

“What you need to know :”

An employer is required to fulfil a number of formalities when hiring an employee.

Failure to do so exposes the employer to criminal sanctions for illegal work.

Sheet
1



Failure to complete the DPAE is subject to a penalty of 300 times the hourly rate of the guaranteed minimum (€1,053 as at 1/1/2014). A penalty for illegal work may also be applied.

► Notice of hiring (DPAE)

A very important formality for employers is the notice of hiring, called the « Déclaration préalable à l'embauche », which must be sent to the URSSAF, in principle electronically, before hiring any employees.

► Employment of foreign employees

When the future employee is a foreign national (outside the EU, EEA and Switzerland), you must check before hiring the person concerned that he/she has a valid work permit (see Sheet 2).



Make sure during the interview with your future employee that you have all the information required to fulfil the pre-employment formalities.



Ask us, **before** hiring, what is the best contract to use.

► Drafting an employment contract

The employment contract determines the key elements of the contractual relationship between the employer and the employee. Its formal terms are regulated, in some cases.

Permanent contract, short-term contract, part-time contract, work-training contract, assisted contract... the possibilities are many and varied !



Ask yourself, before hiring, about possible funding (employment agency, unions, regions...).

Registering the employee for pension and protection plans

Check the relevant obligations applicable to the status of the employee (collective agreement, occupational sector agreement, company agreement, etc.).



Check that employees are individually affiliated to collective contracts.



Ask us about the cases where employees are exempted from an employment medical examination.

Employment medical examination

All employees, whatever their type of employment contract, must have a medical examination certifying they are fit for work before they are hired or at the latest before the end of their trial period.

It is important to make sure an appointment with the occupational health centre can be made for the new employee within the set time.

Official staff register

All employers are required to keep an official staff register in every establishment where employees are employed.

This register shall include compulsory information such as the identity details of employees, the start and end dates of their employment and the type of employment contract, in particular.

It must be updated whenever there is a change in the details to be mentioned.



Failure to keep the official staff register is subject to a category 4 penalty of €750 per employee concerned.



Failure to provide this information as required may be financially detrimental to the employee and the employer may be liable accordingly.

Documents to be given to employees

Document including the information provided in the notice of hiring.

Guide on the collective agreements applicable.

Comprehensive guide on the coverage provided by the employee protection policy and the conditions under which it applies.

Booklet on the employee savings plans available within the company.