

## RULES OF PROCEDURE

drawn up pursuant to Articles L6352-3 and L6352-4 and R6352-1 to R6352-15 of the French Labour Code and applicable to any participant in the training provided by ESSEC on its Paris – La Défense campus.

### Article 1 - OBJECT AND SCOPE OF APPLICATION OF THE RULES

These rules apply to all persons participating in a training programme pursuant to Articles L6311-1 *et seq.* of the French Labour Code and organised by ESSEC (hereinafter referred to as "the training organisation") on its Paris-La Défense campus (hereinafter referred to as "the participants"). These rules apply for the duration of the training programme followed. A copy of this document is issued to each participant and is also available on the establishment's website ([www.essec.edu](http://www.essec.edu)).

The rules concern health and safety, the general and ongoing rules relating to discipline as well as the nature and scale of penalties that may be imposed upon participants infringing them, the procedural guarantees applicable when a penalty is envisaged and representation of the participants.

All participants must comply with the terms of these rules throughout the duration of the training programme.

### SECTION 1: HEALTH AND SAFETY RULES

#### Article 2 – GENERAL PRINCIPLES

It is essential to prevent the risk of accidents and illnesses and everyone is required to comply with:

- recommendations applicable with regard to health and safety on the training premises;
- any instruction given either by the management of the training organisation or by the manufacturer or trainer with regard to the use of equipment made available.

Each participant must therefore ensure his/her personal safety and that of others by complying, in line with his/her training, with the general and specific instructions on health and safety.

If the participant notices a failure in the security system, he/she must inform the management of the training organisation immediately.

Failure to comply with these instructions will subject the participant to disciplinary action (see section 3).

#### Article 3 – FIRE SAFETY INSTRUCTIONS

Fire safety instructions and, in particular, a plan locating the extinguishers and emergency exits, are displayed on the training organisation's premises. The participant should take note of them.

If the alarm sounds, the participant must stop any training activity and calmly follow the instructions of the authorised representative of the training organisation or emergency services.

Any participant witnessing the start of a fire must immediately call the emergency services by dialling 18 from a landline telephone or 112 from a mobile telephone and must inform a representative of the training organisation.

#### Article 4 - ALCOHOLIC DRINKS AND DRUGS

It is formally forbidden to bring drugs or alcoholic drinks onto the premises of the training organisation or consume them there. Participants must not enter the premises of the training organisation or stay there in an inebriated state or under the influence of drugs. Participants will have access, during breaks, to serving points distributing non-alcoholic drinks. The training organisation may organise events during which moderate quantities of alcohol may be served (awards ceremonies, end of course cocktail party, etc.).

### Article 5 – SMOKING BAN

Smoking is not permitted on the campus. It is strictly forbidden to smoke in the training rooms and, more generally, within the training organisation. Vaping also constitutes a breach of the smoking ban.

### Article 6 - ACCIDENT

Any participant who is the victim of an accident – occurring during training or during the journey time between the training premises and his/her home or his/her place of work – or a witness to this accident, must immediately inform the management of the training organisation.

The person in charge of the training organisation will take the appropriate steps to ensure treatment and make the declaration to the relevant Social Security fund.

### SECTION 2: GENERAL DISCIPLINE

#### Article 7 - ATTENDANCE OF THE TRAINING PARTICIPANT

##### Article 7.1. – Training timetable

Participants must comply with the timetable set and communicated beforehand by the training organisation. Non-compliance with this timetable may lead to penalties (see section 3).

Participants may not be absent during training hours except in exceptional circumstances.

##### Article 7.2. - Absence, lateness or early departure

In the event of absence, lateness or departure before the specified time, the participants must inform the training organisation and provide justification thereof. This declaration will be made to the person in charge of the designated programme.

The training organisation will immediately inform the financier (employer, public authority, OPCA, OPACIF, Region, job centre, etc.) of this event. Any event not justified by specific circumstances constitutes a fault subject to disciplinary action.

Furthermore, pursuant to Article R6341-45 of the French Labour Code, a participant whose remuneration is paid by the public authorities, risks having his/her training remuneration withheld in proportion to the duration of the absence. The participant also risks having to pay the costs of the hours of training not paid for by the public authorities.

##### Article 7.3. – Formalities related to monitoring the training

The participant is obligated to sign the attendance sheet as and when the training takes place. He/she may be requested to assess the training.

At the end of the training programme, the participant will be issued with an end-of-training certificate and a training attendance certificate to be sent, depending on the case, to his/her employer/public authority or to the organisation financing the training programme.

The participant must also provide to the training organisation, as soon as possible, the documents that it must complete in its capacity as service provider (request for remuneration or payment of costs related to the training, enrolment or entry into training certificates, etc.).

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#### Article 8 - ACCESS TO THE TRAINING PREMISES

Unless expressly authorised by the management of the training organisation, the participant may not:

- enter or remain on the training premises for purposes other than the training;
- bring in, allow to be brought in or make it easier to bring into the training premises persons foreign to the training organisation;
- sell goods or services on the training premises.

#### Article 9 - DRESS

The participant is invited to wear appropriate dress when attending the training organisation. Given the nature of the services provided and the geographical location of the establishment, business or casual business dress is recommended.

#### Article 10 - CONDUCT

Each participant is requested to act in a way that guarantees observance of the basic rules of social etiquette and interpersonal skills when working with others and the smooth progress of the training.

#### Article 11 - USE OF EQUIPMENT

Unless specifically authorised by the management of the training organisation, training equipment may only be used on the training premises and is reserved exclusively for training activities. It is not permitted to use the equipment for personal purposes.

The participant is obligated to keep the equipment entrusted to him/her for training in good condition. He/she must use it in the intended way and according to the rules issued by the trainer.

The participant will immediately inform the trainer of any fault in the equipment.

With regard to use of the Learning Center databases, the participant agrees only to use them personally, in the context of his/her training, and not to provide access to a third party.

### SECTION 3: DISCIPLINARY MEASURES

#### Article 12 – DISCIPLINARY ACTION

Any breach by the participant of any of the provisions of these rules for procedure may be subject to a penalty handed down by the person in charge of the training organisation or his/her representative.

Any conduct considered as incorrect, due to its nature and its seriousness, may be subject to one or other of the following penalties:

- call to order;
- written warning from the director of the training organisation or his/her representative;
- reprimand;
- temporary exclusion from training;
- permanent exclusion from training.

Fines or other financial penalties are not permitted.

The person in charge of the training organisation or his/her representative will inform the following of the penalty imposed:

- the employer or public authority (if the training is ordered by an employer or public authority);
- and/or the financier of the training.

#### Article 13 - DISCIPLINARY GUARANTEES

##### Article 13.1. - Information provided to the participant

No penalty can be imposed on the participant without the latter having been informed beforehand of the complaints against him/her.

However, when conduct considered as incorrect has made it essential to exclude the participant temporarily as a precautionary measure with immediate effect, no final penalty relating to this conduct can be imposed without the participant having been informed beforehand of the complaints against him/her and without the procedure described below having been carried out.

##### Article 13.2. - Notification to attend a meeting

When the director of the training organisation or his/her representative considers imposing a penalty, the following procedure is carried out:

- he/she notifies the participant – by registered letter with request for acknowledgement of receipt or handed over to the party in question against receipt – stating the object of the notification;
- the notification will also state the date, time and place of the meeting as well as the option to be assisted by a person of the participant's choice, who can be a participant or employee of the training organisation.

##### Article 13.2. - Possible assistance during the meeting

During the meeting, the participant can be assisted by a person of his/her choice, in particular the training representative.

The director or his/her representative must state the reason for the penalty considered and hear the participant's explanations.

##### Article 13.4. - Pronouncement of the penalty

The penalty cannot be pronounced less than one clear day or more than fifteen days after the meeting.

The participant will be notified of the penalty and the reasons for it in writing in the form of a registered letter or letter delivered against receipt.

### SECTION 4: REPRESENTATION OF THE PARTICIPANTS

#### Article 14 – ORGANISATION OF ELECTIONS

If decided by the programme management or as an obligation for training programmes of more than 500 hours, a regular delegate and an alternate delegate are elected at the same time in a single-person, two-round ballot, under the following terms:

- All the participants may vote and stand for election unless they are prisoners having been allowed to participate in the training programme.
- The ballot takes place during training hours, 20 hours at the earliest and 40 hours at the latest after the start of training.
- The person in charge of the training organisation is responsible for organising the ballot. He/she must ensure it goes smoothly. When representation of the participants cannot be assured, he/she will send a statement of absence of candidates to the prefect of the region that has territorial jurisdiction.

#### Article 15 - DURATION OF THE TERM OF OFFICE OF THE DELEGATES

The delegates are elected for the duration of the training. Their terms of office end when they stop participating in the training for whatever reason. If the regular delegate and the alternate delegate have ceased their terms of office before the end of the training, a new election will take place.

#### Article 16 - ROLE OF THE DELEGATES

The delegates make any suggestions to improve the progress of the training and the working conditions of the participants in the training organisation. They put forward any individual or group complaints relating to these matters, health and safety conditions and application of the rules or procedure.

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