

Information leaflet on practical semesters (placements) for firms and companies

This leaflet provides you with details on the following issues:

- Contact persons
- General information
- The employment contract during the practical semester
- Progress of studies during the practical semester
- Contents of the practical training and support of the student by the company
- Insurance cover and implementing provisions
- Provisions to be included in the placement contract

Contact persons:

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Student Service Centre

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This leaflet, as well as further information, is available on the website of the Landshut University of Applied Sciences [HAW Landshut]:

Die Hochschule > Fakultäten > Fakultät Elektrotechnik und Wirtschaftsingenieurwesen > Praktikum

This leaflet contains important information for enterprises willing to offer the students of HAW Landshut the opportunity to spend a practical semester with them. For legally binding information, please refer to the documents as outlined under "Implementing provisions".

General information

What exactly is a practical semester?

A practical semester (placement) forms an integral part of certain university courses. It is regulated by the university, which also defines its content and provides supervision, including preparatory and supporting lectures. The semester is usually spent outside the university within a company or other organization engaged in professional practice.

What about the student's legal position during his/her practical semester?

During the practical semesters, students continue to be members of the university with all the associated rights and obligations. This means that the practical semester is not to be regarded as a work placement as regulated by the Vocational Training Act. Students spending their practical semesters with the respective enterprises continue to be considered as students.

The German government encourages students to undertake compulsory industrial placements during their studies (including practical semesters) by **granting exemption from German social**

security obligations to students and employers for up to 26 weeks. Compliance with the law on minimum wages (please refer to "The employment contract during the practical semester", "Duration of the contractual period") is, however, to be taken into account according to local practice.

Which companies are entitled to offer practical semesters?

All enterprises meeting the substantive requirements of industrial placements in the field of engineering (please see below) are entitled to offer practical semesters.

What requirements need to be met by the students?

There are some preconditions that must be fulfilled. Compliance with these conditions is documented by the university by a written approval of the placement contract between the company and the student. The contract thus approved has to be submitted by the student to the company prior to the commencement of his/her employment. **Please note that the university's approval is frequently given under the proviso that the student successfully passes particular examinations!**

What happens if a placement contract has been signed and approved under reserve and the student does not pass the required examinations?

In this case, the practical semester cannot be taken up as a compulsory placement that is exempt from social security obligations, i. e. **the contract already concluded shall become void.** The student can still take up employment with the company under a voluntary placement. In such a case, credit recognition will, however, not be granted. As a result, no government incentives shall be applicable which means that the employment is subject to social security contributions. **In this case, a new contract with modified conditions has to be concluded** (employer and employee are subject to social security liability!). The evasion of social security contributions would be considered a criminal offence.

The employment contract during the practical semester (placement)

Duration of the contractual period

During their practical semesters, the students have to spend at least 80 working days of full-time practical training (excluding public holidays, for further information, see below) with the company. The maximum term of the placement is (exactly!) 26 weeks. Contracts with a term of more than 26 weeks must **not** be approved by the university!

If the contractual period exceeds 26 weeks, the university, for practical reasons, exclusively grants authorisation for 26 weeks. The **days of employment in excess of this period of 26 weeks shall not** be referred to as a **compulsory placement** as defined above **and are thus subject to social security contributions!**

In Germany, during the period of 80 days, as defined by Section 22 clause 1 of the Minimum Wages Act [*Mindestlohngesetz – MiLoG*], the students are **not** entitled to the national minimum wage. Starting from the 81st day of employment, the Minimum Wages Act shall be applicable which means that the students are entitled to (not less than) the minimum wage. In all other countries companies have to observe local laws on this subject.

Working hours

The working hours shall be determined in accordance with the conditions and practices within the company.

Are the students entitled to compensatory leave for overtime hours and/or to statutory leave during the contractual term?

As a general rule, the students are not entitled to any leave during the period of the contract. It shall, however, be possible for the students to take leave and to reduce overtime on a daily basis, if the minimum period of 80 working days is complied with.

What about plant holidays, like, for example, Christmas holidays?

Plant holidays shall not be considered as working days. They are, however, part of the maximum term of 26 weeks if the student is remunerated for his work, unless it has been explicitly agreed in the contract that no remuneration shall be paid for the period of the plant holiday.

Training allowance

The student usually receives a training allowance. The company is free to determine the level of the allowance. If required, the university may submit a non-binding proposal regarding the payment of an adequate compensation within a certain range.

What has to be done if the student falls ill during the period of the placement?

In the case of more than 5 days of sick leave, the student has to make up for the total number of days absent from work due to illness, unless the required number of 80 working days is still achieved.

Certification of the placement completed

The employer issues a certificate at the end of the placement period, confirming the students' work placement, the duration of the placement period, including the times of absence from work, if any, and the content of the placement. Please note that **the company is obliged to hold the certificate available for collection by the employee immediately after the termination of the employment** (preferably on the last day of the employment!).

Progress of studies during the practical semester

Are the students entitled to attend examinations during their practical semesters?

Students are entitled to attend exams and/or retake exams during their practical semesters. If requested, the employer should release the student from work, so that he/she is able to take an examination. Days of absence, resulting in the total number of working days spent on the job falling short of 80, have to be made up for, if applicable.

Contents of the practical training and support of the student by the company

Training objective:

During their practical semesters, the students should gain an insight into, learn about and implement the operational procedures and activities arising in exercising their future profession. This means that the scope of their duties has to correspond to the **work duties of a qualified engineer**.

Contents of the practical semester:

The contents are defined in the module manual for the corresponding study programme. For the module manual, please refer to:

<https://www.uas-landshut.com/university/faculties/electrical-industrial-engineering/study-programmes.html> on the website of Landshut University of Applied Sciences.

Upon request, the student provides the company with this description as well as with additional documents (e.g. implementing provisions).

Support of the students:

A personal supervisor has to be appointed by the company to act as the student's practical training supervisor during the complete placement period. His/her qualification and position shall enable him/her to train and supervise a (young) engineer. **This supervisor has to be mentioned by name in the placement contract!**

Insurance cover and implementing provisions

Accident insurance cover of the students

Within Germany, the students are insured, by operation of law, against accidents during the practical semesters. In the event of a claim, the training provider submits a copy of the accident report to the university.

Liability insurance:

If required by the training provider, the students shall take out liability insurance adapted to suit the duration and contents of the training agreement.

Placements abroad

For practical semesters (placements) abroad, the students undertake to arrange adequate health, accident and liability insurance for themselves.

Implementing provisions

The provisions adopted by the Bavarian State Ministry of Sciences, Research and the Arts, as well as by the university, as amended from time to time, shall apply to the practical semester (placement). In particular, these include

- a) the framework examination regulations for universities of applied sciences in Bavaria (*RaPo – Rahmenprüfungsordnung für die Fachhochschulen in Bayern*), as amended;
- b) the general examination regulations (*APO - Allgemeine Prüfungsordnung*) of the Landshut University of Applied Sciences, as amended;
- c) the provisions relating to the implementation procedures of practical semesters at state universities of applied sciences in Bavaria as amended on 20 August 2007;
- d) the study and examination regulations enacted by the university for the study programme, and the training schedule adopted by the competent faculty (module description "practical semester" of the relevant study programme)

Please find the aforementioned documents in the download area on the website of the Landshut University of Applied Sciences. The students and the above-mentioned contacts will be pleased to assist you.

Provisions to be included in the placement contract

Which items have to be specified in the contract?

In addition to the usual provisions included in an employment contract, the following items need to be specified:

- A statement indicating that the practical semester (placement) complies with the provisions adopted by the Bavarian State Ministry of Sciences, Research and the Arts, as well as by the university, as amended from time to time.
- The student's supervisor for the duration of the practical semester (see above)
- The number of working days per week (5 as a rule).

Is there a model contract available?

A form showing a model contract for a practical semester (placement) is available in the download area on the website of the Landshut University of Applied Sciences in German only.

As a rule, the companies providing placements issue their own contracts.

If the placement provider is a foreign company, please always indicate its exact address and submit the contract in German or English.

What are the deadlines for submitting the contract?

The contract has to be submitted by the student to the student service centre by 01 October or 15 March at the latest, i. e. at the beginning of each semester. **The practical semester (placement) shall be deemed to have started only from the date of its approval. If the student takes up his/her placement prior to this date, the days preceding the approval shall be considered as a voluntary placement and are not included in the minimum period of 80 days of compulsory placement.**