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Information in accordance with the Remuneration Transparency Act

Heruntergeladen am 09.06.2025

<https://fimportal.de/xzufi-services/210644991/L100039>

Modul	Sachverhalt
Leistungsschlüssel	99006034001000, 99006034001000
Leistungsbezeichnung I	Information in accordance with the Remuneration Transparency Act
Leistungsbezeichnung II	
Typisierung	6 - Allgemeine Hinweise, nicht spezifische für eine Leistung
Quellredaktion	Rheinland-Pfalz
Freigabestatus Katalog	fachlich freigegeben (gold)
Freigabestatus Bibliothek	unbestimmter Freigabestatus
Begriffe im Kontext	
Leistungstyp	Leistungsobjekt mit Verrichtung
Leistungsgruppierung	Arbeitsschutz (006)
Verrichtungskennung	Erteilung (001)
SDG-Informationsbereich	
Lagen Portalverbund	

Modul	Sachverhalt
Einheitlicher Ansprechpartner	Nein
Fachlich freigegeben am	05.03.2019
Fachlich freigegeben durch	Federal Ministry for Family Affairs, Senior Citizens, Women and Youth (BMFSFJ)
Handlungsgrundlage	https://www.gesetze-im-internet.de/entgtranspg/_10.html https://www.gesetze-im-internet.de/entgtranspg/_11.html https://www.gesetze-im-internet.de/entgtranspg/_10.html https://www.gesetze-im-internet.de/entgtranspg/_11.html
Teaser	Under certain conditions, you can ask your employer for information on the composition and amount of your own remuneration and on a comparable activity.
Volltext	<p>Your employer is obliged to treat all employees according to the same principles and not to discriminate against anyone on the basis of gender. According to the Remuneration Transparency Act, he must tell you, under certain conditions, on the basis of which criteria and procedures your remuneration and the remuneration for the same or equivalent activity in the company will be determined. He must also tell you how high this salary is in comparison (median value of at least six people of the opposite sex). You can make a request if you</p> <ul style="list-style-type: none"> • employees in the public and private sectors, • civil servants of the Confederation and corporations, institutions and foundations under public law subject to federal supervision, • Federal judges, • soldier, • for your vocational training, • homework or assimilated to such employees <p>are.</p>

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It is important that your company has at least 200 employees. What exactly you can ask depends on whether your employer is bound by a collective agreement or applies a collective agreement or not. If your employer is bound by a collective agreement or applies a collective agreement, he must, for your activity and the comparison activity you have specified:

- set out in detail the criteria and procedure for determining remuneration. If the respective remuneration components are regulated in the collective agreement or by law, a simplified answer is sufficient (but the collective bargaining or statutory regulation must be specified) and
- determine the amount of the average monthly gross monthly salary and for up to two separate remuneration components.
- The following applies to the declaration of the comparison activity: The comparison salary is calculated from all employees of the opposite sex who are classified in the same pay group as you). The prerequisite is that 6 or more employees of the opposite sex work in the comparison group. Otherwise, for reasons of data protection, you will not receive any information on the amount of the comparison fee.

If your employer is not bound by or applying collective agreements, he must:

- set out in detail the criteria and procedure for determining remuneration for your activity and for the comparative activity requested (a simplified answer is not sufficient),
- indicate the extent to which the comparison activity is predominantly carried out by one sex,
- if necessary, justify in a comprehensible way for you why your activity and that of the comparison group are not equivalent and to refer the information to an activity that in his opinion is equivalent
- if 6 or more employees of the opposite sex work in the comparison group: indicate the amount of

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remuneration as a statistical mean (median) of all employees of the other sex who carry out the comparison activity.

- give the reply in text form within 3 months.

In order to improve the transparency of pay structures, private employers with more than 500 employees are requested (but not obliged) to carry out operational procedures to review and establish equal pay. If he has carried out such an audit procedure with the participation of the works council, your employer must inform the employees of the results, for example at a works meeting or by publishing the results internally.

In addition, employers who are subject to management reporting obligations under the German Commercial Code and generally have more than 500 employees must prepare a report on equality and equal pay for women and men and publish it in the Federal Gazette as an annex to the management report. If your employer violates the principle of equal pay, you can demand to be paid the same as the higher-earning colleagues with the same or comparable activity. According to the general principles of civil law, the employer is obliged to pay withheld benefits. If he is not willing to do so, you can claim your claims in court. The information from the right to information can help to enforce your claims.

Erforderliche Unterlagen

None

Voraussetzungen

- Your establishment or department has more than 200 employees
 - They are employees within the meaning of the law, i.e.
 - Employees in the public sector
 - and in the private sector,
 - civil servants of the Confederation and corporations, institutions and foundations under public law subject to federal supervision,
 - Federal judges,
 - soldier,
 - for their vocational training,

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	<ul style="list-style-type: none"> • employed at home or assimilated to those employed in this way. • for information on the amount of the comparison salary: at least six employees of the opposite sex perform the requested activity (data protection)
Kosten	None
Verfahrensablauf	<p>You must submit the right to information in text form, i.e. in writing or by e-mail.</p> <ul style="list-style-type: none"> • To do this, you can print out and fill out the sample form. You can also make your request informally (i.e. without a form) • Submit your request in person or send it by e-mail or post <ul style="list-style-type: none"> • in the case of employers bound by or applying collective agreements: to the works council (or, in the case of the public sector, to the staff council) or • for employers who are not bound by or applying collective agreements: directly to your employer. • If your employer is not bound by a collective agreement or applies the collective agreement, he must reply to you in text form, i.e. in writing or by e-mail, within 3 months of receipt of the request. • If the response is delayed, your employer must inform you • If you have the impression that you are disadvantaged in terms of pay because of your gender, you can talk to the employer or contact the works council or staff council. If necessary, you can also take legal action.
Bearbeitungsdauer	<ul style="list-style-type: none"> • In the case of employers who are not bound by collective agreements and employers who do not apply collective agreements: reply within 3 months (If the response is delayed, the enquirer must be informed.) • In the case of employers bound by or applying collective agreements: no express deadline Note: Employees can ask for support from the works council or staff council.
Frist	<ul style="list-style-type: none"> • For requests for information submitted between 6 January 2018 and 5 January 2021: waiting period of three years until the next possible request • For requests for information submitted on or after 6

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January 2021: waiting period of two years until the next possible request Note: These deadlines do not apply if employees demonstrate that the conditions have changed significantly.

weiterführende Informationen

Hinweise

Rechtsbehelf

Kurztext

- Information in accordance with the Remuneration Transparency Act
 - Employees have an individual right to information, with which they can ask for two things:
 - 1\ The employer must explain the criteria and procedures used to determine pay.
 - 2\ The employer must explain the amount of the average gross monthly salary and for a maximum of two separate remuneration components (e.g. Christmas bonus or hardship allowance); this applies to the activity of the requesting person as well as to the comparison activity specified by him
 - Prerequisite: Company or department has more than 200 employees
 - Comparison activity must be named by the requesting person (for example, "electromechanics", "geriatric nurses", "engineers")
 - The following applies to the information on the amount of remuneration: It is only to be issued if there are at least 6 employees of the opposite sex in the comparison group: employer must specify comparative pay (median value), i.e. the remuneration of a single person is not questionable
 - first point of contact:
 - in companies bound by or applying collective agreements and in the public sector: works council (or staff council)
 - in the case of establishments not bound by or applying collective agreements: employers)
 - Request for information must be made in text form (also possible informally by e-mail, sample form available for download)
 - in case of established discrimination: withheld wages can be claimed subsequently

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	<ul style="list-style-type: none"> Responsible: Federal Ministry for Family Affairs
Ansprechpunkt	
Zuständige Stelle	
Formulare	<p>Forms: yes</p> <p>Online procedure possible: no</p> <p>Written form required: no, text form</p> <p>Personal appearance required: no</p> <p>https://www.bmfsfj.de/resource/blob/118148/9664e31ddd126a9c8d39045e5b5a6849/entgelttransparenzgesetz-formular-fuer-beschaeftigte-nicht-tarifgebundener-oder-nicht-tarifanwendender-arbeitgeber-data.pdf</p> <p>https://www.bmfsfj.de/blob/jump/118150/entgelttransparenzgesetz-formular-fuer-beschaeftigte-tarifgebundener-oder-tarifanwendender-arbeitgeber-und-fuer-beschaeftigte-im-oeffentlichen-dienst-data.pdf</p> <p>https://www.bmfsfj.de/resource/blob/118148/9664e31ddd126a9c8d39045e5b5a6849/entgelttransparenzgesetz-formular-fuer-beschaeftigte-nicht-tarifgebundener-oder-nicht-tarifanwendender-arbeitgeber-data.pdf</p> <p>https://www.bmfsfj.de/blob/jump/118150/entgelttransparenzgesetz-formular-fuer-beschaeftigte-tarifgebundener-oder-tarifanwendender-arbeitgeber-und-fuer-beschaeftigte-im-oeffentlichen-dienst-data.pdf</p>
Ursprungsportal	<p>Auskunft nach dem Entgelttransparenzgesetz</p> <p>Erteilung, Information in accordance with the Remuneration Transparency Act</p>