

# Enough maneuvers! Enough rotten deals!



**AFP is mired in a state of legal insecurity and social uncertainty** since the main element of the 2017 "Grand Accord" – the forfait jours contract for *all* journalists – was declared **illegal** by the Paris Court of Appeal in a ruling handed down on September 19, 2019. Since then, the forfait jours contracts that management signed with 712 out of 791 HQ status journalists are null and void as they *do not conform with the law*.

Everyone is now posing *legitimate questions to which management has yet to respond*.

## What working hours, how many days off?

Will journalists who were on forfait jours contracts lose their extra days off? The provisional and very unpalatable response is found in the accord d'entreprise of March 10, 2017, the famous "Grand Accord", which *SUD* had actively opposed.

Under this accord, journalists and cadres on forfait jours contracts got **12 additional days off per year**. Journalists on hourly contracts are divided into two groups under article 6.6.1 of the accord and receive a different number of additional days off:

- For production journalists and those with similar status (desk management and rédactions en chef): **39 hours per week and an additional 7 days off**
- For other journalists: **35 hours per week, with 4 additional days off.**

In other words, since the ruling the forfait jours and the 12 supplementary days off that went with it no longer have a legal basis, and journalists revert, depending on their post, to 35 hours per week and 4 extra days off or 39 hours per week with 7 extra days off.

Of course, management still has the possibility to legally increase the number of days off accorded to us under the "Grand Accord".

## Another flawed accord?

Instead of trying to resolve the situation, the head of Human Resources proposed to trade unions on October 11 a new accord that is unacceptable. Even if it has been amended twice in the past days, at its heart it remains unchanged:

**Management is trying to obtain from the unions what the court refused:** a "*delay in applying the annulation of the second paragraph of article 6.9.1 of the accord of March 10, 2017*". Concretely:

- **Delay** "the effects of the Court of Appeal ruling";
- **Fix "the modalities to revise"** the above-mentioned clause of the "Grand Accord" which offered the forfait jours contract to *all* journalists. The revisions are to be completed in just **three meetings**, scheduled for October 30, November 19 and 28.
- **And then, quickly move onto something else so everyone forgets...**

**Nothing about working hours and days off after December 31, 2019!**

**No guarantees** concerning desk journalists, who currently risk losing 8 out of 12 days off.

**Only the threat** of retroactively taking back days off received on January 1, 2019 is taken off the table.

(/...)

## Management still in denial

Management is deeply mistaken if it thinks just three brief meetings to change one phrase are necessary to resolve the situation.

It took three years to negotiate the "Grand Accord". The forfait jours was added late in the process, and *SUD* rejected it in principle as it allows management to get away with having journalists **work long hours without compensating for overtime and without reducing working time.**

Conversely, the leading union among journalists endorsed the forfait jours on condition it was offered to *all* journalists. All trade unions were against creating two different sets of conditions for journalists.

However, two different sets of conditions for journalists is exactly what we will get if the forfait jours is reintroduced for those who meet the legal conditions while the fate of others is ignored.

So we're back to our initial conundrum. And this is without other issues which will come out of the woodwork as **the very fragile and disputable internal balance of the "Grand Accord" has been destroyed:**

- 39 hours and 7 days off or 35 hours and 4 days off, is this really an adjustment of working time as foreseen under the law?
- Journalist and cadres: equal conditions or a disparity?
- What about cadres without autonomy for the forfait jours contract? Etc.

**The three meetings planned for between now and the end of November won't be sufficient to resolve these core problems.**

## 12 extra days off for all journalists!

*SUD* has made a **counterproposal** which aims to avoid a legally dubious delay in applying a court ruling that has immediate effect.

*SUD* has proposed and is ready to sign **an amendment to the "Grand Accord"** that includes two key articles:

**The first postpones discussion of all underlying problems** which need to be studied carefully and debated extensively to resolve them according to the law until the first half of next year when negotiations would be held encompassing all of the chapter of the "Grand Accord" on working time.

**The other contains urgent and temporary measures**, in particular:

- Management agrees not to modify the number of **days off given to journalists** on Janvier 1, 2019.
- **All journalists** receive **12 additional days off** on January 1, 2020.
- *SUD* proposes a **new version** of article 6.9.1 of the "Grand Accord" that conforms with the law. **While the new negotiations on working time are underway**, management can **reintroduce** the forfait jours for journalists *"who have autonomy in planning their working hours and whose functions don't require them to follow the collective working hours of the service or team in which they work."*

Here it is folks: a proposal that takes the **high road** to get out of the current mess!

Paris, October 22, 2019

**SUD-AFP (Solidarity-Unity-Democracy)**

**Sud**  
AGENCE FRANCE PRESSE