

Information Sheet on the Legal Effects of Fixed-Term Employment as a Research or Student Assistant

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Promoting junior academic staff is an important task for universities. In order to make this possible, the federal legislator created the Wissenschaftszeitvertragsgesetz (WissZeitVG – Academic Fixed-Term Contract Law), which allows the conclusion of fixed-term employment contracts that exceed the limits of the generally valid Teilzeit- und Befristungsgesetz (TzBfG – Act on Part-Time Work and Fixed-Term Employment Contracts). Generally, according to the WissZeitVG, academic staff without a Ph.D. can be employed on fixed-term contracts for up to six years and if they successfully complete a doctorate they can be employed for up to six further years on fixed terms.

If work tasks have been defined that require an academic degree, but do not fall under the WissZeitVG, e.g. pure language teaching or academically relevant administrative tasks, they can only be employed on fixed-term contracts according to the TzBfG. In most cases, due to a lack of objective reasons for employment, fixed-term contracts are only possible for up to two years.

The following information explains which employment constellations as a student or research assistant can be counted toward the total possible length of fixed-term employment as an academic employee or can even make further employment completely impossible.

1. Employment Counting towards the Maximum Length of Fixed-Term Employment According to WissZeitVG

According to §2 Sub-Section 3 Sentence 3 of the WissZeitVG, employment periods as a student assistant or research assistant during studies for a master's degree, will not count towards the maximum length of fixed-term employment as an academic employee, depending on the extent of the working hours. Employment periods as a research assistant, after completion of a degree are to be counted towards the maximum length of fixed-term employment as an academic employee according to §2 Sub-Section 3 Sentence 1 of the WissZeitVG, only if the working hours amount to more than a quarter of the regular working hours, i.e. more than ten hours per week.

2. Effects of Having a Fixed-Term Contract According to TzBfG

Employment periods as a research or student assistant are periods of previous employment according to TzBfG. If at any time previously there was employment at one of Mecklenburg-Vorpommern's state universities, the conclusion of a fixed-term contract without objective reasons according to §14 Sub-Section 2 of the TzBfG at the University of Greifswald or at another state university at a later date is not possible.