

Leaflet on the probationary period

The probationary period for **permanent employees** is regulated in § 2 para. 4 TV-L:

Accordingly, the first six months of employment are considered a probationary period, unless a shorter period has been agreed upon. If apprentices are taken on immediately after their training, there will not be a probationary period.

The regulations concerning the probationary period for **temporary employees** can be found in § 30 para. 4 TV-L:

Accordingly, the first six months are considered a probationary period for fixed-term employment contracts **with an objective reason of time limitation**, as well as for permanent employees.

An exception applies to employees who are employed on the basis of a fixed-term employment contract **without an objective reason** (§ 14 para. 2 Law on Part-time and Fixed-term Employment Contracts/Teilzeit- und Befristungsgesetz); only the first six weeks are considered a probationary period for this group of people.

Purpose of the probationary period:

The probationary period serves as a **mutual trial** for **both the employee and the manager**. During the probationary period, regular communication is of great importance. In the interest of both parties, managers are therefore required to meet with the employee on a monthly basis.

Conversational content, such as agreements made or points of criticism addressed, must be documented. If there are indications that the continuation of the employment relationship could be at risk, both sides can profit from this documentation when making an assessment under employment law.

If employees consider resigning during their probationary period, they can seek advice from the human resources department or the staff council.

If, despite all efforts, a dismissal is considered by the manager during the probationary period, the human resources department are required to become involved at an early stage, at the latest by the end of the fifth month of employment.

In accordance with § 34 para. 1 TV-L, up until the end of the sixth month of starting the employment relationship, the notice period is two weeks to the end of the month.

Keep in mind that during the probationary period, a resignation can be handed in up to the last day of the probationary period at the latest.

*Tarifvertrag der Länder – *Collective Agreement for the Public Service of the Federal States*