

- **CONVENIENCE TRANSLATION** -

Agreement
Regulating the Introduction and Implementation of Annual Employee Reviews
between
Georg-August-Universität Göttingen
Public Law Foundation
Represented by the
Vice-President of Finance and Human Resources
and the
Staff Council of Georg-August-Universität Göttingen
(excluding the University Medical Centre Göttingen)

hereafter referred to as:

"Agreement Governing Annual Employee Reviews"

Preamble

Georg-August-Universität Göttingen is introducing Annual Employee Reviews between managers and employees as a management tool in order to establish an open and confidential dialogue and promote cooperation within the workplace. The Annual Employee Review aims to strengthen leadership and a dialogue-based culture within the University, not only in terms of fostering innovation and enhancing performance, but also in terms of promoting partnerships and interrelationships.

The Review focuses on working tasks, the working environment, achievements, incentives, work satisfaction, collaborative efforts, management and developmental perspectives within a time frame that includes the past year and the year to come.

Article 1 Scope and Subject Matter

- (1) This Agreement is valid for Georg-August-Universität Göttingen (excluding the University Medical Centre). It does not apply to student assistants or research assistants who are not pursuing academic qualifications. Research assistants pursuing qualification objectives shall conduct the review within the framework of the supervisory sessions set forth under Article 2 (1) of this Agreement. In the event that an employee works less than one-third of a full-time position as specified by contractual working hours for salaried employees, there is no obligation to conduct an annual employee review. The annual employee review can, however, be conducted voluntarily or upon request. In addition, annual employee reviews will not be conducted with the Equal Opportunities Officer, the Representative for Severely Disabled Persons, or employees who function as members of the Staff Council.
- (2) The subject matter of this Agreement concerns the introduction and implementation of Annual Employee Reviews. This Agreement covers the fundamental aspects of the procedure, its implementation and its documentation.
- (3) It is the responsibility of the Presidential Board, the Deans, heads of departments and staff units, as well as the directors of central and joint institutions, to ensure that all Annual Employee Reviews are conducted in accordance with the principles of this Agreement.

Article 2 Scope and Requirements of the Annual Employee Review

- (1) The Annual Employee Review is held on a rotational basis within the first quarter of each year and should not be implemented to address present concerns or everyday operational issues. Within academic or research settings, supervisory meetings can replace the Annual Employee Review, as long as specific topics are also addressed (see Article 3 (4) of this Agreement).
- (2) In general, Annual Employee Reviews are governed by the "one-to-one principle". Should an employee report to several senior staff members, the Review is generally to be carried out by one of those senior staff members, as determined by management of the respective faculties, central / joint institutions or departments / staff units). Should an employee work in numerous independent sectors, several Annual Employee Reviews are to be conducted independently of one another. Foremen or overseers can only be designated as responsible senior staff members for carrying out annual employee reviews should they work more than half of the working hours of a full-time, salaried position.
- (3) In addition to the Annual Employee Review as set forth under this Agreement, additional meetings can and should be held as needed (e.g. during appraisals, during the probationary period, in the event of a conflict or change in management). The same applies to qualification reviews (see Agreement governing Qualification) and appraisal interviews (see evaluation guidelines). In case of doubt, a consultation is to take place with senior staff members, the HR Department and the Staff Council.
- (4) Senior staff members are obligated to conduct Annual Employee Reviews with all employees who report directly to them. If the immediate superior is unable to conduct the Annual Employee Review, as set forth under this Agreement, the employee may turn to the next higher-ranking senior staff member. Should the next higher-ranking staff member also be unable to arrange the Annual Employee Review with the immediate superior, the senior staff member is to inform the HR Department through official channels.
- (5) For employees with disabilities, the subject of disability-related restrictions in the workplace may also be addressed during the Annual Employee Review. Before implementation of any measures, a person of trust advising the disabled employee should be consulted, and if necessary, the Representative for Severely Disabled Persons appointed by the employer to represent the concerns of persons with disabilities.
- (6) In case a conflict exists between conversation partners and there are concerns with respect to the Annual Employee Review, an initial meeting may be held in which the senior staff member and the employee involve a person of trust in order to clarify the situation; if necessary, this person can be a member of the HR Department or of the Staff Council. Should the conflict be resolved at the initial meeting, the meeting may subsequently be carried out as an Annual Employee Review (irrespective of the "one-to-one principle").
- (7) As set forth under this Agreement and by way of derogation from para. 1, an Annual Employee Review is to be held within the first three months of recruitment as a "welcome meeting" for newly hired employees—even if this takes place before or after the first quarter.
- (8) The Annual Review is to be carried out with all employees, irrespective of their weekly working hours.
- (9) The Annual Employee Review must not take place if the employment contract will foreseeably terminate before the end of the calendar year.

Article 3 Preparation, Implementation, Content, and Documentation

- (1) Preparation, implementation, and documentation should include the following points mentioned below.
- (2) The senior staff member must schedule the Annual Employee Review in a timely manner — in general, at least two weeks before the designated date — in accordance with the Agreement. During the work / service period, the employee must be given ample opportunity to prepare for and follow up on their Annual Employee Review.
- (3) In accordance with principles of fairness and mutual respect, the Annual Employee Review should be conducted confidentially, in an undisturbed environment, and on equal terms.
- (4) The Annual Employee Review must include the following topics:
 - (a) Working tasks, work organisation
 - (b) Management and cooperation
 - (c) Personnel Development and furthering qualifications (a separate qualification review may be necessary)
 - (d) Agreements and objectives, as well as provisions for their implementation by third parties (in derogation of the "one-to-one" principle).

Information may not be requested regarding personal and private life-management, which may affect the working situation.

- (5) The senior staff member and the employee are to agree at the start of the review on who is to write the minutes. The Annual Employee Review is to be documented at the end of the meeting or shortly thereafter (a non-binding template is available for use in Annex 1); the minutes must be signed by all persons involved. Both the senior staff member and employee receive a copy of the minutes, which is not accessible to third parties. The minutes are not part of the personnel file. In general, they are to be destroyed after a period of three years.
- (6) The completion of the Annual Employee Review is to be confirmed and signed by the senior staff member and the employee on the form provided (see template in Annex 2). The form is to be sent without delay to the HR Department and filed with the employee's personnel records.

Article 4 Training Courses, Advice and Support, Evaluation

- (1) Senior staff members who are required to conduct the Annual Employee Review as laid out in this Agreement will be provided with basic training courses as an introduction to this service agreement. The basic training courses will continue to be upgraded in order to provide senior staff members with additional qualifications. The HR Department will advise and support members of management on how best to conduct the annual meetings.
- (2) Training courses for employees are carried out within the scope of the qualification programme (Agreement governing Qualification).
- (3) The introduction and implementation of the Annual Employee Review as set forth under this Agreement shall be subject to an annual evaluation conducted by the HR Department in conjunction with the Staff Council.
- (4) Should adjustments to the Agreement be necessary, the contractual parties agree to undertake the necessary amendments as soon as possible. The training courses can be independently adapted and updated so that they can regularly take place within shorter time intervals.

Article 5 Terms of Agreement, Severability Clause, Termination

- (1) No verbal collateral agreements have been made. Any changes made to this Agreement must be in writing. The HR department shall provide an English version of the Agreement, including all annexes, which will be attached to the Agreement as an additional annex following approval by the Staff Council.
- (2) Should individual provisions of this Agreement be or become ambiguous in their interpretation, unenforceable or ineffective, the enforceability and effectiveness of this Agreement shall not be affected thereby. The ambiguous, unenforceable or ineffective provision should be replaced by an unambiguous, enforceable and effective provision that most closely reflects what the contractual parties originally intended by the provision.
- (3) The terms of this Agreement are set for an indefinite duration. Four months' notice must be given in order to terminate this Agreement. In the event of termination, this Agreement remains valid for no longer than three months once a new Agreement has been concluded. Should a new Agreement fail to be agreed upon, the terminated Agreement shall remain valid for the calendar year in which the Agreement was terminated.

Article 6 Effective Date, Information for Employees

- (1) Upon its execution, this Agreement becomes effective on the day following its promulgation in the Official Announcements.
- (2) Employees shall be informed about this Agreement via its promulgation in the Official Announcements and the Employee Portal.

Annexes: - Annex 1 (template for record form)
 - Annex 2 (template for documentation)
 - English translation

For Georg-August-Universität
Public Law Foundation

Göttingen, 25th of October 2016

signed

Dr. Holger Schroeter
(Vice-President of
Finance and Human Resources)

For the Staff Council of the
Georg-August-Universität Göttingen
(excluding the University Medical Centre)

Göttingen, 19th October 2016

signed

Dr. Johannes Hippe
(Chairman)

Annex 1: Template for record of minutes (please amend details as needed)
Record of the summarised results* with reference to the Annual Employee Review on

_____ (Senior staff member)
 and _____ (Employee)

Working tasks, work organisation		
1. 2. 3.	Who? Re: 1. Re: 2.	
	By when? Re: 1.	
	Who is otherwise informed?	
Management and cooperation		
	Who?	
	By when?	
	Who is otherwise informed?	
HR Department		
(if necessary, need for qualification review)	Who?	
	By when?	
	Who is otherwise informed?	
Further agreements and objectives		
	Who?	
	By when?	
	Who is otherwise informed?	

 Signature of senior staff member

 Signature of employee

* These records are to be dealt with confidentially. Please ensure that the file contains read and access protection on submission, that the data are stored securely, and that both copies are retained. As a rule, the record is to be destroyed after three years.

Annex 2: Sample documentation

- Confidential -

Georg-August-Universität Göttingen Public Law Foundation
HR Department

Regulation No. _____

Goßlerstrasse 5/7

37073 Göttingen, Germany

Confirmation

— To be kept in the personnel files —

A structured Annual Employee Review was conducted between

_____ (Senior staff member)

and _____ (Employee)

_____ (Organisational Unit/Institution)

on _____ (Date),

the contents of which are confidential.

The Annual Employee Review was not conducted because

Please
state the reason (e. g. employee is currently on leave etc.)

Signature of senior staff member

Signature of employee