

Grand accord:

Dark clouds on the horizon



AFP's management hopes to wrap up negotiation of the Grand Accord in February 2017 as planned. During the past few weeks it has provided a number of details about its project. We can now see under what conditions we will soon be working, if the staff and their representatives are resigned to accept a deal that will profoundly change our lives at work and home.

Less free time, less private life

The leitmotif of the Grand Accord, which is intended to replace the 117 wage and working conditions agreements renounced by management, is **"work more!"** This is seen most clearly in the drop in the number of days off (RTTs for everyone and vacation days for some categories). But the meetings of the past few weeks have confirmed that management wants to **increase working hours**, a development which will **profoundly change our daily lives**.

Instead of improving the conditions of those who already work long hours, often under stressful conditions and without sufficient resources, the Grand Accord will extend and aggravate this situation. And this **weapon of mass social destruction** is called the forfait annuel en jours, or more commonly, the **forfait jours**.

What is it? In short, it switches your work contract to an annual basis. It fixes the number of days you work and the number of days off. The legal work week of 35 hours no longer applies and there is no overtime. This allows for the generalization of people working more hours than they should and makes such a situation quasi legal. Such legal security is very important for employers.

forfait jours = Trojan Horse

According to the French Labor Code, the forfait jours is for:

- **"cadres who have autonomy** in setting their work schedule and whose job functions don't allow them to follow the working hours in the workshop, service or team in which they work";
- **"employees whose working hours cannot be predetermined** and who have real autonomy in organizing their work schedule..."

Management's initial project envisaged introducing the forfait jours for technical and administrative cadres as well as for production journalists, excluding employees who have shifts (desk journalists, employee and laborers).

The latest version management's proposal, however, extends the forfait jours to **most cadres and all journalists** on French contracts.

Around 950 of 1,400 on full-time contracts are concerned. And it is journalists who are in the crosshairs.

For employees working in Paris and the provinces (except Alsace-Moselle), **the number of working days per year is fixed at 203**. Including the so-called congés d'ancienneté, or days off awarded for the length of service in AFP, that will be reduced to:

- 201 for employees with 5 years of employment at AFP
- 199 days after 10 years
- 198 days after 15 years.

Employees in Alsace-Moselle get an additional 2 days off. **Expatriates** work an additional 10 days per year, but earn 10 days for each year of expatriation which is taken at the end of their time abroad.

What working hours?

"In conformity with legal dispositions", the draft accord limits working hours to:

- **10 hours per day**, but **12 hours** "for activities characterized by the need to ensure the continuity of service or to respond to the specific needs of clients"
- **48 hours per week**
- **44 hours on average** during a period of 12 consecutive weeks.

But attention: this doesn't apply to employees on the forfait jours: "**Daily work limits are not compatible with accounting in days**".

The only limit, if you believe them: meetings every four months between the employee and their supervisor dedicated to the question of workload, as well as an annual meeting on the implementation of the forfait jours.

Employees on the forfait jours, like others, may be required to perform **astreintes** or what management now calls a **veille éditoriale**, which may require them to work (see later). Also note: 2 consecutive days off per week is no longer guaranteed.

Grand Accord + forfait jours: what changes?

Days off (in jours ouvrés, excluding congé ancienneté)

Production journalists Administrative cadres	Today 35h/week	2017 w/o forfait jours 39h/week	2017 with forfait jours no work time limits
Annual leave (jours ouvrés/year)	37	37	37
RTT/ARTT	18	7	0
Days off for forfait jours	0	0	10
Holidays / year	7 à 10	7 à 10	11
Total days off / year	62 à 65	51 à 54	58

Journalists working shifts: see below. Technical cadres: the Grand Accord reduces annual leave to from 42 days to 37. Employees and laborers: forfait jours non-applicable.

Result: all the administrative cadres and all the journalists that switch to the forfait jours lose between 4 and 7 days off in comparison with today. The **congé d'ancienneté** reduces this loss, but not for everyone and not completely.

At what price?

The price of our working hours increasing. In parallel, the working day for cadres and journalists which don't pass to the forfait jours increase to **39 hours** per week.

What compensation?

Most accords at other companies offer employees an increase in salary, sometimes substantial, to induce them to shift to the forfait jours. Nothing of the kind at AFP as the coffers are empty and the point of this accord is to save money.

No financial compensation for the forfait jours is planned.

Opt for or opt out of the forfait jours?

Legally, the amendment of a work contract to pass to the forfait jours should be **voluntary** and **reversible**. But AFP's management has already indicated that it does not intend to respect this: it won't hire journalists and cadres unwilling to accept the forfait jours. Moreover, job advertisements will explicitly state the post will be forfait jours. Thus, with AFP's mobility policy, most employees will be forced to shift to the forfait jours, except for a few holdouts whose careers will go nowhere.

In summary:

The forfait jours and the Grand Accord won't bring any benefits to employees. But most of us will lose out one way or another.

And there is the potential for nasty surprises. The Court of Cassation just ruled that the program of a progressive retirement with part-time employment is incompatible with the forfait jours, even if the number of work days is reduced.

The case of desk journalists

What about desk journalists and those in Documentation General or for example the graphic artists at Infographics? Remember that during the computerization of AFP the desks obtained reduced working hours due to the intensive work in front of screens in a sitting position.

Management's project foresees:

- Either **35 hours** per week and **4 extra days of annual** leave to compensate for the "specific constraints linked to desk work" (late and variable work hours, weekends)
- Or **39 hours** per week, "if the organization of the work of the desk permits", and **7 extra days of annual leave**.

Currently, all journalists receive **18 RTTs per year**.

In comparison with the current situation, even the first option under the Grand Accord will see most desk journalists spending an **additional 90 minutes per day at AFP**. And their work load will increase as management cuts or redeploys staff.

When asked to specify the **conditions of the passage from 35 to 39 hours**, management declined to respond for the moment. But SUD already has its idea on this question: if a majority of journalists on a desk are on forfait jours contracts, what blocks management from simply raising working hours?

This could happen quite quickly:

- By the arrival of forfait jours journalists (from production or abroad)
- By the choice of journalists who opt for the forfait jours to position themselves for posts
- By the incentive of 10 additional days off under the forfait jours than the 4 RTTs.

The Trojan Horse is arriving at a gallop!

Employees, laborers: crisis

For employees and laborers management's plan foresees:

- Either **35 hours** per week with no RTTs
- Or **37 hours** per week and **4 additional days off**.

Currently, employees and laborers receive **14 RTTs per year**.

Management has provided no details about the passage from 35 to 37 hours per week.

It should also be noted that laborers, like technician cadres, lose not only most of their RTTs, but around a week of holiday.

The retirement bonus for employees and laborers will not be extended beyond 31 March 2017! In 2015, SUD (and the CFDT) tried to mobilize the other labor unions at the Agency to try to preserve this payment. In vain...

Unpaid break (?)

Currently, staff at the Agency benefit from the "journée continue", that is when we take our break it is considered part of our working time. **Management plans to end this practice, which means we'll be spending at least 30 minutes longer at AFP per day.**

Upon the insistence of SUD to maintain the journée continue, management is reexamining this issue ...

Other negotiation issues

Sundays

For many years AFP has paid staff an indemnity of **€5.64 (pre-tax) for each Sunday or holiday worked**. Management has indicated it is considering raising this to **€10**, but "it isn't certain the overall balance of the Grand Accord will permit it to do so."

Astreintes

To avoid lawsuits, management plans to pay journalists for the unpaid work they have been doing when under astreinte – being on call evenings and weekends.

Indemnity for a simple astreinte of being on-call and available to work: **€15**

"Reinforced" astreinte = Editorial monitoring: **€25**

Heads of services and bureaus would be handled differently.

Work more but don't earn more

Will going from 35 to 37 or even 39 hours per week result in an **increase in wages**? SUD posed that question. Response: "No, because that would be an unjust enrichment". We sincerely doubt that. But clearly in our brave new world working is becoming increasingly disconnected from payment.

Congé d'ancienneté: work anniversary an unhappy date for many

Attention, your work anniversary could become an unhappy date as management wants to attribute days for the congé d'ancienneté **on June 1 each year**.

This would, for example, result in someone hired on 31 May 2012 benefitting from the first allotment of days from 1 June 2017. However, an employee who signed their contract on 2 June 2012 would have to wait another year, to 1 June 2018.

Management rejected our request to avoid such an injustice by updating rights on the first of every month, as it does for automatic pay increases under the career plan.

Following our intervention, the **congé d'ancienneté will be paid as annual vacation**, taking into account the 10th rule (which is often more favourable to staff).

Night differential

For employees working after 9 pm, the management wanted to pay the night differential only to those who finish **after 11 pm**, contrary to the current practice of paying it from 9 pm. This measure has been deleted. But **it is unclear whether this differential will be paid to employees on the forfait jours**. Management has yet to give an answer.

Refuse longer working hours!

Until recently, many of us did not count our working hours and management didn't question our dedication to AFP. A **consensus** existed on the agency's founding principles and there was a balance between work and our private lives.

This social pact was torn up in 2015, when our CEO Emmanuel Hoog, carrying out the will of the European Commission and the French government, renounced nearly all of our wage and benefits agreements with a clear goal **of limiting wage growth to 1 percent per year**.

Such a goal is **unrealistic and counterproductive**. It will exhaust AFP's principal capital – its employees – and compromises the agency's ability to carry out its public interest mission.

Other options exist. SUD has outlined other courses of action¹. **Act!**

Paris, 21 November 2016

SUD-AFP (Solidarity-Unity-Democracy)



¹ AFP in crisis: How can we overcome financial constraints? - <http://www.sud-afp.org/spip.php?article434>