Main differences between France and the UK

Regarding Labour Law and employment practices

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Introduction

- Expectations?
- Previous knowledge?
- Previous experiences?
- Question when needed!

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Contents

- Policies and staff representation
- “Life” of the employment contract
- ER cases

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Policies and staff representation

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Policies

- UK companies rely on policies
- France has an extensive legal framework
- Little room left for policies

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Policies

- Policies must comply with Labour law and CBAs
- Interest is less than in the UK
- Still useful as an information tool

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Handbook

- No handbooks in France
- Same logic as in previous slide
- As policies, can still be useful
- But with no legal force
- *Règlement intérieur* is however mandatory when over 50 employees

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Staff representation

- Mandatory from 11 employees
- Under 50:
  - Reclamations
  - May refer to the work inspector
  - Health and Safety
  - May sign company agreements
- From 50:
  - Missions are enlarged

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Any questions?

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“Life” of the employment contract

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Minimum Salary

- SMIC is the French National Minimum Wage
- It does not vary according to age
- No variations by sector or region
- Interns and apprentices have specific rules

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Overtime

- Must be approved by the employer
- But can also be “implicit”
- Must be paid
- Or TOILed (if CBA / Company agreement)
- Annual quota

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Absences

- No self certification
- Employees always need a sick note
- Do not ask any health-related questions
- No “sick days” allowance
- Salary maintenance from 1 year of service

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Annual paid leave

- 5 weeks per year (25 / 30 days)
- Public holidays are not included
- Reference period is not a calendar year
- Leave can be taken as soon as accrued (but no in “advance”)
- Summer period
- Employer is responsible

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Any questions?

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Zero hours contracts?

- Norm = permanent and full time
- No zero hours contracts
- Minimum part-time is 24 hours
- Contract in writing

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Fixed-term contracts

- Strictly regulated by law
- Reserved for specific situations
- Conditions for renewal are limited
- Cannot end them before their term
- Precarity bonus of 10%
- Far less flexible than in the UK

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Forfait Jour

- Specific working time organisation
- Widely used but “strange” for UK/US employers
- Solves the overtime issue
- Important benefit

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Mutuelle Prévoyance

- Mandatory
- Cannot be used as part of a compensation & benefits strategy
- Partially paid by employer

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Any questions?

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Maternity

- May look shorter than in the UK
- Potential indemnities from social security
- Can be combined with parental leave
- Avoid copy / pasting UK policies
- Parental leave can be full-time or part-time
- Childcare cost are in relation with family income

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Entretien professionnel

- Mandatory interview
- About skills and career progression
- Information about CPF (personal training account)
- Every 2 years / Recap every 6 years

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Continuous professional training

- Employers finance continuous training
- Personal Training Account
- No access to the funds
- No equivalent in the UK

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Occupational health

- Mandatory in France
- No medical information sharing

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Any questions?

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ER cases

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Formal grievances?

- No formal grievance process
- Role of the CSE members, Union reps…
- … or the management
- Go to court: Conseil de “Prud’hommes”

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Disciplinary procedure

- The procedure is different
- No first or final warnings
- Strict procedure – Respect or void
- Simple warnings = no need for an interview
- Higher impact decisions = interview
- No decision during the hearing
- Delays to be respect
- No appeal

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Redundancy

- No such process in France
- *Licenciement économique*
- Stricter timeline
- Robust and verifiable rationale
- A serious risk, not a cost saving exercise
- You may find it lacks flexibility

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Protection against unfair dismissal

- Protection is very strong in France
- Strict procedure and detailed justification
- “Protected” employees’ dismissals must be approved by Labour Inspection
- Less stringent in the UK

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Any questions?

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Thank you

- Baptiste@viridianhr.co.uk
- We will send you a post-training form
- Thank you in advance for your feedback!

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