

Information on secondary employment for employees subject to the TV-UK and TV-L collective agreements

This information sheet gives a comprehensive overview of the rules governing secondary employment. The provisions of German law and collective wage agreements apply, as do the University Medical Center's internal regulations. Further information on your rights relating to secondary employment can be obtained from the personnel department. Contact details are given at the end of this information sheet.

1. Definition

Secondary employment is any employment which is undertaken in addition to employment at the University Medical Center. This does not include unpaid activities which are generally considered to form part of an individual's personal life.

2. Defining employment at the University Medical Center and secondary employment

The tasks which form part of the employee's official duties may not be performed as secondary employment. The performance of additional tasks within the Medical Center does not constitute secondary employment (with the exception of employment at training and educational institutions within the Medical Center or the University).

In principle, secondary employment may only be undertaken outside of the employee's working hours.

3. Procedure/Approval

In principle, any secondary employment requires prior written approval by the staff support division. Undertaking secondary employment without approval or without having declared this employment constitutes a breach of employment contract.

The employee must obtain approval using the forms provided for this purpose. The following forms can be retrieved in the intranet:

- Declaration / Request for authorisation of secondary employment (general)
- Declaration / Request for authorisation of secondary employment in the field of medical devices and medications

The form should be submitted to the personnel department, completed in full and signed by the employee's superior, at least four weeks before the beginning of the planned secondary employment. The employee must report any change immediately in writing.

4. Essential criteria for granting of approval

The secondary employment may not be detrimental to the interests of the principal employer.

The provisions of the German Working Hours Act (ArbZG) must be observed when undertaking secondary employment. If work is undertaken for multiple employers, the working hours for all employers must be added together. This is important to ensure compliance with rest periods and maximum working hours, among other provisions. Employees with a standard working week of 38.5 hours who undertake one or more forms of secondary employment may work for no more than an average of 46.5 hours per week including their regular working hours. These maximum limits also apply to part-time employees.

5. Advertising

The Board of Directors of the University Medical Center ruled on 24th November 2015 that the secondary employment may not involve any advertising activity in the field of medical devices, medications or remedies and health aids.

6. No secondary employment during duty travel

Secondary employment during duty travel is not permitted. It is only possible when the fee paid is credited to the Medical Center's budget as third-party reimbursement of costs. Alternatively, the travel can be undertaken entirely for the purpose of secondary employment. In this case it cannot be funded by the budget or by third-party funding, and holiday or time off in lieu must be taken for the duration of the absence (see minutes from the meeting of the Board of Directors dated 19th July 2016).

7. Documenting absences

If secondary employment is undertaken during regular working hours, the employee must take holiday or time off in lieu for this purpose. This must be documented via submission of a notice of absence to the administrative department or the time administrator responsible.



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8. Use of Medical Center or University resources

Resources belonging to the Medical Center and the University may only be used if there is a public or scientific interest in the secondary employment. If authorisation of use is granted, compensation for this use must be paid in accordance with the applicable provisions. This does not apply to secondary employment at training and educational institutions within the Medical Center or the University.

9. Employment as an expert consultant

Employees in non-scientific roles who collaborate on expert reports on the instructions of their superior outside of regular working hours must declare this as secondary employment.

Employees in scientific roles who undertake independent employment as an expert consultant must declare this.

If you have any questions concerning secondary employment, please contact:

Abt. Personalbetreuung (staff support division)
Team 3
Breisacher Str. 153

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