



**WORKING PAPER**

**ASSEMBLY — 41ST SESSION**

**EXECUTIVE COMMITTEE**

**Agenda Item 13: Facilitation Programmes**

**HARMONIZING CREW TREATMENT STANDARDS WORLDWIDE**

(Presented by the United States)

**EXECUTIVE SUMMARY**

During the COVID-19 pandemic, disparate crew treatment practices worldwide have placed undue and unreasonable burdens on air crews and inhibited airlines' ability to safely and routinely rest crews in certain jurisdictions. These practices have resulted not only in unsafe or inhumane conditions for air crews, but also disproportionately increased operational costs for certain air carriers, disrupting service, infringing upon bilateral rights, and distorting competition in international aviation markets. The Assembly is invited to universally acknowledge air crew as essential workers critical to ensuring essential connectivity and supply chain security and to ensure that air crew treatment practices are consistent with international guidance.

**Action:** The Assembly is invited to:

- a) universally acknowledge air crew as essential workers critical to ensuring essential connectivity and supply chain security;
- b) ensure that Member States implement fair crews treatment practices consistent with international guidance; and
- c) direct the ICAO Facilitation Panel, in coordination with Collaborative Arrangement for the Prevention and Management of Public Health Events in Civil Aviation (CAPSCA) and the Air Transport Regulatory Panel (ATRP), to develop an Annex 9 Standard and associated guidance to establish a baseline for crew treatment and prevent future challenges.

<i>Strategic Objectives:</i>	This working paper relates to Strategic Objectives: <i>Security &amp; Facilitation</i> and <i>Economic Development of Air Transport</i> .
<i>Financial implications:</i>	No significant financial implications.
<i>References:</i>	<i>Take-off guidance for air travel through the COVID-19 public health crisis, 4th Edition, ICAO Council Aviation Recovery Task Force (2021)- Crew Module</i>

## 1. INTRODUCTION

1.1 The aviation industry continues to face many challenges related to the COVID-19 pandemic. One of the most significant issues for air crews and carriers is ensuring continuity of operations while adhering to public health guidance that has varied widely across the number of jurisdictions to which they operate. Accordingly, air carriers rapidly implemented stringent occupational health and safety programs to protect employees, crew members, passengers, and local populations, and ensure that their crew members present a low risk of exposure to COVID-19. Some States also adopted entry requirements to limit the spread of the virus, including testing and quarantine measures for inbound and outbound travellers. Although the ICAO Council Aviation Recovery Taskforce (CART) Crew Module calls for Member States to alleviate burdens on critical transportation workers, in certain jurisdictions, the combination of air carrier and Member State precautionary measures resulted in inconsistent and problematic treatment of air crews, and at times, prevented airlines from fully exercising their bilateral rights under air transport agreements.

1.2 Existing international guidance issued by ICAO encourages civil aviation authorities to consider a closely coordinated international approach to the treatment of air crews, consistent with recognized public health standards. This proposal for a unified approach exists in order to avoid disruptions to critical connectivity and to alleviate burdens on air crews, with respect to testing, quarantine, travel to and from their worksite, and immigration protocols that apply to other non-essential travellers. In spite of this direction, disparate standards for crew treatment persist worldwide even as non-essential travel has resumed and aviation markets normalize.

1.3 This paper recommends that acceptable standards for crew treatment should be agreed upon and implemented by Member States. Further, this paper asks the ICAO Facilitation Panel, in coordination with Collaborative Arrangement for the Prevention and Management of Public Health Events in Civil Aviation (CAPSCA) and the Air Transport Regulatory Panel (ATRP), to develop a Standard and associated guidance to establish a baseline for crew treatment and prevent future challenges.

## 2. DISCUSSION

2.1 Over the course of the pandemic, Member States adopted various travel-related health and safety measures to contain the spread of the virus and to protect vulnerable populations. Such measures include predeparture and on-arrival testing, quarantine on arrival, proof of vaccination, entry bans on certain categories of travellers, and in some cases, lockdowns and the complete prohibition of inbound passenger travel. In some instances, localities have mandated that travellers stay in certain quarantine facilities or hotels for weeks before entering the local community.

2.2 When applied to airline crews, these travel restrictions can have safety implications and limit airlines' ability to maintain international operations. Particularly for long-haul travel, air crews often exceed the crew time and duty limits established by aviation safety authorities while waiting at a test site for results on arrival.<sup>1</sup>

2.3 Rest accommodations in some Member States also present issues for air crews. In certain jurisdictions, airlines are unable to select their rest location and are mandated to stay in government-run quarantine facilities or hotels. These mandated stays in such facilities put air crews at an arbitrary risk of exposure to COVID-19, as these locations are often utilized to quarantine individuals who test positive and

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<sup>1</sup> For reference, per ICAO SARPs, maximum crew time is 14 hours out of a 24-hour day. Crew members are then required to rest at a hotel for a 10-hour period within each 24-hour cycle.

their close contacts. Furthermore, in many well-documented instances, minimum standards for cleanliness and safety inside the room are not met, and there are reports of crew members being locked in their rooms, without access to emergency egress or food. Crews must be able to leave their rooms in the event of an emergency, and acceptable standards of cleanliness and 24-hour availability of food service are also necessities for crews to safely and completely rest.

2.4 Without consistent international guidance for air crew treatment, essential workers in the aviation sector face significant burdens as they work to ensure essential connectivity and supply chain continuity. Without the ability to rest crews safely and consistently, certain flight routes are operationally unfeasible for airlines, which are forced to suspend operations or establish costly technical stops to avoid layovers often adding additional burdens on crew. These practices and route suspensions have resulted in operational costs for air carriers and long-term competition distortions in international air services markets to the benefit of certain airlines, resulting in higher costs and less efficient operations. These actions jeopardize operational rights and can fundamentally undermine the principle of fair competition provided for by international air transport agreements.

2.5 Air crews are essential to trade and travel facilitation. Member States have already experienced breakdowns in supply chains as airlines are unable to feasibly operate, and prolonged service disruptions will continue to deteriorate supply chain resiliency and worsen global economic inequities. As such, Member States should formally recognize crew members as essential aviation workers and permit exceptions to pandemic-related health and safety measures that apply to the general public, where appropriate, that inhibit flight operations or compromise crew safety.

2.6 Understanding that each Member State has the right to implement health and safety measures in the interest of public health risk mitigation, there must be a universal baseline for the treatment of air crews to ensure the safety of essential transportation workers and the ability of crews and carriers to continue to provide critical international connectivity during public health emergencies.

2.7 To designate air crews as essential aviation workers, ensure high standards for their treatment overseas, and to limit undue restrictions on airlines' rights as guaranteed by air transport agreements, the Facilitation Panel is asked to develop guidelines based upon the following principles:

2.7.1 *Respective civil aviation, immigration and public health authorities should facilitate and expedite entry procedures for crews.* Dedicated customs and immigration lanes should be created for crews, separate from other travellers, and wait times should be minimized. Crew members should avoid interacting with the general public by using designated crew channels at airports and restricting transportation to company-contracted private transportation to move between the airport and the hotel.

2.7.2 *As vaccines become more widely available, crews should be exempt from testing requirements.* In localities where on-arrival testing is required, tests should be minimally invasive, performed by a medical professional in a non-injurious manner utilizing procedures that keep crew members safe from exposure, or should be self-administered by the crew member. Crew members are to proceed from aircraft to the arrival testing site immediately upon arrival and then to their crew hotel with minimal delay. Crew members should not wait at the testing site for their results.

2.7.3 *Airline-approved hotels should be the sole type of rest accommodations for air crews.* These facilities should maintain high standards of cleanliness, provide adjustable temperature controls, and ensure 24-hour availability of meal service. While present in a host country, crew members should comply with local laws and quarantine in their hotel rooms as required. Crew members may leave their hotel rooms

for essential activities as allowed by the host country. If crew members are required to remain in their hotel rooms, they should have the ability to evacuate the hotel property immediately in the case of an emergency.

2.7.4 *If a crew member tests positive for COVID-19 overseas, host countries should permit airlines to repatriate the crew member.* The respective airline will determine whether the crew member will remain in the host country or whether to arrange for an evacuation that is appropriate for the condition of the crew member. In no case should non-hotel quarantine facilities be used or should crew members be transported to non-hospital facilities. Airlines will also conduct contact tracing to determine if additional crew members require repatriation.

2.7.5 *Fully vaccinated crews should be exempt from quarantine and medical evacuation for close contact of a COVID-19 positive individual unless the close contact becomes ill and tests positive.* Close contacts who are fully vaccinated should not be subject to mandated quarantine and/or medical evacuation unless they test positive for COVID-19 or develop symptoms. If they do test positive, all previous guidelines related to repatriation should apply.

### 3. **ACTION SOUGHT FROM THE ASSEMBLY:**

3.1 The Assembly is invited to:

3.1.1 Universally acknowledge air crew as essential workers critical to ensuring essential connectivity and supply chain security;

3.1.2 Ensure that Member States implement fair crews treatment practices consistent with international guidance; and

3.1.3 Direct the ICAO Facilitation Panel, in coordination with Collaborative Arrangement for the Prevention and Management of Public Health Events in Civil Aviation (CAPSCA) and the Air Transport Regulatory Panel (ATRP), to develop an Annex 9 Standard and associated guidance to establish a baseline for crew treatment and prevent future challenges.

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