

Reminder: Mandatory career development review meetings must be held before March 7, 2016

Introduced by Law n°2014-288 of March 5, 2014 on vocational training, career development review meetings are now mandatory for all employees. Such meetings must be held before March 7, 2016.

Here is a brief reminder of the obligations imposed on companies in this respect.

When employees are hired, the employer must inform them that they will **benefit from a career development review meeting every two years**. This review will address the employee's career development prospects, especially in terms of professional qualifications and employment within the company.

Article L.6315-1 of the French Labor Code specifies that the purpose of this review meeting is not to assess the work and performance of the employee; as such, it should not be confused with the annual evaluation meeting. Yet, although both meetings must be distinguished, they may take place one after the other.

The career development review meeting is **held at the initiative of the employer** and the findings of the review meeting must be **recorded in a written document, a copy of which must be delivered to the employee**.

Every six years, the career development review meeting shall **include a status report** on the employee's career path within the company. This status report will help verifying whether the employee has, in the past 6 years, benefited from:

- biennial career development review meetings,
- **at least one training course**,
- certification points through training or through the validation of prior experience,
- **a salary increase or professional advancement.**

In companies with at least 50 employees, if, in the past six years, the employee has not benefited from the relevant career development review meetings and at least two of the three elements listed above, the employer must credit his/her Personal Training Account by 100 hours, increased to 130 hours for part-time employees.

In addition to this financial sanction that only applies to companies with at least 50 employees, it goes without saying that **any employer that does not comply with these obligations** could be **ordered by a court of law to pay damages** to the employee.

Practical terms and conditions governing this obligation:

Deadlines:

For employees hired before March 7, 2014, the career development review meeting must be held before **March 7, 2016** and every two years thereafter.

For employees hired after March 7, 2014, the career development review meeting must be held no later than two years after the hiring date, and every two years thereafter.

A career development review meeting must be systematically proposed to any employee who returns within the company following a maternity leave, a parental child-care leave, an adoption leave, a sabbatical leave, a family support leave, a secured voluntary mobility period^[1] and an extended sick leave.

Examples of issues that may be discussed during the career development review meeting:

- The employee's career path;
- The description of the employment position held by the employee as of the date of the career development review meeting;
- The significant developments of the employment position since the last career development meeting or the hiring date;
- The actions taken since the last career development meeting or the hiring date (training programs/certifications, etc.);
- The short- and medium-term foreseeable evolutions of the employee's position;
- The aspirations of the employees in terms of professional advancement;
- The contemplated and/or necessary timelines or actions.

^[1] Period during which the employment contract is suspended in order to enable the employee to carry on an occupational activity within another company (cf. Articles L. 1222-12 to L. 1222-16 of the French Labor Code).



Soulier Avocats is an independent full-service law firm that offers key players in the economic, industrial and financial world comprehensive legal services.

We advise and defend our French and foreign clients on any and all legal and tax issues that may arise in connection with their day-to-day operations, specific transactions and strategic decisions.

Our clients, whatever their size, nationality and business sector, benefit from customized services that are tailored to their specific needs.

For more information, please visit us at www.soulier-avocats.com.

This material has been prepared for informational purposes only and is not intended to be, and should not be construed as, legal advice. The addressee is solely liable for any use of the information contained herein.