



## LEGISLATION

### MINISTRY OF LABOR'S PLAN: WORK OF TOMORROW LAW

Federal Labour Minister Hubertus Heil is planning a law to counteract economic crises. Heil has announced a corresponding bill for autumn. The law is to tie in with the content of the Qualification Opportunities Act. The aim is to prepare employees for change through digitization and new technologies. Specifically, the law is to provide for regulations according to which the Employment Agency has to bear the costs of such further training. In addition, employees should be entitled to paid time off from their employer in order to be able to attend further training courses. In addition, the use of short-time work allowance is to be facilitated. Short-time work is to be combined with qualification in the future.

#### also of interest...

- From 2020, a uniform minimum gross wage of EUR 515.00 per month is to apply to all trainees.
- Following the PflegeLöhneverbesserungsgesetz, Spahn proposes a minimum gross wage of EUR 14.00 per hour for nursing employees.

## CASE LAW

### ABDUCTION BY THE WORKS COUNCIL MAY BE INADMISSIBLE EXERCISE OF RIGHTS

In a recently published judgement the BAG (12.03.19, Az. 1 ABR 42/17) had to concern itself with the question, to what extent a co-determination may be kidnapped by the work council. Content wise it concerned the list of the duty rosters for the following month. In the specific case, the works council had not reacted to the employer's contacts. The BAG emphasizes the importance of the right of co-determination. At the same time, however, it states that in exceptional cases the works council may have violated the principle of trusting cooperation. If the works council therefore attempts to enforce other issues by means of a strategic blockade, there is a future risk that measures can be implemented lawfully without co-determination.

#### also of interest...

- LAG Köln, 09.04.2019: Obligation to inform also applies to holidays from previous years.
- ArbG Siegburg, 17.07.2019: Will to leave only in exceptional cases reason for extraordinary dismissal.

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## UPCOMING...

- Oral hearing before the BAG on 21.08.2019: Limited term without reason - preoccupation that occurred about 13 years ago.

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RA Dr. Ralf Busch // Brienner Str. 9/Amiraplatz // 80333 München  
[ralf.busch@heussen-law.de](mailto:ralf.busch@heussen-law.de)