

HR Practical Information

Different Kinds of Leave

While we all still have in mind memories of our last vacation, the October HR Newsletter proposes to review the different kinds of leave granted by the French labor law in general and by AUP in particular.

16 days off given by AUP

According to our different company agreements, full-time employees benefit from:

- 9 annual public holidays
- 5 days called *congés mobiles conventionnels* given to all employees
- 2 extra days given to staff, in compensation of the flexibility required by AUP's specific calendar, which cannot guarantee them the possibility to take 3 or 4 consecutive weeks of paid vacation days in July or August. These days are decided by the Management in consultation with the staff representatives.

These 16 days are set by the Direction, after consultation with union representatives and published every year in the Holiday Schedule.

AUP's labour agreement can be consulted at the following address:

<https://www.aup.edu/faculty-staff/human-resources/employee-rights-benefits/labor-agreement>

Paid vacation days

AUP's employees (professors and staff members) are entitled to 6 weeks of paid vacation per year, i.e. 30 days, which accrue by 2.5 days per each effective working month.

Paid vacation days accrue on a reference period, between 1st June and 31st May of the current year.

The taking of paid vacation days is set between the employee and the manager. The request to take paid vacation days must be made in writing and sent to the manager each year by the 30th April at the latest.

The supervisor's answer must be addressed within 15 days and obligatorily before the 15th May.

Absences for personal convenience

All employees are authorized to be absent for personal convenience up to a maximum of 6 days per year. These days can be used as follows:

- Temporary illness which has not been subject to medical consultation and sick leave. The absence cannot exceed 2 consecutive days.
- Illness of a child under 16. The duration of the absence cannot exceed 1 day, except in case of a medical certificate which justifies the necessity to take care of the sick child for a longer period.
- Administrative formalities, in particular for the employee's work permit or passport renewal.
- Funeral of a relative/close relation.

Absences for family events

All employees are authorized to take exceptional leave for family events on presentation of a justification. Our labor agreement specifies that the number of days granted is increased in accordance with the travel time, i.e. one additional day for a minimum of a 400km round trip, 2 additional days for a minimum of a 800km round trip.

The number of days granted is as follows:

- 4 days, plus the travel time for one's marriage or PACS
- 3 days, for the father, for a birth in the family or the adoption of a child under 16 (these days must not be confused with the paternity leave)
- 1 day, plus the travel time, for the marriage of a child
- 1 day, plus the travel time, for the death of an ascendant (mother in law, father in law, grandmother, grandfather)
- 1 day, plus the travel time, for the death of a brother or a sister
- 4 days, plus the travel time for the death of a child, father, mother, spouse or PACS partner. In these cases, the total authorised absence is at least 5 days, travel time included.

These days of absence must be taken consecutively and in a reasonable time. They do not entail a salary cut, to the extent that the employee provides a proof to HR.

Maternity leave

All pregnant employees benefit from maternity leave before and after the expected delivery date (a minimum of 6 weeks before and 10 weeks after). The legal length of the maternity leave can be increased depending on the number of children to be born or the number of dependent children in the family.

The employee can shorten her maternity leave. In this case, she must stop working 8 weeks minimum, 6 of which after the delivery to get compensation.

In addition, the pregnant employee can shorten the prenatal leave, within the limit of 3 weeks, upon agreement of the doctor who follows her pregnancy.

In this case, the postnatal leave is increased by the same length. For example, a pregnant employee who expects her first child can go on maternity leave 3 weeks before the expected delivery date and return to work 13 weeks after the child's birth. The employee does not need to get her employer's agreement but should inform him.

The beginning of the prenatal leave can be moved forward for:

- the birth of a third child (within the limit of two weeks)
- multiple births (within the limit of four weeks).

If the prenatal leave is moved forward, the postnatal leave is shortened in due proportion.

An AUP employee on maternity leave receives her usual salary from AUP. As a result of subrogation, AUP gets daily allowances from the Social Security, calculated on the employee's 3 last salaries.

<http://www.ameli.fr/assures/droits-et-demarches/par-situation-personnelle/vous-allez-avoir-un-enfant/vous-etes-enceinte-votre-conge-maternite/duree-du-conge-maternite.php>

Paternity leave

The paternity leave's duration is 11 consecutive days (2 weeks) for the birth of one child and 18 consecutive days for multiple births. The paternity leave must be taken within four months after the birth.

The paternity leave can follow the 3-day birth leave or be taken separately.

An AUP employee on paternity leave receives his usual salary from AUP. As a result of subrogation, AUP gets daily allowances from the Social Security, calculated on the employee's 3 last salaries.

<http://www.ameli.fr/assures/droits-et-demarches/par-situation-personnelle/vous-allez-avoir-un-enfant/votre-conge-de-paternite-et-d-accueil-de-l-enfant/votre-conge-de-paternite-et-d-accueil-de-l-enfant.php>

Parental leave

All employees have the right to take a parental leave after the birth or the adoption of a child under 16.

Its initial duration is one year maximum but can be renewed twice, until the third birthday of the child.

In case of adoption, the duration of the parental leave is three years if the child is under 3 when he arrives in the family and one year if the child is more than 3 and under 16 when he arrives in the family.

The employer cannot oppose whatever the size of the company is.

Attention! During the parental leave, the employee does not receive any compensation from the employer but receives allowances from the Caisse d'Allocations Familiales (Complément de Libre Choix d'Activité – CLCA). The amount received depends on whether the employee is on a full-time or on a part-time parental leave.

<https://www.caf.fr/vies-de-famille/elever-ses-enfants/conge-parental/les-nouvelles-regles-du-conge-parental>

Unpaid leave

All employees can ask for an unpaid leave. However, the employer does not always have a legal obligation to approve it. The unpaid leave can be requested for personal or professional purposes (creating a new business, working for another employer eventually, except in case of a non-competition clause).

In case of the employer's approval, the contract is suspended for the duration of the unpaid leave.

<http://travail-emploi.gouv.fr/informations-pratiques,89/fiches-pratiques,91/conges-et-absences-du-salarie,114/le-conge-sans-solde,1043.html>

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Congé individuel de formation (CIF)

Employees who have been salaried workers for at least 24 months (consecutively or not), of which at least 12 working for The American University of Paris, may request an unpaid educational leave of up to one year.

Limited funding to help employees to benefit from this opportunity is available through an organisation called FONGECIF. Part of the University's contribution for Continuing Education programs is paid to this organisation, which then distributes the funds at its disposal among the employees of the contributing companies. Decisions about funding are made by a commission over which the employer has no influence, based on the merits of the individual requests. When funding is granted, FONGECIF pays the tuition for the course to be followed and all or part of the lost salary.

<http://www.fongecif-idf.fr/>

There are many other kinds of leave, unpaid, most of the time. Do not hesitate to consult the list hereafter and contact Human Resources to get further information.

Congé d'acquisition de la nationalité français

Congé d'accueil de l'enfant

Congé d'adoption

Congé pour aide aux victimes de catastrophes naturelles

Congé d'animateurs pour la jeunesse

Congé de bilan de compétences

Congé pour candidature à un mandat parlementaire ou local

Congé de conversion

Congé pour création d'entreprise

Congé d'enseignement et de recherche

Congé examen

Congé pour exercice d'activités d'intérêt général et civiles

Congé de formation

Congé de formation économique des élus du CE

Congé de formation économique

Congé de formation des élus politiques

Congé en cas de maladie ou accident d'un enfant
Congé mariage
Congé de mères de famille
Congé de mobilité
Congé mutualiste de formation
Congé de présence parentale pour enfant malade
Congé de reclassement
Congé de représentation
Congé sabbatique
Congé de solidarité familiale
Congé de solidarité internationale
Congé de soutien familial
Congé de validation des acquis de l'expérience