

Why is the GEW calling for strike?

The GEW is calling for a strike because no agreement could be reached in the negotiations on the current collective agreement with the state of Hesse and the autonomous universities, despite constructive discussions. The GEW sees itself forced to emphasize the demands through strike.

Is striking even allowed?

The right to strike is constitutionally protected within the framework of "freedom of association" (Article 9 Paragraph 3 of the Basic Law). From freedom of association derives the right to collectively assert one's interests and to use the means of industrial action for this purpose.

However, a strike is only lawful if it is endorsed by a recognized trade union. A strike without a union's call for strike action is not permissible in Germany.

Who is allowed to strike?

If a recognized trade union calls on employees to strike, all workers of these establishments have the right to strike, provided they are affected by the "strike issue." Colleagues who are not members of a trade union are equally encouraged to participate in the strike as union members. However, only union members receive strike pay and legal protection from their union.

Are foreign workers allowed to strike?

Foreign workers generally have the same political and legal status as German workers in labor disputes. All employees have the right to participate in strikes regardless of their membership in a trade union. Foreign workers cannot face any risk to their work permits or residency status solely due to their participation in labor disputes—as strikers, locked-out workers, or strike supporters and picketers. This also applies to their rights and obligations as union members during labor disputes.

How do I obtain strike pay?

Prerequisite is to be a member of the union and to register on each day of the strike (either via email or on-site strike list) to document one's participation in the strike. For warning strikes, the GEW pays strike pay per strike day equivalent to the documented net salary deduction, up to a maximum of three times the monthly membership fee rounded up to the nearest full euro. Auxiliary staff are entitled to full compensation for their net salary deduction.

Join the education union:

www.gew-hessen.de/Mitglied-werden

What reactions from the employer should I expect?

The employer may withhold the portion of the salary corresponding to the period of participation in a strike. Entries in personnel files, warnings, or terminations due to participation in a strike are unlawful. Participation in a strike should not have any impact on the payment of performance-based pay.

Do I need to inform my employer about participating in the strike?

The striking individual is not obligated to inform their employer about personal participation in the strike. However, upon the employer's request, facility management is required to provide the names of employees who did not report for duty on a strike day. Out of collegiality, it may be advisable to communicate participation in the strike. This also facilitates solidarity, for example, among students or professors.

I am employed on a temporary basis. Can I go on strike?

Employees with fixed-term employment contracts generally have the same rights as permanent employees. So you can also take part in the strike. And as GEW members, you of course have the same rights as other members - including strike pay and legal protection. Since you may be more exposed to pressure from your employer due to your uncertain personal situation, we pay particular attention to you. In principle, there is no obligation to extend a fixed-term employment contract, but we are currently not aware of any cases in which employers did not extend employment contracts due to participation in strikes.

Do I have to rework work that was left behind?

Legally clear no. It would also contradict the strike if the work was carried out as before. The strike would not be noticeable for the employers. Ordering overtime because of participation in the strike is also illegal. Unfortunately, since deadlines for submitting papers, for example, still remain, this must be taken into account when planning your own participation in the strike.

What happens during a strike?

The essence of a strike is the collective, deliberate, and temporary withholding of labor by workers. The specific implementation of the strike depends on the conditions at the site. Local activist groups organize actions, while central demonstrations are coordinated by the state strike leadership of the GEW.