

iGlobal Law 2021 Annual Alert : Germany

Legal Change	Effective Date	Action required
<p>Extension of the Special Regulations on Short-time Allowance ("Kurzarbeitergeld"):</p> <ul style="list-style-type: none"> The access criteria (minimum requirements, negative working time balances) will be extended until December 31st, 2021 for companies that have started short-time work before March 31st, 2021. The option of short-time allowance for temporary agency workers will be extended until December 31st, 2021 for temporary employment agencies that have started short-time work before March 31st, 2021. The full reimbursement of social security contributions during short-time work is extended until June 30th, 2021. From July 1st, 2021 to December 31st, 2021, social security contributions will be reimbursed at 50 percent if short-time work was started before June 30th, 2021. The period of entitlement to short-time allowance will be extended to up to 24 months for companies that have started short-time work before December 31st, 2020, at the latest before December 31st, 2021. <p>Employment Safeguard Act ("Beschäftigungssicherungsgesetz" – BeschSiG) Due to COVID:</p> <ul style="list-style-type: none"> The regulation to increase short-time allowance (to 70/77 percent from the fourth month and 80/87 percent from the seventh month) will be extended until December 31st, 2021 for all workers whose entitlement to short-time allowance arose by March 31st, 2021. The existing temporary additional earnings regulations will be extended until December 31st, 2021 insofar as remuneration from low-paid employment taken up during short-time work continues to be exempt from imputation. In addition, the incentive to use periods of absence from work for further vocational training is further strengthened by the fact that the half reimbursement of social security contributions regulated for these cases is no longer linked to the fact that the qualification must amount to at least 50 percent of the period of absence from work. 	<p>January 1st, 2021</p>	<p>Keep up to date with the rules and deadlines. The government and ministry website provides clear guidance.</p>

<p>Extension of the Special Regulation on the Admissibility of Works Council Meetings via Video or Telephone Conference:</p> <p>The permissibility of holding works council meetings via video or telephone conference was initially time-limited until December 31st, 2020. This time limit has now been extended until June 30th, 2021.</p>	<p>December 10th, 2020</p>	<p>Keep up to date with the rules and deadlines.</p>
<p>Gradual increase of the minimum wage</p> <p>The minimum wage has been in force in Germany since 2015 and has been gradually increased every year since 2018.</p> <p>The current minimum wage in 2020 is 9.35 EUR gross per hour. The minimum wage in Germany is to be raised further in four stages until 2022:</p> <ul style="list-style-type: none"> • 9.50 EUR gross per hour on January 1st, 2021, • 9.60 EUR gross on July 1st, 2021, • 9.82 EUR gross on January 1st, 2022, and • 10.45 EUR gross on July 1st, 2022. 	<p>January 1st, 2021</p>	<p>Review and adjustment of future wage tax preparation and accounting</p>
<p>Digital Certificate of Incapacity for Work ("Arbeitsunfähigkeitsbescheinigung"):</p> <p>From January 1st, 2021, doctors must send the sickness certificate directly electronically to the responsible health insurance fund. Therefore, the duty to inform lies with the attending physician.</p> <p>There will be a transitional period ("Übergangszeitraum") until December 31st, 2021. During this period, doctors must transmit the certificate of incapacity for work electronically to the health insurance funds, but must also issue it in paper form. The employee himself will still have to submit the certificate to the employer.</p> <p>From January 1st, 2022, employers shall receive the certificate of incapacity for work electronically from the respective health insurance fund and no longer from the employee. However, this does not replace the employee's obligation to immediately notify the employer if he or she is unable to attend work due to illness.</p>	<p>January 1st, 2021/2022</p>	<p>Nothing at this stage</p>