



LEGISLATION

CABINET DECIDES ON MINIMUM TRAINING ALLOWANCE

A minimum wage for trainees is to apply beginning in 2020. The federal cabinet has decided on a minimum wage of 515 Euro per month for all branches of industry in the first year of training. In the following years, the amount shall increase further, in 2021 to 550 Euro, 2022 to 585 Euro and from 2023 to 620 Euro. In the second, third and fourth year of training, further increases are planned: 18 percent in the second year, 35 percent in the third and 40 percent in the fourth year. The minimum wage will only apply to trainees who are not subject to collective bargaining agreements. Should a lower wage be governed by the collective bargaining agreement, it is to be continued.

also of interest...

- Federal Council for further facilitation of the promotion of training for foreigners.
- Federal Council approves new part-time opportunities in voluntary service.

CASE LAW

OBLIGATION TO RECORD WORKING TIME

The ECJ ruled on 14 May 2019 (C-55/18) that Member States must require employers to set up a system to measure the daily working time of each employee. Under the current German Working Time Act, employers are only obliged to record working time exceeding eight hours a day and working hours on Sundays and public holidays - but not the total working time. The current German provision contradicts the Working Time Directive 2003/88/EC according to the decision of the European Court of Justice. However, until an amendment to the Working Time Act comes into force, maintaining the status quo in companies is not penalized with a fine.

also of interest...

- BAG, 16.05.2019: Employer may refuse gradual reintegration of severely disabled person if there is reason to doubt a person's eligibility for a state of health.
- LAG Berlin-Brandenburg v. 11.4.2019: Yoga course can justify educational leave.

UPCOMING...

- Oral hearing before the BAG on 25.06.2019: Effectiveness of an expiration clause agreed in the employment contract.

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