

Joint Statement

Brussels, 5 December 2022



Joint ETF/CER Statement “Revision of the Train Drivers Directive” (2007/59/EC)

The EU social partners CER and ETF welcome the revision of the current Directive on the certification of train drivers (2007/59/EC). Our agreement on the European licence for drivers carrying out a cross-border interoperability service (27th January 2004) was at the origin of this Directive.

In this process, we are fully committed to maintain a high level of safety. The further development of the directive should focus on practical orientation and feasibility.

In order to achieve the goals of the European Green Deal, the significant contribution made by railway transport must be adequately taken into account. Therefore, hurdles and obstacles in and for the railway sector must be removed with the sustainable development of this directive. We call to avoid unfair disadvantages for railway actors in competition with other modes of transport. The railway sector must continue to gain in attractiveness.

We, the railway operators and employees, are ready to share our expertise for an improved Directive. We call on the European Commission to perform the revision of this Directive in an open and transparent way with realistic timelines and deadlines that respect the role and work of the social partners who were at the source of the original Directive.

CER and ETF put forward this social partner joint statement and recommend to take onboard the following aspects for the revision of the Train Drivers Directive (TDD) (2007/59/EC):

Maintaining TDD as a Directive

The current Directive on the certification of train drivers (2007/59/EC) is to be kept as a directive in such a way that it takes into account and ensures regional and country-specific conditions in an appropriate manner without compromising safety, competitiveness with the other transport modes and sustainability. We object to the transformation of this Directive into a Regulation.

Agreement on a European language regime

General requirement: Language level “B1” for all traffic. Safe train operation on a country's network can only function if communication between drivers and traffic controllers, as well as other railway staff and emergency services, works well, especially in disturbed/emergency situations.

There are different approaches between ETF and CER regarding potential exemptions. For ETF, the minimum of a B1 level shall be required on the entire European railway network whereas CER favours exemptions for countries with more than one official EU language as well as for border sections.

Open to the use of “alternative means”

We are open to the development of “alternative means” (e.g. railway-specific terminology, tools) that help ensure safe, practical and appropriate conditions without

creating additional disadvantages for the rail sector. With this in mind, we welcome future developments to facilitate communication across language barriers and to reduce language difficulties, especially in cross-border traffic. However, these shall only be used *in addition* to an adequate language knowledge.

No single European operational language (such as English)

The majority of passenger and freight transport as well as maintenance and other activities are carried out at national level. Under these conditions, the introduction of an alternative, single European language would not bring any added value. The switch to a single language would not only affect train drivers, but all professional profiles, especially those responsible for safety-related activities. The introduction of such a system would be unnecessary for the majority of rail transport and would come with the requirement for massive (re-)training of staff.

This would furthermore create dangerous situations in case of emergencies when a driver needs to be able to effectively communicate with local emergency services. It would also be unnecessary, because the current system is fully adapted to function with multiple languages and has been doing so successfully for decades.

This would be an unrealistic challenge for a sector where only a very small percentage of workers currently speak English and where attracting new workers to the sector is a matter of urgency.

Driving licences and complementary certificates: Yes to digitalisation - No to merging licenses and complementary certificates in a single certificate

Driving licences and complementary certificates shall not be merged because of their differences, as they cover different requirements and professional knowledge and cannot be harmonised to a full extent at European level.

CER and ETF support digital developments for driving licences and complementary certificates in terms of transforming paper documents into a digital format. Affordable, more sustainable and viable technical solutions are required that present the contents of the license and the complementary certificates in a simple way and can be accessed and updated quickly without drivers having to carry multiple different documents. However, any further technical development must pay particular attention to ensuring data protection & cyber security. Access rights shall be granted to the national safety authorities (NSAs) facilitating their supervision activities, or, for the license, with explicit permission by the driver for any other railway undertaking (RU).

Strong NSA

The national safety authorities (NSAs) are to remain the responsible supervisory and control authorities. Their proven supervisory practice as well as established operational processes shall also be continued to ensure the high safety standard. Their funding and competences need to be strengthened so they can continue to properly fulfil this role.

Confirmed role of ERA as described in the 4th Railway Package

The CER and ETF social partners recommend that the European Union Agency for Railways (ERA) focusses on the assigned tasks according to Regulation (EU) 2016/796 of 11 May 2016 on the European Union Agency for Railways. The objectives and mandate of the Agency are clearly described and sufficient.

If applicable, the Agency needs to be sufficiently staffed and funded for any additional supportive task. The social partners ETF and CER call to be actively involved by the Agency in all relevant respective activities and offer to continue supporting ERA's work.

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About CER

The Community of European Railway and Infrastructure Companies (CER) brings together around 70 railway undertakings, their national associations as well as infrastructure managers and vehicle leasing companies. The membership is made up of long-established bodies, new entrants and both private and public enterprises, representing 79% of the rail network length, 77% of the rail freight business and about 90% of rail passenger operations in EU, EFTA and EU accession countries. CER represents the interests of its members towards EU policymakers and transport stakeholders, advocating rail as the backbone of a competitive and sustainable transport system in Europe. For more information, visit www.cer.be or follow us on Twitter [@CER_railways](https://twitter.com/CER_railways) or [LinkedIn](https://www.linkedin.com/company/cer).

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About ETF

The European Transport Workers' Federation (ETF) represents over 5 million transport workers from more than 200 transport unions across Europe, from the European Union, the European Economic Area, and Central and Eastern Europe, in over 30 countries. ETF's work is driven by its vision for [Fair Transport](#): quality jobs with safe, reliable transport services for customers.

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