

The forfait jours before the judges

The Grand Accord¹ was supposed to bring more clarity, equity and legal security. None of these objectives were attained: the new working hours are only causing further disarray, all categories of personnel have suffered an erosion of benefits secured via a half-century of struggles, while the legal security is based on a dangerous gamble by the signatories of the collective bargaining agreement of 10 March 2017. While they were well aware of the serious doubts about the legality of key elements of the Grand Accord, they bet no one would dare challenge it in court.

However, the legality of at least two points of the Grand Accord remains to be proven:

- **The forfait jours for journalists**, the key measure of the Grand Accord, is it compatible with AFP's working hours and its public interest mission? Since the forfait jours was first introduced in the negotiations *SUD* has raised its objections and questioned its legality.
- **The notion of being "on call with editorial monitoring"** is an oxymoron in our opinion. The law defines being on call as an employee's free time where they remain contactable and available to work if *necessary*. Monitoring is not free time but work, and should be paid as such.

***SUD* decided to attack these two measures in court**, with two objectives:

- **Defend the collective interest of staff**, fighting back against erosion of working conditions that to us appear to be illegal.
- **Prevent costly settlements for AFP in the future**. Keep in mind that much of the effort staff have made to cut costs has been wiped away by the need for AFP to comply with tax law due to lapses management has made down the years: non-respect of vacation pay regulations (major payout made in 2011), claims by France's social tax agency Urssaf, irregularities concerning payments to expatriates and local staff, tax fines in several countries ... We are still paying for these mistakes.

The Paris Tribunal de Grande Instance will hear on 12 December 2017 the issues raised by *SUD* under an accelerated procedure. We are asking the court to

- **Rule** that AFP journalists do not have sufficient organisational autonomy to be eligible for the forfait jours introduced by the collective bargaining agreement of 10 March 2017,
- **Rule** that being on call with editorial monitoring is work.

Paris, 30 October 2017

***SUD*-AFP (Solidarity-Unity-Democracy)**

¹ See <http://www.sud-afp.org/spip.php?article461>