


## Financing adult learning database

<b>Name of the instrument - Local language</b>	Rückzahlungsverpflichtung
<b>Name of the instrument - English translation</b>	Payback commitment
<b>Scheme ID</b>	57
<b>Country</b>	 Germany
<b>Reporting year</b>	2015
<b>Type of instrument</b>	Payback clause
<b>Type of entry</b>	Single instrument
<b>Short description</b>	Employers and employees can agree on a payback clause for training related costs. Thereby, the employee will work for the employer during an agreed period so that the employer can benefit from the training investment. This period is defined in relation to the duration of the training (e.g. 1 month of training results in a retention period of up to 6 months, over 2-year training results in a retention period of up to 5 years).
<b>Short description of the related instruments</b>	nap
<b>Level of operation</b>	National
<b>Name of a part of the country</b>	nap
<b>Name of the region (for regional instruments)</b>	nap
<b>Name of the sector (for sectoral instruments)</b>	nap
<b>Relevance</b>	Key scheme
<b>Legal basis</b>	Bürgerliches Gesetzbuch (BGB) (Civil law) + jurisdiction by Federal Labour Court
<b>Year of latest amendment</b>	2013

<b>Operation/management</b>	Federal Labour Court
<b>Eligible group(s)</b>	All German employers, employees
<b>Group(s) with preferential treatment</b>	None
<b>Education and training eligible</b>	Professionally relevant training. It is not possible to agree on a payback clause for firm specific training.
<b>Source of financing and collection mechanism</b>	Employer, employee
<b>Financing formula and allocation mechanisms</b>	It is a prerequisite for the effectiveness of a payback clause that the employee has earned a "cash benefit" by the training measure. The retention period has to be in proportion to the benefits of training (duration and the level of qualification)  Training duration up to 1 month: Binding up to 6 months; Training duration up to 2 months: binding up to 1 year; Training duration 3 to 4 months: Binding up to 2 years; Training period of 6 to 12 months: Binding up to 3 years; Training duration of over 2 years: Binding up to 5 years.
<b>Volumes of funding</b>	na
<b>Beneficiaries/take up</b>	na
<b>Monitoring/evaluation reports available</b>	na
<b>Most relevant webpage - in English</b>	na
<b>Most relevant webpage - local language</b>	<a href="https://www.verdi-bub.de/index.php?id=920">https://www.verdi-bub.de/index.php?id=920</a>
<b>Sources</b>	<a href="https://www.verdi-bub.de/index.php?id=920">https://www.verdi-bub.de/index.php?id=920</a>  Bundesrepublik Deutschland (2002) Bürgerliches Gesetzbuch , Buch 2 - Recht der Schuldverhältnisse (§§ 241 - 853), Abschnitt 2 - Gestaltung rechtsgeschäftlicher Schuldverhältnisse durch Allgemeine Geschäftsbedingungen (§§ 305 - 310). Berlin. Online: <a href="http://dejure.org/gesetze/BGB">http://dejure.org/gesetze/BGB</a>