

# French employers' coronavirus relief package

*Officially confirmed*

## **Furlough “Activité partielle” (also known as “chômage partiel”):**

- Workers council can be informed up to 2 months after implementation, instead of before implementation
- State refund request can be filed on the portal up to 30 days after the beginning of the furlough leave
- State refund will be based on 70% of the gross salary, with a minimum of 8.03 euros per hour and a maximum of 4.5 times the minimum wage (6927.52 euros maximum for a full time)
- 48 hours approval delay for the state refund request, instead of 15 days
- The 100% furlough pay granted to employees going on a training is not applicable for trainings granted after March 27<sup>th</sup>
- Protected staff and union representatives can be put on furlough without prior approval from the individual
- Individual employers of domestic staff can put their employees on furlough leave without the need for government approval. They have to pay 80% of the usual net salary. The employer will receive a complete refund from the state
- Overtime-exempt employees working under a « forfait jours » package might become eligible to part-time furlough leave. It is unclear from the wording of the bill. A further decree will be published later, which might confirm this
- Under the pressure of Easyjet’s union (Easyjet being the largest employer without an establishment in France), the government has decided to extend the furlough leave plan to all staff of foreign employers without an establishment in France. However, it is unclear whether employers will be eligible for a refund. We have to wait for the government’s further clarification on this item. We hope we can confirm next week.

**Sick pay:**

- The dedicated child care sick pay for parents having to take care of their child whose school is closed can be renewed/extended until schools reopen
- Social security will refund social security sick pay for all sick leaves from day 1 (for sick leaves started after since March 24<sup>th</sup>), regardless of sickness type, for the entire duration of the pandemic
- Employer top-up must be paid for all sick leaves from day 1 (for sick leaves started after since March 24<sup>th</sup>), regardless of sickness type for the entire duration of the pandemic

**Mandatory vacation, RTT days:**

- If you can sign an internal company agreement with your staff representatives, you can put your employees on holidays against their will, up to 6 days of vacation days (“congés payés”), providing 1-day notice
- You don't have to worry about the spouse working in the same company for the scheduling of leaves
- You can, without negotiating with staff representatives, put your employees on RTT or CET leave for up to 10 days against their will (only for employees who do have such leaves available) – providing 1-day notice

**Other:**

- “Participation” and “Intéressement” profit share plans payouts can be postponed to December 31<sup>st</sup> 2020
- In businesses that are regarded as essential to the economy, overtime caps are lifted to a maximum of 12 hours a day, 60 hours a week, 48 hours a week on average over 12 weeks. Notifying your workers' council and labor inspection is required for implementing these new caps
- In businesses that are regarded as essential to the economy, Sunday work is now authorized, even in the Alsace-Moselle region
- “Ruptures conventionnelles” (amicable separations) and protected staff's dismissals which require labor inspection's pre-approval are held off until up to 2 months after the end of the lockdown