

### Exceptionally working more than agreed

If for business reasons it is necessary, the employer may exceptionally order employees to temporarily work more than the agreed weekly working hours.

### Overtime and extra work

For salaried employees, overtime and extra work are regulated in § 7 of the collective agreement of the federal states (TV-L) and for doctors in § 7 of the TV-Ä. Working hours that exceed the regular weekly working hours of a full-time employee and are not compensated by the end of the following calendar week are considered overtime. Hours worked by part-time employees in excess of their agreed weekly working hours up to the weekly working hours of a full-time employee are referred to as extra work. Both overtime and extra work are compensated accordingly. For civil servants, the provisions of § 61 of the State Civil Service Act (LBG) apply in conjunction with § 10 of the Working Hours Ordinance (AZVO). Up to five hours of overtime per month (pro rata for part-time employees) must be worked without compensation. Compensation is only paid for overtime above this limit.

### Formal requirements for overtime and extra work

Applications for overtime and extra work are submitted to the HR department, which presents the measure to the Staff Council. If the Staff Council agrees, overtime and extra hours are officially ordered by the HR department. They can also be ordered without prior authorisation for urgent reasons. Overtime and extra work must always be documented. Only then is there a right to compensation for the excess hours worked.

### Compensation for overtime and extra work

Overtime and extra work are compensated by time off in lieu. In accordance with Section 8 TV-L (or Section 8 TV-Ä), salaried employees receive compensatory time off and a pay supplement. In accordance with § 10 AZVO, overtime for civil servants is compensated by time off in the amount of the additional hours worked. For working hours at certain off-peak times (Saturdays, evenings), further supplements are provided for both salaried employees and civil servants, which are set out in the TV-L and the Hardship Allowance Ordinance (Erschwerniszulagenverordnung). If the compensation period of 3 calendar months (overtime) or 1 year (extra work) is exceeded for salaried employees, the additional working hours are financially compensated with the individual hourly wage. If, in the case of civil servants, compensation is not possible within one year in compelling cases, corresponding financial compensation is also paid.

### For further reading:

Working Hours Act (Arbeitszeitgesetz – ArbZG)  
<https://www.gesetze-im-internet.de/arbzgf/>

Collective Agreement of the Federal States - TV-L  
[https://www.tdl-online.de/fileadmin/downloads/TV-L/TV-L\\_i.d.F.des\\_%C3%84TV\\_Nr.13\\_VT\\_Neu.pdf](https://www.tdl-online.de/fileadmin/downloads/TV-L/TV-L_i.d.F.des_%C3%84TV_Nr.13_VT_Neu.pdf)

Collective Agreement for Doctors (Tarifvertrag für Ärztinnen und Ärzte - TV-Ä)  
[https://www.tdl-online.de/fileadmin/downloads/TV-Aerzte/01\\_TV-Aerzte/TV-%C3%84rzte\\_i.d.F.des\\_%C3%84TV\\_Nr.9\\_VT\\_neu.pdf](https://www.tdl-online.de/fileadmin/downloads/TV-Aerzte/01_TV-Aerzte/TV-%C3%84rzte_i.d.F.des_%C3%84TV_Nr.9_VT_neu.pdf)

State Civil Service Act (LBG)  
[https://recht.nrw.de/lmi/owa/br\\_text\\_anzeigen?v\\_id=61020160704140450650](https://recht.nrw.de/lmi/owa/br_text_anzeigen?v_id=61020160704140450650)

Working Hours Ordinance (Arbeitszeitverordnung – AZVO)  
[https://recht.nrw.de/lmi/owa/br\\_text\\_anzeigen?v\\_id=2520031009100936565](https://recht.nrw.de/lmi/owa/br_text_anzeigen?v_id=2520031009100936565)

Hardship Allowance Ordinance  
[https://recht.nrw.de/lmi/owa/br\\_bes\\_text?anw\\_nr=2&bes\\_id=40507](https://recht.nrw.de/lmi/owa/br_bes_text?anw_nr=2&bes_id=40507)

Information of the University Administration  
[https://verwaltung.uni-koeln.de/abteilung41/content/themen\\_von\\_a\\_z/mehrarbeit\\_ueberstunden/index\\_ger.html](https://verwaltung.uni-koeln.de/abteilung41/content/themen_von_a_z/mehrarbeit_ueberstunden/index_ger.html)

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

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