



## **FAQs – student/scientific assistants**

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## 1 Basic information

### **What provision/legal basis specifies my employment as a student or scientific assistant (tutor)?**

Students are employed as student or academic assistants in a non-tariff employment relationship in accordance with the provisions of the *RdErl. des MK* (circular issued by the Ministry of Education) dated 10.08.1993 (MBI. LSA p. 2000).

### **What other provisions/legal basis apply to my employment relationship?**

In addition, the following apply:

- Act of Academic Fixed-Term Contract (Wissenschaftszeitvertragsgesetz, WissZeitVG)
- State University Act (Hochschulgesetz des Landes Sachsen-Anhalt, HSG-LSA)
- Ordnung zur Beschäftigung studentischer Hilfskräfte/Tutoren (regulations for the employment of student assistants/tutors)
- Working Time Act (Arbeitszeitgesetz, ArbZG)
- Minimum Wage Act (Mindestlohngesetz, MiLoG)

### **What is the difference between student and academic assistants?**

Student assistants may be employed in order to support full-time research staff.

Student assistants, in addition to assisting the research staff, may also be given tasks for departmental administration and for the central administration if the tasks are beneficial to their studies.

Student assistants are eligible to work as tutors. Tutors support students and student learning groups with their studies at Anhalt University.



## 2 Employment requirements

### **Who can be employed as an assistant?**

Students can be employed as student assistants after completing at least 2 semesters. In justified cases, the requirement of at least two semesters of study may be waived (reasons must be submitted with the application). Anyone who is enrolled at a university (university/university of applied sciences) can become a student assistant. It is not a requirement to be enrolled as a student at the Anhalt University of Applied Sciences.

### **Who can be employed as a tutor?**

Only students with special professional qualifications and social skills can be employed as tutors in conjunction their studies at Anhalt University of Applied Sciences. Their proper course of study should not be affected. If the standard period for a course study has been exceeded by more than 4 semesters, the course of studies is no longer considered the standard length. The supervising body determines the suitability.

### **Can I have other jobs?**

Every student assistant may accept other employment. Any further employment has to be disclosed immediately to the Human Resource Department of the Anhalt University of Applied Sciences. In the case of multiple employment, social security contributions and tax deductions must be taken into account (see mini-job).

### **What happens if I have several student assistant positions at Anhalt University?**

Several employment contracts for student assistants and tutors can be concluded with the Anhalt University of Applied Sciences. The maximum total of 48 hours per month, however, may not be exceeded.



### 3 Application process

#### **What do I have to do to be employed as a student assistant?**

In order to be employed as a student assistant, the *Antrag auf Einstellung einer Hilfskraft* (Application for employment as a student assistant) with all necessary documents must be submitted four weeks before the planned starting employment date to the Human Resource Department of the Anhalt University of Applied Sciences.

#### **Which documents do I have to submit with the application?**

The following documents must be submitted with the application:

- *Bezügefragebogen* (an Income form to be filled out for the tax office/tax authorities)
- *Minijobformular* (form for low wages and short-term employees)
- Birth certificate (copy | for first contract only)
- Current proof of student registration
- Proof of Health insurance or private health insurance certificate (not older than 3 months)
- Proof of completed degree (copy) (if applicable)
- Marriage certificate (copy | for first contract only) (if applicable)
- Residence/work permit incl. additional provisions (for foreign students from non-EU countries)

#### **Can I send the documents via email?**

The *Antrag auf Einstellung einer Hilfskraft* (Application for employment as a student assistant), the *Bezügefragebogen* (Income form to be filled out for the tax office/tax authorities), the *Minijobformular* (form for low wages and short-term employees), additional form *unterstützendes Tutorium* (supporting tutorial) (if applicable) must be submitted to the Human Resource Department. All other documents can be sent via email.

#### **What happens to my documents after I submit them?**

The Human Resource Department will check whether the documents are complete. If documents/information are missing, the responsible employee will contact you. When all documents are complete, you will receive a notification per email to sign the contract. After signing the contract, the documents are forwarded to the tax office in Magdeburg.

#### **Does Anhalt University keep my records?**

The Human Resource Department keeps personnel files for all of its student assistants.



## 4 Required documents

### **Bezügefragebogen (Income form to be filled out for the tax office/tax authorities)**

#### **What do I have to fill in "Beschäftigungsstelle (place of employment)"?**

Please fill in "Hochschule Anhalt (Anhalt University)" in this field.

#### **Where do I get my tax identification number?**

You receive your tax identification number at birth. If you do not know your tax ID number, you can request it from your tax office.

#### **Is Anhalt University my main employer?**

If you have no other employer, Anhalt University can only be your main employer. If you have more than one employer, you can decide which is your main or secondary employer.

#### **What are the different tax classes and what do they mean?**

The following overview explains the tax classes:

Tax class I	single or divorced employees
Tax class II	single parents or divorced employees
Tax class III	married (partner in tax class V or without income)
Tax class IV	married couple (both with roughly the same income)
Tax class V	married (partner in tax class III)
Tax class VI	several employments (secondary employer)

#### **Where can I get my social security number?**

If you do not know your social security number, also called *Rentenversicherungsnummer* (pension insurance number), (e.g. by means of a social security card or proof of health insurance), you can request this number from your health insurance provider or your pension insurance provider.

### **Minijobformular (form for low wages and short-term employees)**

#### **How do I know if the state of Saxony-Anhalt is my main employer?**

The Anhalt University of Applied Sciences represents the state of Saxony-Anhalt. If the Anhalt University of Applied Sciences is your main employer, the state is your main employer.

#### **Can I be exempt from the obligation to contribute to the statutory pension scheme?**

Within the framework of short-time employment, you have the option of being exempt from the obligation to contribute to the statutory pension scheme. The decision is yours to make.

If you are exempt from the obligation to contribute to the statutory pension scheme, no pension insurance contributions are due. If you decide against the exemption, pension insurance contributions must be made in the amount of 3.7% (see *Minijobformular*). The monthly pension insurance contribution to be paid must be calculated at €175. If the remuneration of the employee from one or more low-wage jobs is less than €175 euros in total, the employer must pay 15 percent of the actual remuneration into the pension insurance scheme; the employee bears the remaining amount up to €32.73.

**How do I know if I my other employment is a low-wage job?**

You are considered to have a low-wage job if you do not exceed the earnings threshold of €450. If you are unsure, please contact your other employer.

**Do I have to specify employment on a fee basis?**

No, income from employment on a fee basis does not have to be specified.

**The *Minijobformular* (form for low wages and short-term employees) cannot be opened. What can I do?**

If you are unable to open the *Minijobformular*, please save it and open it outside your browser.

**Proof of Health Insurance****What kind of proof do I have to submit?**

We need an official statement from your health insurance provider according to § 175 SGB V. This may not be older than 3 months at the start of employment.

For students with private health insurance, we require a private health insurance certificate from the health insurance provider.



## 5 Tasks/responsibilities

### **Who will give me my working assignments?**

You will receive working assignments from your supervisor.

### **Can I do my work at home?**

No, working at home is not covered by the insurance.

### **What are my responsibilities as a student assistant?**

You're obliged:

- to perform the assigned tasks diligently,
- to follow and comply with the rules and regulations of the Anhalt University of Applied Sciences,
- to maintain discretion concerning information received during your employment,
- to inform the supervisor immediately if the assignment cannot be carried out,
- to submit the *Arbeitszeitnachweis* (documentation of hours worked per day) each month in writing no later than the 7th day of the following month to the Human Resource Department
- a current proof of student registration if new semester starts.
- to inform the Human Resource Department in writing immediately in the event of deregistration as a student, withdrawal of the residence permit, changes (e.g. address or bank account) or accepting further employment.

## 6 Duration of employment

### **How long can I be employed as an assistant?**

According to § 6 of the Act of Academic Fixed-Term Contract (Wissenschaftszeitvertragsgesetz), the employment of students is possible for a period of up to six years. For the maximum period of six years of employment, all employment as student assistant will be counted, regardless of the respective scope of employment.

### **How should the contract period be structured?**

Contracts are concluded on the 1st of a month for whole months.

### **Can I work without a valid employment contract?**

No. A written employment contract must be submitted before the start of employment. It is not permitted to work without a valid employment contract.

### **Can a contract be concluded retroactively?**

No. Employment, termination, amendment or renewal contracts cannot be concluded retroactively.





## 7 Working hours

### **How many hours per month are allowed?**

The average amount of monthly working hours is specified in the employment contract. The amount is a maximum of 48 hours per month. The distribution of working hours can be agreed on individually with a supervisor. It should be noted that working hours may not exceed 8 hours per day and 19 hours per week.

### **Can I carry over any differences to the following month?**

An account documenting working hours is maintained using the *Arbeitszeitnachweise* (documentation of hours worked per day). By recording the hours worked per month, any differences between the hours in the employment contract and those actually worked in agreement with a supervisor are recorded. Any difference is carried over to the following month at the end of a calendar month. The contracted hours per month may not be exceeded by more than 50%.

### **How can I change the amount of hours in the employment contract?**

You have the possibility to reduce or increase the contracted hours in agreement with your supervisor. For this purpose, a request must be submitted to the Human Resource Department (four weeks before the start of the change).

### **What can I do with a credit balance of hours worked?**

A credit balance is compensated with paid time off or a compensatory payment. For this purpose, the document *Meldung Gesamtstunden* (Record of total hours) must be submitted to the Human Resource Department at the end of the contract period. (Only differences of more than +/- 1 hour will be paid.)

### **Do I have to compensate deficit-working hours with subsequent work?**

At the end of the contract period, the balance of the account documenting working hours should be plus/minus zero. If this is not the case, a deficit can be compensated with subsequent work or repaying the tax authorities. For this purpose, the document *Meldung Gesamtstunden* (Record of total hours) must be submitted to the Human Resource Department at the end of the contract period. (Only differences of more than +/- 1 hour will be paid.)

### **Do I have the right to take a break?**

Employees are not allowed to work more than six hours at a time without breaks. After six hours, employees are entitled to a 30-minute break.

### **Do breaks count as working time?**

No, breaks do not count as working time and are, therefore, not paid.

### **What happens if I do not submit my *Arbeitszeitnachweis* (documentation of hours worked per day)?**

If you do not submit your *Arbeitszeitnachweise* (documentation of hours worked per day), you will receive a reminder from the Human Resource Department. If you still fail to submit the documentation, we must assume that you have not completed the contracted hours and will reclaim the remuneration already paid.



## 8 Payment

### **How much do I earn per hour?**

The fee is currently €9.35 per hour.

### **When will I be paid?**

You will be paid on the last day of the month for the current calendar month.

### **Who issues the payment?**

The tax authorities of the state of Saxony-Anhalt issue the payment.

### **Where can I get a payment statement?**

Payment statements are distributed directly to the departments/central institutes via in-house mail. The tax authorities will only issue these if you register, deregister or change your pay.

### **Do I get paid for the hours actually worked or the contracted hours?**

Payment is calculated on the basis of the number of hours per month specified in the employment contract and paid accordingly. After checking the *Meldung Gesamtstunden* (Record of total hours) at the end of the contract period, any existing differences are cleared.



## 9 Termination

### **When does my employment end?**

The employment ends with the deadline specified in the employment contract, without any notice of termination being required.

The employment ends before the contracted deadline in the event of deregistration or withdrawal of the residence/work permit. Deviating from this, the employment ends at the end of the semester in which the final examination was successfully passed.

### **Can I terminate my employment?**

Both contracting parties are entitled to terminate the employment relationship. Notice of termination must be given in writing.

The employment contract may be terminated by mutual agreement between the parties. For this purpose, the student assistant, together with the supervisor, must send a written request to the Human Resource Department. A termination contract will then be issued by the Human Resource Department. Retroactive terminations are not possible.



## 10 Students from non-EU countries

### **Which documents do students from non-EU countries have to submit?**

Students from non-EU countries must enclose the following documents with their application:

- *Bezügefragebogen* (an Income form to be filled out for the tax office/tax authorities)
- *Minijobformular* (form for low wages and short-term employees)
- Copy of passport (for first contract only)
- Current proof of student registration
- Proof of Health insurance or private health insurance certificate (not older than 3 months)
- Proof of completed degree (copy) (if applicable)
- Marriage certificate (copy | for first contract only) (if applicable)
- **Residence/work permit incl. additional provisions**

### **Are there any special regulations to be observed when employing students from non-EU countries?**

Students from non-EU countries may only be employed with a valid residence/work permit. Contracts can only be concluded for a period of time in which a valid residence/work permit is available.

### **Do I need a bank account in Germany?**

Yes, payments will only be made to domestic bank accounts.

### **What happens if my residence/work permit is withdrawn?**

If the residence permit or work permit is withdrawn, the employment ends without notice being required. The withdrawal or modification of the residence permit must be reported immediately to the Human Resource Department.

### **Can I submit the forms in English?**

No. Please only use the German forms. The English versions are for help/information only.



## 11 Mini-Job

### **Is my employment with Anhalt University a low-wage employment (so-called mini-job)?**

Yes, if the monthly income does not exceed the €450 euro. This means that you are considered a low-wage employee.

### **Is my employment subject to social security contributions?**

Paid employments are generally subject to health, long-term care, pension and unemployment insurance. Low-wage employment is an exception:

- Unemployment insurance: no contributions have to be made
- Pension insurance: exemption from contributing to the statutory pension scheme is possible on request (see *Minijobformular*)
- Health and long-term care insurance: Students under the age of 25 are insured within the family insurance plan of one parent. All other students have to get their own student health insurance. Students who do not meet the student health insurance criteria, have to get voluntary health insurance. In that case, contributions to the long-term care insurance have to be made.

Special conditions apply to students who are privately insured.

If you have any questions on this subject, please contact your health insurance provider.

### **Which taxes do I have to pay?**

Whether you have to pay taxes or how high they are depends on your tax class. Employees only have to pay income tax if they are assigned to tax class V or VI.

### **Why is my employment contract not part of the lump sum tax?**

In the case of taxation in accordance with the lump sum tax, there is no possibility of exemption from contributions to the statutory pension scheme.



## 12 Miscellaneous

### **Can I go on business trips as a student assistant?**

Student assistants may go on business trips if a supervisor approves. The relevant form must be used for the application. For business trips, student assistants are reimbursed transportation costs for the lowest class fares of the regular means of transport.

Tutors are not allowed permitted to go on business trips.

### **Does the Maternity Protection Act (Mutterschutz) apply to student assistants?**

Yes. If you have any questions, please contact the Human Resource Department.

### **Do I lose my entitlement to BAföG (The German Federal Training Assistance Act) if I become a student assistant?**

The amount of BAföG funding does not change if the income does not exceed €451.35 per month (see information flyer "Jobben").

### **Will I continue to receive child benefit?**

Yes, as you may only be employed for a maximum of 19 hours per week.



**13 Contact**

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