

NORWEGIAN AIR RESOURCE, LTD. France CSE (Social and Economic Committee)

CDG 12/02/2021

CSE Meeting - 12/02/2021

Good evening to you all,

The CSE participated today in an extraordinary meeting in response to its repeated requests to Management for information about the current situation we are facing.

This was in response to our last request for a meeting, following the one that took place on 29 January, and during which we had questioned management about its lack of consultation and information for employees.

Were present:

- The titular members of the CSE, Pilot and Cabin Crew reps.
- Alexandra Robert, HR Director and Chair of the CSE.
- Daniel Flynn and Christina Rekdal, Oslo representatives.
- The liquidators appointed by the competent Irish court, all from KPMG, including Kieran Wallace, also in charge of the Examinership case.

In our last exchanges, the Management openly criticized the CSE for its defensive attitude. We therefore began the meeting by making it clear to the Management and the liquidators that if we were proactive in the development of our defense, it was because they compelled us to do so, by their proven willingness not to fulfil their legal obligations, and by having demonstrated the full extent of their contempt for the employees of the Paris base.

Kieran Wallace then, gave us the details of the current situation:

As of February 8th, the competent court in Ireland has put NAR in a situation of provisional liquidation. As a result, provisional liquidators have been appointed. These liquidators are in fact a substitute for NAR's management. They are now our official interlocutors in the case of the liquidation of NAR.

The hearing date for the Irish procedure is scheduled for March 1st. Kieran Wallace was clear that the liquidation would be confirmed, with NAR having no assets and no income, other than a cash balance amounting to 2.65 million euros.

Liquidators are in the process of compiling NAR's creditors list and it appears that under Irish law, employees are not at all a priority.

Asked if we would be paid in February, Kieran Wallace assured us that they were considering all available solutions (in other words little or none, under Irish law), and would give us an answer next week. It is best to consider a negative answer.

Asked whether it was relevant for their action to link Oslo to NAR, in order to justify a substantive cash transfer from Norway to NAR, Kieran Wallace explained to us that Irish law made a clear distinction between each entity in a group, and that the parent company could not be held responsible for the claims held by its subsidiaries or branches.

Asked whether the liquidators were considering the opening of a secondary procedure in France in order to deal with our fate independently of Ireland and in accordance with French social law, Kieran Wallace answered negatively, on the grounds that NAR France possesses no specific assets, the procedure would thus not change anything.

We had, under the CSE, launched a procedure to question the French authorities on how the Management had repeatedly failed in all its obligation to provide information and consultation with employees, in order to suspend the proceedings in Ireland. This petition has been accepted and a hearing date is scheduled for February 18th , 10 days before the hearing date of the provisional liquidation procedure in Ireland.

We have notified the liquidators of this procedure. If the French judge declares himself competent and agrees with us this could block the proceedings in Ireland for a while.

We have established a direct communication channel with liquidators. As soon as their decision is made on the payment of our February salaries, and if it is negative, we will order the Paris HR to activate the AGS proceeding. These are very responsive and will allow us to receive our AP allowances. The AGS resumes the wage conditions in accordance with the current agreements. These salaries, as long as we are under the protection of the AGS, will be deducted from the 82K Euros max cap.

The next deadlines:

- Next week for the decision about our salaries.
- 18th February: French court decision on suspending the proceeding in Ireland.
- 1st March: Judgment in Ireland for confirmation of NAR's liquidation.

It is imperative at this stage that we succeed in opening a procedure in France, as Irish law is in no way favorable to employees. The difference would be major for us, since the relationship between the parent company and its branches is enshrined in French law.

We inform you that the CSE is preparing to petition itself to the relevant court in order to request the opening of such a procedure in France.

We will report to our lawyers and keep you informed as soon as we know more.

Wishing you a good weekend.

Your Social and Economic Committee.