



CIVILIAN PERSONNEL NEWSLETTER



Welcome to the July-August 2021 Edition of Our Newsletter

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Hello Team Ramstein! The previous weeks have shown the importance of our nearly 5,000 person strong civilian workforce. You should all take pride in the contributions to the real world mission of Operation Allied Rescue; your support was and continues to be critical to mission success.

I'd like to welcome the newest member of our team, Mr. Larry Ray, your Ramstein Civilian Personnel Officer. Mr. Ray recently arrived from MacDill AFB where he was the Civilian Personnel Flight Chief. I would also like to introduce Ms. Kathryn Iapichino as our new US appropriated fund Staffing Chief. Ms. Iapichino was already a member of the Ramstein CPO as a Staffing Specialist.

As we transition from summer to fall, it is a good time to take another look at your use/lose leave balances and ensure you are planning now to avoid losing leave at the end of the year. The end of September also marks the halfway point through the performance cycle for US APF employees. That means supervisors should be preparing to provide mid-cycle feedback, referred to as a "progress review" for US civilians covered by DPMAP (a formal tasker on this requirement is forthcoming). Although not a requirement on the Non-US side, this is also something that should be done for the benefit of employees and the mission. All employees should know what they are doing well and what areas could use some improvement.

Please do not hesitate to contact the Civilian Personnel Office with any questions or concerns you have regarding civilian HR issues. One way to contact our office is to email: 86fss.fse@us.af.mil.

Thanks,

Matt Newburn

SAVE THE DATE!

- **October 3rd -German Unity Day**
- **October 8th-Family Day**
- **October 11th-Columbus Day**
- **October 31st - Halloween**
- **October 31st -Daylight Savings Time (GER)**
- **November 1st -All Saints Day**
- **November 7th -Daylight Savings Time (US)**
- **November 12th-Family Day**
- **November 11th -Veterans Day**
- **November 25th -Thanksgiving**
- **November 26th-Family Day**



QUOTE OF THE MONTH



CIVILIAN EMPLOYEE ELECTRONIC OFFICIAL PERSONNEL FOLDER

The Official Electronic Official Personnel Folder (eOPF) is maintained by the Office of Personnel Management and contains official government documents covering your employment history. Although some of the documents contained in the eOPF are also available in MyBiz+, others are not. The eOPF contains documents such as:

- ◆ Standard Form 50 – Notification of Personnel Actions, documenting your employment history
- ◆ Military Service documents such as DD 214
- ◆ Benefits elections such as Standard Form 2809, Health Benefits Election; Standard Form 2817, Life Insurance Election; and various designation of beneficiary forms

To create a eOPF account login to myPers [myPers \(af.mil\)](https://myPers.af.mil), Key word search 23070. The benefits of having access to your eOPF include:

- ◆ Immediate access to your documents
- ◆ Ability to view or print your documents
- ◆ Ability to review your documents and identify missing or incorrect information

If you currently have an eOPF account, it is recommended that you review the documents annually and alert your servicing Civilian Personnel Office of any discrepancies or missing documents.



Civilian Employee Participation in Volunteer Activities

The magnitude of and continued focus on Operation Allies Refuge (OAR) has prompted numerous questions regarding civilian support of this important undertaking, and civilian volunteerism in general. If a U.S. civilian employee would like to volunteer during their regularly scheduled tour of duty, permission must be obtained from their supervisor in advance. In accordance with [DoDI1400.25V630 AFI36-816, Leave](#), the following options apply.

- **Leave and Alternative Work Schedules:** Civilians seeking to participate in volunteer activities during normal duty hours may request permission from their supervisor to use **their own leave or leave without pay**. In other words, people volunteer their own time, not the government's time. Employees may also request to utilize the flexibilities offered by alternative work schedules.
- **Excused Absence:** A supervisor may choose to grant brief periods of **excused absence** to allow employees to assist in emergency situations that are declared by, or requested from, authorized officials, or to participate in **management sponsored volunteer projects**. Management should typically only sponsor volunteer projects for DoD/DAF required efforts. Although there are many worthy and noble causes that need the help of volunteers, volunteer work for non-DoD/DAF organizations or efforts, including private, non-profit, religious, or political organizations, may not be appropriate for management sponsorship.

Note that even if the volunteer activity is for an authorized emergency situation and/or a project sponsored by management, employees are not entitled to an excused absence. Supervisors must consider mission requirements and impacts to approve/disapprove requests for leave or excused absence. Safety and health implications should also be carefully considered with the granting of excused absence to prevent work-related accidents. Any volunteer hours completed outside of or in excess of an employee's normal work schedule are at the employee's sole discretion, on their own time, and are not connected to any pay or other entitlements (basic pay, overtime/comp time, credit hours, etc.). Requests for excused absence should be submitted to the supervisor in writing and specify the date(s), time(s), location, and description of the volunteer service. Management may require the employee provide verification of their attendance during the period of excused absence.

Supervisors and employees should review the following information on the [Ramstein CPF Website](#) for additional information:

- **Management Guide for APF U.S. Civilian Employee Support of OAR** for additional information and time and attendance codes
- Helpful factsheets available regarding Absence and Leave and Hours of Work
- Alternative Work Schedule (AWS) Handbook

Contact 86fss.fsec.us-emr@us.af.mil with any questions on this guidance or for help in determining appropriate actions.



Compensatory Time for Travel (Travel Comp)

Questions often come up regarding when an employee accrues "travel comp" time. Below are some of the more common questions, but additional Q and A's can be found at <https://www.opm.gov/policy-data-oversight/pay-leave/pay-administration/fact-sheets/compensatory-time-off-for-travel-questions-answers-to-fact-sheet/>

Q: What is Travel Comp?

A: Basically, compensatory time off for travel (also known as travel comp) is a separate form of compensatory time off that may be earned by an employee for time spent in a travel status away from the employee's official duty station to/from an authorized temporary duty (TDY) station or between TDY stations, when such time is not otherwise compensable.

Q: Can I Earn Travel Comp for PCS Travel?

A: No. Although PCS travel is officially authorized travel, it is not travel between an official duty station and a TDY station. Therefore, it is not considered time in a travel status for the purpose of earning compensatory time off for travel. Your travel orders allot a specified amount of travel time when PCS'ing in or out and additional travel comp time cannot be claimed.

Q: What Time in a Travel Status Counts?

A: Travel status includes only the uncompensated time actually spent traveling between the official duty station and a temporary duty station, or between two temporary duty stations, and the usual waiting time that precedes or interrupts such travel.

- An employee may not earn compensatory time off for travel for traveling on a workday during regular working hours or even on paid holidays because the employee is receiving his or her rate of basic pay for those hours.
In other words, no double dipping.
- The usual wait time prior to the scheduled flight departure is 2-3 hours when flying internationally. The usual wait time for a connecting flight is 1-2 hours. If an employee experiences an unusually long wait (e.g., delayed/cancelled flights, maintenance delays) during which the employee is free to rest, sleep, or otherwise

use the time

for his or her own purposes this time is not creditable.

An extended waiting period that occurs during an employee's regular working hours is compensable as part of the employee's regularly scheduled administrative workweek.

- Meal periods are not creditable travel time. For every eight and one-half (8 ½) hours of compensatory time for travel claimed, ½ hour must be deducted as a bona fide meal period. EXCEPTION: In a situation where the employee is continuously traveling in a conveyance

(aircraft, train, automobile) the deduction does not apply.

- Employees should request compensatory time off for travel in advance when possible, but must do so by the end of the pay period following the time in travel status or it may be denied.

- When an employee's travel involves two or more time zones, the time zone from the point of first departure must be

used to determine how many hours the employee actually spent in a travel status for the purpose of accruing compensatory time off. Example: Leave USA to return to Germany from EST zone at 0800 arriving in Germany 9 hours later at 2300 German time. Travel hours are calculated based upon your point of departure (EST), therefore, your arrival in Germany is equivalent to 1700 pm EST. Thus, the actual travel time is 9 hours, not 15 hours.

Q: Will Travel Comp Get Paid Out?

A: Payment for unused travel comp is not authorized under any circumstance. Earned travel comp time must be used within one year or it is lost. It is also forfeited if an employee transfers to another agency, moves to an uncovered position, or separates from federal service.

If you have any questions, please contact your servicing Employee Relations Specialist at 86fss.fsec.us-emr@us.af.mil

Reference: DoDI1400.25V550_AFI36-808



OVERTIME & COMPENSATORY TIME

Overtime is work in excess of 8 hours in a day or 40 hours in an administrative workweek (Sun – Sat), or work in excess of the basic work requirement for employees assigned to a compressed work schedule. Overtime must be officially ordered and approved. All overseas appropriated fund AF civilian employees are exempt from the Fair Labor Standards Act (FLSA) and are eligible for overtime under Title 5 of the United States Code (5 CFR 551.212); therefore, the following guidance applies.

Overtime rates are as follows:

For Federal Wage System (WG/WL/WS) employees, and for other employees whose basic hourly rate is **equal to or less than** the rate of basic pay for GS-10 step 1, the overtime hourly rate is the employee's hourly rate of basic pay multiplied by 1.5.

For other employees whose basic hourly rate is **greater than** the basic pay for GS-10, step 1, the overtime hourly rate is the **greater** of: the hourly rate of basic pay for GS-10, step 1, multiplied by 1.5 *OR* the employee's hourly rate of basic pay.

Compensatory Time (or comp time) is time off in lieu of overtime pay. Just like overtime, it is work in excess of 8 hours per day or 40 hours in an administrative workweek that is officially ordered and approved. Employees are entitled to the same amount of comp time off as the amount of overtime hours worked (e.g., 1 hour of comp time off is granted for each hour of overtime worked). FWS employees, and other employees paid at the rate of GS-10 step 10 and below, must be allowed the choice of either overtime pay or comp time.

Employees should use previously earned compensatory time before using accrued annual leave. Comp time that is earned but not used within 26 pay periods shall be paid at the overtime rate at which it was earned.

Overtime / Comp Time Approval Procedures: Before overtime or comp time is ordered and worked, the supervisor must obtain approval from their overtime authorizing official (exceptions to this requirement may apply in an emergency). The premium request available within the ATAAPS timekeeping system will be used. If ATAAPS is unavailable an AF Form 428, *Request for Premium Pay*, will be used and the supervisor will maintain the hard copy form. Only two-digit officials and their deputies, or three-digit delegates with a formal appointment letter, may authorize overtime work. For the 86 AW, approval authority has been delegated to the squadron commander level.

For additional information, please reference the Ramstein Factsheet on Overtime, Comp Time, and Credit Hours found at <https://www.ramstein.af.mil/Contact/Civilian-Personnel-Flight/Units/Ramstein-AB-Passenger-Terminal/>.

Family Medical Leave Act

The Family Medical Leave Act (FMLA) was established by Congress in 1993 as a job protection for eligible employees during a time when they or their family members have a **serious** health condition that makes the employee unable to perform duties of his or her position. An employee must complete 12 months of federal civilian service to be eligible and must submit appropriate written medical documentation signed by a practicing physician or other practitioner. Approved FMLA entitles an employee to leave without pay (LWOP); however, an employee may choose to substitute annual leave for any unpaid leave under FMLA. An employee may also substitute sick leave in those situations in which the use of sick leave is permitted and made in advance.

If approved, an eligible employee may use up to 12 administrative workweeks of unpaid leave during any 12-month period from the date they first invoke use of FMLA. FMLA can be used for the birth of a son or daughter and care of the newborn; the placement of a son or daughter with the employee for adoption or foster care; the care of a spouse, son, daughter or parent of the employee with a serious health condition; or for the employee's serious health condition. Note that the National Defense Authorization Act for Fiscal Year 2020 (Public Law 116-92) amended the FMLA provisions to provide for up to 12 weeks of paid parental leave (PPL) to eligible Federal employees in connection with the birth or placement (for adoption or foster care) of a child occurring on or after 1 October 2020. Review the PPL fact sheet on the Civilian Personnel Flight (CPF) website for additional program requirements, FAQs, PPL request form, and work obligation agreement.

In addition, there are special military FMLA entitlements:

- Qualified leave for an exigency. This provision provides eligible federal employees **up to 12** administrative work weeks of unpaid leave under FMLA for qualifying exigency purposes. The provision helps federal civilian employees manage family affairs when their family members are on covered active duty to a *foreign country*. State-side active duty does not qualify for exigency leave
- Care for a covered service member undergoing medical treatment, recuperation, or therapy, for a serious injury or illness which was incurred in the line of duty while on active duty. Eligible federal civilian family members are entitled to up to 26 weeks of FMLA during a single 12 month period. Similar to regular FMLA, this is unpaid leave which an employee may substitute with any accumulated annual or sick leave. However, the normal leave year limitations on the use of sick leave to care for a family member do not apply.

For more information on FMLA review the FMLA fact sheet on the CPF website at https://www.ramstein.af.mil/Portals/6/documents/Civilian_Personnel_Section/Factsheets/EMR/Family_Medical_Leave_Act-Mar19.pdf?ver=2019-03-20-072703-557.

You may also contact the Employee Management Relations Section for additional information at 478-6714 or 478-7143, or email: 86fss.fsec.us-emr@us.af.mil.

Supervisor's Records

AFI 36-129, Chapter 8.3, *Civilian Personnel Recordkeeping*, requires each supervisor to maintain a Supervisor's Employee Work Folder (formerly referred to as the 971 Folder) on each employee they supervise. The record must be stored in a secure location. It consists of documents used in carrying out supervisory responsibilities to include the following:

Section 1: Supervisor's Employee Brief- 971, previously AF Form 971. This is a system generated document which is sent to the supervisor.

Part A – Personal data. Contains current personal information about the employee, e.g., home address, telephone number, and emergency contacts. Supervisors should have a physical home address (not the PSC Box) on file, and ensure that the employee's emergency contact information is current. Additionally, supervisors should encourage employees to update their emergency contact information in MyBiz.

Part B - Supervisor's Notes: Provides an area for supervisory comments and remarks during the year such as counseling discussions, employee job performance, expectations, reiteration of policy, actions taken to correct or motivate the employee and letters of appreciation. Additional entries may be made by using bond paper attached to this part.

Part C – Contains the employee's current position data, education, performance, training and awards information.

Section 2: Employee Position Description, Core Personnel Document (CPD) or Standard Core Personnel Document (SCPD).

Section 3: Performance appraisal when supervisors or employees do not have access to an automated appraisal system. Note: Appraisal information for those covered under the Defense Performance and Appraisal Program (DPMAP) must be documented in the MyPerformance appraisal tool.

Section 4: Work and leave schedules.

Section 5: Training requests and approved training plans.

Section 6: Telework agreement.

Section 7: Emergency essential, key or mission essential agreement(s).

Section 8: Performance and disciplinary actions (admonishments, reprimands, suspensions and/or performance improvement plans).

Medical documentation should never be kept in the Supervisors Employee Work Folder. A separate Employee Medical File must be used for documentation relating to participation in physical fitness programs, voluntary leave transfer, FMLA and documentation supporting use of sick leave and/or advanced sick leave requests.

For additional information please review the Supervisor's Employee Work Folder factsheet on the Ramstein CPF website at <https://www.ramstein.af.mil/Contact/Civilian-Personnel-Flight/Units/Ramstein-AB-Passenger-Terminal/>.

Congratulations

The Civilian Developmental Education (CDE) Senior and Intermediate Developmental Education (SDE/IDE) Board and the Fiscal Year 2022 Civilian Strategic Leader Program (CSLP) Board convened 20-22 July 2021. The CDE Board designated Department of the Air Force (DAF) civilians to attend in-residence developmental education and leadership training. The CSLP Board selected DAF civilians who demonstrate readiness and possess the highest potential for success in leadership development assignments to compete for assignment opportunities at the following levels.

Please follow the below link to see the list of Ramstein selectees—we extend our sincere congratulations to these deserving employees!

https://www.ramstein.af.mil/Portals/6/documents/Civilian_Personnel_Section/Newsletters/AY22%20CDE%20-%20Ramstein.pdf?ver=DEINyftiiTxM3NHG4o_EXQ%3d%3d

2021 Federal Benefits Open Season is approaching!

From November 8 – December 13, 2021, employees may enroll, cancel, or make changes to the following:

- ⇒ Federal Employee's Health Benefits (FEHB)
- ⇒ Federal Employees Dental & Vision Insurance Program (FEDVIP)
- ⇒ Flexible Spending Accounts (FSAFEDS)



The US Office of Personnel Management (OPM) typically releases Open Season information and guidance in late October or early November at <https://www.opm.gov/healthcare-insurance/open-season>.

This information includes any significant plan changes, including when plan codes change or certain plans leave the program. Employees are also notified by the carrier if their plan will have a significant plan change. If these employee do not make an election during Open Season to either enroll with another carrier or cancel their coverage, the AFPC Benefits & Entitlements Service Team (BEST) will process the change for them as outlined in the Open Season guidance provided by OPM.

BEST encourages employees to review their current coverage and other options available in order to best determine if the plan they have is right for them and their family (if applicable). If an employee does not make changes during the Open Season timeframe he or she will have to wait until the next Open Season or qualifying life event.



Non-US Staffing Newsletter

Vorübergehende Übertragung höher zu bewertender Tätigkeiten / Befristete Höhergruppierung (§ 53 Nr. 1 TVAL II)

Wir bitten alle Vorgesetzten, sich **vor** der Übertragung höherwertigerer Tätigkeiten unbedingt mit dem Personalbüro in Verbindung zu setzen, damit sichergestellt ist, dass die gesetzlichen und tariflichen Vorschriften eingehalten werden.

Die Übertragung höherwertigerer Tätigkeiten und die daraus eventuell resultierende Höhergruppierung sind in § 53, Nr. 1 TVAL II geregelt:

“Wird einem Arbeitnehmer vorübergehend eine höher zu bewertende Tätigkeit übertragen, die ihn überwiegend in Anspruch nimmt, und hat er sie mindestens 30 zusammenhängende Kalendertage ausgeübt, so wird er mit Wirkung vom ersten Arbeitstag nach Ablauf dieser Zeit befristet höhergruppiert oder befristet in den Lohn tariff/Gehaltstarif eingruppiert, dem diese Tätigkeit zuzuordnen ist. Mit Ablauf der Befristung oder beim Eintritt des Ereignisses, das die befristete Übertragung der höher zu bewertenden Tätigkeiten beendet, kehrt der Arbeitnehmer auf seinen bisherigen Arbeitsplatz zurück, ohne dass es einer Änderungskündigung bedarf.”

Dabei muss seitens der Eingruppierungsabteilung überprüft werden, ob im Einzelfall zu mehr als 50% der Arbeitszeit höherwertigere Tätigkeiten ausgeübt werden.

Seitens der Einstellungsabteilung muss überprüft werden, ob der/die Arbeitnehmer/in über die erforderlichen Qualifikationen verfügt.

Zudem muss eine solche Maßnahme vor Umsetzung mit der Betriebsvertretung koordiniert werden. Dieses Verfahren gilt auch fuer fuer Stellenneubewertungen.

Es ist daher dringend erforderlich, vor der Übertragung höherwertigerer Tätigkeiten sich frühestmöglich mit dem Personalbüro in Verbindung zu setzen.

Temporary Assignment of Higher Level Duties / Temporary Promotion

We ask all supervisors of Non-US personnel to contact the personnel office **prior** to assignment of higher level duties, in order to assure compliance with legal and tariff requirements. The temporary assignment of higher level duties is stipulated in Article 53, para 1, CTA II:

“If an employee is temporarily assigned higher level duties that take up the greater part of his or her time, and if he or she has performed these duties for at least 30 consecutive calendar days, he/she will be temporarily promoted or temporarily assigned to the wage or salary tariff that covers his or her duties effective the first workday following the 30-day period. On expiration of the temporary promotion or with the event that ends the temporary assignment of higher-level duties, the employee will return to his or her previous position without the requirement for a notice of change in employment conditions.”

Some important points to remember:

The Classification Section needs to determine if higher level duties are being performed for at least 50% of the employee's work hours.

The Staffing Section needs to determine whether or not the employee fulfills all qualification criteria

In addition, such personnel actions need prior Works Council coordination. This also applies in cases of a position review.

Therefore, it is imperative to contact the personnel office as early as possible prior to the assignment of higher level duties.

ÜBERTRAGUNG VERÄNDERTER ODER ANDERER TÄTIGKEITEN /

ÄNDERUNG DER TÄTIGKEITEN

Die Übertragung veränderter oder zusätzlicher Tätigkeiten sollte nicht ohne vorherige Absprache mit der Eingruppierungsabteilung des Personalbüros erfolgen, da bei einer solchen Übertragung gesetzliche und tarifliche Vorschriften zu beachten sind.

Eventuell bedarf es einer Neubeschreibung dieser veränderten/zusätzlichen Tätigkeiten und/oder einer Neubewertung. Wir bitten daher, sich rechtzeitig mit dem zuständigen Sachbearbeiter der Eingruppierungsabteilung in Verbindung zu setzen. Sollte die Prüfung der veränderten Tätigkeiten durch die Eingruppierungsabteilung ergeben, dass es sich um höherwertige Tätigkeiten handelt, so dürfen diese nur übertragen werden, wenn die Betriebsvertretung vorher Ihre Zustimmung erteilt. Hieraus kann dann auch eine Höhergruppierung resultieren. Diese Höhergruppierung bedarf ebenfalls der Beteiligung der Betriebsvertretung und darf erst **nach Abschluss des personalvertretungsrechtlichen Verfahrens** erfolgen.

Auch aus diesem Grund, bitten wir Vorgesetzte sich frühzeitig mit ihrem zuständigen Sachbearbeiter der Einstellungsabteilung in Verbindung zu setzen um sich über die Qualifikationsanforderungen der zu füllenden Stelle, der entsprechenden Personalmaßnahme sowie der erforderlichen Beteiligung mit der Betriebsvertretung beraten zu lassen.

Das oben Ausgeführte gilt grundsätzlich sowohl bei der permanenten als auch bei der vorübergehenden Übertragung anderer oder zusätzlicher Tätigkeiten, wenn diese als höher zu bewertende Tätigkeiten durch die Eingruppierungsabteilung festgelegt wurden.



Bei einer vorübergehenden Übertragung einer höherwertigen Tätigkeit nach § 53 TVAL II hat der Arbeitnehmer allerdings erst dann Anspruch auf eine Höhergruppierung, nachdem er diese Tätigkeit an mindestens 30 zusammenhängenden Kalendertagen ausgeübt hat. Dies wird in einer entsprechend von Personalbüro und Arbeitnehmer zu unterzeichnenden Vereinbarung festgehalten. Die Vereinbarung regelt weiter, dass der Arbeitnehmer/die Arbeitnehmerin mit Ablauf der Befristung oder beim Eintritt des Ereignisses, das die befristete Übertragung der höher zu bewertenden Tätigkeit beendet (z. B. Rückkehr des Stelleninhabers nach beendeter Elternzeit), auf den bisherigen Arbeitsplatz zurück kehrt, ohne dass es einer Änderungskündigung bedarf.

In diesem Zusammenhang weisen wir darauf hin, dass das Teilzeit- und Befristungsgesetz nicht für die vorübergehende Zuweisung einer höherwertigen Tätigkeit und auch nicht für befristete Höhergruppierungen anwendbar ist.

ASSIGNMENT OF ALTERED OR OTHER DUTIES / CHANGE OF DUTIES

The assignment of altered or additional duties should not be initiated without prior consultation with the Classification Section of the Civilian Personnel Office, since such assignments have to follow legal and tariff classification rules and regulations.

A new description of these altered/additional duties and/or a reclassification might be necessary. Therefore we highly encourage supervisors to contact their servicing classification specialist as soon as it is known that changes need to be made. Should the classification specialist's review show that the altered/additional duties are at a higher level, it could result in a promotion. Such promotions require prior Works Council coordination and can only be initiated **after completion of the coordination procedures**. The duties may not be assigned and performed until the Works Council gives consent.

We also ask supervisors to contact their servicing staffing specialist in such situations in a timely manner to obtain guidance on the qualification requirements of the position if upgraded, the appropriate personnel action request, and the required Works Council coordination.

The above guidance pertains to both the permanent as well as the temporary assignment of altered or additional duties if these duties are determined as being at a higher level by the Classification Section.

However, in the case of a temporary assignment of higher level duties IAW article 53, CTA II, the employee is only entitled to a promotion after performing these duties for at least 30 consecutive calendar days. This is recorded in an agreement to be signed by the HR Office and the employee. This agreement further stipulates that upon expiration of the temporary promotion or the event that ends the temporary assignment of higher-level duties (e.g., return of the permanent incumbent after parental leave), the employee will return to his/her previous position without the requirement for a notice of change in employment conditions.

Please also note that the conditions of the Part Time and Temporary Employment Act do not apply to temporary assignments of higher level duties and temporary promotions.



Arztbesuch während der Arbeitszeit



Hat der Beschäftigte das Recht, während der Arbeitszeit einen Arzt zu besuchen?

Grundsätzlich sind Beschäftigte dazu verpflichtet, Termine für Arztbesuche außerhalb der persönlichen Arbeitszeit wahrzunehmen. Der Paragraph 28 (1) g und h des Tarifvertrages regelt Ausnahmen, die im Einzelfall zu prüfen sind. Zum Beispiel besteht die Möglichkeit der Freistellung für das erstmalige Aufsuchen eines Arztes oder für ärztliche Untersuchungen, die nicht außerhalb der Arbeitszeit durchgeführt werden können. Dies gilt zum Beispiel

für eine Blutabnahme im nüchternen Zustand des Patienten. Des Weiteren hat der Beschäftigte die Möglichkeit, bei akuten Beschwerden einen Arzt während der Arbeitszeit aufzusuchen. Die Arbeitsbefreiung umfasst ausschließlich die Dauer des Arztbesuches sowie die entsprechende angemessene Dauer der Anfahrtswege.

Ist eine Terminvereinbarung außerhalb der Arbeitszeit, zum Beispiel aufgrund der Öffnungszeiten der Arztpraxis, nicht möglich, so ist der Arbeitgeber berechtigt hierfür einen Nachweis zu verlangen.

Wichtig: Auch in diesen Fällen ist der Beschäftigte grundsätzlich verpflichtet, einen frühen oder späten Termin zu wählen, damit der Arbeitgeber durch die notwendigen Fahrtzeiten nicht zusätzlich belastet wird.

Eine Freistellung nach § 28 (1) g und h TV AL II kann grundsätzlich nur auf vorherigen Antrag beim Vorgesetzten und bei Vorlage eines entsprechenden Nachweises erfolgen. Ggf. anfallende Nachweisgebühren werden von dem Beschäftigten getragen.

Was gilt für Teilzeitkräfte?

Teilzeitkräfte haben nach Ansicht gängiger Rechtsprechung auf Grund ihrer geringeren Arbeitszeit die Möglichkeit, ihre Arzttermine außerhalb ihrer Arbeitszeit zu legen. Ausnahmen hierzu sind im Einzelfall zu prüfen.

Was gilt für Mitarbeiter/innen im Schichtbetrieb?

Mitarbeiter im Schichtbetrieb haben die Möglichkeit, ihre Arzttermine in ihre Freischichten zu legen. Ausnahmen hierzu sind im Einzelfall zu prüfen.

Bei Fragen steht Ihnen Ihr Non-US EMR Team (DSN 480-5365) gerne zur Verfügung.

Ihr EMR-Team

Doctor's Appointments During Work Hours

Does an employee have the right to make doctor's appointments during work hours?

In general employees are obliged to schedule doctor's appointments outside of their work hours. Article 28(1)g and h of the CTA II regulates exceptions, which must be examined on a case-by-case basis. For example, there is the possibility that the employee is released from duty for a first-time physician consultation or if appointments cannot be scheduled off-duty. This applies, for example, if the doctor schedules an appointment due to operational reasons in his/her practice, e.g., if the patient is required not to eat and drink before a blood test. In addition, in case of acute symptoms, the employee can consult a doctor during work hours. The work release covers only the duration of the doctor's visit as well as reasonable driving time.

If it is not possible to make an appointment off-duty, for example due to the opening hours of the doctor's practice, the employer is entitled to demand proof of this. **Important:** Even in these cases, the employee is obligated to choose an earlier or later date to minimize the impact to the employer.

A leave of absence according to Article 28(1)g and h of the CTA can only be granted upon prior request submitted to the supervisor and providing respective proof. Possible confirmation fees are borne by the employee.

What applies to part-time employees?

In accordance with current jurisdiction, part-time employees are able to schedule their doctor's appointments outside their regular work hours due to reduced work hours. Exceptions must be examined on a case-by-case basis.

What applies to employees working shifts?

In general employees working shifts are able to schedule doctor's appointments during free shifts. Exceptions must be examined on a case-by-case basis.

If you have any questions, please do not hesitate to contact your Non-US EMR Team at DSN 480-5365.

