



NEWSFLASH EMPLOYMENT LAW

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LEGISLATION HIGHER MINIMUM WAGES FOR CARERS

On 28 January 2020, the Nursing Commission agreed on higher minimum wages for employees in the care of the elderly. According to this agreement, the minimum wages for nursing assistants in the East and West are to increase to a uniform 12.55 euros per hour from 1 July 2020. The increase will be made in four steps and will lead to an alignment between East and West for the first time on 01.09.2021. From April 1, 2021, a minimum wage of 12.20 euros per hour will be introduced for qualified nursing assistants in the east and 12.50 euros per hour in the west. The east-west alignment for qualified nursing assistants is to be completed on September 1, 2021. From April 1, 2022, the minimum wage for qualified nursing assistants is to rise to 13.20 euros per hour.

also of interest...

- Reminder: Since 01.01.2020 the legal minimum wage is EUR 9.35 per hour.
- Reminder: Minimum remuneration for newly completed vocational training contracts in force since 01.01.2020.

CASE LAW PROTECTION AGAINST DISMISSAL OF THE DATA PROTECTION OFFICER

In a case now published, the Federal Labour Court had to deal with the duration of the special protection against dismissal of a data protection officer. (Judgement of 05.12.2019 - Az.: 2 AZR 223/19). Accordingly, the special protection against dismissal for the company data protection officer ends if the number of employees in the company falls below the threshold value of § 4f para. 1 sentence 4 BDSG old version. The case law is particularly interesting because the threshold value for the mandatory appointment of a data protection officer has been increased to 20 employees with the new legal situation according to § 38 BDSG. The ruling was issued on old data protection law, but there is nothing to prevent the principles from being transferred to the new legal situation.

also of interest...

- BAG, 18.2.2020: Voluntary information provided by the employer must be correct, unambiguous and complete, otherwise there is a risk of damages.
- LAG Schleswig-Holstein, 22.1.2020: Appointment of the election committee for the works council election by the court even if the works meeting is adjourned.

UPCOMING...

- Oral hearing before the BAG on March 18, 2020: Remuneration for the travel time of a sales representative to the first and from the last customer as working time.

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