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Kündigung — Notice Periods, Severance Pay, and Work Certificate

Statutory notice periods, severance pay eligibility, and the right to a qualified work certificate in Germany.

Deutsche Begriffe: Kündigung | Kündigungsfrist | Abfindung | Arbeitszeugnis | Aufhebungsvertrag | Kündigungsschutzklage

Termination of Employment

Kündigung in Germany is subject to strict regulations. Whether you resign or are dismissed — know your rights.

Statutory Notice Periods (§ 622 BGB)

The **basic notice period** is **4 weeks** to the 15th or end of a calendar month. For employers, the period increases with length of service:

Length of Service	Notice Period	
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0–2 years	4 weeks	
2 years	1 month to end of calendar month	
5 years	2 months to end of calendar month	
8 years	3 months to end of calendar month	

10 years	4 months to end of calendar month	
12 years	5 months to end of calendar month	
15 years	6 months to end of calendar month	
20 years	7 months to end of calendar month	

Formal Requirements

• Kündigung must be **in writing** (signed on paper)

• Email, SMS, or verbal Kündigung are **invalid**

• The **date of receipt** counts, not the date on the letter

Severance Pay

There is **no legal entitlement** to severance pay. However, in practice:

• **Aufhebungsvertrag:** Employers often offer 0.5–1.0 gross monthly salaries per year of employment

• **Kündigungsschutzklage:** Often settled with a settlement (= severance pay)

• **Sozialplan:** In mass layoffs, the works council determines severance payments

Work Certificate

After any Kündigung, you have the right to a **qualified work certificate**:

• Must be **benevolent** in tone

• Contains: job description, performance, conduct

• **Hidden codes:** "always to our complete satisfaction" = grade 1, "to our satisfaction" = grade 4

• Timeline: Request it **immediately** — statute of limitations after 3 years

Unfair Dismissal Claim

If you believe the Kündigung is unjustified:

• **Deadline:** File suit within **3 weeks** of receiving the Kündigung at the labor court

• **Costs:** At first instance, each party bears its own attorney costs

• Use legal protection insurance or **legal aid** (for low income)

Resigning Yourself

• Observe the notice period (check your employment contract!)

• **Warning:** Voluntary resignation may trigger a **12-week benefit lock-out** for unemployment benefits

• Search for a new job **beforehand**, if possible

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