

ARTICLE

THE EMERGENCY LAW OF MARCH 23, 2020 RELATING TO THE COVID-19 OUTBREAK HAS BEEN PUBLISHED TODAY: MAIN PROVISIONS CONCERNING EMPLOYMENT LAW

Employment and Social Security Law | 24/03/20 | Marie-Hélène Bensadoun Laetitia-Marie Jamet

LIFE SCIENCES & HEALTHCARE

This law expresses a state of sanitary emergency throughout the French territory for a 2-month period starting March 24, 2020.

In addition to the measures related to the limitation of circulation with which French people are now familiar, this law lists the various areas in which the government is empowered to enact bills, in order to safeguard public health and provides for economic, financial and social consequences of the Covid-19 outbreak.

Under Article 11 of the emergency law the Government is authorized during 3 months to act in order to limit the shutdown of businesses and the impact on employment, on the following :

- set limitations on redundancies and mitigate the consequences of the decrease of business by facilitating and strengthening partial activity;
- enable company or industry-wide agreements to authorize employers to impose or modify paid vacations dates, within the limit of six working days ;
- entitle any employer to unilaterally impose or modify the dates of additional rest days in lieu of overtime (*RTT*), rest days provided by fixed annual working time agreements and rest days allocated to the employee's time savings account ;
- enable businesses that are essential to the safety of the country or to the continuity of the economic and social life to implement more flexible working time rules, including weekly rest and Sunday rest;
- exceptionally modify the pay dates for mandatory and voluntary profit-sharing plans (*accords de participation et d'intéressement*);
- change the due date and payment conditions of the so-called "Macron bonus" (*prime exceptionnelle de pouvoir d'achat dite "Prime Macron"*)
- amend the process for information and consultation of the employee representatives, in particular the Social and Economic Committee (*CSE*), to enable them to deliver solicited opinions within the appropriate timeframe and to suspend currently ongoing electoral processes of the members of Social and Economic Committees.

On March, 23, 2020, Prime Minister Edouard Philippe announced on TV that many decrees would be enacted relating to these items as of Wednesday March, 25.

Companies are really looking forward to these first measures which will hopefully clarify French labor law which was raising more issues and questions as of the beginning of the outbreak.

