



HOW TO REQUEST THE PARTIAL ACTIVITY

- March 16, 2020 -

PRINCIPLE - COMPENSATION OF EMPLOYEES - STATE AID

***N.B. The government has indicated that further details will be provided earlier this week.
We will be back to you shortly.***

CASES IN WHICH YOU CAN USE THE PARTIAL ACTIVITY

- **Administrative closure of an establishment imposed by the State**, this applies to shops open to the public (excluding food shops, pharmacies, petrol stations and tobacco shops).
- Interdiction - Prohibition of public demonstrations following an administrative decision
- (Massive) absence of employees essential to the company's activity
- Temporary interruption of non-essential activities,
- Suspension of public transport by administrative decision,
- **decrease in activity related to the epidemic.**

STATE ASSISTANCE

You receive a lump-sum allowance co-financed by the State and the Unedic:

For companies with less than 250 employees:

- The flat-rate allowance is increased: **for the time being, it is set at € 8.04 per hour** off work instead of € 7.74. Please note **tick the «coronavirus» box** in the exceptional circumstances giving entitlement to the partial activity.

For companies with more than 250 employees:

- 7.23 for companies with at least 250 employees.
- However, in response to this emergency caused by the coronavirus, **The President of the Republic announced in his speech of 12/03/2020 that the State will «fully» cover the partial unemployment requested by companies penalised by the spread of COVID-19.** To date, the exact modalities of «full» care have not yet been specified.

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As an indication, a financial projection of the scheme is given below:

Chômage partiel (Entreprises moins de 250 salariés)	Calcul réalisée au 16/3/2020 pour un salarié					
Salaire brut mensuel pour 152 h	1 539	2 000	2 500	3 000	3 500	4 000
Salaire brut horaire pour 152 h	10,15	13,19	16,48	19,78	23,08	26,37
Coût pour l'entreprise avant aide de l'Etat	1 222	1 403	1 753	2 105	2 456	2 806
Aide Etat UNEDIC pour 151,67 h travaillées	1 176	1 176	1 176	1 176	1 176	1 176
Coût mensuel entreprise après aide de l'Etat	46	227	577	929	1 280	1 630

Calculation carried out on 16/3/2020 depending on the site.

<https://www.service-public.fr/professionnels-entreprises/vosdroits/R15061>

EMPLOYMENT CONSEQUENCES

Employment contracts are suspended during the period of partial employment.

The employee currently receives an indemnity of **70% of their previous gross remuneration** (which is used as the basis for calculating paid leave).

Management employees who do not receive compensation from "Pôle Emploi" will not be affected.

The employer will pay the compensation to the employees concerned on the normal pay dates.

The indemnities paid to employees are taxable but do not constitute a salary. They are exempt from contributions and payroll tax. They are subject to the CSG at the rate of 6.20% and the CRDS at the rate of 0.50%. These two contributions are calculated on the basis of 98.25% of the indemnity paid (application of a 1.75% allowance for professional expenses). Employees with low incomes may benefit from an exemption from the CSG and CRDS or a reduced CSG rate set at 3.80%.

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IN PRACTICE, HOW TO REQUEST THE PARTIAL ACTIVITY

1/ Prepare the following

- Argument justifying the indispensable recourse to partial activity (drop in orders, drop in attendance, refusal of employees on building sites, supply problem, closure imposed by the State, etc.).
- Inventory of the various justifications (except closure) (example: cancellation emails for appointments, construction sites, etc.), if necessary,
- Partial period of employment (start and end)
- Number of employees concerned,
- Expected number of hours off work over the period,
- RIB of the bank account to which you wish the State aid to be paid.

2/ Go to the site <https://activitepartielle.emploi.gouv.fr/aparts/>

3/ Create your space

3.1/ Complete the information on the establishment

3.2/ Fill in the user's information (person who will manage the activity request and monthly reports of hours worked).

You will receive 4 emails (including an email for the login, and an email for the password). They may arrive in your spam, do not delete them. You will have to change the password at the first connection.

We recommend you, for the secret question to indicate: «What is your accounting firm? «Answer: ORCOM (to allow us to take over if necessary).»

It may take a little time to create the account. We would like to reassure you that the applications will be regularized posteriori (no announcement by the State but was authorized during the «Yellow Giles Movement»).

4/ Make your request

Where the enterprise has such a facility, prior consultation of the CSE is normally required before setting up the partial activity. However, in view of the circumstances, instructions have been given by the State services to ensure that:

- The consultation of the CSE may take place after the setting up of the partial activity and that
- Supporting documents may be provided after the application has been opened.

Once the account has been created and the credentials received, log in to request partial activation.

Fill in the information about the company (date of the solidarity day, number of individual employees, number of FTE employees...) indicate the company's RIB.



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*- March 16, 2020 -***The application for partial operation must specify:**

- **the reason for partial activity:** the coronavirus has been provided as an «exceptional circumstance», and a «coronavirus» box was thus created on the site.

It is necessary to add an argument to explain the impact of the coronavirus on the activity of the company and to download the

Supporting documents, the argument will be regularizable posteriori. No supporting documents are required when the closure of the company was imposed by the government.

- the foreseeable period of partial activity: start date up to 30/06/2020 maximum in the case of coronaviruses
- **the number of employees concerned**
 - all employees in case of total closure**
 - a part in the absence of closure**, if there is a decline in activity: in principle, the category of personnel targeted must be objective: production unit, workshop, department, team in charge of carrying out a project. The partial unemployment may not concern a single employee of the establishment.
- **the number of hours of partial activity requested:**

It can be a reduction or a temporary suspension of the activity.

If there is no closure, you should try to predict how many hours your employees will work during the period of partial unemployment.

At present, overtime is not covered by the scheme (nor by the State in respect of the employer, nor by the employer in respect of the employee).

Example: an employee who habitually works 39 hours and who works 20 hours in the partial activity: only 15h will be compensated per week and the employer does not have to compensate.

NB: at present, employees with an annual lump sum in hours or days cannot benefit from partial activity in the event of a reduction in working hours. However, they are entitled to it in the event of temporary closure of the establishment.

Once made, the application cannot be modified until the term granted (30/06/2020 or earlier, depending on the date set in the application and authorization). It is therefore necessary to anticipate and request enough hours of partial activity in case the situation continues to deteriorate. **You are not obliged to use all the hours authorized by the DIRECCTE. You can put employees on partial unemployment within the limit of the authorized quantum: it is advisable to provide for a sufficiently large volume without the request being unreasonable.**

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Briefly, the process can be schematized as follows:

Partial Activity Calendar

- J** Collecting the Elements :
(Sales pitch, Period (no later than 6/30/2020), Number of employees,
Number of hours unemployed)
- J** Creation of its Space
<https://activitepartielle.emploi.gouv.fr/aparts/>
- J + 48h** Receipt of identifiers
- J + 3** Prior consultation with the CHE or later, depending on the context
- J + 4** Request for partial start-up
- J End of Month** Drawing up payslips and payment by the company
- J End of Month** Monthly claim for reimbursement made at most based on the number
of hours worked (1)

Payment of the Lump Sum Allowance from the ASP
(Service and Payments Agency)

(1) You are not obliged to use all the hours authorized by the DIRECCTE. You can put employees on short time working within the limit of the authorized quantum: a sufficiently large volume must be foreseen without the demand being unreasonable.

Our social department is at your disposal to help you to carry out the request for partial activation.