

TERMS AND CONDITIONS

Valid as on May 25th 2020

I – PREAMBLE

The purpose of these Internal Regulations is to specify certain provisions which apply to all registrants and participants in the various courses organized by EFSTC in order to allow the courses offered to operate regularly. EFSTC will be referred to hereinafter as "training organization"; the people following the course will be referred to below as "trainees"; the director of EFSTC will be hereinafter referred to as "the head of training".

II - GENERAL PROVISIONS

Article 1

In accordance with articles L 6352-3 and R 6352-1 (and sequential) of the Labor Code, the purpose of these Internal Regulations is to define the general and permanent rules and to specify the regulations in terms of health and safety as well as the rules relating to discipline, in particular the sanctions applicable to trainees and their rights in the event of a sanction.

III - SCOPE OF APPLICATION

Article 2: Persons concerned

These Rules apply to all trainees registered for a session provided by EFSTC for the duration of the training followed. Each trainee is considered to have accepted the terms of these rules when he undergoes training provided by EFSTC and accepts that measures will be taken in his regard in the event of his non-compliance.

Article 3: Place of training

The training will take place either on the premises of EFSTC or on external premises. The provisions of these Regulations are applicable not only within the premises of EFSTC, but also in any premises or space accessory to the organization.

IV - HYGIENE AND SAFETY

Article 4: General rules

Each trainee must ensure their personal safety and that of the others by respecting the general and specific safety and health instructions in force at the training location. However, in accordance with article R.6352-1 of the Labor Code, when the training takes place in a company or an establishment already equipped with internal regulations, the health and safety measures applicable to trainees are those of this latter regulation.

Article 5: Alcoholic drinks

Trainees are prohibited from entering or staying in the establishment while intoxicated as well as from introducing alcoholic beverages.

Article 6: No smoking

In application of decree n° 2006 - 1386 of November 15, 2006 fixing the conditions of application of the ban on smoking in places used for collective use, smoking is prohibited in training rooms and more generally in pregnant with the training organization.

Article 7: Places of catering

EFSTC does not have catering facilities. Trainees are invited to take a joint meal in one of the nearby restaurants, at their own expense or that of their employer. People travel under their own individual responsibility.

Article 8: Fire instructions

In accordance with articles R. 4227-28 (and sequential) of the Labor Code, the fire instructions and in particular a location plan for fire extinguishers and emergency exits are displayed in the training rooms so that they are known to all trainees. In the event of an alert, the trainee must cease all training activity and will calmly follow the instructions of the authorized representative of the training organization or the emergency services. Any trainee witnessing the start of a fire must immediately call the emergency services by dialing 18 from a landline phone or 112 from a mobile phone and alert a representative of the training organization.

Article 9: Accident

Any accident or incident occurring during or during training must be immediately declared by the injured trainee or the witnesses to the accident, to the person in charge of the training organization. In accordance with article R. 6342-3 of the Labor Code, the accident occurring to the trainee while he is at the place of training or while he is going there or back, is the subject of 'a statement by the head of the training organization to the social security fund.

V – DISCIPLINE

Article 10: Dress and behavior

Trainees are invited to present themselves at the place of training in decent attire and to behave correctly towards any person present in the training organization.

Article 11: Internship hours

The training hours are fixed by EFSTC and brought to the attention of the trainees by the invitation. Trainees are required to respect these times. EFSTC reserves the right, within the limits imposed by the provisions in force, to modify the training hours according to the needs of the service. Trainees must comply with the schedules set and communicated beforehand by the training organization. Failure to respect these hours may result in sanctions. Except in exceptional circumstances, interns cannot be absent during the internship hours.

Article 12: Absences, delays or early departures

In case of absence, delay or departure before the scheduled time, the trainees must imperatively notify the training organization and justify themselves. The training organization immediately informs the financier (employer, administration, Fongecif, Region, Pôle emploi...) of this event. Any event not justified by particular circumstances constitutes a fault liable to disciplinary sanctions. In addition, in accordance with article R6341-45 of the labor code, the trainee whose remuneration is paid by the public authorities, is exposed to a deduction from his trainee remuneration proportional to the length of absence.

Article 13: Access to the premises of the organization

Unless expressly authorized by the training organization, the trainee may not:

- enter or stay in the training premises for purposes other than training
- introduce or facilitate the introduction of persons foreign to the organization
- proceed to the sale of goods or services.

Article 14: Use of equipment

Each trainee has the obligation to keep in good condition the material which could be entrusted to him for his training. Trainees are required to use the equipment in accordance with its purpose. The use of the material for other purposes, in particular personal is prohibited. At the end of the course, the trainee is required to return all material and documents in their possession belonging to the training organization, except for the educational documents distributed during the course.

Article 15: Recordings

It is strictly prohibited, unless expressly agreed, to record or film the training sessions.

Article 16: Educational documentation

The educational documentation provided during training sessions is protected by copyright and cannot be reused other than for strictly personal use. In particular, their reproduction by any process is prohibited

Article 17: Responsibility of the organization in the event of theft or damage to the personal property of trainees

EFSTC declines all responsibility in the event of loss, theft or deterioration of personal objects of any kind deposited by trainees in the training premises.

Article 18: Sanctions and disciplinary procedures

Any failure by the trainee to one of the provisions of these Internal Rules may be subject to a sanction or disciplinary procedure governed by articles R 6352-3 to R 6352-8 of the labor code reproduced after:

Article R6352-3

Constitutes a sanction, any measure, other than verbal observations, taken by the director of the training organization or his representative, following an action by the trainee considered by him to be at fault, that this measure is likely to affect immediately or not the presence of the person concerned in the internship or to question the continuity of the training he receives. The fines or other monetary penalties are prohibited.

Article R6352-4

No penalty may be imposed on the trainee without the trainee having been informed beforehand of the complaints made against him.

Article R6352-5

When the director of the training organization or his representative plans to take a sanction which has an impact, immediate or not, on the presence of a trainee in training, the procedure is as follows:

1° The director or his representative summons the trainee, indicating the purpose of the summons. This specifies the date, time and place of the interview. It is in writing and is sent by registered letter or delivered to the person concerned against discharge;

2° During the interview, the trainee may be assisted by the person of his choice, in particular the trainee delegate. The notice mentioned in 1 ° indicates this ability;

3° The director or his representative indicates the reason for the sanction envisaged and collects the trainee's explanations.

Article R6352-6

The sanction cannot intervene less than one clear day nor more than fifteen days after the interview. It is the subject of a written and reasoned decision, notified to the trainee by registered letter or delivered against receipt.

Article R6352-7

When the action made essential a temporary protective measure of temporary exclusion with immediate effect, no final sanction, relating to this action, can be taken without the procedure provided for in article R. 6352-4 and, possibly, in Articles R. 6352-5 and R. 6352-6, has been observed.

Article R6352-8

The director of the training organization informs of the sanction taken:

1° The employer, when the trainee is an employee benefiting from a training action within the framework of the training plan of a company;

2° The employer and the approved joint collecting body which paid for the training expenses, when the trainee is an employee benefiting from an individual training leave;

3° The approved joint collecting body which provided funding for the training action which the trainee benefited from.

VI - PUBLICITY AND EFFECTIVE DATE**Article 19: Advertising**

These rules are posted in the training rooms and on the training organization's website. It is applicable from its publication on the website of the training organization.