Professor and Union Whistleblower, A Calling… at Your Own Risk

This article follows a previous installment that, with supporting evidence, exposed management practices at KEDGE Business School. It addresses the administration's reaction to the May 31, 2025 publication and illustrates just how far some will go to stifle union criticism. True to our mission of informing and defending staff, we continue to exercise our right to sound the alarm. This new analysis is based on factual elements and documented evidence produced in court. It is fully in line with the principles of union freedom of expression and the duty to inform about working conditions and the protection of staff at KEDGE.

1. When Union Criticism Becomes a "Psychosocial Risk" … for HR

1.1. A Union Publication… and the RPS Retaliation

On May 31, 2025, the SNPEFP-CGT published an article denouncing, with supporting documentation, the management practices and abuses at KEDGE Business School (see "KEDGE Business School: Rien ne va plus!"). This strictly factual article mentioned no names. Yet on July 4, 2025, Human Resources notified Mr. Y that an RPS ("psychosocial risk") report, dated June 13, had been filed against him precisely by the person whom HR had been striving to shield since the start of the affair.

1.2. Timeline: From Union Report to Role Reversal

This person is now filing an RPS report against him, solely in reaction to the union article. Here is a chronological summary of the facts:

- **January 4, 2022:** Mr. Y files a claim with the labour court to have his 25 fixed-term teaching contracts reclassified as permanent.
- **May 24, 2022:** Explicit orders not to assign any further teaching to Mr. Y.
- **June 29, 2022:** Emergency court order recognizes imminent harm and orders continuation of the employment relationship.
- **August 16, 2022:** First RPS report filed against the department head with HR, documenting clear acts of marginalization.
- **October 14, 2022:** Findings of the joint committee (commission paritaire).
- **October 18, 2022:** Attempted dismissal of Mr. Y and actual dismissal of the professor who acted as a witness to the RPS report, both while on medical leave.
- **October 10, 2023:** Second attempt to dismiss Mr. Y.
- **November 23, 2023:** Production of a report (dated October 6, 2022) by HR contradicting the joint committee's findings, noting the department head's admission of refusing to assign courses to Mr. Y following his legal action.
- **October 25, 2024:** New RPS report with updated evidence.
- **October 29, 2024:** HR systematically rejects these reports, explicitly refusing to investigate on the grounds that the courts were already involved an argument with no legal basis, especially regarding psychosocial risks prevention.
- **January 7, 2025:** Third attempt to dismiss Mr. Y, with an effective termination date recorded.
- **May 31, 2025:** Publication of the union article.
- **June 13, 2025:** RPS report filed against Mr. Y following the article's publication.

1.3. The Complete Lack of Grounds for the RPS Against Mr. Y

Mr. Y, targeted by the RPS report of June 13, 2025, has had no direct or professional, nor even personal, contact with the person behind the report since October 7, 2021. No interaction occurred. Under these circumstances, it is difficult to justify any such report, for lack of any real interaction. After a long absence, Mr. Y only returned to KEDGE in September 2024 to deliver a few courses, ending in December 2024.

1.4. Legal and Managerial Consequences of Such Instrumentalization

Such schemes expose KEDGE management to public ridicule, totally discredit the procedure, and—by repeatedly targeting Mr. Y with imaginary scenarios, ignoring his actual absence—amount to harassment that, if repeated, could have serious legal consequences for those involved. It is all the more troubling that the RPS reporting procedure, intended to protect staff facing real workplace distress, is being twisted to target a union publication falling under the legally protected freedom of union expression.

Such misuse of the RPS report can perfectly well be reclassified as obstruction of union activity (a criminal offense under French law: Article L.2146-1 of the Labour Code) and as prohibited retaliation (Article L.1132-2 of the same code). Article L.2141-5 guarantees employees' freedom of opinion and expression, and specifically protects union activity. Therefore, diverting internal procedures to intimidate a unionist, by initiating a baseless investigation for "moral harassment," can amount to obstruction. Employers who engage in such tactics risk having their actions annulled, and may face criminal prosecution.

Let us recall that Mr. Y has faced several attempts at dismissal orchestrated by management, and three consecutive dismissal proceedings: October 18, 2022; October 10, 2023; and January 7, 2025. The accumulation of unfounded disciplinary procedures or internal complaints against a whistleblower can constitute both moral harassment and union discrimination.

Any such abusive conduct exposes the employer to serious legal consequences. The French Supreme Court (Cour de cassation) has ruled, notably, that a protected employee summoned to several disciplinary hearings (four in total, two of which were dropped) while in a vulnerable state suffered moral harassment: repeated and unfounded proceedings degraded his working conditions (Cass. soc., March 18, 2014, no. 13-11.174). In this context, it is at least surprising that a legal professional would ignore such jurisprudence.

1.5.Institutional Harassment During Medical Leave

Mr. Y was deliberately contacted on July 4, 2025, while on sick leave, in the context of a manifestly unfounded report: yet another attempt at pressure and a form of institutional harassment. What makes this situation even graver is that KEDGE management has been fully aware, for three years, of Mr. Y's diagnosis of Asperger's autism; nevertheless, exclusion and professional isolation measures have persisted.

2. Swift Dismissal of an Inconvenient Witness Severe Illness Included

Another revealing episode at KEDGE is the brutal dismissal, on October 18, 2022, of an international professor of American origin. This professor had agreed to testify on behalf of Mr. Y. He had notably reported, with supporting evidence, the disparaging remarks made about Mr. Y, as well as the orchestrated exclusion efforts, evidenced by a collective email sent on May 24, 2022, expressly ordering that Mr. Y be assigned no further courses. The

American professor, a direct witness to these practices, also attested to the pressures exerted and the instructions issued to sideline Mr. Y.

41 professors signed a petition condemning this brutal dismissal. The letter sent to the KEDGE association president, the general manager, and the then-dean demanded explanations and a response worthy of an institution claiming to embody ethics and responsibility. The result? Total silence.

Subject : scandalous treatment of a faculty member

Dear Sirs,

We are writing to you to call out the egregious and shameful treatment of a member of the faculty.

For an institution that preaches the values of responsibility, inclusivity and excellence, how can one justify that an employee suffering from cancer has been summoned to a preliminary disciplinary hearing on October 13, four days prior to hospitalisation. It was clear that our colleague was in a weakened condition, both physically and psychologically. Following this, the professor was summarily dismissed on October 18, less than 24 hours after undergoing major cancer surgery.

We denounce this toxic and unethical management and request an enquiry into the manner in which this procedure was conducted along with the underlying issues that led to the disciplinary hearing itself. Given the mistrust with which the Kedge HR department is viewed not only among the faculty but throughout the institution we demand that the investigation be carried out by external auditors.

A HR manager who claims that he feels "threatened" by a visibly sick colleague as was the case in the CSE meeting of October 20 is obviously showing bad faith.

All the signatories to this letter express their outrage at this extraordinary breach of ethics and claim protection in accordance with Sapin II whistleblower legislation (general interest clause).

Awaiting your réply

The American professor was summoned to a pre-dismissal interview just four days before undergoing major surgery for a particularly severe cancer. The decision to terminate was not delayed until he recovered: he was dismissed while still in convalescence, barely out of surgery, vulnerable and reeling from the ordeal, marked by the gravity of the intervention. The management, in a display of chilling calculation, made sure the letter of dismissal was sent the very morning after the operation. This sequence of events, utterly devoid of compassion, raises questions about the school's conception of humanity and professional dignity. To sacrifice all consideration for a man battling illness, just to eliminate an inconvenient witness, is to cross a line that offends the fundamental values of any academic community or society attached to basic human decency.

3. Conclusion

Beyond the facts reported here, this text aims to alert readers to systemic abuses that go far beyond mere "news stories." Above all, it is a call to denounce abuses of power, arbitrariness, and the lack of safeguards for employees in the face of an all-powerful hierarchy. While this article details specific, documented facts, it is also intended as a warning: refusing to normalize arbitrariness means defending all staff against practices which, if left unchallenged, will become entrenched. This fight is not only personal or union-based; it is a collective issue essential to preserving dignity and integrity at work, and to the protection of fundamental freedoms in private higher education.

What is at stake at KEDGE, in reality, concerns all institutions where the balance of rights and power is eroding to the detriment of the most vulnerable. Beyond the KEDGE case, there is a clear trend in private higher education: increased job insecurity, authoritarian management. Far from being a mere anomaly, the “KEDGE model” now appears emblematic of a broader shift among many institutions, where social dialogue is often sidelined in favor of immediate profitability and superficial communications.

If KEDGE stands out today, it is not only because of its pedagogical innovations but also for the originality of its social practices. As precariousness takes root in private higher education, the KEDGE affair is anything but anecdotal: it reveals a system, not just a series of individual slip-ups. Who still believes that the prestige of a top business school can be built on precarity and union repression? This approach is not without consequences: chronic stress, loss of trust in management, high turnover, and a toxic work environment.

Welcome to all the new professors: surely they, too, will soon appreciate the school’s approach to human resource management. Get ready to discover, from the inside, just what KEDGE management means by “managerial excellence.”