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HONORAIRES PAR CHEQUE EST  
ACCEPTE

TVA intra-communautaire  
FR29353560188

Paris, April 24th, 2023

**INTRODUCTION TO FRENCH LAW II**

**Professor Michaël Amado**

**Summer 2023**

Introduction to French Law I or the Introduction to French Law offered in May 2022 is a prerequisite to this course. This one credit course will cover Criminal Law as well as Employment and Labor Law.

**UNIVERSITY REQUIREMENTS**

The link provides the university requirements for all syllabi:  
<https://provost.uiowa.edu/student-course-policies>.

**TEXTS**

"French legal system and French Law," Michaël Amado ("course pack"); various articles available online or on ICON

**COURSE EVALUATION**

There will be an oral exam at the end of the course. Separate instructions will be handed out for the exam. Oral participation in class will also be evaluated. The course grading will NOT be on the Iowa curve.

## **REACHING ME/OFFICE HOURS**

The best time to reach me, if needed, will be in the hour before class. You can email me at [michael.amado@avocats-amado.net](mailto:michael.amado@avocats-amado.net) or call me on WhatsApp at +33 6 85 22 00 57

## **ASSIGNMENTS**

You will find the assignments as separate readings on ICON or in the course pack on ICON. On Monday, class will meet 9:00am-9:50am (50 minutes), then 10 minute break, 10:00am-10:50am (50 minutes), 10 minute break, 11:00am-11:50am (50 minutes), and 12noon-12:50pm (50 minutes). On Tuesday, we will do a legal visit to the National Judge School (ENM), trial court, and appeals court in Bordeaux, for a total of approximately four hours. On Wednesday, we will do the 9:00-10:50 classes, and then go to the City Hall for two hours of class involving city level administration.

On Friday, there will be a 90 minute review period 9:00am-10:30am approximately. If questions finish earlier, then the review will be shorter. If the review goes longer, then the course evaluation period will start later. Approximately thirty minutes will be set aside to do course evaluations, i.e. 10:30-11:00am. When the course evaluations are finished, the final will begin, i.e. approximately 11:00am. I will be available via email or phone if you have any questions during the exam.

For class preparation, please note that the reading material is not evenly split between the days. For the first assignment, please read the material listed under hours 1-4.

## **ADDITIONAL INFORMATION**

**Recording:** The classes will not be recorded.

**Free Speech and Expression:** The University of Iowa supports and upholds the First Amendment protection of freedom of speech and the principles of academic and artistic freedom. We are committed to open inquiry, vigorous debate, and creative expression inside and outside of the classroom. For information on the university's policies on free speech and academic freedom, see <https://freespeech.uiowa.edu>. We will abide by these principles to the extent possible in France, which has different rules regarding these issues.

**Accommodations for students with disabilities:** Please contact Dean Carin Crain for any accommodation requests you may need in advance of leaving for France. She can be reached at [carin-crain@uiowa.edu](mailto:carin-crain@uiowa.edu), or +1-319-335-9648. The University is committed to providing an educational experience that is accessible to all students. We will comply with the university rules to the extent possible in France, which has different rules.

## LEARNING OUTCOMES

We aim for our students to be able to:

- Learn the basic French method of law-making and the role of the different norms (especially statutes compared to case-law);
- Understand the basic structure and institutions of the French legal system;
- Be able to compare the basic structure and institutions of French system to similar aspects of the American system;
- Be able to engage in oral legal discussion.

All French Codes can be found at: <https://www.legifrance.gouv.fr/initRechCodeArticle.do>

And the best free translator French/English, if needed, can be found at: <https://www.deepl.com/translator>

It may be difficult to find French Law materials written in English. The French Constitution and some texts in English can be found on the Parliament's website: <https://www2.assemblee-nationale.fr/langues/welcome-to-the-english-website-of-the-french-national-assembly> and on the Senate's website: <https://www.senat.fr/lng/en/index.html> but best is to translate texts in French directly from the Legifrance website.

## CONTENT OF THE COURSE

(subject to change)

**\*MONDAY MAY 22**

**Hours 1-4 Introduction to Employment and Labor Law**

### **1. EMPLOYMENT LAW**

#### **Readings:**

France: Employment and Labor Law: <https://iclg.com/practice-areas/employment-and-labour-laws-and-regulations/france> (3 pp.)

Norton Rose - Ten things to know about Labour and employment law in France (4 pp.)

Ogletree Dickins – Lexology – Employment & Labor Law in France (15 pp.)

French Labor Code – Dismissals & Lay off (8 pp.)

Covid19 and labor Law in France. (6 pp.)

**Course pack pp. 33-41**

1.1. The special sources of norms:

- . Labor Code
- . Collective agreements: "Conventions collectives," "Accords collectifs"
- . Unilateral decisions : "Usages et accords unilatéraux," "Règlement intérieur"

1.2. The creation and termination of the Employment relationship:

- . Contract of employment
- . Minimum wages and working conditions
- . Economic and non-economic dismissals
- . Unfair dismissal. Discrimination & harassment in employment

1.3. Industrial relations:

- . Trade unionism in France
- . Rights to collective bargaining & to workplace representation
- . Employee representatives

1.4. Disputes and settlements

**\*TUESDAY MAY 23**

**Hours 5-8**

**VISIT TO THE NATIONAL JUDGE SCHOOL, TRIAL COURT, APPELLATE COURT, IN BORDEAUX**

**5. CRIMINAL LAW**

**Readings:**

***Course pack pp. 31-32***

5.1 Individual responsibility. Actus reus ("Elément matériel"), mental element. Corporations

5.2. Categories of offences ("crimes," "délits," "contraventions")

ENM brochure

**\*WEDNESDAY MAY 24**

**Hours 9-10 drafting exercises**

**Hours 11, 12**

**Visit to Hotel de Ville to discuss local authorities.**

**\*THURSDAY MAY 25**

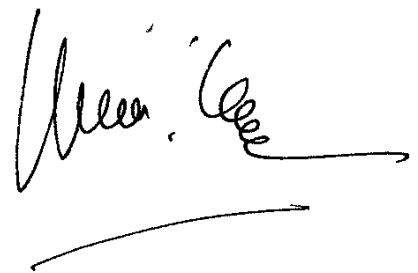
**Review, course evaluations, and Final Exam**

**Hour 13, 14, 15:**

Review of the course (approximately 1.5 hours)

Course evaluations (approximately 30 minutes)

Open book Examination (separate instructions will be given)



Michaël AMADO