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In der betrieblichen Praxis wächst die Anzahl von Fragen ausländischer Firmen, Firmeninhaber, Personal-, Steuer- und Rechtsleiter, Investoren und ausländischer Arbeitnehmer, wer im deutschen Arbeitsrecht die beteiligten Parteien sind (Arbeitnehmer, freie Mitarbeiter, Arbeitgeber, Betriebsrat, Gewerkschaften, Schwerbehindertenvertretung, Arbeitgeberverbände etc.), sowie danach, wie in Deutschland ein Arbeitsverhältnis mit Deutschen oder Ausländern unter Anwendung deutschen Rechts begründet, geführt und beendet werden kann. Dabei stellen sich Fragen im Bereich des Entsende-, Aufenthalts- und Visarechts wie auch nach allen einschlägigen arbeitsrechtlichen Normen, insb. AGB, AGG, BetrVG, Tarifrecht, BUrlG, TzBfG, AÜG, BDSG, KSchG, Entgeltfortzahlungsg, GewO und MutterschutzG. Flankiert werden diese Fragen zu solchen der Einkommenssteuer, internationales Steuerrecht (Betriebsstättenbegründung) und Sozialversicherungsrecht. Vor diesem Hintergrund soll das Werk dem ausländischen Anwender die am häufigsten gestellten Fragen beantworten.

In modern employment practice, the question of who falls under the jurisdiction of German labor law (employees, freelancers, employers, works councils, labor unions, representatives for the disabled, employer's associations, etc.) is an increasingly salient issue faced by foreign firms and firm owners, human resource, tax, and legal departments, as well as investors and foreign employees. Specifically, many firms have questions concerning the application of German law for establishing, managing, and terminating employment contracts with foreign or German workers within Germany. In this connection, issues frequently arise concerning foreign assignment, residency, and visa law, and an extremely wide range of legal provisions must be taken into account, including the AGG (General Non-Discrimination Act), BetrVG (German Employees Representation Act), Tarifrecht (Collective Bargaining Law), BUrlG (German Federal Leave Act), TzBfG (Part-Time Work and Fixed-Term Employment Act), AÜG (Employee Transfer Act), BDSG (German Federal Data Protection Act), KSchG (German Protection Against Dismissal Act), Entgeltfortzahlungsg (Continued Remuneration Act), GewO (German Industrial Code), and MutterschutzG (Maternity Protection Act). Beyond this, secondary questions related to income tax law, international taxation, and social security law may arise. Against this complex backdrop, the present work intends to answer questions most frequently asked by foreigners when dealing with German employment law.
