

The current Saxon Corona Protection Ordinance of September 21, 2021 (SächsCoronaSchVO) enables offers in certain areas exclusively for vaccinated and recovered people.

With this so-called 2G optional model, there is neither an obligation to wear a mouth and nose protector nor to comply with the distance requirement. In addition, the restriction regarding the utilization of the maximum capacity does not apply (cf. § 6a SächsCoronaSchVO).

The prerequisite for the 2G optional model is that all persons present have proof of vaccination or recovery. However, according to § 6a paragraph 1 sentence 2 SächsCoronaSchVO, this does not apply to employees who have proof of a test and wear medical mouth and nose protection at work.

If an employer wants to introduce the 2G option model, the question arises in practice as to whether he can demand disclosure of the vaccination and recovery status or a negative corona test from his employees.

In which cases and under which conditions such a query is permissible can be found in the statement.