



#BemATipp: Contract penalties

- ✔ Contract penalties are penalties by employees to the employer because she /he has culpably (intentionally or negligently) violated a contract section.
- ✔ A contract penalty can be included as a clause in an employment contract. In principle, this is permissible, but it shouldn't be disproportionately high. Usually, contract penalties cannot exceed a gross monthly salary.
- ✔ A contractual penalty can exist, for example, if an employee refuses to work, takes sick leaves without notice or violates the confidentiality obligations.
- ✔ Contractual penalties are only effective if they are formulated in a clear and understandable manner. They must not unreasonably disadvantage employees and must not be placed in a hidden or unexpected place in the employment contract.

• Example of the formulation of a contractual penalty

§ xx contractual penalty

If the employee does not start work or does not start work late, the employer must be paid a contractual penalty. The same applies if the employee terminates the employment relationship in violation of the contract. The contract penalty must then be paid in the amount of xx €. The employer's right to further claims for damages remains unaffected.

 Do you have any questions about clauses in your employment contract or do you not know whether the amount of the contract penalty listed there is appropriate? Then feel free to contact us here: 

<https://bema.arbeitundleben.org/kontakt/>

#gerechtundsicher in #SachsenAnhalt! #BemA