

## Document of collective agreement for public works workers

### PUBLIC WORKS (TP) WORKERS

Employees to whom this applies:	Employees whose activities are the focus of the scope of application in the <a href="#">National Collective Agreement on Workers in Public Works (Convention collective nationale des ouvriers des travaux publics) of 15 December 1992</a> (article 1.1)
Date of coming into effect:	1 June 1993. Extension order of 27 May 1993, published in the Official Journal of the French Republic of 29 May 1993.

**For a general overview of the statutory provisions applicable to the various subjects handled in this document, see here: <https://travail-emploi.gouv.fr/droit-du-travail/detachement-des-salaries/article/salaries-detaches-vos-droits>**

<b>PAY</b>	
Minimum wage (by region and grade level):	<p><b><u>Graded annual minimum wages:</u></b></p> <p>The employer must allocate an annual salary that complies with the amount of graded minimum wage (SMH) set by the collective agreement (<a href="#">article 4.1</a>):</p> <p>This excludes random and exceptional allowances and bonuses (reimbursing expenses, allowances for short business trips, pay for overtime, etc.). The annual base is set for a working time of 35 hours per week.</p> <p>Please note that the minimum annual base varies depending on the grade level, which is defined on the basis of classification criteria (not according to the job identified) and the region in which the work is carried out.</p> <p>To establish the minimum wage to be allocated to the relevant seconded employee:</p> <ol style="list-style-type: none"><li>1. Determine the grade level corresponding to the tasks of the relevant seconded employee:<ul style="list-style-type: none"><li>➔ Refer to the <a href="#">methodological guide of national grading</a> which outlines the classification criteria</li></ul></li></ol> <p>The same job may be classified differently from one company to another depending on the level of responsibility in organising work, independence/initiative, technical nature and training/experience of the worker. To help, you can find an overview of the main jobs carried out in Public Works <a href="#">here</a>.</p> <ol style="list-style-type: none"><li>2. Take into account where the seconded employees are carrying out their work.</li><li>3. Determine the applicable standard minimum wage based on grade level and place of work: <a href="#">worker annual minimums 2020 or annual minimums 2019 when the salary agreement for 2020 is not yet in general application (pending extension order)</a>.</li></ol>

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**For young people under 18 years old: application of standard minimums without allowance ([article 11.1.2](#)):**

Extra pay for overtime, night shifts, working on Sunday and public holidays:

**Extra pay for overtime (article 3.8): there are no specifics for Public Works and the statutory regulations that apply are:**

- 25% for hours between the 36<sup>th</sup> and 43<sup>rd</sup> hour
- 50% from the 44<sup>th</sup> hour

**Annual share of overtime:** the share represents the maximum volume of overtime carried out per year and per employee, beyond which each hour worked automatically goes to mandatory time off in lieu. For more information on time off in lieu, click [here](#).

According to [Title 2 of the agreement of 6 November 1998 on the organisation, reduction of working time and employment in the construction industry](#), the share is set at:

- 180 hours
- 145 hours for companies that structure work time on an annual basis.

**Night shift** ([agreement on working at night for workers, ETAMs and managers of construction and public works companies of 12 July 2006](#)):

- **In cases of regular work:** hours worked between 9 p.m. and 6 a.m. must lead to the allocation of financial compensation determined in line with the company that employs the seconded workers. The collective agreement does not set any minimal sum of extra pay.

***N.B.:** those who are considered as night shift workers, as defined in the agreement of 12 July 2006, are employees who, at least twice per week, as part of their standard hours, spend at least three hours of their real daily working time working between 9 p.m. and 6 a.m. or, over an ordinary period of 12 consecutive months, spend at least 270 hours of real working time working between 9 p.m. and 6 a.m.*

- **In cases of scheduled night shifts:** extra pay determined in line with the company that employs the seconded workers. The collective agreement does not set any minimal sum of extra pay.

**Working on Sunday:** no standard increase

**Legally scheduled work on public holidays ([article 5.1](#)):** 100% extra pay for hours worked on public holidays. For more information on statutory national public holidays, click [here](#)

**Making up hours lost due to bad weather ([article 3.16](#)):** Working hours lost due to bad weather can be worked within the limitations of the applicable statutory

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	<p>provisions (articles R. 3121-34 and R. 3121-35 French Labour Code (<i>code du travail</i>)). However, they give rise to increases for overtime.</p> <p>On production floors and mountain construction sites in which work has been stopped for at least 3 months, working hours that have not been used may, for compensation, be made up, up to a maximum limit of 120 hours per year. However, hours after the 39<sup>th</sup> working hour in a week will lead to extra pay for the overtime. This ability to make up lost work hours must be distinguished from compensation for leave linked to bad weather by the insurance fund for bad weather leave, which must independently take action for the hours made up. For more information on this subject, please refer to the <a href="#">CNETP general documentation</a>.</p>
Bonuses and allowances:	<p><b>Holiday bonuses (<a href="#">article 5.8</a>):</b></p> <ul style="list-style-type: none"><li>• Allocated to workers who have worked at least 1200 hours over the course of the reference year (from 1 April to 31 March) in one or several construction companies</li><li>• 30% of paid leave allowance allocated for 24 working days</li><li>• Calculated and allocated by the paid leave insurance fund</li></ul> <p><b>Paid leave allowances (<a href="#">article 5.5</a>):</b></p> <ul style="list-style-type: none"><li>• Based on 2.5 working days of paid leave per month, limited to 30 days per year</li><li>• Of up to 1/10th, based on the total remuneration obtained by the beneficiary over the course of the reference year (1 April - 31 March)</li><li>• Or, if it is more favourable: the regulation specific to the construction industry known as “rate by time” that sets the allowance sum at 1/10th of the last monthly/hourly wage at the time of leave, multiplied by the real working time.</li></ul> <p>For more information on this subject, please refer to the <a href="#">CNETP general documentation</a>.</p> <div data-bbox="628 1585 1423 1962" style="border: 1px solid black; padding: 10px;"><p>Employers who send employees on temporary secondment on national territory are subject to liability conditions to leave and bad weather insurance funds (<a href="#">French Labour Code, article L. 1262-4 7°</a>). In some cases, however, the comparability of rights to leave for the secondment period may be recognised (see below).</p><p>In the event of registration with and contributions to a French insurance fund, these allowances will be allocated by the insurance fund to which contributions are paid. For more</p></div>

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<p>Bonuses and allowances specific to the industry:</p>	<p><b>Travel allowance in the context of short business trips</b> (<a href="#">articles 8.1 and 8.7</a>) (see the detailed explanations in the file “allowances for short business trips”):</p> <ul style="list-style-type: none"> <li>• For workers who move around on construction sites</li> <li>• Daily, standard fee and set as a total value</li> <li>• Amount negotiated annually by the regions</li> <li>• The amount is determined according to the zone (= distance as the crow flies between the headquarters, branch, the local office or the town hall of the canton capital and the construction site)</li> <li>• Not due when the worker is given free accommodation by the company on the construction site or in its immediate vicinity</li> </ul> <p><b>Scale:</b>  <a href="#">Scales 2020</a> or <a href="#">scales 2019</a> if the collective agreements that set these scales for 2020 are not yet in general application (pending extension order).</p>
<p><b>WORK-RELATED EXPENSES:</b></p>	<p>Expenses incurred at the employer’s request with regard to transport, accommodation and meals as part of a business trip in France during the secondment period must be reimbursed by the employer.</p>
<p>(Payment conditions)</p>	<p>For workers who do not work desk jobs employed on construction sites:</p> <p><b>1- If they are able to return home every evening: Allowances for short business trips</b> (<a href="#">articles 8.1 to 8.7</a>). For detailed explanations, click here:</p> <ul style="list-style-type: none"> <li>• Meal, transport allowances</li> <li>• Daily and standard amount and amount set as a total value</li> <li>• Amount negotiated annually by the regions</li> <li>• The amount is determined according to the zone (= distance as the crow flies between the headquarters, agency, the local office or the town hall of the canton capital and the construction site)</li> </ul> <p><b>Scale:</b>  <a href="https://www.fntp.fr/infodoc/travail-protection-sociale/deplacements/indemnitees-de-petits-deplacements/nouveaux-montants">https://www.fntp.fr/infodoc/travail-protection-sociale/deplacements/indemnitees-de-petits-deplacements/nouveaux-montants</a></p> <p><b>Scale:</b>  <a href="#">Scales 2020</a> or <a href="#">scales 2019</a> if the collective agreements that set these scales for 2020 are not yet in general application (pending extension order).</p> <p><b>2- If they cannot return home:</b></p> <p>Obligation to reimburse expenses, but not allowances set by the collective agreement.</p> <p><i>The system for long business trips (<a href="#">articles 8.10 to 8.18</a>) is applicable only if the seconded worker is sleeping in a location other than their standard residence declared in metropolitan France.</i></p>

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<b>DURATION OF WORKING TIME</b>								
Duration of working time:	<p><b>35 hours per week</b></p> <table border="1" data-bbox="502 347 1469 1608"> <thead> <tr> <th data-bbox="502 347 986 389">Duration of working time</th> <th data-bbox="986 347 1469 389">Maximum durations</th> </tr> </thead> <tbody> <tr> <td data-bbox="502 389 986 1133"> <p>Variation = application of <a href="#">article 5 of Title 1 of the agreement of 6 November 1998 on the organisation, reduction of working time and employment in the construction and public works industries</a></p> <p>These provisions apply if the company applies an annual structure to working time for a period of 12 consecutive months.</p> <p>The employees concerned must have been made aware of the implementation of this variation in advance.</p> </td> <td data-bbox="986 389 1469 1133"> <ul style="list-style-type: none"> <li>• Maximum duration of working time per day: 10 hours, which can be increased by 2 hours depending on requirements for specific activities in maintenance/operations and services, although this additional time cannot go on for more than 15 weeks.</li> <li>• Maximum duration of working time over the course of one week: 46 hours.</li> <li>• Average duration of working time per week calculated over a period of 12 consecutive weeks: 45 hours.</li> <li>• Average duration of working time per week calculated over a calendar quarter: 43 hours.</li> </ul> </td> </tr> <tr> <td data-bbox="502 1133 986 1608"> <p align="center"><b>Excluding variation = application of article 3.7 of the collective agreement</b></p> </td> <td data-bbox="986 1133 1469 1608"> <ul style="list-style-type: none"> <li>• Maximum duration of working time per day: 10 hours.</li> <li>• Maximum duration of working time over the course of one week: 48 hours.</li> <li>• Average duration of working time per week calculated over a period of 12 consecutive weeks: 46 hours.</li> <li>• Average duration of working time per week calculated over a calendar quarter: 44 hours.</li> </ul> </td> </tr> </tbody> </table> <p><b>Principle of a work week over 5 days (<a href="#">article .12</a>)</b></p> <p><b>Weekly rest period (<a href="#">article 3.12</a>):</b></p> <ul style="list-style-type: none"> <li>• Principle: a minimum of 48 hours of rest period, equivalent to two consecutive days, one of which is Sunday and the other Saturday, except for exceptions.</li> </ul>		Duration of working time	Maximum durations	<p>Variation = application of <a href="#">article 5 of Title 1 of the agreement of 6 November 1998 on the organisation, reduction of working time and employment in the construction and public works industries</a></p> <p>These provisions apply if the company applies an annual structure to working time for a period of 12 consecutive months.</p> <p>The employees concerned must have been made aware of the implementation of this variation in advance.</p>	<ul style="list-style-type: none"> <li>• Maximum duration of working time per day: 10 hours, which can be increased by 2 hours depending on requirements for specific activities in maintenance/operations and services, although this additional time cannot go on for more than 15 weeks.</li> <li>• Maximum duration of working time over the course of one week: 46 hours.</li> <li>• Average duration of working time per week calculated over a period of 12 consecutive weeks: 45 hours.</li> <li>• Average duration of working time per week calculated over a calendar quarter: 43 hours.</li> </ul>	<p align="center"><b>Excluding variation = application of article 3.7 of the collective agreement</b></p>	<ul style="list-style-type: none"> <li>• Maximum duration of working time per day: 10 hours.</li> <li>• Maximum duration of working time over the course of one week: 48 hours.</li> <li>• Average duration of working time per week calculated over a period of 12 consecutive weeks: 46 hours.</li> <li>• Average duration of working time per week calculated over a calendar quarter: 44 hours.</li> </ul>
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	<ul style="list-style-type: none"><li>• Exceptional cases allowing work on Saturday: urgent works due to security or safeguarding equipment or the works. In this case, the second day of the weekly rest period will be Monday.</li></ul> <p><b>In the event of working on a Saturday or Monday</b> (<a href="#">article 3.13</a>): time off in lieu of the same duration as the time worked, compensated for 50% of its duration (e.g. 4 hours of time off in lieu, only 2 hours compensated at 100%)</p> <p><b>Permanent exemption hours</b> (<a href="#">article 3.9</a>):</p> <ul style="list-style-type: none"><li>• allows the employer to extend the duration of working time per day for relevant employees to carry out preparatory or additional works for normal work or to manage exceptional circumstances.</li><li>• obtained as of right: they therefore do not need prior authorisation from the health and safety inspector.</li><li>• are considered as overtime and must thus lead to the applicable extra pay.</li><li>• are not included in the share of overtime and therefore do not lead to time off in lieu.</li><li>• the list of works, and not jobs, that may give rise to an exemption is restricted for each professional activity in public works. For more information on these works, click <a href="#">here</a></li></ul> <p>For the public works industry, the aim is:</p> <ul style="list-style-type: none"><li>- the work of supervisory staff concerning preparing works to be carried out by the institution - 1 hour maximum</li><li>- the work by vehicle drivers, delivery drivers, warehouse clerks - 1 hour maximum</li></ul> <p>(Example of practical application: employee who drives a company vehicle from the depot to the construction site and transports colleagues)</p> <p><b>Making up hours lost due to bad weather</b> (<a href="#">article 3.16</a>):</p> <p><b>Specific hours in the event of heavy work</b> (art. 3.18):</p> <ul style="list-style-type: none"><li>• works concerned: list in article 3.18</li><li>• breaks equal to 10% of the time spent doing heavy work</li><li>• paid and considered as real working time</li></ul>
Annual paid leave:	<p><b>30 working days.</b></p> <p><b>Paid leave according to length of service</b> in line with the time spent working at one or several companies that have a paid leave insurance fund, in working days (2 days = 20 years, 4 days = 25 years, 6 days = 30 years)</p> <p><b>Leave for family events</b> (<a href="#">article 5.2 of the French Labour Code</a>):</p>

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	<b>EVENT</b>	<b>WORKERS</b>
	<b>Marriage or civil partnership (in France - civil solidarity pact (PACS))</b>	4 days
	<b>Marriage of a child</b>	1 day
	<b>For each birth occurring in the employee's household</b>	3 days
	<b>For the arrival of a placed child in preparation of its adoption</b>	3 days
	<b>Death of a child</b>	5 days
	<b>Death of a grandchild</b>	1 day
	<b>Death of a spouse, PACS partner or common-law spouse</b>	3 days
	<b>Death of father, mother, stepfather or stepmother</b>	3 days
	<b>Death of a grandparent</b>	1 day
	<b>Death of a brother or sister</b>	3 days
	<b>Death of a stepbrother or stepsister</b>	1 day
	<b>Learning of a child's disability</b>	2 days
Time off in lieu:	<b>100% time off in lieu must be planned for all overtime worked outside the annual share (<a href="#">article 3.6</a>).</b>	
Public holidays:	<p><b>(<a href="#">article 5.1</a>)</b></p> <p><b>Worked:</b> with the exception of 1 May</p> <p><b>If not worked:</b> keep pay only if the worker has 200 hours worked in the two months before the public holiday and worked the day before and after the public holiday (unless ill, authorised absence), subject to statutory provisions that are more favourable towards the employee.</p>	
Duration of working time for young workers (between 16 and 18 years old):	<p><b>No standard public works provisions, application of French Labour Code</b></p> <p><b>35 hours per week</b></p> <p><b>Option of adjusted maximum hours</b> (40 hours per week and 10 hours per day) when the collective organisation of work justifies it (<a href="#">order n°2018-1139 of 13 December 2018</a>)</p>	

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<p><b>PROVISIONS RELATED TO APPRENTICESHIP:</b></p>																									
<p>(if necessary, duration of working time, pay)</p>	<p><b>Pay higher than statutory pay</b> (agreement of 8 February 2005, extended by the order of 17 August 2005 and order of 28 December 2018 for the age bracket 26 years and above).</p> <table border="1" data-bbox="550 459 1420 772"> <thead> <tr> <th rowspan="2">Year of contract</th> <th colspan="4">Age of apprentice</th> </tr> <tr> <th>16/17 years</th> <th>18-20 years</th> <th>21-25 years</th> <th>26 years and over (*)</th> </tr> </thead> <tbody> <tr> <td>1<sup>st</sup> year</td> <td>€608.49 (40%)</td> <td>€760.61 (50%)</td> <td>€836.67 (55%)</td> <td>€1521.22 (100%)</td> </tr> <tr> <td>2<sup>nd</sup> year</td> <td>€760.61 (50%)</td> <td>€912.73 (60%)</td> <td>€988.79 (65%)</td> <td></td> </tr> <tr> <td>3<sup>rd</sup> year</td> <td>€912.73 (60%)</td> <td>€1064.85 (70%)</td> <td>€1216.98 (80%)</td> <td></td> </tr> </tbody> </table> <p>(*): % of guaranteed minimum growth wage (SMIC) or the standard minimum related to the job, if that is more favourable. The sums given in the table correspond to remuneration in % of SMIC.</p> <p><b>Scale of standard minimums:</b>  <a href="https://www.fntp.fr/sites/default/files/content/minima_ouvriers_2019.pdf">https://www.fntp.fr/sites/default/files/content/minima_ouvriers_2019.pdf</a></p>	Year of contract	Age of apprentice				16/17 years	18-20 years	21-25 years	26 years and over (*)	1 <sup>st</sup> year	€608.49 (40%)	€760.61 (50%)	€836.67 (55%)	€1521.22 (100%)	2 <sup>nd</sup> year	€760.61 (50%)	€912.73 (60%)	€988.79 (65%)		3 <sup>rd</sup> year	€912.73 (60%)	€1064.85 (70%)	€1216.98 (80%)	
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<p><b>MATERNITY:</b></p>	<p><b>Lengths of breaks for pregnant women who do not work desk jobs (e.g. those who work at construction sites) (<a href="#">article 6.6</a>):</b></p> <ul style="list-style-type: none"> <li>• From the 3<sup>rd</sup> month of pregnancy</li> <li>• 15 minutes in the morning and 15 minutes in the afternoon, or 30 minutes in either the morning or afternoon</li> <li>• Paid at wage rate</li> </ul>																								
<p><b>PROVISIONS SPECIFIC TO THE INDUSTRY OF ACTIVITY</b></p>																									
<p>(depending on the specific features)</p>	<p><b>Obligation to hold a construction industry identification card:</b></p> <ul style="list-style-type: none"> <li>• Employees concerned: those who “carry out, manage or organise, even if occasionally, indirectly or on an ancillary basis, on a site or building site or public works,” the following works:</li> <li>• Excavation, earth-moving, clean-up operations, construction, assembly and disassembly of prefabricated elements, internal or external construction or fittings, restoration or renovation, demolition or transformation, clearing, maintenance or upkeep for works, refurbishment or repairs, as well as painting and cleaning pertaining to these works and</li> </ul>																								



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all additional tasks that are directly connected and mandatory, regardless of the status (seconded employees, seconded temporary employees)

- application to the Union des caisses de France (UCF) via the website <https://www.cartetbtp.fr/> once the secondment declaration has been carried out

**Statutory system for time not worked due to bad weather** (article L. 5424-6 and following; D. 5424-7 and following):

- Suspension of the work contract in the event of bad weather (e.g. flooding, frost) that would make it dangerous or impossible to carry out the work with regard to the health and safety of employees or the nature of the work to be carried out and the methods for doing so.
- Compensation from the employer to employees who worked 200 hours during the 2 months before the stop in operations.

**Obligation to make contribution to leave and bad weather funds:**

Employers who send employees on temporary secondment on national territory are subject to liability conditions to leave and bad weather insurance funds (article L. 1262-4 7° of the French Labour Code). Companies that are domiciled in another Member State of the European Union or in one of the other countries that are part of the European Economic Area may be exempt from these obligations if they can justify that their employees receive their rights to paid leave for the duration of the secondment under conditions that are at least equivalent to those provided by French legislation.

In the event that the employer has to be affiliated with the fund:

- The compensation for leave is allocated to seconded workers by the insurance fund to which contributions have been made.
- the bad weather allowances are reimbursed by the employer's insurance fund when the employee fulfils the allowance conditions.

*For more information:*

Point of contact with employer organisations

[social@fntp.fr](mailto:social@fntp.fr)  
[d.lemaire@cnatp.org](mailto:d.lemaire@cnatp.org)

Point of contact with trade union organisations

<https://www.fntp.fr/infodoc/travail-protection-sociale/relations-collectives-de-travail/adresses-des-organisations>