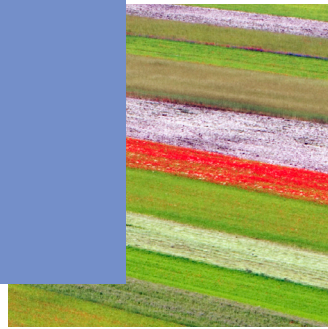


Employment Paris



French Employment law is a fast-evolving and complex area of law which is a major challenge for employers in France.

It is therefore important to manage and anticipate adequately social risks in France. It is from this perspective that our team takes a constructive and pragmatic approach with its clients, using the mechanisms of employment law as tools for a proactive management of the employment issues and solution-orientated advice rather than lengthy legal jargon.

Moreover, given the global market in which our clients operate, a sound understanding of the international business in which they operate when dealing with French employment issues is indispensable.

Simmons & Simmons offers to its clients the services of a team of specialist employment lawyers with an excellent understanding of the international environment in which Human Resources and Legal evolve to assist the client effectively.

Our employment law team offers an extensive range of services, notably in the following areas:

Our services

- Drafting or reviewing of employment documentation: contracts, policies, etc
- Non-compete obligations
- Cumulating officer position / employment contract
- Termination of employment: procedures, advice, drafting documentation, negotiation of settlement agreements
- Implementing individual and collective redundancies, redundancy programmes, social plans, restructuring and closure of offices or companies
- Reorganisation of companies further to mergers / acquisitions, etc: harmonisation of collective statuses and collective agreements
- Working time issues
- Assistance on negotiations with employee representatives
- Specific employee statuses: working from home, sales reps, door-to-door salesmen, medical representatives, executives (“forfait-jours” issue)
- Lending of employees, offences relating to the illegal subcontracting of labour
- Advice on moral harassment and discrimination issues
- Profit sharing schemes (PEE, participation, etc.)
- Remuneration issues (bonus and stock plans / European Regulations for banks).

International dimension

- Drafting international employment contracts. Advice regarding expatriation and secondments
- Dealing with social security issues facing such secondees and expatriates
- Pan-European policies.

Mergers and Acquisitions – Corporate Support

- Due diligence
- Negotiating and drafting warranties on employment issues
- Assisting in the information / consultation with employee representatives (namely works council)
- Providing assistance on the employment aspects of a transaction (TUPE regulations, collective agreements...).

Our litigation experience

- All kinds of litigation before employment, civil and criminal tribunals concerning dismissals, redundancies, non-compete, working time, collective claims from employees, injunctions, etc
- Litigation against Social Security administration in the “Tribunal des Affaires de Securite Sociale” (work accidents)
- Criminal proceedings (discrimination, harassment, illegal lending of employees).

Some recent transactions

Contractual documentation

- Assisting a large insurance company in drafting of worldwide policies and whistleblowing
- Reviewing and amending worldwide policies for various American groups

Redundancy – Redundancy programmes

- Assisting with the closure of numerous French subsidiaries of international groups of companies in different sectors (press, new technologies, industry, insurance, banks, etc.)
- Drafting redundancy schemes and social plans for companies in the banking, industrial life sciences and press sectors
- Drafting of “accord de methode” and assisting with collective redundancies for a company in the IT sector.

Working time

- Working time issue for pilots of a business airline company
- Drafting working-time agreements for various banks, life sciences and industrial clients
- Drafting an agreement concerning the reduction in working time and the setting up of a time savings account scheme for an investment bank.

Specific regulations

- Study on the status of door to door salesman in the context of French Employment Law for an American group of companies in this field
- Disciplinary procedure for a medical representative.

International dimension

- Drafting the expatriation and assistance policy of a large French group of companies in the Telecoms industry in order to cater for their expatriate employees
- Study of the law applicable to and implementation of restrictive trade agreements for an English group of companies in relation to a multi jurisdictional redundancy scheme
- Coordinating advice over 13 jurisdictions in order to assist a company in the transfer of its employees in the context of a sale of assets.

Litigation

- Representing an International Bank before the “Défenseur des Droits” in a discrimination claim
- Assisting and representing various companies (press, new technologies, etc.) before the “Tribunal de Grande

- Instance” with regard to disputes concerning the refusal of a works council to deliver its opinion on a project of sale of part of the activity
- Representing a business airline company before the labour court on whether French law is applicable to a pilot
- Representing an investment fund company in a high level collective litigation against 200 employees and unions before the Employment tribunal, Court of Appeal and High Court on a co-employment issue / reclassification within a group following a factory closure
- High-level litigation against senior executives litigating against their employers
- Representing various companies in different sectors before the criminal tribunal for moral harassment / discrimination claims.

Key contacts

Key contact biographies can be viewed at simmons-simmons.com

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