

Information on the remuneration system – determination of grades in accordance with the pay scale agreement for the public sector in the German federal states (TV-L)

I. Principle

Each month, the employee receives a salary in accordance with the pay scale, the amount being determined by the salary bracket and the grade applicable to him/her. The organization of the grades varies within the salary brackets, with grades 1 and 2 being classified as "basic salary grades", and grades 3 to 6 being classified as "development grades".

II. Grade assignment

a) For new employees:

The determination of a grade is always based on the pay-scale benchmark of "**relevant professional experience**".

Definition:

Relevant professional experience is professional experience in the work assigned or in tasks related to the work assigned. This applies if the employee largely continues to work in the same capacity. It may, however, be sufficient if the work is the same or similar, provided its value is in line with the future grouping. The crucial factor is whether, typically, the knowledge and skills required for the former work, and the knowledge and experience acquired, are also specifically required for the new position and are of defining importance for the new position. In relation to the type of function and level, the two jobs must be of equal status.

If professional experience was gained in short-term employments of only a few days or weeks and the activities performed in the course of these short-term employments did not cover the whole scope of the work performed currently, professional experience does not apply.

Principle/classification:

Employees who enter into an employment contract with the Free State of Bavaria for the first time and who do **not have relevant professional experience** are always assigned to **grade 1** of their salary bracket.

1st exception:

If the person taking up employment can prove that they have **relevant professional experience from an earlier employment contract with the Free State of Bavaria**, the term of this earlier contract will be considered in assigning the grade. A **former employment contract** is deemed to exist if there is a maximum period of six months, or 12 months in the case of scientists in salary bracket 13 or higher, between the end of the previous employment contract and commencement of the new one. Once assigned to a grade, there will generally be a "residual

period" that will be taken into consideration for the term of the grade.

2nd exception:

If a total of **at least one year of relevant professional experience** has been acquired in a former **employment contract with a different employer**, the employee will be assigned to **grade 2**. If the employee has a total of at least three years of relevant professional experience, he/she will be assigned to **grade 3**. In this case, no allowance can be made for "residual periods" in relation to the assignment to a grade!

3rd exception:

In the case of employees recruited under **salary brackets 13 to 15**, periods of **relevant professional experience** at other **universities** or non-university research institutions must always be recognized. The same applies to employees in salary brackets 9 to 12 if they make a major scientific/academic contribution to the planning, preparation, implementation, assessment and/or evaluation of scientific/academic projects.

Any "residual periods" will be taken into consideration for future advancement through the grades.

4th exception:

In order to **cover human resources requirements**, periods of former professional employment may be taken into account either in whole or in part when assigning a grade if this work is **conducive** to the proposed employment. A **gap in staffing** is essential in this case, i.e., there is no prospect other than the proposed candidate of adequately filling the human resources gap either in quantitative or qualitative terms. The supervisor must put forward detailed and credible reasons in such cases.

As regards content, the term "conducive experience" primarily refers to similar or equivalent work carried out by the applicant on behalf of another public or private employer. In particular, this may apply if there is a logical relationship between the earlier work and the work to be carried out, and knowledge, skills and experience are clearly valuable in relation to the work to be performed in the future. Related to the gap in staffing requirement, this "conducive experience" must be the main criteria governing the decision to recruit the employee in question. Recognition of conducive experience shall be at the employer's discretion, in compliance with the employer's duties.

However, any outstanding residual periods will not be taken into consideration for further advancement within the grades.

5th exception:

If an employee is recruited **immediately following on from** (i.e., without any break in service) an employment contract in the **public sector**, the employer may assign in whole or in part the grade applicable with the former employer if this was governed by the regulations set out in TV-L, TVÜ-L (pay scale agreement for the transition to TV-L) or a similar pay scale agreement (e.g. TVöD, Bund/VKA). The employee is not automatically entitled to have the grade taken into consideration. This regulation may only be applied in connection with a **gap in staffing** (which must be filled by a qualified applicant).

A grade has been achieved once the grade term in the former employment contract has been completed and the employee has been assigned to the relevant grade. Any residual periods from the former employment contract are taken into consideration for further advancement within the grades.

b) Transferring from a government department of the Free State of Bavaria to the TUM:

Any breaks in service with the Free State of Bavaria **of up to one month** do not have a negative impact on the application of the acquired rights regulations to the salary bracket and grade in the event of the same grouping and much the same work! The prerequisite is that the employees concerned already had an employment contract with the Free State of Bavaria on 31.10.2006 and were still in service on 01.11.2006.

III. Grade terms

Employees attain the next applicable grade when the following unbroken service terms have been completed with their employer, with average performance within the same salary bracket:

Grade 2 after one year in grade 1

Grade 3 after two years in grade 2

Grade 4 after three years in grade 3

Grade 5 after four years in grade 4 and

Grade 6 after five years in grade 5 for salary brackets 2 to 8.

For further information on grouping and the establishment of grades, please contact the human resources staff responsible for the relevant university campus (Garching: Administration Garching Campus (*Zentralabteilung 1*) – Department 12 (*Referat 12*); Munich: Human Resources (*Zentralabteilung 2*) – Departments 21 and 22 (*Referat 21 und 22*); Weihenstephan: Administration Weihenstephan Campus (*Zentralabteilung 8*) – Department 82 (*Referat 82*).

For information regarding salaries and the current salary scales, please select the keyword "Entgelt" (salaries) in the service compass (Dienstleistungskompass) on our website.

http://portal.mytum.de/kompass/personalwirtschaft_public/verguetung_besoldung

or go to the State Department of Finance (Landesamt für Finanzen) website:

<http://www.lff.bayern.de/bezuege/arbeitnehmer/index.aspx#entgelt>.