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Vaccination becomes mandatory for certain professions

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Illustration 1

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Staff in public or salaried health and medical-social institutions and services have until 15 September 2021 to be vaccinated, or until 15 October 2021 if they have already received a first dose of vaccine. But since August 7, 2021, they must present a certificate of recovery or a negative test if they are not vaccinated. Which professionals are involved?

A vaccination plan is complete:

- 7 days after 2^e injection for dual injection vaccines (Pfizer, Moderna, AstraZeneca);
- 28 days after injection for single injection vaccines (Janssen/Johnson & Johnson);
- 7 days after the vaccine was injected in people who had Covid-19 (only 1 injection);
- 7 days after the administration of an additional dose of a messenger RNA vaccine (Pfizer or Moderna) for persons fully vaccinated at the foreigner with a vaccine approved by the World Health Organisation (WHO) but not authorised or recognised by the European Medicines Agency (EMA).

Who are the professionals involved?

On September 15, 2021, except for a recognised medical contraindication, must be vaccinated:

- all staff (including administrative staff) of health establishments and hospitals of the armed forces, of medical and social establishments (Ehpad, USLD, self-catering residences, disabled facilities with or without accommodation and including non-medical facilities), of social establishments attached to a health establishment (LHSS, LAM, CSAPA, CAARUD, CLAT, CEGGID);
- staff of health centres and homes and free information, screening and diagnostic centres;
- all professions in Book IV of the Code of Public Health, whether or not they are recognised as such, and professions for the use of titles (doctors, midwives, nurses, psychologists, osteopaths, etc.), as well as their employees (e.g. medical secretaries, dental assistants);
- students or pupils in institutions preparing for the exercise of health professions;
- home care workers working with persons working for the APA or the PCH, as part of home care services or as employees of individual employers;
- personnel of the sanitary transport companies (including taxis);
- fire-fighters (professionals and volunteers) of fire and rescue services;
- Civil security pilots and flight attendants providing assistance to victims;
- military personnel of units permanently assigned to civilian security missions;
- members of approved civil security associations;
- staff in preventive medicine and health promotion services;
- occupational health service personnel.

Not subject to the vaccination obligation:

- outside company employees who work on these premises on a one-off basis, i.e. on a non-recurring basis for very short-term tasks; However, these one-off players will submit a health pass from 30 August 2021 (<https://www.service-public.fr/particuliers/actualites/A15104>).
- persons who have demonstrated a contraindication to vaccination (<https://www.service-public.fr/particuliers/actualites/A15102>).

Please note : To facilitate vaccination, employees (<https://www.service-public.fr/particuliers/actualites/A14803>) and public officials (<https://www.service-public.fr/particuliers/actualites/A15050>) are granted leave of absence to attend the vaccination appointments. Their employer may also grant them permission to accompany their minor children to vaccination.

FYI : According to a note by the General Directorate of the National Gendarmerie (DGGN) dated 17 August 2021, gendarmes on the ground or in contact with the public are also concerned by the vaccination obligation.

Progressive implementation

Facilities are planned until 15 October 2021:

- **from 7 August 2021 until 14 September 2021:** health professionals who do not have a complete vaccination plan are given the opportunity to present a certificate of recovery or a non-contamination test or a medical certificate of contraindication, which may include a date of validity;
- **from 15 September 2021 until 15 October 2021:** professionals subject to the vaccination obligation shall be allowed to carry out their activity provided that they can justify the administration of at least one of the doses required under the multi-dose vaccination plan and present the negative result of a virological test.

From 16 October 2021, the persons concerned must justify to their employer that they have a complete vaccination plan or that they are not subject to it because of a medical contraindication or a recovery following contamination by Covid-19. Certificates of medical contraindication or recovery may be presented to the appropriate occupational physician. The latter shall then inform the employer without delay of the fulfilment of the vaccination obligation with, where applicable, the date until which the certificate transmitted is valid.

Failure to comply with the vaccination obligation

Failure to comply with the vaccination obligation

As of 15 September 2021, checks will be carried out and sanctions will be imposed if necessary. Failure to vaccinate on time may result in employees or public officials being suspended without pay.

The suspension imposed by the employer shall apply from the date of notification to the agent, and may be delayed if the agent uses days of rest or leave. The suspension shall end as soon as the public official fulfils the conditions necessary for the performance of his activity.

Dismissal in case of failure to vaccinate Covid is not possible.

➔ **FYI :** As part of the extension of the health pass and the obligation to vaccinate, the Ministry of Labour has posted two documents to answer the questions of employers and employees: [a question and answer concerning the obligation to vaccinate or hold a health pass for certain professions](https://travail-emploi.gouv.fr/le-ministere-en-action/coronavirus-covid-19/questions-reponses-par-theme/QR-pass-sanitaire-et-obligation-vaccinale) and a brochure, *Employers and employees: I get vaccinated*. Find all information about [employment.govt.fr](https://travail-emploi.gouv.fr/le-ministere-en-action/coronavirus-covid-19/protection-des-travailleurs/vaccination-pass-sanitaire-au-travail).

In addition, the Ministry of Health is proposing a [frequently asked questions for healthcare professionals](https://solidarites-sante.gouv.fr/grands-dossiers/vaccin-covid-19/je-suis-un-professionnel-de-sante-du-medico-social-et-du-social/obligation-vaccinale).

Statute and miscellaneous references

- Circular of 10 August 2021 on measures arising from the Law on the Management of the Health Crisis applicable to public officials of the State [↗](https://www.fonction-publique.gouv.fr/files/files/textes_de_reference/2021/20210810-circulaire-gestion-crise-sanitaire.pdf)
- Act No. 2021-1040 of 5 August 2021 on the management of the health crisis [↗](https://www.legifrance.gouv.fr/eli/loi/2021/8/5/PRMX2121946L/jo/texte)

Additional topics

- Work and Covid-19: what are the rules? [↗](https://www.service-public.fr/particuliers/vosdroits/F35217?lang=en)
- Occupational health protocol: what changes since 1 September? [↗](https://www.service-public.fr/particuliers/actualites/A15099?lang=en)
- Which professionals must present their health pass since August 30th? [↗](https://www.service-public.fr/particuliers/actualites/A15104?lang=en)
- Sanitary Pass: the certificate of recovery is now kept for 6 months [↗](https://www.service-public.fr/particuliers/actualites/A15101?lang=en)

For more information, please contact

- Updated Q&A on the State Public Service's response to the epidemic (PDF - 4.6 MB) [↗](https://www.fonction-publique.gouv.fr/files/files/covid-19/FAQ-actualisee-9-septembre-2021.pdf)
Ministry of Public Service
- Implementation of the health pass obligation in health, social and medico-social institutions (PDF - 1.1 MB) [↗](https://solidarites-sante.gouv.fr/IMG/pdf/consignes_obligation_vaccinale_passe_sanitaire_110821.pdf)
Ministry of Solidarity and Health
- Institutions and services for the elderly and disabled (PDF - 1.1 MB) [↗](https://www.normandie.ars.sante.fr/system/files/2021-08/Covid-19-Actualisation%20des%20mesures%20de%20protection-%20Etablissements%20et%20services%20PA-PH-10.08.2021.pdf)
Ministry of Solidarity and Health
- Q&A - Requirement to Obtain Vaccination or Health Pass for Certain Occupations [↗](https://travail-emploi.gouv.fr/le-ministere-en-action/coronavirus-covid-19/questions-reponses-par-theme/article/obligation-de-vaccination-ou-de-detener-un-pass-sanitaire-pour-certaines)
Ministry of Labour
- Vaccines (Government website) [↗](https://www.gouvernement.fr/info-coronavirus/vaccins)
Prime Minister