

## **ERA Legal Network Conference Call**

The ERA Legal Network held another conference call on Tuesday 24 November, which was chaired by ERA's Legal Counsel, Mr Sean Gates.

Representatives from two ERA Legal entities and member airline Hahn Air participated in the call, and the following issues were discussed:

- Hahn Air reported problems in respect to customer claims originating in Brazil. Although this is an issue that will probably have little or no effect on other ERA Members, ERA Legal Counsel Sean Gates agreed to liaise with Hahn Air with suggested recommendations and procedures etc.,
- Employment law, and the requirement for Hahn Air to open additional offices in various EU Member States with regards the repatriation of funds etc.,
- Another employment law situation whereby an employee who is based in a specific EU Member State is bound by the employment laws of that particular state,
- Employment law again and the termination of an employee based in an EU Member State different to the employer. Questions were asked over the notice period required and redundancy package, in addition to the application of the applicable employment law depending on the Member State involved,
- ERA legal member Mr Harry Sherrard from Sherrard's agreed to prepare a note addressing the above employment law issues from a UK perspective so that these could be circulated amongst Airline members for their information. In addition Sherrard's will also look to see how possible it might be to organise a European network of employment lawyers who could comment on these issues from the perspective of their own jurisdictions,
- The issues of freelance pilots, such as the Ryanair example whereby pilots work on a paid when flying basis, was raised. The laws regarding pilots being hired for freelancing, and what employment law protection is in place covering such circumstances was discussed.

In addition to the above issues, the following points were shared:

- There are currently no specific trends or problems regarding employment law,
- The issues surrounding holiday pay appear to be settling down,
- A recent news article was highlighted relating to a British Airways pilot who suffered retinal damage to his eye following a laser attack whilst flying an approach into London Heathrow airport. Both the safety implications and employers role in ensuring staff welfare regarding such an incident were discussed.

A follow-up conference call will be arranged in the New Year, with the potential for a physical meeting to be discussed, which ERA has offered to host.

