

Update

Reducing bureaucracy in labour law



What will change?

Text form, e.g. e-mail
(§ 126b BGB) is
sufficient for:



Electronically
signed „electronic-
signature“ (§ 126a
BGB) is sufficient for:

What will remain?

Written form „wet-
signature“ (§ 126
BGB):



Further changes



Formal simplifications

Nachweisgesetz - Evidence Act

Confirmation of the
essential working
conditions

Employment contracts

Contract amendments

Prerequisites for using the text form:

- It must be transmitted electronically so that the employee can access, store and print the document. When transmitting the document, the employer must request the employee to provide a receipt.
- At the employee's request, the confirmation of the essential working conditions must be provided in written form.



Written form is still mandatory for industries according to § 2a SchwarzArbG - Act to Combat Clandestine Employment and Illegal Employment

SGB VI - Social Security Act

Agreements on the fixed-term nature of
the employment relationship up to the
statutory retirement age

AÜG - Temporary Employment Act

Service contract between the
temporary work agency and the user
company

BEEG - Parental Allowance and Parental Leave Act

- Application for parental leave § 16 BEEG
- Application for a reduction in working hours and their schedule § 15 V BEEG
- Application for part-time work during parental leave § 15 VII BEEG
- Employer's rejection of part-time work during parental leave § 15 VII BEEG
- Employer's rejection of part-time work for another employer or in self-employment during parental leave § 15 IV BEEG
- Further changes to parental allowance regulations



Please note: The changes only apply to births from 1 May 2025. For parents of children born before that date, the written form still applies.

BGB & GewO - Civil Code & Trade Regulation

Letter of reference

Prerequisite: Consent of the employee

- Termination letter
- Termination agreement
- Employment contracts with post-contractual non-competes
- Company agreement
- Fixed term employment contracts (except for fixed term of retirement age agreements)

Posting Requirements

Posting information in accordance with § 16 ArbZG "Working Time Act" and §§ 47, 48, 54 JArbSchG „Youth Employment Protection Act“ can be done via the information and communication technology commonly used in the company or office, provided that all employees have free access to this information (e.g. intranet, HR system etc.).