



Validity of notices of fixed-term employment contracts and termination

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GRP Rainer Lawyers Tax Advisors, Cologne, Berlin, Bonn, Dusseldorf, Hamburg, Munich, Stuttgart, Frankfurt www.grprainer.com elaborate: Under the new rules of the Civil Code, the termination of an employment relationship by notice of termination or dissolution agreement, as well as the temporal limitation of an employment agreement, require the written form to be effective. Henceforth, a termination - with or without notice - by the employer or employee is only legally effective if it has been declared in writing. This applies to all notices of termination received by the recipient of the termination after 01.05.2000. From that date also, a dissolution agreement or the temporal limitation of an employment agreement is valid only if agreed in writing. If a temporary employment contract was not concluded in writing, the temporal limitation is invalid and the contract is valid for an indefinite term.

In cases of termination, it is important to act rapidly and seek comprehensive advice from a lawyer. Since after a termination has been declared, workers are allowed a short period to engage their attorneys in the investigation of any possible invalidity relating thereto. At that point, the employee should bring appeal to the works council within one week, or raise a claim within three weeks before the competent work court.

The requirement of writing for the above-mentioned forms of termination of an employment relationship is the logical complement to the Law on notification of conditions governing an employment relationship law, which requires the employer to fix in writing the essential contractual conditions and hand them over to the employee no later than one month after the agreed start of employment.

<http://www.grprainer.com/en/Employment-Termination.html>

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Anlage: Bild

