

# UNIVERSITÄT MANNHEIM

On the basis of the regulation on working hours, vacation, maternity leave and parental leave, care periods and safety at work for civil servants and judges (Regulation on Working Hours and Vacation, AzUVO) from 29 November 2005 and the authorization by the Ministry of Science, Research and the Arts of Baden-Württemberg from 8 December 2005, the following

## Working Time Agreement

is concluded:

### Section 1 – Scope

(1) Section 2 subsection 2 AzUVO from 29 November 2005 applies to all employees of the University of Mannheim. In addition, the Working Time Agreement applies to all civil servants, employees and trainees of the administration of the University of Mannheim and of the University Library, hereinafter named employees. Upon explicit individual request and approval by the Executive Vice President and the Staff Council, other employees can be included.

#### (2) Flexitime

In line with section 9 subsection 1 number 2 AzUVO, flexitime generally applies to all departments of the University of Mannheim mentioned above. As an exception, flexitime does not apply to

- employees of the university post office,
- janitors,
- cleaning staff.

Furthermore, all departments need to ensure that operations also run smoothly outside of the core work time. This is especially important in departments subject to opening hours.

#### (3) Fixed Working Hours

Fixed working hours of employees of the university post office, janitors and cleaning staff are determined in the respective working schedule.

### Section 2 - Regular Working Hours

- (1) The regular weekly working hours amount to
- - 41 hours for civil servants
  - - 39.5 hours for all other employees
  - - the working hours agreed upon in the employment contract for part-time employees
  - - no more than 40 hours for adolescents.

As a rule, work days are Monday to Friday. Work days for janitors are Monday to Saturday during mid-day shifts (Mitteldienst). A period of one year (accounting period) is taken as a basis to calculate the average regular weekly working hours, which must not exceed 55 hours per week (40 hours in the case of adolescents).

- (2) After working for more than six hours and thirty minutes, employees are obligated to take a break of at least 30 minutes. In the case of adolescents, a break of at least 30 minutes is compulsory after more than 4.5 working hours and a break of at least 60 minutes after more than 6 working hours. Breaks are not included in the working time.

**Kommentiert [AA1]:** Quelle für "mid-day shift":  
<http://smallbusiness.chron.com/different-shifts-companies-42005.html>, Stand 07.05.2018

### Section 3 - Flexitime

- (1) Start of work: 10 a.m. at the latest; end of work from Monday to Thursday: 3 p.m. at the earliest; end of work on Fridays: noon at the earliest (core work time).  
Departments with opening hours or office hours have to make sure that the usual tasks are performed during these hours.  
Core work time of part-time employees is scheduled according to personal needs and in consideration of subsection 3.
- (2) Work can be done between 6 a.m. and 8 p.m. (flexitime). Upon approval by the Executive Vice President, further working hours may be recognized.
- (3) From Monday to Thursday the minimum working time is five hours, on Fridays it is two. For janitors during regular service (Regeldienst), the following minimum working hours apply: seven hours and thirty minutes from Monday to Thursday, and six hours on Fridays. During mid-day shifts, minimum working hours for janitors are seven hours and thirty minutes from Monday to Friday and six hours on Saturdays.  
For part-time employees working five days per week, the following minimum working hours apply:  
In the case of working time of
  - 50 - 60%: 2.5 hrs
  - 61 - 75%: 3.3 hrs
  - 76 - 90%: 4.0 hrsFor part-time employees working on fewer than five days per week, the minimum working hours have to be adapted accordingly.
- (4) The daily working hours may only exceed ten hours if additional work or overtime has been ordered. Adolescents are not allowed to work more than 8.5 hours per day.
- (5) A lunch break of at least 30 minutes has to be taken between 11:30 a.m. and 2 p.m., provided that opening hours and office hours or emergency services are not affected. If an employee does not work for more than six hours (4.5 hours in the case of adolescents) because work starts or ends during the core work time (section 4 subsection 2) or an employee does not work for more than six hours and thirty minutes on a Friday, the break is not obligatory.

### Section 3a – Exceptions for Janitors

- (1) During regular service, janitors start work between 6 a.m. and 7 a.m. From Monday to Thursday, they end work at 2:30 p.m. at the earliest, on Fridays at 1 p.m. at the earliest (core work time). During mid-day shifts, start of work is between 11:30 a.m. and noon; end of work is at 7:30 p.m. at the earliest. On Saturdays, start of work is between 6 a.m. and 6:30 a.m.; end of work is at 12:30 p.m. at the earliest (core work time). During the period of winter service, start of work is at 6 a.m. at the earliest (as required); end of work is at noon.
- (2) Flexitime for janitors ends at 4 p.m. from Monday to Thursday during regular service; on Fridays at 2 p.m. Work during mid-day shifts from Monday to Friday may be performed between 11:30 a.m. and 8 p.m. (flexitime). On Saturdays, flexitime is between 6 a.m. and 1 p.m.
- (3) By way of derogation from section 3 subsection 5, janitors have to take a lunch break of at least 30 minutes between 11 a.m. and 1:30 p.m. during regular service on Fridays. During a mid-day shift from Monday to Friday, a lunch break has to be taken between 4 p.m. and 5:30 p.m.; on Saturdays between 11 a.m. and 12:30 p.m.

The other provisions of section 3 remain unaffected and apply correspondingly.

#### **Section 4 – Overtime Compensation**

- (1) A deficit of working hours equal to the individual regular weekly working time may be accumulated. Overtime or deficit hours should be compensated within the calendar year; overtime or deficit hours equal to the individual regular weekly working time may be transferred to the next year. Additional hours may only be transferred upon approval by the Executive Vice President.
- (2) As a rule, overtime hours should be used before or after the core work time. However, if not opposed by official reasons, overtime may be used within the core work time if the following rules are observed:
  - a) Maximally 24 work days per calendar year may be used to compensate overtime hours.
  - b) Maximally five work days per month may be used to compensate overtime hours; it is permitted to take these five days in a row.
  - c) In case of a significantly varying work load, the Executive Vice President may permit an employee to take up to 10 days in a row to use overtime hours; a) and b) remain unaffected.
  - d) Overtime hours may also be used up to five days in a row in order to care for a sick child under the age of 12 or a care-dependent relative; a) and b) remain unaffected. The employer has the right to request a medical certificate.
- (3) For part-time employees working on fewer than 5 days per week, the rules of subsection 2 have to be adapted accordingly.
- (4) If employees with fixed working hours use more than 5 overtime hours on one day, they use up one of the 24 days per year / 5 days per month available for overtime compensation according to subsection 2 a and b. If fewer than 5 hours of overtime are used on one day, half an overtime day is used up.

#### **Section 5 – Doctor's Appointments**

As a rule, doctor's appointments should be scheduled before or after the core work time or fixed working hours. If this is not possible, the employee has to make use of one of the possibilities of overtime compensation according to section 4. Doctor's appointments during the core work time only count as working time if the employee submits a written confirmation from the medical practice stating that the appointment had to take place during the core work time due to medical reasons.

#### **Section 6 – Exceptions**

- (1) In individual cases and due to urgent official reasons, the superior may order the continuation of work beyond the core work time or fixed working hours within the scope of his or her managerial authority if a prior scheduling of working hours is not possible.

- (2) If necessary for health reasons, working hours of expecting and breastfeeding mothers are to be scheduled according to their needs. If necessary due to the increased duty of care, working hours of employees with a severe disability are to be scheduled according to their needs, taking into account their type of disability. The exceptions concerning the working hours of adolescents have been included in the abovementioned provisions.

#### **Section 7 – Further Provisions**

- (1) If a full-time employee takes a vacation day or a leave of absence granted by law or a collective agreement (e. g. wife gives birth) or is incapable of working, a fifth of the average weekly working time is logged in; for civil servants, this amounts to eight hours and 12 minutes. If a leave of absence is taken for part of the day, the individual regular working time is taken as a basis.
- (2) As a rule, employees do not have to work on Saturdays, Sundays, Christmas Eve and New Year's Eve. Janitors are exempt from the provision regarding Saturdays. If necessary due to the type of work, other agreements may be made for these days and other free days.
- (3) Employees and superiors are equally obliged to comply with the abovementioned regulations. Employees who permanently or repeatedly violate these regulations may be completely or partially excluded from flexitime and/or flexibility measures. Possible disciplinary actions or measures related to labor law remain unaffected.
- (4) In order to avoid excessive overtime hours or an excessive deficit of working hours, the superior and the employee shall agree on regulations concerning
  - a progressive reduction of overtime hours or a deficit of working hours if these amount to 30 hours
  - an immediate reduction of overtime hours or a deficit of working hours if these amount to 50 hours.

#### **Section 8 - Electronic Time-Tracking System**

- (1) The electronic time-tracking system is compulsory for all employees of the administration of the University of Mannheim and the University Library. Other employees can participate upon explicit individual request and approval by the Executive Vice President and the Staff Council. The data are stored in the IT system prime WebSystem provided by primion.
- (2) If an employee can not participate in the electronic time-tracking system due to technical reasons, the working time has to be recorded on time sheets. Once the employee has been granted access to the electronic time-tracking system, his/her data will be transferred from the time sheets to the prime WebSystem. Before or at the latest until the 5th of the following month, the time sheet has to be submitted to the superior. Superiors are asked to carry out checks in an appropriate manner (e. g. random checks).
- (3) The time sheets remain with the institution for at least three years and have to be available for inspection purposes at any time.
- (4) Subsections 1 to 3 do not apply to employees with fixed working times (section 1 subsections 2 and 3).

### **Section 9 - Final Provisions**

- (1) Legal provisions, provisions of collective agreements and other applicable provisions remain unaffected.
- (2) The Working Time Agreement will become effective on 1 September 2016.
- (3) The Working Time Agreement can be canceled by written notice up to one month before the end of a quarter; it remains valid until a new agreement has been concluded.

Mannheim, 17 August 2016

Dr. Susann-Annette Storm  
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