

Fixed-term employment – actually an exception

Permanent employment contracts are the rule throughout the EU. Fixed-term employment contracts are considered an exception and must be justified. For the higher education sector, German labour law has two laws that allow fixed-term employment contracts: the **Wissenschaftszeitvertragsgesetz** (WissZeitVG) and the **Teilzeit- und Befristungsgesetz** (TzBfG). The WissZeitVG plays the main role in the higher education sector. At the UoC, too, the vast majority of contracts are limited in time.

The Wissenschaftszeitvertragsgesetz - what, for whom, where?

The WissZeitVG enables universities to employ academic and artistic staff on fixed-term contracts. Prerequisite: The employment serves to promote scientific or artistic qualification („Qualifizierungsbefristung“), or the time limit is based on third-party funding ("Drittmittelfinanzierung").

Qualification limited term (§2, paragraph 1 WissZeitVG)

The activity serves the applicant's own academic qualification. However, this is not clearly defined. Qualification goals can be, for example, a doctorate or preparation for a professorship. The duration of the fixed-term must be appropriate to the qualification goal, which must be named. Overall, **a maximum fixed-term period** applies: a maximum of 6 years before the doctorate, a further 6 years after the doctorate (9 years for doctors), i.e. a maximum of 12 years in total (15 years for doctors). This maximum fixed-term period may be extended due to the care of minor children, severe disability or chronic illness.

Previous periods, i.e. all previous employment at German universities and research institutions (e.g. at Max Planck Institutes) with more than 25% of the regular working time, are counted towards the maximum fixed-term period.

Third-party funding (§2, paragraph 2 WissZeitVG)

If more than 50% of the position is financed by third-party funds, a fixed-term may be granted on the basis of third-party funds. Further requirements for this reason for a fixed term: The duration of the employment must correspond to the approved project duration.

Expiry of the contract

If you have not signed a new employment contract, you must register as a jobseeker with the Employment Agency **at least 3 months before the end of your current contract**. You will not be informed by the University!

Sources of information – a selection:

You may find further information on our website, in the section „Informationen“:

<https://prwiss.uni-koeln.de/informationen/recht>
paragraph „Befristung von Arbeitsverträgen“

There is also a link to the brochure of the GEW (Trade Union for Education and Science) with case studies on the topic

https://prwiss.uni-koeln.de/sites/prwiss/user_upload/Broschueren/WissZeitVG_Ratgeber_A5-2016-04.pdf

Wissenschaftszeitvertragsgesetz (WissZeitVG):
<https://www.gesetze-im-internet.de/wisszeitvg/>

Information from the Federal Ministry of Education and Research:

https://www.bmbf.de/bmbf/de/forschung/wissenschaftlicher-nachwuchs/wissenschaftszeitvertragsgesetz/wissenschaftszeitvertragsgesetz_node

Contract on good employment conditions:

https://prwiss.uni-koeln.de/sites/prwiss/user_upload/Vertrag_ueber_gute_Beschaefigungsbedingungen.pdf

Do you have any questions? Please feel free to talk to us!

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