

**Collective agreement manual for workers employed by construction companies with up to 10 employees
(IDCC 1596)**

WORKERS EMPLOYED IN CONSTRUCTION COMPANIES WITH UP TO 10 EMPLOYEES

Targeted employees:	Seconded employees engaged in work which falls within the scope of the National Collective Agreement of 8 October 1990 for workers employed by construction companies covered by the Decree of 1 March 1962 (i.e. with up to 10 employees).
Date of coming into effect:	<i>1 March 1991</i> , extension order of 12 February 1991, published in the Journal Officiel de la République française of 15 February 1991

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>

PAY	
minimum salary (classification/corresponding minimum salary):	<p>Classifications Refer to Article 12.1 et seq. of the National Collective Agreement ('NCA') and to the Guide d'utilisation de la classification nationale de la convention collective nationale du 8 octobre 1990).</p> <p>Minimum monthly salary The employer must pay a monthly salary that respects the amount of the minimum wages set at the regional level. The scales are based on an average monthly schedule of 151.67 hours or an average of 35 hours per week over the year. The salary actually paid to the seconded employee must correspond to the hours worked during the month in question.</p> <p>The minimum monthly compensation varies according to the classification level, defined on the basis of classification criteria and the region in which the work is carried out.</p> <p>To establish the minimum monthly remuneration to be paid to the relevant seconded employee:</p> <ol style="list-style-type: none"> 1. Determine the classification level corresponding to the tasks of the seconded employee in question 2. Take into account where the seconded employees are carrying out their work 3. Based on classification and location, determine the applicable standard minimum wage <p>These minimum wages shall apply to young workers under the age of 18, without reduction (Article 11.1).</p>
Additional payments for overtime, night work, work on Sundays and holidays:	<p>Additional payment for overtime (Article 3.17) There is no specific collective agreement, the rules of the French Labour Code (Code du travail) apply:</p> <ul style="list-style-type: none"> - 25% for hours between the 36th and 43rd hour - 50% from the 44th hour -

**Collective agreement manual for workers employed by construction companies with up to 10 employees
(IDCC 1596)**

Hours recovered following a period of unemployment due to inclement weather: application of additional payments for overtime.

Exceptional case (Article 3.28): in mountain workshops or work sites where work is interrupted for at least 3 months, the hours not worked may, by way of compensation, be recovered up to a maximum of 120 hours per year. In this case, the hours beyond the 39th weekly hour are subject to overtime pay.

Annual overtime quota (Article 3.13):

- 145 hours per calendar year for employees whose work time is annualised
- 180 hours per calendar year for employees whose work time is not annualised.

Additional payment for night hours

- **For employees who meet the definition of night worker** ([*Accord collectif national du 12 juillet 2006 relatif au travail de nuit des ouvriers, des ETAM et des cadres des entreprises du bâtiment et des travaux publics \(National Collective Agreement of 12 July 2006 on night work for workers, regular employees, technicians and supervisory employees and managers of construction and public works companies\)*](#))
 - the hours worked between 9 p.m. and 6 a.m. must give rise to the payment of financial compensation determined by the company employing the seconded employees. The collective agreement does not set any minimal sum of extra pay.
 - allocation of 1 day off between 270 and 349 hours of work or 2 days off if 350 hours worked or more (between 21 hours and 6 hours over 12 consecutive months);
 - transportation, if necessary, to come to work and/or to return home;
 - food allowance (meal allowance);
 - 30-minute break (unpaid) for a night shift of at least 6 hours.

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

- **In the event of exceptional night work:** no additional payment is provided for by the Collective Agreement.
- **In the case of night work that is neither usual nor exceptional:** compensation determined by the company that employs the seconded employees. The collective agreement does not set any minimal sum of extra pay.

Additional payment for working on Sundays: no additional payment under the collective agreement.

Additional payment for working on holidays: ([Article 5.11](#)):

If a holiday is worked in the company, it will be paid twice:

**Collective agreement manual for workers employed by construction companies with up to 10 employees
(IDCC 1596)**

	<ul style="list-style-type: none">– once for the work done on that day, by the normal payment of the wages corresponding to the hours worked on the holiday;– and once for the holiday for workers who were entitled to continued payment in the event of unemployment on the holiday in question.
<p>Bonuses and allowances</p>	<p>Holiday bonuses (Article 5.25)</p> <ul style="list-style-type: none">- Beneficiaries: workers having worked at least 1,675 hours during the reference year (1 April to 31 March) in one or more Building or Public Works companies- Amount: 30% of the holiday allowance corresponding to 24 working days, i.e., calculated on the basis of 2 working days of holiday per month worked. The bonus is paid at the same time as the holiday pay. <p>In addition to the holiday bonus, the monthly salary constitutes the remuneration of the Construction Workers for all aspects of the normal and usual exercise of their trade.</p> <p>Therefore, no standard bonus or allowance is due to them in addition to the monthly salary, for the work they perform in this capacity (Article IV-1).</p>
<p>WORK-RELATED EXPENSES</p> <p>Short-distance travel allowances</p>	<p>The purpose of the system of short-distance travel allowances (Article 8.11) is to compensate workers in construction companies for the additional expenses incurred by them due to the frequency of travel, due to the mobility of their workplace.</p> <p>The short-distance travel allowance scheme consists of the following three professional allowances:</p> <ul style="list-style-type: none">- meal allowance;- transportation allowance;- travel allowance, <p>which are paid to the employees who qualify.</p> <p>These expense reimbursement allowances are paid daily, at a flat rate and are fixed in absolute value.</p> <p>1) Beneficiaries(Article 8.12) Non-sedentary workers, i.e., those employed on construction sites and not those working in the company's fixed and permanent quarters.</p> <p>2) Concentric zones (Article 8.13) Establishment of a system of concentric zones to determine the amount of travel and transportation allowances. These 5 zones are 10 km apart as the crow flies. The starting point of these concentric zones is set at the company's head office (or its regional or local branch if the branch has been open for more than a year prior to the opening of the site). When the company is located more than 50 km away, the starting point of these concentric zones is set at a geographical point, town hall or city hall of the capital of the canton on whose territory the work site is located (Articles 8.13 and 8.14).</p>

**Collective agreement manual for workers employed by construction companies with up to 10 employees
(IDCC 1596)**

3) Types of short-distance travel allowances

a) meal allowance ([Article 8.15](#))

The purpose of the meal allowance is to compensate for the additional cost of eating lunch away from the worker's usual residence.

The meal allowance is not due from the employer when:

- the worker takes their meal at their usual residence;
- there is a company restaurant on site and the meal is provided with a financial contribution from the company equal to the amount of the meal allowance
- the meal is provided free of charge or with a financial contribution from the company equal to the amount of the meal allowance.

The amount of the meal allowance is set by territorial collective agreements.

b) transportation allowance ([Article 8.16](#))

The purpose of this allowance is to provide a lump-sum payment for transportation costs incurred daily to and from the work site, regardless of the means of transportation used.

It is not due when the worker does not incur transport costs, in particular when the company provides transport free of charge or reimburses transport tickets.

The amount of the transport allowance is determined according to scales fixed by territorial collective agreements.

c) Commuting allowance([Article 8.17](#))

The purpose of the commuting allowance is to compensate, in a lump sum, for the hardship caused to the worker by the need to travel daily to and from the work site.

The travel allowance is not due when the worker is lodged free of charge by the company on the construction site or in the immediate vicinity of the construction site.

The amount of the commuting allowance is determined according to scales set under territorial collective agreements.

4) Amount of allowances ([Article 8.18](#))

Reimbursement of expenses: daily lump sums fixed in absolute terms

These allowances cannot be claimed along with long-distance travel allowances

Allowances for long-distance travel **Beneficiaires ([Article 8.21](#))**

**Collective agreement manual for workers employed by construction companies with up to 10 employees
(IDCC 1596)**

A worker who works on a construction site in metropolitan France and whose remoteness prevents them from returning each evening to the place of residence declared in metropolitan France by the seconded worker, taking into account the public transport available

Daily travel allowance ([Article 8.22](#))

The lump-sum allowance for long-distance travel, the amount of which is set by the company, corresponds to the normal daily expenses incurred by the displaced worker in addition to the usual expenses they would incur if they were not displaced (cost of a second home, additional food expenses and other additional expenses incurred by them due to their distance from their home).

Expenses are reimbursed by a lump sum allowance equal to the employee's normal costs of room and board.

- a) Compensation for transportation expenses and travel time for the worker at the very beginning or end of a very distant construction site job ([Article 8.24](#)):
 - Reimbursement of transport costs, in particular by 2nd-class trains:
 - for the hours included in their work schedule, not completed because of the time of departure or arrival: payment of an allowance equal to the salary that the worker would have earned if they had worked;
 - and, if applicable, for each hour of travel not included in the work schedule: payment of an allowance equal to 50% of the hourly wage (with no extra payment or premium for additional expenses)

- b) Compensation for transportation to home or work and travel time for “rest-and-recuperation” trips ([Article 8.25](#))

reimbursement of transportation costs to get to their home or place of work on the basis of receipts and at the cost of a 2nd-class train journey.

Depending on the distance (and unless there is a special agreement between the employer and the employee), the employee is granted 1 return trip:

- every week up to a distance of 250 km;
- every 2 weeks for a distance of 251 km to 500 km;
- every 3 weeks for a distance of 501 km to 750 km;
- every 4 weeks for a distance greater than 750 km.

The time spent travelling on such trips shall be compensated for the portion exceeding 9 hours at the normal rate of pay to the extent that it exceeds 9 hours either on the outward or return journey.

The worker must spend 48 hours in their place of residence.

DURATION OF WORKING TIME

Duration of working time:

Maximum duration ([Article 3.15](#)):

Collective agreement manual for workers employed by construction companies with up to 10 employees (IDCC 1596)

- the maximum daily working time may not exceed 10 hours;
- the maximum working time in a single week cannot exceed 48 hours;
- the average weekly working time calculated over any period of 12 consecutive weeks may not exceed 46 hours;
- the average weekly working time, calculated over the calendar half-year, may not exceed 44 hours.

Breaks: in the absence of collective agreement provisions, statutory provisions apply.

Number of working days in the week: principle of a 5-day work week ([Article 3.21](#)) except in exceptional cases: urgent safety or maintenance work.

For imperative reasons such as urgent or continuous work or work in premises where the public is admitted, it is possible to make workers work on a 6th day: Saturday or Monday. In addition to the payment for these hours worked on the 6th day of the week, the worker acquires a compensatory rest of the same duration. This rest, taken within a maximum of 5 weeks following its acquisition and if possible within the same calendar month, is compensated for half the hours not worked (Article 3.22).

Weekly rest period ([Article 3.21](#)):

- Principle: rest of a minimum duration of 48 hours corresponding to 2 consecutive days of rest, one of which is on Sunday and the other on Saturday as a priority or on Monday, with exceptions for urgent safety or maintenance work.
- 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.

If work occurs on Saturday or Monday ([Article 3.22](#))

Compensatory rest of the same duration as the time worked, compensated for 50% of its duration (e.g.: compensatory rest of 4 hours, of which only 2 hours are compensated at 100%)

Night worker (see section "Additional payment related to working hours")

- **Maximum daily duration:** 8 hours except for the activities referred to in Article R. 3122-5 of the French Labour Code: up to 12 hours
- **Maximum weekly duration:** 40 hours over any period of 12 consecutive weeks, which may be increased to 44 hours over a period of 12 consecutive weeks, when the organisation of work is constrained by the specifics of the sites, the response requirements, in the activities mentioned in Article R. 3122-7 of the French Labour Code (LC, Code du travail), in particular where such is justified by maintenance operations or services.

Overtime arrangements

- **Calculation method:** in the absence of collective bargaining agreement provisions, statutory provisions apply.
- **Annual overtime quota** ([Article 3.13](#)):

**Collective agreement manual for workers employed by construction companies with up to 10 employees
(IDCC 1596)**

	<ul style="list-style-type: none">- 145 hours per calendar year for employees whose working time is annualised;- 180 hours per calendar year for employees whose working hours are not annualised.• Compensatory rest (Article 3.14): exceptional overtime hours worked in excess of the quota give entitlement, in addition to payment, to compensatory rest of the same duration. This rest, which is fully compensated, must be taken within 2 months of its accrual. This rest may not be combined with other benefits having the same purpose.• Hours subject to permanent derogation (Article 3.18): hours worked outside the fixed working hours, up to a maximum of one hour per day. Those hours are treated as overtime, but without counting against the annual overtime quota for drivers.
Leave:	<p>Paid leave (Articles 5.21 and 5.22):</p> <ul style="list-style-type: none">- 2.5 working days per month worked or period assimilated under Article L. 3141-4 of the French Labour Code, up to a maximum of 30 working days, excluding additional days of leave granted for the division of leave.- The reference period for the acquisition of paid leave rights is set from 1 April to 31 March; the period for taking leave is set from 1 May to 30 April. <p>→ <i>Obligation to contribute to paid leave funds:</i></p> <p><i>Employers who temporarily second employees to the national territory are subject to the conditions of membership of vacation funds (LC., Art. L. 1262-4, 7°).</i></p> <p><i>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 prove 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 under French legislation.</i></p> <p><i>Where the employer has to join the insurance fund, the compensation for leave is allocated to seconded workers by the insurance fund to which contributions have been made.</i></p> <p>Additional seniority pay (Article 5.24): additional holiday pay based on whether or not the worker has continuous seniority in the same company, equivalent to:</p> <ul style="list-style-type: none">- 2 days for 20 years- 4 days for 25 years- 6 days for 30 years <p>Holiday pay: see above under "Compensation" > "Bonuses and perquisites".</p>

**Collective agreement manual for workers employed by construction companies with up to 10 employees
(IDCC 1596)**

Family leave: ([Article 5.12](#) and French Labour Code)

Event	Duration of absence
Wedding	4 days
PACS civil solidarity pact	4 days
Birth or adoption	3 days
Son or daughter's wedding	1 day
Funeral of spouse or partner	3 days
Funeral of a child	5 days or 7 working days when the deceased child was under 25 years of age, or regardless of age if the child was a parent, or in the event of the death of a person under 25 years of age who was an actual and permanent dependant. + 8 days in the event of the death of a child under 25 years of age or of a person under 25 years of age who was an actual and permanent dependant.
Funeral of a parent	3 days
Funeral of a grandparent, stepbrother, stepsister, grandchild	1 day
Funeral of stepfather or stepmother, brother or sister	3 days
Diagnosis of a disability in a child	2 days

Public holidays:

Not working on public holidays: ([Article 5.11](#)):

legal holidays are paid under the conditions provided for by law for 1 May (including during periods of unemployment due to inclement weather or paid leave).

→ If the worker has less than three months of seniority in the company in which they are employed

Compensation for the holiday will be subject to the following standard conditions:

- the employee worked the day before and the day after the holiday, except in the case of authorised exceptions (absence due to illness, work accidents, absence authorised by the employer);
- the employee has worked at least 200 hours in the two months preceding the holiday in one or more construction companies

If any of these conditions is not met, the hours not worked on the holiday (except 1 May) will be deducted from the worker's monthly salary

**Collective agreement manual for workers employed by construction companies with up to 10 employees
(IDCC 1596)**

→ *If the worker has more than three months' seniority in the company, they will be entitled to compensation for the holiday without any further conditions.*

Working on holidays:

see above under "Remuneration" > "Additional payment for overtime, night work, Sunday work and work on public holidays".

Young workers
(between 16 and 18
years old):

Where there are no provisions under a collective agreement, the provisions of the French Labour Code apply.

Possibility of adjusted maximum working hours (40 hours per week and 10 hours per day) when justified by the collective work organisation (Articles L.3162-1 and R.3162-1)

Minimum wages are applicable to young workers under 18 years of age without reduction ([Article 11-1](#)).

APPRENTICESHIP

Remuneration higher than the legal salary (in application of the combined provisions of the agreement of February 8, 2005, extended by order of August 17, 2005 and decree of December 28, 2018)

Year of apprenticeship	Salaries in the Building and Public Works sector			
	Under 18 years old	18 to 20 years old	21 to 25 years old	26 years old or older
	% of the SMIC (guaranteed minimum growth wage)		% of the SMIC or the standard minimum under the collective agreement, if this is more favourable***	% of the SMIC or the standard minimum under the collective agreement, if this is more favourable***
1st year	40%	50%	55%	100%
2nd year	50%	60%	65%	
3rd year	60%	70%	80%	

*Percentage of the SMIC or the standard minimum under the collective agreement corresponding to the job actually held, if more favourable.

**Collective agreement manual for workers employed by construction companies with up to 10 employees
(IDCC 1596)**

	<p>** Related diplomas: an additional 15 points are applied to this rate in case of preparation of a diploma of the same level in one year</p>
<p>MATERNITY PROTECTION:</p>	<p>Breaks for pregnant women (Article 6.21):</p> <ul style="list-style-type: none"> - from the 3rd month of pregnancy - 15 minutes in the morning and 15 minutes in the afternoon, or 30 minutes in the morning or afternoon - paid at the actual wage rate.
<p>PROVISIONS SPECIFIC TO THE INDUSTRY OF ACTIVITY</p>	<p>Obligation to hold a Building and Public Works industry card:</p> <p>Prior to the secondment and in addition to the other formalities prescribed by law (notably the declaration of posting), the employer (or the user company located in France) shall inform the employee of the transmission of their personal data to the Union des Caisses de France and then apply for a BTP (Building and Public Works industry) card for each seconded employee on the cartebtp.fr website.</p> <p>Obligation to contribute to the Caisses de Congés Payés (“Paid Leave Funds”)</p> <p>Paid leave arrangements</p> <ul style="list-style-type: none"> • Foreign companies who are from the European Economic Area (EEA): membership of a paid leave fund is mandatory. • EEA companies (LC Art. D. 3141-26 and 3141-27): membership is not mandatory if the company is in one of the following two situations: <ul style="list-style-type: none"> - in the event of an agreement between the Union des Caisses de France and the Fund(s) in the country of origin (Germany, Austria, Italy). - if the company can prove that the employees' paid leave entitlements are equivalent for the entire period of the secondment <p>When the company concerned is a member of an institution equivalent to the Caisses de congés payés, it must prove that it has fulfilled its obligations to that institution for the duration of the secondment.</p> <p>Inclement weather arrangements (LC Art L. 1262-4,7°, L. 5424-6 et seq, D. 5424-7)</p> <p>In principle, companies whose activities in France fall within the scope of the scheme are subject to the same rules as companies established in France.</p>
<p><i>For more information:</i></p>	
<p>Point of contact with employer organisations</p>	<ul style="list-style-type: none"> • Confederation of artisans and small construction companies (CAPEB): j.andony@capeb.fr e.cliche-dissin@capeb.fr

**Collective agreement manual for workers employed by construction companies with up to 10 employees
(IDCC 1596)**

	<ul style="list-style-type: none">• Fédération française du bâtiment (FFB) : SocialEurope@national.ffbatiment.fr
Point of contact with trade union organisations	<ul style="list-style-type: none">• CFDT construction et bois (French Democratic Labour Confederation for Construction and Timber): https://www.cfdt-construction-bois.fr/contact.html• Fédération nationale des salariés de la construction, bois et ameublement (CGT, French National Federation for Construction, Timber and Furniture): http://construction.cgt.fr/contact/• Force Ouvrière construction (Construction Trade Union): http://www.foconstruction.com• CFE-CGC BTP (Confédération Française de l'Encadrement - Confédération Générale des Cadres Bâtiment et travaux public) ('French Confederation of Management General Confederation of Executives Building and Public Works Industry'): http://www.cfecgcbtp.com/fr/sections-sentations/vos-contats-en-region.html• CFTC BATI-MAT-TP (Confédération Française Démocratique du Travail Maîtres ouvriers, techniciens, agents de maîtrise Travaux Publics) : http://www.batimattp-cftc.fr/contact.html• CAPEB : SocialEurope@national.ffbatiment.fr