



## For a major reform of the Fixed-Term Academic Contract Act (Wissenschaftszeitvertragsgesetz, WissZeitVG)

*Joint statement by employee and student representatives on the Key Issues Paper of the Federal Ministry of Education and Research dated 17.03.2023 – with supplemented supporters.*

**The English translation is intended to make the content accessible to international stakeholders, but does not claim to be accurate.**

Almost one year after the publication of the evaluation report on the amendment of the Fixed-Term Academic Contract Act (WissZeitVG), and after a large number of stakeholder discussions (including with us), the Federal Ministry of Education and Research (BMBF) has presented an initial key issues paper on the reform of the Act. We welcome this step, but are disappointed with the content: **the proposals at best alleviate the symptoms of the fixed-term system, but do not promise a cure.**

Setting appropriate, binding and concrete minimum contract periods, especially for initial contracts, and curbing chain contracts are important contributions to the necessary reform. But in the proposed compromises on maximum term limits, **the original reason for reforming the law** again has faded into the background: **the lack of predictability of academic careers, both before and after the doctorate.**

The initial reactions to the key issues paper have once again clearly shown that **a comprehensive and well thought-out strategy is needed to create more permanent positions, fair and gender-equitable employment conditions, and predictable career paths for lecturers and researchers in the German higher education and research system.** How this goal is to be achieved, however, remains unclear, even in many contributions to the debate that has now broken out. Last year, we already presented key points that pursue a holistic, clear approach and take into account both the interests of the employees we represent and the performance of the higher education and research system. This approach is currently more justified than ever. Contrary to the frequently claimed disagreement about the necessary reform steps, it must be emphasized once again that we, as **a broad alliance of employee representatives, are taking a common position.**

### We demand...

1. **for the doctoral phase, six years of standard contract duration, but at least four years of contract duration**, legally designed as a *Must* rather than a *should* clause. The average doctoral period of 5.7 years (Federal Report on Young Academics, BuWiN) has not changed, not least because of the current practice of insufficient initial contract lengths and non-transparent criteria for contract extensions. In order to work in parallel towards the goal of shorter doctoral periods, better framework conditions must be created. This includes not only an appropriate contract structure that guarantees qualification during working hours, but also better structural support.
2. **a clear narrowing of the term qualification to the doctorate** in order to put an end to the gratuitous practice of fixed-term contracts. This will not only prevent possible abuse of fixed-term contracts, but also provide legal certainty for universities and research institutions as well as employees.
3. **for the phase after the doctorate, either permanent employment or temporary employment with the promise of extension of the contract for an indefinite period of time upon fulfillment of specified requirements.** The qualification for remaining in the science system is completed with

the doctorate; at this point, the universities and research institutions must decide to whom they can offer a permanent perspective. If permanent employment does not follow immediately after the doctorate, a plannable path to a permanent position must be opened up and clearly defined. Simply poking around at the maximum term limit, as proposed in the BMBF's key points paper of March 17, 2023, is counterproductive.

4. the **deletion of the collective bargaining block unconditionally**. As in other sectors, unions and employers in science and humanities must have the right to restrict fixed-term employment contracts to a comprehensible level in a collective agreement.
5. **uniform and binding regulations on compensation for disadvantages** in the case of childcare, disability and chronic illness as well as disadvantages resulting from the corona pandemic. The existing legal entitlement to an extension of contract in the case of maternity leave, parental leave, leave to care for relatives, and leave to work as an equal opportunity representative or member of a staff committee **must also apply without restriction in the case of third-party funding**.
6. **a standard contract period of at least two years for student assistants**, as has functioned smoothly in Berlin for many years. The proposals of the BMBF cornerstone paper to improve the situation of student assistants are to be acknowledged, but unfortunately not sufficient.

In general, a considerable share of fixed-term contracts is due to third-party funding. Such a large share is neither in the sense of qualification nor in the sense of sustainable research, teaching and personnel development. This problem cannot be solved by amending the WissZeitVG. Instead, **the federal and state governments must change the funding structure for universities and research and significantly increase the share of basic funding**. In addition, universities and research institutions are called upon to use third-party pooling to create more permanent positions in the area of third-party funding.

We call on the BMBF to further develop its key points into guidelines for a comprehensive reform of the Fixed-Term Academic Contract Act in line with our joint statement and to prepare a corresponding draft bill without delay.

#### **The signatory organizations:**

Chamber of Employees in Bremen

Chamber of Employees in Saarland

Federal Conference of Women's Representatives and Equal Opportunities Representatives at Universities (bukof)

free association of student bodies (fzs)

General Works Council of the Fraunhofer Society

General Works Council of the Max Planck Society

German Association for Junior Professorship (DGJ)

German Confederation of Trade Unions (DGB)

German Trade Union for Education and Research (GEW)

Nationwide network of student collective agreement initiatives (TVStud)

Network for Good Work in Science (NGAWiss)

Network of Doctoral Researcher Networks (N<sup>2</sup>)

PostdocNet Max Planck

Psychologie-Fachschaften-Konferenz (PsyFaKo e.V.)

RespectScience e.V.

United Services Trade Union (ver.di)

Works and staff councils of the Helmholtz Association (PBHGF)

Works and staff councils of the Leibniz Association (PBL)

Zusammenkunft aller Physikfachschaften (ZaPF)