

Professionalisation contract

Contrat de professionnalisation

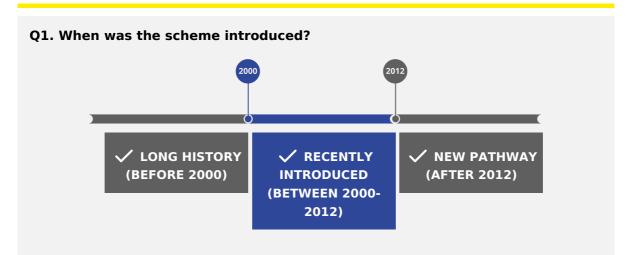
France

Reference year 2023

Content updates and contributors

Version 2023 - Drafted by Romain Pigaeud, Expert in Law and Training policies at Center-Inffo - Member of Cedefop Community of apprenticeship experts for France

(1) SCHEME HISTORY



The scheme operating under the professionalisation contract ('contrat de professionnalisation') exists since 2004.

Prior to that, there was a rather similar scheme called the 'contrat de qualification'. The following circular (DGEFP no 2012/15 of 19 July 2012) sets comprehensive information about the regulation applying to the 'contrat de professionalisation': https://travail-emploi.gouv.fr/publications/picts/bo/30082012/TRE_20120...

Please note that the *Direction de l'information légale et administrative* (legal and administrative information department) has produced a web page devoted to the professionalisation contract: https://www.service-public.fr/particuliers/vosdroits/F15478

Q2. How did the apprenticeship scheme originate?



Since 2005, the French Government has sought to position apprenticeship (the professionalisation contract notably) as a remedy for mass youth unemployment and for the phenomenon of young people dropping out of school without qualifications.

OTHER

(2) BENEFICIARIES





The scheme is addressed to the following target groups:

- Young people aged 16-25 years old who want to complete their initial training
- Unemployed people of 26 years old or more who are registered on Pole Emploi's job seekers list
- The beneficiaries of specific State aids for most at risk of social exclusion: people

active solidarity income, specific solidarity allowance, allocation *spécifique pour les adultes handicapés* (e.g. *revenu de solidarité active (RSA), allocation de solidarité spécifique (ASS*) or specific allocation for disabled adults (AAH)).

People older than 29 typically have only access to the contract of professionalisation (with a few exceptions – see the scheme on apprenticeship contract). Article L6325-1 of the French Labour Code:

https://www.legifrance.gouv.fr/codes/article lc/LEGIARTI000031088014

Q4. What is the average age of learners in practice?



51% of contracts are signed by adults aged 26 or over. This marks a significant change compared to the recent years, when the majority used to come from young people under 26.

Source: Dares, données, Le contrat de professionnalisation 4 MAI 2023 https://dares.travail-emploi.gouv.fr/donnees/le-contrat-de-professionna...

Q5. How many learners are enrolled in this scheme?

At the end of October 2023, 92,800 professionalisation contracts were registered. By 2022, 121,000 professionalisation contracts were registered.

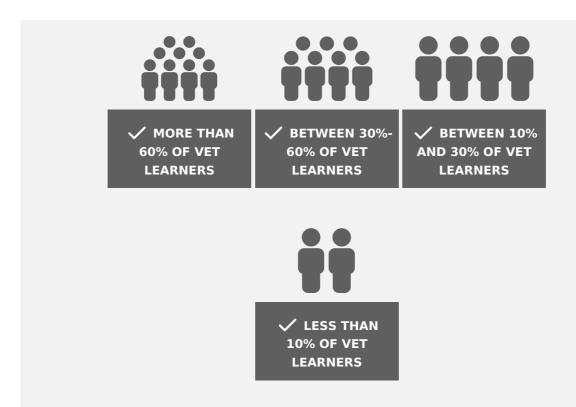
44% of contracts starting in 2022 were signed with companies with 250 or more employees.

Sources:

28 DÉCEMBRE 2023, le Contrats de professionnalisation, base de données « politiques de l'emploi »

https://poem.travail-emploi.gouv.fr/synthese/contrats-de-professionnali... Source: Dares, données, Le contrat de professionnalisation 4 MAI 2023 https://dares.travail-emploi.gouv.fr/donnees/le-contrat-de-professionna...

Q6. What is the share of apprentices enrolled in this scheme in relation to all VET students for the corresponding educational level(s)?



No data was found

(3) QUALIFICATIONS

Q7. Are the qualifications included in the National Qualification Framework (NQF)?



The 'professionalisation contract' leads to qualifications formally recognised by France competences (in the National repository of Professional Certifications - *Répertoire* national des certifications professionnelles (RNCP) or recognised in the classifications of a national branch collective agreement; or giving entitlement to a certificate of professional qualification (CQP) who may be associated to a level of qualification. Source: Article L6325-1 of french labour code //

 $https://www.legifrance.gouv.fr/codes/article_lc/LEGIARTI000031088014$

In 2022, 27 % of people hired under a professionalisation contract were preparing a diploma or professional qualification recognised by the State and registered in the National repository of Professional Certifications (RNCP). Sources:

28 DÉCEMBRE 2023, le Contrats de professionnalisation, base de données « politiques de l'emploi »

https://poem.travail-emploi.gouv.fr/synthese/contrats-de-professionnali... Source: Dares, données, Le contrat de professionnalisation 4 MAI 2023 https://dares.travail-emploi.gouv.fr/donnees/le-contrat-de-professionna...

Cedefop's VET in Europe Database offers additional information on the place of the apprenticeship scheme in the national VET

system: https://www.cedefop.europa.eu/en/tools/vet-in-europe/systems/france-u2

Q8. Is the scheme included in the ISCED 2011 mapping?



The apprenticeship contract is offered in programmes that lead to qualifications that are included in ISCED 2011 mapping.

Depending on the ISCED level of the corresponding VET programme, apprenticeships may be offered to ISCED 353/354 (upper secondary VET programmes), 554 (short higher programmes leading to BTS (*Brevet de technicien supérieur*) qualifications), or Bachelor and Master programmes at levels 645, 655, 747, 756, 757 etc.

Source: Spotlight of VET in France: https://www.cedefop.europa.eu/files/8141 en.pdf

Q9. Are the qualifications offered only through apprenticeships?



Whatever the pathway, the same certification may be obtained – and always have the same value – through apprenticeship, professionalisation contract, validation of prior learning (VAE) etc.

Q10. Which is the type of qualification obtained through the apprenticeship scheme?



The purpose of the professionalisation contract is to enable the beneficiary to acquire a professional qualification:

- either registered in the National Register of Professional Certifications (RNCP)
- or recognised by national sector collective agreements (outside the RNCP)
- or giving entitlement to a certificate of professional qualification (CQP): a certification created and issued by a professional branch which attests to the possession of skills related to a trade.

Art. L6325-1 of the Labour Code:

https://www.legifrance.gouv.fr/codes/article lc/LEGIARTI000031088014

On an experimental basis and until 27 December 2023, by way of derogation, the professionalisation contract may be concluded with a view to acquiring skills defined by the employer, in particular one or more blocks of skills.

A block of skills is part of a diploma. It is a homogeneous and coherent set of skills contributing to the independent exercise of a professional activity and which can be assessed and validated.

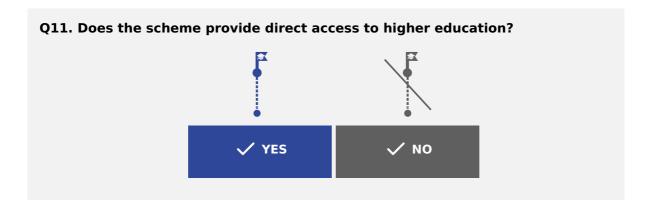
Source:

Article L6314-1 of the French labour code

https://www.legifrance.gouv.fr/codes/article_lc/LEGIARTI000038951760

Law n° 2018-771 du 5.9.18 (JO du 6.9.18), art. 28 - VI, modifié

https://www.legifrance.gouv.fr/loda/article_lc/LEGIARTI000042674327



All levels of qualification can be prepared with a professionalisation contract, including programmes at higher education level.

Several professionalisation contracts can be carried out in programmes that give access to higher qualification. Article L6325-1 of the Labour Code:

https://www.legifrance.gouv.fr/codes/article lc/LEGIARTI000031088014

Q12. What is the typical duration of the apprenticeship programme?

It is always the certificate awarding body that decides the minimum duration. France Competence oversees these certifications. The labour code imposes to define a minimum duration, based on the collective labour agreements.

The duration of the contract is normally six to twelve months. It may be extended by industry agreement. Article L6325-1 of the French labour code:

https://www.legifrance.gouv.fr/codes/article_lc/LEGIARTI000037386541&nb...;

The majority of professionalisation contracts are fixed-term contracts (81%). While most contracts are for more than 9 months, it should be noted that 31% of contracts started in 2022 are for less than 9 months.

Sources:

28 DÉCEMBRE 2023, le Contrats de professionnalisation, base de données « politiques de l'emploi »

https://poem.travail-emploi.gouv.fr/synthese/contrats-de-professionnali...

Source : Dares, données, Le contrat de professionnalisation 4 MAI 2023 https://dares.travail-emploi.gouv.fr/donnees/le-contrat-de-professionna...

(4) GOVERNANCE

Q13. Is there any organization at the national level with roles in co-ordinating the scheme?

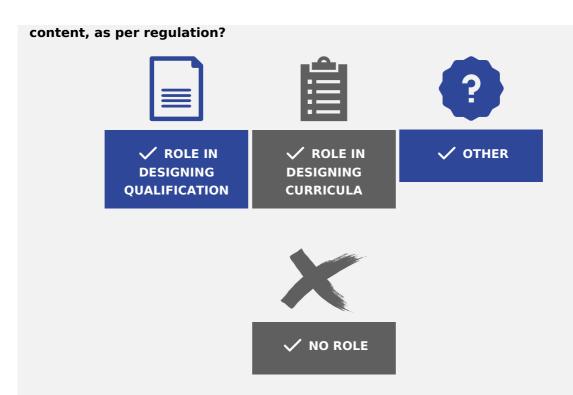


France compétences is the body responsible for regulating apprenticeships, including the contract of professionalisation.

It ensures the financing of vocational training and apprenticeship by distributing the mutualised funds to the various players. It contributes to the monitoring and evaluation of the quality of training activities and regulates the costs and levels of funding for training. It draws up and updates the national Repository of professional qualifications (RNCP).

Its strategic orientations are determined by a quadripartite governance made up of the State, the regions, representative trade unions and employers' organisations at national and cross-industry level, and experts.

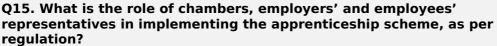
Q14. What is the role of chambers, employers' and employees' representatives, sectoral councils (if existent), in shaping apprenticeship

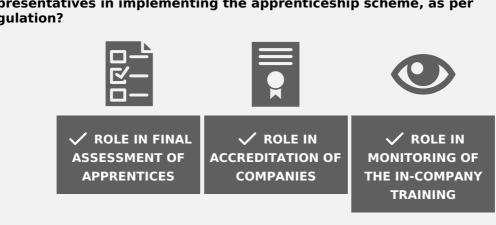


To include a new certification or to revise an existing regulation in the RNCP, an advise of the representatives of the labour market (employers, unions and professional branches) is needed. Professional branches can extend the length of the contract, the training, the cost coverage, the compulsory tutor training, etc.

Social partners manage 11 bodies called 'skills operators' (OPCOs - Opérateurs de compétences) organised by professional sector. They are responsible for financing apprenticeships, helping branches to develop professional qualifications and assisting SMEs to define their training needs. They finance apprenticeships in accordance with the levels of funding set by the professional sectors. They also support the sectors in their certification role.

Social partner sit in the board of France compétences, which regulates the national register of qualifications RNCP, ensuring that they meet the needs of the economy and is responsible for registering them (Article L6113-5 of the French Labour Code). The social partners are present in the National Joint Employment Commissions, which are also heard in relation to the registration of the processional certifications.







The professional branches are responsible for setting the level of support for each certification and the training needs for the sectors they represent. Professional branches can extend the length of the contract, the training, the cost coverage, the compulsory tutor training, etc

France Compétences monitors and assesses the apprenticeship system.

Q16. What are the main roles of key state actors?

The Ministry of Labour, Employment and Integration prepares and implements government policy in the areas of work, employment and professional integration, including apprenticeships. It prepares and implements rules relating to working conditions, collective bargaining and employees' rights. It is responsible for vocational training for young people and adults, and for defending and promoting employment. The State approves Skills Operators, subject to the existence of an agreement concluded between the employees/trade unions and the representative professional organisations/employers.

The regions contribute to the development of apprenticeships in a balanced way across its territory, including funding for apprentice training centres.

(5) TRAINING AT THE WORKPLACE

Q17. Is it compulsory to alternate training between two learning venues (school and company)?



With a professionalisation contract, training actions are implemented by an apprenticeship training center (CFA) or, when it has a training department, by the company itself.

Article L6325-13 of the French labour code:

https://www.legifrance.gouv.fr/codes/article_lc/LEGIARTI000033024376

Q18. Is the in-company training defined as minimum share of the

apprenticeship scheme duration? ✓ YES, EQUIVALENT OR MORE THAN 50% OF SCHEME DURATION ✓ YES, BETWEEN 20% AND 50% OF THE SCHEME DURATION ✓ YES, LESS THAN 20% OF THE SCHEME DURATION

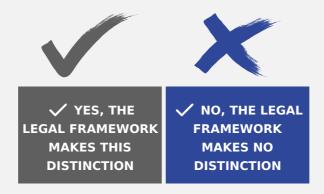


In-company training covers 85 to 75% of the duration of the professionalisation contract. The duration of time spent at the training center represents 15 to 25% of the duration of the professionalisation contract, without being less than 150 hours. This share may cover evaluation, accompanying and training measures operated by a training center. Depending on the intended target group of beneficiaries of the professionalisation contract, this percentage may be increased to more than 25%. In any case, the individual training plans have to reflect the content of the relevant qualification-certification. The training center must guarantee that the training programme covers all professional skills (see Q21, Q22).

Article L6325-13 of the Labour Code:

https://www.legifrance.gouv.fr/codes/article lc/LEGIARTI000033024376

Q19. Is there a distinction between the training time and working time for the period spent at workplace, as per regulation?



In the workplace, the employer undertakes the responsibility to provide the employee on a professionalisation contract with training related to the professional qualification

sought. However, this time is not quantified – including not in relation to the working time.

Sources:

DGEFP Circular no. 2012-15 of 19 July 2012 on the implementation of the professionalisation contract

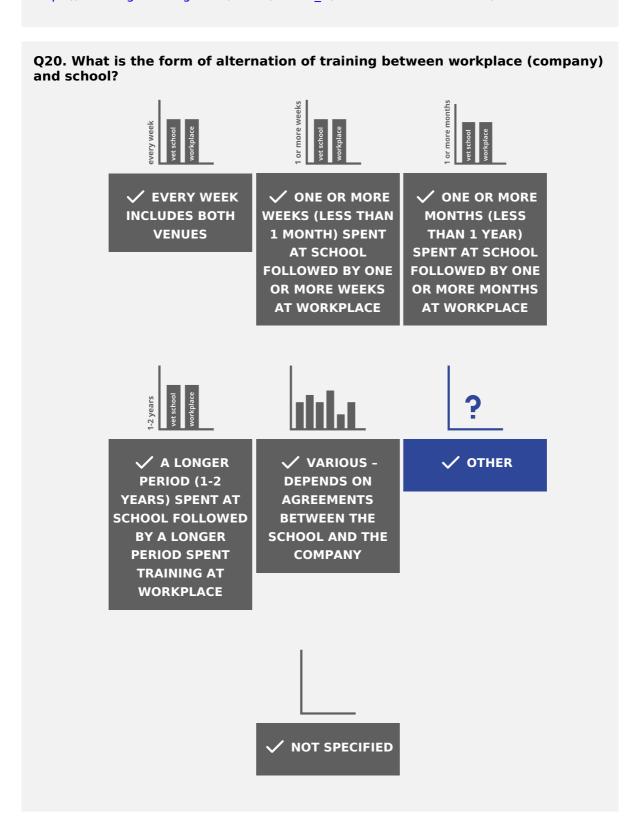
https://travail-emploi.gouv.fr/publications/picts/bo/30082012/TRE 20120...

Article L6325-3 of the French labour code:

https://www.legifrance.gouv.fr/codes/article_lc/LEGIARTI000006904255

Article L6325-3-1 of the French labour code:

https://www.legifrance.gouv.fr/codes/article lc/LEGIARTI000028689282/20...



The form and period of alternation of training between workplace (company) and the apprenticeship training centre (CFA) vary depending on the contract. It also depends on the personalised training plan developed for each beneficiary based on earlier evaluation and is in line with the qualification the contract aims at.

Assessment and support measures, as well as general, vocational and technological training, must begin within two months of the start date of the contract. This makes it possible to assess the match between the training programme and the skills acquired by the trainee.

Each training center (CFA) is responsible for setting the training timetable and the number of hours applicable to each course under its responsibility, while respecting the coherence of the training programme, the minimum duration of training, and the demands of the company.









✓ THE SCHEME IS IMPLEMENTED ON THE BASIS OF THE SCHOOL-BASED VET PROGRAMME



✓ THE SCHEME IS

IMPLEMENTED

BASED ON THE VET

STANDARDS (VALID

GENERALLY FOR

ALL VET SCHEMES)



In the 'contrat de profesionalisation' scheme, the training programme is implemented in accordance with pre-defined 'certification frameworks'.

Such frameworks of professional activities and skills are included in the final qualification and describe the work situations and activities carried out, the trades or jobs targeted, the skills and knowledge, including cross-cutting skills, which should be learnt.

An 'assessment reference framework' is also associated to the qualifications, which defines the criteria and procedures for assessing what has been acquired. Article L6113-1 code of labour.:

https://www.legifrance.gouv.fr/codes/article Ic/LEGIARTI000038951917

Q22. Is the company hosting apprentices required by regulation to follow a training plan at the workplace?



The legislation sets that the training plan is agreed at the level of the school and the company. The company needs to agree with the training provider the training objectives in the short, medium and long term in advance.

The object of the contract is a qualification-certification set at national level. Hence, the individual training plans have to reflect the content of the relevant qualification-certification.

Q23. What are the requirements on companies to provide placements, as per regulation?



The employer pledges to provide the beneficiary of the contract with training to enable him/her to acquire a professional qualification and to provide him/her with a job related to this objective during the contract.

Under this scheme, employers have the obligation to designate a tutor among qualified employees. The latter must be a volunteer and possess at least 2 years of relevant experience in the field targeted. The employer can also directly ensure the tutoring. Source: article L6325-13 of the Labour Code:

https://www.legifrance.gouv.fr/codes/article Ic/LEGIARTI000033024376

Q24. What are the formal requirements regarding workplace trainers/mentors/tutors? What is their profile?

The tutor's role is to:

- to welcome, help, inform and guide the beneficiaries of the professionalisation contract $\dot{\ }$
- work with the employees concerned to organise the activities of the employee on the professionalisation contract within the company and contribute to the acquisition of professional skills;
- ensuring that the timetable for the professionalisation contract is respected;
- liaising with the organisation or service responsible for assessing, training and supporting the professionalisation contract outside the company;
- participating in the evaluation of training.

Art. D6325-7 of the French Labour Code:

https://www.legifrance.gouv.fr/codes/article lc/LEGIARTI000018523017

The employer chooses a tutor from among the company's qualified employees. The employee chosen must be a volunteer and have at least two years' professional experience in a qualification related to the professionalisation objective in question.

The employer must allow the tutor the necessary time to carry out his duties and receive training.

Art. D6325-6 of the French Labour Code:

https://www.legifrance.gouv.fr/codes/article lc/LEGIARTI000029408683/20...

Q25. Are there any sanctions on companies that do not provide training to apprentices at the workplace?



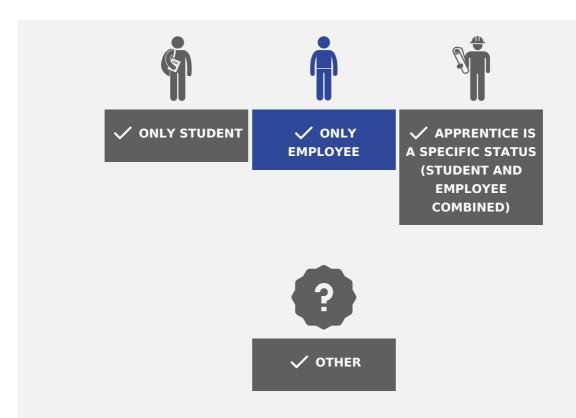
Work inspectors, responsible for the application of the provisions governing the professionalisation contract, ensure that the contract is properly carried out. There is a sanction for companies that do not provide training to apprentices at the workplace.

As a consequence, it is possible that a professionalisation contract may be requalified as an ordinary employment contract.

(https://www.legifrance.gouv.fr/juri/id/JURITEXT000007053716/)

(6) CONTRACT AND COMPENSATION

Q26. What is the status of the learner?



The beneficiary of a contrat de professionalisation is an employee.

Hence, the same internal rules to the company as any other employee apply also to apprentices (unless any of those is incompatible with given training requirements proper to the contract holder).

Source: Article L6325-5 of the French labour code:

https://www.legifrance.gouv.fr/codes/article_lc/LEGIARTI000006904257

Q27. Is there any written arrangement between the learner and company, required as per regulation?



According to the legal framework, the professionalisation contract is a specific type of labour contract.

It is signed between the learner and the employer, building on an alternation of practical training delivered by the employer and theoretical training supplied either by a training center (CFA) or directly by the employer, if it has the capacity to effectively offer this service (e.g. through in-house training center).

The training center (CFA) is referenced to in the professionalisation contract. However, it does not sign the employment contract.

Source:

Article L6325-5 of the French labour code:

 $https://www.legifrance.gouv.fr/codes/article_lc/LEGIARTI000006904257$

Article L6325-3 of the French labour code:

https://www.legifrance.gouv.fr/codes/article_lc/LEGIARTI000006904255

Q28. What is the nature of the written arrangement?



The professionalisation contract is a specific type of employment contract. Source : article L6325-5 of the Labour Code:

https://www.legifrance.gouv.fr/codes/article_lc/LEGIARTI000006904257

Q29. Where is the contract or the formal agreement registered?



The employer has to register the contract at the Skills operators at the latest within 5 days after the start of the contract.

The Skills operator verifies the conformity of the contract and sends it to the regional directiorates(offices of the ministry of employment) for the economy, employment, labour and solidarity (directions régionales de l'économie, de l'emploi, du travail et des solidarités (DREETS)).

Q30. Do apprentices receive a wage or allowance?



✓ YES, ALL
APPRENTICES
RECEIVE A WAGE
(TAXABLE INCOME)



✓ YES, ALL
APPRENTICES
RECEIVE AN
ALLOWANCE (NOT
A FORM OF
TAXABLE INCOME)



✓ APPRENTICES

RECEIVE A

REIMBURSEMENT

OF EXPENSES



✓ NO FORM OF COMPENSATION IS FORESEEN BY LAW

The wage is set by law (Code Article L6325-8 Of the Labour).

The salary is paid by the employer based on a pre-determined percentage of the minimum salary (*salaire minimum conventionnel de l'emploi occupé* (SMIC)) taking into account the age and the level of education or training of the beneficiary.

This represents a legal minimum, but a sectoral agreement can increase these legal minimums.

Article L6325-8 of french labour code

https://www.legifrance.gouv.fr/codes/article lc/LEGIARTI000006904260

More information on how the apprenticeship scheme is financed is available at Cedefop's database on financing apprenticeship schemes in the

EU: https://www.cedefop.europa.eu/en/tools/financing-apprenticeships/appren...

Q31. How is the apprentice wage (taxable income) set?



✓ BY LAW (APPLYING FOR ALL)



✓ BY CROSS-SECTORAL COLLECTIVE AGREEMENTS AT NATIONAL OR LOCAL LEVEL



✓ BY SECTORAL COLLECTIVE AGREEMENTS AT NATIONAL OR LOCAL LEVEL



The wage is set by law (Code Article L6325-8 Of the Labour https://www.legifrance.gouv.fr/codes/article lc/LEGIARTI000006904260)

The salary is paid by the employer based on a pre-determined percentage of the minimum salary (*salaire minimum conventionnel de l'emploi occupé* (SMIC)) taking into account the age and the level of education or training of the beneficiary as follows:

- Beneficiaries under the age of 21: a) without a Bac Pro (equivalent): >55% of SMIC; b) with a Bac Pro (equivalent): >65% of SMIC
- Beneficiaries aged 21-25 years old: a) without a Bac Pro (equivalent): >70% of SMIC; b) with a Bac Pro (equivalent): >80% of SMIC
- Beneficiaries of 26 years or more: a) without a Bac Pro (equivalent): >100% of SMIC; b) with a Bac Pro (equivalent): >100% of SMIC (Article D6325-14 Of the Labour Code):

https://www.legifrance.gouv.fr/codes/article lc/LEGIARTI000018522999

In practice, contractual provisions may be more favourable.

Article L6325-8 of the French labour code:

https://www.legifrance.gouv.fr/codes/article_lc/LEGIARTI000006904260

(7) FINANCING AND INCENTIVES

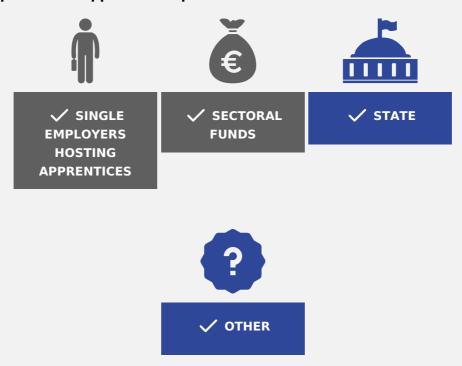


The salary is paid by the employer.

Source : article L6325-5 of the Labour Code:

https://www.legifrance.gouv.fr/codes/article lc/LEGIARTI000006904257

Q33. What are the sources of financing of the direct costs for the in-company training part of the apprenticeship scheme?



France compétences provides the skill operator with a share of the single contribution to vocational training and work-linked training to finance apprenticeship (including Professionalisation contract) paid by skill operators. It allocates to skill operators additional funds to finance apprenticeship.

The role of France compétences is to ensure convergence of rules and levels of support; to carry out a cost observation; to draw up recommendations useful for the development of apprenticeship.

Art. L6332-1-3 of the Labour Code:

https://www.legifrance.gouv.fr/codes/article Ic/LEGIARTI000043894240

Q34. Are there any financial incentives for companies that offer apprenticeship places?





Employers hiring beneficiaries (26 years old or above) included in the State allocation for job re-insertion list (allocation d'aide au retour à l'emploi (ARE)) can obtain (under certain conditions specified in the legal framework) a financial incentive in the form of an 'aide forfaitaire'. This is allocated every three months (EUR 200/month) over the whole duration of the contrat de professionalisation. Its total amount cannot exceed EUR 2000 for a single contract.

The amount of the financial incentive is increased for the recruitment of a jobseeker over the age of 45.

Between 1 March 2021 and 31 December 2024, employers who hire a young person under the age of 30 on a professionalisation contract can receive financial incentives of 6,000 for one year of the contract.

Décret n° 2022-1714 du 29.12.22 (JO du 30.12.22)

https://www.legifrance.gouv.fr/jorf/id/JORFTEXT000046837282

Instr. DG n° 2019-29 du 10.10.19 (BOPE n° 19-83)

https://bo.francetravail.org/bulletinsofficiels/instruction-dg-n-2019-2...

More information on how the apprenticeship scheme is financed is available at Cedefop's database on financing apprenticeship schemes in the EU: https://www.cedefop.europa.eu/en/tools/financing-apprenticeships/appren...

Q35. Does the wage or allowance of the apprentice cover both the time spent at school and in the company?



Training time, also spent at school, is included in working time.

Source: https://travail-emploi.gouv.fr/formation-professionnelle/formation-en-a...

Q36. Are there any incentives for learners?



✓ YES, GRANTS
PAID TO LEARNERS
TO TOP UP THEIR
REMUNERATION



✓ YES, GRANTS
PAID TO LEARNERS
RELATED TO OTHER
COSTS (TRAVEL,
FOOD ETC.)



✓ YES,
RECOGNITION OF
PRIOR LEARNING /
FAST-TRACK
OPPORTUNITIES



✓ YES, OTHER

TYPES OF

INCENTIVES



