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Factsheet for case **FR-2020-14/750**

National agreement on the organisation of work to deal with the Covid epidemic-19

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Country	France, applies nationwide
Time period	Temporary, 03 April 2020 - 31 October 2020
Type	Bipartite collective agreement
Category	Employment protection and retention – Temporary period of leave (e.g. mandatory leave)
Case created	21 April 2020 (updated 22 April 2020)

Background Information

Faced with 'the major health crisis of which France is a victim', the social partners in the metalworking industry reaffirm the importance of social dialogue in tackling it. On 3 April 2020, they concluded a branch agreement designed to facilitate the taking of paid holidays in order to 'face the difficulties inherent in this period and to prepare as well as possible for a resumption of activity'. The metallurgy agreement on work organisation to deal with the Covid-19 epidemic was signed by the UIMM and the CFDT, CFE-CGC and FO trade union federations.

Content of measure

The agreement stresses, in its preamble, that the Covid-19 epidemic and the measures taken by the public authorities to limit its spread have serious consequences for metalworking companies. But it also underlines the right of everyone to preserve their health and to work safely. Faced with contradictory demands, the signatories call for an appropriate social dialogue in companies. They add that they would like company negotiations to be favoured so that the branch agreement plays exclusively its supplementary role, in accordance with the Labour Code. The agreement of 3 April 2020 does not therefore call into question the company agreements already signed, nor the company negotiations currently underway.

Short-time working

The agreement invites companies to "seek with the social partners, beyond the preservation of employment, a change in the conditions of compensation" for short-time working, "to mitigate its negative impacts" (on the

purchasing power of employees).

The agreement recalls that the period of short-time working can be used for training actions. It adds that when occupational health and safety conditions are "irreproachable, guaranteed and applied", the training action can be implemented "in situ", within the company, if necessary, in a work situation. In this context, the joint body in charge of vocational training (OPCO 2i) is invited to provide collective training actions for employees of VSEs and SMEs. "The signatories thus wish to gradually prepare, under the best conditions, the return to normal activity. »

Exceptional management of paid leave

The agreement opens up the possibility for the employer to set or change the date for taking six working days of paid leave per employee. This possibility will be open as soon as the agreement is tabled and will end on October 31, 2020. It may result in the taking of leave in advance of the period during which it is normally intended to be taken.

The employer must respect an order of priority. The employer chooses :

- first, the taking of paid leave earned during the previous accrual period;
- then, the taking of conventional days earned (seniority leave, in particular);
- lastly, the taking of paid leave acquired during the last vesting period, which may lead to early taking.

The employer must respect a period of notice, set at two working days during the confinement period and five days thereafter. The leave period chosen by the employer ends on October 31, 2020.

Use of measure

The agreement covers all workers of the metal industry, about 1.4 million employees.

Actors, target groups and funding

Actors	Target groups	Funding
Social partners jointly	employees Sector specific set of companies	Companies National funds

Social partners

Role of social partners	Agreed (outcome)
Form of involvement	Bi-or tripartite social dialogue bodies

In the framework of the Bipartite National committee of employment of the Metal sector (CPNE), social partners have signed a sectoral collective agreement to cope with the COVID-19 crisis.

Sectors and occupations

This case is sector-specific (only private sector).

Economic area	Sector (NACE level 2)
C - Manufacturing	C24 Manufacture of basic metals
	C25 Manufacture of fabricated metal products, except machinery and equipment
	C26 Manufacture of computer, electronic and optical products
	C27 Manufacture of electrical equipment
	C28 Manufacture of machinery and equipment n.e.c.
	C29 Manufacture of motor vehicles, trailers and semi-trailers

This case is not occupation-specific.

Sources

- 03 April 2020: Accord national du 3 avril 2020 portant sur les modalités d'organisation du travail pour faire face à l'épidémie de covid-19 (www.metallurgie-cfecgc.com)