

UHH · Der Präsident · Mittelweg 177 · 20148 Hamburg

To all Universität Hamburg employees

Univ.-Prof. Dr. Dr. h.c. Dieter Lenzen

Präsident

Mittelweg 177
Raum N 5046
20148 Hamburg

Tel: +49 40 42838-1800
Fax: +49 40 42838-6799
Praesident@uni-hamburg.de
www.uni-hamburg.de

23 November 2021

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Staff code: P

Subject: Duty to work from home and 3G for staff

Dear Colleagues,

Presumably you have been following the latest political developments in the media with regard to containing the pandemic. As of tomorrow, the following applies: only those who fulfill the 3G requirements (according to the German government's infection protection law published today) may work on-site. The new infection protection law also sets forth a renewed obligation to work from home. Thus, I am strongly requesting that you work from home if there are no compelling professional or private reasons for not doing so. If there are compelling reasons, then starting tomorrow you must be able to provide proof that you have been vaccinated, have recovered, or have a negative rapid or PCR test at any time and upon request. New coronavirus instructions for Universität Hamburg are currently being drafted. However, a few parameters for their concrete implementation are still being worked out; thus, I am writing to you only with this preliminary information. Consult the coronavirus FAQ on the University's home page, which we update regularly.

Once the authorities have sent us their final version this afternoon, we will be able to send you the attached *Preliminary Information for Staff on the New 3G Rule at the Workplace*. This will explain in detail the regulations that will be binding starting tomorrow. Please observe the regulations.

Thank you for your support and understanding.

Sincerely,



Univ.-Prof. Dr. Dr. h.c. Dieter Lenzen

Preliminary Information for Staff on the New 3G Rule in the Workplace

This preliminary information will be superseded by the instructions currently being drafted.

Due to the dynamic development of the infection, extensive protective measures to contain the coronavirus pandemic remain urgent. The legal conditions for these have been established by federal lawmakers in the Gesetz zur Änderung des Infektionsschutzgesetzes und weiterer Gesetze anlässlich der Aufhebung der Feststellung der epidemischen Lage von nationaler Tragweite, which allows for changes in the prevailing infection protection laws once Germany's pandemic-related national state of emergency expires. One new tool that will go into effect on **24 November 2021** is the 3G rule in the workplace.

The goal of the 3G rule in the workplace is to increase protection from the coronavirus in the workplace above and beyond the current high hygiene standards for all offices and work-spaces in the interests of both your own and all colleagues' health. This directly affects your work at Universität Hamburg.

As of 24 November 2021, the following applies:

1. You may enter your place of work only if you have been vaccinated, have recovered, or have been tested.
2. You must at all times be able to present valid proof that you have been vaccinated, have recovered, or have been tested; you should carry a valid photo ID. In the next few days, we will inform you about how best to present your proof in your work area.
3. Proof must meet the legal requirements.
 - If you have a **vaccination certificate**, this is valid for an unlimited time; in this case, you are also considered fully vaccinated if more than 6 months have passed since your second vaccination, even if a booster shot has been recommended.
 - You are considered **recovered** if you have had a positive PCR test in the last 6 months and **at least 28 days and no more than 6 months have passed since that test result**. Your proof must therefore also include, in addition to the information about a positive PCR test, the testing and notification dates. If it has been more than 6 months since the testing date, you are **no longer** considered recovered, and, if you have not been vaccinated in the meantime, you are subject to the same regulations as those who are not vaccinated.

It is your responsibility to ensure the validity of proof of recovery and to present the office responsible with any required vaccination or test proof once proof of recovery expires.

- You are considered **tested** if you have been issued with a test certificate. The test certificate, for which you are responsible, must attest to a negative rapid antigen test or PCR test. Since 13 November 2021, you can also once again take advantage of free public testing (*Bürgertests*). The test must be valid when you wish to enter your workplace. Rapid antigen tests are legally valid for **24 hours**; PCR tests are legally valid for **48 hours**. **Take note of the time listed on your test certificate! After the 24-hour and/or 48-hour period has expired, you are once again considered untested, and you will need to leave your workplace if necessary.** If you violate your obligation to be in the workplace, this may have legal consequences according to labor law or civil service law.
4. Universität Hamburg must monitor compliance with the 3G rule in the workplace by checking certificates and/or proof. As a rule,
- you have a choice about the kind of proof you wish to present. If your vaccination status is not otherwise known to your office, and if you do not wish to reveal it in the wake of the 3G rule, you are free to present a daily test certificate instead of a vaccination certificate.
 - You can present required proof by submitting a vaccination or recovery certificate digitally (e.g., using the *CoronaWarnApp* or the *CoVPassApp*) or on paper.
 - As a rule, tests must be monitored daily; vaccination and recovery certificates, only if their expiration date has not been noted during checks.
 - The following information is documented in accordance with privacy protection laws: last name and first name; organizational unit or staff code; date; vaccination, recovery, or test certificate; validity period (recovery certificate, test certificate).
 - Even if you present proof, we recommend that you always carry your certificates with you in case the supervisory authorities conduct checks for compliance with the 3G rule in the workplace.
5. Until further notice, the following applies to 3G compliance checks:
- Staff who wish to or must work on-site must notify their supervisors in advance.
 - On those days you plan to work on-site, you must present your valid 3G status to your supervisor without delay as soon as you enter the building. This may be done in person or via video or email.

- The abovementioned rules also apply to anyone with employee-like status, such as scholarship holders, visiting scholars, or anyone with a fee agreement. These parties must also notify their supervisors or the person who oversees their work.
 - University teachers must notify their office of the dean or someone named by this office for notification purposes.
6. Supervisors and/or the parties responsible must check 3G certificates and document these checks, noting the date of the check, the name of the person doing the check, the name of the person being checked, and the type of 3G proof presented. These lists must be securely stored and destroyed after 6 months.
 7. With regard to teaching operations, students and staff in highly trafficked University buildings will also be subject to 3G checks at building entrances. These will be conducted by centrally coordinated inspectors. Be prepared to show your status certificates when you enter the building.

The new 3G rule to decrease infection rates in the workplace as quickly as possible and to contain the pandemic is in the general public interest. Against this backdrop, we assume that there is a high degree of acceptance and willingness to comply with the measures.

Nonetheless, in case of any violations of the 3G model in the workplace, your office is required to follow up. Even violations of the obligation to show proof are work-related violations, and there may be penalties for repeat offenses. Furthermore, if you are absent from work without an excuse—providing that you are not working from home, on vacation, or taking compensatory time off—your pay may be withheld. Finally, remember that a violation of your obligations to comply with the 3G rule in the workplace constitutes a punishable offense with penalties of up to €25,000.