



Action Gérontologique Arédiennaise
Association type loi 1901
16, avenue du Général de Gaulle
87500 Saint Yrieix la Perche
Tel : 05.55.08.20.31

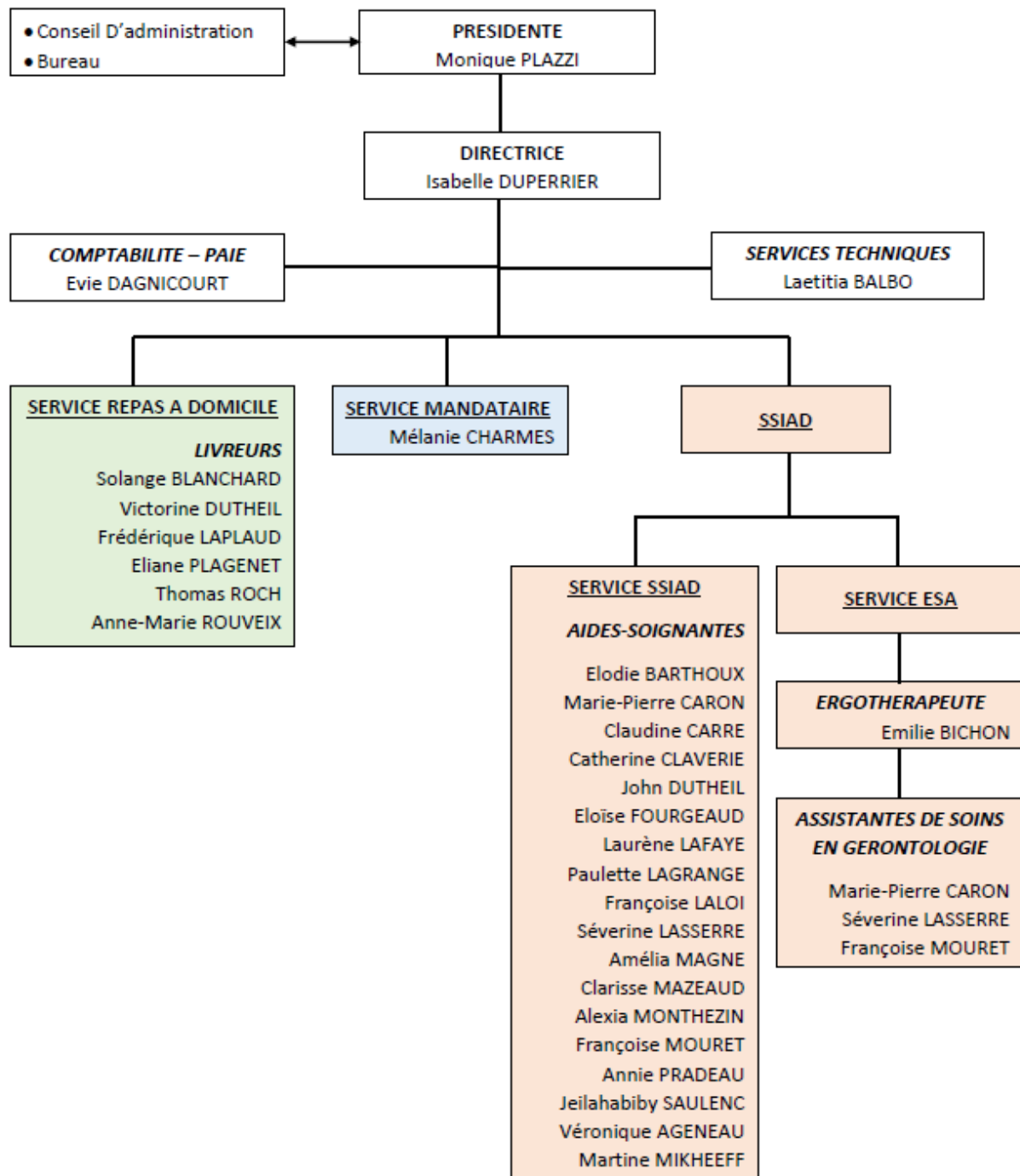
WELCOME BOOKLET

Representative Service



Home help means allowing people to remain at home, with dignity, in their usual environment and with their own habits.

ORGANIGRAMME de l'ACTION GERONTOLOGIQUE AREDIENNE



Action G rontologique Ar dienne Presentation

1. History of the association

- Action G rontologique ar dienne has been working to keep people over 60 at home.
- 1982: creation of the care service. It is entirely placed under the supervision of the Regional Health Agency with its own budget imposed by the ARS
- 1987: creation of the meals-on-wheels service
- 1995: creation of the authorised representative service for domestic help and sick care
- 1998: creation of the gerontological network
- 2012: creation of the ESA (Alzheimer's Specialised Team)

2. The values defended by our association

The values of the AGA are to provide users with moral support and warmth in their relationships, to guarantee respect for their dignity and their free choice, to recreate a social fabric for isolated people, and to guarantee quality care and support.

3. Services (work code article D.7231-1)

- Assistance in the daily actions of life or help with social integration for the elderly and disabled or those suffering from chronic pathologies (including care for the sick);
- Driving the personal vehicle of the elderly, disabled or chronically ill from home to work, to their holiday spot or for administrative purposes;
- Accompaniment of the elderly or disabled people outside their home (walks, daily life activities, transport);
- Assistance to people (except for the elderly or disabled people and vulnerable families) who temporarily need personal help in their home, excluding care related to medical procedures;
- Accompaniment of people (for the elderly or disabled people and vulnerable families) in their movements outside their home (walks, help with mobility and transport, daily life actions);
- Driving services for people (except for the disabled and vulnerable families) from their home to work, to their holiday destination, or to carry out administrative procedures.

4. Facilities

Address : 16, avenue du Général de Gaulle – 87500 Saint Yrieix la Perche with 2 entrances : one on the street side, on ground level, for the offices of the representative service, the ESA and the SSIAD. The second entrance is located on the car park side and is the meal service office entrance.

Tel : +33 (0)5.05.08.20.31

E-Mail : agamandataire@wanadoo.fr

Telephone and on site reception is available from Monday to Friday, from 9 am to 12.45 pm and from 1.15 pm to 5 pm Outside business hours, an answer phone is available.

Services offered by Action Gérontologique Arédienne

Le service de
portage de repas à
domicile

Meals on wheels

Le service de
soins infirmiers à
domicile
SSIAD

SSIAD nursing care at home

L'équipe
spécialisée
Alzheimer
ESA

ESA Alzheimer specialised team

5. Administration and operation

Action Gérontologique Arédienne is managed by an office composed as follows:

- **President :** Mrs Monique PLAZZI
- **Vice-Presidents :** Mr Philippe SUDRAT, mayor of Coussac-Bonneval
Mr François BOISSERIE, mayor of Glandon
Mrs Annick HUCHET, mayor of Le Chalard
Mr Pierre MILLET-LACOMBE, mayor of Ladignac-Le-Long
Mr Pierre ROUX, mayor of La Meyze
Mr Jean-Claude FRACHE, mayor of La Roche L'Abeille
- **Secrétaire :** Mrs Lucienne DUBOIS, Glandon assistant
Secrétaire adjointe : Mme Isabelle BONIN, Saint-Yrieix representative
- **Treasurer :** Mrs Annie ARNAUD,
Assistant treasurer : Mrs Arlette LAFONT, Saint-Yrieix assistant

The office is assisted by a Board of Directors composed of 25 members.
A general assembly is held every year.



The representative mode is therefore directed at those who are prepared to take on the responsibilities inherent to the employer status but who wish to be relieved of their administrative responsibilities.

Individual benefits

- **Advice and support provided by the representative service (search for the best staff according to the needs)**
- **Simplified recruitment procedure: the search and selection of potential candidates is carried out by the representative agent.**
- **Choice of employee by the employer**
- **No administrative procedures: setting up the employment contract, etc.**
- **Tax advantage: income tax credit equal to 50% of the expenses incurred for personal services up to a limit of €12,000 per year. The tax credit is deducted from the amount of tax due. If the amount of your tax credit is greater than the amount of your income tax, you will be reimbursed for the excess or all of it (if you are not taxable) by the tax authorities.**
- **Exemption from employer's social security contributions: you must be at least 70 years old or meet the condition of loss of autonomy (recipient of the APA).**

How are the responsibilities divided between the service and the individual?

	Representative responsibilities	Obligations of the individual employer
Human resource management	<p>selecting and proposing staff for the job</p> <p>ensuring that the qualifications and skills of staff match the needs of the individual</p> <p>Managing the care worker's absences (paid leave, illness, etc.)</p>	<p>Choosing and hiring the home care worker among the candidates presented by the representative agent.</p>
Legal	<p>Informing the individual of their legal obligations as an employer</p>	<p>Applying the collective bargaining agreement of the private employer</p> <p>Respecting the labour code (paid holidays, etc.)</p> <p>Respecting the legal period of prior warning or, otherwise, paying compensation</p> <p>- Paying the agent's management costs</p> <p>Respecting the legal and conventional obligations in terms of salary</p> <p>Paying the worker's salary</p>
Administrative procedures	<p>Carrying out administrative formalities, social and tax declarations, in the name and on behalf of the individual.</p> <p>Keeping, during the term of the mandate, all documents related to the employment relationship with the employee (pay slips, employment contracts, etc.)</p>	<p>Notifying the department of any changes that may result in administrative changes</p>
Disputes with the employee	<p>Role : Advice and mediation</p>	<p>Managing disputes</p> <p>Managing and implementing redundancy procedures</p>
Others	<p>Directing the individual to the most appropriate service based on the assessment of his/her needs</p>	<p>In case of absence (hospitalisation, etc.) or death of the person being helped, the private individual and his or her heirs continue to pay the helper's salary</p>

Being an individual employer in the agency mode means that: you employ someone to work in your home and you give AGA the mandate to carry out certain administrative formalities on your behalf (pay slips, URSSAF declarations, end-of-contract documents, etc.) linked to the employment contract established with the employee, in return for a management fee.

This relieves you from certain employer worries and enables you to benefit from a quality service, in accordance with your needs and respecting your rights and the law.

However, some responsibilities cannot be delegated, such as:

- Negotiation with the employee (amount of salary, hours or volume of work, change of days, dissatisfaction...),
- End of contract relational steps (interview),
- Managing disputes with the employee (you are legally and financially responsible). But you benefit from administrative and legal support from your association.

YOUR DUTIES

As an employer, you are obliged to apply the labour law and the national collective bargaining agreement for employees of private employers. You must therefore respect certain obligations.

THE WORK CONTRACT

The signing of an employment contract is compulsory between an employer and an employee, regardless of the duration of the contract. A permanent contract (CDI) is the contract that should normally be concluded, except in special cases and for replacements.

WORKING TIME

The days and hours of work are included in the employment contract. They can only be modified by an amendment to the initial contract.

THE SALARY

- The salary is the consideration for the work done by the employee. It may not be less than the minimum wage provided for in the collective bargaining agreement or the minimum wage. You can of course choose to pay a salary that is higher than these minimums.
- Each month you must sign the attendance sheet presented to you by the employee. This document is essential for drawing up pay slips.
- The monthly salary indicated on the pay slip includes a 10% salary increase for paid holidays.
- The salary must be paid to the employee as soon as the monthly pay slip issued by the AGA has been sent to you.
- The days and hours of work are included in the employment contract. They can only be modified by an amendment to the initial contract.

HOLIDAYS

You can impose periods of unpaid non-work each year on the employee, in addition to their paid holiday. This should be noted in the contract, e.g. you can decide that each year you will be absent for 3 weeks, in addition to the employee's 5 weeks.

If possible, a period of one month is recommended for planning these periods.

If nothing is stipulated in the employment contract and you require the employee to take more leave than the annual leave to which he/she is entitled, you will have to pay him/her, for the entire duration of the additional leave, compensation equal to the salary (s)he would have received for the same period worked (this salary maintenance also applies to any unscheduled absence, such as hospitalisation).

Holiday pay is included in the monthly salary. There is therefore no salary to be paid when the employee takes paid leave.

To replace the employee on paid leave, you can ask the AGM to provide a replacement during the leave.

For all other leaves (maternity, marriage, sick child...), contact the AGA.

PREVENTING OCCUPATIONAL RISKS

Like any employer, you must take the necessary measures to ensure the safety and protect the physical and mental health of your employee. You must therefore contribute, with the means at your disposal, to implementing basic prevention measures such as

- Eliminating identified risks: replacing a faulty electrical socket or household electric equipment, etc.
- Adapting the home: making the bed more accessible, removing a slippery carpet, improving the lighting, etc.
- Favouring adapted materials and products: providing cleaning gloves, repairing a broken Hoover, etc.

GOOD PROFESSIONAL AND ETHICAL PRACTICE

You must inform your employee of the good practices to be followed during his or her interventions, in particular about:

- The mission and tasks to be carried out in your home, the method to be used,
- The use of certain materials and products,
- The use of certain equipment and products, the respect of your fundamental rights, your property, your private life, your intimacy and your choice of life,
- The respect of the confidentiality of the information in his/her possession.

TRAINING

You are obliged to promote the vocational training of your employee. The vocational training rights of employees of private employers are provided for in a branch agreement annexed to the national collective bargaining agreement. This professional training is financed by a contribution which is automatically included in the pay slips issued by the AGA. You do not therefore have to take any particular steps for this contribution.

TERMINATION OF CONTRACT

The contract can be terminated in several ways:

- Termination by mutual agreement: this allows the employer and the employee on a fixed-term contract to agree to terminate the contract early.
- Resignation: when the employee wishes to end the collaboration. They must give notice and you do not have to pay any compensation.
- Dismissal: this step is taken on your initiative, for example, following a move to a retirement home, a termination of work, malpractice of the employee, or the employee's unfitness for work, etc. A specific procedure must be followed and redundancy payments must be made to the employee.
- Retirement of the employee: In this case, the employee can claim payment of a retirement indemnity.
- Conventional termination: this allows the employer and the employee with an open-ended contract to agree by mutual consent to terminate the employment contract. The employee will receive a specific severance pay.
- Death of the individual employer: this event terminates the employment contract, unless the spouse wishes to take over the contract in his/her name. Termination indemnities are to be paid to the employee.

FURTHER INFORMATION

AGA is at your disposal to advise and support you in your role as a private employer.

Contact **Mélanie Charmes** - head of the representative service - for any questions you may have:

- **+33 (0)5.55.08.20.31**
- **agamandataire.sty@wanadoo.fr**
- **www.aga-styrieix.fr**

You can also find more information on :

- Labour law: <http://www.service-public.fr/> under "Training-Labour",
- The national collective bargaining agreement for private individuals as employers n°3180: <http://legifrance.gouv.fr/> under the heading "Collective agreements",
- Tax reductions or credits: <http://www.service-public.fr/> under "Training-Labour".

CHARTER OF RIGHTS AND FREEDOMS OF THE PERSON ACCOMMODATED

Order of 8 September 2003 relating to the charter of rights and freedoms
and freedoms of the person accommodated, mentioned in article L. 311-4
of the social action and family code

Article 1: Principle of non-discrimination

In accordance with the specific conditions of care and support,
provided for by law, no one may be discriminated against on the grounds of their origin,
ethnic or social origin, physical appearance, genetic characteristics, sexual orientation, disability
genetic characteristics, sexual orientation, disability, age, opinions and beliefs, particularly political or
convictions, in particular political or religious, in the course of social or medico-social care or support.
social or medico-social support.

Article 2: Right to appropriate care or support

The person must be offered individualised care or support that is as appropriate as possible
and as adapted as possible to his or her needs, in the continuity of interventions.

Article 3: Right to information

The person receiving services has the right to clear, comprehensible and appropriate information
on the care and support requested or provided, as well as rights and on the organisation and functioning
of the establishment, service or form of care or the establishment, service or form of care or support.
The recipient must also be informed about the users' associations working in the same field.
The person has access to information concerning him or her under the conditions provided for by the
law or regulations. The communication of such information or documents by the persons entitled to
communicate it by virtue of the law is carried out with appropriate psychological, medical
psychological, medical, therapeutic or socio-educational nature.

Article 4: Principle of free choice, informed consent and participation of the person

In compliance with legal provisions, court decisions or judicial protection measures and
protection measures as well as guidance decisions:

1) The person has a free choice between the adapted services offered to him/her
either within the framework of a service at home, or within the framework of admission to an
establishment or service
establishment or service, or in the context of any form of support or
care ;

2) The person's informed consent must be sought by informing him or her, by all means appropriate to his or her situation, of the conditions and consequences of the care and support and by ensuring that he or she understands.

3) The right to participate directly, or with the help of his/her legal representative, in the design and implementation of the reception and support project that concerns him/her is guaranteed. When the expression of choice or informed consent by the person is not possible due to his/her young age, this choice or consent is exercised by the family or the legal representative with the family or the legal representative to the establishment, the service or within the framework of other forms of care and support. This choice or consent is also made by the legal representative when the person's condition does not allow him/her to exercise it directly. Regarding the care services provided by medico-social establishments or services, the person benefits from the conditions of expression and of expression and representation as set out in the Public Health Code. The person may be accompanied by the person of his/her choice during the steps necessary for the provision of care or support.

Article 5 : Right to waive

The person may at any time waive or request a change in the conditions of capacity, listening and expression as well as communication provided for in this charter, in compliance with court decisions or judicial protection measures, guidance decisions and existing review procedures in these areas.

Article 6 : Right for respect of family ties

The care or support provided must encourage the maintenance of family ties and avoid the separation of families or siblings in care, while respecting the person's wishes, the nature of the service from which he or she benefits and the court decisions. In particular, establishments and services providing reception and care or support for minors, young adults or persons and families in difficulty or in distress shall, in relation with the competent public authorities and other authorities and other stakeholders, take any useful measure to this end.

In accordance with the individualised reception and support project and the wishes of the person, the participation of the family in the activities of daily life is encouraged.

Article 7 : Right to protection

The person, his legal representatives and his family are guaranteed, by all staff or persons providing care or support, to respect the staff or persons providing care or support, respect for the confidentiality of information concerning them within the framework of existing laws.

He/she is also guaranteed the right to protection, the right to safety, including sanitary and food safety, the right to health, and the right to be treated with respect.

and food safety, the right to health and care, the right to appropriate medical follow-up.

Article 8 : Right to autonomy

Within the limits defined in the context of the provision of care or support and subject to court decisions, contractual obligations or obligations linked to the service from which he/she benefits and guardianship or reinforced guardianship measures, the person is guaranteed the possibility of moving around freely. In this respect, relations with society, visits within the institution, outside it, are encouraged.

Within the same limits and subject to the same reservations, the resident may, during the

personal property, effects and objects and, if they are of age, to dispose of their assets and of age, dispose of their assets and income.

Article 9 : Principle of prevention and support

The emotional and social consequences that may result from care or support must be considered. This should be taken into account in the individual care and support objectives.

The role of the families, legal representatives or relatives who care for the person being cared for must be facilitated by the institution, with their agreement, in compliance with the individualised reception and support project and court decisions.

The end of life moments must be the object of care, assistance and support adapted in respecting the religious or denominational practices and convictions of both the person and their relatives or representatives.

Article 10 : The right to exercise the civil rights attributed to the person being cared for

The effective exercise of all civil rights and individual freedoms is facilitated by the institution, which shall take all necessary measures to this effect in compliance, if necessary, with court decisions.

Article 11 : Right to religious practice

The conditions for religious practice, including visits by representatives of different faiths, must be facilitated, without denominations and without their being an obstacle to the missions of the establishments or services. Staff and beneficiaries shall respect each other's beliefs, convictions and opinions. This right to religious practice shall be exercised with respect for the freedom of others and its exercise shall not disturb the normal functioning of the establishments and services.

Article 12 : Respect for the dignity and privacy of the individual

Respect for the dignity and integrity of the person is guaranteed. Apart from the exclusive and objective need for the provision of care or support, the right to privacy must be preserved.