

Mandatory interviews

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Preamble

HR interviews are key tools to promote the performance, development, and well-being of your employees.

It is important to note that, according to the Labor Code, only two interviews are mandatory: the professional interview and the one-day interview. On the other hand, the annual appraisal interview is only optional for the employer, even if in terms of employee motivation, it is essential.

These meetings are of major importance for the follow-up of your employees' careers and the optimization of your human resources. Our team is here to support you in setting up and conducting these interviews, in order to ensure effective management of your talent and compliance with legal obligations.

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1. The Professional Interview

1.1. Obligation and frequency

The professional interview is mandatory regardless of the size of the company and regardless of the nature of the employment contracts.

This interview must be carried out every 2 years, and systematically upon return from certain absences such as maternity leave, parental leave, sick leave of more than 6 months, etc.

1.2. Object

The professional interview is devoted to the prospects **for professional development**, particularly in terms of qualifications and employment.

During the interview, an assessment of the training and development action is proposed.

Finally, it is a reflection on the employee's future, on the position held and his or her professional project.

Every 6 years of the employee's presence in the company, the interview must make it possible to draw up an **inventory of the employee's professional career**, with a specific assessment.

During this interview, the employer must ensure that the employee has benefited from a professional interview every two years over the last 6 years. In addition, the employer must ensure that the employee has completed at least one training course, has acquired certification elements and has benefited from a salary or professional progression.

1.3. Risks

If a professional interview is not carried out, the employer commits a fault and is liable to pay damages to the employee.

In addition, in **companies with fewer than 50 employees**, when the employee has not benefited from a professional interview in the last 6 years, the employer **must top up the employee's personal training account** (CPF) by 3,000 euros.

Finally, it may be difficult for the employer to set up a redundancy.

2. The Appraisal Interview

2.1. Obligation and frequency

This appraisal interview is optional unless it is defined by a company agreement.

This interview can be organized on a yearly or half-yearly basis.

2.2. Object

The objective of the appraisal interview is to assess the employee's performance and skills. In addition, it will be necessary to take stock of the past period and define objectives.

2.3. Risks

We advise you to conduct appraisal interviews with your employees in order to avoid their demotivation and to prevent possible resignation.

The absence of an annual review can be a problem later on in justifying the employee's professional inadequacy.

3. Interview for an annual package agreement in days

3.1. Obligation and frequency

The employer is required to organise an annual interview with employees on an annual package agreement in days regardless of the size of the company.

The employer must arrange this interview with the employee at least once a year. The collective agreement that establishes the fixed number of days or, if applicable, the employer, may provide for several interviews during the year.

We advise employers to schedule at least 2 per year.

3.2. Object

The purpose of this interview is to ensure that the employee's workload is reasonable. Thus, it ensures the health and safety of the employee.

3.3. Risks

Failure to comply with this obligation will result **in the nullity of the annual package agreement in days**.

In addition, the employee will be able to request:

- The **balance of overtime** from the 35th hour. Indeed, the employee will be considered to have received remuneration for 35 hours per week.
- **Payment of** damages for non-compliance with maximum working hours, minimum rest periods and undeclared work.

This fact sheet contains summarized information. Please contact us for advice tailored to your situation. We cannot be held responsible for any misinterpretation.

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