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Factsheet for case **FR-2020-14/742**

## Guide to health and safety recommendations for business continuity in construction-Covid-19

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|              |  |
|--------------|--|
| Country      | France, applies nationwide   |
| Time period  | Open ended, started on 02 April 2020                                       |
| Type         | Recommendation   |
| Category     | Protection of workers at the workplace<br>– Occupational health and safety |
| Case created | 20 April 2020 (updated 22 April 2020)                                      |

### Background information

This publication is the epilogue of a two-week arm wrestling exchange between the Ministry of Labour and construction employers' organizations. Their members have indeed been accused of 'defeatism' by the Minister of Labour for having chosen to stop almost all the building sites and ask for the partial unemployment of their employees. As of 1 April, 61,000 companies, including all the major players in the sector, representing 565,000 employees (i.e. 50% of the profession) had applied for this, according to the DARES.

To break the deadlock, the profession has therefore drawn up, under the aegis of the OPPBTP, its professional prevention body managed on an equal footing, this guide which is supposed to 'provide the conditions for employees to continue working in safety'.

### Content of measure

Having received the approval of all the ministries concerned, the guide defines the protocols to be respected with the approval of clients and within the framework of social dialogue, the conditions of use of individual protection, respect for barrier gestures, and the procedures to be followed in the event of travel, for example. These measures are capable of "enabling a gradual resumption of activity", as all the employers' federations have stressed. "It also responds to the specific characteristics of certain worksites, such as those taking place in private homes," says Patrick Liébus, President of Capeb. In return, companies retain the right to suspend their activity, without running the risk of being refused access to partial activity.

"Particular attention is paid to the most vulnerable employees," the federations state, urging them "not to involve apprentices, trainees and work-study students on building sites.

## Use of measure

About 1,300,000 employees work in the construction sector.

## Actors, target groups and funding

| Actors   | Target groups                                 | Funding  |
|--|---|--|
| National government<br>Social partners jointly | Employees<br>Sector specific set of companies | Social partners jointly<br>No special funding required |

## Social partners

|                         |   |
|-------------------------|---|
| Role of social partners | Consulted                               |
| Form of involvement     | Bi-or tripartite social dialogue bodies |

Social partners were consulted in the framework of the bipartite institution OPPBTP. If Employers organisation reached a consensus on the handbook, trade unions have not agreed the document apart the CFDT (2nd trade union in the building industry, 3rd in the public works sector). All the building trade unions (CGT, 1st building trade union, FO, 3rd, CFTC, 4th, and CFE-CGC, 5th) said, in a joint press release of 3 April, that they were opposed to the resumption of construction sites, pointing out a risk to the health of employees, whereas the government had validated this guide. This one, for the drafting of which 'the trade unions were called upon when everything was already folded', 'will set aside health and lives in danger!', denounces the trade unions. 'The aim of this document is indeed to get the activity restarted by legally protecting the employers, by using formulas such as "it is recommended", "as far as possible", or by casting doubt on who is responsible for the obligations "such as that of regularly cleaning common surfaces and installations". 'We would have liked this guide to allow for business continuity for emergency work and to have another one edited for post-confinement. We were not heard,' the four unions regretted, calling on employees to "use their right to withdraw...if they feel they are in danger.

## Sectors and occupations

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

| Economic area    | Sector (NACE level 2)         |
|------------------|-------------------------------|
| F - Construction | F41 Construction of buildings |

|  |   |
|--|---|
|  | F42 Civil engineering                   |
|  | F43 Specialised construction activities |

This case is occupation-specific.

|   |
|---|
| <b>Occupation (ISCO level 2)</b>                            |
| Building and related trades workers, excluding electricians |

## Sources

- 02 April 2020: Guide de préconisations de sécurité sanitaire pour la continuité des activités de la construction-Covid-19 ([www.preventionbtp.fr](http://www.preventionbtp.fr))