

## Work Package 3: Industrial Relations pre-Covid19

### SPANISH REPORT SUMMARY

#### Part I: General overview of Industrial Relations in [your country] pre-COVID-19

Spain is characterised by intense state intervention in the configuration of the industrial relations system, both from an individual and collective perspective. The general features of the system are defined in the Spanish Constitution of 1978 and its legal development is materialised through two basic regulations: *Estatuto de los Trabajadores* (first version 1980) and *Ley Orgánica de Libertad Sindical* (1985). This model has maintained a high degree of stability since its creation to date.

The industrial relations system shows a strong presence and representativeness of two large trade unions (CCOO and UGT), which have almost always acted jointly and with few moments of disagreement, especially in recent decades. On the business side, companies are grouped around a single large business organisation, the CEOE, although within it there is a diversity of interests, especially between small and large companies.

Collective bargaining assumes a complementary role, improving the working conditions established by law and adjusting to the needs of each company or sector of activity. Collective bargaining is characterised by one of the highest coverage rates in European countries, with a high level of sectoral bargaining, albeit with a high degree of decentralisation. Agreements are effective erga omnes and can be concluded at any level, although there is a well-established bargaining structure that has been in place for many decades.

Workers' representation in the company adopts a dual model (*comités de empresa* and *delegados sindicales*). In the workplace, both forms of representation can coexist, although the activity of works councils is predominant, characterised by a high degree of trade union management of their operation, because their members are strongly unionised and because the representative activity in the supra-company spheres corresponds directly to the trade unions by law.

Although the right to strike is widely recognised in law, labour disputes lead to very few and short-lived strikes. Autonomous systems of collective dispute resolution through voluntary mediation work quite effectively.

From the individual perspective, there is still a high rate of employees, a trend towards a reduction in irregular employment, a high rate of temporary employment and a notable segmentation and precariousness of employment among certain groups of workers (women, young people, immigrants and, in general, workers with low professional qualifications).

## Part II: Industrial Relations in aviation pre-COVID-19

Unlike the general model, the aviation sector is characterised by the predominant presence of trade unions for each profession: pilots (SEPLA), cabin crew (STAVLA, SITCPLA), air traffic controllers (USCA and others). The general unions (UGT, CCOO) maintain a high degree of representativeness among ground and handling staff. Union density in the sector as a whole is much higher than in other sectors, especially among pilots and air traffic controllers. On the business side, the airlines created ALA, although this association does not assume the role of interlocutor in labour matters, ceding all the protagonism in this area to each airline. For its part, ASEATA brings together the handling companies and ENAIRE is the public company that manages air traffic control and assumes the management of its staff.

The structure of collective bargaining is based on separate company collective agreements for each occupational group (pilots, cabin crew, maintenance staff, air traffic controllers) where the leading role is played by unions organised by profession. On the other hand, it is based on sectoral agreements for all workers in those areas where the leading role is taken by general unions: handling activities, ground activities and the rest of the value chain. The rate of collective bargaining coverage is higher than the average for the other sectors of economic activity, at almost 100%.

The liberalisation of the sector, the privatisation of the legacy airlines (IBERIA) and its incorporation into the IAG group, together with the emergence of low-cost airlines, have led to a substantial transformation of the sector during this century. This evolution has led to the disappearance of 20 airlines since 2000. In terms of employment volume, there has been a strong recovery, although not yet to the numbers recorded in 2007. There is a trend towards a reduction in working conditions in the sector compared to those previously enjoyed.

Labour disputes have been very prominent in the sector, although with a very low number of strikes. More striking in practice have been the conflicts developed in complementary activities of the value chain: airport cleaning, passenger security control, etc. The air traffic controllers' conflict in 2010 was emblematic, leading to the closure of airspace and the temporary militarisation of their employees. This activity, which remains almost entirely in the hands of the public sector, was the protagonist of a tough conflict that ended with an arbitration that led to a significant reduction in their salary conditions, with the corresponding impact on the rates for aeronautical services. The company RYANAIR has also experienced strong conflict, although it did not lead to strikes.