

Information on salary scheme – determination of levels according to the Collective Agreement for the Civil Service of the German Länder (TV-L)

I. Principle

Employees receive a monthly salary in accordance with the salary grid, the amount of which is determined by the pay grade they are allocated to and the applicable level. The number of levels varies within the pay grades; levels 1 and 2 are classified as "basic salary levels", grades 3 through 6 as "advancement levels".

II. Allocation to Salary Grade Levels

a) For new employees:

As a rule, levels are determined based on "**relevant professional experience**" in accordance with the Collective Agreement.

Definition:

Relevant professional experience is professional experience in the job duties assigned or in activities related to the job duties. This is the case where previous job duties are continued essentially unchanged. However, job duties that are the same or similar may also be considered, provided they are equal in significance to those of the future pay grade grouping. The decisive factor is whether knowledge and abilities required for previous job duties as well as skills and experience acquired in the course of previous job duties are typically necessary and essential to perform the future job duties. The job duties need to be at least equivalent in terms of job description and level.

Where employees gained professional experience from short-term employments of only a few days or weeks and the job duties performed did not cover the entire scope of the job duties currently performed, this does not count as relevant professional experience.

Principles/classification:

Persons who take up employment with the Free State of Bavaria for the first time and do **not have relevant professional experience** are, as a rule, assigned to **level 1** of their pay grade.

Exception 1:

Where prospective employees can demonstrate **relevant professional experience from a prior employment with the Free State of Bavaria**, this will be considered when assigning the level. A **prior employment** may be considered if there is a period of no more than six months or, in case of scientists from pay grade 13 or higher, of no more than twelve months between the end of the prior employment and commencement of the new employment.

After assignment to a level, in most cases a "remainder" will be left, which will be considered accordingly for progression to the next level.

Exception 2:

Prospective employees who gained **relevant professional experience of at least one year** in a prior **employment relationship with another German employer** will be assigned to **level 2**, those with relevant professional experience of at least three years to **level 3**. "Remainders" cannot be considered when assigning the level.

Where relevant professional experience of **at least one year** was gained in a prior employment relationship with an employer in an EU member state other than Germany, the EU citizen's periods of professional experience will be taken into account without limitation. This also applies to any "remainders" (see decision of the Federal Labour Court (BAG) 6 AZR 232/17 of 29 April 2021).

Exception 3:

In the case of employees recruited under **pay grades 13 through 15**, periods of **relevant professional experience** at other **universities** or non-university research institutions will, as a rule, be recognized. The same applies to employees in pay grades 9a through 12 provided they make a significant contribution to the planning, preparation, implementation, assessment and/or evaluation of scientific/scholarly projects. Any "remainders" will be taken into consideration for advancement to higher levels.

Exception 4:

To **meet staffing needs**, periods of previous employment may, in whole or in part, be considered for assignment to a level if the previous job duties are **eligible** for the future position. In this case, the mandatory prerequisite is the **need to recruit staff**, i.e., staffing needs cannot otherwise be adequately met quantitatively or qualitatively. This will require a detailed and plausible statement of reasons from the superior.

"Eligible experience" may be considered primarily where applicants performed similar or equivalent job duties for another public or private employer. Eligible experience may, in particular, be considered if the previous job duties are substantively related to the job applied for and knowledge, skills and experience are obviously useful. In conjunction with the requirement of meeting staff needs, "eligible experience" must ultimately have been the prerequisite for the decision to recruit the applicant. Recognition of eligible experience is left to the employer's discretion in compliance with the employer's duties.

Any "remainders" can be taken into consideration for advancement to higher levels.

Exception 5:

Where applicants are recruited **immediately following** employment in the **public service** (i.e., with a maximum one-

month interruption), the employer **may**, in whole or in part, consider the applicant's level achieved with the previous employer in accordance with the requirements of the Collective Agreement for the Civil Service of the German Länder (TV-L), TVÜ-L (collective agreement governing the transition to TV-L), or a comparable agreement [e.g., Collective Agreement for the Public Service (TVöD), Bund/Local Authorities Employers' Association Bund (VKA)] when assigning the level. Applicants have no right to claim that their level be considered. The above regulations may only be applied to meet **staffing needs** (recruitment of qualified applicants).

A level is considered achieved where the period of time required to advance to a level under the prior employment relationship was completed and the employee had been assigned to the relevant level. Any "remainders" from the prior employment contract will be considered for advancement.

III. Progression within Levels

Employees advance to the next level after having performed their job duties with their employer for a continuous period with average performance within the same pay grade:

Level 2 after one year in level 1
Level 3 after two years in level 2
Level 4 after three years in level 3
Level 5 after four years in level 4 and
Level 6 after five years in level 5.

For further information on the assignment of pay grades and levels, please contact the human resources staff (*Zentralabteilung 2*) responsible for the TUM campuses (Munich: Teams 21 and 22 (*Referat 21 and 22*); Garching: Team 23 (*Referat 23*); Weihenstephan: Team 24 (*Referat 24*).

For information regarding salaries and the current salary grades, please select the keyword "Entgelt" in the Services Directory (*Dienstleistungskompass*) on our website

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

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

<https://www.lff.bayern.de/themen/arbeitnehmer/>.