



Stand 12/2022

**Universität Regensburg**

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Place of employment

### Determination of pay grade

#### 1. Personal Details

Family name	First name	Date of birth
Education, completed vocational training as		
previous employment as	at	from/until

#### 2. On classification as a so-called "other employee" (sonstige Beschäftigte/sonstiger Beschäftigter) <sup>1</sup>

Detailed reasoning for equivalent skills and experience - if necessary, on a separate sheet

#### 3. Duties to be performed from

Serial number	Description of work processes <sup>2</sup>	Proportion of time in %

#### 4. Requirements

##### 4.1 Specialist knowledge<sup>3</sup>

Work process number	Required specialist knowledge (e.g. laws, regulations, collective bargaining agreements)	Extent of specialist knowledge - complete (= V) - partial (describe in detail)	Depth of knowledge - basic (= G) - command of specific rules incl. administration regulations (VV) (= B) - in-depth knowledge of jurisdiction and literature (= V)

##### 4.2 Other Requirements<sup>4</sup>

Work process number	Type of and reason for other requirements (e.g. independent performance, because...)

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Place, Date

Signature

## Explanations

This form is to be used when

- the classification depends on the fulfillment of undefined legal concepts (e.g. comprehensive or extensive specialist knowledge) or on distinctive characteristics (eg. particular difficulty and significance, measure of responsibility) or
- the employee doesn't possess the training prescribed in the job characteristics (= "other employee").

Tips for filling in the form

### <sup>1</sup> Other employees

Information is only necessary if the employee doesn't have the required training and the job characteristics include the formulation "... as well as employees who carry out corresponding work based on equivalent skills and their experience ...". The employee's skills, the type and duration of the work for which he or she gained these and whether the extent of the knowledge gained corresponds to the required apprenticeship must be stated.

### <sup>2</sup> Work processes

Work processes are work effort (incl. collateral work) which, from a natural viewpoint, leads to a definable result with regard to the employee's field of activity. They must be presented in such a way as to convey a clear picture of the employee's job. Work processes of differing value must be separated.

Examples: The administrative processes to the point where they are ready to be signed off, the production of an ECG, the creation of a construction drawing, the implementation of maintenance or repair work, the determination of a payment according to the BayBhV.

### <sup>3</sup> Specialist knowledge

Information is only necessary in this column if the work characteristics include the term "specialist knowledge". With successive paygrades the presentation of specialist knowledge is also necessary, even if this term is only included in the particular initial group.

Examples: The job fulfils the characteristic of pay grade 9, group 1, of part I of the remuneration regulation of the collective bargaining agreement for the public service of the states (TV-L). This characteristic lifts the job from pay grade 9, group 2 of part I of the TV-L. Among other things, in the latter comprehensive and extensive specialist knowledge is included as a requirement.

The form addresses specialist knowledge as regards the administrative service. If other knowledge other than legal knowledge is required, this must be described in full (using all 3 columns and an extra sheet, if necessary). Specialist knowledge in the sense of the terms of employment, however, does not mean general skills, such as organization and negotiating skills, business ability, particular reliability, or trustworthiness.

### <sup>4</sup> Other Requirements

This column is where any specific requirements must be noted and reasons given for them. In particular, "independent performance" and other such special characteristics. Further characteristics are, for example, particular performance, particular difficulty and significance, high-quality performance in particularly difficult tasks. Independent performance in the sense of the terms of employment is meant differently from general language usage - where the concept of independent is less a question of the value of a performed task and more a question of personal reliability - and is a legal concept defined in the job characteristics. Accordingly, independent performance requires independent work, on the employee's own initiative, towards a result which corresponds to the specialist knowledge required; a simple task cannot fulfil these requirements (see statement no. 5 in the minutes of Part 1 of the remuneration table according to TV-L). In the opinion of the Federal Labor Court, BAG, (BAG, verdict of May 18, 1994. 4 AZR 461/93 - , AP no. 178 on §§ 22, 23 BAT 1975) mental work is necessary which entails specialist knowledge in the framework of the remuneration table with regard to the action to be taken and the employee's own thought processes and decision in regard to the result wanted. Typical of this might be - without binding reference to administrative terminology - any scope of discretion, decision, design or assessment of the result of the work. (Federal Labor Court, BAG, verdict of August 14, 1985 - 4 AZR 21/84 - , AP no. 109 on §§ 22, 23 BAT 1975). Processes of consideration are expected of the employee; he or she must combine different pieces of information, evaluate them and come to a decision (Federal Labor Court, BAG, in verdicts of February 18, 1998 - 4 AZR 581/96 - and June 12, 1996 - AZR 1025/94 -, AP nos. 239 and 212 on §§ 22, 23 BAT 1975). In order to fulfil the requirements of the remuneration scale, it is enough if independent performance is present to a legally significant degree. It is not necessary for independent performance to take place within a work process in terms of time and to the extent described in § 22, section 2, sub-sections 2 and 4 BAT (corresponds to § 12, Para. 1, clauses 4 and 7, TV-L) - Federal Labor Court, BAG, verdict of April 22, 2009 - 4 AZR 166/08 - ZTR 2009, 581.

The description of the other requirements must show clearly which work processes involve higher demands and on which circumstances these are based. In cases with several distinguishing characteristics each must be justified separately.