

France: murder of work inspectors reveals deepening social tensions

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Sylvie Tremouille, 40, and Daniel Buffière, 45, work inspectors, were shot dead in the afternoon of September 2 with a hunting rifle. They were about to check the contracts and conditions of more than a dozen seasonal workers employed at a farm in Saussignac, in the Dordogne. Their killer, Claude Duviau, was the farmer and part-owner of the 20-hectare vineyard and plum orchard. Duviau, a former soldier and insurance worker, shot Buffière in the stomach and Tremouille in the back. He then turned the gun on himself, but he survived.

The murders should not be simply dismissed as the action of a mentally disturbed lone farmer.

The tragic event highlights the extreme distress of small farmers in France, squeezed between the hypermarket chains, globalised competition, falling prices and labour costs. Serge Mornac, the mayor of Saussignac, told the press: “Twenty years ago, we sold our wine for 4,500 francs [687 euros] a barrel. Today, it still fetches the same price”. One of Deviau’s neighbours commented, “He blew a fuse. For over a year, he’s kept on saying that the administration and the banks are after him. He felt he was being persecuted and got depressed.”

It also highlights the tensions developing between workers and employers. Work Inspection employees took a one-day strike on September 16 in tribute to the memory of their murdered colleagues and to demand “a great increase of their resources.” They denounced the attacks on them and their function—by employers calling for the Labour Code to be simplified and by 81 ultra-free-market neo-liberals in parliament led by Alain Madelin, who in Summer 2003 placed on the order book a proposal for a reform of the work inspection that would restrict its competence.

A member of staff of the National Institute of Labour,

Employment and Professional Training, near Lyons, commented: “This murder is not just an isolated story. I fear it is the sign of difficulties and tragedies to come.” She said the institute was aware of a growing risk for inspection employees due to the increasing hostility of management to labour and health and safety regulations. The statement of Jean-Claude Ducatte of management consulting firm Epsy confirmed this observation: “The inspector undermines the power of the boss.... They get sent into firms to make a fool of the boss—of course, that gets them into difficulties.”

Dominique, an inspector from the Jura, explained: “When I started working, 17 years ago, being checked by the work inspection was considered a legitimate constraint. Today, our work is seen as a vexation.”

Another employee said, “What is striking is that workers dare not come and complain to us any more. Nowadays, they come to the office after they’ve been sacked and let it all come out. The unpaid overtime, the pressurising, the racist insults. We tell them ‘You’ve got rights, you can impose them,’ but we can see that they’re scared.”

She told of a clothing boss who told women workers, “If you blubber, there’s the door. There’s 10 more like you who would pay to work here.”

Christophe spoke of the contradiction of insisting on minimum standards for the workers of a firm and perhaps provoking its demise: “Often the boss takes the visit as a violation of his property right, especially if it’s a small business.... The employers pressurise us with moral blackmail about having to sack people or even to relocate. It resonates in your head when you are writing a report and asking for sanctions.”

The lack of human resources deployed by the state to enforce the Labour Code demonstrates official hostility to the inspectors’ work. There are only 1,240 work

inspectors and health and safety officers to check and enforce employers' compliance with 400 laws and 8,000 decrees regulating the wages and conditions of 15.5 million workers in the private sector, half of whom have no staff representation. The agricultural sector is recognised, along with mining and construction, as one of the most difficult. Work inspectors report that 25 percent of France's 800,000 seasonal farm workers work an illegal 56 hours a week and 18 percent have no work contract.

The most profound ongoing attacks on this service are legislative. The Fillon law of October 15, 2002, diminishes the constraints on employers of the legal 35-hour week. It extends the right to impose overtime from 130 hours annually to 180 hours. It allowed small employers to reduce hourly rates for overtime from a 25 percent premium to just 10 percent.

The previous Jospin Socialist Party government's law on the 35-hour week enabled employers to negotiate local agreements that override sector or national agreements. This tendency to make all established rights negotiable is being enhanced by the current administration's modifications to the Labour Code. These modifications undermine the principle at the base of labour relations for the last 50 years: that local agreements cannot diminish rights enshrined in sector or national agreements.

This new legislation permits an individual firm to come to agreements that fall below the level of advantage to workers provided by a collective agreement or an agreement covering a wider section—a whole branch of industry or a national agreement covering several sectors. This could involve the non-payment of statutory (bank) holidays not worked, or days off for marriage, bereavement, moving house, or sick leave.

The post-Second World War welfare state and social consensus were maintained within a series of national arrangements that, with the compliance of the trade unions and the left parties, guaranteed a certain social peace. The work inspection was set up at the end of the nineteenth century to enforce the law against child labour. Larger employers accepted, even welcomed, the work inspection service, which, with the help of the trade unions, ironed out unnecessary grievances and contributed to the smooth running of their enterprises. An agreed level of work contracts, salaries, working

conditions, health and safety norms was established and even assisted the big firms, taking advantage of economies of scale and more advanced technology, to sideline lesser competitors unable to meet these norms.

The advent of the globalised capitalist market and the increased economic and military rivalry within the European Union and between Europe and the United States are obliging the ruling elites to sweep away these arrangements in order to cheapen labour costs.

The minimum standards that the Labour Code and health and safety legislation still require are increasingly seen by business as an impediment to competition and France's attractiveness to potential and established investors. This is reflected by the Madelin group's campaign to speed up the process of dismantling the Labour Code. They wish to severely curtail the right of the inspectors to penalise wayward employers and make them purely a corps for aiding the competitiveness of firms and repressing clandestine workers. Nicholas Sarkozy, when minister of the interior, empowered work inspectors to see workers' identity documents and check their right of residence.

The proliferation of the use of subcontractors by large firms has vastly increased the number of small businesses, which, like small farms, are under pressure to cut all excess costs and to erode conditions and health and safety. They are a means of avoiding abiding by agreements applying to recognised workers of these enterprises. Even in state enterprises such as the post office or the railways, this has become commonplace. The phenomenon was encouraged on the railways under the Communist Party's Jean-Claude Gayssot, transport minister of the Plural Left government.

One of the most shocking examples of avoidance of current French working conditions was the construction of the Queen Mary Two in the shipbuilding yards of the Chantiers de l'Atlantique in Saint-Nazaire. Much of it was carried out by workers contracted from abroad who worked, quite legally, under the cheap labour conditions of their country of origin.



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