



We remind you that SYNTEC collective bargaining agreement has set that every employer under SYNTEC collective bargaining agreement should pay a “holiday bonus”.

## ENTITLEMENTS

Any employee of the company can benefit from this “holiday bonus” provided that he/she is an employee of the company. The employer cannot impose any other condition, such as to the length of service, to restrain employees from receiving this “holiday bonus”.

According to SYNTEC collective bargaining agreement, each year, the global amount of the “holiday bonuses” paid should be at least equal to 10% of the global amount of holiday pay accrual as at 31st May.

As a consequence, every employer under SYNTEC CBA should each year:

1. value the holiday pay accrued by the whole staff as at 31st May of the said year
2. then decide the global amount of the “holiday bonuses” to be paid, which amount should be equal at least to 10% of the value defined above.

Then the global amount of the “holiday bonus” should be distributed among the company staff. The collective bargaining agreement indicates that the employer can notably split the global amount of “holiday bonus”:

- per headcount
- pro rata to the salaries paid (with a mark-up for employees with children)
- pro rata to the holiday pay accrued by each employee

Please note that other methods to split the global amount of “holiday bonus” can be devised. However the same method should apply for the whole holiday bonus and for all the employees.

## IMPACT OF BONUSES ALREADY PAID

However bonuses that were paid to the employee during the year can be considered as “holiday bonus” and therefore exempt the employer to pay the “holiday bonus”, provided that:

- the said bonus is equal at least to 10% of the global amount of holiday pay accrual as at 31st May
- part of said bonus is paid during the period 1st May – 31 October
- the said bonus is not part of the contractual remuneration set forth in the employment contract with the employee.

Please note that according to court rulings many bonuses cannot be considered as “holiday bonus” (e.g. commissions, “13th month-salary” set in the employment contract...)

**We are at your disposal to assist you with the implementation of SYNTEC holiday bonus and with the calculation of its forecasted cost.**

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 Apr-12