

## Service-Public.fr

Le site officiel de l'administration française

This page has been automatically translated. Please refer to the page in French if needed.

# Part-time private sector employee

Verified 15 December 2021 - Legal and Administrative Information Directorate (Prime Minister)

The employee may work part-time, i.e. for less than full-time. The minimum working time shall be specified in the employment contract. Part-time employees may be required to work additional hours, within certain limits. Additional hours are subject to a salary increase.

## What's that about?

Part-time work refers to work that is less than the scheduled working time of the full-time employee.

It must therefore be less than one of the following limits:

- Or the weekly legal term: 35 hours
- Either the monthly legal term: 151.67 hours
- Either the annual legal term: 1,607 hours

### Warning

Of treaty provisions may provide for a shorter working time.

## Who is concerned?

Any employee may work part-time, regardless of the duration of his contract (\_\_\_ or \_\_\_).

## Request

Part-time work may be requested by [employer \(https://www.service-public.fr/particuliers/vosdroits/F874?lang=en\)](https://www.service-public.fr/particuliers/vosdroits/F874?lang=en) or [employee \(https://www.service-public.fr/particuliers/vosdroits/F878?lang=en\)](https://www.service-public.fr/particuliers/vosdroits/F878?lang=en).

## Work Contract

### General case

An employee who works part-time must sign a written employment contract.

This contract includes all of the following:

Employee Qualification

Remuneration

Expected weekly or monthly working hours

Distribution of working hours between the days of the week or the weeks of the month (unless the allocation of working hours is provided for by agreement or agreement on a [period greater than the week \(https://www.service-public.fr/particuliers/vosdroits/F75?lang=en\)](https://www.service-public.fr/particuliers/vosdroits/F75?lang=en) )

Limits on which additional hours may be completed

Method of written communication to the employee of the working hours for each day worked

Cases in which the distribution of working hours may be changed and the nature of such change

All attractive the contract must also be written.

In the absence of a written contract, the employment contract is a full-time contract.

## In Association

An employee who works part-time must sign a written employment contract.

This contract includes all of the following:

Employee Qualification

Remuneration

Expected weekly or monthly working hours

Distribution of working hours between the days of the week or the weeks of the month (unless the allocation of working hours is provided for by agreement or agreement on a period greater than the week (<https://www.service-public.fr/particuliers/vosdroits/F75?lang=en>))

Limits on which additional hours may be completed

Cases in which the distribution of working hours may be changed and the nature of such change

The hours of work shall be communicated to the employee every month in writing.

All attractive the contract must also be written.

In the absence of a written contract, the employment contract is a full-time contract.

## In a home help company

An employee who works part-time must sign a written employment contract.

This contract includes all of the following:

Employee Qualification

Remuneration

Expected weekly or monthly working hours

Distribution of working hours between the days of the week or the weeks of the month (unless the allocation of working hours is provided for by agreement or agreement on a period greater than the week (<https://www.service-public.fr/particuliers/vosdroits/F75?lang=en>))

Limits on which additional hours may be completed

Cases in which the distribution of working hours may be changed and the nature of such change

The hours of work shall be communicated to the employee every month in writing.

All attractive the contract must also be written.

In the absence of a written contract, the employment contract is a full-time contract.

## Working time

A part-time employee must meet a minimum working time.

This period shall be fixed by treaty provisions.

In the absence of contractual provisions, the minimum working time shall be:

- Either 24 hours per week (or the equivalent monthly duration, or 104 hours)
- Or, in the case of a distribution of the working hours over a period exceeding the week, 104 hours per month

However, conventional provisions may provide for a minimum period of less than 24 hours per week:

- Or according to the implementation of regular schedules in the company
- Depending on the employee's ability to accumulate several activities
- Depending on the employee's working hours on regular or full days or half days

Derogations from this minimum period are also provided for in the following cases:

## General case

### Since 1 July 2014

An employee who has signed his or her part-time employment contract (\_\_\_ or \_\_\_) must meet a minimum working time of **at least 24 hours per week**.

## Before 1 July 2014

Employee who signed his part-time contract before 1<sup>st</sup> July 2014 (\_\_\_ or \_\_\_) does not have to meet a minimum working time.

### Employee requested waiver

#### Personal Constraints

A minimum period of time less than the period applicable in the company may be fixed at the request of the employee.

The employee's request must be written and reasoned, i.e. it must present personal constraints (health or family reasons, in particular).

#### Activity Rollup

At the request of the employee, a minimum period of time less than the applicable company period may be set to allow him to combine several activities.

This allows the employee to achieve an overall working time equal to or equal to the minimum working time.

#### Student under 26

An employee shall be entitled, if so requested, to benefit from a minimum period of time less than the period applicable in the company to enable him to continue his studies.

The employee must then apply to the employer.

The employer must accept the employee's request.

#### Fixed-term employment contract

#### CDD for up to 7 days

The employee does not have to meet a minimum working time.

#### Replacing an absent employee

In the event of the signing of a CSD or a temporary contract justified by the replacement of an employee, the employee does not have to respect a minimum working time.

#### Employee of an individual employer

employee directly employed by an individual ([https://www.service-public.fr/particuliers/vosdroits/F104?](https://www.service-public.fr/particuliers/vosdroits/F104?The_lang=en)  
The lang=en) minimum working time.

does not have to meet a

## Remuneration

The part-time employee's remuneration shall be calculated in proportion to his working hours (except treaty provisions or uses more favourable).

It is proportional to that of an employee who, with equal qualifications, holds full-time equivalent jobs in the company.

Compensation can be levelled over time. This ensures that the employee, whose schedule varies throughout the year, receives a fixed and regular salary.

## Overtime

The part-time employee may be required to work beyond the working time specified in the contract.

In this case, the employee works overtime.

### Hours

Additional hours may be completed up to 1/10<sup>e</sup> the weekly or monthly working time provided for in the contract.

If the contract provides for a 30-hour working week, the employee may work a maximum of 3 additional hours.

However, it may be increased to 1/3 of the weekly or monthly duration by treaty provisions.

### Compensation for overtime

Any additional time completed shall give rise to a salary increase.

The rate of increase of an additional hour may be fixed by treaty provisions.

The rate of increase shall be:

- Either **10%** for each additional hour completed within 1/10<sup>e</sup> the working time laid down in the contract
- Either **25%** for each hour completed beyond 1/10<sup>e</sup> (and up to 1/3)

## Right to refuse employee

Employees have the right to refuse to work overtime:

- Or if he is informed less than 3 days before the date on which the overtime is scheduled
- Or if the additional hours are completed beyond the limits laid down in the employment contract

The employee's refusal on any of these grounds is not a fault or cause for termination.

On the other hand, the employee may not refuse to perform overtime if he or she is informed at least 3 days before and the hours are performed within the limits specified in the contract.

In this case, the employee's refusal constitutes a fault which may justify disciplinary sanction (<https://www.service-public.fr/particuliers/vosdroits/F2234?lang=en>) dismissal for misconduct (<https://www.service-public.fr/particuliers/vosdroits/F1137?lang=en>)

(warning, lay-off...) or, depending on the circumstances,

## Statute and miscellaneous references

Labour Code: Article L3123-1 ([https://www.legifrance.gouv.fr/affichCode.do?](https://www.legifrance.gouv.fr/affichCode.do?idSectionTA=LEGISCTA000033004059&cidTexte=LEGITEXT000006072050)

- [idSectionTA=LEGISCTA000033004059&cidTexte=LEGITEXT000006072050](https://www.legifrance.gouv.fr/affichCode.do?idSectionTA=LEGISCTA000033004059&cidTexte=LEGITEXT000006072050)  
Definition (public policy)
- Labour Code: Article L3123-5 ([https://www.legifrance.gouv.fr/codes/article\\_lc/LEGIARTI000033020084/](https://www.legifrance.gouv.fr/codes/article_lc/LEGIARTI000033020084/))  
Remuneration (public order)
- Labour Code: Article L3123-6 ([https://www.legifrance.gouv.fr/affichCode.do?](https://www.legifrance.gouv.fr/affichCode.do?idSectionTA=LEGISCTA000033004178&cidTexte=LEGITEXT000006072050)  
[idSectionTA=LEGISCTA000033004178&cidTexte=LEGITEXT000006072050](https://www.legifrance.gouv.fr/affichCode.do?idSectionTA=LEGISCTA000033004178&cidTexte=LEGITEXT000006072050))  
Contract of employment (public order)
- Labour Code: Articles L3123-7 to L3123-10 ([https://www.legifrance.gouv.fr/affichCode.do?](https://www.legifrance.gouv.fr/affichCode.do?idSectionTA=LEGISCTA000033004196&cidTexte=LEGITEXT000006072050)  
[idSectionTA=LEGISCTA000033004196&cidTexte=LEGITEXT000006072050](https://www.legifrance.gouv.fr/affichCode.do?idSectionTA=LEGISCTA000033004196&cidTexte=LEGITEXT000006072050))  
Working hours and overtime (public order)
- Labour Code: Articles L3121-19 to L3123-21 ([https://www.legifrance.gouv.fr/affichCode.do?](https://www.legifrance.gouv.fr/affichCode.do?idSectionTA=LEGISCTA000033004544&cidTexte=LEGITEXT000006072050)  
[idSectionTA=LEGISCTA000033004544&cidTexte=LEGITEXT000006072050](https://www.legifrance.gouv.fr/affichCode.do?idSectionTA=LEGISCTA000033004544&cidTexte=LEGITEXT000006072050))  
Working hours and overtime (collective bargaining field)
- Labour Code: Articles L3121-27 to L3123-29 ([https://www.legifrance.gouv.fr/affichCode.do?](https://www.legifrance.gouv.fr/affichCode.do?idSectionTA=LEGISCTA000033004787&cidTexte=LEGITEXT000006072050)  
[idSectionTA=LEGISCTA000033004787&cidTexte=LEGITEXT000006072050](https://www.legifrance.gouv.fr/affichCode.do?idSectionTA=LEGISCTA000033004787&cidTexte=LEGITEXT000006072050))  
Working hours and overtime (additional provisions)

## Online services and forms

Request for a waiver of minimum working time for part-time ([https://www.service-public.fr/particuliers/vosdroits/R58637?](https://www.service-public.fr/particuliers/vosdroits/R58637?lang=en)

- [lang=en](https://www.service-public.fr/particuliers/vosdroits/R58637?lang=en))  
Document template

## FAQ

Part-time employee: what is the minimum working time? ([https://www.service-public.fr/particuliers/vosdroits/F1915?](https://www.service-public.fr/particuliers/vosdroits/F1915?lang=en)

- [lang=en](https://www.service-public.fr/particuliers/vosdroits/F1915?lang=en))
- Can the employer change the hours of a part-time employee? ([https://www.service-public.fr/particuliers/vosdroits/F876?](https://www.service-public.fr/particuliers/vosdroits/F876?lang=en)  
[lang=en](https://www.service-public.fr/particuliers/vosdroits/F876?lang=en))
- How do I move into the private sector on a part-time basis? ([https://www.service-public.fr/particuliers/vosdroits/F878?](https://www.service-public.fr/particuliers/vosdroits/F878?lang=en)  
[lang=en](https://www.service-public.fr/particuliers/vosdroits/F878?lang=en))
- Can the employer introduce part-time work in the company? ([https://www.service-public.fr/particuliers/vosdroits/F874?](https://www.service-public.fr/particuliers/vosdroits/F874?lang=en)  
[lang=en](https://www.service-public.fr/particuliers/vosdroits/F874?lang=en))