

Overview of redundancy procedures on economic grounds



www.steeringlegal.com



I. Individual redundancy procedure on economic grounds



Individual redundancy procedure in case of no possible redeployment or an employee's refusal of redeployment

Invitation to the preliminary interview by sending a registered letter or by hand-delivered letter against a receipt

Preliminary interview: Economic reason Information about the "CR" scheme or proposal of the "CSP" scheme

> Notification of the redundancy by registered letter : "CR" scheme proposal

> Otherwise notificaction of "CSP"'s acceptance + reemployment priority

At least 5 workdays	7/15 workdays	
		CSF
		alst.

Notification to the French Administration ("DIRECCTE") (within 8 days after sending the redundancy letter)

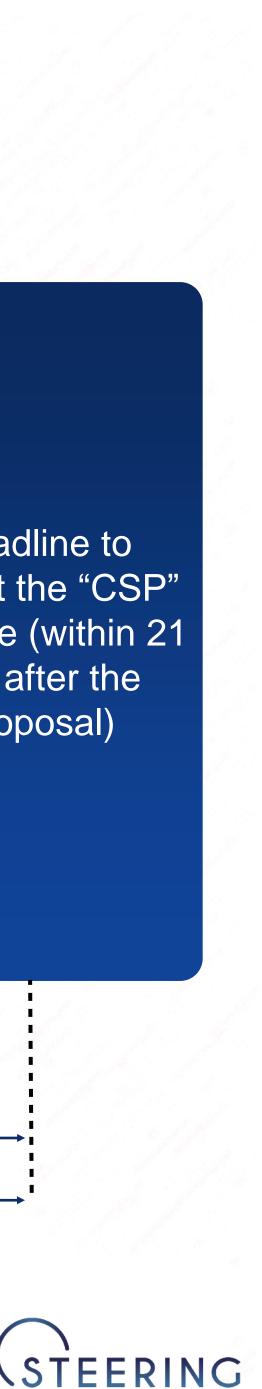
Deadline for accepting the "CR" scheme (within 8 days after letter's receipt)

Deadline to accept the "CSP" scheme (within 21 day after the proposal)

Redeployment leave : 8 days of cooling-off period for an employee

SP 21 day of cooling-off period for an employee







II. Redundancy procedure on economic grounds for 2 to 9 employees



Procedural timetables

DAYS (<i>D</i> = preliminary interview)	
D-15	To set the redund
D-7 (counted in workdays)	To set the invitati
D	At the preliminary - to provide an - to provide the
D+7	To notify the redu
D+15	Information of the Deadline to acce
D+21	Deadline to acce

Collective redundancy of 2 to 9 employees in a company without an Economic and Social Committee (ESC)

Notes

dancy criteria order and finding redeployment opportunities

tion to the preliminary interview

y interview:

n explanation on the economic grounds

ne "CSP" scheme documentation or information on "CR" scheme

undancy letters by registered letter

e DIRECCTE regarding the redundancy ept the "CR" scheme (Labor Code., Art R.1233-21)

ept the "CSP" scheme





Procedural timetables

DAYS (<i>D</i> = preliminary interview)	
D-14	To set the redunda
D-4	To invite the ESC v
D	To hold an ESC me
D+1	Invitation to prelimi
D+8	At the preliminary i - to provide an e - to provide the
D+15	To notify the redun
D+23	Information of the Deadline to accept
D+29	Deadline to accept

Collective redundancy of 2 to 9 employees in a company with an ESC

Notes

- ancy criteria order and finding redeployment opportunities
- with submission of supporting documents
- neeting and to gather its opinion (within 30 workdays)
- inary interviews
- interviews:
- explanation on the economic grounds
- "CSP" scheme documentation or information on "CR" scheme
- ndancy letters by registered letter
- DIRECCTE regarding the redundancy t the "CR" scheme (Labor Code., Art R.1233-21)

t the "CSP" scheme







III. Redundancy procedure on economic grounds for more than 10 employees



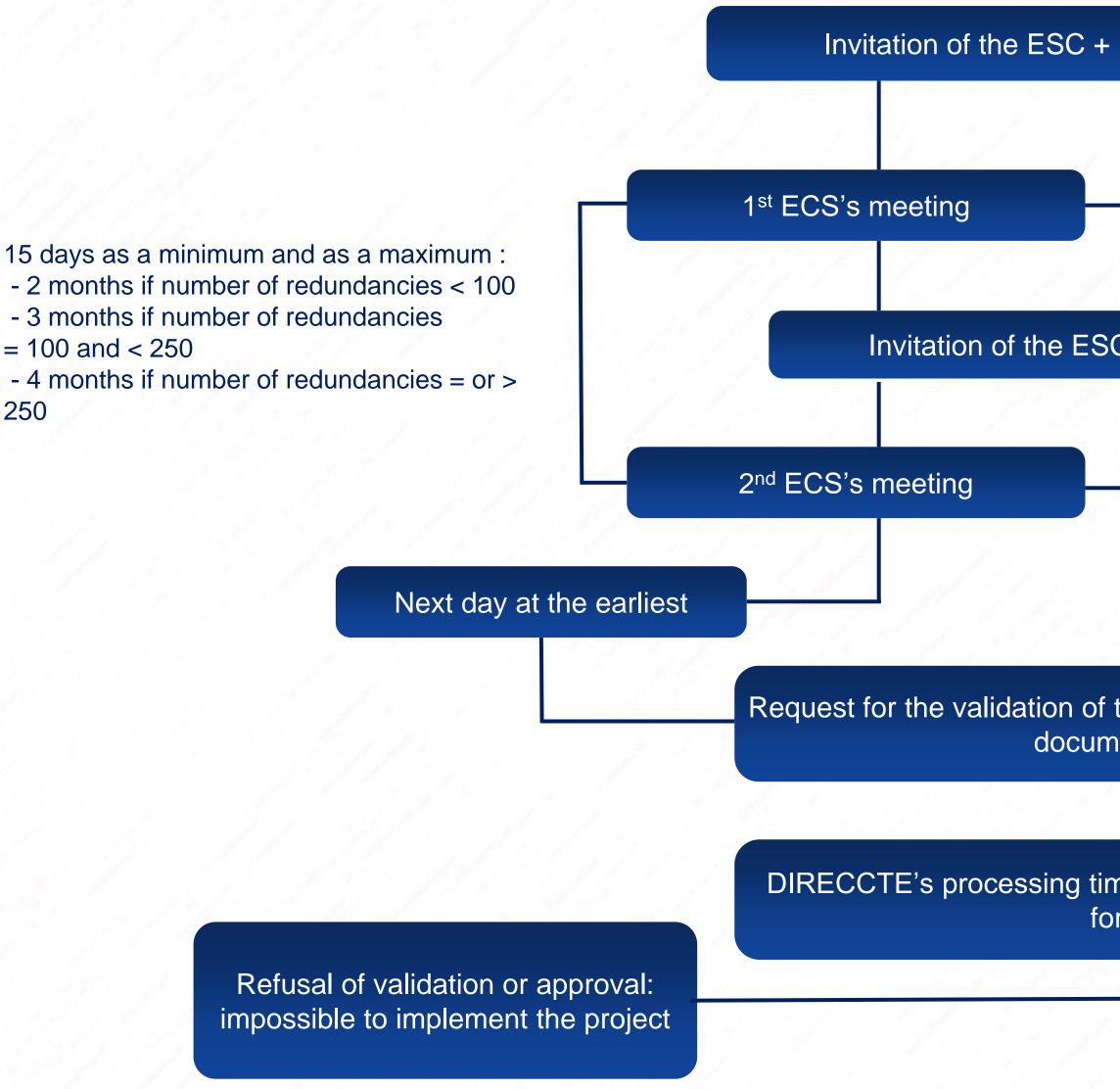
7

Redundancy of at least 10 employees within 30 days in a company over 50 employees with an ESC

1. WITHOUT AN EXPERT

= 100 and < 250

250



Invitation of the ESC + information of the DIRECCTE

Next day at the earliest

Invitation of the ESC + information provided by Direccte

Sending the minutes of the CSE's metting to DIRECCTE

Request for the validation of the majority agreement or approval of the unilateral document submitted to DIRECCTE

DIRECCTE's processing time of 15 days for a majority agreement or 21 days for an unilateral document

> Validation or approval by the DIRECCTE

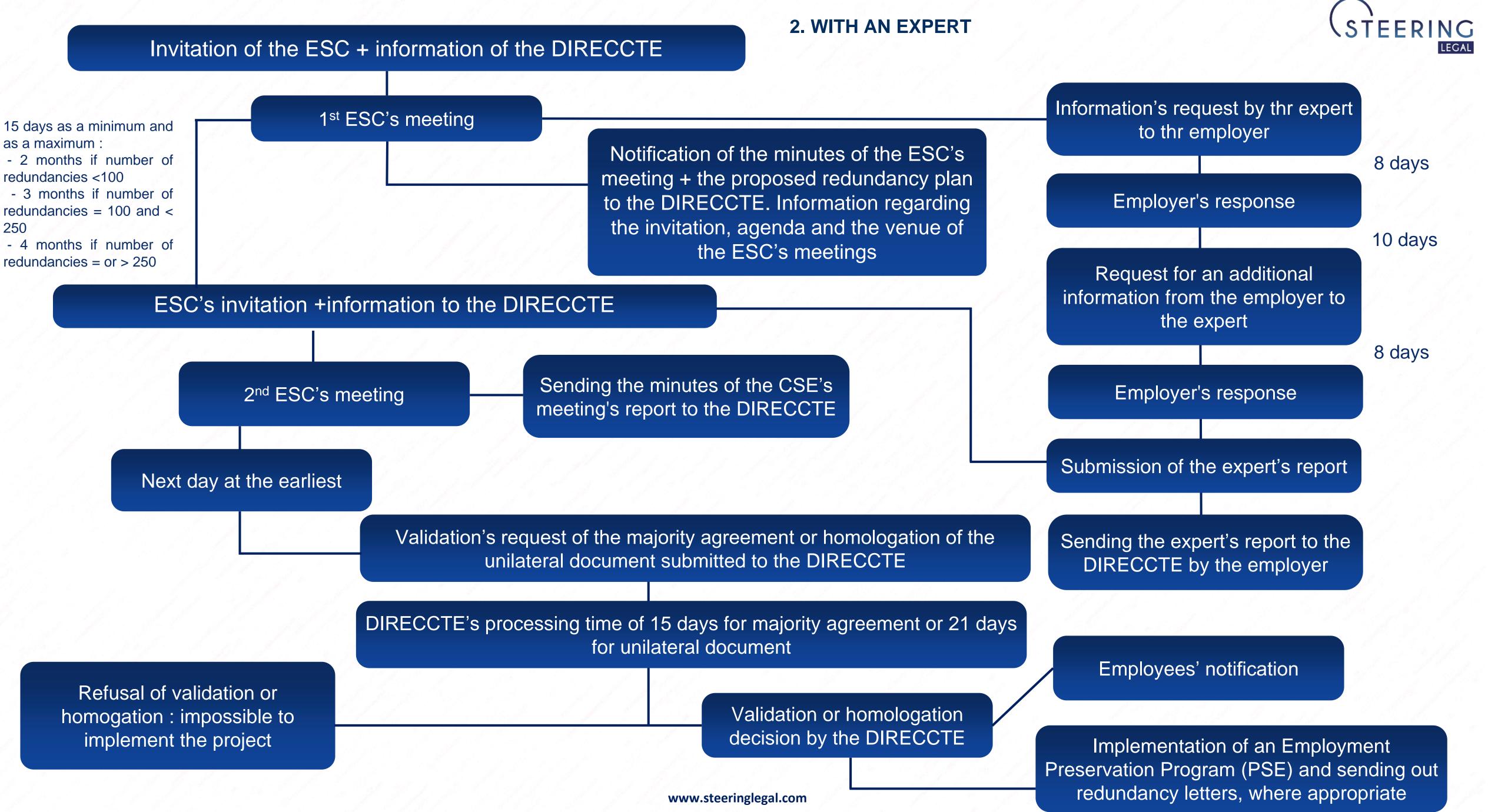
Employees' notification

Implementation of an Employment Preservation Program (PSE) and notifying redundancy letters, where appropriate

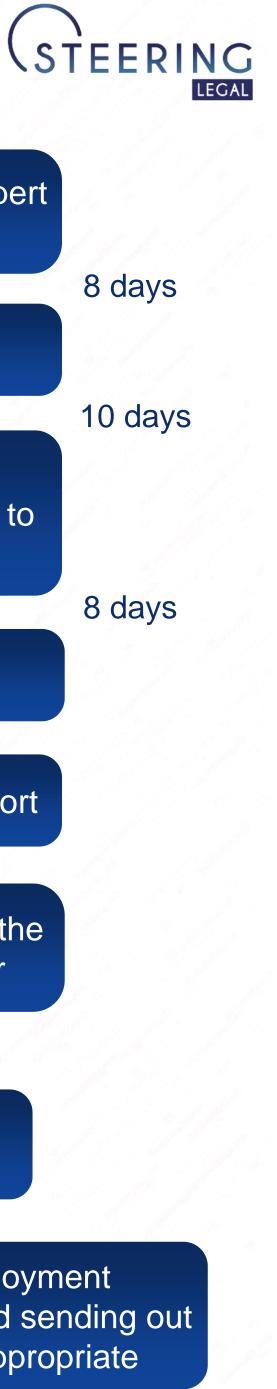
www.steeringlegal.com

Notification of the minutes of the ESC's meeting + redundancy plan to the DIRECCTE. Information regarding the invitation, agenda and ESC's meetings









THE TIMETABLE OF OPERATIONS

	and the state of the second
Days	
D	1 st ESC meeting
D+21	The expert has employer
D+36	The employer re
D+1,5 month	The expert shou
D+2 months	2 nd ESC meetin maximum
D+2 months+8 days	The DIRECCTE
J+2 months+21 days	The DIRECCTE

Notes

ig + an appointment of an expert

a 21-day time period to gather all the necessary information from the

replies to the expert within 15 days

ould submit his report within 15 days before the 2nd ESC meeting

ng + the ESC delivers its two advisory opinions within two months

E has 15 days to decide in case of a majority agreement

E has 21 days to decide on the employer's unilateral document













Assistance, advice and clients' support to Chief Executive, Executive Officers and Managers in their day-to-day labour relations, implementation of strategies and litigations.

2

Decision-making assistance by defining pragmatic goals and solutions.



Finding innovative solutions.

SOCIAL LAW

5

Consulting on labour strategy based on indepth knowledge of our clients' specific features, their activities and labor policy.

6

Experience in all professional areas allows us a cross-disciplinary understanding of the labour world, its functioning and its constraints.

> Gwenaëlle ARTUR gartur@steeringlegal.com +33 (0) 6 20 50 31 55







We provide a work method built on skills, intellectual rigor, and strong professional experience allowing us to assist our clients on every step of their corporate life, in every market, and at the highest legal and tax levels.

> Reactivity and availability 2

We share our clients' culture and methods, understand the challenges they are facing, and work hard to provide answer quickly by being available to answer all inquiries at any time.



Confidence is a key value, allowing us to move peacefully with our clients and devote all our energy in handling every case in order to build strong long lasting relationships considering that time is necessary to any kind of investment.



Proximity

The distribution of our offices in France and abroad allows us to support our clients regardless of the country or area of practice.

Pragmatism

5

Since the law is a tool for companies and not a constraint we always focus on our clients' success rather than adopting a dogmatic rigid legal position in order to find efficient and sustainable solutions from an economic standpoint.



We constantly look for efficiency in the solutions brought to our clients' projects and we are committed to identifying and implementing innovative legal strategies.



PARIS

STEERING LEGAL Paris 20, rue Fortuny 75017 Paris France +33 (0) 1 45 05 15 65 paris@steeringlegal.com

MARSEILLE

STEERING LEGAL Marseille 113, rue de la République CS 10491 13235 Marseille cedex 02 France +33 (0) 4 13 35 02 04 marseille@steeringlegal.com

ANGERS

STEERING LEGAL Angers Immeuble Le Carrousel 1, rue de Buffon 49100 Angers France +33 (0) 2 41 77 15 36 angers@steeringlegal.com

RIO DE JANEIRO

STEERING LEGAL Brasil / GMT 58, Rua da Assémbleia 4 andar - Centro Rio de Janeiro 20.011-000 Brasil +55 (21) 2224-9494 riodejaneiro@steeringlegal.com

SÃO PAULO

STEERING LEGAL Brasil / GMT 425, Líbero Badaró São Paulo 01009-905 Brasil +55 (11) 3115-3755 saopaulo@steeringlegal.com

PORTO ALEGRE

STEERING LEGAL Brasil / GMT Rua Dona Augusta, 34, Rio Grande do Sul Quartier Menino Deus Porto Alegre 90850-130 Brasil +55 (51) 32697300 portoalegre@steeringlegal.com

TOURS

STEERING LEGAL Tours 21, rue Edouard Vaillant 37000 Tours France +33 (0) 2 47 66 07 60 tours@steeringlegal.com

CLERMONT-FERRAND

STEERING LEGAL Clermont-Ferrand 6-8, place de l'Etoile 63000 Clermont-Ferrand France +33 (0) 4 73 16 33 41 clermont-ferrand@steeringlegal.com

FUJAIRAH

STEERING LEGAL UAE Creative Tower - Creative City PO Box 4422 Fujairah Emirats Arabes Unis +971 (0)4 513 5220 fujairah@steeringlegal.com

DUBAÏ

STEERING ADVISORY UAE In partnership with the firm Ali Naqi Advocates & Legal Consultants Office 402 - Saba Tower 1 Cluster E – JLT – PO Box 336863 Dubaï Emirats Arabes Unis +971 (0)4 513 5220 dubai@steeringlegal.com

ABIDJAN

STEERING LEGAL Côte d'Ivoire In partnership with the firm EKA Cocody les Deux-Plateaux COCOCE SIDECI - Carrefour SIB Rue K113 - Villa 155 - 08 BP 2741 Abidjan 08, Côte d'Ivoire +225 05 99 44 43 abidjan@steeringlegal.com

NIAMEY

STEERING LEGAL Niger In partnership with the firm Kadri & Associés Boulevard de l'Indépendance Cité Poudrière CI 18 - N°3927 Populaire cité Fayçal, BP 10.014 Niamey Niger +227 20 74 25 97 niamey@steeringlegal.com