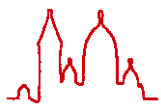


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Legal update: Criminal deeds under French labour law

Practice Group Labour law



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LONDON May 4th 2013 www.adam-caumeil.com

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PRACTICE AREAS



- French company law
- International trade law
- Sales representative law
- Labour law
- Product liability
- Collection of claims
- Insolvency law
- Transport law
- Maritime law

Criminal and Labour law: choosing the right path



Undeclared Work

- Activities covered by labour law, but not in conformity with its administrative and legal requirements.
- Excluded: criminal activities
emergency-related work

Undeclared Work in the French legal system I

Three offences of the same nature

- Undeclared activity
- Undeclared employee-related activity
- Using the services of an undeclared worker

Undeclared Work in the French legal system II

- Using undeclared services
- Client, beware!



Criminal liability

- 3-year imprisonment
- 45.000 Euros penalties
- Possible additional penalties



Civil liability

- Damages awarded to the employee
- Civil vs criminal liability

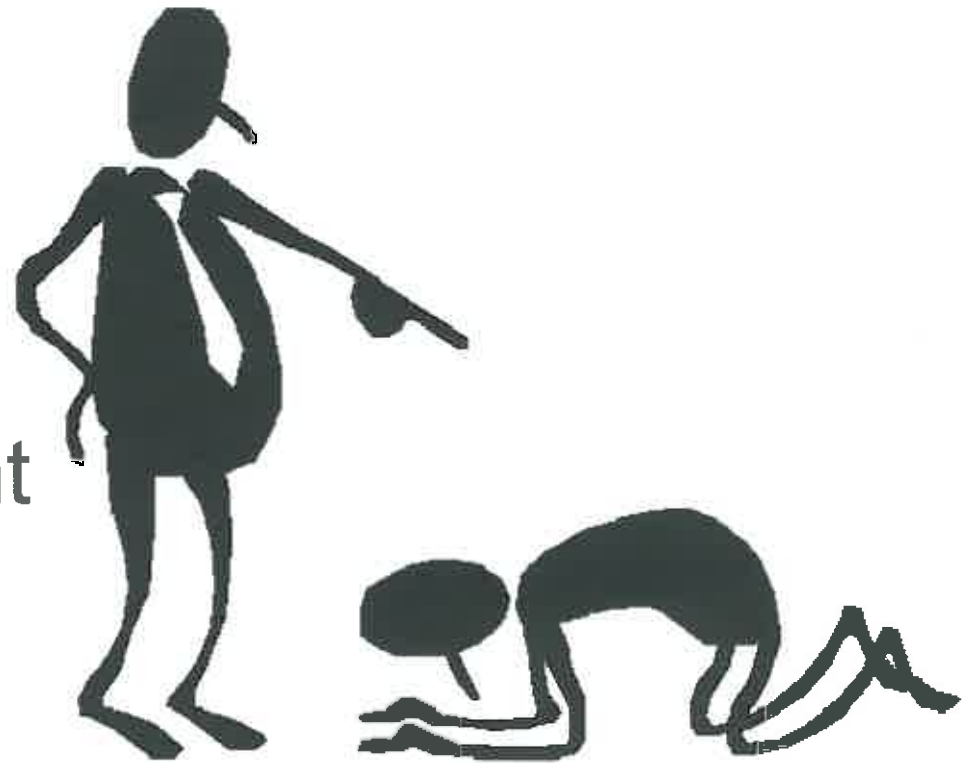
Moral harassment

- Dual protection: Labour law and Criminal law
- Offenders / Victims
- Definition in general terms



Moral harassment II

- Direct harassment
- Indirect harassment



Moral harassment III

- High penalties in theory
- Recommendations



Mutual harassment?

■ Essential question: Harasser or harassed?

*Answered by recent experience
in our legal practice*



Sexual harassment

- New more protective law
- Severe sanctions



Sexual harassment II

- Reactions of the employer
- General prevention rules

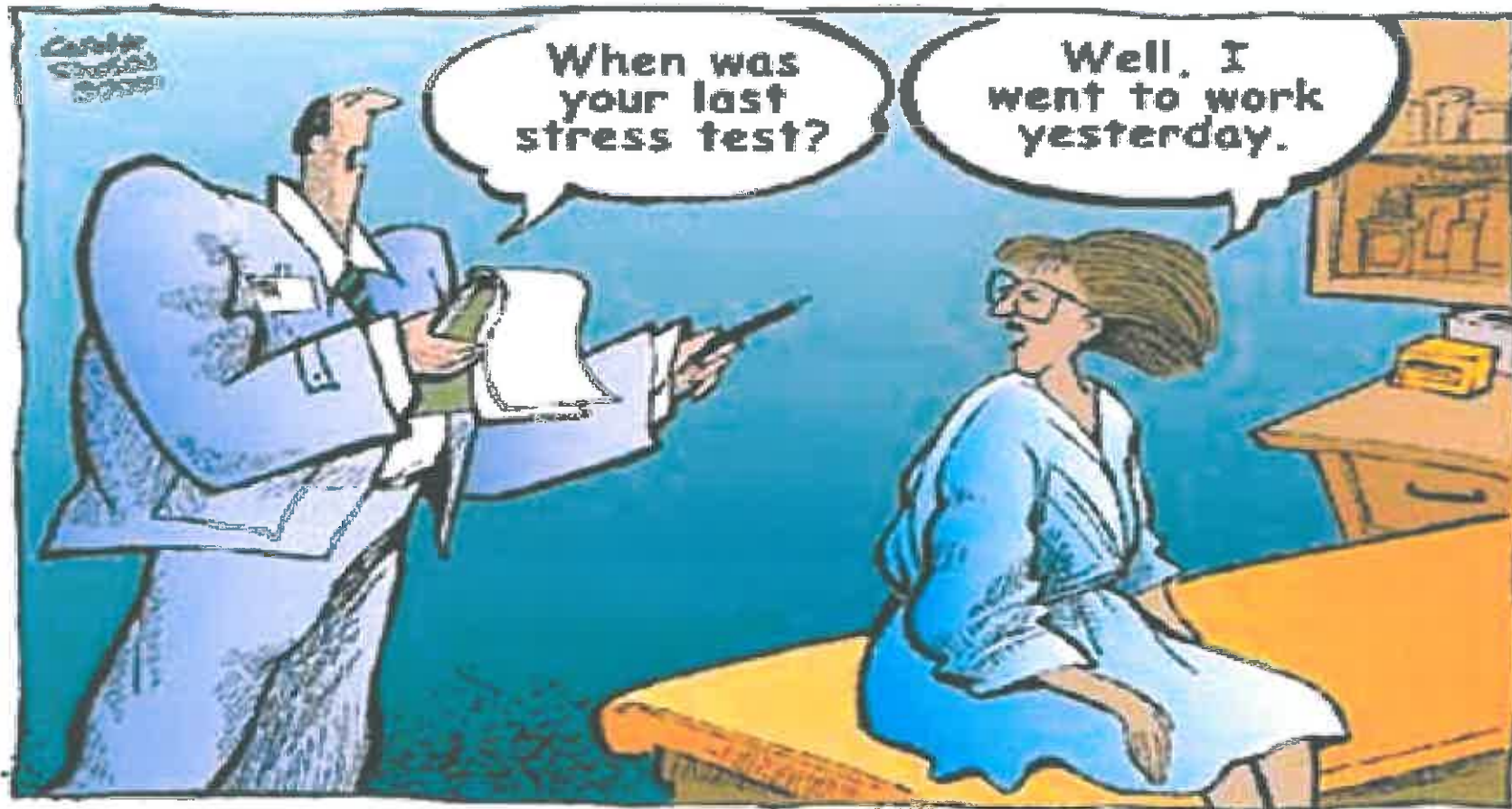


Sexual harassment and discrimination



"All the other women in the office are suing you for sexual harassment. Since you haven't sexually harassed me, I'm suing you for discrimination."

Employees under stress test



Being a good employer



French avocats and German Rechtsanwälte

- Avocats and Rechtsanwälte, more than 20 years experience
- Qualified translator for legal and financial documents





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