

Fabien Pomart

PARTNER

MEMBER OF THE PARIS BAR

Soulier
AVOCATS

Fabien has over 17 years' experience in labor and employment law and advises and defends French and foreign groups on all labor and employment related issues.

He focuses his practice primarily on domestic and cross-border corporate reorganizations and restructuring transactions (downsizing, site closures, intra-group reorganizations, collective lay-off plans and redundancies, voluntary separation plans), the implementation of compensation and employee savings policies and international labor mobility, and he manages employment issues associated with corporate deals, including labor due diligence and the structuring of management packages.

He also advises businesses in their relationships with staff representative bodies in connection with information/consultation procedures and the implementation of collective bargaining agreements, and provides legal assistance on all issues related to safety, health and working conditions (unfitness for work, harassment, psycho-social risks, teleworking, implementation of ethical charters and codes of conduct).

In addition, he has a recognized practice advising and defending the interests of senior executives of large corporate groups.



Expertise

Selected Operation Summary

Assisted French and foreign groups operating in various industries (oil, airline, automotive equipment, water bottling, engineering, consulting, technology, Internet, energy, complementary health insurance, etc.) in connection with intra-group reorganizations, corporate restructurings and site closures: labor due diligence, compliance audit, assessment of financial risks, preparation of collective lay-off / redundancy plans, voluntary separation plans, harmonization of collective statuses

Managed relationships between salaried executives and/or corporate officers and companies (drafting of employment contracts or corporate mandates, negotiation of compensation) and negotiated terminations

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

Advised businesses in connection with the preparation and implementation of collective agreements concerning working hours, profit-sharing and incentive schemes, teleworking and gender equality

Assisted French and international groups in setting up employee representative bodies within group companies and at the group level

Provided legal assistance to subsidiaries of international groups in connection with the implementation of compliance policies (personal data and privacy issues) and the preparation and implementation of IT charters, codes of ethics and whistleblower procedure

CORPORATE REORGANIZATIONS /
DOWNSIZING

DUE DILIGENCE AND AUDIT OF
EMPLOYMENT PRACTICES

COMPENSATION POLICY / EMPLOYEE
SAVINGS

INDIVIDUAL AND COLLECTIVE LABOR
RELATIONSHIPS

HEALTH AND SAFETY AT WORK

INTERNATIONAL LABOR MOBILITY

MANAGEMENT PACKAGES

PERSONAL DATA

LABOR AND EMPLOYMENT LITIGATION

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Represented French and foreign companies before labor and social security courts (dismissal, judicial termination, recognition of the existence of a so-called economic and social unit, litigation with the French body responsible for collecting social security contributions, etc.)

Background

- Racine Avocats, Labor & Employment Department, Counsel, 2016 – 2019
- Taylor Wessing, Labor & Employment Department, Counsel, 2014 – 2016
- Lamartine Conseil, Labor & Employment Department, Partner, 2011 – 2014
- Bureau Francis Lefebvre, Labor & Employment Department, Senior associate, 2010 – 2011
- Allen & Overy LLP – Paris and London offices, Labor & Employment Department, Associate, 2001 – 2007

Main publications

- *Quelles démarches en cas d'inaptitude d'un salarié ?*, Legal Guide of La Tribune de Lyon, 2022
- *L'accord de performance collective : un outil d'adaptation des entreprises face à la crise sanitaire ?*, Legal Guide of La Tribune de Lyon, 2021

Credentials

- Lecturer, DJCE Master 2 program, University of Cergy-Pontoise, since 2010

Education

- Postgraduate Degree in Business Law / DJCE, University of Cergy-Pontoise; 1999
- Master's Degree in Business Law, University of Cergy-Pontoise; 1998

Languages

- French
- English