

# Guidelines

## Business Travel Accident Insurance

### I. General

Insurance coverage for researchers who travel at the invitation of the DFG is generally provided by the compulsory accident insurance that is part of their respective employment contracts. Civil servants are insured according to Section V of the Civil Service Benefits Act (Beamtenversorgungsgesetz, BeamtVG), and employees according to the seventh volume of the Social Security Code (Sozialgesetzbuch, SGB VII).

If, as an exception, no such benefits are provided in the employment contract, coverage for the period in which the individual travels on behalf of the DFG is provided by the DFG according to SGB VII.

In order to avoid any uncertainties arising in the event of a claim, all formalities (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.

### II. Travel by DFG Reviewers and Committee Members

For individuals travelling on DFG-related business, such as reviewers or members of DFG decision-making bodies, civil service accident insurance regulations and procedures vary in

the individual German states. Other regulations apply to employees or to scientists working at research institutions abroad.

The following points should therefore be noted:

### 1. Full-time university teachers with civil servant status

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 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-Württemberg	Letter of 02.03.2011 from the Ministry of Science, Research and the Arts Baden Württemberg, 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 state ministry, university administration or the DFG 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**

Researchers with civil servant status who are not primarily employed as university teachers should determine 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 are asked to clarify with their employers whether DFG activities are considered part of their contractual employment obligations. Accidents occurring while on DFG business, which are not insured through the employment contract, will be covered by the DFG, limited to the benefits as provided for according to SGB VII. Claims made against the DFG are subject to German law.

## **III. 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.