



## LEGISLATION

### KMU COMPANIES RECEIVE STATE AID REGARDING TRAINING

As part of the programme „Securing training places“, the Federal Government has agreed that small and medium-sized enterprises (KMU) that continue to provide training despite considerable economic difficulties will receive financial support from the state for the year 2020/21. Specifically, it is planned that companies that do not reduce the number of training places will receive a premium of EUR 2,000 for each training contract they conclude in 2020. Companies that even increase their number of training places receive EUR 3,000 for each additional training contract concluded in 2020. In addition, the state will pay 75 % of the training allowance for each month in which a company is absent from work by at least 50 % until the end of the year for training companies that are on short-time work.

#### also of interest...

- The revision of the EU Posting of Workers Directive strengthens the rights of posted workers.
- The Federal Government has presented the draft for a structural strengthening law.

## CASE LAW

### RIGHT TO INFORMATION ACCORDING TO THE ENTGELTTRANSPARENZGESETZ ALSO APPLIES TO FREELANCERS

In a ruling dated 25 June 2020, the Federal Labour Court (8 AZR 145/19) clarified that employees similar to formal employees can also be employees within the meaning of § 5 (2) no. 1 Entg-TranspG. The LAG Berlin-Brandenburg had denied a television journalist's right to information under the Remuneration Transparency Act but allowed an appeal to the BAG. The terms ‚female employee‘ and ‚employee‘ in Paragraph 5(2)(1) of the EntgTranspG must be interpreted broadly in accordance with the concept of ‚employee‘ in Directive 2006/54/EC, since otherwise there would be no transposition into German law of the provisions of that directive prohibiting discrimination in pay and equal treatment of male and female employees in respect of equal work or work recognised as equivalent.

#### also of interest...

- LAG Düsseldorf, 23.06.2020: No broad right of insight of the works council.
- BAG, 17.06.2020: Are holiday periods to be taken into account for overtime bonuses?

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## UPCOMING...

- Oral hearing before the BAG on July 28, 2020: Invalidity of a works agreement on variable remuneration.

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