

Emilie Ducorps-Prouvost

PARTNER

MEMBER OF THE PARIS BAR

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AVOCATS

Emilie is specialized in labor law and advises French and foreign corporate groups on all employment related issues.

Her practice focuses on national and transnational corporate reorganizations and restructuring transactions, transfers of employees, collective lay-off plans, voluntary separation plans, collective negotiated termination of employees, and she manages employment issues associated with corporate deals, including labor due diligence.

Emilie also advises companies in connection with information/consultation procedures with employee representative bodies, provides legal assistance in the preparation and implementation of collective bargaining agreements and counsels businesses on workplace harassment, discrimination, management and prevention of psychosocial risks and, more generally, on all issues related to health and safety at work. She also assists businesses and corporate officers in order to secure the implementation of means to monitor employees' activities as well as in the preparation of business codes of conduct.

Lastly, Emilie is highly experienced in (individual and collective) employment and social security litigation



Expertise

Selected Operation Summary

Advised French and foreign groups operating in various business sectors (healthcare facilities, chemistry, metallurgy, water and sanitation, engineering, consulting, IT services, internet, sports, etc.) on corporate reorganizations and restructuring transactions, including due diligence, compliance audit, assessment of financial risks, preparation of collective redundancy plans, voluntary separation plans, collective negotiated termination of employees, and transfers of employees under Article L 1224-1 of the French Labor Code

Managed the relationships between companies and salaried managing directors ("dirigeants salariés") and/or corporate officers ("mandataires sociaux") (drafting of the employment agreement or the corporate officer agreement, negotiation of the remuneration) and negotiation of termination packages

Drafted services agreements on behalf of French and foreign corporate groups (addressing the issues of concealed employment, illegal supply of employees and illegal subcontracting of labor)

Provided legal advice, prepared and adapted remuneration policies, bonus plans, employee savings and employee stock ownership plans to ensure compliance with French law

Structured chains of delegation of authority on behalf of and within several French and foreign groups

INDIVIDUAL AND COLLECTIVE
EMPLOYMENT

EMPLOYMENT AND SOCIAL SECURITY
LITIGATION

CORPORATE REORGANIZATION AND
RESTRUCTURING

COLLECTIVE BARGAINING

MANAGEMENT STATUS

DISCRIMINATION, HARASSMENT AND
HEALTH & SAFETY AT WORK

DATA PRIVACY, CODE OF CONDUCT AND
WHISTLEBLOWING

INTERNATIONAL LABOR MOBILITY

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Counselled and represented French and foreign groups in disputes concerning the breach of non-compete clauses, unfair competition practices, illegal poaching of employees and violation of trade secrets

Assisted French subsidiaries of international groups in implementing compliance policies (data protection and privacy issues), including preparation of computer and Internet use policies, business codes of conduct and whistleblowing procedures

Assisted French and foreign industrial groups in implementing psychosocial risk prevention policies (addressing various issues related to health and safety at work) and preparing appropriate action plans and the so-called "*Document Unique d'évaluation des risques professionnels*" (occupational risk assessment sheet)

Assisted foreign groups (operating in the pharmaceutical, medical device, nutrition, wholesale, etc. industries) in connection with claims from independent contractors seeking the recognition of an employee status

Represented French and foreign companies before French labor courts and social security courts (dismissal, reclassification of employment contracts, judicial termination, inexcusable conduct, etc.)

Background

- Latham & Watkins LLP, Paris, France, 2004-2011

Main Publications

- *L'intelligence artificielle va-t-elle bouleverser la relation de travail ?*, Actuel RH- Editions Législatives, August 2019
- *Global Comparative Guide Labour & Employment*, Mondaq, 2019
- *Global non-compete Guide*, World Law Group, 2018
- *Labor law and the challenges of Artificial Intelligence: 1st, 2nd and 3rd parts of a trilogy*, Mondaq, 2018
- *La mise en jeu de la responsabilité de la société-mère étrangère et la compétence du juge du travail français* Actuel RH- Editions Législatives, April 2017
- *Establishing a Business in France*, Practical Law, 2015
- *Establishing a Business in France*, Practical Law, 2014
- *WLG Global Guide to Whistleblowing Programs*, World Law Group, 2012
- *L'avenir de l'organisation du travail des cadres : vers un développement du télétravail ?* Entreprise & Carrières, July 2012

Credentials

- Co-led a conference on Brexit (International mobility of labor and business immigration issues) in partnership with Faegre Baker Daniels LLP and Lazard Frères Gestion, March 2017
- Co-led a breakfast meeting on the theme "*Professional Gender Equality: where do we stand?*", organized in collaboration with Alixio, a leading consulting firm specialized in social strategy and change management, March 2012.

Professional Associations

- AVOSIAL (Association of French business lawyers specialized in labor and employment law)
- The American Chamber of Commerce in France
- Co-chair of the WLG Human Resources Law Practice Group (a practice group that brings together lawyers specialized in labor & employment within the World Law Group, an international network of independent leading law firms)

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Education

- Postgraduate Degree in Corporate Legal Advice – Employment certification, University of Strasbourg, 2003
- Postgraduate Degree in Business Law, University of Strasbourg, 2003
- Postgraduate French-German Degree in Corporate and Business, University of Strasbourg, 2003

Languages

- French
- English
- German