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France - labour rights

Support Anthony Smith: defend independence of labour inspectorate investigations

- News from around the world -

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In support of Anthony Smith, laid off for asking a company to introduce preventive measures in the context of the Covid-19 epidemic, 1052 officials of the Ministry of Labour reaffirm the importance of their public service mission. They demand the withdrawal of the disciplinary procedure and that their independence is respected: "We will not allow the labour inspectorate to be destroyed". [\[1\]](#)

On 15 April 2020, our colleague Anthony Smith, a labour inspector in the Marne (department of France), was suspended from his duties with immediate effect with a view to initiating disciplinary proceedings, in the context of the exercise of his labour inspection investigations.

His fault ? Having asked a company in the home help sector, after an alert from staff representatives, to implement preventive measures in the context of the Covid-19 epidemic and having initiated summary legal proceedings, as provided for by the employment code. In other words, having done his job of applying regulatory provisions and fulfilling his mission of protecting employees provided for by ILO Convention 81 on employment inspection.

A mission which is not to the liking of the Minister of Employment and the central authority of the labour inspectorate, who are currently deliberately organizing the institution's paralysis. Labour inspectors are prohibited from carrying out unannounced inspections in workplaces. These controls are subject to prior authorization from the hierarchy and prior contact with the company. Authorized controls are limited to government reporting requirements. Labour inspectors do not have a mask to carry out safety checks. They are confined to a role of relaying government directives and requirements for the pursuit of economic activity. Those who seek to do their work independently are too often under pressure from their superiors.

In the case of our colleague, this was done at the cost of an incredible collusion between his local management and the employer, invited by the departmental director to ignore his observations and informed before our colleague himself, of the disciplinary procedure in progress! And it was with amazement that we learned that this was in response to a political request from the president of the Marne Departmental Council, in defiance of the independence we enjoy.

This layoff is indecent. It dismays and worries us. It brings to a climax the state of crisis within the ministry.

We, as officials of the Ministry of Employment, say enough is enough!

We support Anthony Smith and demand without delay the withdrawal of the disciplinary proceedings concerning him and his reinstatement.

We refuse to allow the Ministry of Labour to de facto "disconnect" the labour inspectorate, sanctioning or putting pressure on officers who, using interim summary measures, are only doing their job, under the supervision of the judge.

We are asking for means of protection to ensure all of our employee protection missions in their entirety as provided for by ILO Convention 81. We will not let the labour inspectorate be destroyed. The health crisis the country is going through must not be a means of attacking the independence of the inspectors as regards the choice of follow-up to be given to their findings. Nor should it be used as a pretext to prevent the work of the inspectors who every day try,

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as best they can, to pursue their mission of public service.

Signed by 1052 colleagues.

Tribune initiated by the inter-union committee CGT, SUD, FSU, FO, CNT of the Ministry of Labour.

*Translated by **International Viewpoint** from [Médiapart](#).*

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[1] "The Inspection du travail (IT, Labour inspection) is a French specialized body of civil servants, charged of the surveillance of employment and labour law in firms, created in 1892 during the Third Republic. " [Wikipedia](#).