

Guidelines

Business Travel Accident Insurance for Travel at the Invitation of the DFG

The DFG relies on the support of researchers in various ways, e.g. as reviewers or as members of DFG bodies. For individuals travelling on DFG business the question arises as to whether accident insurance is or can be provided.

German civil service accident insurance regulations and procedures apply in general to German civil servants and vary in the individual German states. Other regulations apply to employees or to scientists and academics working at research institutions abroad.

Because individual circumstances and any resulting questions differ, this document is only intended to provide a general overview of the existing accident insurance coverage. Note that the DFG will always endeavour to provide assistance in individual cases where required, though it is bound to the decisions of the individual insurer.

Should any questions arise in relation to accident insurance, please initially contact the relevant programme staff member at the DFG Head Office.

http://www.dfg.de/en/dfg_profile/head_office/structure/programme_contacts

To ensure clarity in the event of an accident, all formalities required in conjunction with business travel at the invitation of the DFG (e.g. travel authorisation, statement of travel

duration and reasons for the trip) should be completed prior to commencement of the journey. It should be pointed out that the DFG will reimburse travel expenses.

The following points should also be noted:

1 Full-time university teachers with civil servant status in Germany

Claims for accident compensation according to civil service rules may only be made for occupational accidents. Accidents that occur to university teachers while travelling on behalf of the DFG are only considered occupational accidents if the DFG activity was declared a job-related task (Section 31, Para. 1, BeamtVG), or if it is considered to be a task that “serves the interests of the public or employer” (Section 31, Para. 5 BeamtVG).

In Baden-Wurttemberg, Bavaria, Hamburg and North Rhine-Westphalia, accidents that occur to university teachers with civil servant status while on DFG business are generally considered occupational accidents.

Baden-Wurttemberg	Letter of 02.03.2011 from the Ministry of Science, Research and the Arts Baden-Wurttemberg, Ref. no.: 41-0331.40/
Bavaria	Letter of 23.09.1993 from the Bavarian State Ministry of Education and Cultural Affairs, Ref no. X/2-X/5-23/136 861
Hamburg	Circular of 02.09.1980 from the Hamburg Department for Science and Research, Ref. no. H 125/40.32-10
North Rhine-Westphalia	Decree by the Minister of Science and Research, 20.07.1979, Ref. no.: I B 4 - 3604/05

University teachers with civil servant status in the remaining states must submit a request to their respective science or education ministry or, in the case of Berlin, Saarland, Saxony and Lower Saxony, to their respective university administration, to have the DFG activity be recognised as part of their job-related tasks; this should be done prior to commencement of the journey on behalf of the DFG. If the request is approved, accident insurance (in accordance with Section 31, Para. 1 BeamtVG) will also apply to incidents that may occur to the individual while on DFG business.

The following table provides an overview of the relevant regulations. Please contact your university administration if you have additional questions.

Berlin	Section 99 Para. 4 Clause 2 BerlHG
Brandenburg	Section 40 Para. 1 Clause 3 BbgHG
Bremen	Section 16 Para. 3 Clause 2 BremHG
Hesse	Section 68 Para.1 Clause 3 Hessisches HochschulG
Mecklenburg-Western Pomerania	Section 57 Para. 5 LHG Mecklenburg Vorpommern
Lower Saxony	Sections 24 Para. 1 Clause 5, 3 Para.1 NHG i.V.m. Section 2 Para. 6 HRG
Rhineland Palatinate	Section 48 Para. 1 Clause 3 HochSchG Rheinland-Pfalz
Saarland	Section 31 Para. 1 Clause 4, Para. 3 Saarländisches Universitätsgesetz
Saxony	Section 31 Para. 3 Clause 1 SächsHG
Saxony-Anhalt	Section 34 Para. 2 Clause 2 LHG Sachsen-Anhalt
Schleswig-Holstein	Section 60 Para. 1 Clause 3 HSchulG Schleswig-Holstein
Thuringia	Section 76 Para. 4 Thüringer HochschulG

If the request is not approved, insurance coverage according to Section 31, Para. 1 of the BeamtVG cannot be provided.

Accident insurance may, however, be provided according to Section 31, Para. 5 of the BeamtVG (accidents during activities performed in the interest of the public or for the benefit of the employer). Individuals must have been granted special leave for the corresponding tasks to qualify for this coverage. Requests for special leave must be made for the duration of the proposed DFG activity (if longer term) or for each individual trip; they must be submitted to the university prior to business travel. Accident insurance can only be provided according to Section 31, Para. 5 of the BeamtVG if benefits are not provided from another source. A decision on whether coverage according to the civil service regulations can be provided can only be reached once an incident has occurred (Section 49 Para. 2 BeamtVG). Given the universities' interest in their members' work for the DFG, the DFG assumes that such insurance will be provided.

2 Other researchers with civil servant status in Germany

Researchers with civil servant status who are not primarily employed as university teachers should clarify with their employer whether they are entitled to coverage under civil service regulations while travelling for the DFG.

A letter dated 24 November 1978 by the secretary general of the Max Planck Society generally stipulated that work carried out on behalf of the DFG by members of the Max Planck Society with employment contracts similar to civil service contracts is considered part of their principal employment, and hence any necessary trips are considered business travel.

3 Researchers with employee status or those working at research institutions abroad

Researchers employed at German research institutions or at research institutions abroad, who are not civil servants according to the *Bundesbeamtengesetz*, are asked to clarify with their employer whether DFG activities are considered part of their contractual employment obligations and if accident insurance coverage exists.

4 Researchers without accident insurance coverage through an employer

Researchers who do not have an employment relationship or do not have accident insurance coverage through an employer may be covered by German statutory occupational accident insurance. This must be verified and determined separately for each individual accident. The DFG cannot give any standard advice, as it is subject to the decision of the insurer in Germany in each individual case. In the event of an accident, the DFG will provide assistance in dealing with matters relating to accident and social security insurance and claims submitted to the responsible social insurance providers.

5. Use of Private Vehicles

Persons who use their own vehicles for travel at the invitation of the DFG and who suffer damage to their vehicles must generally cover the costs of the damage themselves, unless the person responsible for the accident or their insurance meets these costs. The DFG therefore recommends the use of public transportation, the cost of which will be reimbursed by the DFG in accordance with the DFG's travel regulations. Those who choose to travel by private vehicle

are recommended to take out comprehensive vehicle insurance. Insurance premiums will not be reimbursed; travellers instead will receive standard reimbursement for car travel.