

MEDECINE DU TRAVAIL – OCCUPATIONAL MEDECINE Health & Safety

As soon as its first employee is hired, any new company in France must join a local Occupational Medicine center close to its head office. If the company hires staff working remotely, the Occupational Medicine center must be close to the employee's home address.

Since January 1, 2017, the hiring medical visit is replaced by the information and prevention visit (Vip), El Khomri law of August 08, 2016 - Decree of December 27, 2016 n° 2016-1908. This information visit is compulsory for all employees on fixed-term or permanent contracts and regardless of the duration of the contract. However, trainees are not subject to this visit.

1. What is the Vip ?

The purpose of Vip is:

- to question the employee on her/his state of health,
- inform her/him of the risks associated with her/his work,
- raise awareness of the means of prevention to be implemented,
- and to inform her/him of her/his right to benefit, **at any time**, from a visit at her/his request with the occupational doctor.

The Vip is conducted:

- either by the occupational doctor (who practices in an occupational health service),
- or by a health professional (for example, a medical intern or a nurse).

At the end of any VIP, an occupational health medical file is established and the occupational doctor or health professional issues a follow-up work certificate to the employee and the employer.

In the event of assignment to a high-risk position (asbestos, lead, etc.), the worker benefits from reinforced individual monitoring, article R.4624-23 of the Labour Code. The same applies to any post for which the assignment is subject to a specific aptitude examination.

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2. Frequency of the VIP

This visit is carried out within a **maximum period of 3 months** from the effective start of the work. However, for night workers and employees under the age of 18, this visit must be carried out before their assignment to their post, so before the start of the trial period.

At a minimum, the employee must undergo a visit every 5 years.

The information and prevention visit is not compulsory for the employee who has benefited from such a visit in the 5 years preceding her/his employment if:

- She/he occupies an identical job and presents equivalent risks of exposure,
- occupational medicine is in possession of the latest follow-up work certificate or the last opinion of suitability,
- no individual measure (conversion, adaptation of the position, etc.), or any unfitness notice has been issued in the past three years (Article R.4624-15 of the Labour Code).

These are cumulative conditions.

Please note:

- **Pregnant women, women who have just given birth or who are breastfeeding**, are referred at the end of the information and prevention visit or when they wish, to the occupational doctor who organizes a new visit whose purpose is to suggest if necessary, post adaptations or change of assignment.
- In the case of **temporary employees**, the VIP can be performed for several jobs up to a limit of 3. (Article R.4625-10 of the Labour Code).

3. Consequences of these visits on working time

The time spent for Vip and medical examinations, including additional examinations, is:

- taken from the employee's working hours without any deduction of wages being made
- or be remunerated as actual working time when these examinations cannot take place during working hours.

Travel costs are paid by the employer.

Please Note: it is the full responsibility of the employer, who is bound by a general obligation of safety of result, to ensure the protection of the health of her/his employees. It is the employer's initiative to organize appointments with the occupational doctor. In order for SEDI to be able to help you meet this obligation, you must inform us of any sick leave for employees and send us the necessary documents and notify us of the dates of resumption of work. Without this information, SEDI cannot be held liable for non-compliance with applicable laws.

Source : service-public.fr ; [légisocial](http://légisocial.fr) ; village-justice.com.

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