

**C N R S**  
FIXED-TERM  
**CONTRACT**  
**CHARTER**



## CNRS FIXED-TERM CONTRACT CHARTER

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October 25, 2012

For the attention of all unit directors

Subject: The Fixed-term Contract Charter

The prominent position that the CNRS enjoys today on the European and worldwide research scene is due in very large part to the quality of its human talent, the professionalism of the men and women who make up its workforce.

The CNRS seeks to recognize and highlight the important role played by its personnel currently working on fixed-term contracts. As an employer, our institution considers that it has a duty to these co-workers, who make a tremendous contribution to its success.

In order to formalize its commitment, the CNRS has adopted the present Charter. Its preparation involved lengthy discussions with labor organizations and resulted in a vote by the Technical Committee on October 11, 2012.

Based on a sense of responsibility, the Charter sets forth a number of rules and principles. It is intended primarily to support unit directors and managers in their work as team leaders.

This Charter will serve as a reference document for them and for all fixed-term personnel. It reaffirms the emphasis that the CNRS places on the professional guidance, advice and support of these staff members. It aims to provide them with the best possible working conditions, while helping them sketch out their future careers.

The CNRS wishes to share this initiative with all of its partners.

Alain Fuchs

Today, many CNRS staff members are hired on fixed term contracts. The CNRS wishes to underline its commitment to these employees, in accordance with the principle of responsible and supportive human resources management.

The purpose of this document is to emphasize the recruiters' responsibility to integrate these employees, offer them assistance throughout the contractual period, and help them prepare for the end-of-contract transition.

It also aims to ensure uniformity of treatment, information and support concerning these employees, regardless of where they are hired and the type of financing, including project-specific funding.

The signatory institution recognizes all clauses contained in this document as binding. All parties involved in the recruitment of a fixed-term staff member must fully comply with and enforce compliance with the present Charter.

## I. PERSONNEL CONCERNED

The present Charter applies to all staff members who work for the CNRS on a fixed-term contract (*contrat à durée déterminée*).

It is to be noted that, by virtue of an exception to the principle of attributing permanent job positions in the civil service, the CNRS is authorized to recruit fixed-term personnel, in particular:<sup>1</sup>

- When no rank in the civil service can fill the position in question, or when recruitment is justified by the nature of the functions or the service needs;
- To fill part-time positions;
- To deal with a temporary or seasonal increase in activity;
- To replace a civil servant on temporary leave;
- To fill a position that is temporarily vacant.

Contracts are also offered to certain categories of personnel (e.g. the recruitment of disabled employees). These are subject to specific provisions.

## II. RECRUITMENT

The CNRS hiring practices are based on clearly expressed, non-discriminatory criteria directly related to the position to be filled.

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<sup>1</sup> Law n° 84-16 dated 11 January 1984, modified, defining statutory provisions concerning the civil service.

## A. FIXED-TERM CONTRACT OFFERS

The wording of the job offer is instrumental in effective recruitment.

After determining the needs in terms of skills, the hiring parties clearly define the position(s) to be filled. The job offer must at least contain the following basic information:

- The assignment;
- The activities involved;
- The necessary skills;
- The level of recruitment and qualification(s) required;
- The location;
- The starting date and the duration of the contract;
- The salary;
- Any special conditions (e.g. obligation to travel, etc.);
- The application procedure (at the very least, submission of a curriculum vitae and a cover letter).

For the sake of transparency, and to encourage applications, CNRS job offers are widely publicized, for example on the organization's online recruitment portal, and more generally on the CNRS website.

## B. SELECTING CANDIDATES

Recruiters base their evaluations on criteria including skills, qualifications, experience and motivation. The recruitment process complies with the fundamental rights of the individual and the principles of transparency, equality, and equal treatment of applicants.

In particular, the hiring parties must respect the applicants' privacy. No distinction, direct or indirect, can be made among applicants in terms of political or philosophical opinions, religious beliefs, union affiliations, sexual orientation or identity, age, name, condition of health, physical appearance, disabilities (if any) or ethnic origin, real or presumed.<sup>2</sup>

In addition, the CNRS cannot decide against the hiring of an applicant on the grounds that she is pregnant.

The hiring parties must guarantee the confidentiality of all information supplied by the applicants.

The selection process must include at least the following two phases:

- Review of the application

The recruiters examine each application, consisting of at least a curriculum vitae and a cover letter, in order to determine, based on the information supplied, which applicants

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<sup>2</sup> Law n° 83-634 dated 13 July 1983, concerning the rights and obligations of civil servants.

have the necessary skills to fill the vacant position. These candidates are selected for an interview.

- The selection interview

The interview allows the hiring parties to verify the candidates' experience in relation to that required for the assignment, and, as the case may be, to determine the most suitable candidate for the position.

In certain cases, an extra step in the selection process (usually before the interview) can be added to check the applicants' knowledge and/or expertise, possibly in the form of a technical test (written exam, scientific procedure, knowledge test, multiple choice test, etc.).

### C. THE SELECTED CANDIDATE

The CNRS Human Resources department systematically ensures that each selected candidate fulfills the here below specified conditions, which are required for all contractual employees of a public establishment. Candidates must:

- Be able to exercise their civic rights;
- Have no criminal record, or one whose convictions listed on *Bulletin n°2* are compatible with the exercise of their duties;
- Possess the physical capacities required to perform their duties;

EU citizens are hired under the same conditions as French citizens, provided that they fulfill the requirements of their native country's civil service regulations.

Foreign nationals, other than EU and EEA citizens, can also apply for contractual positions, provided that they fulfill the requirements of their native country's civil service regulations. In this case, the administration will initiate an inquiry to ensure that the applicants meet the recruitment conditions, as regards compliance with the laws governing the rights of entry and residence in France, as well as the compatibility of their candidacy with the regulations in force. The applicants are informed of this procedure.

### D. LEVEL OF RECRUITMENT AND SALARY

The specific level of recruitment is determined according to the type of assignment, level of responsibility, and the appointee's qualifications, degree(s) and past professional experience.

For all fixed-term contracts, the CNRS determines and implements a pay grid<sup>3</sup> that takes all these criteria into account. Applicable in all geographic locations, it is independent of the source of funding (state subsidy or own resources).<sup>4</sup>

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<sup>3</sup> As of the date of the signing of this Charter, the salary grid for fixed-term positions is given in CNRS Circular CIR130864DRH dated 12 March 2013.

The grid is made available to all CNRS units, which use it in the setting up and budget estimate of research projects. Before announcing a vacant position, the unit concerned must ensure that it has sufficient financial resources to cover the appointee's salary at the specified level of recruitment for the entire duration of the contract.

## **E. THE EMPLOYMENT CONTRACT**

The recruitment of a fixed-term employee must be formalized in a contract complying with decree 86-83 dated 17 January 1986. The institution submits this contract to the selected candidate, who must acknowledge its contents and sign it before assuming the position.

The organization must propose a contract that clearly specifies:

- The article and, if applicable, the paragraph of the law governing the relevant type of contract;
- The hierarchical category of the position concerned and, if applicable, the specific reason for the recruitment;
- The date upon which the recruitment takes effect and the duration of the contract;
- The duration of the trial period;
- The position to be filled and the related conditions of employment;
- The unit and geographic location of assignment;
- The appointee's immediate superior;
- The appointee's rights and obligations, if they are not covered by a standard or specific regulation;
- The time status for the position;
- The salary (see section D above);
- Any applicable rules regarding confidentiality and intellectual property;
- The duration of the notice period should the contract be terminated.

Regarding working hours, the duration of annual leave and professional travel expenses, the employment contract specifies that the beneficiary is subject to the same rules as the CNRS civil servants.

## **III. PROFESSIONAL SUPPORT THROUGHOUT THE CONTRACTUAL PERIOD**

### **A. INTEGRATION**

The employee's immediate superior is responsible for the successful integration of the new member of staff.

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<sup>4</sup> The only exceptions allowed are those governed by specific regulations (e.g. the hiring of Ph.D. students for the Marie Curie Actions of the 7<sup>th</sup> framework program, etc.), which nonetheless are subject to the national standardization within CNRS.

Prior to the appointee's arrival, the immediate supervisor ensures that the equipment necessary to fulfill the duties of the position is available and in good working condition (desk, chair, office equipment, IT resources, etc.).

Upon commencement of work, the immediate superior (or other qualified person within the unit) makes sure that the appointee becomes acquainted with the internal regulations of the site, receives preventive safety and security training and, if applicable, is informed of the specific precautions related to the position.

Disabled employees are to be offered adapted workstations and working environments, according to the recommendations of the physician in charge of preventive occupational health.

While the recruitment procedure is designed to recruit applicants with the requisite qualifications, it may be necessary to train them in the use of specific tools or techniques. The persons in charge of the hiring process must assess the chosen candidate's training needs and the unit director must ensure that these are met, if necessary by approaching the CNRS training department to arrange training.

## **B. PROFESSIONAL EXCHANGES WITH THE IMMEDIATE SUPERIOR**

Each individual in a collective working environment must be able to engage with their immediate superior in order to set the goals to be reached over a defined period, and later evaluate the results achieved. This also enables a detailed clarification of the employee's duties so as to determine the skills and training necessary to acquire or improve those skills. Lastly, it provides an opportunity to set a precise date for the end of the contract, in order to help the employee prepare their professional future.

To this end, the CNRS recommends that all fixed-term staff members who so wish conduct an appraisal interview with their immediate superior or the unit director.

This interview should cover the following:

- A review of the fixed-term employee's activities within the CNRS;
- The goals to be achieved by the temporary employee in the upcoming months;
- The training needed by the appointee to fulfill their duties;
- Preparing the professional transition at the end of the contract.

### Fixed-term contracts exceeding one year

All staff members hired to fill a permanent need with a contract exceeding one year are given an evaluation with their immediate superior after the first six months, and once a year thereafter.

In addition to training and skill enhancement initiatives, these meetings also include the career support provided by the CNRS to facilitate future employment.

## **C. HR SUPPORT, PROFESSIONAL TRAINING, SOCIAL ACTION AND PREVENTIVE OCCUPATIONAL HEALTH**

Like civil servants, fixed-term employees may benefit from the support of the regional offices' human resources departments. Locally-based specialists are available for all matters regarding career development, social action and preventive occupational health. In particular, contractual employees have the same rights as permanent staff in terms of access to the professional training programs offered by the CNRS.

Moreover, fixed-term staff can benefit from social support when joining the organization, including a relocation allowance in the form of interest-free loans. The regional offices' social workers provide assistance and guidance for completing the necessary procedures.

As part of their daily working life, temporary employees have access to the food services subsidized by the CNRS.

They also have access to the CAES (works council) cultural and leisure offers.

Within their respective remits, the CNRS national and regional governing bodies ensure that fixed-term staff members enjoy the required professional recognition.

## **D. NATIONAL AND INTERNATIONAL CONFERENCES**

Fixed-term employees participate in national and international conferences in the same capacity and under the same conditions as civil servants.

## **E. COMPLIANCE WITH GOOD PRACTICE**

Even after they have left the CNRS, contractual staff members are credited as authors or inventors of all publications or inventions to which they have contributed.

# **IV. SUPPORT FOR PROFESSIONAL TRANSITION**

## **A. END-OF-CONTRACT NOTIFICATION**

The CNRS notifies temporary employees by letter as to whether it intends to renew their contract or not. This notification takes place at the latest:

- Eight days before the end of the contractual period for staff members recruited for a duration of less than six months;
- One month before the end of the contractual period for staff members hired for a duration of or exceeding six months and less than two years;
- Two months before the end of the contractual period for staff members employed for a duration of or exceeding two years;

- Three months before the end of the contractual period for contracts that may be renewed on a permanent basis.

Notification of the decision not to renew a fixed-term contract must be preceded by an interview when:

- The contract may be renewed on a permanent basis;
- The duration of the contract or series of contracts issued to fill a permanent need (based on articles 4 or 6 of law n° 84-16) amounts to or exceeds three years.

Early termination of a contract is not possible in the case of pregnancy (with medical confirmation), maternity, paternity, adoption or other parental leave, or during the four weeks following expiry of any of these types of leave.

At the end of the contract, in compliance with French law, the staff member is issued a certificate of employment attesting to their seniority in the public service. This certificate indicates the beginning and end of the contract, the positions held, their duration and corresponding rank.

## **B. PERFORMANCE REVIEW**

Before contractual employees leave their unit, an interview is arranged with their immediate superior or unit director in order to optimize their professional transition and give them a review of their performance. This interview focuses on the skills deployed and developed in the course of their work, allowing them to promote these skills in future job searches.

## **C. HELP IN FINDING NEW EMPLOYMENT**

The local CNRS HR departments offer support to staff members nearing the end of their contracts to help them find new employment. Generally, this aid emphasizes the identification and formalization of the employees' professional and extra-professional skills, as well as their potential. Priority is given to individualized orientation and guidance.

Assistance with the preparation for external and internal public service competitive entry examinations is also available.

## **V. PROVIDING SUFFICIENT INFORMATION TO FIXED-TERM EMPLOYEES**

### **A. AT THE NATIONAL HR DEPARTMENT LEVEL**

At the national level, the CNRS provides fixed-term personnel with resources that enable access to information on staff rights and obligations, as well as all other relevant information regardless of the geographic location.

## **B. AT THE LOCAL HR DEPARTMENT LEVEL**

Due to the nature and limited duration of their contracts, fixed-term staff members do not always have the opportunity to meet their contacts in the local HR departments. Consequently, these departments provide the contact details of local connections, as well as information on local initiatives of potential interest to fixed-term employees.