

# DI04 - Steering restructuring operations in France - Employment law aspects

Inter

Intra

## Thématique(s)

Droit International · Droit social · Le contrat de travail (formation, exécution, rupture)

La durée, le nombre de séances, les modalités (présentiel ou distanciel), les dates, les lieux et les tarifs varient selon les sessions. Consultez la page de la formation sur le site Fidal Formations ou contactez-nous pour connaître les modalités à jour.

## Objectifs professionnels

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- To provide operational employment law knowledge to HR Directors and executives of foreign companies contemplating restructuring operations in France

## Programme

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### 1. Introduction: impact of employment law of a restructuring operation

### 2. Points to be identified before undertaking a restructuring operation

- Mapping of staff representative bodies
  - Level of consultation of staff representatives (national, European, group) and procedural timelines
  - Workforce affected by the restructuring
- CASE STUDY : interactive preparation of the list of items to be checked

### 3. Different types of restructuring

#### a) Restructurings to improve competitiveness

#### b) restructurings to deal with a downturn or crisis situation

- The concept of "economic reasons"
- The broad lines of the procedure

- What is an Employment Protection Plan?
- The role of the Labor Administration
- Focal points :
  - Controlling the timeframes
  - Associated costs and risks
  - Managing protected employees

### **c) Role of staff representatives: consultation and expert appraisals**

## **4. Practical steering of the restructuring**

- The group's involvement in the decision-making process and the co-employment issue
  - Strategy vis-à-vis staff representatives
  - Relations with the Labor Administration and local administrations
- CASE STUDY CASE STUDY : based on a simulated situation, you will try to ask the right questions to ensure a successful restructuring

## **5. Terminations**

- Knowing the main ways of terminating the employment contract:
  - Dismissal for personal reasons
  - Dismissal for economic reasons
  - Negotiated termination
  - Constructive dismissal
  - Resignation
- Measuring the costs and risks
- Mitigating risks through settlement agreement

## **6. Executives' exposure to criminal liability**

- Understanding the extent of liability
- Guarding against criminal liability risks

## **Public concerné**

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- Dirigeant - Chef d'entreprise
- DRH / RRH

## **Pré-requis**

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- Acquisition

## Pédagogie

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- Formation associant aspects théoriques et surtout approche pratique.
- Remise d'un dossier technique spécialement conçu par FIDAL FORMATIONS.

## Intervenants

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Les intervenants, experts de leur domaine, sont précisés selon la session. Consultez la page de la formation sur le site Fidal Formations.

### Contactez Fidal Formations

Pour toute question sur cette formation, son financement, ses dates ou ses tarifs, contactez nos équipes.

#### Site

<https://www.fidalformations.fr/contactez-nous>

#### Email

[infos@contact.fidalformations.fr](mailto:infos@contact.fidalformations.fr)

#### Téléphone

[+33 \(0\) 1 58 97 10 00](tel:+332158971000)

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#### Fidal Formations

4-6 Avenue d'Alsace, 92400 Courbevoie, France.

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