



# U.S. Army Civilian Human Resources Agency Europe Region



---

## Regional Transformation



# CHRA Regional Staff

# PERSONNEL REDUCTIONS

---

Information

# PROCEEDING

---

- ✓ **Participation of the responsible works council/severely handicapped representative during organizational measures**
- ✓ **Capturing of social data**
- ✓ **Identification of surplus personnel**
- ✓ **Registration in the automatic job referral program/placement attempts**
- ✓ **Participation of the responsible works council/severely handicapped representative during individual measures (transfers/terminations)**

# Termination Protection Factors

---

- ✓ **Length of Service/Seniority**
- ✓ **Age**
- ✓ **Support Obligations**
- ✓ **Severe Handicap/Equalization**

# Length of Service/Seniority

---

- ✓ **2 points per completed creditable year of employment (the uninterrupted service time is relevant)**
  
- ✓ **After completion of 10 years of employment (again, uninterrupted service is relevant) additional social points are granted as follows:**
  - 4 points for 10 years of service**
  - 8 points for 15 years of service**
  - 12 points for 20 years of service**
  - 16 points for 25 years of service**
  - 20 points for 30 years of service**

# Age

---

- ✓ **1 point for every completed year of age, beginning with the 18th year. However, no more than 45 points.**

# Support Obligations

---

- ✓ **8 points for every child entitled to support**
- ✓ **8 points for a spouse/civil union partner without income of their own from employment or self-employment**
- ✓ **4 additional points for every child entitled to support, as long as the child resides in the household of the single-parent employee**
- ✓ **4 points for any additional person to whom, based on legal obligations, support is being paid**



# SEVERE HANDICAP/EQUALIZATION

---

- ✓ **Severely handicapped and equalized personnel get a basic amount of 8 points**
- ✓ **Severely handicapped personnel get additional points according to the following table:**

<b>Degree of 50:</b>	<b>8 points</b>
<b>Degree of 60:</b>	<b>9 points</b>
<b>Degree of 70:</b>	<b>10 points</b>
<b>Degree of 80:</b>	<b>11 points</b>
<b>Degree of 90:</b>	<b>12 points</b>
<b>Degree of 100:</b>	<b>13 points</b>

# TIED AMOUNT OF POINTS

---

- ✓ **To resolve a tied amount of points, the following termination protection factors are considered, in the sequence as follows:**
  - ☞ **A permanent health damage (as of 10%), recognized by the German federal accident fund, incurred in connection with the employment with the U.S. Forces.**
  - ☞ **Length of service/seniority**
  - ☞ **Support obligations**
  - ☞ **Single parent**
  - ☞ **Severely handicapped attributes**

# SEQUENCE OF POSITION ALLOCATIONS

---

- ✓ **Equal positions within the **commuting area**, for which the employee has the required qualifications**
- ✓ **Reasonable positions**
- ✓ **Reasonable positions as requested by the employee**
- ✓ **Equal positions that are available outside of the **commuting area****
- ✓ **Reasonable positions as requested by the employee, which are available outside of the **commuting area****
- ✓ **Vacant positions for which the employee can acquire the required qualifications within a maximum of 6 months**

# EXPLANATION OF TERMS

---

✓ **Commuting Area:**

- ☞ **All communities within a radius of 60 kilometers from the community of the current permanent place of employment**
- ☞ **If the residence of the employee is located outside of said radius, **commuting area** entails all communities which are located within 60 kilometers from the residence of the employee**
- ☞ **For every employee there is only one **commuting area** respectively**
- ☞ **„Outside of the **commuting area**“ means a certain location in Germany, which must be named in writing by the employee**

# EXPLANATION OF TERMS (continued)

---

✓ **Equal positions:**

☞ **all positions in the same wage group or in another tariff with a comparable rate**

✓ **Reasonable positions:**

☞ **all positions in a wage group with a rate which does not fall below the current rate of the employee by more than 20%**

✓ **Positions that are, upon request of the employee, reasonable beyond the provisions of the protective tariff agreement:**

☞ **Positions within the commuter distance in a salary group that falls below the employee's current salary by more than 20%. The limit, as decided by the employee, may not be undercut.**

☞ **Positions outside of the commuter distance in a salary group that falls below the employee's current salary. The limit, as decided by the employee, may not be undercut. The employee must possess the required qualifications for the position offered.**

# INCOME PROTECTION SUPPLEMENT

---

- ✓ **When placed in a new position or during re-classification of the current position with a reduction in pay as a result, entitlement to income protection supplement exists.**
- ✓ **Difference between present and new base pay, all increases in base pay will be considered**
- ✓
 

<b>Employment length</b>	<b>Period of entitlement</b>
<b>5 years</b>	<b>6 months</b>
<b>10 years</b>	<b>12 months</b>
<b>20 years</b>	<b>18 months</b>
<b>25 years</b>	<b>24 months</b>
- ✓ **Employees who have completed 55 years of age and 20 years of employment retain the entitlement to income protection until the end of their employment. During the first 60 months general tariff increases will not be considered.**

# PERSONAL SUPPLEMENT

---

- ✓ **Creditable employment time of 15 years, completion of the 40th year of age.**
- ✓ **Corresponds with the difference between the base pay the employee is entitled to in his/her new job and the assessment limit at the time the new job starts.**
- ✓ **Assessment limit is the base pay in which a downgrade by one pay grade, within the current salary tariff, would result.**
- ✓ **Every increase in base pay due to**
  - ☞ **upgrade or**
  - ☞ **change in tariff or**
  - ☞ **change in employing organization or**
  - ☞ **performing as a substitute or**
  - ☞ **appointment as foreman****will be charged to the personal supplement.**

# **PAY PROTECTION WHEN ACCEPTING POSITIONS THAT FALL SHORT OF THE CURRENT PAY RATE BY MORE THAN 20%**

---

- ✓ **In this case payment of income protection supplement and, if applicable, a personal supplement as well.**
- ✓ **Income protection in this case is restricted to the pay rate of the pay grade that is reasonable as defined by the protective tariff agreement.**



# TERMINATION PROTECTION

---

- ✓ **After 15 years of creditable service ,the employment contract of the employees who have completed 40 years of age, can only be terminated by ordinary termination, if**
  - ☞ **the employing organization inactivates**
  - ☞ **the employing organization is relocating outside of Germany**
  - ☞ **the employee`s duties become redundant for other reasons**
  - ☞ **the employee`s duties, along with his/her employing organization, are transferred or are transferred to another employing organization within Germany**
- ✓ **A change in contract and extraordinary termination are possible.**

# NOTICE PERIODS

<b><u>LENGTH OF SERVICE</u></b>	<b><u>NOTICE PERIOD</u></b>
<b>at least 6 months</b>	<b>2 months to the end of a month</b>
<b>at least 4 years</b>	<b>3 months to the end of a month</b>
<b>at least 6 years</b>	<b>4 months to the end of a month</b>
<b>at least 9 years</b>	<b>5 months to the end of a month</b>
<b>at least 12 years</b>	<b>6 months to the end of a month</b>
<b>at least 20 years</b>	<b>7 months to the end of a month</b>

# ANNULMENT CONTRACTS

---

- ✓ **Severance payments for employees who are entitled to benefits prescribed in the tariff agreement and make use of them:**
  - ☞ **Two monthly salaries according to the tariff agreement dated 2 July 1997, concerning rationalization-, termination- and pay protection.**  
  
**plus**
  - ☞ **an additional 8 monthly salaries**  
  
**plus**
  - ☞ **50% of the salary payments saved when the individual termination period is waived**
- ✓ **The maximum severance pay, when abiding by the individual termination period, amounts to 10 monthly salaries and the maximum severance pay for employees who separate earlier amounts to 13.5 monthly salaries.**

# ANNULMENT CONTRACTS

---

- ✓ **Severance pay for employees without entitlement to benefits of the tariff agreement:**
  - ☞ **One monthly salary for every creditable year of service for the first ten years,**  
  
**plus**
  - ☞ **Half a monthly salary for every creditable year of service as of the eleventh year, up to a maximum of five monthly salaries,**  
  
**plus**
  - ☞ **50% of the salary payments saved when the individual termination period is waived.**
- ✓ **The maximum severance pay, when the individual termination period is adhered to, is 15 monthly salaries and the maximum severance pay for employees who quit earlier, is 18.5 monthly salaries.**

# ANNULMENT CONTRACTS

---

- ✓ **Special provisions for LN employees who are entitled to **early** retirement**
- ✓ **Groups of employees who are considered for the voluntary option of **early** retirement:**
  - ☞ **Employees over 60 with severely handicapped status, as long as the legal waiting period of 35 years to attain entitlement is satisfied**
  - ☞ **Female employees over 60, who were born before 1952, as long as since completing the 40<sup>th</sup> year of age, a minimum of 10 years of social security contributions were paid and a waiting period of 15 years was fulfilled**
  - ☞ **Employees over 63, as long as the legal waiting period of 35 years has been achieved**

# ANNULMENT CONTRACTS

---

- ✓ **Severance payments for employees who are entitled to advanced retirement**
  - ☞ **Severance pay of 15 monthly salaries (when sticking to the notice period) and 18.5 monthly salaries respectively (when **waiving the individual notice period**)**
  - ☞ **One-time compensation payment for retirement cuts**
  - ☞ **An additional 4% of the annual salary for every year that they retire before reaching the regular retirement age, as compensation for the loss of premium payments to the group life insurance**