

A good deal, But not perfect



Ordered to carry out pay raises that should have been implemented in 2013 and 2014, AFP was very reluctant to apply the appeals court ruling of September 19, 2019, but it finally accepted a compromise that will see a general wage increase of 0.7% from January 1, 2020 and a second increase of 0.7% from January 1, 2021¹.

The accord, signed by SUD-AFP and the four other representative unions, puts an end to the legal battle with a result that benefits all HQ status staff. But it does have some downsides, which in the interests of transparency, should be brought to the attention of staff.

Wage hike: thanks to whom?

It is thanks to the court action led by the CGT, FO and *SUD*.

For the present and future:

→ **We obtain the first general wage hike since November 2012.** The seven-year wage freeze is coming to an end! The total percentage of the wage hike (**+1,4%**) corresponds to the wage hikes due but not paid in 2013 and 2014 as part of the negotiations in the national press sector (SPQN).

→ **The accord of February 28, 2020 will raise the wages of all HQ staff, even new hires.** AFP's management maintained that the appeals court ruling does not apply to recent and new hires as the comprehensive workplace agreement of March 10, 2017 (the "Grand Accord" signed by the CGT, SNJ and CFDT) put in place new wage scales, and thus marked a definitive rupture from the SPQN.

→ **The fees paid to stringers will rise by 0.75% from March 1, 2020.** This was not negotiated as part of the SPQN deal, but in parallel during the annual wage talks (NAO).

For the past:

→ Before summer 2020, management will invite eligible staff to sign an **individual transaction** on **back pay** due under the SPQN wage hikes. The maximum amount due under promises undertaken by management but not explicitly mentioned in the accord is a half month of wages (December 2019 not including the 13th month).

Problem points

If management made concessions, that is because it feared that one of the unions party to the lawsuit - *SUD* - would continue legal efforts to obtain its **full implementation**, that is:

- **An immediate increase in the wage scales of 1.4%;**
- **An increase in bonuses** (in particular the prime spéciale and the prime de rendement) of 3.5% for most journalists and administrative cadres and 4.5% for technical cadres, workers and employees;
- **Full back pay due** from March 2011 for the bonuses and March 2013 for base pay;
- **A re-evaluation of the retirement bonus** for the numerous people who have left the agency in recent years (or will do so before January 2021 when the full 1.4% increase goes into effect).

¹ See the history of the legal battle and the rulings here: <http://u.afp.com/33A7>

"A right is a right, you don't negotiate it!" - We heard that from numerous employees, including *SUD* members, when management offered to negotiate a deal to end the legal battle over the SPQN wage hikes.

Why *SUD* decided to negotiate

Faced with management's resistance we would have needed to turn to the JEX (judge of execution) to order the modalities of the implementation of the appeals court ruling. Legal vicissitudes, in particular the statute of limitations which was hardened in a 2013 reform supported by the employer association MEDEF and the CFDT trade union under the Holland-Ayrault government, made the outcome far from certain. Even if the JEX ruled in our favor, it is entirely possible that each employee would have to file a case in the labor court and then likely an appeal. *The deal means we avoid this long and tiring legal battle.*

We had the opportunity to negotiate an acceptable deal for the majority of staff, while ensuring that the door wasn't closed to those who wanted to continue the legal battle. Concerning the back pay, *everyone is free to accept the transaction offered by management or to refuse it and go to the labor court.*

The long and tense negotiations (with the support of our lawyer) concerned mostly AFP trying to stack the deck against those who go to the labor court (and we are still not entirely satisfied with the deal on this point) and trying to introduce abusive clauses into the text of the individual transaction with employees.

...and why *SUD* signed

→ **The inclusion of recent and new hires.** Management made it clear that without the signature of CGT, FO and *SUD* it would not apply the wage hikes to anyone hired after the Grand Accord went into effect. By refusing an option that would include recent and new hires we would have trampled on one of our main arguments against the Grand Accord: that it creates a *two-speed AFP*.²

→ **The 1.4% wage hike is achieved in January 2021.** The initial proposal would have spread out the increase over four years: 0.5% in January 2020 and then three hikes of 0.3% in the following years! **Note:** even if management relented on this point, it demonstrates *their intent not to raise wages during the entire Aims and Means Contract 2019-2023.*

→ **The amount of back pay:** while a half month of gross wages is not much, it is more than the initial offer by management of 1,000 euros before taxes and charges. A representative of a union not party to the lawsuit said: *"You should accept!"* Thankfully, the unions that waged the legal battle did not listen. Remember that *the "top journalists union in France and at AFP"* never joined the legal battle over the wage hikes as it considered it *"risky given AFP's difficult financial situation"*.³

Conclusion: it pays to fight!

Questions or remarks about the implementation of the deal?

Considering going to the labor court?

Contact the *SUD* delegation: contact@sud-afp.org

Paris, February 17, 2020

SUD-AFP (Solidarity-Unity-Democracy)



² See our tract on the "Grand Accord" (March 2017): <http://u.afp.com/33bu>

³ See the SNJ-AFP tract of December 2017 - <http://snj-afp.org/?p=302>