

Social Regulation at a Large Construction Site: the Flamanville (France) Experience

Electricité de France (EDF), EPR Worksite, Flamanville 3 Facility

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1. Observations and motivations

The EPR construction site was started in 2007.

It was dedicated to the building of a 1650 MW third-generation reactor at a location on the English Channel where two 1300 MW units are already in operation.

The reactor required approximately 460,000 cubic meters of concrete, 120,000 tonnes of reinforcement, 400 km of tubing and 1600 km of wiring.

There were 150 main contracts (after calls for tender according to the European directive), around 600 companies in 2012 and 3,000 employees (in addition to EDF employees) on the site, including 20% of non-French workers who were mainly Portuguese, Romanian and Polish, for a total of 27 different nationalities present.

Along with building the site, there were 58 infrastructure projects to be carried out (road facilities, transportation, building of housing, development of public services such as day-care centres, etc.). These infrastructures were designed to handle the influx of people who would be present during the construction phase and would stay for the operational phase.

Nuclear facilities are not a topic everyone agrees upon. The contracting owner must assume certain commitments of the “major construction site” type:

- manage the “societal” aspect with local authorities in the area where the facility is installed;
- manage the “social” aspect of the construction site with social partners.

As concerns the societal aspect, a major construction site has a strong impact on the surrounding territory and modifies its needs, in particular with respect to human resources:

The idea is to use as much of the local labour pool as possible while taking into account the needs of employees, including when their mission is finished.

But skills which are not available locally, or not available in sufficient numbers, must also be supplied, and it becomes necessary to rely on non-French workers and foreign employees.

The Flamanville construction site required several hundred reinforcing-steel erectors, a thousand formworkers, etc. The company which was awarded the main civil engineering contract thus subcontracted part of this work to foreign companies.

To manage the societal aspect, all participants – EDF, the French government (in particular the Public Employment Service), local authorities and social partners – worked together to draw up a common agreement.

As concerns the social aspect, issues arose from the very beginning which were not handled by the processes or organisations installed at the construction site. They were expressed “outside” the site, in particular within the Local Information Commission of Flamanville, which has the mission of providing information and ensuring transparency on the nuclear project and encouraging discussions by project participants (EDF, the French Nuclear Safety Authority, elected representatives, environmental associations, employee trade unions, etc.).

The CGT trade union, which was present at the site, took regular note of issues concerning working conditions and employment encountered by worksite employees. The CGT also undertook other initiatives:

- installation of a trailer near the site entrance to facilitate contact with employees and welcome them in the absence of a meeting room, which was later provided for the union;
- publication of a booklet in several languages to provide information for foreign workers;
- organisation of press conferences on the importance of employment in the Flamanville area and on working conditions at the site, as well as on issues encountered with respect to subcontracting, living conditions at the site, the severity of working conditions, employees and the status of temporary workers.

In 2011, the construction site was confronted with several critical events which were noted by the media, including serious and mortal accidents at work and suspicion of under-declaration of work (investigations are currently being carried out). A company employing Polish workers was subject to inquiries and procedures related to the non-respect of social law, in particular from the point of view of social coverage for employees. Forty-five Polish workers filed a motion to the Labour Court 1 to obtain the reclassification of employment contracts.

These events were costly in human terms.

In addition, they had an impact on the image of the client, who was also the future operator of the nuclear power station, causing distrust of how the site was being managed and threatening to interfere with timely completion of the planning schedule.

Wishing to reinforce dialogue at the site, the client and the trade unions began a mutually agreed-upon process to better regulate social relations at the site by reactivating and reinforcing a specific monitoring committee created by shared agreement in 2008.

2. Goals

- Better management of the social aspect of the construction site.
- Better management of the “societal” aspect of the construction site and its impact on the local area.

3. Method implemented

3.1 Social regulation of the construction site

Regulation was ensured through a monitoring committee.

This committee was first implemented in **June 2008** through a **protocol signed by the client and the trade unions as a way to reach agreement and provide information on employee working and living conditions at the Flamanville site.**

In June 2012, following difficulties encountered at the construction site, the parties signed a statement of shared position which recalled and re-specified the initial goal of this approach.

Meeting once a month, the committee provides an opportunity to share information on how the project is progressing and on employee living and working conditions (preparation and follow-up of debates by legal bodies, without substitution of responsibility).

The committee has proved to be a conveyor of Large Construction Site dynamism and a creator of lasting links with the local environment, while encouraging social dialogue.

The committee’s role in the regulation of labour relations at the construction site was reinforced and its operational structure was improved:

- enlargement to include the president of the Inter-Company Association in charge of lodging, meals and transportation for construction site employees and the president of the Inter-Company Security Group in order to involve construction site companies;
- enlargement to include government control bodies (Labour Inspectorate, etc.);
- specific means allocated to trade unions (rooms on the premises, means to provide information and other materials);
- development of information for construction site employees and companies;
- integrated approach to working conditions at the construction site, living conditions and support for the after-construction site period.

3.2 Anticipation of consequences on employment after termination of the construction site

July 12, 2010: signing of an agreement to anticipate the consequences on employment of construction site termination and secure the professional development of companies present at EPR. Signatories included the French government, the presidents of the Regional Council and General Council, EDF (the client), professional trade unions (metalworking, construction, etc.), the House of Employment and Training (MEF) and all trade unions representing employees. A group including all signatories was created to agree on employee support at the termination of activity.

4. Type of actions implemented

4.1 Social regulation of the construction site

Action was carried out along three axes:

- Control and surveillance of access to the construction site

Requests for access made by the employee's company required providing:

- a valid ID document,
- an attestation of training on safety,
- a photocopy of the certificate of medical fitness,
- a document attesting to the link between the employee and the company (or the link of secondment for temporary workers),
- for employees of a foreign company and other foreign employees according to the country of origin, all or part of the following documents: posting declaration, residence permit, work authorisation.

A badge was delivered after providing these documents.

To work on the site:

- all employees must have a employment contract and a photocopy of the certificate of medical fitness.
- foreign employees must have a posting certificate or a residence permit with authorisation to work.

- **Information for onsite workers concerning their rights and obligations**

Creation of a website with specific information on the construction site

Publication of a guide to employee rights in five languages listing all of these rights; this guide is given by the client to all employees when they first enter the construction site.

This booklet is a joint creation which has been approved by the Directorate of Labour.

- **Improvement of living conditions on the worksite**

Since March 2010, a recreational activity association at EPR Flamanville 3 offers construction site employees services, leisure activities and easy access to sports and cultural facilities in the surrounding area in collaboration with local associations and communities.

In the spring of 2013, 304 employees of different nationalities (French, Romanian, Portuguese and Polish) have belonged to the association since it was created.

Since April 2011, a conciergerie has existed; it is designed to “facilitate daily living” for all construction site employees by offering onsite services at market rates: laundry and dry cleaning, fresh bread, postal relay, vehicle cleaning, fruit and vegetable baskets and personal services. The conciergerie is managed by a social insertion company.

4.2. The societal aspect of the construction site: anticipating the consequences on employment of worksite termination

This aspect includes four strategic action axes:

- **inform** construction site employees and human resources managers of construction site and territorial companies about recruiting;
- **support** employees and companies with an expanded employment training team to promote the return to employment of targeted groups;
- **prospect** and identify company labour needs and skills by establishing contacts between companies and employees who have finished their mission at the construction site;
- **train** by enabling the acquisition of skills desired by employers through the proposal of individual training and reconversion solutions for employees.

5. Impact of action on issues encountered

Societal aspect

Estimation of reassignment after end of mission: it was estimated that in the spring of 2013, more than half of workers had been offered a reassignment.

Fifty-seven employees were hired under a permanent contract.

Approximately 80% of temporary workers were assigned to another mission at the end of their first experience.

Ninety training programs were funded with approximately one million euros by the French government, training funds and the ESF.

6. Impact on participant dynamics

At large construction sites, a dialogue must be created among participants which keeps in mind two key points:

First, it is necessary to structure the dialogue setting and bring together the companies located at the construction site. This was the reason for implementing an inter-company association which was funded by a pro rata account corresponding to the number of hours worked on the site, in addition to the inter-company committee required by law.

Second, in addition to the employee representative bodies required by law, it is necessary to create a more flexible body to allow passing information on to employees, as well as collecting feedback for better identification of issues arising onsite, in particular as concerns the life of employees, including during non-working hours.