Macron Prepares Enabling Act to Slash Contracts, Labor Rights in France

By Alex Lantier
Global Research, May 23, 2017
World Socialist Web Site

*Newly-elected French **President Emmanuel Macron** is preparing a historic assault on jobs, wages and labor legislation, to be rammed through by presidential decree in the face of overwhelming public opposition.*

Details of Macron's plans emerged Monday in the run-up to his meetings Tuesday with trade union and business representatives at the Elysée Palace.

After next month's legislative elections, Macron will demand an enabling act from parliament authorizing the president to decree changes in French labor law.

> "The reform of the Labor Code has been well planned," incoming **Prime Minister Edouard Philippe** told the Journal du Dimanche. "We will now discuss it to enrich it and explain it. This means discussions with the trade unions, which are indispensable, and a parliamentary discussion which will take place during the vote on the enabling act that will allow the government to impose decrees in a context defined by the parliament."

Philippe said that he and Labor Minister **Muriel Pénicaud** would work closely with the trade unions and meet bilaterally with each of the major union confederations.

> "But once the discussion has taken place," he added, "we will have to act fast. We cannot wait two years to finish the job. Emmanuel Macron has heard the anger of the French people. He also knows how urgent it is to transform the country."

The decrees being discussed indicate that Macron aims to tear up the entire framework of labor relations in France as they emerged from the liberation from Nazi occupation and the social concessions of the immediate post-World War II period.

Many of these decrees aim to re-introduce provisions into the 2016 labor law that the previous Socialist Party (PS) government removed in order to halt strikes and protests against the law. The PS rammed the law through without a parliamentary vote in the face of opposition from 70 percent of the French population, as riot police were sent under the state of emergency to assault protesters and striking workers. Nevertheless, in order to prevent a social explosion, many provisions favored by Macron were removed. He now wants to reinstate them. They include:

- Placing a ceiling on the fines that labor courts can assess employers for illegally

firing employees. It was widely feared that the imposition of low fine ceilings would emasculate the labor courts: bosses could simply foresee and incorporate the fine for firing employees "without real or serious cause" into the cost of doing business. According to *Le Parisien*, the ceiling Macron is considering, three months' wages, is half the current minimum fine of six months' wages. The goal is clearly to allow businesses to hire and fire at will.

- Enabling individual firms to negotiate contracts violating industry-level contract agreements and the national Labor Code. Currently, firms can only negotiate contracts that are more beneficial to the workers. Macron's decree would turn all this labor legislation into a dead letter, since firms could blackmail workers, threatening their jobs if they did not accept contracts inferior to the wages and benefits supposedly guaranteed by industry-level and national agreements.
- Enabling employers who are proposing contracts supported by only a minority of trade unionists at the workplace to demand a referendum of the workers at the site on whether or not to accept the contract despite union opposition. Insofar as yellow unions are present in the vast majority of workplaces in France, this would effectively allow employers to dictate contracts, obtain minority support and then demand that workers accept the contract or face the loss of their jobs.

Other proposals backed by Macron are inspired by anti-social legislation elsewhere in Europe, notably the Agenda 2010-Hartz IV laws imposed by Germany's Social Democratic Party. These include pushing workers to enter into supplementary private pension schemes, a step towards eliminating the right to a state-funded pension, and enforcing strict testing of workers claiming unemployment benefits. This would allow the state to kick workers off unemployment unless they meet stringent tests to prove they are looking for work.

Emmanuel Macron names centre-right Edouard Philippe as French prime minister (Source: The Telegraph)

The Macron administration is trying to present these proposals as part of a plan to "modernize" France, notably by playing up policies ostensibly aimed at defending women's rights. All of France's different maternity leave programs would be combined into one, whose features, according to one proposal, will be "aligned on the most advantageous program." There would also be random testing of workplaces, supposedly to check that bosses do not discriminate against women.

This is a reactionary fraud, however. The legislation is a massive step backwards, submitting all workers, including women workers, to the diktat of the bosses and the state. The fact that proposals on gender equality include anti-democratic restrictions on religious liberty at work, and a ban on "proselytizing," are an ominous sign: they could be used to allow employers to fire veiled Muslim women and generally to feed anti-Muslim and pro-war hatreds.

The capitalist crisis and the austerity drive the European Union (EU) launched after the Stalinist dissolution of the Soviet Union in 1991, and accelerated after the 2008 Wall Street crash, are undermining democratic forms of rule.

The Macron government has no mandate whatsoever to carry out the program it is

proposing. The labor law was deeply unpopular even without its most controversial provisions. Former PS **President François Hollande**'s economic policy, which Macron helped formulate, had a 4 percent approval rating. Now Macron is advancing such a program after an election that he won largely by default, because he was facing the deeply unpopular neo-fascist candidate **Marine Le Pen**.

Macron, a former investment banker at the Rothschild bank, aims to impose the arrogant diktat of the banks. Under Hollande's presidency, as workers' living standards fell, the wealth of top French multi-billionaires like **Liliane Bettencourt** and **Philippe Arnault** nearly doubled. With the world economy still mired in crisis, however, and France's economic position and its weight in world trade continuing to fall, the ruling class is determined to squeeze even more money out of workers and place it in the hands of the super-rich.

The working class is faced with a political struggle against an absolutely ruthless government that is willing to resort to forms of repression unseen in France since the 1940s in order to ram through the diktat of the banks. The new administration is aware that it faces massive popular opposition and is making detailed plans to crush strikes and protests.

Last week, the media revealed that the PS had made plans for a coup d'état after the presidential elections to be implemented had Marine Le Pen won. Its purpose would not have been to topple Le Pen, but to crush anti-fascist protests and suspend normal parliamentary procedure by imposing a PS government on Le Pen.

Incoming **Interior Minister Gérard Collomb** said on Friday that he will review the state of emergency and that he would support extending it yet again past its current expiration date, July 15.

> "I think at some point we will have to end the state of emergency. But is now the right time? Maybe not right after the formation of the government," Collomb told RTL.

Under the state of emergency, workers exercising constitutionally-protected rights to strike and protest can be targeted with bans on demonstrations, arbitrary detentions and house arrest by police. That is to say, the French capitalist class is repudiating the promises it made in the aftermath of World War II never to return to the arbitrary and unrestrained oppression of working people that characterized the Nazi occupation.

This situation vindicates the *Parti de l'égalité socialiste's* call for a boycott of the second round of the presidential election between Macron and Le Pen. The PES argued that Macron was not an alternative to Le Pen and that the critical question was presenting a politically independent and revolutionary perspective on the basis of which the working class could fight the attacks of whatever president was elected. This position has been confirmed in the aftermath of Macron's election.

[**Comment on Global Research Articles on our Facebook page**](#)

[**Become a Member of Global Research**](#)

Articles by: [**Alex Lantier**](#)