



National Report for France on Trade Unions and University Lifelong Learning

**Versailles Saint-Quentin-en-Yvelines University &
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Introduction

In France, collaboration between the trade unions and universities appears within the infrastructure for lifelong learning.

In order to define the possible cooperation fields and identify the relevant case studies, we must first describe the global framework. For starters we shall present the legal framework:

- (1) then the parties involved in these processes
- (2) the trade-union situation in France
- (3) as well as the structures established within the universities on lifelong learning.

As the presentations are very brief, the information is likely to be completed and deepened by means of the websites mentioned for each part. Furthermore the axis of development of the trade unions - universities cooperation will be analyzed.

I Global framework and its key players

I - 1 Legal framework

The mechanisms implemented within lifelong learning result from regulation texts, laws and decrees (i.e. Law of January 17th 2002 on the social modernisation, article 133 on Validation of acquired experience (VAE), Law no 2004-391 on lifelong vocational training and social dialogue), as well as the agreements negotiated between social partners (i.e. the National Inter-professional Agreement (ANI) on employee access to lifelong vocational training, ANI on the modernisation of the employment market of January 11th 2008).

As an example you can find below a presentation of the topics approached in the first statement of Law no 2004-391. This law on lifelong vocational training and social dialogue represents the legal basis for the implementation of Lifelong Vocational Training.

In the section of Book IX of the Labour Code it is written: « On the on-going vocational training within the lifelong vocational training». This Law includes the following chapters:

1st SECTION: ON THE LIFELONG VOCATIONAL TRAINING

Chapter I: General provisions,

Chapter II: Individual right to training,

Chapter III: Training schedule,

Chapter IV : Training leave,

Chapter V: Contracts and internship periods,

Chapter VI: Negotiation on training,

Chapter VII: Financial provisions,

Chapter VIII: Concerted implementation of the vocational training policies and vocational training monitoring,

Chapter IX: Learning,

Chapter X: Transitory and final provisions

All the above-mentioned reference texts may be found on the following website:
www.legifrance.gouv.fr, www.cncp.gouv.fr

I - 2 Lifelong learning key players

Nowadays on-going vocational training is part of the "lifelong learning" concept that includes, at all learning levels, the set of services heading towards professionalization: orientation, assessments, accompaniment, general and vocational training, validation of prior learning and experience.

The key players involved in lifelong learning gather under several categories: political players and companies, public beneficiaries, training and related services providers.

I – 2.1 Political key players and companies

The State, regional organisations, social partners and companies bring their own contribution, based on their specificity and own objectives, to the training policies and to their funding.

The State

Several ministerial departments are particularly interested in on-going vocational training:

- *The ministry for Employment and Social Cohesion* intervenes in order to facilitate the "governance" of the vocational training system by means of the body of institutions and relevant key players. The Ministry also intervenes in the funding granted to the training of target groups with particular needs (immigrant workers, disabled persons, prisoners, women etc.).
- *The Ministry of National Education and Higher Education*, is the provider and at the same time a partner in the implementation of the training policies.
- *Ministries responsible for specific fields: agriculture, health.*

Regions

The regions define and implement the regional vocational training and learning.

They are particularly confined, by Law of August 8th, 2008 to liberties and local responsibilities, and a responsibility to implement the regional development plan on vocational training of young people and adults(R.R.D.F.P.).

The R.R.D.F.P is an instrument intended to link the initial training networks with the continuing education networks for access to and preservation of work. The regions are authorities that increasingly stimulate, coordinate and regulate the initiatives of the public and private training partners.

Companies

Companies comprising 10 or more employees have a *legal obligation in terms of financing the on-going training* of 1.6% of the total number of their employees. Companies *with less than 10 employees have a 0.55% obligation*. Such legal obligation represents the minimum requirement. A lot of companies consider continuing education to be an investment granting it therefore an important role. Within a company the training plan is expressed by training actions decided by the employer.

Furthermore an employee may ask for individual training leave. Law of May 4th 2008 on lifelong vocational training introduced significant modifications in the rights and obligations applied both to companies and to employees:

- provision of individual vocational training,
- negotiation on training sessions (during or out of working hours),
- professional development (contracts or internship periods), and
- validation of acquired experience.

The vocational branches define the priorities set for the employees within companies belonging to certain branches. Their role is highly expressed ever since the national agreement on inter-vocational training of 2003.

I – 2.2 Lifelong learning beneficiaries

- Employees from the private sector:

They are trained based on: a company's training schedule, individual training leave, "individual right to training" (20 hours per year within a 6-year period). Such training may focus on job adaptation, preservation or progress or skills development.

- Employees working within administrations, communities and hospitals:

They are entitled to equivalent training rights and moreover they have a statutory obligation to attend certain training.

- Job applicants:

They benefit from training financed by Assedic, the Local Councils or State. They may also integrate training within a contract or internship.

- Young people aged between 16 and 26 years old (who have left the school system with no qualification or with an insufficient one):

In order to obtain a qualification allowing them to enter the employment market they benefit from numerous measures especially "assisted" labour contracts possibly including training periods (for instance, learning contracts, internship contracts).

- Self-employed (e.g. farmers, craftsmen, freelancers, merchants, liberal professions):

They also can attend training courses due to their contributions brought to the collecting bodies responsible for mutualising and funds redistribution.

The employees as well as the job applicants have the right to draft a skills assessment after attending any on-going training or to have their acquired learning from experience validated. These rights result from legal evolutions, agreements between branches and companies, regional policies on training.

For more information, please visit: <http://www.service-public.fr>, www.education.gouv.fr, www.centre-inffo.fr

I – 2.3 Training providers

In France 48,000 training bodies are registered. Among the public training bodies, the most important are Greta, Afpa and the continuing education services provided by the universities. The associations and parapublic bodies such as the Chamber of Commerce and the Guild Chambers play a significant role as well. Regarding the private bodies, they are very numerous in France as any citizen may perform continuing education activity.

I - 3 Trade Unions in France

I – 3.1 Trade Union Representation

Based on the provisions of the Order of May 31st 1966, five confederations are acknowledged as "rightful representatives". Here they are, in alphabetical order:

- French Confederation of Management – General Confederation of Executives (CFE-CGC)
- General Confederation of Labour (CFDT) affiliated to the European Trade Union Confederation (CES)
- French Confederation of Christian Workers (CFTC) affiliated to CES
- General Confederation of Labour (CGT) affiliated to CES
- Workers' Force (CGT-FO) affiliated to CES

Based on this Order, these Trade Unions are the only ones authorized to sign agreements at national and inter-vocational level. Within a company, any vocational trade union affiliated to such national level relevant organizations is considered to be representative within the structure.

The representative trade unions have a monopoly on:

- The negotiations and conclusions of conventions and collective work agreements
- Strikes triggering within the public companies.
- Negotiation of inter-vocational agreements at national level.

They are not obliged to set up a trade union section within a company so as to prove their representation but only the trade unions that have been recognized as a representative body may designate one or more trade union representatives.

In order to be validated, a company's agreement must be signed by one or more trade union representatives having acquired at least 30% of the votes expressed in the first round of elections on the considered perimeter and not having been subject to a trade union objection representing 50% of the votes.

I – 3.2 Law of August 20th 2008 amending the recognition of representative bodies

The new Law promulgated on August 20th 2008 and published in the Official Journal on August 21st is composed of 2 parts: a first Section refers to the representation rules for the trade union bodies and to their funding whereas a second section refers to the reform of the working schedule. Regarding trade union representation, the text amends the representation criteria, newly introducing the hearing of every trade union body measured based on the vocational elections. The representation threshold is set at 10% of the votes within a company and 8% at vocational branches level. At inter-vocational level the organizations having 8% of the votes at national level are not recognized unless they have been recognized also at the industry, construction, services and commerce branch level.

The validation rules for agreements have also been amended: for an agreement to be validated such agreement must be signed by trade union organizations representing 30% of the votes and it shall only be applied if no objection is raised by the organizations that obtained at least 50% of the votes.

According to the French government information (DARES), ever since the start of 1990 the number of Trade Union members in France is estimated at around 1.8-1.9 million, of which 0.2 are retired. This corresponds to an average unionization of 8.1% during 2001 and 2005 (7.2% among private sector employees, adding the State employees 9.7% in 2004). Despite the relatively small number of members, the trade union organizations are largely represented within the working areas (in 2005, 565 of the employees state that one or more trade unions are present within the company or administration they work in, compared to 50.3% in 1996. Thus a total of 41% of employees state that they are covered by a trade union at their place of work compared to 37.5% in 1996). However trade unions are more present within big companies and administrations than in smaller companies in the private sector (15% of employees have a trade union in companies with less than 100 employees, compared to 70% of the companies with more than 100 employees. Source. DARES First information First synthesis - April 2008)

Thus the reduced unionization rate is not necessarily representative of the significant role that the trade union organizations are playing in the social negotiation. Moreover, the new texts on representation are assessed in a manner to increase the unionization rate. More information is available on the website of DARES: www.travail.gouv.fr

I – 3.3 Trade union training mechanisms

Any employee is entitled to 12 days per year to attend trade union training. Therefore each trade union member must benefit from trade union training that may enable him/her to be a citizen fully participating in the trade union life.

To this end, there are several training institutions:

- internal training school of each trade union.
- The Trade Union Training Institution (ETIU) of the EUROPEAN TRADE UNION CONFEDERATION
Website : www.education.etui-rehs.org

Regarding CGT, the trade union sets the right to training as one of the essential individual and collective guarantees. Initial and continuing education represent an essential component of the claim for a full time job. It has at its disposal several training institutions:

CCFP (Vocational Training Coordination Centre)

CCFP - currently in a transformation process - (Vocational Training Coordination Centre). Set up in 1972 by CGT, it is a joint collecting body agreed by the vocational training funds. It manages funds and performs consultancy activities. It particularly works with universities, Gretas, CNAM and Emergences.

Emergences

This Training Institute set up in 1985 with the help of CGT, plays an important role in the training, education and consultancy field. Among its essential activities it decides which training will be implemented.

These training mechanisms are completed by other institutes:

Work Institutes

Work Institutes participate in the training and reflection effort of the trade union officials who need to complete their acquired experience by an university level education.

There are two vocational institutes at national level

- The Institute for Work of Strasbourg III University, set up in 1995 at the initiative of Professor Marcel David and CFTC, CGT and CGT-FO Confederations. <http://www-idt.u-strasbg.fr>
- The Institute for work social science of Paris I University where the "educational branch" was set up in 1962. It is the "CGT trade union training" that animates the two institutes.

Their activities may be classified in four subject-areas:

1. trade union training devised and delivered in close connection with the Confederations. Sessions of 3 to 5 days are available.
2. activities of the specialized documentation centres and bibliographic and documentary studies accompany the training sessions. University students linked to the two institutes have access to this.
3. university research activities.
4. 3rd level learning.

For more information regarding future training sessions visit the links to the relevant university websites below.

Regional institutes

Though they all have the same purpose, their means in terms of human and financial resources, however, are different.

These here refer to the Regional Committees of CGT, which in their structure assure the cooperation at administrative and operational level.

- Aquitaine Region: Work Institute of Bordeaux-IV University <http://www.u-bordeaux4.fr>
- Bretagne Region: Social Sciences Institute of West (Bretagne and Pays de Loire Regions), Haute-Bretagne University, Rennes-II <http://www.uhb.fr>
- Lorraine Region: Regional Work Institute of Nancy-II University <http://www.univ-nancy2.fr>
- Midi-Pyrénées Region: Regional Work Institute of Toulouse University- Le Mirail, 5, allée Antonio-Machado 31058 Toulouse Cedex <http://www.univ-tlse2.fr>
- Nord-Pas-de-Calais Region : Regional Vocational Learning Institute of Nord Pas de Calais part of the Faculty of Legal, Political and Social Sciences of Lille-II University <http://droit.univ-lille2.fr>
- Provence-Alpes-Côte d'Azur Region : Regional Work Institute Aix-Marseille-II University <http://www.univmed.fr>
- Rhône-Alpes Region
 - Social Studies Institute of the University of Social Sciences of Grenoble <http://www.grenoble-universites.fr>
 - Work and trade union training of Lumière Lyon-II University <http://www.univ-lyon2.fr>
 - Work Institute of Saint-Étienne University <http://portail.univ-st-etienne.fr>

For more information, please visit the website below: www.cgt.fr

I - 4 Common University Services on lifelong learning

I – 4.1 Higher education Structure

Over 3500 public and private institutions, provide higher education public services in France :

- 83 universities and assimilated institutions
- 224 engineer colleges
- almost 220 trading, management and accounting colleges
- over 3000 institutions of other natures, especially high schools composed of Superior Technician Sections (S.T.S.) or C.P.G.E (preparatory classes for competitive entrance exam for Grandes Ecoles).

Such institutions provide training concluding with 2500 authorized awards out of which:

- 1 350 Masters (mention level)
- 1,458 Bachelors (mention level)
- 1 620 Vocational Bachelors
- 450 Engineer Diplomas and 210 specialties
- 295 accredited PhD studies within higher education institutions

I – 4.2 Lifelong University Services

Continuing education represents one of the main missions of the higher education institutions (universities and engineer colleges) that, together with the 300,000 trainees trained each year has become a leading player in Lifelong learning.

All the universities have a continuing education service that assures an interface / dialogue with the Trade Unions, companies and individual applicants.

For more information, please visit the websites below: www.fcu.fr, www.education.gouv.fr

I – 4.3 Acquired experience validation by the University

Validation of Acquired Experience (V.A.E.) is one of the measures enabling all people, regardless of their age, education level or status, to have their learning through acquired vocational experience validated by a diploma, academic award or certificate of vocational qualification.

V.A.E. gives everybody the possibility to obtain, totally or partially, a diploma, a degree or a certificate of vocational qualification registered in the National Register of Vocational Qualifications (R.N.C.P.).

In most cases, the applicant has to provide a portfolio describing his/her vocational experience and the knowledge / skills acquired. He/She subsequently comes in front of a jury that decides whether to validate all or a part of the diploma for which the application was submitted. In cases of partial validation of the acquired experiential learning, the applicant receives recommendations to help him/her obtain a full diploma.

Within higher education, validation of acquired learning from experience existed already before implementation of VAE. At present one may have one's vocational and personal experiential learning validated so as to directly apply for a training level without having the requested diploma (decree of August 23rd 1985). The Law on social modernization of January 17th 2002 that set up VAE allows one to go still further by authorizing the universities and other higher education institutions to deliver their diplomas and degrees in a different way to the one of training and learning. VAE brings the length of experience from 5 to 3 years.

Everybody is entitled to the validation of one's learning from experience:

- employees
- self- employed
- job applicants for paid or unpaid jobs
- persons having performed social, voluntary activities, etc.

The only condition is that the individual must have performed an activity for at least 3 years in the field for which the diploma application was submitted.

For higher education graduates, the institutions' continuing education services (universities, engineer colleges) assure the implementation of VAE. For more information, please visit the websites below: www.vae.gouv.fr

II - The axis of development of the trade unions - universities co-operation

II – 1 Co-operation axis

Considering the global lifelong learning context and the role played by the trade unions and universities we may distinguish among several cooperation axis:

Informing and assisting the employees with on-going training:

- Drafting common information documents on the regulation devices and the university educational offer
- Creating a network of trade union and university correspondents on on-going training
- Participation of the university services responsible to FTLV (Lifelong learning) as service providers and specialists in pedagogical engineering, to the implementation of the company's training plan
- Organization of information common days
- Organisation of common seminars for the dissemination of collaboration examples.

A particular effort must be made to get to know the university offer and the existence of the internal continuing education, which has competences to meet the employees' needs. The diplomas and national qualifications remain essential elements in salary negotiations.

The devices, which are at the employee's initiative (Individual Training Leave, Individual Right to Formation and VAE-Acquired Experience Validation), represent important pillars of lifelong learning, and may meet other than the vocational project of the person concerned, for example also global skill evolution issues and employment preservation, in close connection with the trade union organizations within the companies.

The training of the trade union members and validation of their learning acquired from experience

Co-operation may be evident first of all by the creation of specific university training for future trade union officials. There are work institutions representing relevant examples of collaboration between the two institutions for over 50 years.

Next, considering the relative nature of the vocational and life path, between employment and the tasks of a representative trade union, between employment and training, the validation of one's acquired learning from experience becomes of huge importance, either if it's about an official, informal or non formal experience. Ever since the elaboration of a skills system of reference of trade unions to enable the facilitation of validation of their acquired experience by a diploma or certification, this has come to represent an important factor for the development of the trade unions - universities co-operation.

II – 2 Propositions for the Tulip project

Within the Tulip project. CGT and the Continuing Education Service of Versailles Saint Quentin en Yvelines University intends to approach, for the cooperation axis of VAE, the following topics:

« How to cooperate on VAE in order to use it in the individual's lifelong learning in a specific vocational path? »

The proposed working plan is the following :

- 1 – Drafting a common approach for the two institutions on the topic concerned
- 2 – Elaborating a study on the VAE practices within the university in order to identify the interesting practices regarding the topic concerned
- 3 – Presenting a few case studies focusing on acquired experience validation for trade union members
- 4 - Elaborating a system of reference of the trade union responsible

Besides the project partners (CGT and UVSQ), the working group shall also benefit from the experience of a group of experts from the trade union environment and from the work institutions as well as from universities and continuing education environment.