



PRO PAIE CONSULTING



THE ADDITIONAL HOURS

Your employees may work overtime from time to time.

Overtime refers to hours worked by a full-time employee in excess of 35 hours per calendar week [except for lower collective hours].

How should you react?

1. Who is driving the overtime?



These must be carried out at the request of the employer.

This request may be implied and result from the workload assigned.

⚠️ If your employee realizes some without your agreement and you feel that the workload should not entail additional hours, do not let the situation continue and make a point with the employee.

2. What formalism is expected ?

Your company must set up a system for monitoring working time in accordance with the rules, which makes it possible to identify the extra hours worked week by week and to justify the social system applied to them.

⚠️ Documents to be provided in case of litigation, URSSAF control or labour inspection.



3. Are there any counter parties?

Payment [principle]:

unless otherwise agreed:

- The first 8 hours of overtime are paid at an hourly rate plus 25%
- The following hours are paid at the hourly rate plus 50%.

Counterparty at rest [Exception] : provided that the collective agreement or a unilateral decision so permits, the payment of overtime and/or its increase may be replaced by the granting of equivalent rest.

In all cases : the employee is entitled to additional rest if the overtime is performed in excess of a certain amount of overtime [contingent] per year.

If no agreement is reached, the quota shall be fixed at 220 hours.

⚠️ Do not compensate for overtime with a reduction in working hours the following week.

4. What limits ?

Overtime must not lead the employee to exceed the maximum working hours (10 hours per day, 48 hours per week, 44 hours per week on average over a 12-week period).

A company agreement or a collective agreement may adjust these principles.

Our teams remain at your disposal to answer your questions and accompany you.