

CND

Centre national de la danse

LEGAL COLLECTION

BEING A DANCER IN FRANCE

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Département Ressources professionnelles

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BEING A DANCER IN FRANCE

Choreographic activity in France is the result of both private initiatives from artists, companies and production venues, and of a public policy conducted jointly by the Ministry of Culture and local and regional authorities (towns, counties, regions). This joint action enabled to develop dance creation, distribution and teaching throughout the French territory.

DANCE VENUES AND STRUCTURES

Dance companies: over 500 independent dance companies in France are involved in significant creation and distribution activities. They usually operate on a project basis, with various artistic genres but mainly they are associated with contemporary dance. Some of them are subsidised by local/regional authorities or the Ministry of Culture (278 companies were subsidised by the Ministry of Culture in 2015).

19 'Centres chorégraphiques nationaux': these are permanent structures subsidised by the Ministry of Culture and local/regional authorities. They are run by one or more choreographers with various artistic genres: contemporary, classic, hip-hop. Their mission consists in the creation, production and distribution of choreographic works and raising public awareness.

Opera houses: they offer public performances of lyric and choreographic works. 9 opera houses have a permanent ballet performing works from classic and contemporary repertoires.

Producers of musicals, audiovisual or film production companies, cabarets and amusement parks: these are very active commercial structures that employ a significant number of dancers.

All these structures use various recruitment methods for dancers:

- professional network: word of mouth, recommendations, etc.;
- audition or casting;
- following placements or training courses;
- after scouting dancers during performances, etc.

More information on www.cnd.fr with the following fact sheets:

Directory of choreographic companies (Répertoire des companies chorégraphiques);

'Centres chorégraphiques nationaux';

Ballets from the 'Réunion des opéras de France' (professional association of opera houses in France);

Choreographic development centres (Centres de développement chorégraphique);

Online audition notifications.

Dance teaching

One of the specificities of dance teaching in France is that it is regulated: a State diploma is required to teach ballet, contemporary dance and jazz. No degree is compulsory for other dance disciplines.

WORKING AS A DANCER

Presumption of employee status for artists – specific to France

To ensure protection of artists, French Law posits that they perform their services as part of an employment contract.

Such presumption of employee status applies whatever the artist's nationality, type of performance (live or recorded), method and amount of payment, and legal description given to the contract by the parties.

On the other hand presumption of employee status does not apply to artists acknowledged as established service providers (and registered as such) in a member State of the European Union or in another State party to the Agreement on the European Economic Area coming to work in France as service providers, on a provisional, freelance basis.

Please note that the freelance nature of the services is seldom acknowledged since the artist often works in the same conditions as other artists employed by the company.

Residence and work permits in France

Some foreign nationals do not require a work permit and consequently do not need to take any action in that respect.

These are citizens of member States of the European Union, the European Economic Area, Switzerland, Andorra, Monaco and San Marino.

Apart from these above-mentioned cases, any foreigner wishing to engage in gainful employment in France must hold the following:

- provisional work permit (APT) for employment contracts of 90 days at most (after obtaining a short-stay visa if applicable, depending on the nationality). The APT is delivered for the term of the employment contract;

or

- residence permit (after obtaining a long-stay visa) that grants work permit for employment contracts over 90 days – “temporary residence permit”.

The temporary residence permit delivered to the artist indicates “profession artistique et culturelle” (cultural and artistic profession) (*carte PAC*). It is valid for one year maximum (extendable).

There is another card called “compétences et talents” (skills and expertise) valid for a renewable period of 3 years, granted to foreigners likely to “make a significant or lasting contribution to France’s [...] development or [...] cultural [...] prestige of France and [...] their own country.”

Note: foreign nationals already living in France and authorised to work there under a resident card or temporary residence permit for paid employees with no geographical or professional restrictions, temporary residence permit called “vie privée et familiale” (issued for reasons connected with family life) or student residence permit, are allowed to pursue any occupation and therefore do not need to apply for a specific work permit. As regards students, this special dispensation applies up to 964 working hours per year.

A new set of rules is in the pipeline.

The obligation of provisional work permit (APT) is subject to change in autumn. It should be removed for contracts of less than three months in duration in performing arts.

A new residency permit called "skills passport" is supposed to replace the 2 existing residency permits: "artistic and cultural profession" (*Profession artistique et culturelle*) residency permit and "skills and talents" (*Compétences et talents*) residency permit (Law of March 7th, 2016 concerning the right of the foreigners in France, pending decrees).

Mandatory enforcement of French labour law

Whenever an artist comes to work in France, French labour law applies (minimum wage, working hours, etc.) whatever their employer's nationality.

Various types of employment contracts

Under French law, employment contracts are not to be subject to a time limit – they are open-ended contract (CDI in French).

This type of contract however is seldom offered to artists, except in large permanent companies (some of the CCNs for instance).

In the performing arts, companies offer standard contracts for a limited period to artists – "CDD" (fixed-term contracts).

These contracts must be drawn and communicated to the paid employee within 2 days following recruitment.

They can only be terminated before their end under certain circumstances:

- subject to a written agreement between the employee and employer;
- following serious misconduct of the employee or employer;
- subject to documentary evidence of employment of the employee with another employer under an open-ended contract;
- In the event of an incapacity of the employee certified by an occupational physician.

Minimum wages of artists in France

There are legally binding documents in France called collective agreements, setting among other things minimum wages of artists in the performing arts.

- whenever a company receives government funding it has to enforce the 'convention collective des entreprises artistiques et culturelles':

Type of contract	Gross salary in euros
CDD < 1 month Rehearsals: Daily minimum for 3 hours of work (Maximum 2 times a day) Performances (fees) 1 or 2 appearance fees within one month Over 2 appearance fees within one month	 52.68 137.67 119.80
CDD < 4 months (monthly payments)	1,996.78
CDD > 4 months or CDI (monthly payments)	1,891.68

- Without government financing, the company enforces the 'convention collective des entreprises du secteur privé du spectacle vivant' (collective agreement of private-sector companies with performing arts as a main activity):

When not on tour - Performances - gross salary in €					
	Performances per month		Contract > 1 month		
	1 to 7	8 to 16	Monthly wage		
Leading choreographic artist	154.02	138.72	2,499		
Choreographic artist part of a group	123.42	110.16	1,969.62		
When not on tour - Rehearsals - gross salary in €					
For 3h	38.44				
When touring - Performances - gross salary in €					
	Performances per month				Contract > 1 month Monthly wage
	1 to 7	8 to 11	12 to 15	16 and over	
Solo dancer	169.65	153.89	137.94	119.51	2,545.69
Dancer part of a ballet	124.91	111.12	101.25	90.64	1,931.38
When touring - Rehearsals - gross salary in €					
Minimum daily fee (for 4 or 8 hours a day)	77.36				

Note: the term fee refers to a specific salary paid to artists as a flat-rate amount allocated whatever the actual working time.

Further note: these figures come from collective agreements and concern the most common types of performances. Different minimum wages are provided for in the case of a musical, a cabaret, etc.

Specificities for choreographers

As a choreographer you are the author of a choreographic work. As such you may also receive royalties in addition to your salary.

Social welfare for artists

If you are a French resident (i.e. you live in France over 6 months a year):

Whether you are French or foreign (with a valid resident permit if you are non-European), you are covered by French social welfare as regards:

- unemployment benefit;
- social security (illness, occupational accidents, maternity and paternity leave, etc.);
- financing of continuing education.

If you work in several countries:

At European level a social security coordination system allows you to benefit from your rights in your country of residence.

Outside of Europe such coordination system is only made available if the country in which you work signed a bilateral social security agreement with the country in which you live.

Focus on unemployment insurance of artists in France

France implemented a specific unemployment insurance scheme for artists and technicians in the performing arts (commonly called “intermittents” in French) recruited under a fixed-term contract.

To be eligible under such scheme, 507 working hours as a performing artist must be justified over a period of 10.5 months (319 days).

If these conditions are met, then the artist will be entitled to 243 days of unemployment benefit, paid when they are not working.

The amount will be calculated based on the number of working hours and salary received.

RESOURCE CENTRES

Centre des Liaisons Européennes et Internationales de Sécurité Sociale (CLEISS)

11 rue de la tour des Dames 75436 Paris Cedex 09

www.cleiss.fr

T +33 (0) 1 45 26 33 41

Help line available on Mondays, Wednesdays and Fridays from 9 to 12.30 and on Tuesdays and Thursdays from 2 to 5

Open to the public from Monday to Friday from 9.30 to 12.15 and from 2.30 to 4

Information on artistic mobility to France:

MobiCulture

MobiCulture c/o Atelier des Médias

9 quai André Lassagne 69001 Lyon

www.mobiculture.fr

contact@mobiculture.fr

T +33 (0) 6 58 37 31 19

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Online:

Fact sheets focused on 3 main themes: working life, law and health

<http://www.cnd.fr/professionnels/fichespratiques>

Auditions and job opportunities: find new ads online every week for dancers, dance teachers and all trades related to dance

<http://www.cnd.fr/professionnels/auditions>

Communication of open calls (Lettre des appels à projets), a monthly newsletter relating to production and residency venues, festivals, cultural or professional structures (to subscribe, send an e-mail to: ressources@cnd.fr)