

COMMISSION OF THE EUROPEAN COMMUNITIES

# STUDIES

*Apprenticeships in France*

# **Apprenticeships in France**

*Study by Mr Bernard Boubli*

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## CONTENTS

Introduction . . . . .	5
The development of apprentice training schemes . . . . .	6
The reform of 16 July 1971 . . . . .	8
The scope of apprentice training schemes . . . . .	10
Layout of the study . . . . .	10
<b>I – The legal basis of apprentice training schemes: indentures . . . . .</b>	<b>11</b>
<b>A – Legal nature of indentures . . . . .</b>	<b>11</b>
<b>B – Preparation of indentures . . . . .</b>	<b>11</b>
1. The formal requirements . . . . .	11
(a) Obligation to prepare a written document . . . . .	11
(b) Obligation to register indentures . . . . .	12
(c) Apprenticeships in family businesses . . . . .	13
2. The basic conditions . . . . .	13
(a) Capacity of the contracting parties . . . . .	13
(b) Term and purpose of the indentures . . . . .	16
3. Penalty for failure to comply with the rules on training: nullity of the indentures . . . . .	18
<b>C – Performance of the indentures . . . . .</b>	<b>18</b>
1. Rights and obligations of the contracting parties . . . . .	18
(a) The employer . . . . .	18
(b) The apprentice . . . . .	18
2. Penalties for infringement of the indentures . . . . .	19
(a) Civil sanction: termination of the indentures . . . . .	19
(b) Administrative sanction: withdrawal of approval . . . . .	19
(c) Penal sanctions . . . . .	20
<b>II – The social and economic basis of apprentice training schemes: Action by firms and the public authorities . . . . .</b>	<b>21</b>
<b>A – Types of apprentice training schemes introduced in firms . . . . .</b>	<b>21</b>
1. Training in industry and commerce . . . . .	21
(a) Traditional apprentice training schemes . . . . .	21
(b) Apprentice training schemes organized by industry itself . . . . .	21
2. Training in the craft and agricultural sectors . . . . .	22
(a) Craft sector . . . . .	22
(b) Agricultural sector . . . . .	22
<b>B – Contributions by firms towards the financing of apprentice training schemes . . . . .</b>	<b>23</b>
1. The principles of the apprenticeship tax . . . . .	23
2. Critical appraisal . . . . .	25

III – The educational basis of apprentice training schemes .....	27
A – Vocational guidance .....	27
1. The vocational guidance services .....	27
2. The actual and potential role of vocational guidance .....	28
B – The Apprentice Training Centres (CFA) .....	30
1. The setting-up of the CFA .....	31
(a) Conclusion of the agreement on the setting-up of a CFA .....	31
(b) Content and scope of the agreement .....	32
2. Organization of the CFA .....	34
(a) Administrative organization .....	34
(b) Financial organization .....	35
(c) Educational organization .....	36
IV – Control procedures applicable to apprentice training schemes .....	42
A – The control bodies .....	42
1. The general control bodies .....	42
2. The inspection authorities .....	43
B – Methods of control .....	44
1. Inspection of firms .....	44
2. Inspection of CFA .....	45
Conclusion .....	47
Annexes .....	53

## INTRODUCTION

1. It is no longer necessary to stress the need for skilled labour in the industrialized countries. The merging or reorganization of firms is resulting in an ever-increasing number of redundancies. Every year more than 400 000 young people come onto the labour market. Unemployment is growing in most Western countries - no doubt due partly to the slow rate of growth - but the situation is made even worse by the inability of labour to meet the requirements of the employment market.

2. An impressive effort has been made in France to provide the country with as comprehensive a vocational training system as possible, designed to provide both initial training for young people and further training for adults. Four laws to this effect were adopted on 16 July 1971 and, at that time, France could be said to hold first place among the Western countries in this field.

Although it has been considered a national obligation since 1966, the development of vocational training is not due to a sudden growth of awareness of the country's labour requirements. Whenever an employment crisis has erupted, action has been taken, whether at adult education level, with the setting-up of AFPA (Association for Training and Further Training in Agriculture) in 1936, or with regard to the training of young people, with the State intervening for the first time in 1919.

3. It is striking, however, that the youth unemployment rate is still very high and that it is still rising. The economic solutions which the public authorities are endeavouring to introduce (keeping adolescents at school, introduction of an employment-training contract), represent an admission of the shortcomings of the initial training system, and it would be unfortunate if the impressive structure set up in 1971 were to prove not yet capable of ensuring the achievement of the balanced employment situation which was one of the objectives of the VIth Plan.

As far as apprenticeships are concerned, the objectives of the law of 16 July 1971 still do not appear to have been attained three years after the introduction of the new system which, admittedly, will not become fully operative until 1976. Developing from a system which found itself gradually being eroded with the passage of time, and which was leading straight to the disappearance of apprenticeships - at least in the industrial sector (Chazalon report No 1786, Ass. Nat. Min. 3 June 1971) - the new apprenticeship rules, while being more elaborate and better constructed, are really based on an incomplete set of texts; such legal architecture could be compared to the construction of monuments, and no doubt gives those who frequent it the same sensations as felt by visitors to Daedalus's labyrinth (N. Catala, preface to the work by Mr Boubli, Mr Belorgey and Mr Pochard entitled *Apprentissage, Orientation, Formation Professionnelle*, Lib. Techniques 1974).

## The development of apprentice training schemes

4. Initial vocational training may be given within a school environment purely and simply. Technical education is then given in technical colleges (CET) to which adolescents are directed either after moving up through school in the normal way or after a period in a class designed to prepare them for an occupation (CPPN). These classes were introduced in 1972 to enable young persons leaving the 'cinquième' (second year of secondary school) to catch up. In the classes the adolescents receive information on three different occupations, obtained mainly at test benches, but also through visits and short training courses in firms. The CPPN course leads either to the vocational training certificate (CAP) after three years or to an elementary studies certificate (CEP) after one year, following which the young persons can enter employment. However, a young person may also take up an apprenticeship directly, after passing through a pre-apprenticeship class (CPA).

5. An adolescent who immediately takes up an apprenticeship gains experience of working life. He acquires his skills partly in the firm and partly in an apprentice training centre. Indentures are required as a guarantee of the apprentice's rights and the efficiency of the training scheme. Until 1971 such indentures were governed by the provisions of Book 1 of the former Labour Code (Articles 1-18); now they are governed by the law of 16 July 1971 whose articles have been consolidated and incorporated in the new Labour Code (Articles L 114, 1 ff).

The educational basis of the training, the quality of which is of direct concern to the public authorities, should provide the apprentice with a sound general education so that he can master his skill and be sure of social advancement.

6. Direct State intervention in apprenticeships dates back to the Astier law of 25 July 1919. That law, supplemented by other provisions (law of 12 July 1925 on the apprenticeship tax; law of 18 January 1929 on agricultural apprenticeships; law of 10 March 1937 on apprenticeships in the craft sector) emphasized the educational and cultural aspects of this method of training.

It entrusted the local authorities with the task of organizing vocational training courses, under the aegis of a local vocational training committee, open to young persons aged between fourteen and seventeen employed mainly in industry. At the same time public and private apprentice training centres were set up to supply vocational training to young people unable to find employment in firms. Finally, the corporative organization of apprenticeships, promoted by a law of 24 June 1936, together with the so-called law of 16 August 1940 on the provisional organization of industrial production, took a huge leap forward as a result of the social committees set up in every branch of activity and provided with very considerable powers in the employment and labour fields.

7. This system was not at all suited to meet the changing requirements of the employment market, which is itself affected by economic change. The laws, which made way for a great deal of bourgeois paternalism, soon became antiquated, and their shortcomings, especially in the industrial sector, were felt from the mid-1950s onwards. The system, based on disparate structures, was very complex. The respective powers of the Minister of Labour and of the Minister of National Education were ill-defined. As far as the actual training was concerned, the diversity of the bodies providing education resulted in the creation of too great a variety of apprentice training courses. Finally, from the financial viewpoint, individual initiative still played far too large a role.

8. Consequently, when, from the 1960s onwards, industrial and technological progress, together with the population growth, gave rise to changes in the employment situation, the

system seemed outdated. In 1966/68 one-third of the young people in each age group started their working life with no training other than their compulsory schooling behind them. During the same period, a considerable decrease in the number of apprentices was recorded: between 1967 and 1971 the figure fell from 138 000 to 124 000 in the non-craft sector, from 201 000 to 150 000 in the craft sector, and from 91 000 to 46 000 in agriculture.

This decline could be attributed partly to the reorganization carried out in the various branches of economic activity. However, the major cause of the general decline was probably the dislike of apprenticeships shown by young people: the VIth Plan envisaged a considerable increase in the number of employees in the craft sector; the non-craft sector was suffering from a serious shortage of skilled labour.

9. It is quite likely that the raising of the school-leaving age to sixteen (Order of 6 January 1959) was one cause of the decrease in the number of apprenticeships. This, in any case, is the opinion of the Permanent Assembly of Chambers of Trade, which is shared by several vocational guidance services, including the one in Versailles which was consulted directly. Similarly, the CNPF (employers' organization) white paper published at the end of 1970 points out that apprentice training schemes should be seen as a part of the compulsory schooling system, as they provide a haven for young people who are tired of school after eight or nine years.

It is no doubt possible to share the view of the General Confederation of Labour (CGT) that initial training should normally be given within the public education system (*Le Peuple*, official organ of the CGT, No 918, p. 10: No 925, p. 8); and it is true that if the school-leaving age is raised, the education authorities should assume responsibility for educating everyone (explanatory memorandum to the law of 3 December 1966).

However, not only do the public authorities not have the means to take on this responsibility (the Ministry of Education staff would have to be doubled), but it is also difficult to imagine how young persons could be trained to be of immediate use to firms without the close co-operation of those firms. Finally, it is to be feared that under the present circumstances, keeping adolescents within the public education system can provide nothing more than a temporary solution because, as the joint working party on vocational training and skill set up pursuant to the Plan observed, its purpose is not to develop technical skills and, however desirable it might be, a higher level of general education does not help young people to find employment in industry.

10. The introduction of the pre-apprenticeship classes (CPA) in 1972 seemed to provide a compromise solution. These classes, organized in secondary schools, comprehensive schools, technical colleges or apprentice training centres, enable young people to remain at school and receive a mixed education. A total of 360 hours a year are devoted to school lessons, and the student also spends a maximum of eighteen weeks on training courses in firms.

This system could have been successful had it been applied in a better way. However, it does not appear to have produced the desired results. Firstly, the education authorities seem to have left the introduction of CPA to non-educational bodies (e.g. Chambers of Trade). Furthermore, registration in a school CPA depends more or less on the luck which the pupil has in finding an employer who is willing to take him on as a trainee. Finally, it is to be feared that the objective of the system will not be achieved if it does not lead directly to a training scheme suited both to the applicant's aptitudes and to the medium-term skilled labour requirements. With regard to the latter points, it is feared - and this fear has already been expressed by the trade associations - that the CPA are in fact providing young people, who cannot be sure of obtaining indentures or employment when they reach sixteen, as free

labour for industry (small red book of the CGT on employment, training and further vocational training, p. 15). It should be added that, by making the young person or his family responsible for finding an employer, the point of the preparatory course is lost, and it becomes more like a strange type of vocational guidance service. It is therefore not surprising that the services sector is still attracting a large number of apprentices, and there is every indication that the differences in the number of applications for employment in this sector and in industry will persist: in 1969 and 1970 one post remained unfilled for every seven to eight unsuccessful applicants in the services sector, while the ratio was 1 to 2 in industry.<sup>1</sup>

### **The reform of 16 July 1971. Features and objectives**

11. The small-scale social revolution expected by some as a result of the law of 16 July 1971 is therefore likely to seem very far removed from the objectives of the law. The law, supplemented by a first set of decrees of 12 April 1972 and a number of regulations, reorganizes apprenticeships completely.

All the legal texts really do is to follow on from the inter-trade agreement concluded on 9 July 1970 between the main employers' organizations (CNPF, CGPME) and the trade unions (CGT, CFDT, FO). The agreement, which is still applicable in the absence of provisions to the contrary, provides for a number of measures: the extension of the period of attendance at vocational training courses to the age of eighteen; the calculation of apprentices' wages as a percentage of the guaranteed minimum wage (SMIC); measures concerning responsibility for placing apprentices in employment upon completion of their training.

12. The 1971 law, which moves into a new sphere, is aimed at the achievement of three objectives:

- (i) an economic objective: to satisfy skilled labour requirements by adopting a mixed school-factory solution;
- (ii) a social objective: to guarantee the apprentice's social advancement by providing him with a sufficiently general basic education, and to maintain families' incomes at a reasonable level by paying apprentices wages and granting family allowances;
- (iii) a cultural objective: to promote technical education which has up to now been out of favour with most people.

The law provides for three essential reforms to achieve these objectives:

- (i) indentures are now a type of employment contract: thus the apprentice immediately becomes one of the staff of the firm;
- (ii) general and technical education are now the responsibility of the apprentice training centres (CFA) which hold the monopoly for education: the aim is to standardize apprentice training schemes and simplify their organization;
- (iii) apprentice training schemes are financed from a fraction of the apprenticeship tax specially designed to finance this type of education.

13. Without wishing to appear too pessimistic, it is to be feared that the laudable objectives of the law will be difficult to achieve. An improvement in the quality of apprentice training schemes might possibly be achieved. However, there is every indication that even

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<sup>1</sup> Although unable to provide relevant statistics, the Permanent Assembly of Chambers of Trade thought that there was no unemployment among young people finishing their apprenticeships in this sector in June 1975.

if the immediate objectives are within reach, the longer-term, and in fact more important, objectives are hardly likely to be attained.

It must be remembered that the economic situation has changed since 1970-71. In the space of a few months a fast rate of growth of the economy has fallen to zero growth, and only a slow rate of recovery is apparent at present. The situation on the employment market has changed. The annual employment survey carried out by INSEE in April/May 1975, the results of which have only recently been published, reveals that approximately 1 023 000 persons are unemployed (according to the ILO definition). As a result, employers will become more selective and competition for skilled jobs will mean that the efficiency of initial training courses will assume greater importance in future. Unless a more rational division of working hours is achieved, it is to be feared that young people starting work will come up against competition from older people anxious to retain jobs.

The immediate reaction of employers to the reform of apprenticeship conditions appeared to be negative. The number of indentures registered or extended showed an immediate decline. According to the statistics produced by the Ministry of Labour, only 81 000 indentures were registered in 1974, as against 86 000 in 1973. Signs of a slight recovery have indeed been observed in some regions. The vocational guidance centre in the Versailles Academy issued 157 advisory opinions between 1 September 1975 and 31 October 1975, compared with 337 for the whole of the 1974/75 year for a larger district. Is this an irreversible trend, though, or simply wishful thinking?

14. Apprenticeships cannot be reorganized completely without material resources and without a complete change in the psychological outlook of the various parties involved in the effort to achieve this objective. It is doubtful whether sufficient resources are available. To quote only one example, it will be noted that the 1971 reform was accompanied by the introduction of control procedures applicable to the training received by the apprentice, and to the allocation of the resources obtained from the apprenticeship tax. As far as the former is concerned, even by June 1975 provision had not been made for the 120 budget items for apprentice training scheme inspectors (provision had been made for only 80 such items), while it is estimated that at least 250 are required. The second system referred to above is virtually non-existent...

As far as the psychological aspect is concerned, vocational guidance should take into account both long-term and immediate requirements. It has been said - and quite rightly, too - that young people are all too often channelled into technical education as a result of a failure to do well at school, and to be advised to take up an apprenticeship is an indication of an even worse failure. This phenomenon must be attributed to the choice of certain subjects (and the rejection of others) by teachers, from infant school through to the 'cinquième' (second year of secondary school), which results in a pupil escaping from school as soon as he reaches his sixteenth birthday (report by Mr Veniel, Technical Education Inspector, on the apprenticeship situation observed in the Versailles education district at the beginning of the 1975/76 school year). Furthermore, it would seem completely wrong for the vocational guidance services to concentrate only on assessing the ability of a candidate to engage in a specific occupation.

A different yardstick should be used and a different objective adopted. The vocational guidance services should pay closer attention to the situation on the employment market, which means that they must have specially qualified guidance counsellors or that there must be, at the very least, permanent liaison between the local education authorities and the National Employment Agency. However, no such liaison seems to exist at present. The guidance services in Versailles complain about this lack of coordination and lament the fact that the information supplied by the National Employment Agency is fragmentary and of a short-term nature.

15. While this psychological outlook prevails, the reform of apprentice training schemes can have only a limited effect, despite the impressive structure which it has created. It is liable to create the impression that its sole objective is to improve the legal position of the apprentice, whereas it ought, above all, to contribute towards the achievement of the equilibrium in the employment field which constitute one of the objectives of the Plan. An apprentice's legal position has not really been improved if his social position remains unchanged. Furthermore, even if vocational training is designed to enable an apprentice to enter serenely into employment, nevertheless the skills which he has acquired must meet the requirements of the employment market when he has completed his training. This is a question of planning. Up to now the facts have contradicted the over-optimistic forecasts.

### **The scope of apprentice training schemes**

16. The scope of the apprenticeship reform is general. The law of 16 July 1971 is applicable to all sectors of activity: the craft sector, agriculture, industry and commerce. The new provisions are likewise applicable to apprentices in the professions training for an occupation for which the technical education services have introduced a vocational training certificate (CAP) (Article 1 of the amended law of 21 May 1941).

The law of 16 July 1971 excluded from its scope apprenticeships at sea, which remained subject to the provisions of the law of 13 December 1926 introducing the maritime labour code (Article 35 of the law of 16 July 1971). A decree of 1 March 1973 amended the decree of 17 August 1959 adopted pursuant to the 1926 law. Since then the vocational training and further vocational training of merchant seamen, fishermen and persons engaged in shellfish farming has been the responsibility of the association for the management of apprenticeship schools for seamen (AGEAM), under the authority of the Minister responsible for the merchant navy.

17. Nationalized industry has not escaped the reform. Pursuant to the measures adopted by the law on apprenticeships, the SNCF has set up two apprentice training centres which recruit apprentices on a nationwide basis.

Annex A contains a list of the principal occupations in which apprenticeships are possible. It should be pointed out here that ONISEP (the National Office for the Supply of Information on Education and Occupations) published a brochure on apprenticeships in January 1975 containing practical information on various occupations and on the geographical location of the CFA providing training for each occupation.

### **Layout of the study**

18. The reform of apprentice training schemes, which revolves around the apprentice's indentures, on the one hand, and the apprentice training centres, on the other, is designed to encourage firms to play a more active part in the development of apprentice training schemes. Apprentice training schemes are therefore constructed on three bases. Control bodies have also been set up. The layout of this study will follow this pattern.

The following topics will be examined in turn:

- I – The legal basis of apprentice training schemes: indentures.
- II – The social and economic bases of apprentice training schemes: action by firms and the public authorities.
- III – The educational basis of apprentice training schemes.
- IV – Control procedures applicable to apprentice training schemes.

# **I – THE LEGAL BASIS OF APPRENTICE TRAINING SCHEMES: INDENTURES**

## **A – Legal nature of indentures**

19. Indentures are a type of employment contract. This fundamental change compared with the earlier system is a result of the law of 16 July 1971. Article 11 of that law provides that indentures are a special type of employment contract placing the employer under the obligation not only to pay a wage on the terms laid down in the law, but also to ensure that methodical and comprehensive training is given, partly in the firm and partly in an apprentice training centre, to a young worker who undertakes, in return, to work for that employer for the term of the indentures.

20. Formerly, indentures gave an apprentice the right merely to receive vocational training, and the laws in force seemed to admit that the apprenticeship period was not a period of employment (Cass. Soc. 4 March 1970, Bull. Civ. V, No 156, p. 122; Cass. Soc. report of 12 February 1970, Bull. Civ. V, No 110, p. 83). A young apprentice is now a member of the staff of the firm and receives a wage. Indentures could be regarded as an employment contract incorporating an obligation on the employer to provide initial training.

## **B – Preparation of indentures**

21. The form and content of indentures is governed by special provisions.

### **1. THE FORMAL REQUIREMENTS**

#### **(a) Obligation to prepare a written document**

22. Indentures are concluded in writing (law of 16 July 1971, Article 22). They take the form of a simple contract and at least three identical original documents are required (law of 16 July 1971, Article 24; D. No 72 280, 12 April 1972, Article 46). Six documents are advocated in practice (circular TE 26-72 of 28 July 1972). Although this is no longer laid down by law, there seems to be nothing to prevent the indentures from constituting a notarial act, as before. However, it is difficult to see any value in such a complicated and onerous system.

23. Certain clauses and information must be included in the indentures, i.e.:

- (i) the employer's surname and forenames or the registered name of the firm, indicating the establishment in which the apprenticeship is to be carried out;
- (ii) a description of the training to be provided, mentioning the diploma to which the training is to lead;
- (iii) the date on which the employer was granted approval;
- (iv) the surname, forenames and address of the apprentice;
- (v) the surname, forenames and addresses of the apprentice's father and mother or of his legal guardian;
- (vi) the name of the body which issued the advisory opinion;
- (vii) the name of the last school which the apprentice attended and the date on which he left;
- (viii) the date of commencement of the apprenticeship and the term of the indentures;

- (ix) the name and address of the CFA in which the holder of the indentures is registered and the section which is to provide the training specified in the contract;
- (x) if the date of commencement of the apprenticeship is to be changed, the date of the decision must be indicated.
- (xi) if the indentures constitute an extension of earlier indentures, the date on which the detailed opinion was issued by the director of the apprentice training centre;
- (xii) finally, Article 48 of decree No 72 280 of 12 April 1972 provides that the contract must indicate the wage to be paid to the apprentice for each half-year of his apprenticeship.

24. Pursuant to Article 22 of the law of 16 July 1971, indentures must be prepared in writing. The same law which provides that the implementing decree must set out the clauses which must be included in the indentures, also stipulates that the incorporation of such clauses and information is compulsory. There is therefore every indication that such formal requirements are of a substantive nature in spite of the excesses to which this restrictive interpretation could lead.

#### **(b) Obligation to register indentures**

25. Article 24 of the law of 16 July 1971 provides that indentures must be registered. If the employer belongs to the craft sector, the indentures are handled centrally by the Chambers of Trade which obtain the approval of the director of the CFA at which the apprentice is registered and ensure that the indentures are registered with the employment authorities in the département. If the employer belongs to a different sector, it is his responsibility to obtain the approval of the director of the CFA and to ensure that the indentures are registered by the competent control bodies (employment authorities in the département, authorities responsible for inspecting the application of social legislation in agriculture, etc.). In the latter case, the CFA provides the link. The original indentures must reach the competent authorities within one month of the commencement of the apprenticeship (see Annex B).

26. It has apparently been difficult to ensure that firms and the centralizing bodies meet this deadline. However, when the law first came into force the authorities showed a certain amount of indulgence, which would indicate that they did not consider the one-month time limit to be of a substantive nature. For example, the report of 8 May 1974 published by the Labour Directorate in the Nord region gave the reasons for the delays in registration without, however, mentioning any cases of refusal to register indentures on the ground of late submission. The same applies in the case of the report of 10 May 1974 on the Bourgogne region. This report of 29 May 1974 on the Auvergne region mentions three cases of refusal to register indentures on the ground of late submission, so that it may be assumed that the authorities use their discretion to some extent. Finally, it must be pointed out that a court of first instance in the Ain region ratified one contract but refused to register it on the ground of late submission (five months).

27. The registration authorities ensure compliance with the provisions of Articles 11 to 23 of the law of 16 July 1971 concerning the validity of indentures.<sup>1</sup> Registration is possible only if the training is to lead to a technical education diploma for the craft concerned (see sections 137 ff below).

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<sup>1</sup> Investigations are carried out mainly to ensure that an advisory opinion and a medical certificate have been issued, that the employer has been approved, that the CFA has granted its approval, and that the apprentice's age and wage conform to the requirements.

The employment authorities in the département must reach a decision within one month of receiving the documents. Once the indentures have been registered, one copy is sent to each contracting party. In the craft sector the copies are distributed by the Chamber of Trade.

A refusal to register indentures must be stated explicitly and the reasons given by the authorities within one month of receiving the indentures, failing which the indentures are regarded as registered. If registration is refused, performance of the indentures must cease. In practice it would seem that most cases of refusal can be attributed to the fact that the employer has not been approved, that the apprentice does not meet the requirements with regard to age, or that the training will not lead to a diploma.

It is unfortunate that the law is not more explicit on the full significance of the registration requirement. In deciding that refusal shall prevent the performance of the indentures, the law seems to consider the measure to be of a substantive nature. It is possible for this requirement to be considered in a different light (see Boubli, Belorgey and Pochard, *Apprentissage, Orientation, Formation Professionnelle*, No 131), but it would have been preferable if those responsible for drafting the texts had spared us such doubts which, moreover, do not arise only in this context. How, it may be asked, are the different interpretations of the terms of indentures by the authorities and the Civil Courts to be reconciled in practice if one considers registration impossible and the other decides that the indentures are nevertheless valid.<sup>1</sup>

### **(c) Apprenticeships in family businesses**

28. If an apprentice is employed by a senior member of his family, the indentures are replaced by a declaration signed by the employer and including an undertaking that compliance with the provisions of the law relating to the basic rules on apprenticeships and fulfilment of the obligations incumbent on all the contracting parties will be ensured.

This declaration, signed by the senior member of the family who is the employer, is also signed by the apprentice. It must include the compulsory information set out in section 23 above, and indicate the relationship between the contracting parties. It must be approved by the director of the CFA and registered.

## **2 THE BASIC CONDITIONS**

29. As a legal act, indentures must comply with the provisions laid down by common law in this connection. Nevertheless, certain features must be explained here.

### **(a) Capacity of the contracting parties**

#### *1 — Requirements to be fulfilled by the master*

30. The master must have reached the age of majority or of emancipation and, most important, he must have obtained special approval enabling him to take on apprentices.

Approval is granted by the Departmental Committee on Vocational Training, Social Advancement and Employment (see section 147 below). To obtain such approval the employer submits an application to the Prefect accompanied, where appropriate, by the opinion of the works council. The application is in fact sent to the secretariat of the

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<sup>1</sup> 62 436 contracts were registered between 1 July 1972 and 30 June 1973 in the craft sector and in the industrial and commercial sectors, 37 833 in the former and 24 603 in the latter.

Departmental Committee which examines the dossiers and takes a decision within one year. In the meantime, the master can prove that he has submitted an application by producing a certificate which, until 1976, is considered adequate as a temporary measure. The Committee sends its decision to the officials responsible for ensuring the proper application of the labour laws (labour inspectors; inspectors of the application of social legislation in agriculture), and, depending on the case, the 'compagnie consulaire' of the Chamber of Trade or the Chamber of Agriculture.

31. The decision is taken on the basis of the master's character and qualifications. One important requirement is that the master should hold a certificate of professional competence or an equivalent technical education diploma, or one of the qualifications required of master craftsmen and introduced by Decree No 62-235 of 1 March 1962, or that he can prove that he has been engaged in his trade for no less than five years at a minimum level laid down by the Departmental Committee. Furthermore, the firm must have suitable equipment and techniques to enable satisfactory training to be given.

If these conditions are not fulfilled, approval is refused and a reasoned decision to that effect is issued. If the conditions change during the term of the indentures, approval may be withdrawn. It lapses once an employer has ceased to train apprentices for five consecutive years.

32. The authorization procedure makes it possible to assess the number of apprentices which an employer is able to take on at any one time. The law was not intended to be too strict on this point. It was considered preferable for the Departmental Committee to decide on a maximum number for each firm. Some departmental authorities are disappointed that the standard contract proposed by the Ministry of Labour does not specify the number of apprentices which an employer is authorized to recruit. Furthermore, it has not always been easy to implement the approval procedure. In several départements it has not been possible, for practical reasons, to deal with the large number of applications and, although the law of 16 July 1971 has been applicable since 1 July 1972, the Val d'Oise département did not begin to grant approval until November 1973. According to the reports produced by some of the Regional Labour Authorities, the grant of approval is apparently not preceded by any systematic investigation. However, such investigations would seem necessary, as would permanent liaison between the Regional Authorities and the Apprenticeship Inspectorates. Admittedly the transitional system to be applicable until 1976 is hardly conducive to the implementation of control procedures. Consequently, refusals to grant approval are recorded; but only a limited number (5% in Bourgogne in 1973; 70 in the Rhône-Alpes region) and some even involve employers who have already concluded indentures with apprentices. The law, which provides that in such cases the Departmental Committee must indicate whether the performance of the indentures should be suspended or continued, was applied to the latter effect in the Ardèche département in 1973.

## *2 – Requirements to be fulfilled by the apprentice*

33. The apprentice must be of French nationality or, if he is a foreign national, he must hold a work permit.

He must have completed his compulsory schooling. This means that he is normally sixteen years of age when he concludes his first indentures. Derogations from this requirement are in fact possible in two cases:

- (i) young people of at least fifteen years of age may conclude indentures if they can prove that they have completed the first three years of their secondary education;
- (ii) the rules may be waived so that young people having their sixteenth birthday during the fourth quarter of the calendar year need not complete one term of the new school year and postpone their apprenticeships for a year.

34. The law of 16 July 1971 provides that an apprentice must produce a detailed advisory opinion before he can be recruited (Article 13). These opinions are issued by either a public vocational guidance centre or a Chamber of Trade vocational information and guidance centre. Opinions are issued on a standard form and they relate to the apprentice's ability to follow the proposed training course and indicate the last class attended by the young adolescent.

Although these opinions are indispensable and are therefore required before indentures can be concluded, they are often produced long after a young apprentice has been recruited. In practice employers appear to defer the registration procedure until they have received these opinions, and the apprenticeship control authorities have never yet made any difficulties about registering indentures submitted under such circumstances. Consequently, if the deadline of one month from the commencement of the apprenticeship is regarded as a mandatory deadline (see sections 25 ff above), it is liable to be exceeded very frequently when registration is required. If the date of the commencement of the apprenticeship is taken to be the date on which the apprentice enters the employer's service, and the one-month deadline is exceeded, then what purpose does it serve? As for making the period of time start from the date of issue of the advisory opinion, when the adolescent has already been in the firm for more than three months, that would penalize him, and he would have to be regarded as a young worker for the period during which he has already worked.<sup>1</sup>

35. The vocational guidance services soon became overburdened as a result of the application of the reform, especially in those départements in which a large number of apprenticeships are carried out. However, the delays in issuing advisory opinions can be attributed to other factors. Firstly, the vocational guidance services are either closed, or function more slowly, in July and August. However, applicants for apprenticeships leave school at the end of July. Secondly, it is the responsibility of the apprentice or his family to find an employer. If a place is found during the final term of the school year, the formalities can generally be completed by October. However, as an individual does not always meet with success, the guidance tests are often not held until November, as is still the case in Versailles. Such delays give rise to serious problems, as young people leaving a technical college (CET) have every right to hope to complete their apprenticeships within one year, as provided for in the law. In such cases the Departmental Labour and Employment Authorities endeavour to solve the problems by contacting the head teachers of the educational establishments to ascertain whether a one or two-year training scheme is necessary.

36. Seen in this light, the vocational guidance services are clearly inefficient.

Firstly, it is unfortunate that their work is confined to examining the apprentice's aptitude for the occupation which he has chosen. Genuine guidance should be aimed at guiding young people into sectors of activity in which employment is available, which presupposes some form of coordination between the vocational guidance services and the National Employment Agency, which is far from being achieved.

Secondly, it is unfortunate that the advisory opinion, considered indispensable by the law, is issued so long after the apprentice has actually started his training in the firm. It is essential that the report should be issued while the apprentice is still attending the pre-apprenticeship class, if it is within the school system, or when he begins his apprenticeship, if the CPA

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<sup>1</sup> In the Paris region nearly three-quarters of the indentures reached the registration authorities four to six months late in 1973. A letter sent by the Minister of Labour to the Director of Labour in the Var département on 30 May 1974 confirms this interpretation of the text. During the period preceding the month before the dossier is submitted for registration, an apprentice must receive the same wage as a young worker. There is no doubt about this when the employer is responsible for the delay, but what if it is the authorities who are at fault?

is outside that system (e.g. organized by the Chamber of Trade). However, despite a tendency towards standardization, the situation is still not satisfactory.

37. The advisory opinion must be accompanied by a medical certificate issued by the doctor in the guidance centre, the works doctor in the firm recruiting the apprentice or the school doctor.

## **(b) Term and purpose of the indentures**

### *1 – Term*

38. The indentures must stipulate the duration of the apprenticeship and the date on which it is to commence.

Indentures are generally concluded for two years. However, they may be extended to three years or, in exceptional cases, reduced to one year, in some branches of activity or types of trade specified in a ministerial decree. A one-year contract is likewise possible for young people who have attended a full-time training course at a technical college (CET) for at least one year. In such cases the detailed advisory opinion must have been issued within the preceding three months.

This rule will not become fully effective until 1977, by which time it is hoped that all the CPA will have been set up. The reduction in the duration of the training to two years takes into account the mixed education received by the adolescent in a CPA. As a transitional measure, it is proposed that apprentices who have not spent one year in a CPA or an SEP (vocational training course introduced in the craft sector before the creation of the CPA) should be allowed a three-year apprenticeship. Thus, if the apprenticeship period for a particular craft is extended by one year by ministerial decree, indentures may be concluded for a three- or four-year term.

The application of the rules on the duration of apprenticeships does not seem to have been welcomed, particularly by the Chambers of Trade. In 1973 numerous three-year indentures were still being concluded, on the pretext that the Chamber of Trade's vocational training courses were still spread over three years.

39. The date of commencement of an apprenticeship indicated in the indentures must be close to the date on which the course in the apprentice training centre starts. It may be no more than three months before or two months after the beginning of the apprentice's course.

### *2 – Obligation to provide training*

40. Indentures differ from other types of contract in that they include an obligation to provide training.

The nature of the training must be mentioned in the indentures. It is provided by the employer, who must ensure that the young adolescent receives both general and technical education:

- (i) General education is given in the apprentice training centre where the apprentice must be registered by the employer. The time that he devotes to his general education is included in his working hours. The employer must also register him for the examination to which the training leads.
- (ii) Practical training is given in the firm. The apprentice is given work related to the training provided for in his indentures. The training is based on an annual programme drawn up jointly by the master and the training centre.

### 3 – The apprentice is an employee of the firm

41. The apprentice's right to receive a wage is an innovation introduced by the law of 16 July 1971, although this principle was in fact set down in the agreement of 9 July 1970.

#### (a) Legal wage

42. A minimum wage is laid down for every six months of an apprenticeship. It represents a percentage of the SMIC (guaranteed minimum wage):

- 15% during the first six months of the apprenticeship,
- 25% during the second six months of the apprenticeship,
- 35% during the third six months of the apprenticeship,
- 45% during the fourth six months of the apprenticeship.

The hourly wage thus obtained is multiplied by the number of hours worked by the apprentice. Time spent in Apprentice Training Centres (CFA) is paid as working time. If the apprenticeship is spread over three years, the hourly wage is 60% of the SMIC in the third year; it is 25% and subsequently 35% of the SMIC for each half-year when, in exceptional cases, the duration of an apprenticeship is reduced to one year. These percentages are raised by 10% if the apprentice is over eighteen.

43. The percentage of benefits in kind which may be deducted from the wage is limited to 75% of the deduction authorized for other employees by the social security regulations. Those regulations stipulate that the cost of food is estimated on a flat-rate basis at twice the 'guaranteed minimum' for one day, and at the amount of that wage for one single meal. Furthermore, the value of accommodation is estimated at FF 18 per week, FF 54 per month of FF 162 per quarter. Thus the percentage of benefits in kind to be deducted is calculated as follows:

$$\text{One meal} \quad : \quad \frac{\text{guaranteed minimum} \times 75}{100}$$

$$\text{Two meals} \quad : \quad \frac{\text{guaranteed minimum} \times 2 \times 75}{100}$$

$$\text{Accommodation} \quad : \quad \frac{18 \text{ (or } 54 \text{ or } 162) \times 75}{100}$$

44. The amounts paid to an apprentice are exempt from tax (see sections 66 ff below). The minimum wage minus the tax-free amount constitutes the minimum basis for assessing social security contributions. The basis for assessing those contributions may not be reduced to an amount below that minimum figure as a result of either an abatement for business expenses or a deduction for benefits in kind.

Furthermore, since 1 January 1973 employers have been under the obligation to include the wages paid to apprentices in the basis for assessing contributions to the ASSEDIC (Association for Employment in Industry and Commerce) unemployment insurance scheme.

#### (b) Contractual wage

45. The wage laid down by the law of 16 July 1971 is only a minimum wage. Higher wages may be paid on the basis of individual indentures, collective bargaining agreements <sup>1</sup>

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<sup>1</sup> Building industry; metallurgy; pharmacy.

or the inter-trade agreement of 9 July 1970. The latter provides that wages be calculated on the basis of a higher percentage of the SMIC than that laid down in the law:

30% during the first year,  
50% during the second year,  
75% during the third year.

### **3 PENALTY FOR FAILURE TO COMPLY WITH THE RULES ON TRAINING: NULLITY OF THE INDENTURES**

46. Generally speaking, the penalty for failure to comply with the rules on training laid down in the indentures is annulment of the indentures; and, as the rules are binding, the resulting nullity must be considered absolute. It would seem that this solution, which was introduced before the law of 16 July 1971, is to remain applicable under the new law, although it is still not known exactly what effect the registration requirement will have, and despite the fact that the application of absolute nullity to the entire indentures seems excessive. It will no doubt be necessary to await the results of the first applications of the text in case-law before deciding where absolute nullity is required and where relative nullity is sufficient.

It would seem that the extent of the nullity should be determined on the basis of a distinction between the contracting parties and third parties.

In the case of the contracting parties, a strict application of retroactive nullity has been observed in extant law (Cass. Soc. 18 February 1960, Bull. Civ. IV No 195, p. 152).

In the case of third parties, on the other hand, it is generally acknowledged that the fact of the young person having worked cannot be ignored and that the social security authorities are entitled to base the contributions which they claim on a young employee's wage, at least where nullity results from the absence of a written document (Cass. Civ. 2, 10 February 1960, Bull. Civ. II No 113, p. 75).

## **C — Performance of the indentures**

### **1. RIGHTS AND OBLIGATIONS OF THE CONTRACTING PARTIES**

#### **(a) The employer**

47. The employer must fulfil a number of obligations, of which it is sufficient merely to list here that:

- (i) he must pay a wage;
- (ii) he must comply with the provisions of the Labour Code;
- (iii) he must provide vocational training.

In return, he has the right to require that the apprentice should fulfil his commitments, otherwise the contract may be terminated. He is also granted a certain amount of tax relief (see sections 63 ff below).

#### **(b) The apprentice**

48. As an employee of the firm, the apprentice may exercise his trade union and occupational rights in the normal way provided that he fulfils the age requirement laid down in the law. As the apprenticeship period is a period of employment, it must be taken into account for the purpose of calculating his leave entitlement and assessing his entitlement to

redundancy payments if, at the end of his apprenticeship, the young employee is taken on by the same employer for an indefinite period.

49. The apprentice is under obligation to carry out the work which he is given and which must be directly related to the training provided for in his indentures (law of 16 July 1971, Article 18). He must work the normal working hours and fulfil all the obligations incumbent on the staff of the firm (Cass. Soc. 12 March 1970, Bull. Civ. V No 185, p. 144).

50. An apprentice has fairly extensive social security cover. As his apprenticeship period is a period of employment, he is entitled to social security benefits. However, as the daily allowances granted under the sickness insurance scheme are dependent on the amount of the wage used as a basis for calculating contributions, only a very small amount is payable. Family benefits, or family allowances at least, are still paid until the apprentice reaches the age of eighteen, provided that his wage does not exceed the monthly basis for calculating family benefits.

Finally it must be added that, in cases of breach of contract, the former apprentice may receive unemployment benefits on certain conditions. Difficulties have been encountered in practice, especially in the Paris region, because of the discrepancies between the rules governing public assistance and the ASSEDIC rules. To receive public assistance it is sufficient to have worked for 150 days during the twelve-month period prior to registration as an unemployed person; to qualify for benefits under the second scheme it is necessary to register as an unemployed person within three months of the breach of contract, and the scheme is not applicable in the case of indentures concluded before 1 July 1972.

## 2. PENALTIES FOR INFRINGEMENT OF THE INDENTURES

### (a) Civil sanction: termination of the indentures

51. Indentures may be terminated unilaterally during the first two months of the apprenticeship, which constitute a trial period. No compensation is granted.

52. Amicable termination is always possible during the term of the indentures. The law requires that the agreement be set down in writing.

53. The Conciliation Board can terminate indentures on the ground of serious misconduct, repeated failure by one of the parties to fulfil his obligations, or the inaptitude of the apprentice. The death of the apprentice is certainly a ground for automatic termination, but this is not the case if the employer dies, as his successor normally inherits employment contracts if the firm remains in existence.

It is interesting to note that one isolated event may constitute serious misconduct whereas recurrent offences, however little they may justify the imposition of a penalty when considered separately, result in termination of the indentures by the Conciliation Board if they involve repeated failure to fulfil contractual obligations.

Where the reason given for termination of the indentures is the inaptitude of the apprentice, an investigation is carried out, under the authority of a judge if necessary, in which the apprentice is required to take an individual examination in a public vocational guidance centre or in a Chamber of Trade centre. An examination may also be carried out by a doctor attached to one of the centres, by a works doctor or by a school doctor. The director of the CFA in which the apprentice is registered is also required to issue a detailed opinion.

### (b) Administrative sanction: withdrawal of approval

54. If the employer ceases to fulfil the conditions laid down in Article 15 of the law of 16 July 1971 concerning the grant of approval (see sections 30 ff above), or if he fails to fulfil

his legal obligations, approval may be withdrawn. He is given notice of the intention to withdraw his approval; the notice is sent to the employer by the apprenticeship authorities. The decision to withdraw an employer's approval is taken by the Departmental Vocational Training Committee.

**(c) Penal sanctions**

55. Articles R. 151-2 and R. 151-3 of the Labour Code provide for penal sanctions for violation of the legal provisions governing indentures. There are three types of violation:

1. Violation of the provisions of Articles L. 117-3; L. 117-4; L. 117-6 to L. 117-9 and L. 117-11 of the Labour Code (see sections 30, 33 and 40 above).

The penalty is a fine of between FF 160 and FF 600; if the offence is repeated, the fine rises from FF 600 to FF 1000 and the offender may be sentenced to eight days' imprisonment.

2. Violation of the provisions of Article L. 117-5 concerning the employer's obligation to obtain approval before recruiting apprentices (see sections 30 ff above).

The penalties are a fine of between FF 600 and FF 1000 and imprisonment for between ten days and one month, or only one of those penalties.

3. Violation of the provisions of Article L. 117-10 concerning the minimum wage payable to apprentices (see sections 41 ff above).

The penalty in this case is a fine of between FF 600 and FF 1 000. It may be imposed for every individual case of an apprentice being paid on an illegal basis. If the offence is repeated, the fine may be raised to FF 2 000 and the offender may be sentenced to a maximum of ten days' imprisonment.

## **II – THE SOCIAL AND ECONOMIC BASIS OF APPRENTICE TRAINING SCHEMES: ACTION BY FIRMS AND THE PUBLIC AUTHORITIES**

### **A – Types of apprentice training schemes introduced in firms**

#### **1 TRAINING IN INDUSTRY AND COMMERCE**

##### **(a) Traditional apprentice training schemes**

56. The simplest schemes found in small firms involve training the apprentice within the industrial or commercial firm itself and acquainting him with the production process right from his first few months in the firm. This type of scheme is typical in the foodstuffs trade. Taking only the principal trades in that sector, it should be noted that in total they account for more than 21% of households' consumption and that they require some 20 000 apprentices a year.

57. The larger firms have apprentice workshops where young employees receive, within the firm but in premises designed specially for their use, more systematic training given by instructors belonging to the staff of the firm. The practical training is supplemented by theoretical training which was formerly given in vocational training courses and is now provided by the CFA.

Apprentice training courses are sometimes organized on an even more systematic and rational basis. Some firms not only organize practical training courses but have proper training centres of their own for their own apprentices, which provide theoretical training and general education. This system has developed mainly in large firms (Renault, Citroën).

##### **(b) Apprentice training schemes organized by industry itself**

58. The first attempts to encourage individual industries to develop training schemes date back to 1940. Progress was achieved in only a few sectors: the bicycle and motorcycle repair industry (1945); the French coal industry (1942); building and public works (1942).

In the latter sector a Central Coordination Committee for Apprenticeships, which has legal personality, receives contributions from employers in the building industry who must become members. The Committee organizes a number of vocational training courses and sets up apprentice education centres. A number of CPA have been set up specially for the building industry (8 290 staff as at 1 April 1974). The teaching staff (in the industry's centres, State institutions and various schools) totalled 133 930 as at 1 April 1974, 14 060 of whom taught in CPA. At that time, i.e. before the 1974/75 crisis in the building industry, it was estimated that only 60.8% of the industry's requirements were covered.

Finally, reference must be made to the inter-firm training centres set up in some sectors, especially in the mechanical engineering industry. These centres, which provide mixed training, are being turned into CFA. In Paris five inter-firm centres are administered by the Association for the Training and Further Training of the Staff of Industrial Firms in the Paris Region (AFORP).

## 2. TRAINING IN THE CRAFT AND AGRICULTURAL SECTORS

### (a) Special features of the craft sector

59. Apprenticeships in the craft sector have their own special features. The size of a craft firm (less than ten persons) makes it easier for an apprentice to become acquainted with his training master and his colleagues, which facilitates his integration into the working world. This type of training is suitable for an adolescent wishing to work within a small team and to play an increasing part in the operation of the firm with whose routines he is familiar.

An apprenticeship in the craft sector takes the apprentice to the level of a craftsman. 50% of the young people who complete their apprenticeships pass an examination, and it is estimated that 80% of the young apprentices complete their training. On average, 70-80% of the young persons trained in the craft sector subsequently continue to practise the trade which they have learned. Furthermore, unemployment among young persons completing apprenticeships in the craft sector is estimated at virtually zero. On 1 January 1973 there were 128 976 young apprentices in the craft sector. This figure rose slightly in 1974/75, but the Permanent Assembly of Chambers of Trade has expressed doubts as to future trends, partly on account of the lax control procedures applicable to apprentice training schemes, which are no longer their responsibility, and partly because of the problems encountered in setting up apprentice training centres.

60. As far as the actual organization of the training schemes is concerned, it should be noted that the Chambers of Trade work in conjunction with the firms. The Chambers of Trade may set up vocational guidance services and draw up rules on apprenticeships in their particular field. Article 57 of decree No 72.280 of 12 April 1972 (*Official Gazette* of 13 April 1972) lists the principal powers of the Chambers of Trade, which may set up apprenticeship services, in some cases jointly with other companies, with certain prerogatives with regard to the placing of young people in employment, the preparation of the dossiers required for the grant of approval to employers, the preparation of indentures and the carrying-out of surveys to find out what becomes of the young persons once they have completed their training.

61. The Craft Code stipulates that an apprenticeship in the craft sector should be carried out in a workshop under the authority of a craftsman and supplemented by the education provided by vocational training courses (Article 36). However, the Chambers of Trade may set up craft schools and develop specialized courses. These bodies may become apprentice training centres if agreements to that effect are concluded with the State. The same applies to the centres set up on a collective basis like those found in industry and commerce.

Finally, it must be pointed out that, by way of exception, the final apprenticeship examination is to be retained provisionally in the craft sector until 1 July 1976.

### (b) Special features of the agricultural sector

62. Apprenticeships in agriculture are governed by the same rules as apprenticeships in industry and commerce. It must be pointed out that the number of apprentices in this sector declined considerably between 1970 and 1973, in the case of both apprentices with indentures and apprentices employed merely on the basis of a declaration (apprenticeships in family businesses):

<i>Years</i>	<i>Indentures</i>	<i>Declarations</i>
1970/71	6 876	11 351
1971/72	5 121	7 406
1972/73	3 040	3 376
1973	3 105	2 704

## **B – Contributions by firms towards the financing of apprentice training schemes: the apprenticeship tax**

### **1 THE PRINCIPLES OF THE APPRENTICESHIP TAX**

63. Since 1925 apprentice training schemes have been financed partly from the proceeds of the apprenticeship tax. According to a law No 71.578 of 16 July 1971, the apprenticeship tax is the tool used by employers to help to finance initial technical and vocational training courses. Another law of the same day introduces an additional tax relating to further vocational training.

64. Three categories of employer are subject to the apprenticeship tax:

- (i) natural persons, and also private companies, limited liability partnerships, joint ventures and limited liability companies, if they are engaged in activities rendering them subject to trade tax;
- (ii) firms, associations and bodies subject to corporation tax;
- (iii) cooperatives for the production, processing and sale of agricultural products.

Craftsmen whose taxable income exceeds a given limit, and firms engaged solely in the provision of various forms of education, are exempt from the tax. Special arrangements apply in Alsace-Lorraine.

65. The apprenticeship tax is assessed on the basis of the wages on which calculations of income tax on wages are based. A flat-rate assessment is made of the benefits in kind. If the employees are in the category entitled to further deductions for business expenses, the relevant amounts may be deducted.

The rate of tax is 0.50% of the total gross wages. Formerly the rate was 0.60%, but it now takes into account the new tax to which employers are subject and which represents their contribution to the financing of further vocational training.

66. The tax may be paid directly to the Treasury. However, the employer may obtain total or partial exemption from the tax by setting off certain expenses against it.

In this case the employer must earmark a compulsory proportion of the tax for apprentice training schemes (law No 71.576 of 16 July 1971, Article 31). This obligation must be fulfilled before any exemption can be granted. It covers all employers, irrespective of the amount of tax to which they are subject. With effect from 1 January 1976 the quota will be 20% of the tax due.

An employer may fulfil his obligation to earmark this quota for apprentice training schemes in three different ways:

- (i) By using it to finance apprentices' wages up to a maximum of 11% of the SMIC as stipulated in a decree of 17 January 1974.
- (ii) By using it to finance his contribution to a CFA. These contributions are designed to finance the operation or equipment of the CFA, or to enable them in their turn to help employers not liable to the tax of subject to only a low rate of tax.
- (iii) By paying the balance to the Treasury.

Apprentices' wages are entered in the accounts on 31 December of every year, and contributions must be paid to the CFA by 1 March of the following year, so that they can be taken into account for a particular year. Finally, any balance due must be paid to the Treasury by 5 April of the following year.

67. Further exemption may be obtained in respect of the remainder of the tax due. The law lists twelve categories of expenditure, ranging from the CFA's operating and equipment costs to payments to the Chambers of Commerce and Agriculture:

- (i) operating and equipment costs;
- (ii) wages paid to apprentices attending the CFA;
- (iii) wages paid to the persons responsible for providing practical training;
- (iv) wages paid to the examiners;
- (v) subsidies to the schools;
- (vi) study grants;
- (vii) subsidies to the CFA;
- (viii) training courses;
- (ix) complementary activities (e.g. vocational guidance);
- (x) payments to the Chambers of Trade;
- (xi) payments to the Chambers of Commerce;
- (xii) payments to the Chambers of Agriculture.

This expenditure may be taken into account only if it is effected according to certain scales.

68. The most widely held view, which appears to be in line with the spirit of the law, is that, after calculating the total amount of the tax which he owes, the employer should first deduct from the quota the wages paid to his apprentices, up to the specified limit, and then his contribution to the CFA and finally, if the quota has not been used up completely, he should pay a balance to the Treasury to make up the full amount of the proportion of the tax which must compulsorily be allocated to apprentice training schemes.

It may be asked, however, whether the deductions must necessarily be made in that order. Exemption from tax can be obtained, up to the statutory maximum of 11% of the SMIC, for all apprentices' wages without limit; this means that in some cases the quota may be exceeded or even that total exemption from the tax may be granted. Financial contributions to the CFA, on the other hand, are exempt from tax only in so far as they do not exceed the quota (law No 71.576 of 16 July 1971, Articles 29-31). An employer may wish to deduct his contribution to the CFA from the quota first, and then wages, in some cases over and above the quota. In this way he may become totally exempt from tax, a situation which cannot arise if wages are deducted first and do not exceed the quota.

69. Some of the items of expenditure which are exempt from tax are incurred directly by the employer (apprentices' wages), whereas others result from his contribution to help to finance educational establishments or organizations which devote their resources to initial training. To obtain funds, these 'tax-collecting' bodies must be approved. Some are granted approval automatically: Chambers of Commerce and Industry, Chambers of Trade, Chambers of Agriculture. Others must apply for it. Approval is granted by the Prefect after obtaining the opinion of the Departmental Committee on Vocational Training, Social Advancement and Employment. Approval may also be obtained through the conclusion of an agreement on the same terms as are applicable to the setting-up of CFA.

These bodies are subject to financial control by the State. Investigations are carried out by officials of the Ministries of Education, Agriculture, or Economic Affairs and Finance. If the body concerned is a CFA, the Departmental Committee may issue an opinion on the advisability of imposing an upper limit on the amount of tax-free payments which the establishment may receive per year, or on whether the payments made to the establishment by persons subject to tax should cease to be tax-free.

Finally, a detailed list of the recipients of the funds must be submitted to the Departmental Committee by 30 April of every year.

70. Applications for tax exemption, for whatever reason, must be submitted to the tax authorities by 5 April of every year at the latest. Applications must be submitted on a printed form supplied by authorities and must contain information on the identity of the applicant and of the recipients of the expenditure, the number of employees other than apprentices in the firm, the number of apprentices, the employer's arrangements with regard to initial training, the amount of expenditure coming within the quota, other deductible expenditure, etc.

The competent tax authorities are those located in the place where the firm's operating results are approved. The applicant is given a receipt. The Departmental Committee takes a decision and informs the applicant accordingly. If exemption is refused, the applicant may submit his comments within fifteen days of receiving the notification addressed to him. A reasoned decision is required in cases of refusal. An appeal may be lodged with a special committee in the Ministry of Education within two months.

71. If only partial exemption is granted, the balance of the tax still due is paid to the Treasury. The tax is then collected in accordance with the rules and guarantees applicable to turnover tax (law No 71.578 of 16 July 1971, Article 4). Payment must therefore be made spontaneously by the employer to the tax authorities in the place where the statement of the firm's operating results is approved, by 5 April of every year at the latest.

Special time limits are applicable in cases involving a transfer of ownership, the winding-up of a firm or the death of an employer.

The tax authorities check the payments made against the applications for exemption submitted by the taxpayer and the annual return which he must draw up. If the amount of the exemption granted is less than the amounts actually set off against tax, the additional payment to be made is increased by 10%. If excess payment is made, the surplus is refunded by way of tax relief.

Furthermore, penalties for delay are applied for non-payment or late payment. The penalty amounts to 3% of the total still due for the first month, and 1% of that total for every subsequent month.

72. An annual return must be drawn up and signed by an employer for all his establishments in France. It must be submitted to the tax authorities in the place where the statement of the firm's operating results is approved by 5 April of the year following the year in which the wages were paid.

The return must indicate:

- (i) the total wages paid by the employer;
- (ii) the gross amount of his contribution;
- (iii) his total expenditure on the promotion of initial technical and vocational training courses;
- (iv) any payment still due to the Treasury.

If the return is inadequate, or if it is submitted late or not at all, an employer is liable to an additional charge for late payment or to a fine.

## 2. CRITICAL APPRAISAL

73. In principle, the introduction of an apprenticeship tax to help to finance initial training, and of a special quota to be allocated to apprentice training schemes, certainly reflects the public authorities' wish to promote both technical education and a revival of apprentice training schemes. However, it is feared that the system introduced is not proving to be very attractive and that the objective of the reform may not be achieved.

Since 1959, and more especially since the introduction of the law of 8 December 1966, the State has been endeavouring to promote action by firms by extending the range of possibilities of obtaining exemption from the apprenticeship tax. However, it has been found that very few firms have obtained exemption: one in five, according to the Hermann report to the National Assembly during the discussion of the draft law, which became law on 8 December 1966. Active participation in training schemes places a heavy burden on firms, which, depending on the type of apprentice training scheme adopted, must set up workshops for young employees, pay those employees wages, second some of the staff of the firm to provide the young employees with practical training and, in some cases, help to train the instructors.

74. Some firms have not yet received sufficient motivation to participate in such schemes. Several firms, particularly in industry, are reluctant to introduce apprentice training schemes which involve a two- or three-year wait before the young employee is able to play his full part in the firm. They prefer to promote rapid, on-the-spot training programmes, reserving the right to allow trainees to supplement their training at a later date by attending further training courses in a specialized field, even if such courses are held in the firm's own school.

Furthermore, some firms which have their own training schools but which are not specially equipped to train apprentices, may consider themselves penalized, as they obtain virtually no tax exemption. Such is the case if the sector to which they belong is not particularly conducive to the development of apprentice training schemes.

Finally, it is unfortunate that the system introduced by the law is so complex and that the qualified departments in the Ministry of Education have to bear the heavy burden of administering the tax. In many respects it appears to be a disincentive.

75. Nevertheless, it is estimated that approximately one million firms are subject to the tax, which totalled approximately FF 1 300 000 000 in 1973, of which some FF 200 million were paid to the Treasury. In themselves these figures may seem fairly optimistic: the total amount of exemptions gives rise to the hope that a serious effort is being made to promote apprentice training schemes. In reality, the extent of this effort cannot be accurately assessed as there is no effective control over the use of the proceeds from the tax and, with the exception of those bodies which are automatically granted approval, the 'tax-collecting' bodies enjoy no real power.

Control procedures are applied at two levels:

- (i) The Departmental Committees on Employment and Vocational Training, whose task it is to examine the dossiers submitted by employers to obtain approval so that they may recruit apprentices, to impose disciplinary sanctions on CFA staff and to take decisions on applications for tax exemption submitted by employers.
- (ii) Staff of the Directorate-General for Taxation whose task it is to seek out persons liable to tax, to ensure that employers submit their annual returns within the statutory time limits, to check the basis for calculating the tax and its payment, and to investigate disputes.

It is unfortunate that control procedures at the higher level are confined in practice to investigating whether the exemption procedure has been implemented in the proper way. It is in fact impossible for the Departmental Committees to ensure that the proceeds from the tax are put to good use. The staff of the Directorate-General for Taxation have to cope with returns which are submitted late and which take up a great deal of their time. Finally, it is unfortunate that the Special Committee on the Apprenticeship Tax within the Ministry of Education cannot intervene and is unable to perform in full its intended role as a coordinating body.

### **III – THE EDUCATIONAL BASIS OF APPRENTICESHIP TRAINING SCHEMES**

76. It would be pointless to promote technical training for young people if it were not designed to lead rapidly to employment. A special effort must therefore be made to provide guidance, before young people are placed in employment, of course, or even, where apprenticeships are involved, before a young person opts for this form of training (A).

How effective vocational guidance proves to be depends, however, to a very great extent on the general and technical training which a young person receives. A sound education facilitates mobility between occupations and enables persons seeking employment to adapt more easily to the fluctuations on the employment market. The public authorities were in favour of setting up homogeneous units, the Apprentice Training Centres (CFA) which provide both general and technical education (B).

#### **A – Vocational guidance**

77. The vocational guidance system existing in France dates back to the decree of 26 September 1922, and more especially to the law of 10 March 1937 which introduced a vocational guidance examination for apprentices in the craft sector. The vocational guidance system was reorganized by the laws of 24 May 1951 and 3 December 1966; and, since the introduction of law No 71.576 of 16 July 1971, vocational guidance has been compulsory for anyone wishing to start an apprenticeship.

##### **1. THE VOCATIONAL GUIDANCE SERVICES**

78. At national level there was, until 1966, a Top-Level Committee on Vocational Guidance and Training which was responsible for proposing suitable measures to meet the requirements of the employment market. The Top-Level Committee, under the Minister of Education, was in permanent contact with the representatives of the various branches of economic activity concerned. It has been replaced by the National Council for Vocational Training, Social Advancement and Employment.

There are other bodies which provide vocational guidance indirectly, although their task is primarily one of supplying information: ONISEP (National Office for the Supply of Information on Education and Occupations), whose principal task is to assemble all the documentation required by the information and guidance services; CIDJ (Youth Information and Documentation Centre) which is responsible to the Office of the Secretary of State for Youth and Sports and deals with requests for information on education and employment.

79. At departmental or regional level, mention must be made of the vocational guidance inspectorates and the regional offices of ONISEP, the youth affairs and sport offices and the agricultural offices.

80. The actual task of providing vocational guidance is carried out at local level by public or optional vocational guidance centres.

81. (a) The public vocational guidance centres, formerly called compulsory centres, provide a public service. A list of such centres is drawn up and adopted by the Minister responsible for technical education and the Minister of Economic Affairs and Finance in a joint decree. There are approximately 250 public centres in France. The main centres are those which must be set up in each département. Secondary centres, set up generally as a result of local enterprise, complete the list of vocational guidance centres.

82. The staff of the centres generally consists of a director in charge of the centre, one or more vocational guidance counsellors, a welfare officer and a doctor.

The vocational guidance counsellors (who should number 3 472 by 1975) provide information and guidance for persons at all levels of secondary and higher education. They are recruited by means of a competitive examination and receive specialized training for two years.

The director of the centre is chosen from among the vocational guidance counsellors of at least thirty years of age who have completed no less than five years' service. He is responsible for the administrative and technical aspects of the centre's organization.

83. The public centres are subject to control by the regional State education inspectorate and to the various control procedures applicable to public law bodies. The 1967 Finance Act provides that these centres should become a public service.

84. (b) The optional centres, as they are wrongly called, are, in fact, private centres, some of which receive State subsidies. The subsidized centres form part of the infrastructure of the départements and carry on the same activities as the public centres. They are subject to administrative control.

The non-subsidized centres are responsible solely to private legal persons and cater for a particular clientèle (e.g. SNCF).

85. The vocational guidance services belonging to the Chambers of Trade have a special status among these centres (Craft Code, Article 39). The Chambers of Trade may either set up vocational guidance centres and appoint their directors and staff, or they may come to an agreement with the départements, communes, public institutions, associations, trade unions or companies which have set up vocational guidance services, on the guidance examination to be taken by young persons wishing to train for an occupation in the craft sector before they may be admitted to an apprentice training course.

## 2. THE ACTUAL AND POTENTIAL ROLE OF VOCATIONAL GUIDANCE: A CRITICAL ANALYSIS

86. (a) Vocational guidance has been compulsory for young people for a long time. Article 8 of the Order in Council of 26 May 1938 provides that no 'child' under seventeen may be employed in certain firms unless he has a vocational guidance certificate issued by the general vocational guidance inspectorate upon receipt of a certificate from a public or private vocational guidance centre. In practice this obligation is not fulfilled. Moreover, this ruling is pointless now that attendance at school is compulsory up to the age of sixteen and an adolescent may not start work until the age of seventeen.

87. It is possible, however, to start an apprenticeship at the age of sixteen, and sometimes even at fifteen (see section 33 above). A detailed advisory opinion issued by a public centre or by a centre set up in pursuance of Article 39 of the Craft Code must then be produced. This is compulsory. The apprentice must be suited for the training course which he has chosen, and a check on his suitability may even be carried out during his apprenticeship.

88. (b) Vocational guidance to promote apprenticeships is directed mainly at adolescents still at school, as attendance at school is compulsory, save in exceptional cases, up to the age of sixteen. In practice, this guidance may be given at two different stages.

The first stage may come at the end of the 'cinquième' (second year of secondary school), when a decision must be taken on whether a pupil should move into a pre-apprenticeship

class (CPA) or into a class designed to prepare him for an occupation (CPPN). The second stage may come during the 'troisième' (fourth year), when the adolescent may still choose between several options and be directed towards an apprenticeship.

As indicated above (see section 14 above), the current guidance system meets only immediate requirements and cannot achieve either of the two major, complementary objectives laid down in the law: the development of technical education, or even its revival, on the one hand, and the acquisition by the apprentice of adequate skills to enable him to meet the requirements of the employment market, on the other. Despite the slight improvement recorded in 1975, it has been found that the advisory opinions are being issued when the apprentice has already been placed in a firm. The result is that, reduced to the simplest terms, vocational guidance is really nothing more than a check on the ability of the adolescent to carry out the occupation which he has chosen or... the job which he has found.<sup>1</sup>

89. Two proposals may be put forward for the improvement of the system:

90. The first is taken directly from an excellent memorandum produced by the ONISEP regional office in Versailles (July, August 1975) mentioned above. From the educational viewpoint there are enormous differences between the apprentice training centres. Quite apart from the purely administrative aspects, the question of recruitment must be taken into account. Whereas in some sectors, such as metallurgy, there are two applicants for every vacancy, the reverse is true in the building and foodstuffs sectors. The memorandum referred to above states that this is a reflection of the views held by applicants' families and of an ignorance of current working conditions, wages and employment opportunities. If vocational guidance is to serve a useful purpose, it is required at least in the pre-apprenticeship class. Unfortunately most of the CPA are not set up within schools (see section 14 above). Furthermore, even if guidance were to serve a useful purpose by being carried out in the CPA, it seems unlikely that it would even then become really effective. A person is most often channelled into an apprenticeship as a result of a failure to do well at school; in other cases this course is taken because of the inability of the schools to provide certain types of vocational training courses (e.g. for assistants to dispensing chemists). How real is this failure, and to what extent are the schools to blame? That is the question. It is quite probable that the psychological attitudes of the pupil's family, combined with the influence which his teachers unwittingly exert over him, are at the root of the problem. Vocational guidance can therefore hope to find its true vocation only if the institutions are reorganized completely and the psychological attitudes of families and teachers change, and if attempts are made at the same time to make industrial employment appear more attractive.

91. The second proposal is less ambitious, but it nevertheless requires far-reaching changes in the present system. Most apprentices currently begin by being placed directly in a firm. An alternative method would seem to be to centralize information on all the vacancies for apprentices every year at departmental or even local level in the large conurbations. This could be done in April of the year in which the adolescents are due to leave school. Guidance tests carried out systematically between April and July would enable available labour to be adapted rationally to meet the requirements of the employment market. Thus a form of guidance could be practised which would take into account the openings actually available, and an overall view of the situation on the apprenticeship market in a given sector could be obtained very quickly.

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<sup>1</sup> If such checks are even carried out. The report of 17 April 1974 produced by the Labour Directorate in the Maine-et-Loire département reveals that very few indentures were accompanied by advisory opinions in 1973 and that the departmental authorities found it impossible to test more than 2 000 people individually every year within the limited time available.

## B — The Apprentice Training Centres

92. The Apprentice Training Centres (CFA) were designed to take over from the public and private vocational training courses provided for in the Astier law (see section 6 above), and from the centres set up under the aegis of the Ministry of Education or under the standard agreement provided for in the old law of 3 December 1966 on training programmes.

Article 32 of law No 71.576 of 16 July 1971 lays down the rules of procedure for adapting the former structures to the new system. Provisional agreements may be concluded by the State with the administrative authorities responsible for vocational training courses or with all other types of apprentice training organizations. These agreements are designed to enable the bodies concerned to take on apprentices who concluded their indentures before 1 July 1976. 'Conversion agreements' will be adopted, providing for the conclusion, before 1 July 1976, of an agreement on the conversion of one or more existing vocational training courses or training organizations into an apprentice training centre, or the integration of such courses or organizations in a CFA which has already been, or is in the process of being, set up.

93. The setting-up of CFA is a long and exacting task. In 1973 several départements still did not have any (Aisne; Franche-Comté), while others had only one or two (Oise, Somme). In 1973 it was found that, in most regions, general education was provided by the former vocational training courses organized under provisional agreements.

94. Strict rules govern the setting-up, organization and administrative, educational and financial operation of the CFA. The CFA, which are subject to State control, have the monopoly for training apprentices and they form the keystone of the entire new apprenticeship system, as indentures cannot be concluded until the apprentice has registered with a CFA.

95. In practice, registration with a CFA or for courses organized under provisional agreements has not given rise to any serious difficulties. Nevertheless, problems have arisen in some regions. In the Maine-et-Loire département the implementation of the new rules has been hindered by the stubbornness of some employers who have grown too fond of the opportunities provided by the excessive flexibility of the former practices. The practices tolerated under the former system included either a complete lack of theoretical education (!) or the choice of a correspondence course. The grocery trade association, in particular, showed itself unwilling to implement the provisions of the reform. Its members refused to part with their apprentices for one or two days a week. It is unfortunate that such practices persist, as they perpetuate the idea that an apprentice provides cheap labour and is the firm's general dogsbody, when the purpose of an apprenticeship is to provide the adolescent with vocational training, and it is not intended to be merely for the benefit of the employer.<sup>1</sup>

96. Finally, before moving on from the practical questions, mention must be made of the interesting experiment which the Haute-Saône département wanted to carry out. Pending the setting-up of a fully operational CFA, education was to be provided by the technical college and accommodation by the Vesoul Adult Vocational Training Centre. However, this

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<sup>1</sup> The situation has likewise been very difficult in the Gard département, and more especially in the Hérault département, where local craftsmen showed a distinct hostility towards the reform, prompted, it would seem, by UNATI which had a firm foothold in the region. In 1973 the Montpellier Chamber of Trade suspended its courses, which did not start again until the end of the year, under pressure from the prefectural departments and the Departmental Labour Directorate. Reflecting the same excessively corporatist attitude the Versailles Interdepartmental Chamber of Trade caused particular problems by requiring parents to pay school fees which were considered excessive (FF 300).

solution was rejected as the premises originally proposed were considered too decrepit. In any case, it is questionable whether, in spite of the not inconsiderable advantages which it would have offered, this solution would really have been in line with the spirit of the law which lays down a number of conditions concerning the setting-up and organization of the CFA.

## 1. THE SETTING-UP OF THE CFA

97. The Apprentice Training Centres must be set up on the basis of an agreement concluded between the State and the organization concerned. An establishment set up without such an agreement being concluded may not call itself a CFA, nor may it provide training for apprentices.

### (a) Conclusion of the agreement

#### *1 – Parties to the agreement*

98. The parties to the agreement are:

- (i) the Minister of Education acting with the approval of the relevant Minister if the CFA recruits apprentices on a national basis; the Prefect of the region in which the centre is located in other cases (decree No 72.280 of 12 April 1972).
- (ii) a number of bodies:
  - (a) the local authorities;
  - (b) public institutions;
  - (c) the commercial courts;
  - (d) the Chambers of Trade;
  - (e) the Chambers of Agriculture;
  - (f) private institutions acting under a simple contract or a contract of association;
  - (g) the trade associations;
  - (h) firms or any other natural or legal person.

The opinion of the Regional Committee on Vocational Training, Social Advancement and Employment is always required.

99. If several natural or legal persons governed by public or private law decide to set up a CFA jointly, without, however, forming a new legal person to manage it, they must appoint a representative from among their number to be responsible for concluding an agreement with the State on the setting-up of the CFA. That representative automatically becomes the manager of the centre.

The law fails to define the legal status of the centres set up in this way. They may have legal personality, but this is not compulsory. If they do not, they are simply regarded as being a part of the administrative authority, although they must have a separate budget.

100. The law set out to promote the creation of inter-trade centres administered by an association comprising the public institutions (Chambers of Commerce, Trade and Agriculture), employers' organizations and trade unions, and even the organizations representing the craft firms and those representing other firms where the same occupation is carried out in both.

Such inter-trade centres should, where possible, be set up at regional level, and, generally speaking, the policy should be to promote the conclusion of agreements on the setting-up of CFA at regional level (explanatory memorandum to law No 71.576 of 16 July 1971).

## *2 – Application for the conclusion of an agreement*

101. An application for the conclusion of an agreement is submitted to the Prefect of the region in which the centre is to be located. Applications are submitted to the Regional Committee on Vocational Training, Social Advancement and Employment so that its opinion can be obtained. If the application relates to a national centre, it must be submitted to the competent Minister, who must obtain the opinion of the National Council for Vocational Training, Social Advancement and Employment.

102. A decision must be taken on an application within six months of its submission. If the reply is negative, a reasoned decision must be issued. An appeal may then be lodged with the National Council for Vocational Training.

## *3 – Term of the agreement*

103. An agreement on the setting-up of a CFA is concluded for a five-year term, with effect from a date which must be specified. During the period of its validity, the list of training courses organized by the centre and the other clauses of the agreement may be amended to take into account vocational training requirements. Any amendments must be included in a supplementary agreement concluded in the same way as the agreement itself, if they result in a reduction in the total staff to below the minimum permissible level, or in an increase in the total staff to beyond the maximum permissible level, a considerable change in the size of the catchment area or in the range of occupations catered for by the centre, or any change in the terms on which the State participates in the organization of the centre.

In all other cases such amendments must be authorized by the Prefect of the region.

## *4 – Renewal of the agreement*

104. An agreement may be renewed, in which case, eighteen months before it expires, the parties must discuss the drafting of a new agreement, taking into account any changes which may have proved necessary as a result of developments on the employment market and the consequent requirements in terms of training. If it is not possible to renew the agreement, then no new apprentices are registered. The agreement is then automatically extended until the apprentices already receiving training have completed their courses, if this is after the date on which the agreement is due to expire.

### **(b) Content and scope of the agreement**

#### *1 – Conformity to a standard model*

105. Agreements for the setting-up of a CFA must conform to a standard model laid down by the Ministers concerned (Education; Finance; Agriculture; Industry and Research; Commerce and Trade; Youth and Sports) in a joint decree.

The standard agreement includes educational annexes drawn up for each occupation or trade, defining, in particular, the minimum requirements with regard to the syllabus and programme for apprentices and their supervision. The educational annexes are laid down in a decree adopted by either the Minister of Education or the Minister of Agriculture. The advisory vocational training committees or the bodies set up in their place help to draw up the annexes (see Annex C showing the annexes to the standard agreement published in the *Official Gazette* of 30 March 1975).

106. The standard agreement stipulates that the following clauses and information must be included in the draft agreement for setting up a CFA:

- (i) definition of the catchment area and of the occupations in which the centre is to specialize;
- (ii) the administrative, financial and educational organization of the centre;
- (iii) the terms on which the agreement may be amended;
- (iv) the reallocation of staff if the centre should close down.

## 2 — *Geographical area and range of occupations covered by the centre*<sup>1</sup>

107. It is normal policy for CFA to serve a region. They should be set up to meet requirements in terms of training, which should therefore be ascertained first. This task has devolved upon the Regional Committee on Vocational Training. The agreement on the setting-up of a CFA must meet the requirements laid down by the Committee. The agreement defines the normal catchment area and the occupations in which it is to specialize. It also lays down the maximum number of apprentices to be admitted to the centre per year for all the training courses which will be provided there.

108. Agreements may provide for the setting-up of regional, inter-regional or national centres. They must give details concerning the organization of educational courses which may be provided locally by other centres or by technical colleges, and also with regard to the organization of and assumption of responsibility for the transportation and residence of apprentices attending specialized training courses which can be organized only in the centre for which the agreement was concluded.

Every centre may also have local annexes.

109. The system is therefore fairly flexible and enables apprentice training courses to be organized on the basis of regional and national requirements, but without ignoring essential local requirements in certain highly industrialized regions. Before the law of 3 December 1966 came into force, one of the reasons why apprentices disliked vocational training courses was found to be the fact that such courses were organized so far from the apprentices' place of work or home. The 1971 law therefore sets out to prevent the excessive centralization of training facilities.<sup>2</sup>

110. Nevertheless, not all training courses can be organized locally, especially when specialized training is involved for which qualified staff are required. In such cases the applicant has two options:

(a) If circumstances permit, he may register with a national CFA. There are still too few of these centres and, what is more, they provide only highly specialized training. At the end of 1974 there was only one national CFA: the Centre for the Training of Apprentices in the Inland Waterways Sector (CFANI), administered by the National Association for Training and Occupational Advancement in Inland Waterway Transport.

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<sup>1</sup> Although the principle of converting the former vocational training courses into CFA is generally approved, difficulties have been encountered in practice. The Chambers of Trade have pointed out that from the financial viewpoint it is more difficult to set up a CFA than a traditional vocational training course.

<sup>2</sup> Positive results were recorded immediately. In some départements (Picardy region) there has been a marked decrease in the number of employers resorting to correspondence courses. This has been the case in the hotel industry and office employment sector; in St Quentin the Chamber of Commerce began to organize local courses in 1974. However, the lack of specialization in some centres remains a handicap (see section 133 below).

Another national centre is currently operating under a provisional agreement: the CFA for the quarrying and materials industries, administered by the National Union of Quarrying and Building Materials Industries (UNICEM).

(b) He may also register with the 'miscellaneous trades' section of a regional CFA. The law provides that a 'miscellaneous trades' section must be set up within some inter-trade centres to cater temporarily, at least as far as general education is concerned, for apprentices training for unusual trades, provided that sufficient places are available. Apprentices receive their general education in that centre and, if they cannot be trained locally for the occupation of their choice, then they receive their training either in the nearest specialized centre or through a correspondence course provided by an authorized organization.<sup>1</sup>

111. A national list of the organizations approved by the Ministry of Education is revised every year, taking into account new national or inter-regional CFA which have been set up. These organizations are authorized, on a provisional basis, to provide home study courses for apprentices. The list of approved organizations for 1972/73 is annexed to circular TE No 21 of 29 June 1973 issued by the Ministry of Labour. Any organization not included in this list must prove that it has been granted approval.

## 2. ORGANIZATION OF THE APPRENTICE TRAINING CENTRES

### (a) Administrative organization

112. Before the 1971 law came into force, vocational training courses were either public or private. The same applied to the apprenticeship centres. The public centres were set up or closed down by a decree; the private centres were subject to the rules governing private schools.

The law of 16 July 1971 provided that all public educational establishments, irrespective of the ministry to which they were attached, could be used as a basis for setting up CFA. However, as the CFA are simply a part of the administrative authority, they take their legal status from that authority if they have no legal personality of their own. Under the law, the single representative of several private or public law persons wishing to set up a centre without creating a new legal person is responsible for its administration. This means that there is little point nowadays in trying to establish the legal status of the CFA.

113. Every centre, irrespective of its legal status, must be organized in such a way as to constitute an independent administrative and educational unit for the purposes of its operation. The centre may have local annexes providing all or part of some training courses.

Every centre has a director, who is assisted by a further training board.

114. The director of the centre must be at least twenty-five years of age. He must also:

- (i) have obtained a general or technical 'baccalauréat' (school-leaving certificate), a vocational training or master's diploma or any other diploma qualifying him to apply for at least one post as a teacher of general subjects in a secondary school, or in a technical or agricultural college, or for a post as a teacher of theoretical technical subjects in a technical or agricultural college;
- (ii) have taught, for at least four years, in a public or private technical college, in a vocational training course or in a CFA, for at least 200 hours per year.

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<sup>1</sup> 'Scattered' apprentices represent approximately 10% of the total number of apprentices. In addition to correspondence courses, 'group courses' are organized (minimum of 160 pupils); see circular of 1 October 1974, No 74 344 BO. EN. No 37 of 10 October 1974.

115. The director may not engage in any other work outside the centre. He is responsible for the educational and administrative organization of the centre, save where the administrative authority has administrative and financial powers which are laid down in the agreement on the setting-up of the CFA.

116. The further training board operates under the director and the administrative authority of the CFA. If it is not set up on the basis of an agreement on equal representation concluded by the most representative employers' organizations and trade unions at national level, the composition and powers of the board are laid down by law.

Taking into account the proportions laid down in the agreement on the setting-up of the centre, the board must comprise:

- (i) representatives of the employers' organizations and trade unions with an interest in the operation of the centre;
- (ii) representatives of the administrative authority;
- (iii) representatives elected by the teaching and supervisory staff of the centre;
- (iv) representatives elected by the apprentices.

117. The further training board must meet at least three times a year. It must be consulted:

- (i) on general matters relating to the organization and development of the training courses provided by the centre;
- (ii) on the setting-up and closing-down of sections;
- (iii) on the centre's internal rules of procedure.

Internal rules of procedure must be drawn up by the competent body within the administrative authority responsible for the centre. They include rules of procedure for the board, where necessary.

#### **(b) Financial organization**

118. The centre may obtain its funds from three main sources:

- (i) the administrative authority's own resources;
- (ii) the contributions made by firms liable to the apprenticeship tax;
- (iii) an annual subsidy from the State.

119. The centres must obtain most of their funds from the proceeds of the apprenticeship tax. Firms subject to the tax may make a financial contribution to the CFA and thereby be granted automatic exemption from the tax up to the limit of the quota which must be earmarked for the development of apprentice training schemes pursuant to Articles 29-31 of law No 71.576. of 16 July 1971 (see sections 63 ff above). These contributions are designed to finance the operation and equipment of the CFA and to enable the latter to give a contribution to employers not subject to the tax. The grant of this contribution is subject to the fulfilment of certain requirements, one requirement being regular attendance by the apprentice; it is paid at the end of each half-year of the training course to finance the payment of the apprentice's wages during that half-year, and is taken from the remainder of the employers' contributions once the amounts required for the operation and equipment of the centre have been deducted.

120. If the centre's remaining resources are inadequate, it may receive a subsidy within the limits and on the terms laid down in the agreement on the setting-up of the CFA. The subsidy is given by the State; it represents a percentage of the centre's theoretical expenditure determined in accordance with rules laid down in the standard agreement of 30 March 1975 (Article 14). The maximum is 90%.

The decision to grant a subsidy is revised on the basis of the contributions actually received by the centre, particularly from firms which could also provide subsidies which would be exempt from the apprenticeship tax.

121. The centre's budget is drawn up annually on the terms laid down in the agreement on the setting-up of the CFA. The centre's budget is quite separate from the budget of the administrative authority. If the centre is subject to the rules governing public accounts or to State tutelage, the budget forms a special section of the administrative authority's general budget.

Two separate revenue and expenditure accounts are drawn up for the centre: one for its operation, the other for its equipment. There is also a special account for the transactions involving the financial contributions received from employers.

### **(c) Educational organization**

#### *1 – The teaching staff*

122. The 1971 law was designed to remedy the shortcomings of the previous system. Experience has shown that teachers were not always informed of the specialized nature of the training which they were required to provide. Article 7 of law No 71.576 provides that teachers must now fulfil several requirements which vary according to whether general or technical education is to be provided.

123. Depending on the subjects to be taught, a teacher who is to provide general education must have obtained:

- (i) either a general or a technical 'baccalauréat' or any other diploma qualifying him to apply for a post as a teacher of general subjects in a secondary school, or in a technical or agricultural college;
- (ii) or a diploma qualifying him to teach physical education.

124. A teacher of technical subjects, whether theoretical or practical, must have at least a vocational training diploma, a master's diploma or a diploma qualifying him to apply for a post as a teacher of theoretical technical subjects in a technical or agricultural college.

Civil servants, and especially those employed as teachers by the State education system, may be seconded on a full-time basis to CFA.

Where the education provided is purely practical, it is sufficient for the teacher to have worked as an instructor for three years in an adult vocational training centre or to have practised the trade during the five years prior to taking up his appointment, as a journeyman or as a skilled worker.

125. The rector or the principal rural economist, to whom the teacher's dossier is submitted by the director of the centre, may oppose the appointment or retention of an applicant who does not fulfil the statutory requirements.

126. In cases of misconduct or professional incompetence, staff are liable to penalties imposed by the competent authorities.

They may also be handed over by the technical and educational inspectorates to the Departmental Committee on Vocational Training, Social Advancement and Employment, which may decide to reprimand them, suspend them temporarily or ban them from teaching in a CFA. They may then lodge an appeal with the Council for National Education.

127. If a centre or section closes down, the management and the administrative authority must try to find alternative employment for the administrative, teaching and supervisory staff in another apprentice training centre or in any other establishment providing technical education or vocational training.

128. It must be pointed out that the staff employed by the organizations responsible for the vocational training courses already in existence when the 1971 law entered into force have been allowed to work in the CFA which grew out of the vocational training courses, provided that they fulfil certain requirements laid down in some cases by the Departmental Committee on Vocational Training.<sup>1</sup>

## 2 — *The timetable*

129. The agreement on the setting-up of the CFA lays down the total duration of every training course to be organized and the number of hours' teaching per subject and per year, up to maximum limits laid down by decree for each occupation or trade.

In no case may less than 360 hours' teaching be given per year (i.e. eight hours per week for forty-five weeks a year or twelve hours per week for thirty weeks).

Classes are held between 08.00 and 19.00 hours.

130. The timetable must be divided up as follows in each section of a CFA:

- (a) In those sections providing courses involving 360 to 540 hours' teaching per year:
  - (i) at least two-thirds of the timetable must be devoted to theoretical subjects (technical and general);
  - (ii) at most one-third of the timetable may be devoted to the teaching of applied technology or practical training.
- (b) In establishments providing courses involving more than 540 hours' teaching per year, 360 hours must be devoted to theoretical subjects.
- (c) In both cases, at least one-tenth of the total hours per year must be devoted to physical education and sport.

## 3 — *Coordination with the training received in the firm*

131. The CFA must ensure that the training which it provides and the training given in the firm are coordinated. This implies, in particular:

- (a) that a practical training programme must be drawn up annually for each trade. The programme must indicate, in particular, the jobs which the apprentice should be given to do. The programme, which is drawn up by the director, in conjunction with representatives of the firms concerned, and after obtaining the opinion of the further training board, must be in line with the educational annexes to the standard agreements;
- (b) that every apprentice must be assigned to a member of the teaching or supervisory staff who is responsible for monitoring his progress, in conjunction with the person responsible for providing practical training in the firm employing the apprentice;

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<sup>1</sup> The regulations applicable to the staff of the CFA are sure to present problems sooner or later. If the administrative authority is a private law body, the staff's contracts are employment contracts. If the administrative authority is a public law body, the staff are normally public servants, as in the case of the staff of the Chambers of Trade. As the CFA agreement is for a five-year term only (see section 103 above), what is to happen to such staff if the agreement is not renewed and they are established public servants? The Chambers of Trade therefore tend to recruit staff on the basis of contracts, with the result that it is difficult to ensure that uniform training is provided.

- (c) the need to draw up and distribute to the employers concerned all the documents relating to the apprentice's education and any other documents providing the employer with information on the apprentice's attendance and application, and providing the centre and the works council with information on the jobs actually given to the apprentice within the firm.

#### 4 – Education

##### (i) Compulsory nature:

132. An apprentice must be registered with a CFA. It is the employer's duty to fulfil this requirement by selecting the centre which provides the agreed training, pursuant to the provisions of the indentures (see sections 3 and 40 above).

He must also undertake to ensure that the apprentice attends all the classes and activities organized by the centre.

The time spent by the apprentice in a CFA is regarded as time spent at work, as far as his wage is concerned. The wages paid by the employer in this connection entitle him to exemption from part of the apprenticeship tax, if they are for more than 240 hours but no more than 900 hours per year.

133. Fulfilment of the obligation to register with a CFA is attested in practice by the approval which the director of the centre is formally required to indicate on the apprentice's indentures, to enable them to be registered (see sections 25 ff above).

Few difficulties were encountered in this connection when the reform was first introduced. Some practical problems have arisen either as a result of the time taken to grant approval, which is often too long during school terms in the case of some CFA (Rhône-Alpes region) or, and this is a more difficult problem, due to the lack of CFA providing training for certain trades chosen by apprentices (Nord region); this calls for an explanation of the teaching arrangements.

##### (ii) Teaching arrangements:

134. Training is normally given in the centre itself, or in one of its annexes.

Irrespective of the number of occupations for which it caters, the CFA comprises various specialized sections, as laid down in the agreement. A 'miscellaneous trades' section takes apprentices training for unusual trades, who receive their general education locally and may be assembled into regional, interregional or national groups for block technical training sessions. They may, under certain circumstances, also opt for correspondence courses (see section 135 below).

In spite of these facilities, it is difficult to prevent apprentices from becoming dispersed if the nearest CFA does not have a section catering for their chosen trades: it has been found, in such cases, that either the authorities refuse to register an apprentice's indentures because he is unable to provide proof of registration with a CFA,<sup>1</sup> or the adolescent is assigned to a section akin to his chosen trade, which is no guarantee of the quality of the training received.<sup>2</sup>

The centralization of training courses for the more unusual trades at regional or national level does not, however, seem to provide a very attractive solution, as it has met with hostility from both employers and families who complain of the distance of the centre, the loss of

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<sup>1</sup> In the Nord region this arose in the case of apprentices in the glassblowing and signwriting trades in 1973.

<sup>2</sup> In Brittany, for example, a female apprentice in a shipping company was placed in the needlework section!

time involved and the problem of coordinating the training given in the firm and the theoretical education provided. Finally, residential CFA, which would seem to provide the best solution here, would be expensive to set up, and the question arises as to whether an adolescent who is probably tired of school life<sup>1</sup> would accept the new restrictions which such a solution would involve.

The best solution would appear to be the 'half-and-half system' operated by the Paris Chamber of Commerce.<sup>2</sup> On the other hand, there are cases in which sections with too many apprentices have had to be split (Rhône region).

135. Courses which cannot be organized in a CFA can be provided in the form of correspondence courses. The law provides that a careful investigation of the apprentice's occupation must be made before the use of a correspondence course can be approved. This system was very popular before the introduction of the 1971 law, and proved particularly successful in the building and public works sector. However, the term 'correspondence course' is misleading where that sector is concerned. The apprentice is in fact trained directly by a tutor who discusses the documentation received by the apprentice with him locally, corrects his work and monitors his progress. The only real correspondence is in fact between the tutor and the centre.

Without specifying whether that is the system which it would like to see approved, Article 14 of Decree No 72.280 of 12 April 1972 provides for the use of correspondence courses under certain circumstances.

136. As a rule, the Ministry of Education draws up an annual list of nationally approved organizations which may provide home study courses for apprentices. This list enables the authorities to accept indentures for registration when neither an apprentice training centre nor a vocational training course in his region or in a neighbouring region is able to provide the apprentice with the theoretical education required for the trade specified in his indentures.

That is the system only as far as nationally approved courses are concerned. At local level every course must be authorized by the Prefect of the region.

If the trade concerned is not very common, apprentices must register with the 'miscellaneous trades' section in the nearest CFA. Enrolment for a correspondence course must be confined to exceptional cases, and in any case an apprentice must at the same time enrol for

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<sup>1</sup> This is the case in Brittany.

<sup>2</sup> It is worth mentioning some of the practical achievements here:

(i) In the nationalized industries sector, the SNCF has set up two CFA, one for apprentices studying rolling-stock, the other for apprentices studying equipment. Admission is by competitive examination open to young people aged between sixteen and eighteen. The training courses lasts two years.

The Training Centre for apprentices in the rolling-stock sector trains apprentices to become general mechanics. The training programme is divided into three parts:

- (a) general education: general culture, mathematics, science;
- (b) technical education: technical drawing, technology for mechanics;
- (c) practical training: assembly, electrical engineering, introduction to related work.

The Training Centre for apprentices in the equipment sector organizes courses leading up to a vocational training certificate for assemblers of railway signalling equipment. The apprentice may subsequently be taken onto the permanent staff of the SNCF as an inspector of electrical equipment.

(ii) The training provided by the Paris Chamber of Commerce and Industry is designed for young people aged between sixteen and twenty; an apprentice spends one-half of his time in his firm and the other half in the CFA. This system appeals to young people who reject the idea of full-time training in a school (source of information: *Les Guides de l'ONISEP 1975. L'apprentissage*).

a course involving oral communication. In such cases the employer must undertake, in the indentures, to allow the apprentice the same amount of time for his studies as he would spend in a CFA, including time for him to attend the training courses provided by the organizers of the course. In this connection, some Departmental Labour Directorates require that indentures stipulate that the employer undertakes to allow the apprentice the same amount of time for his studies as he would spend in a CFA.

### *5 – Preparation and presentation for examinations*

137. Prior to 1971, apprentice training courses led to two formal qualifications: the final apprenticeship examination taken at the end of the practical training, and the CAP awarded on the basis of the general and technical training received.

The law of 16 July 1971 changed this system. An apprentice training scheme now leads up to a technical education diploma. The final apprenticeship examination has been abolished. It has been retained, on a provisional basis only, in the craft sector.

#### (i) Preparation for the examinations:

138. The syllabuses and examinations for technical training courses are drawn up and revised periodically in the light of the results achieved, the evolution of society, and scientific, technical, economic and social progress. There is permanent collaboration between the public authorities and the various organizations concerned.

There are educational annexes to the standard agreement for the setting-up of a CFA; these are drawn up for each occupation or trade. They are produced by the Minister of Education or the Minister of Agriculture and they lay down the minimum and maximum requirements with regard to the syllabus and programme for apprentice training courses.

The annexes comprise a general table showing the training to be provided, and a syllabus. The general table shows the training to be given by the centre and the CAP to which it leads. The subjects to be taught are listed, and their breakdown into general and technical education is indicated, as is the number of hours to be devoted to each. This syllabus is based on the educational annex to the standard agreement and for the most part only additions are made to that annex (see Annex C below in this connection).

139. Courses normally last two years. This causes problems, as apprentices, who are often handicapped as far as their general education is concerned, are required to prepare, in two years, for the same CAP (vocational training certificate) for which their contemporaries in technical colleges prepare in three years. The introduction of CPPN should indeed mean that the period of training leading up to the CAP is the same in both cases: normal three-year course in a technical college; two-year training course plus one year in a pre-apprenticeship class. However, this system can be effective only if guidance is given at least two years before an apprentice concludes his indentures, and if the CPA, which the State education system appears to be abandoning to private initiative, become more widespread.<sup>1</sup>

140. The length of the training period has caused problems in some sectors, and particularly in the pharmacy sector where a three-year training course is normally required to prepare an apprentice for a diploma as an assistant to a dispensing chemist. A letter of 22 January 1975 sent by the Minister of Labour to the Labour Directorate in the Drôme département stated that a committee was studying the possibility of waiving the rules on the

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<sup>1</sup> Next stage after attending a CPPN:

CPPN { CAP 3 years ... employment – continuous training.  
CEP 1 year ... employment – continuous training.  
CPA 1 year ... apprenticeship (two years) ... employment.

two-year time limit for courses, and that indentures concluded for a three-year period could be registered provisionally. The transitional period for the application of the law of 16 July 1971 is due to end in July 1976.

(ii) The examinations:

141. Depending on the level of education reached, and on the branch of economic activity to which the apprentice belongs, at the end of his training he may obtain the vocational studies diploma (BEP), the vocational training certificate (CAP) or the agricultural apprenticeship diploma (BAA). Pursuant to Article 8 of law No 71.577 of 16 July 1971, technical education qualifications or diplomas may include references to further examinations passed at a later date. The diploma is not intended to fix a person's abilities as at the date of issue of the diploma. An apprenticeship is only the first stage in a programme of further vocational training.

142. The obligation to introduce a special end-of-training examination caused problems in the hairdressing trade and in the case of the occupation of piano tuner/repairer. In the former case, a decree was issued on 26 June 1974 which abolished the separate CAPs for ladies' and men's hairdressing, leaving only the CAP for general hairdressing introduced by a decree of 20 April 1972 and designed to enable French nationals to receive the same training as is given in the other Community countries. There have been cases of refusal to register indentures where an apprentice is employed in a salon providing only ladies' or only men's hairdressing facilities. To compensate for the disadvantages of this situation, the Ministry of Education has agreed that apprentices employed in salons providing only ladies' or only men's hairdressing facilities should be given complementary training in a CFA.

In the second case, it was found that no technical education diploma existed for the occupation of piano tuner/repairer. An organization representing this occupational group asked that a diploma for this occupation be introduced, with the result that indentures may now be registered.

143. The final apprenticeship examination is being retained provisionally (until 1 July 1976) in the craft sector, but it is governed by clearly defined rules.

An examination is held every year, comprising theoretical, practical and oral tests. Boards of examiners, appointed every year by the President of the Chamber of Trade, and consisting of a general board and a specialized board for each trade, are responsible for the practical organization of the sessions and for the preparation, supervision and marking of the tests.

It is interesting to note that between 1968 and 1973 the number of apprentices taking the examination fell from 27 826 to 16 492, and that the number who passed fell from 14 873 to 9 752. During the same period the number of apprentices taking the CAP fell from 15 036 to 12 495, and the number who passed fell from 6 739 to 5 881 (see Annex D).

The CAP is gradually becoming the standard final apprenticeship examination, and the Chambers of Trade are sorry that the final apprenticeship examination in the craft sector is not equivalent to a technical education diploma. Even if it is *de facto*, it is not *de jure*, as it does not provide access to employment in the civil service.

## IV – CONTROL PROCEDURES APPLICABLE TO APPRENTICE TRAINING SCHEMES

144. Prior to the introduction of the law of 16 July 1971, control over apprenticeships took the form of inspections which were in fact carried out by technical education inspectors and labour inspectors.

The coexistence of these two types of inspector gave rise to the difficult problem of the distribution of powers. The 1971 law set out to simplify the control procedures and the conditions for their application. It was supplemented by decree No 73.50 of 9 January 1973 and circular TE No 21 of 29 January 1973.

### A – The control bodies

145. Under the system introduced by the 1971 law, control of apprentice training schemes is based on two principles:

- (i) general control is the responsibility of the departmental or regional committees;
- (ii) the actual inspections are carried out by the apprenticeship inspection service.

#### 1. THE GENERAL CONTROL BODIES

146. The setting-up of the new system of controls is the responsibility of a 'three-tier' authority, with power over both the CFA and firms. At the lowest level there is a departmental committee; above it is a regional committee; and at the top is the National Council.

- (i) *The Departmental Committee on Vocational Training, Social Advancement and Employment*

147. This Committee was set up to replace both the Committee on Technical Education and the Departmental Committee on Employment. Its composition and operation are based on the rules laid down in Article 2 of law No 71.575 of 16 July 1971 and decree No 72.276 of 12 April 1972 (*Official Gazette* of 13 April 1972).

It comprises, in particular, a twenty-six-member apprenticeship committee consisting of:

- (a) six civil service representatives, including representatives of the Ministries of Education, Industrial Development, Agriculture, Labour, and Employment;
- (b) twelve representatives of industry, commerce, agriculture and the craft sector;
- (c) one representative of the Chambers of Commerce and Industry;
- (d) one representative of the Chambers of Trade;
- (e) one representative of the Chambers of Agriculture;
- (f) two technical education counsellors;
- (g) two CFA directors;
- (h) one representative of the CFA teaching staff.

The members of the apprenticeship committee are appointed by the Prefect. The chair is taken by the technical education inspector who has been sent to the département or, where apprenticeships in agriculture are concerned, by the representative of the Ministry of Agriculture. The powers of the Departmental Committee may be delegated to this committee as far as apprenticeships are concerned, save where the disciplinary measures provided for in Article 8 of law No 71.576 for application to CFA staff are involved. These

rules are applicable to the Committee for the City of Paris, whose composition is laid down by decree No 72.277 of 12 April 1972 (*Official Gazette* of 13 April 1972).

(ii) *The Regional Committee on Vocational Training, Social Advancement and Employment*

148. This Committee, which is responsible in particular for delivering its opinion on draft agreements for the setting-up of CFA, is governed by the provisions of decree No 70.827 of 16 September 1970, supplemented by decree No 72.278 of 12 April 1972. The latter decree provides that an apprenticeship committee with no more than twenty-five members must be set up within the Regional Committee. The apprenticeship committee comprises employers' and employees' representatives appointed by the national organization; qualified persons, including representatives of the Chambers of Trade, Commerce and Industry and Agriculture; two representatives of the State educational system; a CFA director, a representative of the CFA teaching staff and civil service representatives, in particular from the Ministries of Education, Industrial and Scientific Development, Agriculture, Labour, and Employment,

(iii) *The National Council for Vocational Training, Social Advancement and Employment*

149. This Council assists the inter-ministerial committee formed under the Prime Minister in accordance with Article 2 of law No 71.575 of 16 July 1971. This bodies comprises representatives of the public authorities and of the trade associations and trade unions concerned. Its main task is to deliver opinions on draft standard agreements on the setting-up of CFA, and it may decide on the action to be taken if an agreement is denounced by one of the contracting parties.'

## 2. THE INSPECTION AUTHORITIES

150. Inadequate control of apprentice training schemes prior to the 1971 law was one of the reasons for their deterioration. The hybrid system existing at that time was based on an ill-defined distribution of powers between the labour inspectors and the technical education inspectors. Furthermore, the craft sector had its own system and somehow dodged the controls applied by the Ministry of Education. The existence of specialized inspectors in this sector also placed a *de facto* obstacle in the way of the labour inspectors who very frequently gave way to technical experts who were better informed of the problems peculiar to the craft sector.

The shortcomings and confusion were exposed when the draft law was examined in Parliament (Chazalon report No 1786, annex to minutes of meeting of Nat. Ass. 2 June 1971, p. 5). Article 34 of law No 71.576 of 16 July 1971 therefore provides for an organized system of inspections of apprentice training schemes. The organization of such inspections is based on decree No 73.50 of 9 January 1973.

151. The apprenticeship inspection service, directed by a technical education inspector assisted by 'commissioned apprenticeship inspectors', operates in every educational district. It is at the disposal of the Prefects and regional or departmental committees on vocational training.

The staff comprises:

- (i) teachers of technical subjects and rural economists;
- (ii) former commissioned Chamber of Trade inspectors;

- (iii) apprenticeship inspectors recruited on a contractual basis and appointed for three years;
- (iv) officials responsible in particular for inspecting establishments providing technical or agricultural training and required to perform certain duties in addition to their normal tasks.

152. In 1975 provision was made in the budget for 120 posts for apprenticeship inspectors, but by June only eighty had been filled, with sixty former inspectors from the craft sector and twenty technical education inspectors. These figures are clearly too low. The competent departments in the Ministry of Education estimate that at least 240 inspectors are required if the controls carried out are to prove effective. The administrative staff, estimated at 365 persons, must be added to this figure. The 1976 budget provides for the creation of only ten additional posts for apprenticeship inspectors, and of twenty posts for technical office staff.

153. It is true that 35% of the posts provided for in the budget have not yet been filled. This is a sizeable percentage. This can no doubt be attributed to the fact that the status of apprenticeship inspectors is not very clearly defined, and that this career is therefore not very attractive. Furthermore, there is controversy between the Permanent Assembly of Chambers of Trade and the Ministry of Education.

The former points out that before 1971 there were some 110 inspectors in the craft sector alone. With the introduction of the 1971 law, the overall reduction in staff has been accompanied by a greater workload in terms of both the geographical area and the range of activities involved. This automatically leads to a deterioration in the quality of the controls carried out. The former systematic control procedures have been replaced by a system of specific inspections, and the advisory role of the former inspectors in the craft sector is vanishing.

The Ministry of Education points out that the particularism of the system applied in the craft sector could not be justified, that the qualitative controls carried out were not as effective as the Chambers of Trade claimed, and that most of the apprenticeship inspectors are former inspectors in the craft sector.

In this controversy, the National Education departments are undoubtedly right in principle. However, the quality of a control procedure cannot be discussed unless the control procedure is actually implemented. These controls are liable, however, to remain purely nominal if they are carried out by eighty inspectors when at least 240 are required, and if these inspectors have to perform all the duties laid down in the law!

## **B — Methods of control**

### **1. INSPECTION OF FIRMS**

154. (a) *Prior control* - Two examples are given in law No 71.576 of 16 July 1971, i.e. the approval of the employer required under Article 15, and the obligation to register indentures imposed by Articles 24-26.

It will be recalled that the obligation incumbent on an employer to obtain approval enables the authorities to ensure that an employer wishing to take on apprentices is able to provide satisfactory vocational training. Approval is granted by the Departmental Committee on Vocational Training, Social Advancement and Employment, to an employer who possesses sufficient equipment and uses modern techniques in his firm and whose good character and occupational competence cannot be denied.

The registration of indentures enables the competent authorities - in practice the departmental directorate for labour and manpower in the industrial and commercial sector (Decree No 72.280, Articles 49-52) - to ensure that the requirements laid down in the law have been fulfilled. In our opinion, this measure stems from a desire to introduce preventive controls in order to avoid the disadvantages resulting from the annulment of indentures (see section 46 ff above).

155. (b) *Subsequent controls* - Subsequent controls are carried out in connection with educational matters and to ascertain whether any infringement of the rules has occurred.

156. The educational aspect of the training given to apprentices in firms is controlled by apprenticeship inspectors who have the right to enter all firms employing apprentices. The employer is therefore bound to inform them, in answer to their questions, of the jobs given exclusively to his apprentices, to give them any document in his possession concerning the business relationship between him and the apprentice, and to allow them to speak to the apprentices and to the staff in the firm who are responsible for providing training. If he provides accommodation for the apprentice, the employer is bound to inform the inspectors of the conditions on which the accommodation is provided. After every visit the inspector draws up a report which the apprenticeship inspection service transmits to the employer and to the works council. Inspections may be carried out jointly by labour and apprenticeship inspectors.

157. Controls to ascertain whether any infringement of the rules has occurred are carried out by labour inspectors and the other competent officials under Article 34 of the law of 16 July 1971. If it is found that punishable offences have been committed, repressive sanctions are imposed (see section 55 above).

158. Finally, it must be added that in fiscal matters the Departmental Committee intervenes to examine applications for exemption from the apprenticeship tax. It may arrange for investigations to be carried out into the use of the funds received by those exempt from the tax, either by inspection officials in the Ministries of Education or Agriculture, or by officials in the Ministry of Economic Affairs and Finance, where inspections of budgets or accounts are concerned, or by representatives appointed by the Prefect on a proposal from the Committee. Such representatives must have an official letter.

These persons are authorized to visit not only the firms concerned, but all bodies which receive such funds, to ask to see their budgets and accounts and to inspect the use of the funds which they have obtained in connection with the apprenticeship tax.

A special section of the Departmental Committee deals with the legal side of exemptions from the apprenticeship tax. Decisions are subject to appeal before the special committee provided for in Article 120-1 of the General Tax Code (amended finance act of 23 December 1972, *Official Gazette* of 27 December 1972).

## 2. INSPECTION OF CFA

159. The apprenticeship inspection service (composed of 'commissioned apprenticeship inspectors' and operating in every educational district), which is already responsible for carrying out controls with regard to the training given to apprentices in firms, is also responsible for:

- (i) inspecting the educational aspects of the CFA;
- (ii) inspecting the administrative and financial aspects of the CFA.

The service operates in conjunction with staff in the Ministry with which the agreement on the setting-up of the centre was concluded. Inspectors and ministerial staff have access, in the course of their work, to all the premises belonging to or used by the CFA. They may ask to see any administrative, accounting or educational documents, possibly even including those relating to home study courses. They are authorized, in particular, to investigate the amount and use of the funds received by the administrative authority in connection with the apprenticeship tax.

160. Whenever an apprentice training centre has been inspected, the inspector, or the person responsible for the inspection visit, draws up a report for submission to the head of the apprenticeship inspection service and to the administrative authority.

The reports are submitted to the Departmental Committee on Vocational Training, Social Advancement and Employment whenever an infringement of the rules is discovered. They are submitted to the Regional Committee on Training in cases where an infringement calls into question the efficiency of the management or operation of a CFA.

If the infringement constitutes a punishable offence which must be investigated by the labour inspector (or by one of the other officials responsible for monitoring the application of the labour laws or social legislation), the report is also forwarded without delay to that official.

161. If the controls carried out by the State reveal serious shortcomings or a failure to comply with the obligations resulting from the law of the agreement, the latter may be denounced, after formal notice has been given without effect.

Recruitment then ceases. The Prefect of the region takes the necessary steps to ensure that training courses already in progress are completed. He may fix the date on which the centre is to close down definitively, and require the administrative authorities to take special measures with regard to the operation of the centre during the period between the date on which the denunciation of the agreement takes effect and the closing-down of the centre. Such measures may include, in particular:

- (i) the appointment of a teacher in the State educational system to assume responsibility for the education provided in the centre during that period;
- (ii) the transfer of some of the apprentices to another centre;
- (iii) the termination of the service of some members of staff;
- (iv) and, generally speaking, any administrative or educational measures which could remedy the shortcomings or infringements recorded.

If such measures prove inadequate, or if the circumstances surrounding the denunciation of the agreement make it impossible for the administrative authority to wind up the centre and to enable the training courses already in progress to be completed in a satisfactory manner, the Prefect of the region appoints a provisional administrator to take over completely from the director of the centre and the administrative authority as far as the winding-up of the centre and the completion of the training courses is concerned. The provisional administrator acts on behalf of the administrative authority and under the authority of the Prefect of the region. He draws up and closes the settlement account.

## CONCLUSION

162. It is still too early to assess the full impact of the apprenticeship reform which, it will be recalled, will not become fully applicable until 1 July 1976.

No reform can be achieved without problems arising, or without those required to change their habits being allowed some time to adapt. Hostile reactions have been observed in the craft sector, in particular, but the various departmental labour directorates are optimistic about the future of the system. The statistics available at present are not very helpful, but the initial results obtained are generally thought to suggest that a system which has too often been disparaged is coming back into favour, and quite rightly too, although it must be acknowledged that its continuity throughout the evolution of technology renders it irreplaceable in those occupations in which it exists.

If the positive results are considered, the reform appears to have given a large number of training masters a better idea of the responsibilities which they are assuming, thus making them more scrupulous in fulfilling the more clearly defined obligations incumbent on them (report of 17 April 1974 from the Labour Directorate in the Maine-et-Loire département). Furthermore, it has led to a general understanding of what apprenticeships involve from both the legal and institutional viewpoints. Some people hope that it will produce better qualified young workers, and some, fully expecting the reform to prove successful, think that it could serve as an example and model for moving into employment at other levels:

- (i) 'baccalauréat' level for future ETAMs;
- (ii) higher level for future salaried staff.

163. Without wishing to appear pessimistic, it is difficult not to feel that this optimism is probably excessive. The system developed is still very cumbersome, and it is likely that for some time yet young people will continue to take up apprenticeships as a result of a failure to do well at school or of the shortcomings of the educational system. A genuine apprenticeship policy is not possible without a radical transformation of the educational system and a fundamental change in the psychological attitudes of both teachers and families.

Full-time training, which is the system advocated by some of the major trade unions and which would prepare a young person for entering the production process, while providing him with a grant, is not yet possible; that is certain. However, more intensive measures are required with regard to the training provided by technical colleges, and the idea that apprentice training schemes should remain under the direct control of the Ministry of Education should, perhaps, not be dismissed. For the efficiency of the system is undeniably restricted at present by both exogenous and endogenous factors.

### **I — Among the exogenous factors, there are two which we feel merit attention**

164. The lowering of the age of majority to eighteen, by law No 74.631 of 5 July 1974, could prove to be a disincentive. A young person normally starts an apprenticeship at the age of sixteen; but failures at school and the fact that, in certain cases, training may take three or even four years, could encourage young people to take up employment as soon as possible. The shortcomings of the vocational guidance services in this connection, the attraction of a young worker's wage which is higher than an apprentice's wage and the psychologism of the young worker's adult, are liable to lead, if not to the rejection of apprenticeships, to the termination of indentures before their completion.

With the exception of the craft sector where, on average, 80% of the young people who have concluded indentures complete their apprenticeships, the percentage of young people terminating their indentures before completing their training is still high. In the absence of any national statistics, we were able to obtain a study on the Eure-et-Loire département. During the period from 1968-72 it was found that the proportion of indentures terminated was 32.6% in the non-craft sector and 22.4% in the craft sector. Furthermore, a survey carried out by the Labour Directorate in that département in 1973 concerning indentures concluded between 1968 and 1970 and covering 250 legal representatives of apprentices revealed that the overall CAP success rate was 46%, taking into account the indentures terminated.

165. It is interesting to note that this phenomenon, i.e. the abandonment of a training course, is, however, not a phenomenon which is peculiar to apprentice training schemes. It is also encountered in the case of full-time training courses. The 'cyclical' (?) reduction in employment opportunities will doubtless reduce the risk of apprentices rushing into employment. However, if the employment situation is really a cyclical phenomenon, then it must be admitted that the remedy is only temporary. What is more, might it not be possible that many a young apprentice is merely biding his time, and will take up the first job which he might have the good fortune to be offered? This view is unavoidably influenced by the introduction by the public authorities of an 'employment-training' contract, which we consider to be the second exogenous factor having a detrimental effect on apprentice training schemes.

166. The employment-training contract was introduced by decree No 75.437 of 4 June 1975. This specific measure was designed to enable young people leaving school in 1975 to take up employment immediately. The State gives financial assistance to employers who agree to take on young people for at least six months. The assistance consists in the repayment of a proportion of the cost of training or adaptation courses and of the wages paid to the persons concerned. It may not be combined with job creation premiums.

The contract is concluded between a young applicant aged between 16 and 25 and an employer who undertakes to keep him in his service for at least six months, dismissal during that period being allowed only on disciplinary grounds. The works council is kept informed of the conclusion and performance of the contract.

If the State is to bear a part of the costs, a contract must be concluded between the employer and the State, laying down rules governing the organization of the training course, the purpose, nature and duration of the training and the number of trainees. The State bears the cost of the training course directly if it is carried out in a public training centre; otherwise, repayment is made (FF 6 per hour; period for which the State will bear the costs: 120 and 500 hours). The State bears the cost of wages at a rate of 30% of the SMIC (guaranteed wage). During the training course the percentage rises to 100%.

This interesting measure, designed to lessen the disadvantages resulting from the arrival on the labour market of young persons seeking employment, was applied for only a limited period. 'Employment-training' contracts could be concluded only until 31 December 1975. Despite being a specific measure, it nevertheless reveals the practical limits on what apprentice training schemes can achieve, and it could discourage young persons from taking up apprenticeships. The Chambers of Trade immediately lamented the fact that the 'employment-training' contract did not lay down any limit on the number of young people who could be employed, whereas there was a ceiling on the number of apprentices who could be recruited by any one firm.

**II — Endogenous factors, resulting from the complexity of the system, could likewise restrict its development and efficiency. These factors involve the structures, mechanisms and objectives of the system**

167. (1) As far as the structures are concerned, the beneficial effect which the new texts have had on indentures and the Apprentice Training Centres can certainly not be denied. However, the creation of training and control structures remains a difficult task which, in some cases, has not yet been completed.

168. As regards the training structures, it is still proving difficult to set up Apprentice Training Centres, and the fate of the former vocational training courses is still uncertain. Mention has already been made of the hostility shown by some employers to the idea of having to part with their apprentices for part of the time normally reserved for general and technical training. Unfortunately the attitudes of such employers, which reflect a desire to perpetuate the former bad habits and to treat an apprentice as cheap labour and the firm's general dogsbody, have been encouraged by the attitudes of the administrative authorities responsible for providing correspondence courses. The stringent measures adopted by the public authorities have enabled this difficulty to be overcome.

However, the time spent working in the firm and the time spent attending classes in the CFA have still to be harmonized. It would be best if a uniform system could be adopted for apprentices receiving a given type of training in a given region, and applied in all the CFA in that region. However, details are not necessarily given in the indentures. Nevertheless, a solution must be found to ensure that training schemes are coherent, whether it involves provision being made for apprentices attending CFA on a day-release basis to attend classes every Monday, or on two consecutive weekdays, for example, or whether the agreement lays down the dates on which residential block sessions are to be organized.

169. Another matter which has been stressed, and not without reason, by the trade associations, is the question of the quality of the education provided. Apprenticeships must most definitely not produce under-qualified labour which has simply been adapted to employment. The major objective must remain the acquisition of a skill, which implies that the vocational training certificate should not remain the only qualification, and that the teachers should be well aware of their duties. Further training is designed to help to prepare teachers for the difficult tasks awaiting them, and if the best teachers are to be obtained, the salary must be attractive. Finally, the State educational system must not loosen its grip over the CFA, at least where controls are concerned.

170. (ii) The administrative control structures are inadequate. There is no need to discuss this point again. However, two additional control procedures would be desirable:

(a) It is normally the apprenticeship inspector who inspects apprentice training schemes in firms. It would be advisable to allow the bodies representing the staff of the firm to play a greater role in such inspections. Experience has shown that some facts escape the attention of the government inspectors, who learn of them only through the CFA directors in whom the apprentices confide more easily. Perhaps the works councils should be given more direct control over the allocation of the proceeds of the apprenticeship tax or of the funds received from employers who are granted tax exemption. At present the works councils have only limited powers with regard to the financing of further training.

(b) As far as the control bodies are concerned, it would seem desirable to have a larger proportion of staff representatives on the Departmental Committee. It might also be advisable to consider a proposal put forward by the CGT (General Confederation of

Labour) that a tripartite body should be set up to be responsible for the collection and distribution of the proceeds of the apprenticeship tax. The public authorities have as yet scarcely mastered the task of allocating these funds.

171. (2) As far as the mechanisms are concerned, the complexity of the system is apparent in many fields:

(i) The grant of approval to an employer, which is a fundamental requirement to ensure the high quality of the training provided, implies the need for a prior investigation of the firm's facilities. In practice it is very difficult to carry out such investigations, and the limited number of cases of refusal to grant approval to employers (5-6%) bears witness to this fact. Admittedly the departments concerned were overwhelmed with applications for approval in 1972/73 when the law entered into force. The Val d'Oise département did not begin to grant approval until November 1973, and almost half of the applications were still being examined at that time. The situation will probably resolve itself rapidly now, if this has not already happened. How is it possible, however, to remain indifferent to the comments made by one departmental directorate (Val de Marne), which points out the discrepancy between the conditions for the grant of approval, which oblige an employer to indicate the number of apprentices he is likely to recruit, and the standard contract drawn up by the Minister of Labour in which only the number of employees in the firm need be indicated?

(ii) The exact force of the provisions of the indentures is often unclear. There is no need to discuss again the legal formalities and the registration procedure, the full impact of which is not yet known. However, one of the major practical difficulties involved in the system will be described here: it concerns the duration of the training course. Although in principle the training course lasts two years and may be extended to three or even four years only in exceptional cases, it is to be feared that in practice the normal duration will be fixed at three years if CPA are not set up in a more systematic way. To appreciate the heterogeneity of the rules on this point, the report produced in 1974 by the Labour Directorate in the Ile-et-Vilaine département should be read. On page 3 it is stated that, depending on the time of year at which indentures are registered, the duration of apprenticeships differs according to the rules in force. Although the duration of an apprentice training scheme was originally fixed at two years, it has been possible to extend it to three years for apprentices who have not attended a CPA, with effect from 1 July 1973. However, the directorate concerned was not informed of this possibility until it received a circular of 29 June 1973, which was distributed much later, i.e. after the new indentures had been concluded for a two-year term!

172.(iii) Finally, the need for general approval of the reform by the parties involved can never be stressed enough. The initial hesitation of employers to accept the reform may perhaps be only a temporary obstacle to the development of the system, and can hopefully be explained by a lack of sufficient information. This was found to be the case in several regions where it was noted that in 1973 employers abandoned the wait-and-see policy which they had adopted in 1972.

In the Rhône département a circular was sent to the various centralizing bodies for distribution to their members. This circular was designed to explain clearly to the parties their obligations and the formalities with which they must comply.

Nevertheless, the spirit of the reform is often misunderstood by employers, especially as far as wages are concerned. In cases where the legal basic wage is higher than before (general mechanics, motor vehicle mechanics, hairdressers, butchers, pigmeat butchers, etc), some employers have not changed their ways (employers in the hotel industry, craftsmen in the building sector, particularly in the Vendée département). In cases where the legal basic wage is lower than before, the employers' organizations have denounced wage agreements! This situation arose in the case of butchers and dispensing chemists in the Maine-et-Loire département!

This attitude is strongly to be condemned. It could become the cancer in the reform.

173. Finally, as far as the objectives are concerned, the reform will remain minimal and will have only a limited effect if it must be confined merely to adapting adolescents to employment.

What is essential is not that an apprentice should be adapted to the employment which he has chosen, but that guidance and requirements should be combined, which implies the need for genuine guidance and a proper assessment of medium-term requirements.

The vocational guidance services should therefore endeavour to promote apprenticeships in those sectors which are currently the least attractive, but which have a constant need for skilled labour: hospitals, fabric construction, industrial employment. To overcome the problem of the shortage of labour in these fields, a real improvement in working conditions, demanded quite justly by the major trade unions, is essential. Furthermore, employers must be convinced of the efficacy of the training received during an apprenticeship, they must not be reluctant to develop apprentice training schemes in their firms and they must agree to create new jobs, despite the slow rate of economic recovery. Numerous firms still prefer rapid, on-the-spot training to mixed training, which they consider too inflexible.

Finally, the apprentice must have more than merely a hope of finding employment in the trade which he has chosen. Although 80% of the apprentices in the craft sector can be more or less certain of finding employment, this is scarcely the case for apprentices in the non-craft sector. According to a local survey carried out in the Eure-et-Loire département, 42.5% of apprentices who have not terminated their indentures change their employer and even their trade upon completion of their indentures. The apprentice's future - that should be the objective of the system: this is what should now determine the action to be taken.



**ANNEX A**

**PRINCIPAL TRADES**

**FOR WHICH APPRENTICESHIPS ARE POSSIBLE**

National list of vocational training courses	List of trades and individual activities NAMES OF TRADES Analytical index — INSEE 1968
<b>MINES AND QUARRIES (EXTRACTION) MASONRY</b>	Marble mason - Stone engraver * - Stonecutter - Brick and tile maker
<b>BUILDING</b>	Cement maker - Tile layer / mosaicist - Mason - Plasterer - Plasterer/painter
<b>ROOFING, PLUMBING, HEATING</b>	Central heating fitter - Plumber - Roofer - Zinc roofer
<b>HOUSE-PAINTING, INDUSTRIAL PAINTING</b>	Picture framer - House-painter - Mason special- izing in decorative staff work - Decorator - Sign- writer - Scene painter
<b>PRODUCTION AND INITIAL TRANSFORMATION OF METALS. SMELTING. ROLLING. CASTING</b>	Smelter of precious metals * - Gold-beater * - Precious metal roller * - Manual caster/core maker
<b>FORGING. COPPERSMITHING. METALLIC STRUCTURES. RELATED TRAINING</b>	Shoeing-smith - Builders' hardware merchant - Wrought-iron worker - Panel beater/bodywork repairer - Sheet-iron worker - Oxyacetylene welder - Cutler - Cutlery polisher * - Motor vehicle radiator repairer - Coppersmith/sheet-iron worker Sheet-iron worker/former - Ironworker - Arc welder
<b>GENERAL AND PRECISION MECHANICS. WORK WITH MACHINE-TOOLS AUTOMATION.</b>	Bicycle and motorcycle mechanic - Agricul- tural machinery mechanic - Motor vehicle mech- anic - Office machine mechanic - General mech- anic - Metal fitter - Metal fitter/scale maker - Gunsmith - Refrigeration mechanic - Turner - Miller - Clock and watch maker
<b>ELECTRICITY. ELECTRONICS. ELECTROMECHANICS.</b>	Motor vehicle electrician - Electrician/fitter/ installer - Electrician/coil winder
<b>ELECTRONICS</b>	Radio and television engineer/fitter/breakdown mechanic
<b>GLASS AND CERAMICS</b>	Glass-blower * - Glazier - Mirror cutter/mounter - Jobbing mirror cutter - Lapidary * - Glass and crystal cutter * - Earthenware and porcelain maker*- Potter - Ceramist

PHOTOGRAPHY. GRAPHICS (PHOTOGRAVURE. COMPOSITION. PRINTING)	Photographer - Photoengraver - Offset photo- gravure worker - Linotypist - Printer - Letterpress compositor - Operator of litho and offset machines Operator of letterpress machines - Operator of photoengraving machines
PAPER AND CARDBOARD	Stitcher - Manual bookbinder - Cardboard maker- Hand-made paper maker
CHEMISTRY. PHYSICS. BIOCHEMISTRY. BIOLOGY. CHEMICAL PRODUCTION	Silver-plater/mixer * - Wax chandler * - Electro- plater *
BAKING. PASTRY-MAKING	Baker - Pastry-cook
SLAUGHTERING. MEAT	Tripe-dealer - Butcher - Horse-butcher - Pigmeat butcher
OTHER SPECIALIZED FIELDS IN THE FOODSTUFFS TRADE (PROCESSING. PREPARATION)	Confectioner - Brewer - Miller - Caterer - Milk and butter dealer - Cheesemonger
TEXTILES: COMBING, SPINNING, WEAVING, HOSIERY, TEXTILES	Stiffener/bleacher - Dyer/cleaner - Weaver Hand knitter - Invisible mender
CLOTHING, MATERIALS, CUTTING, NEEDLEWORK, EMBROIDERY, LINEN- DRAPERY, CLOTHING, MANUFACTURE, FURS, HAT AND CAP MAKING, UPHOLSTERY, MATTRESS-MAKING	Ready-made clothier * - Sewing-maid making made-to-measure clothes * - Fur sewer - Piece- worker - Men's outfitter * - Made-to-measure corset maker - Milliner - Furrier - Orthopaedic corset maker - Laundryman - Tailor - Dress- maker - Ladies' couturier - Underwear fitter * - Hand embroiderer * - Hat and cap maker - Floor- covering layer - Furniture upholsterer - Maker of motor vehicle upholstery and fittings - Ironer *
SKIN AND LEATHER WORK. TANNING. TAWING. FURRIERY. CURRYING. SHOEMAKING. SADDLERY. FANCY LEATHER WORK. INDUSTRIAL MANUFACTURE OF FOOTWEAR	Shoemaker/repairer - Boot and shoemaker - Orthopaedic bootmaker - Harness-maker - Saddler - Sheath maker - Fancy leather worker - Skin-glove maker - Tanner/tawer
WOODWORK : SAWING, JOINERY, CABINET-MAKING, CARTWRIGHT'S WORK, COOPERAGE, OTHER SPECIALIZED WOODWORK FIELDS	Wood sawer/cutter - Worker in heavy timber - Joiner - Carpenter - Cabinet-maker - Model builder - Stringed-instrument maker * - Wooden- body builder - Cartwright * - Wet cooper *
OPERATION OF LAND MACHINERY. BUILDING SITE MACHINERY, LIFTING APPLIANCES, HAULAGE MACHINERY AND AGRICULTURAL MACHINERY	Well-sinker
OTHER TRAINING COURSES IN THE INDUSTRIAL AND AGRICULTURAL SECTORS	Basket worker/cane worker * - Artificial flower maker - Wig and postiche maker - Piano, harpsi- chord, organ and harmonium maker

ART AND APPLIED ART. INDUSTRIAL AESTHETICS	Jeweller/setter of precious stones in precious metals - Bronze worker * - Goldsmith - Jeweller* - Metal engraver - Precious metal engraver - Stone engraver * - Copper engraver *
HEALTH, ANCILLARY MEDICAL WORK, SOCIAL SERVICES	Dental mechanic - Orthopaedic mechanic
PERSONAL APPEARANCE	Manicurist - Beautician - Men's hairdresser Ladies' hairdresser - Hairdresser

**NB:** The list of trades set out above is an extract from the forty-seven groups of training courses contained in the national list of training courses.

It makes it easier to find those craft trades in which an apprenticeship is possible.

This list, which is not exhaustive, provides a guide to the principal craft trades.

Those trades with an asterisk are the more unusual trades. They may provide interesting careers. Information should be obtained locally on the actual openings at the time of receiving vocational guidance.



## ANNEX B APPRENTICESHIPS

Number of indentures registered or extended in 1974

Areas	Indentures registered				Indentures extended		
	1973	1974			1973	1974	
	Total	Craft sector	Non-craft sector	Total	Total	Total	Including, for the craft sector
<b>REGION PARISIENNE:</b>							
75-Paris	2 381	1 045	1 319	2 364	5	129	43
77-Seine et Marne	1 142	707	307	1 011	8	10	3
78-Yvelines	985	580	448	1 028	—	14	2
91-Essone	1 008	294	164	458	—	—	—
92-Hauts de Seine	1 073	442	632	1 074	8	46	7
93-Seine Saint Denis	928	560	406	966	4	48	15
94-Val de Marne	691	337	265	662	1	46	37
95-Val d'Oise	665	372	245	617	21	32	5
<b>TOTAL</b>	<b>8 873</b>	<b>4 394</b>	<b>3 786</b>	<b>8 180</b>	<b>47</b>	<b>325</b>	<b>112</b>
<b>CHAMPAGNE- ARDENNE:</b>							
08-Ardenne	374	194	125	319	52	8	7
10-Aube	423	221	211	432	—	6	4
51-Marne	639	261	271	532	4	28	18
52-Haute-Marne	363	143	137	280	7	12	9
<b>TOTAL</b>	<b>1 799</b>	<b>819</b>	<b>744</b>	<b>1 563</b>	<b>63</b>	<b>56</b>	<b>38</b>
<b>PICARDIE:</b>							
02-Aisne	790	407	366	773	39	26	23
60-Oise	708	489	303	792	1	12	7
80-Somme	1 009	310	310	620	—	18	8
<b>TOTAL</b>	<b>2 507</b>	<b>1 206</b>	<b>979</b>	<b>2 185</b>	<b>40</b>	<b>56</b>	<b>28</b>
<b>HAUTE NORMANDIE:</b>							
27-Eure	496	403	192	595	2	13	5
76-Seine-Maritime	1 395	1 255	636	1 891	—	15	6
<b>TOTAL</b>	<b>1 871</b>	<b>1 658</b>	<b>828</b>	<b>2 486</b>	<b>2</b>	<b>28</b>	<b>11</b>
<b>CENTRE:</b>							
18-Cher	680	424	299	723	—	20	18
28-Eure-et-Loir	828	496	314	810	—	23	12
36-Indre	582	349	171	520	1	9	4
37-Indre-et-Loire	1 347	964	201	1 165	—	19	18
41-Loir-et-Cher	891	540	319	859	—	16	—
45-Loiret	1 551	702	576	1 278	12	24	—
<b>TOTAL</b>	<b>5 879</b>	<b>3 475</b>	<b>1 880</b>	<b>5 355</b>	<b>13</b>	<b>110</b>	<b>47</b>

## Apprenticeships

Areas	Indentures registered				Indentures extended		
	1973	1974		1973	1974		
	Total	Craft sector	Non-craft sector	Total	Total	Total	Including, for the craft sector
<b>NORD:</b>							
59-Nord	1 749	915	656	1 571	—	96	42
62-Pas-de-Calais	839	872	309	1 181	18	50	30
<b>TOTAL</b>	<b>2 588</b>	<b>1 787</b>	<b>965</b>	<b>2 752</b>	<b>18</b>	<b>146</b>	<b>72</b>
<b>LORRAINE:</b>							
54-Meurthe et Moselle	1 532	666	618	1 284	33	53	31
55-Meuse	338	187	194	381	—	57	26
57-Moselle	857	41	557	1 298	—	—	—
88-Vosges	649	322	291	613	—	20	14
<b>TOTAL</b>	<b>3 368</b>	<b>1 916</b>	<b>1 660</b>	<b>3 576</b>	<b>33</b>	<b>130</b>	<b>70</b>
<b>AQUITAINE:</b>							
24-Dordogne	817	490	249	739	1	29	15
33-Gironde	2 995	1 231	1 440	2 671	—	122	61
40-Landes	600	355	246	601	3	21	11
47-Lot et Garonne	725	381	124	505	—	31	22
64-Pyrénées-Atlantique	1 157	817	319	1 136	6	57	22
<b>TOTAL</b>	<b>6 294</b>	<b>3 274</b>	<b>2 378</b>	<b>5 652</b>	<b>10</b>	<b>260</b>	<b>131</b>
<b>MIDI-PYRÉNÉES:</b>							
09-Ariège	195	118	67	185	—	9	7
12-Aveyron	425	304	91	395	2	79	68
31-Haute-Garonne	795	979	479	1 458	17	126	108
32-Gers	243	149	51	200	—	1	—
46-Lot	290	201	58	259	4	64	59
65-Hautes-Pyrénées	397	241	176	417	—	15	8
81-Tarn	770	507	186	693	—	23	5
82-Tarn et Garonne	454	204	116	320	—	2	—
<b>TOTAL</b>	<b>3 569</b>	<b>2 703</b>	<b>1 224</b>	<b>3 927</b>	<b>23</b>	<b>319</b>	<b>255</b>
<b>BOURGOGNE:</b>							
21-Côte d'Or	954	485	388	873	4	16	11
58-Nièvre	646	396	206	602	—	15	9
71-Saône et Loire	932	509	316	825	2	42	23
89-Yonne	873	407	262	669	17	31	14
<b>TOTAL</b>	<b>3 405</b>	<b>1 797</b>	<b>1 172</b>	<b>2 969</b>	<b>23</b>	<b>104</b>	<b>57</b>

## Apprenticeships

Areas	Indentures registered				Indentures extended		
	1973	1974		1973	1974		
	Total	Craft sector	Non-craft sector	Total	Total	Total	Including, for the craft sector
<b>RHONE-ALPES:</b>							
01-Ain	592	439	202	641	23	16	1
07-Ardèche	383	304	30	334	3	26	17
26-Drôme	545	498	200	698	—	51	13
38-Isère	892	733	358	1 091	6	19	5
42-Loire	984	589	350	932	—	42	11
69-Rhône	2 032	1 060	1 022	2 082	2	128	9
73-Savoie	413	258	149	407	2	43	23
74-Haute-Savoie	454	506	210	716	2	—	—
<b>TOTAL</b>	<b>6 295</b>	<b>4 387</b>	<b>2 521</b>	<b>6 908</b>	<b>38</b>	<b>325</b>	<b>79</b>
<b>LANGUEDOC-ROUSSILLON:</b>							
11-Aude	701	400	136	536	—	35	25
30-Gard	863	706	316	1 022	—	27	14
34-Hérault	931	907	292	1 199	14	—	—
48-Lozère	105	80	19	99	3	30	29
66-Pyrénées-Orientales	646	519	262	781	—	—	—
<b>TOTAL</b>	<b>3 246</b>	<b>2 612</b>	<b>1 025</b>	<b>3 637</b>	<b>17</b>	<b>92</b>	<b>68</b>
<b>PROVENCE-CÔTE D'AZUR:</b>							
04-Alpes de Haute Prov.	239	123	44	167	1	21	17
05-Hautes-Alpes	166	103	28	131	—	15	9
06-Alpes-Maritimes	1 183	827	454	1 281	—	78	36
13-Bouches-du-Rhône	3 087	1 390	923	2 313	—	—	—
83-Var	1 779	698	668	1 366	—	89	56
84-Vaucluse	1 211	839	392	1 231	—	90	51
<b>TOTAL</b>	<b>7 665</b>	<b>3 980</b>	<b>2 509</b>	<b>6 489</b>	<b>1</b>	<b>293</b>	<b>169</b>
<b>ALSACE:</b>							
67-Bas-Rhin	467	366	438	804	—	1	—
68-Haut-Rhin	491	528	621	1 149	—	—	—
<b>TOTAL</b>	<b>958</b>	<b>894</b>	<b>1 059</b>	<b>1 953</b>	<b>—</b>	<b>1</b>	<b>—</b>
<b>FRANCHE-COMPTE:</b>							
25-Doubs	619	330	196	526	—	23	9
30-Jura	204	209	76	285	2	16	11
70-Haute-Saône	318	172	86	258	2	28	12
90-Territoire-de-Belfort	229	215	106	321	—	4	3
<b>TOTAL</b>	<b>1 370</b>	<b>926</b>	<b>464</b>	<b>1 390</b>	<b>4</b>	<b>71</b>	<b>35</b>

## Apprenticeships

Areas	Indentures registered				Indentures extended		
	1973	1974		1973	1974		
	Total	Craft sector	Non-craft sector	Total	Total	Total	Including, for the craft sector
<b>BASSE NORMANDIE:</b>							
14-Calvados	961	500	254	754	—	17	8
50-Manche	1 493	739	645	1 384	—	49	28
61-Orne	618	368	214	582	3	11	8
<b>TOTAL</b>	<b>3 072</b>	<b>1 607</b>	<b>1 113</b>	<b>2 720</b>	<b>3</b>	<b>77</b>	<b>44</b>
<b>PAYS DE LA LOIRE:</b>							
44-Loire-Atlantique	2 405	1 084	1 192	2 276	—	33	5
49-Maine et Loire	2 084	578	271	849	2	5	4
53-Mayenne	725	417	212	629	4	24	23
72-Sarthe	1 267	737	452	1 189	—	12	10
85-Vendée	1 350	738	179	917	—	26	22
<b>TOTAL</b>	<b>7 831</b>	<b>3 554</b>	<b>2 306</b>	<b>5 860</b>	<b>6</b>	<b>100</b>	<b>64</b>
<b>BRETAGNE:</b>							
22-Côtes du Nord	1 062	545	201	746	2	14	12
22-Finistère	1 570	815	462	1 277	—	22	—
35-Ille et Vilaine	1 549	670	521	1 191	—	63	23
56-Morbihan	1 131	847	388	1 235	1	40	26
<b>TOTAL</b>	<b>5 312</b>	<b>2 877</b>	<b>1 572</b>	<b>4 449</b>	<b>3</b>	<b>139</b>	<b>61</b>
<b>LIMOUSIN:</b>							
19-Corrèze	611	362	175	537	—	41	30
23-Creuse	176	99	41	140	1	9	2
87-Haute-Vienne	491	324	182	506	1	25	14
<b>TOTAL</b>	<b>1 278</b>	<b>785</b>	<b>398</b>	<b>738</b>	<b>2</b>	<b>75</b>	<b>46</b>

## Apprenticeships

Areas	Indentures registered				Indentures extended		
	1973	1974		1973	1974		
	Total	Craft sector	Non-craft sector	Total	Total	Total	Including, for the craft sector
<b>AUVERGNE:</b>							
03-Allier	988	472	415	887	7	49	10
15-Cantal	353	531	185	716	4	81	47
43-Haute-Loire	444	363	61	424	—	27	16
63-Puy de Dôme	1 216	745	398	1 143	16	63	25
<b>TOTAL</b>	<b>3 001</b>	<b>2 111</b>	<b>1 059</b>	<b>3 170</b>	<b>27</b>	<b>220</b>	<b>98</b>
<b>POITOU-CHARENTE:</b>							
16-Charente	959	649	286	935	49	12	6
17-Charente-Maritime	1 698	984	447	1 431	11	23	18
79-Deux-Sèvres	1 020	654	314	968	—	42	26
86-Vienne	1 057	676	485	1 161	1	20	10
<b>TOTAL</b>	<b>4 734</b>	<b>2 963</b>	<b>1 532</b>	<b>4 495</b>	<b>61</b>	<b>97</b>	<b>60</b>
<b>CORSICA:</b>							
20-Corsica	469	209	49	258	—	2	2
<b>GRAND TOTAL (2)</b>	<b>85 384</b>	<b>49 934</b>	<b>31 223</b>	<b>81 157</b>	<b>434</b>	<b>3 026</b>	<b>1 557</b>
of which: craft sector	51 982	49 934			254	1 557	
non-craft sector	33 402		31 223		180	1 469	



# ANNEX C

3428

OFFICIAL GAZETTE OF THE FRENCH REPUBLIC

30 March 1975

## ANNEX I

### General information on the centre

- I – Location of the centre (address in full).
- II – Premises in which training is given (addresses in full; specify whether they belong to the administrative authority or the terms on which they are used).
- III – List of the centre's local annexes (see Annex IIa for details of the training courses provided in those annexes).
- IV – Normal catchment area of the centre.
- V – Minimum number of apprentices to be admitted annually to all the training courses.
- VI – Maximum number.

## ANNEX Ia

Powers of the management body concerning instruction and administration of the centre

## ANNEX II

### A – General table of training courses

Number and designation of training course, diplomas prepared for	Subjects taught	Number of the subject	Number of hours per year	Number of pupils per class	Distribution of classes during the year	Comments
No 1 Training in ..... ..... CAP:..... ..... Educational annex for reference	1st year: a) General education: French... Mathematics b) Theoretical and practical technical education 2nd year	1-01 1-02		15-30  To be decided for each course	E.g. two hours per day, five hours per week or one week in four or three block sessions of <i>n</i> weeks, etc.	Where appropriate, the number of sections preparing for the same diploma; date of commencement of the training if it does not coincide with the date on which the centre opens
No 2 Training in ..... ..... CAP:..... ..... Educational annex for reference		2-01 2-02				

B – Syllabus

Number of training course	Number of subject	Synopsis of the syllabus	Comments
1	1-01	Refer to the educational annex to the standard agreement, if there is one: indicate only variants and additions.	Indicate, where appropriate, those parts of the syllabus to be left until a specified stage in the programme.
	1-02		
2	2-01		

ANNEX IIa

Training courses provided by the centre's annexes

Name of annex	Premises	Training courses provided (number and title)	Geographical location	Comments
.....	E.g. ..... college	E.g. 1-01-French CAP (1st and 2nd year)	E.g. Canton:.....	Indicate in particular whether the annex is administered directly by the centre or operates under a contract with another body, e.g. an educational establishment.

ANNEX IIbREGIONAL, INTER-REGIONAL OR NATIONAL CENTRES**A – Correspondence courses:**

Indicate, for each course and each subject, identified by the number given in Annex II:

- (i) the type of documents sent to pupils and the frequency with which they are sent;
- (ii) the frequency with which pupils are required to submit work, and the maximum time allowed for correction of the work;
- (iii) the methods used by the centre's local correspondent to test the knowledge acquired by the pupil.

**B – Courses organized locally by a body which has concluded a contract with the centre:**

Name and address of body	Courses organized (number and heading)	Geographical location	Comments

**C – Specialized training courses organized within the centre itself:**

Indicate:

- (i) the number of training courses;
- (ii) the duration of each course;
- (iii) the type of training given.

NB. All the courses referred to in Annex II must be indicated under heading A, B, C of this annex.

**D – Transportation**ANNEX III

Theoretical expenditure calculated according to the scales used to assess the amount of any operating subsidy to be paid.

**A – Flat-rate expenditure per hour per pupil:**

Number and title of training course	Flat-rate expenditure per hour per pupil	Comments
I – Training in .....		
II – Training in .....		

**B – Flat-rate expenditure on accommodation and transport (where applicable):**

- (a) Accommodation – Flat-rate daily expenditure per apprentice during periods of absence from his/her usual place of residence to attend courses organized by the centre. Also indicate the maximum number of days authorized per apprentice year.
- (b) Transport – Maximum amount of expenditure authorized per year per apprentice (taking into account the distance, number of journeys and means of transport used).

**C – Percentage applicable to the theoretical expenditure to determine the amount of the State subsidy.**

NB. The flat-rate sums laid down in A and B are subject to annual revision. The percentage laid down in C is valid in theory for the entire term of the agreement; however, it may be revised by the Prefect of the region, after obtaining the opinion of the Regional Committee, should any substantial change occur in the structure of the centre's revenue.



## ANNEX D

### SUMMARY OF EXAMINATIONS

	1968 <sup>1</sup>	1969 <sup>1</sup>	1970 <sup>1</sup>	1971 <sup>1</sup>	1972 <sup>2</sup>	1973 <sup>3</sup>
A – Number of candidates on 1 January of the examination year – 3rd, 4th and 5th year groups	66 545	69 917	64 715	53 871	44 515	45 744
<i>Apprentices taking the EFAA (final apprenticeship exam)</i>						
D – EFAA only	27 826	25 401	19 442	16 090	18 243	16 492
E – EFAA and CAP (candidates taking both exams)	22 538	22 782	18 947	17 482	18 326	17 934
F – Total of candidates	50 364	48 183	38 389	33 572	36 569	34 426
<i>Successful candidates</i>						
G – EFAA only	14 873	14 130	10 656	8 189	10 461	9 752
H – EFAA (taking the two exams but failing CAP)	3 643	4 341	3 592	4 520	3 767	3 585
I – EFAA and CAP at the same time	8 641	7 939	6 007	6 351	7 550	6 759
J – Total of successful candidates (G + H + I)	27 157	26 410	20 255	19 060	21 778	20 096
<i>Apprentices taking the CAP</i>						
L – CAP only	15 036	14 793	11 806	12 066	11 612	12 495
M – CAP and EFAA (candidates taking both exams, identical with result E)	22 538	22 782	18 947	17 482	18 326	17 326
N – Total of candidates	37 574	37 575	30 753	29 548	29 938	29 821
<i>Successful candidates</i>						
O – CAP	6 739	6 062	4 980	5 356	5 564	5 881
P – CAP (taking the two exams but failing EFAA)	1 405	544	734	823	748	938
Q – CAP and EFAA at the same time, identical with result I)	8 641	7 939	6 007	6 351	7 550	6 759
R – Total of successful candidates (O + P + Q)	16 785	14 945	11 721	12 530	13 862	13 578

<sup>1</sup> 92 chambers of trade (except Corsica).

<sup>2</sup> 91 chambers of trade (except Corsica and Lot).

<sup>3</sup> All chambers of trade (except Corsica).

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Since 1972 apprentice training courses have formed part of the continuous education system introduced in France by laws of 16 July 1971, which have since been supplemented by several decrees.

Law No 71-576 of 16 July 1971 on apprenticeships overthrew a system which had been in existence for fifty years, and was designed to promote the integration of apprentices in firms, while ensuring that they would receive adequate general and technical training. Thus the reform created a new system with a firmer legal basis than before: indentures are now a type of employment contract. Furthermore, the reform has resulted in the development of an education infrastructure guaranteeing apprentices high-quality vocational training: the Apprentice Training Centres (CFA). Finally, the reform includes tax incentives, in the form of tax relief for employers, to encourage firms to develop training schemes.

The initial results of the application of the reform have been varied. The cumbersome nature of the procedures provided for in the legal texts appears to have checked the development of apprentice training schemes. It is still too early to assess the merits of a system which has only recently been introduced, as it did not become fully operative until 1976. However, some of the clauses in the texts already appear to be too inflexible and amendments are currently being made.

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