



Information about coronavirus (COVID-19) and rights of employees (other languages available)

Employees in Germany currently face a new and unprecedented situation, regardless of their country of origin, due to the current health crisis. The following document provides you with important information about your rights as an employee.

Important: This document does not assume any liability or guarantees. Make sure to always fully read or check your work contract as well as any union contracts (Tarifvereinbarung) or employee council agreements (Betriebsvereinbarung).

Currently, face-to-face office hours (BemA and Faire Integration) have been suspended until mid-April. All consultations will take place digitally, including via phone and email.

Please try to transfer documents and papers electronically if you can.

Source: Translation, adaptations and cuts by BemA and Faire Integration
[Press Release of the DGB \(German, March 6th 2020\)](#)
[General Information by DGB \(German, March 18th 2020\)](#)
[Faire Mobilität](#)

(1) Am I allowed or supposed to stay at home during the coronavirus crisis?

There is no clear answer to this question. We differentiate between various situations:

- (a) Refraining from work for fear of an infection is not recommended. Employers are within their rights to express termination warnings or even terminate you.
- (b) If a person close to you or within your social circle has been tested positive for the coronavirus, you may stay away from work due to a temporary, personal indisposition.
- (c) In this case, you will still get paid. Doctors must notify the health ministry of all individuals diagnosed with the coronavirus.
- (d) If you are sick – coronavirus or else – you must stay at home, just like you would in the case of a regular sickness. Your employer must continue paying wages. After 6 weeks, your insurance provider takes over payment.



(2) What do I do if I suspect an infection?

At the moment, the health ministry has asked people suspecting an infection to call their doctors or a local health center to find out when and where to get tested.

Testing involves an examination. Results may take up to 48 hours. During this time period it is essential to avoid any contact with other persons or to remain in quarantine altogether.

In the case of a confirmed infection, you must call your general practitioner (Allgemeinmediziner). He or she will issue a sickness certificate and post it directly to your home address.

You may then send your sickness certificate electronically or post it in the mail to your employer.

(3) I or a person in my close social circle have been infected.

Doctors must notify the health ministry of individuals with a confirmed coronavirus diagnosis or a suspected infection. The health ministry then undertakes further activities as part of regulations towards the prevention of infections, including locally on the employer's facilities or grounds. Diagnosed individuals will be isolated for the duration of the disease until full recovery. People who have had contact with infected individuals must go into quarantine for 14 days – usually this means staying at home – and must stay away from other people.

If you need help with daily activities such as grocery shopping you may find support online. You can find more information further below under "links".

More information: [App of Corona Charité \(German, Englisch\)](#)

Careful: If you have been diagnosed with coronavirus, you should inform your employer as well as colleagues in order to ensure protective and precautionary measures. This will also help contain the spread of the virus.

(4) Am I required to go on a work trip to region with high numbers of corona cases?

By law, you have an obligation to work. Generally speaking, this obligation extends to work trips.

However, you are not obliged to travel to regions that have officially been classified as high-risk. Official institutions declaring those regions include health ministries, police or your communal districts. Please check out the website of the Robert-Koch-Institute for updates about current regions at risk. ([LINK](#)).



(5) Can my employer just send me home, if...

- a) ...they have reasonable cause to believe I am sick?

Under reasonable circumstances your employer might send employees home if they are sick in the interest of their own health. Employees must then bring a sickness certificate in order to receive continued wage payments.

- b) ...they vaguely believe I might be sick?

Without reasonable cause (i.e. without symptoms of sickness) your employer cannot simply send you home. They must not simply give you an unpaid leave of absence. Make sure to explicitly state that you are able and willing to work (use a form). Your employer must continue paying you.

- c) ...they want me to work from home (Home Office) out of caution?

Neither employer nor employee have the right to enforce Home Office without a written agreement from both sides. Wages payment must continue in this case.

(6) What happens if my company or production facility suffers because coronavirus has interrupted supply chains and work flow?

- a) Reduced Work Wages

Employers may apply for Reduced Work (Kurzarbeit). This is a form of work that temporarily reduces employees' work hours whenever the company experiences lack of work. Employers can declare this type of work if at least 10 percent of employees are affected by a lack of work.

Important: Your employer must declare Kurzarbeit at an employment agency (Arbeitsagentur). Your salary will then be paid to you by both employer and employment agencies. This is called Reduced Work Wages (Kurzarbeitergeld).

As a result, work time must be cut proportionally. Within one company there may be differences in these work time cuts. This depends on qualifications or type of work.

How does this affect my salary? In case of Reduced Work Wages, your wages will consist of 60 percent of your after-tax income. Employees with children will receive 67 percent. For example, if you only work 4 instead of 5 days of the week, you would

receive 80 percent of your salary from your employer. The remaining 20 percent will be assumed by the employment agency (Arbeitsagentur).



In extreme cases, your work hours might be cut to zero. This is called Kurzarbeit Null. In this case, a total of only 60 percent of after-tax income will be paid.

Without Reduced Work Wages your employer is not allowed to simply send you home. Your employer must not force you into a leave of absence against your will. This is illegal. You must receive continued wage payments.

b) Using up Time Sheet hours

Your employer is not allowed to use up hours of your time sheet/record in case of a leave of absence. They must always ask for your approval.

However: It is advisable for you to use up hours you have accumulated on your time sheet in the current situation.

c) Housing support

In addition to Reduced Work Wages, people may apply for housing support. To this end, you should not currently receive benefits (including unemployment money known as **ALG II**, or benefits promoting education and training known as **BaföG**) and not currently exceed the income limit.

However: Since unemployment money **ALG I** is an insurance benefit, persons receiving **ALG I** may also apply for housing support.

You may apply for housing support at your local housing support agency.

(7) What happens when employers adapt work contracts, issue terminations or termination agreements (Aufhebungsvertrag)?

a) Changed work contract

Generally, employers are within their rights to change basic features of your current work contract concerning work hours, salary or vacation leave. Make sure to check any changes proposed to you before signing!

a) Termination (Kündigung)

A termination must always correspond to applicable law. The current health crisis is not an automatic reason for terminations. Make sure to have a termination checked by your union, your workers' council, the help desks at BemA/Faire Integration, a lawyer or other legal person. Important: You must declare a termination at your employment agency ([Arbeitsagentur](#)) within 3 days.

b) Termination contract (Aufhebungsvertrag)



Generally, you are not obliged to sign anything. Make sure to have a termination contract checked by your union, your workers' council, help desks at BemA/Faire integration, a lawyer or other legal person before you sign it.

You never have to sign anything you do not understand!

(8) Officials have quarantined my company and required it to lock down. Will I continue receiving wages even if I am not sick?

If your company or production facility has been quarantined or required to lock down, you must continue receiving wage payments. In any case, it is advisable to speak with your employer about the situation. If the lockdown lasts more than 6 weeks, your insurance provider will continue paying your wages.

(9) What happens to my work and my salary if schools and day-care centers are locked down? May a stay at home and will I continue receiving wages?

If your child is sick, regular laws apply: You may take a leave of absence on account of your child's illness. Insurance providers will continue paying for 10 days. Single parents will receive sickness benefits for 20 days.

For a short time period, employees will receive continued wage payment by employers if they are unable to ensure care for small children. The time frame has been set to 5 days by the Federal Court of Employment Law. However: This ruling is controversial and has not been fully resolved at this moment. Do not rely on this as a definitive possibility.

(10) What regulations apply to employees in systemically relevant industries and jobs (systemrelevant)?

If you work in an industry that is systemically relevant, including food production, health care, logistics, fire services etc., emergency child care may be organized.

Speak to your employer in order to prove your jobs' relevance to the system. Also speak to your local child day care centers.

You can find templates for a certificates proving systemic relevance issued by employers [here](#).

(11) What applies to employees and workers in jobs that require border-crossings?

As mentioned, employers will issue certificates declaring that you are employed in a systemically relevant industry (incl. care, health, food production) or areas of work



currently without restrictions (logistics, trade). You can use such a certificate at borders or other authorities.

Detailed information about travel regulations regarding your country of origin or destination can be inquired at the respective embassies.

(12) What precautionary measures does my employer have to take in order to protect me from coronavirus?

Generally, your work contract states that employers have a duty to ensure welfare and protection (Schutpflicht, Fürsorgepflicht). Your employer is obliged to reduce the risk of sickness and health hazards. This obligation may extend to providing sanitizing products, as one example. Your employer must also provide information about protection and hygiene regulations and make resources and materials available.

General Information

All public institutions in Germany have largely closed for visitors. Exceptions may be important personal appointments made in advance. This includes, amongst others, employment agencies (Arbeitsagentur, Jobcenter), insurance providers (Krankenkassen), foreign service/immigration agencies (Ausländerbehörde). Contact your relevant institutions via telephone or email.



Links:

Informationen Bundesgesundheitsministerium (Deutsch, Englisch, Russisch, Türkisch)

<https://www.bundesgesundheitsministerium.de/coronavirus.html>

Informationen Bundeszentrale zu gesundheitlicher Aufklärung (Deutsch, Englisch, Französisch, Russisch, Türkisch, Arabisch)

<https://www.infektionsschutz.de/mediathek/infografiken.html>

Informationen, aktuelle Zahlen und Entwicklungen Corona, weltweit (Englisch)

<https://coronavirus.jhu.edu/map.html>

Informationen, aktuelle Zahlen und Entwicklungen Corona, Deutschland (Deutsch)

<https://www.tagesschau.de/ausland/coronavirus-karte-101.html>

Aktuelle Informationen zu den Einrichtungen und Behörden in Sachsen-Anhalt

<https://integrationsbeauftragte.sachsen-anhalt.de/>

Contact:

Anne Hafenstein (Deutsch, Englisch/English, Russisch/ Русский)

+49 159 01 83 09 03

Hendrik Lackus (Rumänisch/Romana)

+49 159 01 38 098 99

Gabriela Ruszala (Polnisch/ Polski)

+49 159 01 38 11 10

Pauline Lendrich (Deutsch, English/Englisch, Arabisch)

+49 159 01 38 09 06

Dzhemile Umerova (Englisch/English, Russisch/Русский, Ukrainisch/Український)

+49 159 01 38 09 05

Das Projekt BemA wird gefördert durch:



EUROPÄISCHE UNION
ESF
Europäischer Sozialfonds

Stiftung Neue Länder
Otto Brenner Stiftung

Das Förderprogramm „Integration durch Qualifizierung (IQ)“ wird durch das Bundesministerium für Arbeit und Soziales und den Europäischen Sozialfonds gefördert.

Bundesministerium
für Arbeit und Soziales

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