

THE MACRON ORDINANCES

THEME 11

Local representatives

Implementation

- **A collective agreement is required**
 - Endorsement to the agreement regarding the scope of the elections for the Social and Economic Committee (CSE)
 - Majority agreement of the union organisation representatives
- **Scope**
 - Determined by the founding collective agreement
 - Freedom of contract
 - Option of not covering all the employees
- **Appointment**
 - Theoretically by the CSE, unless there is a clause providing for appointment by the labour unions
 - Appointment of the CSE members or third parties to the organisation
 - On the other hand, the unions are not allowed to appoint third parties to the CSE

Operation

- **Attributions**
 - Topics defined by agreement
 - Required topic: health and safety, and the content must be specified in the founding agreement
- **Credit hours**
 - If the representatives are also members of the CSE, the time spent in performing their mission is deducted from the number of delegation hours they are entitled to under their CSE member mandate
 - If the representatives are not CSE members, the credit hours they are entitled to are set by the agreement that establishes them
- **Protected status**
 - The field representatives are entitled to protected employee status

Sources

[Articles 1 et seq. of ordinance 2017-1386 of 22 September 2017 related to the new organisation of social and economic dialogue within the company and developing the exercise and enhancement of labour union responsibilities](#)
[Decree n° 2017-1819 of 29 December 2017 related to the Social and Economic Committee](#)
[Article L. 2232-12, article L. 2313-2, article L. 2313-7, article L. 2411-1, article L. 2421-3 of the Labour Code](#)
[Article R. 2314-1, articles R. 2421-8 et seq. of the Labour Code](#)