



WORKING ALONGSIDE YOUR STUDIES IN GERMANY

Tips and Information for foreign students (from non-EU countries)

STRUCTURE



- Funding of studies
- Right of residence
- Social security contributions
- Digression: 450-Euro jobs, Student assistant at university, short fixed-term contracts
- Labour law

DIFFERENT LEGAL SPHERES...



Right of Residence

- EU countries/EFTA/EAA
- non-EU countries
- 120/240-days-rule

Social Security

- 20-hours-rule
- Obligatory health insurance

Taxes

- Income limit

Labor Law

- Minimum wage
- Collective Agreement

FUNDING OF STUDIES: SCHOLARSHIPS



| | | |
|----------------------------|--|---|
| Friedrich-Ebert-Stiftung | Friedrich-Ebert-Stiftung supports foreign applicants, who already go to public university or do a PhD at public university in Germany. | https://www.fes.de |
| Friedrich-Naumann-Stiftung | Friedrich-Naumann-Stiftung supports foreign applicants, who do their masters in Germany. | https://www.freiheit.org |
| Heinrich-Böll-Stiftung | Heinrich-Böll-Stiftung supports foreign applicants, who do their masters in Germany. | https://www.boell.de/de/stiftung/bewerbung |
| Konrad-Adenauer-Stiftung | Konrad-Adenauer-Stiftung supports foreign applicants, who do their masters in Germany. | https://www.kas.de/wf/de/42.37/ |
| Rosa-Luxemburg-Stiftung | Rosa-Luxemburg-Stiftung supports foreign applicants, who do their masters in Germany and offers special scholarships for students from Tunisia and some north african countries. | https://www.rosalux.de/stiftung/studienwerk/studienstipendium |
| Deutschlandstipendium | When your university takes part in Deutschlandstipendium you can apply. | |
| Brot für die Welt | <p>Evangelischer Entwicklungsdienst – Brot für die Welt supports foreign students, who are academic prequalified and offers a development politics scholarship for studies in Germany and overseas for academic prequalified.</p> <p>Additionally, an oecumenic hardship funds is offered for students from the global south who find themselves in financial needs.</p> | <p>https://info.brot-fuer-die-welt.de/stipendienprogramm/faq/welche-voraussetzungen-muessen</p> <p>https://info.brot-fuer-die-welt.de/stipendienprogramm/oekumenischer-notfonds</p> |
| Erasmus+ | Under certain conditions foreign students from non-EU countries can draw benefits of Erasmus+. | https://ec.europa.eu/programmes/erasmus-plus/contact_en#tab-1-0 |

FUNDING OF STUDIES: SCHOLARSHIPS



- <http://www.bildungserver.de/Foerderungsmoeglichkeiten-fuer-auslaendische-Studierende.-Stipendien-2416.html>
- <http://www.scholarshipportal.com/scholarships/germany>
- <https://www.stipendienlotse.de>

FUNDING OF STUDIES: FINANCIAL AID FUNDED BY THE FEDERAL MINISTRY OF EDUCATION AND RESEARCH (BMBF)



- Condition:
 - Registered address in Germany
 - University has to be located in Germany and be a state or state-accredited university
 - Financial hardship due to the pandemic
- Application can only be filed online: <https://www.überbrückungshilfe-studierende.de/start>
- Depending on the proven need, between 100 euro and 500 euro can be paid out as a non-repayable grant

FUNDING OF STUDIES: KFW-LOAN



- Until 31 December 2021 0.00% interest rate, due to the corona-crisis
- Monthly disbursements of up to EUR 650
- Condition:
 - Registered address in Germany
 - University must be located in Germany and be a state or state-accredited university
- Attention:
 - Refund necessary
 - After 31 December 2021 interest rate with an average of ~ 4,7%!

RIGHT OF RESIDENCE FOR STUDENTS



- ▶ Non-EU students registered at German university obtain a residence permit for the purpose of study („Aufenthaltserlaubnis nach §16 AufenthG zum Zwecke des Studiums“)
 - ▶ Restricted work permit
 - ▶ 120/240-days-rule

120/240-DAYS-RULE



| | 120 days of full-time work | 240 days of part-time work |
|---|---|----------------------------|
| Scale | more than 4 hours a day | max. 4 work hours per day |
| Required internship (study regulations) | <ul style="list-style-type: none">• no need for a work permission (even internship is paid)• work-restriction does not apply | |
| Voluntary internship | <ul style="list-style-type: none">• work restriction does apply | |
| Exceptions | <ul style="list-style-type: none">• working as: student assistant, research assistant at a german university or public research center → 120/240-days-rule does not apply• also valid for: lectures or performances of high scientific or artistic standards; athletic/sports performances | |
| Employment extensions | <ul style="list-style-type: none">• absolute exception• required work permit will be granted by the foreigners registration office (specific job offer/priority review/ succes in studies) | |
| Mode of employment | <ul style="list-style-type: none">• dependent employment | |

SOCIAL SECURITY CONTRIBUTIONS



- Employees have to pay social security contributions
- Contributions are deducted from the gross wage
- The health insurance collects the contributions from the employer and forwards them
- Exceptions:
 - Special rules are applied for students that work a max of 20 hours a week
 - Short fixed-term employment
 - 450-Euro jobs

20-HOURS-RULE (HEALTH INSURANCE)



- Privilege for working students
- Students that work a max of 20 hours a week do not have to pay social security contributions excepting the pension insurance
- Students that work more than 20 hours a week have to pay complete contributions
- Exceptions:
 - Short fixed-term contracts
 - Employment in the semester break
 - Working hours during the weekend, night or evening might be counted as an exemption → check with your health insurance (limited to 26 weeks within the last 12 months)

DIGRESSION: 450-EURO JOBS



- Max 450,00 €/month
- Minimum wage 9,50€/month
- 47,37 hours/month → < 120 days/year
- Contribution for pension insurance is optional

DIGRESSION: STUDENT ASSISTANT AT UNIVERSITY



- „HiWi/WiMi“
- 120-days-rule does not apply
- Payment based on collective agreement
- Short temporary work contract

DIGRESSION: SHORT FIXED-TERM CONTRACTS



- „Ferienjob“
- No limited income
- Working more than 20 hours/week possible without losing privilege for working students
 - Limitation 70 days/3 months
 - **Extended to 102 days/4 month effective until october 31 (restricted jobs from march to may can be extended for one month until the end of october)**
- Payment normally based on collective agreement

LOST YOUR JOB? REFUSED PAYMENT?



- Dismissal: Was it according to the law?
 - Written form
 - Statutory notice periods are at least 4 weeks to the middle or end of a month (in the trial period 2 weeks are possible)

- Possibility:
 - File a claim to the labour court (period of time: 3 weeks from the day you receive the notice of dismissal)

LOST YOUR JOB? REFUSED PAYMENT?



➤ Refused Payment:

- Suspend all paying immediately is not legal
- The company has to bear the economic risks
- If you offer your service, payment for the contracted hours (§615 BGB)
- File a claim to the labour court (period of time: 3 weeks from the day you receive the notice of dismissal)

➤ Possibilities:

- Claim to the labour court: first offer your service (formal letter)
- Agreement of unpaid absence → other jobs in the unpaid period are possible



- Income tax is determined by the tax class
- Tax class is, among others, determined by the level of earnings and marital status
- Up to 9.744,00 € are tax free
- 1.000,00 € of income-related expenses can be reduced from your income (flat rate allowance), more if you can provide evidence that these expenses were necessary for your job
- Single parents benefit from tax allowances
- Employees can submit a tax declaration and to reduce certain costs
- In the most cases, students are not obligated to make a tax declaration
 - More than one Job (different employers)
 - Income from rent/ investment income

EMPLOYMENT CONTRACT



- What needs to be included:
 - names and addresses of both contract parties
 - start date
 - job title and description
 - place of work
 - reference to the collective agreement
 - probationary period
 - salary group
 - special agreements
 - reference to works agreement
 - hours of work

COLLECTIVE AGREEMENT VS. LAW



| | Collective agreement (IG Metall) | Law |
|---|--|--|
| | 35 hrs from Monday to Friday | 40/48 hrs from Monday to Friday/Saturday |
| Paid vacations | 30 workdays: 6 weeks | 24 workdays: 4 weeks |
| Holiday pay | 50 % per day | No regulations |
| Christmas bonus | Up to 55% of monthly income | No regulations |
| Pay | Determined by labor contract | Minimum wage: 9,35 €/hour |
| Compensation for overtime work | Overtime is working time which goes beyond the time agreed upon. Compensation in pay and compensatory time-off | Ten hour limit per working day. No overtime premium for overtime, but compensatory time-off |
| Continuation of payments during illness | In some cases the claim is valid from the first day of work. Continued remuneration starting on the first day of employment. Pay subsidy begins with the 7th week of sick leave. | Claim valid after four weeks of continuous work. The employer pays full salary for the first 6 weeks of sick leave and cure treatments. In the 7th to 78th week of sick leave the health insurance pays the salary. |
| Giving of notice* | Occasionally longer periods of notice for the employer | Standard weekly working hours |

LETTER OF REFERENCE



- Every employee has a right to a letter of reference
- Jurisdiction states that:
 - Content is to be favorable and truthful
 - No one-time incidents that are not typical for the employee
 - Only work-related facts, no private information
 - In a correctly written form, signed accordingly
 - No hidden references
- An interim report can be requested
- Also applies for an internship

WHERE CAN I FIND THE SHEETS?



➤ Tomorrow:

- <https://www.hochschulinformationsbuero.de/niedersachsen-und-sachsen-anhalt/home-news>



GET IN CONTACT



- HIB Braunschweig:
 - Mail: info@hib-braunschweig.de
 - Advice on the phone: Thursday 03:00pm to 05:00pm, 0531 / 391-4057



**THANK YOU FOR
LISTENING**