



FWSS

Foreign Workers in Social Sector

Country report - France

Elisfa

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CONTENTS :

**REPORT ON THE LEGAL FRAMEWORK FOR THE EMPLOYMENT OF
FOREIGN NATIONALS IN FRANCE 1**

INTRO

PART I: LEGISLATION CONCERNING FOREIGN NATIONALS2

A. THE EU LONG-TERM RESIDENT CARD 11

B. PERMANENT RESIDENT CARD 12

PART II: PROCEDURE FOR EMPLOYING A FOREIGN EMPLOYEE13

**I. EUROPEAN UNION, EUROPEAN ECONOMIC AREA, SWITZERLAND, MONACO, ANDORRA,
SAN MARINO 13**

II. FOREIGN NATIONALS OUTSIDE THE EU: VISAS AND WORK PERMITS 13

III. FOR THOSE REQUIRING A WORK PERMIT, THE PROCEDURE 13

1) Application submitted by the employer 13

2) Analysis of the request by the administration 14

3) Administrative decision 14

4) The enforceability of employment status 14

5) Recourse 15

6) Tax 15

7) Arrival in France 16

8) Medical check-up 16

RESULTS OF EMPLOYERS AND EMPLOYEES SURVEY17

Introduction17

EMPLOYERS SURVEY :18

Identifying features of the investigated social service provider organizations 18

Foreign workers in the organization 18

Recruitment of foreign employees 19

Positions held by foreign employees 19

Reasons for employing foreign workers 20

Evaluation of foreign employees 20

Activities to assist the integration of foreign employees 22

Reasons for not employing foreign workers 22

Possibility of employing foreign workers in the future 23

Training on the employment of foreign workers 24

EMPLOYEES SURVEY Error! Bookmark not defined.

Characteristics of the persons	26
Working abroad, why, when.....	27
Support offered to the foreigners	27
Feelings, at work, housing, discrimination	29
Commentary, conclusion.....	30
SUMMARY OF INTERVIEWS	31
I/ Issues and possible solutions	31
1. The legal framework, obtaining a residence permit and/or work permit	31
2 Mastering the language	32
3 Recognition of qualifications and "mourning" the loss of one's previous career path, for people who are already qualified	33
4. educational level, skills and qualifications, for people with no certification.....	33
5 Culture-related issues	34
6 Attractiveness of the sector and its professions	34
II/ Are foreign employees different from other employees?.....	34
III/ Actions we could carry out as part of FWSS	35
<u>1)</u> Practical and legal factsheets.....	35
<u>a)</u> Employment and recruitment procedure for employers.....	35
<u>b)</u> "What does it mean to work in France? for foreign workers	36
<u>2)</u> A glossary in different languages.....	36
<u>3)</u> Developing training courses.....	36
<u>a)</u> For employers	36
<u>b)</u> For foreign workers.....	37

"Foreign workers in social sector" is a European project, funded by Erasmus +, on the integration of foreign workers in employment in the social services sector. The project, led by the Czech employers' union Asociace poskytovatelů sociálních služeb ČR (APSS CR) brings together the following employers' unions: Service Mensch GMBH for Austria, Social employers for Belgium, AKMI International for Greece and Elisfa for France.

The aim of the project is to promote the integration of foreign workers in the social sector in Europe, particularly in the Czech Republic, Greece, Belgium and France. Foreign workers, even without integrating the traumatic migratory experiences they may have faced, are subject to a number of barriers that limit their integration in European countries. The first of these barriers is often the legal framework, but it can also be a question of recognition of diplomas, language learning, access to the law, housing, etc. The aim of the project is therefore to study the limits faced by foreign workers and employers in integrating the former into the social services sector labour market. The second objective is to identify the levers that can be used by workers, employers or employers' unions to facilitate this integration. Some levers are internal to the structures, others can be negotiated within the framework of the social dialogue of the professional branches, and still others require legislative or regulatory intervention by the State.

There were several stages in the preparation of this report. The first was an analysis of the legal framework governing foreign workers' rights. The second was to draw up a questionnaire for foreign workers and a questionnaire for employers. The third stage was to conduct interviews, with workers (10) and employers (10), in order to examine the issues in more detail and identify ways of improving integration. Fourthly, we held a focus group to present and enrich the information we had gathered. Finally, we compared these findings with data from other countries.

Two points need to be made in this report:

- ⇒ The fact that it is carried out in the social services sector necessarily implies a singular approach to foreign workers and perhaps more obvious pathways to integration within the structures.

⇒ The legal framework, and therefore the difficulties or opportunities encountered by foreign workers, is set to change, potentially rapidly and radically. In France, for example, a bill on the subject could be proposed in the next few months. These developments are therefore likely to rapidly render obsolete some of the information we have been able to gather.

REPORT ON THE LEGAL FRAMEWORK FOR THE EMPLOYMENT OF FOREIGN NATIONALS IN FRANCE

To enter and reside in France legally, foreign nationals must have authorisation to reside in the country. If they wish to work in France, they must also be in possession of a work permit. These two conditions may be granted simultaneously as part of a visa or residence permit that authorises both residence and work, or they may be separate when the authorisation to reside in the country does not directly grant the right to work. In the latter case, the employer must apply for a work permit.

French legislation is fairly complex and evolves rapidly. It is not always easy to find one's way through the jungle of different authorisations and titles. For this reason, links have been provided throughout this document.

The French legal framework distinguishes between residence permits of different durations:

- ✦ Short-stay visa (less than three months). For short stays, European regulations set out the list of countries whose nationals do not require a visa to enter the Schengen area.
- ✦ The long-stay visa, which can be annual or multiannual
- ✦ EU long-term or permanent resident card

Finally, French legislation provides for different statuses depending on the country or area of origin:

- ✦ Foreign nationals from a member state of the European Union, the European Economic Area or Switzerland;
- ✦ Foreign nationals holding the nationality of a country that is not a member of the European Union, the European Economic Area or Switzerland (third country).

For ease of understanding, this report is divided into two parts:

- ✦ Rules applying to foreign nationals wishing to work in France ;
- ✦ The rules that apply to employers wishing to hire a foreign national.

PART I: LEGISLATION CONCERNING FOREIGN NATIONALS

I. EUROPEAN UNION, EUROPEAN ECONOMIC AREA AND SWITZERLAND

Citizens of the Member States of the European Union, the European Economic Area (Iceland, Liechtenstein, Norway) and Switzerland are authorised to come to France to look for work as jobseekers, or to work directly. The free movement of EU nationals, established by Article 45 of the Treaty on the Functioning of the EU, allows European citizens (extended to citizens of the EEA and Switzerland) :

- ✧ To look for a job in another EU country;
- ✧ Working there without a work permit;
- ✧ To live there with this in mind;
- ✧ Remain even after the job has ended;
- ✧ To enjoy the same treatment as citizens of that country as regards access to employment, working conditions and any other social or tax benefits.

In France, citizens of the European Union, Iceland, Liechtenstein, Norway and Switzerland¹ therefore have a right of residence as well as a right to seek employment.

Regulation 482/2011 of 5 April 2011 on the free movement of workers within the European Union² also imposes obligations on Member States.

National legislation has transposed the directive into French law:

- **The long-term residence of a European in France: the case of the right to residence through work**³

To stay in France for more than three months, European citizens must have an identity document and not represent a threat to public order. To have the right of residence as a worker, European citizens must provide proof of professional activity in France, a right that can be extended following temporary incapacity in the event of illness or accident, or in the event of unemployment. A residence permit is not compulsory, but may be requested. After 5 years of legal and uninterrupted residence, European citizens obtain a permanent right of residence and no longer need to justify their stay.

- **The long-term residence of a European in France: the case of the right of residence as a student**⁴

These people must meet the following conditions: they must be enrolled in an establishment for the purpose of their main studies or vocational training; they must have sickness and maternity insurance; and they must have sufficient resources for themselves and any family members not to become a burden on the French welfare system. The establishment may be public or private. A residence permit is not required, but may be requested. It becomes permanent after 5 years of legal and uninterrupted residence in France.

- **Social security law**⁵

¹ Referred to in the document as "European citizens" to simplify reading. This term covers citizens of the Member States of the European Union, Iceland, Liechtenstein, Norway and Switzerland.

² Regulation no. 482/2011 of 5 April 2011 on freedom of movement for workers within the Union, <https://eur-lex.europa.eu/legal-content/FR/ALL/?uri=CELEX%3A32011R0492>.

³ <https://www.service-public.fr/particuliers/vosdroits/F2651>

⁴ <https://www.service-public.fr/particuliers/vosdroits/F2651>

⁵ <https://www.service-public.fr/particuliers/vosdroits/F2651>

The European Union provides common rules to protect the rights of citizens throughout the European Union, Iceland, Liechtenstein, Norway and Switzerland. These coordinating rules do not replace national systems. They also apply to stateless persons or refugees residing in these countries. This right is governed by four principles:

- ✦ Citizens only belong to one country at a time and only pay contributions in that country.
- ✦ Rights and obligations are identical to those exercised in the country, based on the principle of equal treatment.
- ✦ Previous periods of insurance, work or residence in other countries are taken into account when applying for social security benefits.
- ✦ The portability of benefits means that you can receive a benefit from one country even if you live in another, if you are entitled to a cash benefit from one country.

- **The specific case of foreigners holding Ukrainian nationality**

Decree no. 2022-468 of 1^{er} April 2022 on the right to **work** for beneficiaries of temporary protection gave **Ukrainians** the right to **work** immediately, along with a temporary residence permit valid for six months and marked "beneficiary of temporary protection".

II. FOREIGN NATIONALS OUTSIDE THE EU: VISAS AND/OR WORK PERMITS

To enter and stay in France for more than 3 months, non-European foreign nationals are subject to obligations dictated solely by French legislation. The main requirement is to hold a long-stay visa (**type D**) or a **VSL/TS**. These visas are issued by the French consular authorities. They are usually issued for study, work or family reasons. There are several types of long-stay visa, depending on the reason for the stay, its duration and the intention to apply for a residence permit to settle permanently in France. The table below lists the visas and residence permits that require work authorisation and those that do not, with links to the official websites so that you can find out all about the latest developments. Measures for students vary depending on the situation.

⚠ The work permits that accompany residence permits issued in overseas France do not follow the same regime: they remain limited to the department or collectivity in which they were issued (art. L.5523-2 of the Labour Code). With regard to students, the measures differ depending on the situation:

The different types of temporary or multi-annual visa and work permit			
Name of visa or residence permit	Definition	Additional work authorisation required	Link
VLS-TS or "private and family life" residence permit	Foreign nationals with family ties in France can obtain a private and family life residence permit, subject to certain conditions. This permit authorises them to work. It is valid for one year, renewable (when issued as a 1 ^{er} residence permit) or for several years (2 to 4 years) when a previous permit is renewed. The long-stay visa valid as a residence permit (or residence permit) for private and family life allows people to work.	There is no need to obtain a work permit.	https://www.service-public.fr/particuliers/vosdroits/F2209
VLS-TS or "employee" residence permit	The "employee" residence permit allows the foreign worker to carry out the job for which he or she obtained it. If the employee changes employment contract, the employer must apply for a new work permit. This applies to permanent contracts	Each new employment contract will require a work permit.	https://www.welcometofrance.com/fiche/visa-de-long-sejour-valant-titre-de-sejour
VLS-TS or "temporary worker" residence permit	The "temporary worker" residence permit entitles the holder to carry out the work for which it was obtained. If the worker changes employment contract, the employer	Each new employment contract will require a work permit.	https://www.welcometofrance.com/fiche/visa-de-long-sejour-valant-titre-de-sejour

The different types of temporary or multi-annual visa and work permit			
Name of visa or residence permit	Definition	Additional work authorisation required	Link
	must apply for a new work permit. This applies to fixed-term contracts or employees on secondment		
Seasonal worker" residence permit	The "seasonal worker" residence permit entitles the holder to carry out the work for which it was obtained. If the worker changes employment contract, the employer must apply for a new work permit. The duration of work must not exceed 6 months/year.	Each new employment contract will require a work permit.	https://www.service-public.fr/particuliers/vosdroits/F21516
Resident card or "long-term resident - EU" card	To obtain a long-term resident's card - EU, the person must be a non-European foreigner and meet the conditions concerning their length of residence in France (having resided there regularly for 5 years). They must also provide proof of resources, health cover and republican integration. The resident's card (or long-term resident's card - EU) allows them to work in the profession of their choice.	No work permit is required.	https://www.demarches.interieur.gouv.fr/particuliers/carte-resident-longue-duree-ue-etrananger-france-ans
Talent passport" residence permit	Foreign nationals wishing to work in France for more than 3 months can apply for a multiannual "talent pass" residence permit. This card is issued in a number of situations, in particular for so-called highly-qualified	The Talent Pass residence permit allows the holder to carry out the professional activity	https://www.demarches.interieur.gouv.fr/particuliers/passeport-talent-carte-sejour-pluriannuelle-etrananger-france

The different types of temporary or multi-annual visa and work permit			
Name of visa or residence permit	Definition	Additional work authorisation required	Link
	individuals or those wishing to set up a business or invest in France, or those who are artists. It is valid for a maximum of 4 years and is renewable.	for which it was issued. In this case, no work permit is required.	
ICT seconded employee" residence permit	Non-European foreign nationals who come to France (as managers or experts) to work for a company in the group that employs them can apply for an ICT seconded employee residence permit. The permit is valid for a maximum of 3 years. If the duration of stay is more than 3 months and no more than 1 year, a long-stay visa (VL-TS) mentioning ICT seconded employee is sufficient.	The ICT seconded employee residence permit allows you to carry out the activity for which it was obtained.	https://www.demarches.interieur.gouv.fr/particuliers/etranger-france-carte-sejour-pluriannuelle-salarie-detache-ict
VLS-TS or "student" residence permit	With a student VLS-TS (or residence permit), it is possible to work a maximum of 60% of the annual working time (964 hours) without a work permit. It is possible, under certain conditions, to work beyond this limit.	No work permit is required.	https://www.demarches.interieur.gouv.fr/particuliers/etranger-peut-il-travailler-durant-etudes-france
Job-seeker's or business creation" residence permit	This residence permit authorises people to seek and hold a job related to their training or research. They must earn more than €2,468.38.	If you have a residence permit for job-seeking or setting up a business, you do not need a work permit.	https://www.demarches.interieur.gouv.fr/particuliers/carte-sejour-recherche-emploi-creation-entreprise

The different types of temporary or multi-annual visa and work permit			
Name of visa or residence permit	Definition	Additional work authorisation required	Link
Master" temporary residence permit	This temporary residence permit (APS) authorises foreign nationals to seek and hold a job related to their training or research. They must earn more than €2,468.38.	If you have a temporary residence permit (APS) for a young graduate, you do not need a work permit.	https://www.campusfrance.org/fr/l-autorisation-provisoire-de-sejour-ou-aps
Receipt stating "authorises the holder to work".		A récépissé stating "authorises the holder to work" does not require a work permit.	https://www.info-droits-etrangers.org/sejourner-en-france/titres-de-sejour/presentation-des-differents-types-de-titres-de-sejour/#:~:text=Authorisation%20of%20work&text=The%20r%C3%A9c%C3%A9piss%C3%A9%20of%20request%20that%20the%20request%20will%20be%20accepted%C3%A9
Working holiday visa	If people have a working holiday visa, they are automatically granted work authorisation, unless they are Australian or Russian.	No work permit is required.	https://www.demarches.interieur.gouv.fr/particuliers/visa-long-sejour-sejour-mois-an
Posted employee working for a European service provider		If people are "seconded employees" (under certain conditions) in France and work for a	https://travail-emploi.gouv.fr/droit-du-travail/detachement-des-salaries-

The different types of temporary or multi-annual visa and work permit

Name of visa or residence permit	Definition	Additional work authorisation required	Link
		European service provider, they do not need a work permit.	posting-of-employees/detachement-des-salaries/article/cadre-general
Sporting, cultural, artistic and scientific events	If the work is for 3 months or less, foreign nationals do not need a work permit.	Authorisation is not required if the period is less than three months.	https://www.demarches.interieur.gouv.fr/particuliers/autorisation-travail-etranger-salarie-france
Conferences, seminars and trade fairs		If the benefit is less than or equal to 3 months, people do not need a work permit.	https://www.demarches.interieur.gouv.fr/particuliers/autorisation-travail-etranger-salarie-france
Film, audiovisual, entertainment and sound recording production and distribution, as artists or technical staff		If the benefit is less than or equal to 3 months, people do not need a work permit.	https://www.demarches.interieur.gouv.fr/particuliers/autorisation-travail-etranger-salarie-france
Personal services (domestic help) during a private employer's stay in France		If the benefit is less than or equal to 3 months, people do not need a work permit.	https://www.demarches.interieur.gouv.fr/particuliers/autorisation-travail-etranger-salarie-france

The different types of temporary or multi-annual visa and work permit

Name of visa or residence permit	Definition	Additional work authorisation required	Link
Audit and expertise assignments in IT, management, finance, insurance, architecture and engineering as a seconded employee under contract		If the benefit is less than or equal to 3 months, people do not need a work permit.	https://www.demarches.interieur.gouv.fr/particuliers/autorisation-travail-etranger-salarie-france
Teaching as a visiting professor		If the benefit is less than or equal to 3 months, people do not need a work permit.	https://www.demarches.interieur.gouv.fr/particuliers/autorisation-travail-etranger-salarie-france
Schengen short-stay visa		Work permit required.	h/ttps://www.demarches.interieur.gouv.fr/particuliers/autorisation-travail-etranger-salarie-france
Asylum seekers, exceptions		Asylum seekers who have not received a response to their application within 6 months may also apply for a work permit. They must produce proof that they have been applying for asylum for more than 6 months.	https://www.demarches.interieur.gouv.fr/particuliers/autorisation-travail-etranger-salarie-france

The different types of temporary or multi-annual visa and work permit

Name of visa or residence permit	Definition	Additional work authorisation required	Link
Algerians	For stays of more than three months, a residence certificate is required.	Work permit required.	

III. FOREIGN NATIONALS FROM OUTSIDE THE EU: LONG-TERM RESIDENT CARDS

A. THE EU LONG-TERM RESIDENT CARD

The EU long-term resident card is intended for foreign nationals who have been legally resident in France for an uninterrupted period of at least 5 years, or for foreign nationals holding an EU Blue Card. To obtain this card, foreign nationals must also meet other conditions: resources, health insurance and integration. It is valid for 10 years and is renewable.

1. The general case

In order to obtain the card, the foreign national must have lived in France for at least 5 uninterrupted years with one or more of the following residence permits:

- ✧ Long-stay visa valid as a residence permit,
- ✧ Temporary visitor's residence permit,
- ✧ Temporary/permanent residence permit for private and family life (except for subsidiary protection, filing a complaint for certain offences and giving evidence in criminal proceedings),
- ✧ Temporary/permanent residence permit for employees,
- ✧ Temporary/permanent residence permit for entrepreneurs/self-employed professionals,
- ✧ Multi-annual residence permit, talent passport (excluding missions),
- ✧ Resident's card.

For refugees or beneficiaries of subsidiary protection, the 5 years are counted from the date on which the asylum application was lodged.

2. The EU Blue Card

This card can be obtained after providing proof of 5 years' residence in a member country of the European Union, including the two years preceding the application in France. The stay must have been uninterrupted, with authorised but limited periods of absence.

3. Health insurance and means tests

Health insurance is required to obtain an EU long-term resident card, and you need to have an income of at least the minimum wage, excluding social security benefits.

4. Integration

Integration into French society, which is measured by the mayor of the municipality of residence, is analysed using the following criteria:

- ✧ A commitment to respect the principles governing the French Republic, with a document provided by the prefecture for signature;
- ✧ Effective compliance with these principles ;
- ✧ Adequate knowledge of French (for people under 65).

5. Applying for a card and the documents to be provided

The application must be made within 2 months of the expiry date of the residence permit.

<https://demarchesadministratives.fr/demarches/obtenir-une-carte-de-resident-longue-duree>.

6. Cost and period of validity

In general, the cost is 225 euros. In cases of force majeure, it is 405 euros. The residence permit is valid for 10 years and is renewable. However, it is no longer valid if the person leaves France for a period of 6 consecutive years.

B. PERMANENT RESIDENT CARD

The permanent resident card gives unconditional and permanent right of residence in France, except in the case of a threat to public order. It therefore allows you to stay in France and also authorises you to work. You should apply for this card at the prefecture or sub-prefecture within two months of the expiry date of your previous card.

- ✦ The permanent resident card is offered systematically when a person has had two consecutive resident cards and is over 60 years of age.
- ✦ People of Algerian nationality are not covered by this card, but by the certificate of residence.

Supporting documents must also be provided. The card is issued by the prefecture or sub-prefecture of residence (depending on where the application is submitted). There is a charge for issuing the permanent resident card: 225 euros (200 euros tax and 25 euros stamp duty). The permanent resident card is valid for 10 years. It can be renewed unconditionally.

PART II: PROCEDURE FOR EMPLOYING A FOREIGN EMPLOYEE

In this section, we will look at the procedures that must be followed by employers of foreign employees in France. It is the employer's responsibility to check the employee's status and whether he or she needs a visa and/or work permit.

I. EUROPEAN UNION, EUROPEAN ECONOMIC AREA, SWITZERLAND, MONACO, ANDORRA, SAN MARINO

The following resolutions apply to citizens of the European Union, the European Economic Area and, under agreements between France and these countries, to citizens of Switzerland, Monaco, Andorra and San Marino.

Nationals of the European Economic Area do not need a work permit to work in France. Employers wishing to take on a national of one of these countries must comply with the usual recruitment formalities. However, they must apply for registration with the Caisse Primaire d'Assurance Maladie (CPAM) or the Mutualité Sociale Agricole (MSA), if the employees have never been registered in France. Employers must make a declaration prior to recruitment, which is made to URSSAF (Union de recouvrement des cotisations de Sécurité sociale et d'allocations familiales) and contains: the declaration of a first recruitment, the registration of an employee, affiliation to the unemployment insurance scheme, membership of an occupational health service, the compulsory medical examination and the pre-preparation of the DADS-U (Déclaration annuelle des données sociales unifiée). This declaration is therefore coupled with an online application for registration on the CPAM website⁶.

II. FOREIGN NATIONALS OUTSIDE THE EU: VISAS AND WORK PERMITS

Certain non-EU foreign nationals are exempt from the requirement to apply for a work permit. They must hold one of the above-mentioned authorisations (table part 1, title II).

III. FOR THOSE WHO NEED A WORK PERMIT, THE PROCEDURE

A work permit allows a foreign national to work legally as an employee in France. It is **important to remember that there are criminal and financial penalties for employers who employ illegal workers.**

1) Submission of the application by the employer

It is up to the employer to apply for a work permit (also known as the introduction procedure).

The employer must follow a number of steps:

- ✦ Publication of the job offer with the public employment service for 3 weeks, accompanied by an application file;
- ✦ Transmission of the file to the administration if the bid is unsuccessful.

The employer must check the document authorising the foreign national to work in France with the prefecture of the place of employment (unless the foreign national is registered on the jobseekers' list), at least 2 working days before the actual date of employment. In practice, the employer must send an e-mail with a copy (scan) of the work permit attached. At the request of the Prefect, the foreign national may be required to produce the original document.

The Prefect will notify the employer of his response within 2 working days of receipt of the application. If no response is received within this period, the employer's obligation to ensure that the work permit exists is deemed to have been fulfilled.

To grant or refuse a work permit, the authorities examine a number of factors.

⚠ Lorsque the employer is based abroad, the file also includes the following documents

⁶ <https://immatriculation-travailleurs-etrangers.ameli.fr/fr/login>

- ✦ Certificate of employment from the company based abroad or initial employment contract, proving at least 3 months' seniority.
- ✦ Proof of application for registration with the French social security system.
- ✦ Where applicable, a sworn statement of application for registration with the paid holiday fund. Where applicable, a letter authorising a person established in France to carry out the administrative formalities in your name and on your behalf.

⚠️ A work permit issued in an overseas department or region (Guadeloupe, French Guiana, Martinique, Mayotte and Réunion) is only valid in that department. Foreign talent holding such authorisation who wish to return to mainland France to work must obtain a new work permit.

2) Analysis of the request by the administration

The authorities analyse the employment situation in the profession and employment area concerned. In the case of a student residence permit or a residence permit for job-seeking or business start-ups, it checks that the diploma and qualification requirements set out in the job offer have been met, on the basis of the following documents:

- ✦ Curriculum vitae ;
- ✦ Copies of diplomas ;
- ✦ Any certificates of employment.

It examines the salary offered, which must be at least equal to the minimum wage (Smic) or to the minimum pay provided for in the collective agreement (even in the case of part-time employment).

It also takes into account the following criteria:

- ✦ Compliance by the employer (and/or the user and/or host company) with employment and social protection legislation. In the event of non-compliance, the work permit will be refused (e.g. undeclared work, non-payment of social security contributions).
- ✦ If necessary, compliance by the employer, the user or host company or the employee with the conditions for exercising the regulated professional activity concerned.
- ✦ Any arrangements made by the employer to enable the foreign national entering France to find accommodation under normal conditions.
- ✦ The employment situation in the profession and in the geographical area, if available.
- ✦ The match between the foreign national's qualifications, experience and diplomas and the characteristics of the job on offer.

3) Administrative decision

The decision is normally made within a maximum of 2 months following submission of the complete application. If the administration has not responded within this 2-month period, the application is refused. The decision is notified to the employer, who forwards it to the applicant. In the event of a written refusal, the decision must specify the reasons. It must indicate the appeal procedures and deadlines. The application is rejected if one or more of the criteria for issuing a work permit are not met. This is the case if the employer can call on the labour force available in France.

4) The enforceability of the employment situation

Foreign nationals applying for a work permit may be refused on the grounds of the employment situation. The relevant authorities assess the work permit application in the light of the labour market and, in particular, the unemployment rate in the sector or area in question. Depending on the region of

employment, certain occupations are listed as "short-staffed", i.e. characterised by recruitment difficulties, for which the employment situation cannot be invoked.

- Arrêté du 1^{er} avril 2021 relatif à la délivrance, sans opposition de la situation de l'emploi, des autorisations de travail aux étrangers non ressortissants d'un Etat membre de l'Union européenne, d'un autre Etat faisant partie de l'Espace économique européen ou de la Confédération suisse :

<https://www.legifrance.gouv.fr/jorf/id/JORFTEXT000043317444>

5) Recourse

An informal appeal may be lodged with the administration that made the decision (address given on the notification of refusal). A hierarchical appeal may also be made to the Minister of the Interior. It is also possible to lodge an annulment appeal with the administrative court. To be admissible, it must be lodged within certain time limits and contain a copy of the refusal decision. If no appeal has been lodged, the time limit for bringing the matter before the court is 2 months from the date of notification of rejection of the application for work authorisation or implied refusal. Administrative and contentious appeals do not suspend enforcement of the refusal decision. However, an application for interim suspension or interim release may be lodged.

6) Tax

When the work permit is granted, the employer must pay a tax, the amount of which depends on the foreign worker's level of pay.

1. Employment contract of more than 3 months and less than 12 months

The amount of tax varies according to the gross monthly salary paid:

Amount of tax based on salary	
Gross monthly salary	Amount of tax
Less than or equal to €1,645.58 (minimum wage)	74 €
Between €1,645.58 and €2,468.38	210 €
More than €2,468.38	300 €

2. Employment contract of 12 months or more

Amount of tax based on salary	
Salary amount	Amount of tax
Less than €4,113.96	55% of gross monthly salary

Amount of tax based on salary	
Salary amount	Amount of tax
Greater than or equal to €4,113.96	2 262,68 €

The amount of tax varies according to the gross monthly salary paid:

The employer must pay the tax within 3 months of issue:

- ✦ Documents required when the posted worker or employee first enters France.
- ✦ Work permit for first-time residence as an employee.

The employer pays the tax to Ofii, which sends a payment notice. The tax must be paid as soon as the notice is received, even if the employee has not yet arrived in France.

7) Arrival in France

On arrival, foreign nationals may start work immediately, subject to obtaining a work permit and the appropriate long-stay visa. A long-stay visa valid as a residence permit may be issued if the planned contract or assignment is for less than 12 months.

A declaration must be made to Ofii within 3 months of arrival: the request for an Ofii certificate must be sent by post (with acknowledgement of receipt) to the territorial directorate responsible for the employee's département of residence. Since 18 February 2019, this procedure is now done online on the website: administration-etrangers-en-france.interieur.gouv.fr.

8) Medical check-up

If permission to work is granted, a medical examination is compulsory. The procedure to be followed depends on whether or not the future employee is already resident in France.

RESULTS OF EMPLOYERS AND EMPLOYEES SURVEY

Introduction

Within the framework of the international project Foreign Workers in Social Sector No. 2021-1-CZ01-KA220-VET-000025630, which involves, in addition to France, the Czech Republic, Belgium, Austria, and Greece, a questionnaire survey was carried out among social service providers. The aim of the project was to monitor the employment of foreign workers in the social services sector. The results of the **survey will become a key basis for setting up activities, making recommendations to assist institutions in the sector in employing people from abroad.**

The survey was conducted in Spring 2022, electronically, in French. Completion of the questionnaires by the respondents was done through a web interface (Google form). Respondents were asked if they wished to be contacted again to discuss the issues further in interviews.

Acquisition of respondents was done through a mailing sent to 3 of "not-for-profit" employers unions in the social services sector: Elisfa (day-care centers and social centers), Nexem (health and social care services), ADMR (home care services). Most of the respondents are Elisfa members, meaning non-residential services.

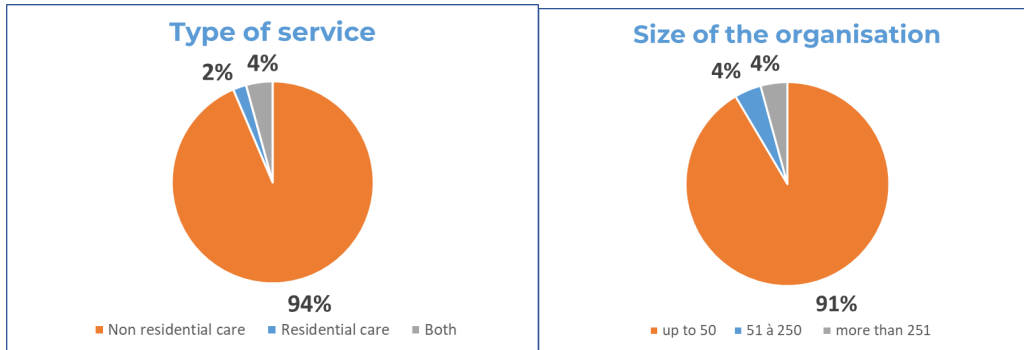
47 employers and 17 employees answered the questionnaire survey.

Initial target was 50 employers and 50 employees. For employees it was not reached, we had only 17 respondents, for several reasons:

- The impossibility of having the employees' email addresses, so we had to use the employers' channel,
- The fear of employees that their employer could see the answers, although it was specified that they would be anonymous
- Mastering of French language, as well as the use of computer tools
- A lack of understanding, as some European employees didn't consider themselves to be foreign employees

RESULTS OF EMPLOYERS SURVEY:

Identifying features of the investigated social service provider organisations



Most of the respondents (44) are non-resident services, mainly day-care centres and social centres. This is probably because most of the respondents are members of Elisfa, and work in non-residential sector. Regarding the size of the organizations, we find a majority of small or middle size organizations with less than 50 employees. Only one among 47 has more than 250 employees.

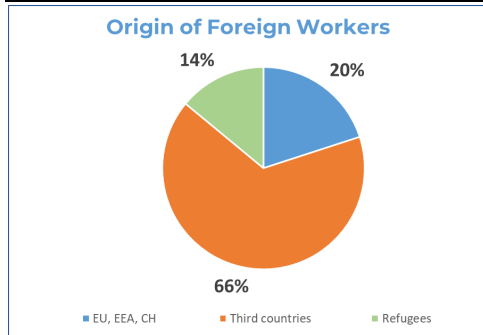
Foreign workers in the organization



The survey monitored the presence of foreign workers in the organizations, based on an employment contract and/or as employees of an employment agency. In France, employment contract is mandatory. A little bit more than $\frac{3}{4}$ of the respondents, **(11 on 47) reported the presence of foreign workers** in their organizations. Most of them having a small number of foreign employees. Only 3 organizations have more than 10 foreign employees. Again, the typology of respondents can be an explanation to the numbers - see Charts below.

number of foreign workers employed by the organisation	Number of organisations
1	11
2	10
3	3
4	3
5	1
6	1
7	2
8	2
10	1
20	1
34	1

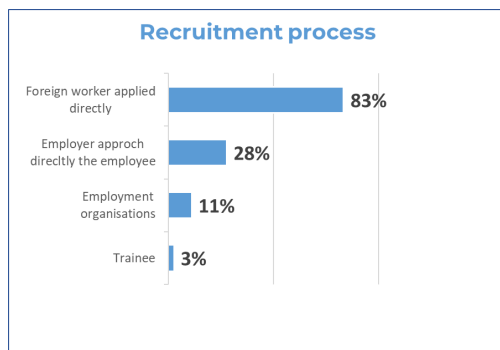
	Number of foreign workers	Number of organisations
EU, EEA, Swiss citizens	32	15
Third country citizens	107	25
Refugees	22	3



If we take a closer look at the citizenship of the foreign employees, a large majority comes from a third country. Only 3 organizations employ refugees, and surprisingly the number of European employees is quite low (20%) and only found in 15 organizations.

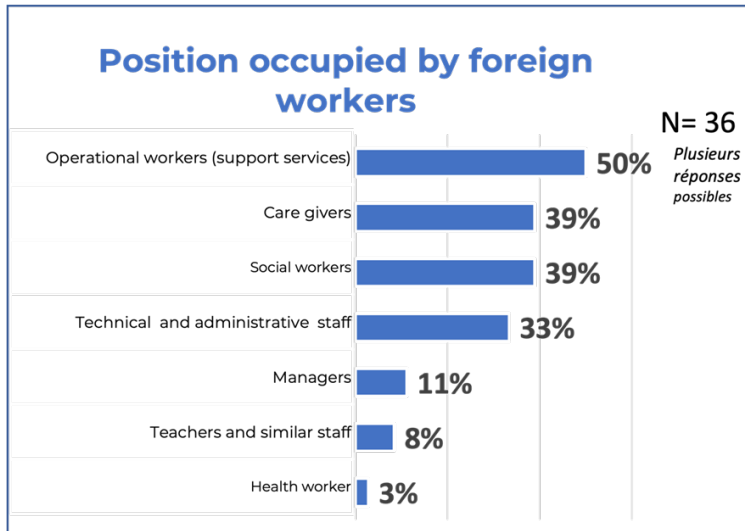
Recruitment of foreign employees

Following questions were answered by 36 respondents, those who have recruited foreign employees. In most cases, the **foreign worker has applied directly for a job** and/or has been contacted by the employer. It can be seen that the role of employment organizations (Pole Emploi and the "Missions locales" in France) has remained minimal. Few employees were recruited as trainees.



Positions held by foreign employees

If we take a closer look at the positions held by foreign workers (fig below), half of the employees work in support services, it can be assumed that these jobs may require fewer years of study and sometimes do not even require a specific degree. On the other hand, there is a minority of managers and health professionals, who represent the professions requiring high levels of education. Core jobs, social workers plus care staff, represent almost ¾ of the positions. Note that more than one answer was possible.



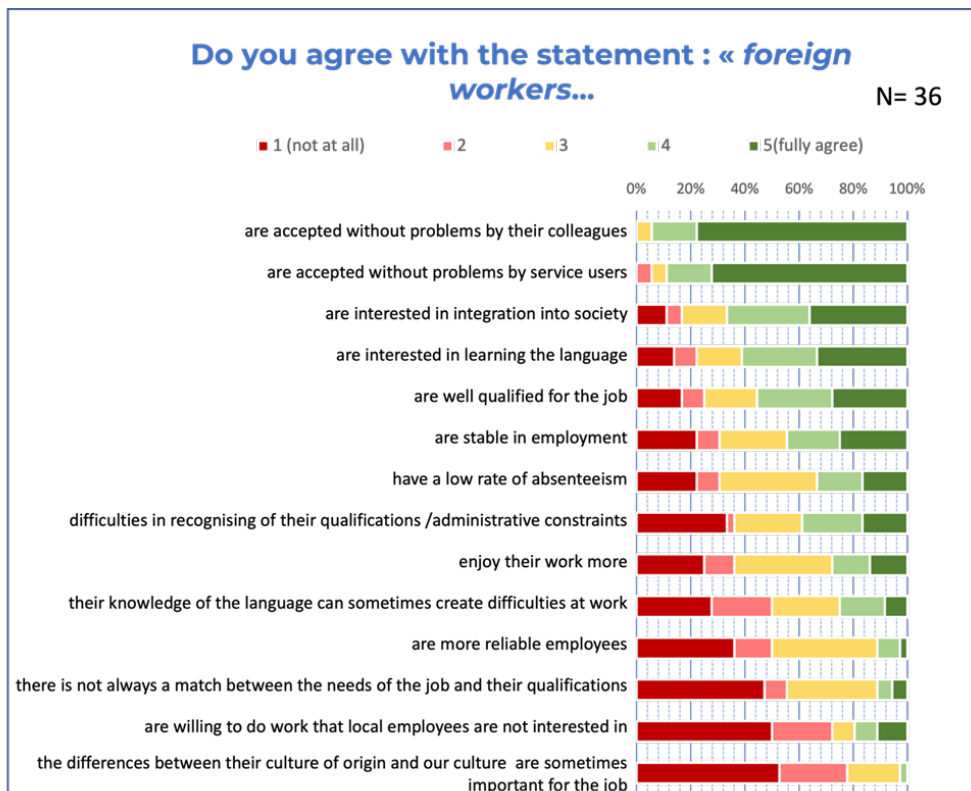
Reasons for employing foreign workers

As part of the questionnaire survey, social service organizations that employed foreign workers were asked to evaluate the reasons given for doing so. The reasons were rated on a scale of 1 to 5, where 1 represented an insignificant reason and 5 a very significant reason. The **calculated mean values don't show a significant reason**, although the 2 main answers are specific skills (2,7) and a better match to the job requirements (2,8).



Evaluation of foreign employees

In the questionnaire survey, social service providers that employed foreign employees were asked to evaluate the statements made regarding personal characteristics related to working in social services. Individual statements were rated using a scale of 1 to 5, where 1 represented strong agreement with the statement and 5 represented strong disagreement. The statements presented by the questionnaire and the results obtained in the form of the calculated mean are shown below.



On the **positive side**, according to employers, foreign employees are:

- **very well accepted** by colleagues and service users (best score, 4.7 and 4.6)
- are interested in learning local language and being part of the society
- **are well qualified and stable in employment**, have a low absenteeism rate (3.4, 3.2, 3)

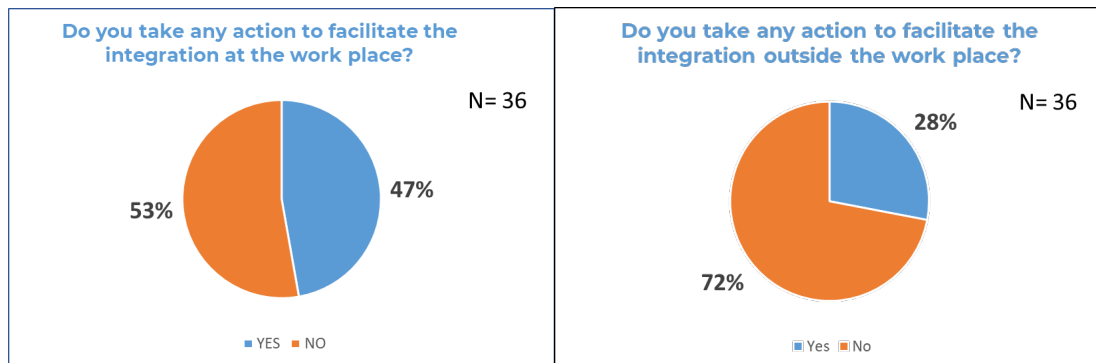
On the negative side, foreign employees are:

- limited by difficulties of qualification recognition (2.9), language knowledge (2;6), qualification (2.1)
- doing jobs locals don't want (2;1), affected by cultural or religion requirement (1.7)

Nobody picked up the statement "accepting lower salary demands". We can see clearly that **most of the positive statements got a higher score (green)**

Activities to assist the integration of foreign employees

Almost half of the surveyed organization implements activities to facilitate the integration of their foreign workers at the workplace. This was an open question, which received almost 50% of positive responses. In most cases these actions include language courses (French as a foreign language), with sometimes a training leading to a professional degree, mentoring.

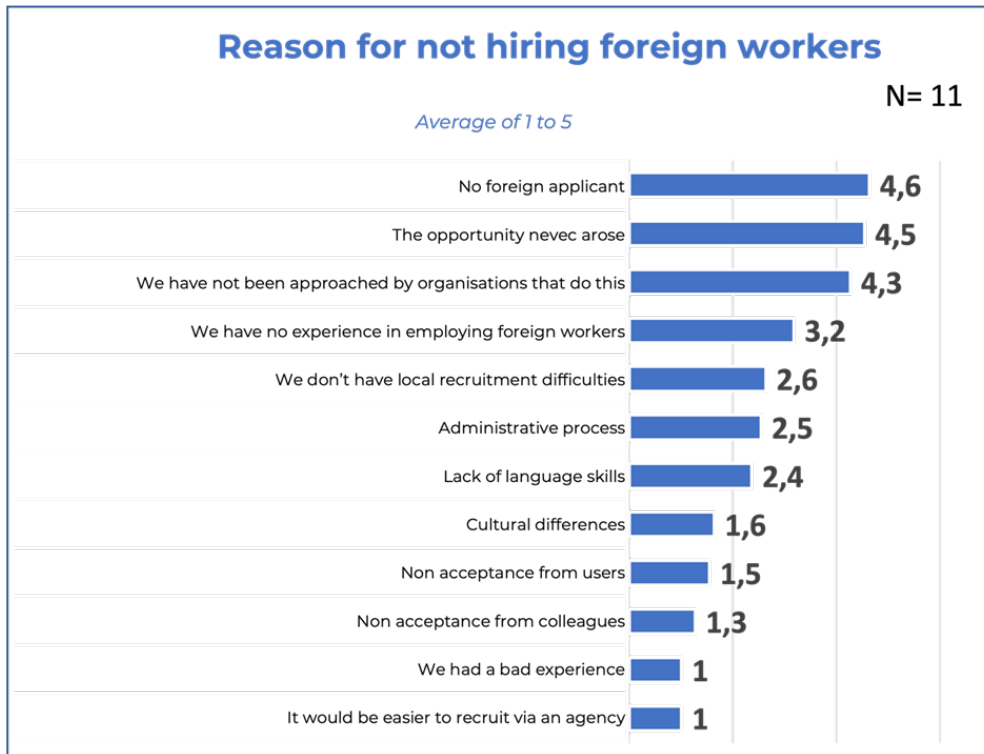


In contrast, the percentage of organizations with actions to facilitate integration outside the workplace is only one fourth. The actions were taken to find a place to live in, for administrative procedures, naturalization, help from a social worker, moving in...

Reasons for not employing foreign workers

A battery of possible reasons for not employing persons of other nationalities was presented to **social services providers that do not employ foreign staff (11 on 47 respondents)**. At the same time, they were asked to rate each reason from their perspective on a scale of 1 to 5, with 1 being an insignificant reason and 5 being a significant reason.

The results clearly showed that **the most important reasons** why the surveyed organisations did not employ people of other nationalities were the fact that they simply **did not apply for jobs in their organisation (4.6)**, **the opportunity never occurred (4.5)**. Another important reason is that the **organisations have no experience of employing such persons (3.2)**.



To a lesser extent, the results also show that **some organisations feel concerned with problems related to the lack of language skills** (value of 2.4 on the scale) or fears a non-acceptance by colleagues or service users (1,5 and 1,3). **Concerns about the difficult administrative process that must be undertaken** when employing a foreign worker were also observed and rated 2,5 on the scale. A previous experience that went wrong is also reported (1).

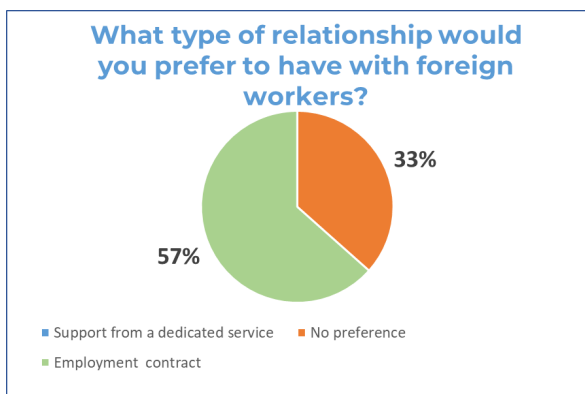
In addition, it is reported that **there is a sufficient "domestic" workforce, which does not allow for the recruitment of citizens from third countries.**

Possibility of employing foreign workers in the future

A **very large majority (98%)** of respondents stated that they were **open to employing foreign workers in the future**. Only one said he wouldn't.



Regarding the question about **any preference in terms of nationality** (EU, EEA, or Switzerland, 3rd countries or refugees), respondents stated at **96 % that they made no difference.**



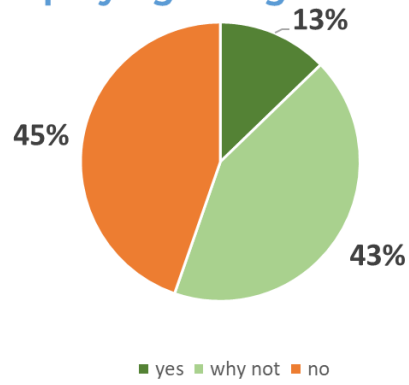
For the question of the employment relationship under which foreign workers should work in the organization, **57%** of social services indicated that they **would prefer to conclude a direct employment relationship with their organization**, with a standard employment contract like any other employee. **33% of the social service facilities have no preference regarding the employment.**

The preference for an employee who would be supported by an organisation that helps the integration of foreigners was not observed.

Training on the employment of foreign workers

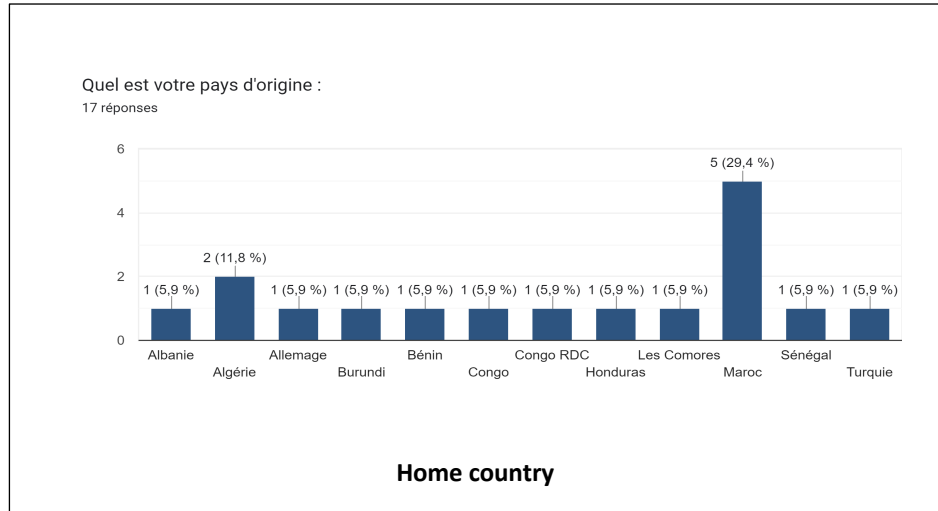
In the questionnaire survey, **16 % of respondents** expressed interest in **completing the training programme** which focuses on the issue of employing foreign workers, to be added to the 43 % being "rather interested". On the other hand, **a distinct lack of interest** in such training was noted by **45 %**.

Would you be interested to complete a training programme on employing foreign workers

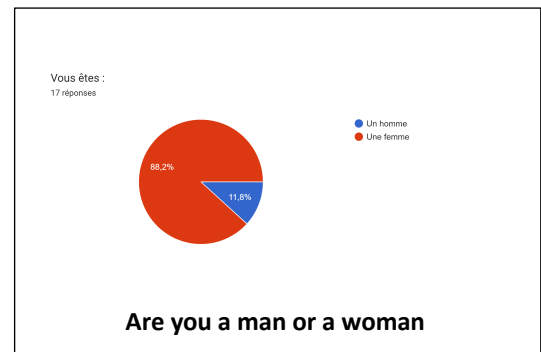
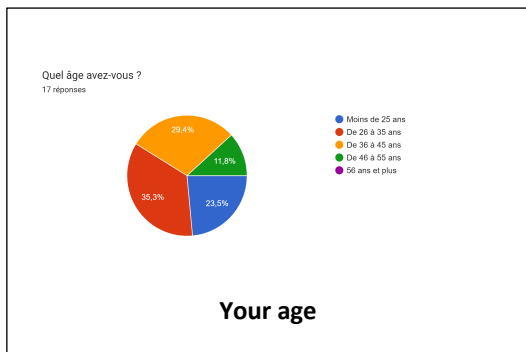


RESULTS OF EMPLOYEES SURVEY:

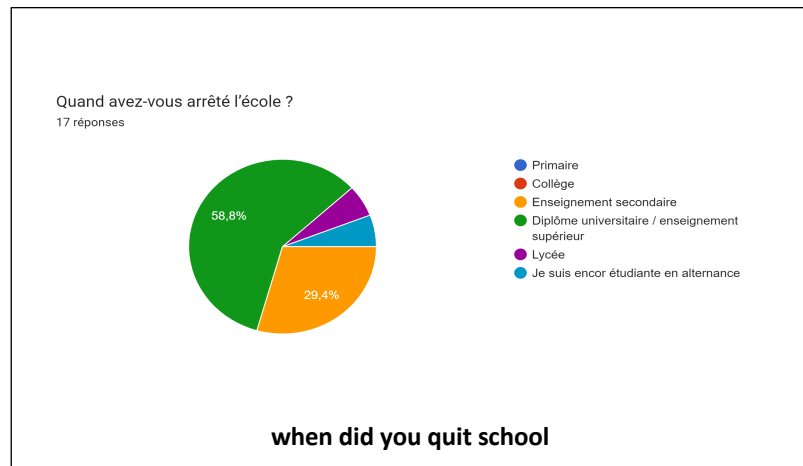
Characteristics of the persons



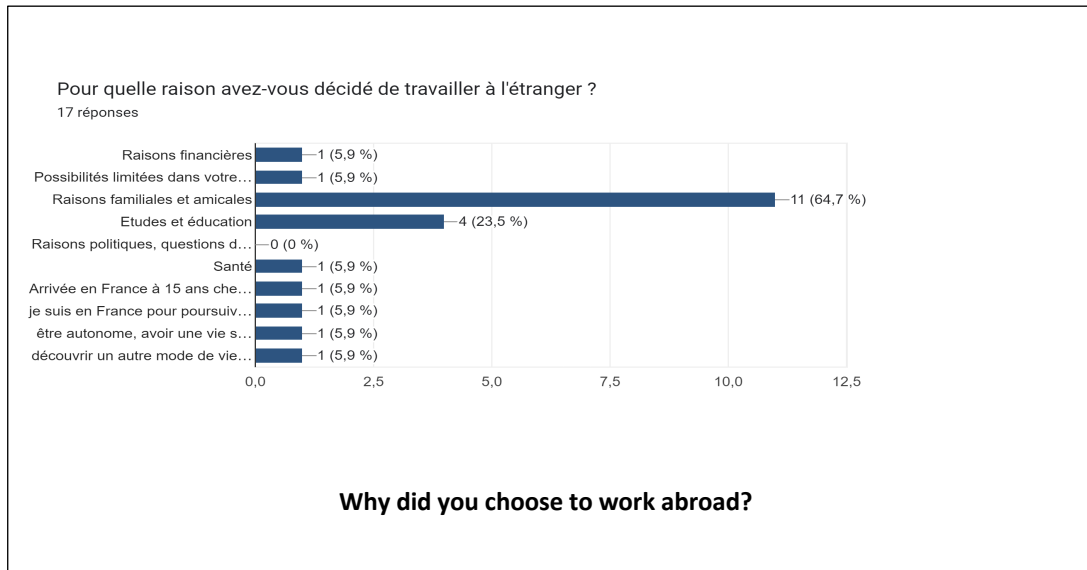
Most of the respondents are from African continent, and coming from countries where the French language is used



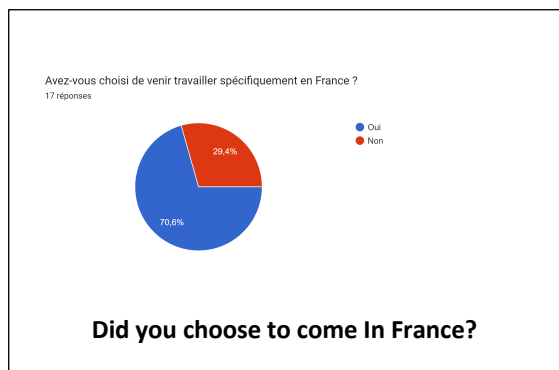
A majority of respondents are young (less than 45 years old) and mainly women. When it comes to the educational background, a majority has at least a high school level



Working abroad, why, when

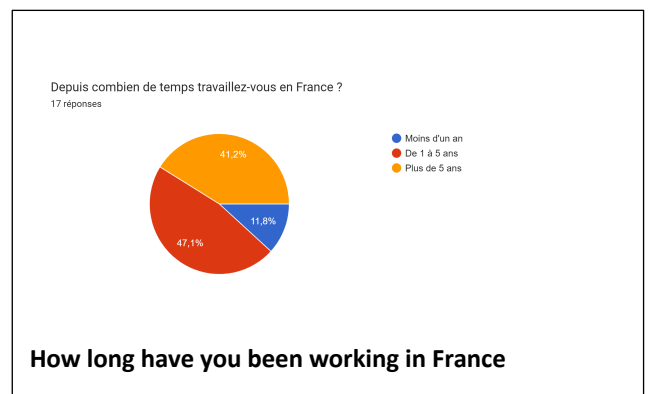


More than half of the workers went abroad for reasons related to family or friendship, and 4 for studying. And $\frac{3}{4}$ choose to come in France. Different reasons to choose *France*:



- 9 for family or friendship reasons
- 5 knowledge of the language
- 2 cultural proximity
- 4 interest in living in this country
- 3 bilateral agreement
- 2 studies in France

Among the respondents, only 2 started to work in France less than one year ago. Almost the majority have been working in France between one and two years. And 7 have been working in France for more than 5 years.



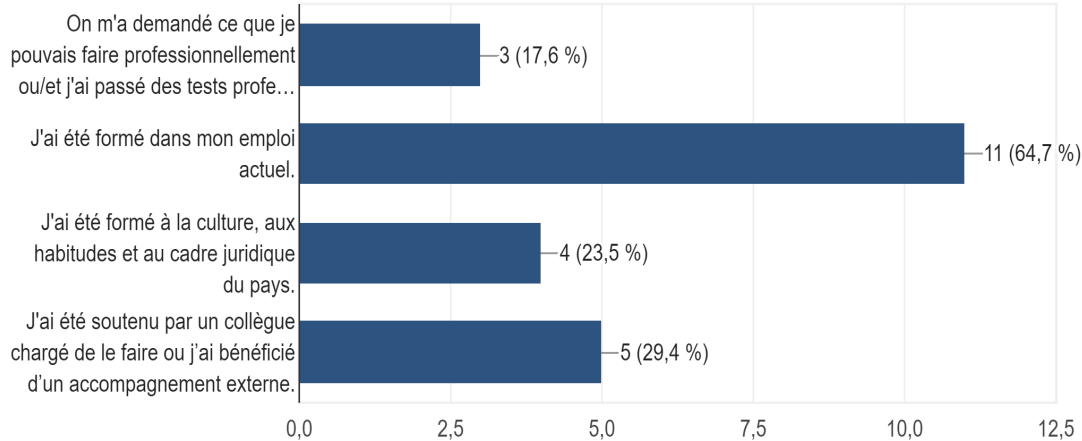
Regarding work experience in social services, 7 had experience in their country of origin, 5 had already worked in social services in France, and 8 had no experience in this sector.

Support offered to the foreigners

The next set of questions concerned the support, if any, received for the job. It is interesting to see how work place is important: 11 were trained at the work place, 5 were tutored by a dedicated work colleague, 4 had training on culture and legal framework

Avez-vous bénéficié d'un soutien - autre que celui de l'apprentissage de la langue - pour accéder à votre emploi ?

17 réponses

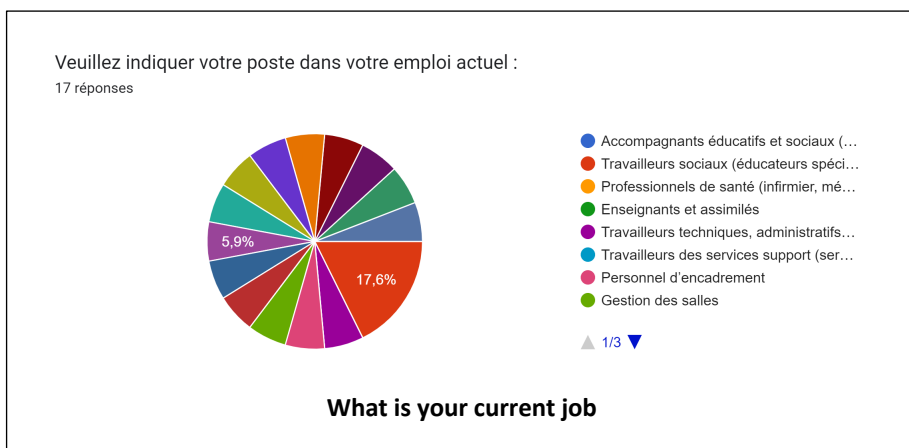


Did you receive any support other than language learning

When asked how this support did help them, here it was they say:

- mentoring from colleagues was very important to learn professional skills,
- support from colleagues help to better understand the rules, the culture,
- it helped me to work better
- it helped me to get a degree I can use in my professional life
- it helped me to increase mastering of French
- I studied in France, so it helped me to find a job

15 respondents say they use what they learned at school in one way or another



Out of the 17 persons, the whole range of positions offered has at least one match, from social worker to technician or housekeeper or teacher.

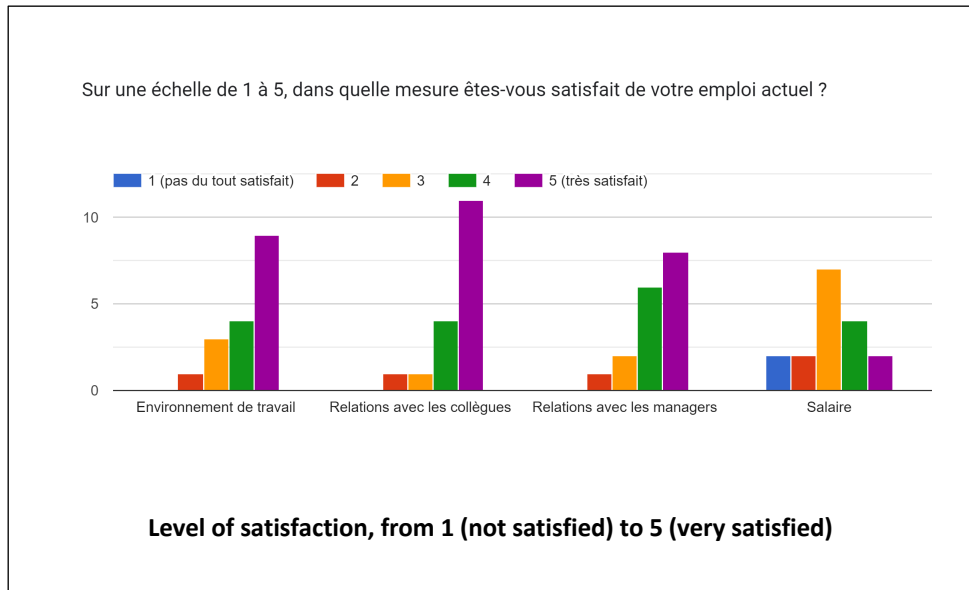
Another question was about how respondents found their *job*: job ad (4), employment organisation (4), with a friend or family (6), start as a volunteer (2).

9 needed a work permit, and for 5 of them, it was pretty difficult to obtain.

We were wondering if foreigners have difficulties to proof their level of education or their degree. It was easy for 12 o them, 7 didn't have to show any proof, somewhere help, some had equivalences with French diplomas.

Feelings, at work, housing, discrimination

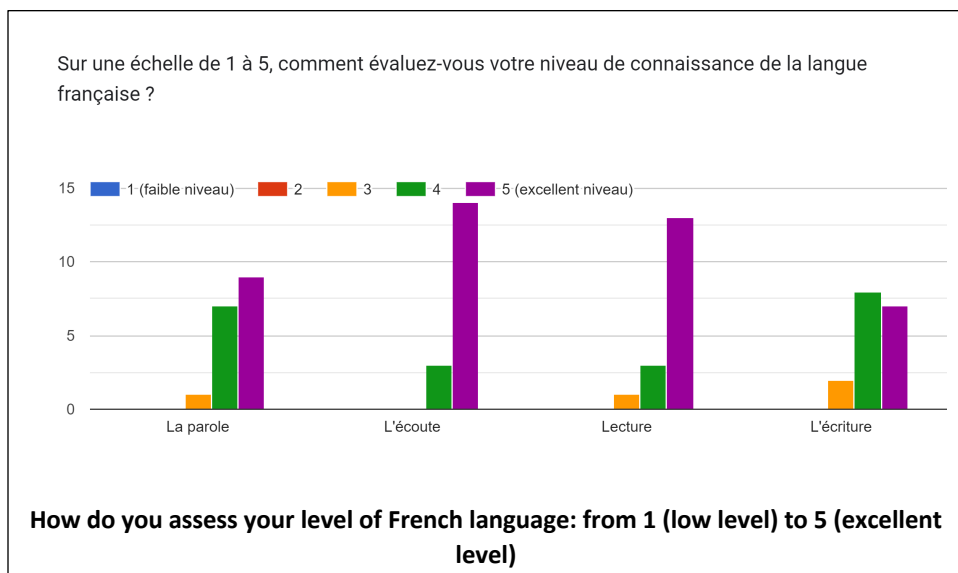
We also had questions about how they felt about their current position through four topics: work environment, relations with colleagues, relations with employers, wages



We can see that for work environment, there is a pretty high level of satisfaction (purple). For relations with colleagues, a majority of high satisfaction, for relation with managers, the purple color declines, and it is very clear workers aren't happy with wages, as it is the only item where blue (not satisfied at all) appears and purple is very low.

Besides their feeling about work, it was interesting for us to understand the respondents' assessment of their level of French language skills - spoken language, oral language comprehension, reading, written language - as language is very important in relationships. And relationship and human interactions are components of social work.

We can see in the figure below, that respondents feel more confident about their abilities in listening and reading French language than in speaking or writing it.



Next question was about finding housing: for 1/3, it was difficult. And when asked if they received support to be integrated in their new place of residence, less than half of the 17 got some :2 from their employer, 3 from outside their workplace, 2 from social worker.

It was important to understand if the due to the fact they are foreigners, had experienced discrimination. Only 2 people had this feeling.

One said it wasn't at his current workplace, but in a previous job(s) he/she had suffered allusions and taunts about his/her origins.

The other one said he had to suffer remarks, stereotypes.

Commentary, conclusion

For the employers final question, which was an open question, only one respondent wanted to add a comment. He mentioned the difficulty of recruiting workers from North Africa (Algeria, Tunisia, Morocco); difficulties to obtain work permits - long procedures, requesting proof of local recruitment difficulties (applications on Pôle Emploi), although they have the greatest difficulty in recruiting local staff, particularly for jobs with staggered working hours (security guards, social workers).

There are particular relations between North African countries and France, due to a colonial past and massive immigration in the sixties. There are specific rules to get a work permit for foreigners from those countries.

For the employees final question, we got more comments:

- Find accommodation that suits my situation.
- I would like to take the DELF C1 exam to be able to have the French nationality.
- Work permit/change of status.
- Ensure that there is no discrimination in access to housing (even with solid records and pay slips, you can be discriminated against...), this impacts on the quality of life and therefore can also impact on work.
- An increase in salary.
- After my training I would like to pursue other professional training in order to be able to invest in France and work independently.
- Link with authorities to be established for multi-annual residence permits.
- I need financial support to do a degree in the field of social mediation. (licence/ master in social mediation).
- I have the chance to be in a very open and welcoming place. My nationality is far from being perceived as a problem, on the contrary, it is considered as an asset.

The latest figures published by INSEE in 2022 give a clear picture of the number and home continent origin of foreign workers in 2019

([https://www.insee.fr/fr/statistiques/6478217?sommaire=6478362.](https://www.insee.fr/fr/statistiques/6478217?sommaire=6478362))

	Non-immigrants	Total immigrants	Africa	Asia	Europe	America, Oceania
Total foreign workers in all sectors	23 696 800	2 828 700	1 318 700	421 000	930 700	158 000
Health, cultural, social, sport sector	2 694 600	218 100	110 400	22 500	71 700	13 400

In our short survey, which is not intended to be exhaustive, respondents did not report any difficulties in employing foreign workers. And most of the employees didn't suffer discrimination and got support at work place.

SUMMARY OF INTERVIEWS

I/ Issues and possible solutions

After analysing and summarising the 50 questionnaires completed by employers and the 17 questionnaires completed by employees, a series of interviews was conducted with 10 employers and 10 employees. Most of these people had agreed to be recontacted via the questionnaires in order to go further in their responses, and a few presented themselves spontaneously. These interviews reveal the problems that employers have faced or are facing to varying degrees in employing employees of foreign origin. In turn, the employees told us about their career paths and their feelings about integrating into the workplace. The information we gathered was in line with what we found in the questionnaires. It should be noted that our employer contacts only recruited employees who were already living in the country, and therefore did not go abroad to look for them, despite the tensions in certain professions. This summary and the proposals that follow were examined by a focus group of 9 employers, which met in November 2022. The group validated this work and the proposals for action that could be taken. It should be noted that the ambition of the project, which was to create a training programme for employers on how to welcome foreign nationals, was not of particular interest to the employers in the focus group.

1. The legal framework, obtaining a residence permit and/or a work permit

The legal framework was mentioned almost systematically. Not as an insurmountable difficulty, but as an obstacle that can slow down or complicate the process. The difficulties concern employees from non-EU countries, while the issue does not arise for Europeans who are authorised to live and work in any other EU member state. Here are the issues raised:

Foreign nationals entering France to take up paid employment must hold a work permit. Otherwise, they cannot be taken on as they would be considered illegal workers, and their employers could face criminal and/or financial penalties. The work permit can take the form of either a visa or a residence permit, or a document separate from the residence document. The interviews revealed the complexity of obtaining or renewing residence and work permits. The interviews gave several examples of workers who, despite having integrated into the French labour market and society, have been refused additional residence and work permits and are subject to Obligations de Quitter le Territoire français (OQTF). In such cases, employers are forced to dismiss the workers. Some employees also mention this difficulty (see open questions).

Our interviews also showed that there is a great deal of territorial inequality. In particular, our interviews showed that the time taken to process applications varied greatly from one prefecture to another. According to the interviews, these delays have increased since the health crisis.

As far as the time taken to obtain documents is concerned, there is a real territorial inequity. In some départements, prefectures take several months to issue residence permits.

Finally, employers show a strong desire to participate in the integration of foreign workers in their structures. In particular, they try to facilitate the renewal of residence permits through longer employment contracts. This condition is sometimes not enough to renew the residence permit. As for the employees, many of them noted that their integration had been facilitated by the way in which the employers organised their work, particularly where a co-worker tutor helped them to integrate professionally. However, the employees told us that in previous experiences in other sectors, they had not been given an open welcome.

a) Procedure for employers

The procedure to be followed by the employer (verification of work permit, registration with Social Security, tax paid to the French Office for Immigration and Integration (Offi)) does not appear to be an obstacle to the recruitment of foreign workers for employers who have already recruited these profiles. What's more, these organisations often have social workers or administrative staff in their teams who are well versed in these procedures. On the other hand, for employers who have never recruited foreign

workers before, the procedure appears to be a real barrier to recruitment. For these employers, "the issue of the right to work can quickly get them into difficulty". What's more, there is a real difficulty between the employer's obligation to check all the permits and the fear of being intrusive.

b) Delays in obtaining administrative documents, relations with prefectures and the administration

Deadlines, particularly for renewing papers, appear to be a limiting factor in the recruitment of foreign workers. In fact, some employers are sometimes forced to refuse to recruit or to refuse to renew a contract because of excessive delays in renewing papers, particularly for certain prefectures. One employer, for example, said that he had sometimes had to "dismiss people because of the time taken to make an appointment". Insofar as any recruitment of a foreigner from a third country requires proof that there is no desired French profile, the recruitment process can take a very long time and "some great profiles slip through our fingers". Relations with the authorities seem to have become more strained since the health crisis, with delays becoming longer and contacts between structures and prefectures dwindling. One employer also mentions complex relations with the Protection maternelle infantile (child mother protection) regarding the recognition of diplomas, and having had to dismiss a Belgian employee because of the constraints imposed by the Protection maternelle infantile (child mother protection), which did not recognise her diploma.

What answers have been given and what avenues need to be explored?

- ❖ Dedicated staff to help foreign nationals with formalities, public letter-writers ;
- ❖ An intermediary association that could deal with all these administrative issues, particularly for small associations or first-time employers of foreign nationals, and which would have privileged relations with the authorities;
- ❖ Simplification of the procedures would be welcome, as current recruitment problems in France are leading the public authorities to relax certain rules on regularisation and employment. The early childhood professions could be concerned;
- ❖ A legal sheet setting out the legal framework and the recruitment process.

While some employers, through their activity, can facilitate access to housing for their foreign employees, the legal framework complicates access to housing. This difficulty is linked to the fact that residence permits are sometimes very short and may be broken. In order to facilitate their access to housing, many employers draw up employment contracts that are longer than the residence permit, sometimes with the risk of having to dismiss their employees if the permit is not renewed. For employees who already had family or a spouse in France, housing was not a problem. For those arriving from abroad, things were more complicated.

What answers have been given and what avenues need to be explored?

- ❖ Relations with social landlords and social housing.

2. Language skills

In a sector where relations with others are frequent, mastery of the language, whether written or spoken, is important. A foreign employee who does not have a good command of the language may have difficulties in dealing with the public, in understanding his or her work (for example, service staff and products) and in dealing with the team (team meetings, analysis of practices), even if not everything depends on a good command of the language (in dealing with small children, communication takes place at a different level). For some of the employers interviewed, language proficiency was the only problem encountered in employing foreign workers. For the employees interviewed, their command of the spoken and read language was fairly good, while the written language presented more difficulties. One of the

questions asked during the interviews was: "What would you advise a friend in your country to do if they wanted to come and work in France?" The answer given by 2 people was "to learn French before coming".

What answers have been given and what avenues need to be explored?

- ✦ French as a foreign language courses before or during employment. Sometimes set up inside the structure, sometimes outside;
- ✦ A dedicated employee is on hand to provide support, and tutoring, learning professional skills by observation and example, is systematically applied;
- ✦ The creation of a French/English/pictogram lexicon for certain professions.

3. Recognition of qualifications and "mourning" the loss of one's previous career path, for people who are already qualified

The recognition of qualifications is a real barrier to the recruitment of foreign workers, particularly in sectors such as childcare, where qualifications are highly codified. The employers and employees interviewed mentioned the major difficulties in having employees' diplomas and qualifications recognised, not only those from outside the European Union but also European diplomas, in this case from Belgium. With regard to early childhood, an initiative by the early childhood sector committee has drawn up a list of equivalences

The employees and employers interviewed also spoke of foreign workers "mourning" their former career path. We have examples of people who were journalists or nursery nurses in their countries of origin, but who cannot get the equivalence of their qualifications or career path recognised in France. As a result, these people are downgraded professionally and sometimes have to start from scratch. The "mourning" of the previous professional life appears to be a violence to which foreigners whose migratory pathways may also have been traumatic are subjected.

What answers have been given and what avenues need to be explored?

- ✦ Encouraging training ;
- ✦ Working with employees to design a career path that will enable them to acquire qualifications. VAE (validation of acquired experience) and FEST (on-the-job training) are certainly avenues worth exploring;
- ✦ Designing tailor-made group training courses in an area where several foreign employees are involved.

4. Level of education, skills and qualifications, for people with no certification

Some of the people we spoke to mentioned difficulties linked to the educational level of foreign workers. They may not have had access to initial training in their country of origin and may have only a basic command of reading. This can make the job more complex, for example when it comes to reading instructions, or in the case of household help, reading the composition and use of household products. This can put the employee's health at risk.

This limited level of education also makes it more difficult for employees to benefit from training, and thus has an impact on their career paths and progress within the organisations. The interviews demonstrate the difficulty of offering training to employees with a limited command of the language or a limited educational background. However, almost all of the employees we interviewed had a level of education higher than the baccalaureate, and were therefore not affected by a lack of basic skills.

What answers have been given and what avenues need to be explored?

- ❖ Fli (French as a language for integration): Please note, however, that the body that collects training funds does not finance training for foreigners who do not have a level of French equivalent to level 3. The FLI is a citizenship training course which, in addition to vocabulary, syntax and their uses, includes an understanding of the values and principles on which life in French society is based;
- ❖ The avenues to be explored are the same as in point 3.

5. Cultural issues

For some employers, the problems may be linked to different cultures, concerning the employment relationship or the exercise of a profession.

As far as the employment relationship is concerned, the problems are mainly related to understanding the framework of the NCC and employment law (compliance with working hours), but they can also be related to what is considered to be too much formalism in the employment relationship or in applying for a job (example: employees do not understand why they have to write a covering letter and a curriculum vitae for a job as a household helper).

Finally, cultural influences can also have an impact on the way a job is done, particularly in early childhood. Developments in the early childhood professions in France are not always the same as in other countries, which can make the job more complex. This is particularly the case in the educational conception of early childhood professions, *where* some countries have a vision limited to health.

What answers have been given and what avenues need to be explored?

- ❖ A fact sheet explaining the world of work in France, and the obligations of employers and employees;
- ❖ A fact sheet explaining the steps an employee needs to take to find a job.

6. Attractiveness of professions and the sector

Finally, the interviews raise the (very general) issue of the attractiveness of the professions and the sector. This attractiveness is all the more limited for some foreign workers who are not familiar with these professions or sectors in their countries of origin. Many foreign workers discover social and socio-cultural centres when they arrive in France. This discovery sometimes leads to vocations.

What answers have been given and what avenues need to be explored?

- ❖ Get in touch with specialist immigration associations and employment organisations to raise awareness of our professions.

II/ Are foreign employees different from other employees?

Our interviewees were sometimes surprised by our questions, and the distinction we made between French and foreign employees. For all of them, the primary reason for recruiting foreign employees was their suitability for a particular profile and the skills they possessed. Their foreign status is not a criterion. They are therefore recruited and treated like any other employee. And like any other employee, they may need more support in certain areas, such as obtaining various permits, finding accommodation and mastering the French language. But problems such as mastery of the written language are also encountered by French employees. The issue of career paths and the fight against downgrading also concerns all employees. In fact, any action put in place for foreign employees can benefit all employees to support their social and professional integration. As for the employees themselves, most of them have not suffered any discrimination, particularly in the social services sector.

1. Support and specific actions at work

The employers interviewed mentioned the need for more support for workers, to help them master their jobs and integrate into work teams. The aim of this support is to help workers discover their trade and to enable them to learn how to do the job.

This support can be provided by setting up mentoring arrangements between employees, or by pairing them up, to enable foreign workers (or not) to integrate more quickly into the work team and master the job. The role of digital mediators or social workers in providing access to the law is also a key factor in the successful integration of foreign workers.

Foreign workers sometimes need longer periods of leave to return to their home countries. Some employers allow employees to take long periods of leave in order to reconcile their professional and personal lives. These rules also apply to employees who work in France but whose families live in the Drom-Com. The amount of leave that can be taken in a single period cannot normally exceed 24 working days. However, the employer may make individual exceptions to this provision for employees who have special geographical constraints. Apart from these special cases, if the employer and employee agree, there is nothing to prevent the 5 weeks being taken in a row, although a degree of flexibility may be allowed. In addition to this leave, some employers also grant their employees' requests for unpaid leave in certain family situations.

The interviews with the employees corroborated what the employers had to say: learning professional skills was greatly facilitated by what the employers had put in place in terms of tutoring or coaching, or even working in *pairs*.

2. Actions concerning the integration of new employees and team cohesion

Employers carry out integration initiatives for all employees, whether foreigners or not. Employees can benefit from anti-discrimination training or "Values of the Republic" training. According to the employers interviewed, the employees who take advantage of this training are doing so because of the position or structure in which they work, rather than because of their status.

The employers interviewed also mentioned the need to support their teams when a new employee arrives, whether foreign or not. When these employees are foreigners, it may be necessary to take specific action, particularly in terms of language skills, which can be a source of tension between professionals.

a) Possible courses of action:

- ✧ A welcome booklet for new employees, whether or not they are foreign nationals;
- ✧ Time for team sharing on professions, vision of work...

III/ Actions we could carry out as part of FWSS

In the light of the interviews, certain practices and suggestions made by the people interviewed, the need that emerges is not only for specific training courses on the recruitment and integration of foreign employees. However, a number of tools were mentioned as possible avenues to explore.

1) Practical and legal factsheets

The interviews identified two types of information sheet that could be envisaged: one for employers and one for foreign workers.

a) Employment and recruitment procedure for employers

This document is a procedure for employing and recruiting foreign workers. The document should contain a reminder of the legal framework for recruiting a foreign worker, and provide for the various deadlines that affect the organisation's human resources (e.g. residence permit renewals). The document could also contain frequently asked questions:

- ✦ What are the conditions for taking on a foreign worker? What rules do I have to follow?
- ✦ Is it possible to recruit them without a residence permit or not?
- ✦ Am I obliged to dismiss them if my residence permit is not renewed?
- ✦ What recourse does the employer have?
- ✦ What is the employer's responsibility? What are their rights and duties?
- ✦ How does the additional holiday period work?
- ✦ What training courses can I take?
- ✦ What contracts are available to foreign workers?

b) "What is working in France?", aimed at foreign workers

This document would be intended for foreign workers. It would explain the rights and duties to which the employee is subject. It would explain :

- ✦ The rules governing employment law in France ;
- ✦ The employment contract ;
- ✦ Working hours and working time ;
- ✦ Taking leave;
- ✦ Access to training, including under the Personal Training Account (PTA);
- ✦ Professional gestures...

2) A glossary in different languages

The second tool identified during the interviews is a glossary that could be produced in different languages and with pictograms.

The aim of this lexicon is to improve communication between the foreign worker and the employer, the rest of the salaried team and the target groups. The glossary would be based on terms regularly used in the sector and sub-sectors. In this way, in addition to French as a foreign language courses, the aim is to reinforce the mastery of terms specific to the professional sector in which the employee is working. As well as helping to integrate foreign workers into the team, management and the public, this lexicon could help to improve health and working conditions, particularly when using potentially dangerous products (e.g. household products).

3) The development of training courses

A distinction can be made between training for employers and training for employees.

a) For employers

Training courses for employers should aim to improve understanding of the legal framework for employing foreign workers, and any specific rules. They could also be extended to include modules on integration and the development of team cohesion, and on the development of internal career paths. Finally, they could also include an exchange of practices between employers on the recruitment and integration of foreign workers in the workplace, and in particular between employers who already employ foreign workers and others who do not yet do so. In fact, we can see that the fears associated with employing a foreigner (particularly in

terms of the legal framework and administrative complexity) are easily overcome at the time of the first job.

b) For foreign workers

This mainly involves training in French as a foreign language. However, these courses can be supplemented by training on the specific vocabulary used in certain professions and also on mastering professional gestures, which may be specific to France.

