

The Bavarian State Commissioner

for data protection

Vaccinated or unvaccinated?

The Bavarian State Commissioner for Data Protection publishes a working paper

"Processing of the COVID-19 vaccination status in the Bavarian public service"

Munich, November 4, 2021

"Vaccinated or unvaccinated? – This is a question that many Bavarian employers and public

al employers have answered from their employees when it comes to vaccination

against COVID-19. The risks associated with the work of unvaccinated employees

Employees are connected for themselves, but also for others, vary according to assignment

job and activity, after contact with citizens, colleagues

gene very significantly. The law must answer the employer's question about the

Answer vaccination protection differentiated. The Bay-

erian State Commissioner for Data Protection in his working paper that has now been published

"Processing of the COVID-19 vaccination status in the Bavarian public service" in more detail.

Bavarian employers and public employers are allowed to check the COVID-19 vaccination status of their

Employees only process data in the cases provided for by law. including

There are gigantic powers for hospitals or schools, for example. The working paper explains

these powers in detail according to the requirements and scope. It also shows how

far the Bavarian Infection Protection Measures Ordinance for employees of the public

chen service can justify processing of the vaccination status. The paper is increasing

Questions as to when appropriate information will be provided when compensation payments are made

ments may be processed, and when - exceptionally - a consent as

legal basis may be used.

Prof. Dr. Thomas Petri: "Information about the vaccination status enjoy as health data

a special protection. Their processing is subject to various legal obligations

gen. My new working paper aims to improve the data protection framework to describe clearly and understandably in the Bavarian public sector and in this way the legal certainty equally for the Bavarian employers and public employers as well as for their employees.”

The working paper "Processing of the COVID-19 vaccination status in the Bavarian public Service" is available at <https://www.datenschutz-bayern.de> in the "Corona Pandemic" section ready to download.

Prof. Dr. Thomas Petri

A notice:

The Bavarian State Commissioner for Data Protection controls the Bavarian public authorities Compliance with data protection regulations. He is elected by the Bavarian state parliament, is independent and subject to instructions.

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