



NON-OFFICIAL TRANSLATION

SPECIFIC INSTANCE

“TELEPERFORMANCE IN FRANCE AND IN THE WORLD”

Statement of the French National Contact Point of 29 April 2020

The NCP acknowledges receipt of the specific instance concerning TELEPERFORMANCE about Covid 19

The French National Contact Point (NCP) for the implementation of the OECD Guidelines for Multinational Enterprises received a specific instance on 17 April 2020 submitted by the international trade union UNI Global Union concerning the French multinational enterprise TELEPERFORMANCE. UNI Global Union submits this specific instance jointly with four French trade union federations affiliated to it: CFDT Fédération Communication Conseil Culture, CGT-FAPT, CGT Fédération des Sociétés d'Etudes, and FO-FEC.

The specific instance raises issues about TELEPERFORMANCE's compliance with the OECD Guidelines in the context of the coronavirus pandemic in call-centers of the group located in France as well as in Albania, Colombia, Greece, India, Mexico, the Philippines, Portugal, the United Kingdom, and the United States of America. The specific instance deals in particular with enterprise's due diligence, the respect of human rights, health and safety in the workplace and freedom of association and of negotiation of workers.

The procedure for handling specific instances is provided for in the rules of procedure of the French NCP (NCP Bylaws) and in the Implementation Procedure of the OECD Guidelines for Multinational Enterprises (see diagram in annex). The procedure applies to the referral at hand:

- The specific instance procedure to the NCP is confidential.
- The specific instance is formally admissible. The NCP conducts the initial assessment of the specific instance. It must endeavor to realize it within an indicative period of three months. If the initial assessment is positive, it will examine the substance of the referral and propose its good offices to the parties in order to assist them in resolving their disputes and answering issues raised by the referral. If one of the parties refuses this offer for dialogue, the NCP will proceed directly to the conclusion step of the procedure, i.e. drafting of a final statement.
- The NCP will release a statement announcing its initial assessment decision. It will release a final statement after the conclusion of the procedure. It may address recommendations to the parties and decide to follow up on them. A follow-up statement may be released if necessary.
- The French NCP already coordinates its work with the six NCPs of countries that adhere to the OECD Guidelines concerned by this specific instance, namely NCPs of Colombia, Greece, Mexico, Portugal, the United Kingdom, and the United States of America. Their coordination arrangements will be specified during the initial evaluation.

Annexes:

- **Responsible Conduct for Enterprises and Covid 19 – French NCP Recommendations**
- **Diagram of the procedure to handle a specific instance by the French PCN**



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Responsible Business Conduct & Covid 19: Recommendations of the French NCP

In facing health, social and economic risks associated with the Covid-19 pandemic:

The French NCP invites companies and their stakeholders to take into account the OECD Note on Responsible Business Conduct and Covid 19.

- [Policy note on COVID-19 & Responsible Business Conduct](#)
- [Flyer on COVID-19 and Responsible Business Conduct](#)

The French NCP recommends that multinational enterprises operating in France and that French enterprises operating abroad should:

- Respect the OECD Guidelines recommendations on Occupational Safety and Health and on Public Health and Safety;
- Respect the OECD Guidelines recommendations on Enterprises Due Diligence, Human Rights, Employment and Industrial Relations, as well as international labour standards of the 1998 ILO Declaration and ILO Tripartite Declaration of Principles on Multinational Enterprises and Social Policy (5th edition, 2017);
- Favor social dialogue and constructive engagement with their stakeholders in the development of their prevention, management and, if necessary, remediation strategies to address Covid-19.
- Take into account [ILO](#) and [WHO](#) recommendations to enterprises about Covid-19 pandemic.

How the French NCP Handles a Specific Instance (« SI »)

