
EMPLOYMENT KEY FACTS

English Edition



**BEITEN
BURKHARDT**

Mandatory Forms:

Dismissal: written form

Cancellation Agreement: written form

Limitation of the Employment Agreement:
written form before beginning of the occupational activity

Working Hours:

**Regular Working
Time on Working**

Days: 8 h

**Maximum Working
Time per Working**

Day: 10 h (compensation
mandatory)

Breaks:

working time of
6 to 9 h: 30 min
working time of
more than 9 h: 45 min

**Max. Working Time
without Break:**

6 h

Night-Time:

11 p.m. to 6 a.m.
(without deviating
agreement)

Important Deadlines:

Notice Periods for Ordinary Dismissal:

(staggered according to length of employment with the company)

Probationary

period: 2 weeks

< 2 years: 4 weeks to the 15th or to the end of the month

≥ 2 years: 1 month to the end of the calendar month

≥ 5 years: 2 months to the end of the calendar month

≥ 8 years: 3 months to the end of the calendar month

≥ 10 years: 4 months to the end of the calendar month

≥ 12 years: 5 months to the end of the calendar month

≥ 15 years: 6 months to the end of the calendar month

≥ 20 years: 7 months to the end of the calendar month

Caution: Collective bargaining agreement provisions have priority; agreement provisions have priority if more favourable to the employee.

Notice period for Declaration of Extraordinary Dismissal: 2 weeks from the date on which the reasons for dismissal become known

Works Council's Period For Issuing a Statement:
Ordinary notice of dismissal: 1 week

Extraordinary dismissal: 3 days

Personnel measures: 1 week

Important Thresholds:

Applicability of the German Protection Against Dismissal Act (KSchG):

more than 10 employees (full-time positions; as of 2004)

Notification of Collective Redundancies:

21-59 employees: more than 5 dismissals

60-499 employees: 10% or more than 25 dismissals

≥ 500 employees: more than 30 dismissals

Entitlement to Part-Time Work and Part-Time During Parental Leave:

usually more than 15 employees

Data Protection Officer:

generally in case of more than 20 employees

Requirements for the Establishment of a Works Council:

minimum of 5 employees, 3 of which should be eligible

Paid Release from Employment Duties for Members of the Works Council:

usually more than 200 employees

Economic Committee:

usually over 100 employees

Obligation to Establish a Job Safety Committee:

over 20 employees

Groups of Persons with Special Protection against Unfair Dismissal:

- severely disabled persons and equivalent persons
- pregnant women (until 4 months after delivery)
- parents on parental leave
- employees on care or family caregiver leave
- data protection officers
- representative of severely disabled persons
- members of works councils or staff councils
incl. election candidates, election initiator and
members of the election committees
- youth and trainee representatives
- holders of political honorary offices (depending
on the respective federal state)
- trainees (after expiration of probationary period)

Paid Leave:

- Bank Holidays:** no waiting period, salary that would have been received without the bank holiday
- Sick Leave:** 4-week waiting period, continued payment of the regular salary, duration: 6 weeks for the same medical condition
- Leave:** 6-month waiting period for full leave entitlement, continued payment of the regular salary, minimum vacation days: 20 for a 5-day working week
- Maternity Leave:** 6 weeks before and 8 weeks after delivery (claim to allowance pursuant to Maternity Protection Act)

Unpaid Leave:

- Care Period:**
max. 6 months per relative in need of care



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