

Tariff-based future payment

FAQ Use of days in lieu

The questions presented here are a simplified representation with reference to the provisions of the "Modern Working World" collective agreement of 22.11.2019 regarding the future payment, as well as the company-wide agreement "tariff-based future payment" of 12.08.2020, and as such are for information purposes only. Only the collective agreement and the company-wide agreement are legally binding.

If you have any specific questions that go beyond the scope presented here, please contact the experts directly at zukunftsbeitrag@fresenius.com or 06172 / 608-1333.

DAYS IN LIEU:

> **Can anyone select days in lieu or are there any restrictions?**

If you are generally entitled to a future payment, you can also select days in lieu. The participant group is not subsequently further restricted (part-time employees, fixed-term employees, temporary staff etc. may also select this).

> **The tariff-based future payment 2022 is higher than in 2021. Are there also more days in lieu?**

For 2022, the maximum number of possible days in lieu is 3 days. Thus, if you choose the intended use of the days in lieu, there will always be a remaining balance, which will be transferred to the compensatory time account. However, you can also use it for the PlusCard. For employees who cannot participate in the compensatory time account or the PlusCard, the remaining amount will be paid out with the April 2022 remuneration statement.

> **Why can I take a maximum of 3 days in lieu in 2022, even though the collective bargaining agreement states a maximum of 5 days in lieu?**

The agreement that a maximum of three days in lieu will be available in 2022 was agreed with the General Works Council when the regulations for implementing the tariff-based future payment at Fresenius were established. The collective agreement states that the number of days in lieu for employees whose working hours are regularly distributed over five days per week is five days for the calendar year 2022. It further states that the parties to the agreement may limit the scope of the days in lieu. This restriction of the scope to 3 days in lieu has been made by the General Works Council and the employer with the corresponding regulation in our company-wide agreement "tariff-based future payment".

> **How many days in lieu are available?**

The number of days in lieu is based on the provisions of the collective agreement. Employees whose working hours are regularly distributed over five days per week have three days for the 2022 entitlement year. For employees with a regular working time of less than 5 days, the number of days in lieu will be adjusted accordingly. The remaining balance can either be transferred to the compensatory time account or used for the PlusCard. For employees not eligible for the compensatory time account or the PlusCard, a payment will be made with the April 2022 payroll.

> **I am a part-time employee. How are my days in lieu calculated?**

Calculation of days in lieu is generally based on the provisions in the collective agreement. According to these provisions, your individual entitlement is calculated based on your (regular) working hours on the first working day in January. If, for example, your regular working hours are 4 days per week on this reference date, your days in lieu entitlement will be 2.4 days for 2022. As you can only use days in lieu as whole days, the example for 2022 = 2 days in lieu. The proportional remaining amounts will be either transferred to the compensatory time account or used for the PlusCard, depending on your choice. For employees who cannot participate in the compensatory time account or the PlusCard, the remaining amount will be paid out with the April 2022 remuneration statement.

> **How do I find out the number of days in lieu I am due?**

You are welcome to use the so-called "future payment calculator" to calculate your individual entitlement in advance. If you choose the long-term account or the PlusCard as your intended use - in addition to the days in lieu option - the corresponding amounts spent for these two intended uses are visible on the remuneration statement. Any remaining amounts can also be tracked there.

> **What happens if I don't take the days in lieu?**

If you opt for days in lieu, you can make use of them between 01.04.2022 and 31.12.2022. If you have not (or not fully) used your chosen days in lieu by this point in time, the future payment (if applicable pro rata) will be paid out with your payroll.

If the day in lieu has been determined for a specific date and you cannot take advantage of this day for personal reasons (e.g. illness), entitlement to a day in lieu in accordance with the provisions of the collective agreement no longer applies and you will be paid the corresponding portion of the tariff-based future payment with the April payroll of the following year.

> **Will my entitlement to days in lieu change if I change my level of employment during the year (e.g. from full-time to part-time or from part-time to full-time)?**

No. The number of individual days in lieu depends on your circumstances on the first working day in January and does not change if you switch from full-time to part-time or vice versa during the year.

- > **From when to when can I take the days in lieu?**
Days in lieu from **2022** can be used in the period from 01.04.2022 to 31.12.2022. This period applies correspondingly for the **following years**.

- > **Can my manager refuse to honour my day in lieu?**
Refusal to honour days in lieu follows the same principles as the refusal to honour, for example, holidays.

- > **Do I have to report my unused days in lieu anywhere?**
No. After the validity period has expired, your quota on days in lieu will be compared with actual utilisation. If not all chosen days in lieu have been used, you will receive the corresponding amount with your April payroll.

- > **I have already applied for and submitted the day in lieu. Can I move it to another day?**
No. Days in lieu that have already been approved cannot be postponed. If they are not taken, they will be paid out with the April payroll of the following year.

- > **What happens if I am sick on a planned and already approved day lieu?**
Illness is classed as non-use for personal reasons. This means that there is no entitlement to a day in lieu for this day in accordance with the provisions of the collective agreement. The corresponding share of the tariff-based future payment will be paid out to you with the April payroll of the following year.

- > **What happens if I have to work (short notice) on an already approved day in lieu?**
In principle, an already approved day in lieu cannot be revoked by the manager. Revocation is only possible in individual cases of urgency due to operational reasons (e.g. in the case of a short-term substitution situation that makes the presence of the employee absolutely necessary). In the rare case of a revocation of an already granted approval, this must always be justified. A particularly short-term revocation (e.g. one day in advance) should be avoided. If an already approved day in lieu is revoked by the manager, the day in lieu does not automatically expire, but can be applied for at another point in time during the year of entitlement. Please coordinate this with your manager and your time administrator on a case-by-case basis.

- > **Can I carry over days in lieu to the following year (as with holidays)?**
No. Days in lieu must be taken within the respective possible period. Days not used will be paid out with the next April payroll (at the level of the future payment).

- > **Can I combine days in lieu with holidays, flexitime, or V-days?**
In the context of the future payment, there is no provision with respect to the combination of days in lieu with holidays, flexitime, or V-days. Please discuss your specific request directly with your manager.

> **Can I use a day in lieu proportionally, e. g. split into two half days? What about December 24th and 31st?**

According to the provisions of the "tariff-based future payment" central works agreement of 12.08.2020 you can only use days in lieu as whole days.

There is only one exception to this rule: In case there is a respective holiday agreement for December 24th and 31st at your location, you can also split one day in lieu in two half days on these two dates. In case of questions please get in touch with your local HR department.

Depending on the respective situation at the location, different regulations concerning this topic can be made between the local parties.

> **I would like to change my mind and use another purpose instead of days in lieu. How do I do this?**

Your decision to take days in lieu is valid for one entitlement year. A decision that has already been made cannot be changed for the current entitlement year. Your decision will automatically continue to apply until you actively decide on another purpose: Simply fill out the selection form for the **following year**, tick the new option and return within the response period by 31.10. of the current year - done!

> **I am planning to change jobs within Fresenius. Can I keep or take my days in lieu?**

That depends on whether you are still entitled to the future payment after changing jobs (i.e. both you and your new employer are within the scope of the "Modern Working World" collective agreement of 22.11.2019 and the "tariff-based future payment" central works agreement of 12.08.2020).

> **What happens if I switch to a non-collective agreement employment contract during the year?**

If you have not yet taken your days in lieu by the time you change contract to a non-collective agreement employment contract, the future payment will be paid out with the last tariff-based payroll.

> **What happens if I completely leave the Fresenius Group?**

If you have not yet taken your days in lieu by the time you leave the company, the future payment will be paid out with your last payroll. If you leave the Fresenius Group by the end of March of the year of entitlement, the entitlement lapses and no payment is made.

> **Who can help me with any questions I have?**

If you have general questions on the subject of days in lieu or future payment, it is best to contact the experts at zukunftsbeitrag@fresenius.com or 06172 / 608-1333.

If you have any questions about time booking, your time administrator is the right person to contact.