



A “solidarity day” has been established by the law of the 30<sup>th</sup> June 2004 in order to finance the government’s actions related to the autonomy of the disabled and senior citizens.

This solidarity gesture takes the shape of :

- A supplementary day of work (i.e. 7 hours), without pay, for the employees
- And an additional contribution on the payroll, for the employers

The extra day worked may be :

- Either during a bank holiday (except the 1<sup>st</sup> of May)
- Or during a RTT day
- Or during another day in the year according to the collective bargaining agreement

In theory, the date of the solidarity day is to be decided by the collective bargaining agreement, according to the article L.3133-8 of the labour code.

NB : The collective bargaining agreement SYNTEC has not set any particular date for the solidarity day.

If the solidarity day is not set by the collective bargaining agreement of the company, the employer will have to define how this solidarity day is organised, after consulting the staff representatives (if they exist).

Before the law of the 16<sup>th</sup> June 2008, the solidarity day was, in the absence of a stipulation in the collective bargaining agreement, Whit Monday.

Since 16<sup>th</sup> June 2008, the solidarity day is not automatically fixed as Whit Monday (except if a collective bargaining agreement has decided so), but it is a day chosen by the employer after consulting the staff representatives.

### Summary :

The solidarity day (an extra day worked, without pay) may be a bank holiday (except the 1<sup>st</sup> of May), a RTT day or a vacation day (if stipulated by the collective bargaining agreement of the company). The employer has to pay an additional contribution.

If your collective bargaining agreement has not stipulated anything about the solidarity day, and in the absence of staff representatives in your company, you may choose:

- to set the solidarity day on Whit Monday, or on any other bank holiday, which therefore has to be worked by your employees
- or to reduce the number of RTT days granted to your employees by one day.



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your best consultant.**

**Don't hesitate contact us!**

This information is only a rough summary. It does not cover all the situations nor resume the whole French Employment Code - which is very intricate. Please contact us for accurate information adapted to your situation. We cannot be held responsible for any misinterpretation of this document. Edition Jun-11