

iGlobal Law : 2022 Annual Update : France

Legal Change	Effective Date	Action required
<p>Mutual termination agreement (“<i>rupture conventionnelle</i>”)</p> <p>The validity of a <i>rupture conventionnelle</i> is subject to the approval of the executed agreement by the French Labour Administration (the “Dreets”).</p> <p>As of 1 April 2022, a standard form must be submitted to the Labour Administration for approval by electronic means only, via “TéléRC”.</p>	1 April 2022	Employers should update current internal processes.
<p>Partial activity scheme (“<i>activité partielle</i>”) – Exceptional measures</p> <p>Several partial activity schemes that were implemented to manage the Covid-19 pandemic and crisis were extended until 31 December 2022 at the latest (the date will be set by decree). It includes an extension of the rules on eligibility, which are extended to some employers and employees who were in principle excluded from this scheme (notably foreign companies with no establishment in France and which employ at least one employee in France).</p>	1 January 2022 (to be confirmed)	Keep an eye of the decree to come.
<p>Partial activity scheme (“<i>activité partielle</i>”) – Update of the French Labour Code</p> <p>Some temporary measures relating to the partial activity scheme during the Covid-19 pandemic are now integrated into the French Labour Code. The partial activity scheme is permanently extended to:</p> <ul style="list-style-type: none"> - Employees on an annual working days scheme (“<i>forfait jours</i>”). The determination of the number of hours taken into account for the partial activity indemnity and allocation will be calculated by converting the number of days or half-days into hours; - Employees to whom legal or conventional provisions relating to working hours do not apply (sales representatives, home workers paid by task, freelance journalists, entertainment workers, etc.); and - Senior executives (“<i>cadres dirigeants</i>”), in the event of temporary closure of an establishment. 	1 January 2022 (to be confirmed)	
<p>Compliance with disabled workers hiring obligation</p> <p>The obligation to employ disabled workers (“<i>OETH</i>”) implies the calculation of the employment rate on a specific period of reference: the period to be considered to assess the number of employees was the year preceding the year to be reported.</p>	1 January 2022 (to be confirmed)	Ensure that the company is compliant with this new calculation rule.

<p>It changes for the report to be made in 2022: the period to be considered to assess the number of employees is the year for which the contribution related to the obligation to employ disabled workers is due (e.g. number of employees in 2021 for the report for 2021 to be made in 2022).</p>		
<p>Minimum wage</p> <p>As of 1 January 2022, the gross hourly minimum wage will increase to € 10.57 and the gross monthly minimum wage to € 1,603.12.</p>	<p>1 January 2022</p>	<p>Ensure that the company is compliant with this new minimum.</p>
<p>Special leave</p> <p>An employee whose child is diagnosed with a chronic illness or cancer will be entitled to a minimum of two working days' additional paid leave.</p>	<p>20 December 2021</p>	<p>Inform payroll providers. Payroll and leave management software and internal company documents about special leave will need to be updated.</p>
<p>Health measures</p> <p>New rules related to health care and prevention will enter into force:</p> <ul style="list-style-type: none"> - Staff representatives will have to be consulted on the occupational risk's evaluation document ("<i>DUERP</i>") and its updates; - A new "mid-career" medical examination must be implemented; and - A new definition of sexual harassment is now provided by the French Labour Code, in line with the French Criminal Code provisions, which includes (i) "<i>sexist</i>" comments and behaviours and (ii) group harassment. 	<p>31 March 2022</p>	<p>Update internal rules ("<i>règlement intérieur</i>") and other ethics charts.</p>