

**Application for an Exemption from Compulsory Insurance under the Supplementary Pension Scheme of the Public Service Sector (Art. 2, par. 2 Collective Agreement on Pensions – ATV) for Scientific Staff**

Last name, first name: \_\_\_\_\_

Date of birth: \_\_\_\_\_

Personnel number: \_\_\_\_\_

OE: \_\_\_\_\_

### **Application of the Employee**

For my employment I hereby apply for an exemption from compulsory insurance under the Supplementary Pension Scheme for the Public Service Sector with the Versorgungsanstalt des Bundes und der Länder (VBL, Pension Authority for Employees in the Public Service Sector).

Begin of employment: \_\_\_\_\_

I took note of the attached explanations and filed these with my records. In particular, I am aware that

- it is not possible to get an exemption, if I have previously been insured with VBL or with another supplementary pension provider of the Public Service Sector (without a reimbursement of contributions having taken place for this insurance period). Such previous insurance periods do not exist in my case.
- the application for an exemption from compulsory insurance may not be revoked.
- an exemption may lead to disadvantages in case of future obligations to pay compulsory insurance.
- my employer pays contributions for me into a voluntary capital-funded insurance with VBL and I have the option to agree on an own voluntary insurance with VBL instead of the compulsory insurance.
- the exemption is terminated as soon as the temporary employment contract is extended to or continued for over three years.
- there are differences between the benefit legislations of the compulsory insurance and the voluntary insurance (VBLextra) which may lead to differing pensions later on.

I have obtained the VLB special information sheet on the provision in Art. 2, par. 2 ATV (VBLspezial Wissenschaftler West).

\_\_\_\_\_  
Date, Signature of Employee

## Explanatory Notes

### 1. The wording of Art. 2, par. 2 ATV is as follows:

(2) Upon written request, employees must be granted an exemption from compulsory insurance, if they are working in an academic position at universities or research institutions, are employed on a temporary basis, are unable to fulfill their qualifying period under Art. 6, par. 1 due to the limitation of the employment term, and had no previous compulsory insurance under the supplementary pension scheme. The employee has to submit the application within two months upon the start of the employment relationship. For the benefit of employees who are exempt from compulsory insurance according to cl. 1, deferred entitlement to benefits under voluntary insurance (according to Art. 26, par. 3, cl. 1) accrue with the contributions in the amount of the employer's share for compulsory insurance, including the employee's share, if any, according to Art. 37a, par. 2. However, the amount is limited to a maximum of 4% of the employee's pensionable income. If the employment as outlined in cl. 1 is extended or continued, the compulsory insurance shall substitute the voluntary insurance on the first day of the month in which the extension or continuation of employment for a period of more than five years is agreed upon. The beginning of the compulsory insurance cannot be backdated to the beginning of the employment.

### 2. An exemption from compulsory insurance may be granted, if the following requirements are met:

- a) Your employment relationship started after December 31, 2002.
- b) The employment is of limited duration and it is not possible for you to fulfill the qualifying period of 36 calendar months.
- c) You must submit your application within two months upon the start of your employment relationship. The date on which your application is received by the Human Resources Service Unit of KIT (Personalservice) shall be decisive. If your application is received at a later time, you will not be granted an exemption.
- d) You must work in an academic position. An academic position for this purpose shall mean any academic or artistic services performed by academic or artistic personnel at universities or research institutions. This includes, in particular, university teachers, academic staff members, and lecturers for special tasks. As a rule, a completed university degree is a prerequisite for an academic position.
- e) The academic activity must be carried out at a university or research institution. Universities shall include all universities and colleges, universities of education, colleges of art, universities of applied sciences, and other education institutions which are classified as universities and colleges under the laws of the federal state. Research institutions shall include state research institutions as well as research institutions funded by the state. In particular, this includes the Max Planck Society, the Fraunhofer Society, the centers of the Hermann von Helmholtz Association of National Research Centers, and Blaue Liste (blue list) Institutes.
- f) So far, you have not had any previous compulsory membership period under a supplementary pension scheme of the Public Service Sector.
- g) The prerequisites for compulsory insurance must be met.

Provided that the above requirements are fulfilled, an exemption may also be granted, if you are employed with an experimental or research institute (e.g. within a Division of the Ministry of Rural Affairs and Consumer Protection) within the framework of a research contract for rendering a scientific service and if you are unable to complete the qualifying period of 36 calendar months due to the limitation of your employment contract.

**3. During the time of exemption from compulsory insurance, entitlements accrue under a voluntary insurance.**

The employer is obliged to pay contributions in the amount of 4% of the pensionable income into a voluntary capital-funded insurance of the employee under the occupational pension scheme (the contribution cannot be paid into another pension scheme for the employee). You therefore obtain an entitlement to VBL pension.

In addition, you have the option to obtain your own voluntary insurance with VBL and to increase the above-mentioned employer contributions from your own funds. Please contact VBL for more information:

VBL  
Freiwillige Versicherung  
76240 Karlsruhe

Phone: +49 (0)721 9398935  
Fax: +49 (0)721 155 1355

Email: [kundenservice@vbl.de](mailto:kundenservice@vbl.de)  
Internet: [www.vbl.de](http://www.vbl.de)

**4. An exemption from compulsory insurance may lead to disadvantages in case of future obligations to pay compulsory insurance:**

- a) In order to be eligible for benefits under the compulsory insurance scheme, a qualifying period of 36 calendar months in the compulsory insurance must be completed. Membership periods in the voluntary insurance may be taken into account, if the requirements for vested entitlements under Art. 1b, par. 3, in conjunction with Art. 1 and par. 30f of the Betriebsrentengesetz (BetrAVG, Occupational Pensions Act) are met.
- b) In case of premature retirement from work, the vested entitlements under the compulsory insurance scheme are only taken into account for bonus points according to Art. 19 ATV (dynamics), if premiums/contributions were paid into the compulsory insurance for at least 120 months.
- c) Voluntary insurance does not include social components according to Art. 9 ATV (parental leave or materialization of the risk due to reduced working capacity).

**5. Despite an exemption, your insurance may become compulsory at a later date.**

In case an employment contract initially limited to a term of less than three years is extended or continued, compulsory insurance will substitute voluntary insurance on the first day of the month in which the extension or continuation was agreed upon. At this point, your employer's obligation to pay contributions for voluntary insurance ends. As for the rest, the voluntary insurance remains in force.

**6. Please contact VBL for further advice.**

Please note that there are differences between benefit legislations of the compulsory insurance and voluntary insurance (VBLextra) which may lead to differing pensions.

It is therefore recommended to contact VBL for advice on the differences between voluntary and compulsory insurance prior to applying for an exemption from the compulsory pension insurance scheme.