

# An update on the negotiations

SUD-AFP published a communiqué on February 1 warning staff about the perilous start of the negotiations on neighboring rights (**No to botched negotiations!** - <https://www.sud-afp.org/spip.php?article658>).

Management wanted to make us **negotiate blindly**, that is without knowing how much the Agency received for neighboring rights due to a confidentiality clause in the contract with Google.

Fortunately, management acceded to the demands for transparency made by SUD and several other unions. It **accepted that union negotiators who sign a confidentiality agreement will have access to the figure.**

We don't want to cry victory, because the concession only permits us to negotiate in good faith. Nevertheless, we can't insist enough upon the importance of this development. Even if it will limit our ability to account to staff, it is the only practical solution, so we'll accept it.

However, neither management nor the SNJ – the majority union among journalists – wanted to explore creating a mechanism to compensate **AFP's administrative and technical staff**, as French law specifies only journalists as being entitled to a share of the neighboring rights.

Management and the SNJ would have us believe that the law prohibits us from sharing this money with staff who make an important contribution to the proper functioning of the Agency, and thus our editorial production.

But the reality is that the French labor code recognizes the possibility for companies to conclude deals with "**provisions more favorable to staff than the legal provisions in force.**" Management uses this principle when it offers to extend payment of neighboring rights to *all AFP journalists worldwide*, even if the French law applies in theory only to *journalists with a French work contract*.

**If administrative and technical staff don't touch any money, it isn't due to a lack of legal possibility but a lack of will!**

And finally, management abandoned finishing a deal this month, which would have certainly meant a bad deal for us. The talks are scheduled to run into at least March.

This gives us needed time to clear up **several gray areas:**

- Will the agreement apply only to money received from Google but for all future neighboring rights deals with platforms, such as Facebook? It seems so, which increases the importance of getting the deal right.
- Will the agreement be valid for the five years of the Google deal or will it be open-ended?
- How will the "adjustment" (sought by management) of the payment to journalists based on the cost of living in their country be done?
- And who inside the Agency will carry out the work of calculating the neighboring rights? How much extra work will it be for the services concerned?

We will keep you informed on such points. On the contrary, we cannot give you the value of the Google payment for neighboring rights due to the confidentiality requirement.

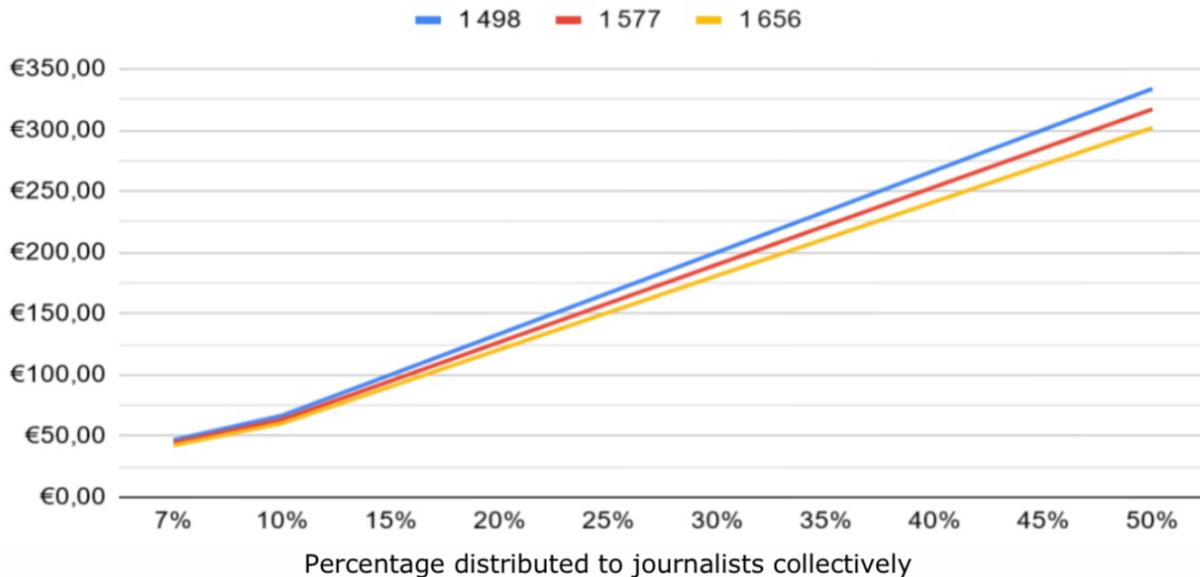
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## What amount could journalists receive?

Nevertheless, *SUD* has prepared some simulations of what journalists could expect based on the staffing figures we have received:

### Annual payment to each journalist for €1m received by AFP in neighboring rights

According to number of full-time equivalent journalists and percentage received collectively



The simulation is based on the number of journalists working for the Agency in September 2021 expressed in full-time equivalent (FTE), a figure recently presented by management.

The red line is the simulation based upon the 1,527 FTE journalists working around the world, plus a *SUD* estimate of 50 stringers in full-time equivalent.

The blue line is an estimate based on the number of journalists being 5% less and the yellow line 5% more.

The horizontal axis is the percentage of the neighboring rights money received collectively by journalists, which is the principal point of the negotiations. The 7% is management's offer. **That means for each million received in neighboring rights from Google each journalist will receive 44 euros per year!!**

If unions obtain a 50/50 split, then each full-time journalist present for the full year would receive an annual payment of around **317 euros**. These simulations don't take into account cost of living adjustments that management would like to make, which could result in the average payment moving slightly from the baseline simulation.

*SUD*-AFP's position on the agreement with Google can be found in our communiqué **Neighboring rights: A new ersatz salary that poses many problems** (<https://www.sud-afp.org/spip.php?article656>)

Paris, February 3, 2022

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

