



## HEALTH AT WORK

# PREVENTION OF RISKS

**On March 31, 2022**, numerous provisions to reform occupational health came into force.



## 01 OBLIGATIONS UNDER THE SINGLE RISK ASSESSMENT DOCUMENT ARE STRENGTHENED

Each company must have a Single Document for Occupational Risk Assessment (DUER) which must be updated with each occurrence or evolution of a risk.

**As of April 1, 2022, new obligations are required:**

- For enterprises with 11 or more employees, the DUER must be updated at least once a year.
- Are parties to the drafting:
  - **The Social and Economic Committee (CSE) and the Health and Safety Commission Working Conditions (CSSCT);**
  - **The occupational hazard prevention worker and the Prevention and Occupational Health;**
- The establishment or updating of the DUER must be followed by risk prevention and employee protection measures.
- Each version of the DUER must be kept for 40 years, and made available to interested persons in paper or paperless format. As of September 30, 2022, the DUER must be deposited on a dedicated platform.

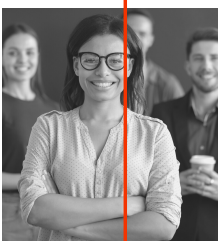


## 02 HEALTH AND SAFETY TRAINING AND WORKING CONDITIONS FOR ELECTED STAFF MEMBERS AT THE CSE IS CONSOLIDATED

When they are elected to the ESC, employee representatives must be given health and safety training if they so request. As of March 31, 2022, this training is:

Organised by the employer even in the absence of a request;  
Of a minimum duration of 5 days (3 in case of re-election.)

- Partly financed by OPCOs for enterprises with less than 50 employees.





## 03 CONSULTATION ON QUALITY OF LIFE AT WORK IS MODIFIED

In companies with trade union sections of representative trade unions, a consultation on the Quality of Life at Work must be organised every 4 years. As of March 31, 2022, this consultation must also cover working conditions.



## 04 THE DEFINITION OF SEXUAL HARASSMENT IS COMPLETE

Since March 31, 2022, the definition of sexual harassment in the Labour Code has evolved to be closer to the definition in the Penal Code.

### Article L. 115361 of the French Labour Code is amended:

#### No employee is to be subjected to facts.

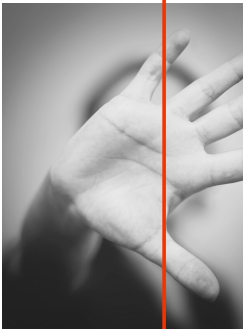
1) Sexual harassment, consisting of repeated sexual or sexist comments or behaviours that either undermine one's dignity because of their degrading or humiliating character, or create an intimidating, hostile or offensive situation against one;

#### Sexual harassment also includes:

a) When the same employee undergoes such remarks or behaviors from several persons, in a concerted manner or at the instigation of one of them, even though each of these persons has not acted repeatedly;

b) When the same employee undergoes such remarks or behaviors, successively, coming from several people who, even in the absence of consultation, know that these remarks or behaviors characterize a repetition;

2) Or assimilated to sexual harassment, consisting of any form of serious pressure, even not repeated, exercised for the real or apparent purpose of obtaining an act of a sexual nature, whether it is sought for the benefit of the perpetrator or for the benefit of a third party.



The legal department remains at your disposal to study the management of your staff. Do not hesitate to contact us.