

99038002017000

Insolvenzgeld Bewilligung

Heruntergeladen am 28.06.2025

<https://fimportal.de/xzufi-services/576848/B100019>

Modul	Sachverhalt
Leistungsschlüssel	99038002017000
Leistungsbezeichnung I	Insolvenzgeld Bewilligung
Leistungsbezeichnung II	Apply for insolvency allowance
Typisierung	1 - Bund: Regelung und Vollzug
Quellredaktion	Bund
Freigabestatus Katalog	fachlich freigegeben (gold)
Freigabestatus Bibliothek	unbestimmter Freigabestatus
Begriffe im Kontext	
Leistungstyp	Leistungsobjekt mit Verrichtung
Leistungsgruppierung	
Verrichtungskennung	Bewilligung (17)
SDG-Informationsbereich	Insolvenzverfahren und Liquidation von Unternehmen
Lagen Portalverbund	Existenzsicherung und staatliche Unterstützung (1140100), Finanzierung zur Krisenbewältigung (2060300), Sanierung und Insolvenz (2160300)
Einheitlicher Ansprechpartner	Nein

Modul	Sachverhalt
Fachlich freigegeben am	15.02.2022
Fachlich freigegeben durch	Federal Ministry of Labor and Social Affairs (BMAS)
Handlungsgrundlage	https://www.gesetze-im-internet.de/sgb_3/_165.html https://www.gesetze-im-internet.de/sgb_3/_175.html https://www.gesetze-im-internet.de/sgb_3/_314.html https://www.gesetze-im-internet.de/sgb_3/_316.html https://www.gesetze-im-internet.de/sgb_3/_323.html https://www.gesetze-im-internet.de/sgb_3/_327.html
Teaser	If your employer is insolvent and can no longer pay your wages, you can apply for insolvency benefits.
Volltext	<p>Your employer is experiencing payment difficulties and therefore owes you remuneration. If a so-called insolvency event then occurs, you are entitled to insolvency benefits from that point on. Such an insolvency event may be, for example, that insolvency proceedings are opened against your employer. You can use the insolvency benefit to compensate for your loss of wages for a maximum of 3 months.</p> <p>Insolvency benefits are paid retroactively. The obligation to pay unemployment insurance contributions is not a prerequisite. Part-time employees, interns, students, pensioners and trainees can receive insolvency benefits. In the case of, for example, managing partners, shareholders of a limited liability company or relatives of the employer, proof of employee status must be provided in order to be entitled to insolvency benefits.</p> <p>You can only receive it for the wages that were not paid to you in the last 3 months of the employment relationship before the insolvency event. If your employment was terminated before, the insolvency benefit period includes the last 3 months of your employment.</p> <p>You will receive exactly as much insolvency benefit as you last earned in net wages. However, the income threshold for unemployment insurance is the upper limit. The extent to which special payments (e.g. Christmas bonus) can be replaced by insolvency</p>

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	<p>benefits depends on the provisions in your employment contract and must be examined on a case-by-case basis.</p> <p>If your employer does not pay social security contributions due to the insolvency, the Employment Agency will do so at the request of the collection agency (health insurance fund). Outstanding contributions will be paid for the last 3 months of your employment before the insolvency event.</p> <p>You can find more information on the website of the Federal Employment Agency.</p>
Erforderliche Unterlagen	<ul style="list-style-type: none"> • When contacting your advisor, please inquire about the specific documents you will need.
Voraussetzungen	<p>In order for you to receive insolvency benefits, certain requirements must be met:</p> <ul style="list-style-type: none"> • An insolvency event occurs if Insolvency proceedings are opened against your employer's assets, or insolvency application is rejected for lack of assets, or Business activity is completely discontinued in the case of obvious lack of assets. • No pay was paid to you for up to 3 months before the insolvency event. • As an employee you are employed within Germany or temporarily posted abroad while retaining the obligation to pay social security in Germany. • You must prove by means of a notice from the clearing office of the German Pension Insurance (status determination procedure) that you are legally considered an employee if, for example, you are Managing partner, shareholder of a GmbH (limited liability company) or are a relative of the employer. • Further information can be found on the website of the Federal Employment Agency.
Kosten	<p>Gebühr: Es fallen keine Kosten an There are no costs involved.</p>
Verfahrensablauf	<p>Apply for insolvency benefits at the employment agency. You can submit the application in paper form or electronically.</p>

Modul

Sachverhalt

Submit the application in paper form:

- You can obtain the application form from any employment agency or from the website of the Federal Employment Agency.
- Complete the application in full and submit it signed, including the attachments, to your employment agency.
- The insolvency benefit certificate is required for final processing. The insolvency benefit certificate is issued by the insolvency administration or by your company. It will be requested by the Employment Agency. To speed up the procedure, you can also obtain the insolvency benefit certificate yourself from the insolvency administration or from your company and attach it to the application straight away. The form is also available from any employment agency or via the Internet.
- The Employment Agency will examine your application and your documents. You will receive a decision on your application from the Employment Agency.

Apply for insolvency benefits online:

- Access the "eServices" portal on the website of the Federal Employment Agency.
- Log in with your user ID and call up the application for insolvency benefits.
- Fill out the online application form, upload all documents as attachments and send the application.
- The Employment Agency will review your application and documents. You will receive a decision on your application from the Employment Agency.

Bearbeitungsdauer

0 - 2 Monat(e)
Depending on the insolvency event, usually 2 months after the occurrence of the insolvency event.

Frist

2 Monat(e)
You must apply for insolvency benefits within 2 months of the occurrence of the insolvency event. If you submit the application late, the Employment Agency will examine in each individual case whether the requirements for a grace period are met.

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	<p>1 Monat(e)</p> <p>The appeal must be submitted to the employment agency that issued the decision within one month of receiving the decision.</p>
weiterführende Informationen	<p>https://www.arbeitsagentur.de/finanzielle-hilfen/insolvenzgeld-arbeitnehmer</p> <p>https://www.arbeitsagentur.de/arbeitslos-arbeit-finden/download-center-arbeitslos#1478809926747</p> <p>https://www.arbeitsagentur.de/eservices</p>
Hinweise	
Rechtsbehelf	<ul style="list-style-type: none"> • Objection • Action before the social court
Kurztext	<ul style="list-style-type: none"> • Insolvency Benefit Approval • Insolvency allowance is intended to cushion the financial consequences of a company's insolvency on employees • Insolvency benefits are paid retroactively for the last 3 months of the employment relationship prior to the insolvency event in which the employer did not pay wages • The employment agency pays the outstanding social security contributions for this period at the request of the collecting agency. • The amount of the insolvency allowance corresponds to the net wage, limited to the income threshold for unemployment insurance contributions. • Relevant insolvency events: Opening of insolvency proceedings Rejection of the insolvency petition for lack of assets Complete cessation of operations in the case of obvious lack of assets • Claimant: Employees of insolvent companies Third parties to whom the claim to remuneration has been assigned or transferred by operation of law Collection agencies for the total social insurance contribution • Responsible: Federal Employment Agency
Ansprechpunkt	
Zuständige Stelle	
Formulare	<p>Forms available: Yes Written form required: No</p> <p>Informal application possible: No Personal appearance</p>

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	required: No Online services available: Yes
Ursprungsportal	Insolvenzgeld Bewilligung, Insolvenzgeld Bewilligung