standards with respect to social conditions, for example, with regard to statutory minimum wages and other aspects, such as employment contracts, minimum holiday entitlements, regulation on working hours and overtime, qualification and occupational health and safety. Furthermore, parts of the social security system play a decisive role for the social conditions of bus and coach drivers. Social security with regard to unemployment, illness and retirement vary greatly from country to country. While some social security systems in our country case studies provide comprehensive social benefits, others guarantee only minimal levels of social security.

Closing gaps of legislation and shaping employment and working conditions for the better

The study showed how various forms of regulations can prevent and mitigate negative consequences of market developments. Furthermore, the study strongly demonstrated that, besides European and national social legislation and social security systems, CLAs and other outcomes of social dialogue constitutes another very important layer of social regulation in the sector. The research in the eleven Member States shows that social dialogue has led to improvements in working and employment conditions in the countries. For example, in some countries, social insurance schemes only provide a minimum basis upon which the social partners negotiate improvements. However, within the framework of social funds and CLAs, pension payments (BE, DK, ES in parts, FR), sick pay and health benefits (DK, SK partly, ES partly, SE) and short-time working benefits (IT) have been upgraded. Collective bargaining and CLAs in particular not only complements existing legal provisions but closes gaps and provides for more specific provisions that are needed for decent working conditions and remuneration.

CLAs play an important role in shaping employment and working conditions by regulating critical issues with respect to social conditions. In many countries, national legislation mostly lays down a basis from which national or sectoral CLAs may deviate to the benefit of the employees. Sectoral CLAs covering the entire country play an important role in the bus and coach sector in many countries studied. In two countries (DE, ES) collective bargaining at regional level is also important.

Extensions of CLAs and a high coverage establish a floor for wages and other working conditions and create a level playing field for companies operating in similar markets, thus preventing social dumping. In a number of countries studied the CLAs have been declared generally binding for the whole bus and coach sector (BE, CZ, FR, NL, SK in the past) or have a very high coverage rate (AT, DK, IT, ES, SE). In most countries CLAs at a company level can only deviate from the regulations of the sectoral CLAs if they have the consent of the trade unions and/or generally improve the social conditions of the employees compared to the regulations in the sectoral CLA. In Slovakia, company-level collective agreements are currently the only collective bargaining arrangements in the bus and coach sector.

CLAs regulate a great number of aspects of employment and working conditions and improve the minimum standards laid down in labour laws or regulate aspects that are not formulated in labour laws at all. The continuous renegotiation of CLAs also makes it possible to respond quickly to new economic trends. In addition, CLAs create a transparent framework to which workers can easily refer to and claim their entitlements. CLAs include a compilation of aspects that target the identified challenges as regards working and employment conditions of bus and coach drivers. The country case studies have shown that the CLAs in many countries regulate very similar aspects. Similar regulatory aspects are for example rules on weekly working time, supplements for overtime, definition of and bonuses for night work, supplements for working on weekends and/or public holidays, provisions when travelling more than a certain number of hours and/or travelling abroad, as well as training. While regulatory aspects are very similar, the regulatory content, however, is not the same.

With regard to remuneration, wage levels vary greatly between countries and the pay grades or classifications of wage groups are different. The grades and classifications often depend on the qualification and/or seniority of bus and coach drivers. Several CLAs have provisions on seniority allowances (AT, BE, FR, NL, ES in parts, SE). Regarding seniority allowances a distinction can be made between years of service in one and the same company (AT) and years of experiences (BE, FR, NL, ES in parts, SE). The latter is particularly beneficial for employees as entitlements remain in place when employees change employers. In some of the countries surveyed CLAs enshrine a 13-month bonus payment (Christmas bonus). In addition, although the amounts differ greatly between countries, all CLAs specify supplements for overtime, night work and work on weekends and public holidays.

There are also special provisions for long trips and absences of 24 hours or more in many CLAs. Some CLAs provide for the payment of a certain fixed daily rate, while other CLAs foresee a combination of reimbursements, e. g. for travel expenses or in the form of meal allowances.

A number of CLAs (CZ, DE in parts, DK, NL, ES in parts) extend the statutory holiday entitlements laid down in national legislation. Various CLAs also guarantee extra days off for special occasions. These include, for example, days for caring for sick children, weddings or funerals of relatives. It should be noted that such regulations on additional days off can in a broader sense improve the work-life balance of drivers.

Regulations that are quite common in all CLAs analysed concern periodic training to retain the Certificate of Professional Competence (Code 95) in accordance with Directive 2003/59/EC. The CLAs stipulate that training costs in the framework of the Certificate are to be paid by the employer and time spent on training counts as working time and therefore needs to be reimbursed.

Some bus and coach services are very seasonal (for example, influenced by peak tourist seasons, school holidays). With regard to the flexibilization of employment, some CLAs provide for special regulations for seasonal workers and some refer to the possibility of working time accounts.

Other CLAs guarantee minimum working hours or special fixed-term regulations. In this context, the regulation on fixed-term contracts may also deviate from national legislation.

Besides CLAs, joint institutions and further activities of the social partners, for instance in the context of social funds, create an additional stable basis for cooperation and the improvement of employment and working conditions of bus and coach drivers. Social funds have been jointly established by the social partners in Belgium, Denmark, France and Italy. Fund activities are usually financed by employers and employees – or by the employers only – and focus on improving conditions in the sector. They include offers and financing of training and further education and special welfare benefits to extend social security, among other options.

Challenges for collective bargaining

The research showed that CLAs secure social conditions for drivers by responding to and eliminating challenges that economic trends have caused for employment and working conditions of drivers. However, this should not hide the fact that a number of challenges still exist. These originate from the negative consequences of economic trends and conditions but are also based on issues regarding trade union strength and force. It should also be emphasised that these challenges were observed by a large number of trade union representatives in all countries studied, and can thus be understood as problems that exist in many parts of Europe.

The problem of low wages

According to trade union representatives, an issue regarding working conditions that plays a major role is the fact that many sectoral CLAs have not so far been able to alleviate the problem of low wages in the sector. For many bus and coach drivers income remains too low. The drivers have to continue to compensate for low wages by working a great amount of working hours and overtime and taking on long international trips.

A poor work-life balance

A further problem regarding working conditions that most CLAs have not been able to solve is the poor work-life balance of drivers. The work-life imbalance is caused by long working hours but also by the high pressure through the drivers' permanent availability to the employer. Linked to this problem is also the common fact that shifts are announced (too) late and there is a general uncertainty about the precise number of working hours and exact working times in the drivers' work schedules. It should also be noted that staff scheduling and staff rosters are mainly regulated at the company level and not part of the sectoral CLA. Only the sectoral CLA for bus and coach drivers in Denmark and the Netherlands regulates the time of advance notification of schedules. In addition, in many countries the number of working hours varies greatly, especially for those bus and coach drivers that are not employed on a fixed number of hours.

The driver shortage

At the same time, the country case studies have demonstrated a strongly increasing driver shortage – which is even referred to as “drivers' emergency” – in all the countries studied. Although it must be also be taken into account that supply and demand vary regionally and seasonally, especially with regard to occasional bus and coach transport. Demographic change is very visible in the bus and coach sector: a large percentage of bus and coach drivers are over 50 years old and there are even drivers working who have reached the retirement age. In addition, there are very few young drivers. Attempts to recruit new drivers have largely failed so far. Due the drop in demand caused by the COVID-19 pandemic and income losses the sector is

experiencing a new employment fluctuation. Trade union representatives highlighted that they do not assume that drivers who have changed sectors will return to the bus and coach sector easily, as working conditions in the bus and coach transport sector are considered poor compared to many other sectors.

There is also a general lack of female drivers in the sector. The reasons for women's low participation in the transport sector are seen in poor working conditions (including work-life-balance), safety (experiences of harassment and violence), and gender stereotyping and discrimination. In addition, trade union representatives link the overall problem of driver shortage closely to poor working conditions. Poor working conditions – especially low wages and a deficient work-life balance – make the occupation less attractive when it comes to recruiting new drivers and give existing drivers a reason to change sectors. The lack of applicants ultimately also has a negative impact on the drivers working in the sector as it leads to overtime, unforeseen substitutions, shortened breaks and rest times. The shortage of drivers has not yet been addressed in CLAs. In some countries, initiatives in the framework of social dialogue or political measures that aimed at increasing the number of applicants (e.g., lowering the age of drivers or shortening the training period) have not been able to achieve any success so far. These initiatives are seen to some extent as “cosmetic changes” by trade union representatives because they do not address the real problem of poor working conditions in the sector.

The lacking infrastructure

In addition, there are also challenges to collective bargaining that lay outside the scope of CLAs and are generally difficult to address within their framework. These include the lacking infrastructure (sanitary facilities, restaurants, accommodation) for bus and coach drivers. In only three countries (IT, NL and SE) do CLAs make a reference to specific infrastructural requirements.

Weak application and enforcement of rules

Another challenge to collective bargaining in the sector is social dumping because of unfair business practices and the circumvention and violation of rules. In general, trade union representatives see the main problems with legislation to be linked to weak application and enforcement in the Member States. The Enforcement Directive 2006/22/EC establishes minimum levels of roadside checks to be carried out every year by Member States and requires the communication of information on checks and offences detected in national reports. The breakdown of offences found at the roadside in 2017-2018 fall mostly into the categories: offences against rest periods (27%), driving time (18%), recording equipment (17%), driving time records (16%) and breaks (15%).

Trade union representatives reported during interviews and at conferences that the illegal posting of workers through foreign temporary work agencies and the circumvention of cabotage regulations were a problem in some countries before the COVID-19 pandemic began but has not played a role since, as the demand for bus and coach passenger transport is generally low. A fundamental problem, however, is seen in the low number of controls and the weak sanctions for certain offences. Representatives also report serious staff shortages in the inspection authorities in various countries.

Further challenges are seen in the lack of the correct application of the content of CLAs and the problem of pushing employers to respect the terms and conditions of the agreements. Related to this issue is the general problem of a balance of powers between employers and employees. Some drivers are not willing to complain about bad working conditions for fear of being punished by the employer, e.g., excluded from lucrative tours, such as international trips.

Trade union strength and membership

In some countries there lies also a challenge in the lack of trade union members among the bus and coach drivers. Although sector specific data is scarce, it can be assumed that trade union density varies widely between countries. Countries that link social benefits with trade union membership usually fare well (e. g. the trade union density in DK is 71-73%). Bus and coach drivers usually work alone and are therefore difficult to organize. If trade union density decreases in the sector, there could be consequences for the results of trade union action (for example strikes), representativeness and thus for the precondition for CLAs to be generally binding.

In addition, the position of trade unions in the bargaining system is not always secured. Trade union representatives reported disinterested employers' associations in collective bargaining processes that do not want to conclude negotiations at all or drag out the conclusion of negotiations unnecessarily long.

Good future prospects due to the shortage of drivers?

The shortage of drivers is a serious problem for the sector in all countries studied. The country studies point to a high percentage of mature drivers, drivers at retirement age, and very few young drivers. In addition, there are rarely any female drivers, which means that a large group of the labour market is not being utilised in the bus and coach sector. In addition, the COVID-19 pandemic has triggered a wave of employment fluctuation in the sector, which further exacerbates the existing driver shortage.

The reason often given by employers' associations for the lack of drivers is the low attractiveness of the job. However, trade union representatives in targeted interviews and at workshops have pointed out that the shortage of drivers is not so much a result of the "attractiveness of the job" but is rather related to bad social and working conditions for drivers in the sector. With regard to working conditions, low wages, long working hours, and scheduling in particular are seen to be responsible for the shortage of labour. It is therefore obvious that the shortage of drivers could be combated by improving working conditions. Moreover, trade union representatives have emphasised that these issues could be dealt with in collective bargaining and solutions could be found within the framework of social dialogue and CLAs. For example, a possibility for improvement is seen in an increase in wages, which would also reduce the need for the high number of working hours with beneficial consequences for the work-life-balance. To further ensure a good work-life balance, work scheduling should try to avoid working "unsocial hours" (i.e. late at night, early in the morning, on weekends, or on public holidays). Concerning late announcement of shifts, better staff scheduling that would enable drivers to anticipate working and non-working time further in advance could resolve the problem. Time pressure created by tight scheduling could be lowered by having realistic time tables. With regard to occupational stress caused by having passengers on board, interviewees reported on successful training programmes that improve the handling and resilience of mental stress. These aspects also apply to improving the employment of women in the transport sector: issues relevant for improving the gender balance in the sector are often seen in the reconciliation of work and family life, health and safety at the workplace, training, recruitment, and wage equality. Overall, creating the conditions for a good work-life balance is seen as a key factor to make the profession more attractive.

Regarding the future, it is not likely that the driver shortage can resolve itself, instead the problem will continue or drag on. The decline in demand for bus and coach drivers caused by the COVID-19 pandemic has only postponed the problem of the driver shortage.

Demographic change among drivers employed in the sector will intensify over time. Moreover, drivers who have changed sectors during the pandemic are not expected to return to the bus and coach sector. Many drivers have moved to public transport, where employment and working conditions are better, and they therefore have few incentives to switch back to the bus and coach sector.

A key question will be how the shortage of drivers can be used to improve social conditions in the bus and coach sector. The shortage of drivers and the need to increase the attractiveness of the sector by better social and working conditions should create new starting points and levers for trade union work and help assert employees' interests and demands. Starting points could certainly be fair remuneration and ensuring a better work-life balance as well as efforts to strengthen the gender balance. Of course, continued attention to education and training and investment in recruitment also play a role. So far, however, there are few initiatives on the employers' side to address these issues. Up to now it seems that the problem of driver shortage has not yet been considered seriously by employers, and they have not yet seen the need for a change of behaviour. However, the elimination of the problem cannot be postponed for long if the sector is to remain an important pillar of passenger transport.



FOR FURTHER INFORMATION

Ekin Öztürk, ETF Policy Officer for Road
road@etf-europe.org

European Transport Workers' Federation
Galerie Agora
Rue du Marché aux Herbes 105, Boîte 11
1000 Brussels – BELGIUM

www.etf-europe.org

Facebook: @ETFROADSECTION

Twitter: @ETF_Europe

The ETF represents over 5 million transport workers from transport unions across Europe in 38 countries.