

**Inclusion agreement  
(according to Section 166 of the German Social Code (SGB) IX)  
of the University of Oldenburg**

vom 31.08.2022

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The following inclusion agreement is concluded on the basis of the German Social Code IX and further laws between the University of Oldenburg, represented by the President,

and

the Representative for Employees with Disabilities of the University of Oldenburg, represented by the confidential representative of disabled people

and

the Staff Council of the University of Oldenburg, represented by the Chair of the Staff Council:

**Preamble**

On 26 March 2009, the UN Convention on the Rights of Persons with Disabilities also came into force in Germany. People with and without disabilities should be able to participate equally in all areas of life. The University of Oldenburg is particularly committed to inclusion in society and the world of work, equal opportunities and self-determined participation of people with disabilities in working life as well as respect-ful interaction with one another. It therefore regards it as a matter of course to pro-vide people with disabilities with improved opportunities in work and their profes-sional life and to promote their education, training, professional development and employment.

The University of Oldenburg strives to create understanding and acceptance in the interaction of people in terms of their different strengths and weaknesses: it regards inclusion as a duty for society as a whole and thus also for the university. The Uni-versity of Oldenburg addresses outstanding questions and issues regarding inclu-sion through open dialogue and by providing comprehensive information.

Inclusion is part of the University of Oldenburg's focus on diversity. The long-term objective is to initiate fundamental structural changes and bring about a sustainable cultural shift at the university in the context of various dimensions of diversity.

The inclusion agreement fleshes out the legal regulations for the inclusion of peo-ple with disabilities taking into account the situation at the University of Oldenburg and establishes more far-reaching rules and objectives for cooperation between the parties involved. Specific measures are included in an action plan. The action plan is published in-house and externally.

It thus at the same time helps raise awareness of the concerns of people with disa-bilities among all university employees, but especially among those who have su-pervisory responsibilities.

## **Section 1**

### **Scope of application**

'Persons with disabilities are those who have physical, mental, intellectual or sensory impairments which, in interaction with attitudinal and environmental barriers, are likely to prevent them from participating in society on an equal basis with others for more than six months. An impairment according to sentence 1 exists if the person's physical and health condition deviates from the condition typical for their age. People are at risk of disability if an impairment according to sentence 1 is to be expected.' (Section 2 German Social Code (SGB) IX para. 1).

This agreement applies to anyone covered by the above definition who is employed or publicly appointed by or studies at the University of Oldenburg, including those going through an application or appointment procedure.

People with disabilities within the meaning of this agreement are recognised as having a proven degree of disability of at least 50% or equivalent. People who have applied for recognition of their disability shall also be treated as people with disabilities within the meaning of this agreement until a decision has been made regarding their application.

In the following, the named groups of people are collectively referred to in a simplified manner as 'people with a disability'.

## **Section 2**

### **Aims of the inclusion agreement**

The University of Oldenburg's aims with regards to inclusion are based on the applicable laws. This inclusion agreement specifies the issues, sets aims and describes the University of Oldenburg's fundamental approach. Specific measures for implementation are defined in an action plan to be drawn up. This is set for a defined period of time and checked to see if it has been implemented at the end. The action plan is checked and updated by the inclusion team designated in Section 4 of this agreement.

The aims of the inclusion agreement are:

- a) education around the issue of 'disability' in order to break down barriers, prejudices and fear of contact and create an inclusive environment by providing all employees with information and communicating with them,
- b) to fill a higher quota of jobs or apprenticeship places with people with a disability than is required by law and in particular to increase the number of people with a disability in academia,
- c) inclusion of young people and young adults with a disability in the vocational training and labour market,
- d) career advancement and job retention for people with a disability,
- e) expanding accessible, or at least easy-access, entrances to all facilities at the University of Oldenburg, appropriate design of work stations and complying with accessible construction methods according to legal regulations and standards relating to accessibility,
- f) sustainable preventive health care at the University of Oldenburg to prevent disabilities and chronic illnesses,
- g) improving cooperation between the Presidential Board, the Representative for Employees with Disabilities, the Inclusion Representative and the Staff Council as well as other parties involved within the framework of this inclusion agreement

### **Section 3 People with responsibilities**

#### **I. The employer's Inclusion Representative**

The employer shall appoint an Inclusion Representative, who represents it in matters concerning people with disabilities; if necessary, several Inclusion Representatives can be appointed.

The Inclusion Representative shall in particular ensure that the employer fulfils its obligations. The Inclusion Representative's scope of duties is essentially the same as that of the Representative for Employees with Disabilities with the difference that the employer is responsible for self-regulation.

The Representative shall be appointed and dismissed in writing. The inclusion team shall be notified of the appointment or dismissal. In addition, the representatives of the competent employment agency and the integration office must be appointed..

#### **II. Representative for Employees with Disabilities (SBV)**

The Representative for Employees with Disabilities promotes the integration of people with a disability in the workplace, represents their interests and provides them with advice and assistance. Employees are encouraged by the Representative to disclose any disability so that they can benefit from compensation for disadvantages and, if necessary, receive support from the university. The Representative supports affected employees in their applications for recognition of their disability status and for equal opportunities.

The employer shall immediately and comprehensively inform the Representative for Employees with Disabilities in all matters affecting an individual or people with a disability as a group and shall consult them before making decisions. It shall notify them immediately of the decision reached.

If at least 70 people with disabilities are employed by the university, the confidential representative may be released from work up to 100% of the regular weekly working hours of an equivalent full-time employee, if they so desire. This right may be divided between the confidential representative and the deputies.

#### **III. Staff Council**

The Staff Council has the statutory duty of promoting the inclusion and career development of people with a disability. It shall ensure that the employer meets its obligations. It shall assist in the election of the Representative for Employees with Disabilities.

### **Section 4 Inclusion team**

One member each of the Representative for Employees with Disabilities and the Staff Council form the inclusion team together with the Inclusion Representative. Other people are consulted if needed.

The inclusion team's main task is developing strategies and measures to create a climate conducive to the objective set out in the UN Convention on the Rights of Persons with Disabilities. It shall ensure that there can be extensive information and communication on the topic of inclusion. In the process, the team shall also reach out to those affected and harness their experiences, skills and knowledge to provide the best possible solution to problems. As well as motivating people with a disability to exercise their rights, the team aims to create understanding and acceptance amongst one another with regard to people's different strengths and weaknesses.

Furthermore, the inclusion team promotes close cooperation with the public authorities (Integration Office and Federal Employment Agency). The inclusion team assists in the implementation of the goals in this inclusion agreement.

The inclusion team meets four times a year. In addition, working groups can be formed to deal with specific topics. If required, members of the "Accessibility" working group (Section 9.III) can be invited to meetings by the inclusion team. The Inclusion Representative shall invite people to the inclusion team's meetings and take minutes.

### **Section 5 Hiring people with a disability**

- I. The procedure for hiring people with a disability is set out in the University of Oldenburg's recruitment policy.
- II. At the annual staff meeting and annual meeting of people with disabilities, the university shall provide information about the percentage of employees with a disability in the organizational units as well as the percentage of trainees with a disability per training year. In addition, it shall outline what measures have been taken or are planned for the future to promote and achieve the quota.

The University of Oldenburg is particularly committed to hiring employees with disabilities. It places a special emphasis on hiring people with disabilities in academia as they are still severely under-represented at the University of Oldenburg.

### **Section 6 Training**

In accordance with the goals specified in Section 2, the University of Oldenburg supports the inclusion of young people and young adults with a disability in the vocational training and labour market.

- I. For this purpose, it explicitly offers young people and young adults with a disability the option of completing
  - compulsory internships, which are required by schools, universities or training regulations,
  - pre-study internships, which are an admission requirement for starting a training or higher education programme according to training, study or examination regulations,
  - work placements, which are undertaken after completion of vocational training for the purpose of practical recognition of knowledge which has hitherto been predominantly theoretical,
  - taster internships for deciding on vocational training or whether to take up a study course, usually lasting four to six weeks.
- I. In addition, young people and young adults have the opportunity to complete a Voluntary Social Year (FSJ), a Voluntary Ecological Year (FÖJ) or a Voluntary Scientific Year (FWF) at the University of Oldenburg. It strives in particular to enable young people and young adults with a disability to complete a voluntary year.
- II. The same applies to participation in the Federal Volunteer Service (BFD), which is open to everyone regardless of their age at the University of Oldenburg.

## **Section 7 Employing and supporting people with a disability**

- I. In order to ensure that people with a disability can realise their full potential to perform their intended work duties, they shall be supported in every way as needed. This applies to all colleagues, but supervisors have a special responsibility here. In order to develop the skills and knowledge of people with a disability, they shall be employed accordingly.
- I. People with a disability are to be given preferential consideration in staff development measures. Where necessary, participation in extra-company vocational training measures shall be facilitated.
- II. People with a disability have the right to be employed on a part-time basis if shorter working hours are necessary as a result of the type or severity of their disability unless the reasons stated in Section 164.4.3 of the German Social Code (SGB) IX preclude their wish to work part time. In principle, suitable part-time jobs for people with a disability shall be promoted.
- I. Working hours shall be arranged for people with a disability with their special needs in mind.
  - a) If official reasons permit, the justified wishes of people with a disability for a postponement of core or regular working hours or a fixed working time frame shall be met.
  - b) At their request, people with a disability shall be exempt from overtime.
  - c) Working from home or mobile working may be suitable for improving the framework conditions of people with a disability and may also constitute a tool for securing at-risk employment contracts. Applications for this should therefore be considered favourably. The special needs of people with a disability shall be taken into account when granting them.

## **Section 8 Design and equipment of the workplace and the working environment**

- I. The university must strive to create the best possible work conditions for people with a disability. Their work spaces must be selected and equipped so as not to impair their productivity. Special consideration must be given to disability-related concerns. People with disabilities must have an accessible workplace. Areas of the workplace that employees with a disability need access to must be designed with accessibility in mind.
- I. The aids required to facilitate work and increase performance must be provided. Work stations must be equipped with the necessary technical work aids (e.g. optical and acoustic aids, office furniture and work lighting suitable for people with disabilities, Braille displays and/or magnification systems). It is also possible to adapt break regulations. The Representative for Employees with Disabilities and the Health and Safety Unit offer advice to people with a disability and the institutions concerned. The university doctor may also be consulted in some cases. The competent rehabilitation provider may be consulted on design and financing questions for setting up or converting the corresponding accessible work station. Applications to the competent rehabilitation provider are submitted by Division 1. If the rehabilitation provider is not prepared to cover the costs, the financing is the responsibility of the respective budget team. Affected parties and human resource managers or the heads of organizational units can contact the Inclusion Representative should clarification be required.
- II. If required, people with disabilities must be provided with workplace support (e.g. sign language interpreter, reader, support staff for employees with restricted mobility) for a transition period usually lasting no more than six months.

## **Section 9 Accessibility**

- I. 'Structural and other facilities, means of transport, technical objects of daily use, information processing systems, acoustic and visual sources of information and communication facilities as well as other designed areas of life are accessible if they can be accessed and used by people with a disability in the generally customary manner without particular difficulty and in principle without outside assistance. The use of aids necessary for the disability is permissible here' (Section 4 of the Equality Act (BGG)).
- II. When designing new and converted buildings, it must be ensured, wherever the University of Oldenburg has influence, that both the building itself as well as the interior are designed in accordance with legal regulations and standards. These apply to the accessible design, execution and equipment of publicly accessible buildings and their outdoor facilities, which serve the development and building-related use.
- III. A "structural accessibility" working group shall develop and coordinate necessary measures to achieve accessibility and easy access.  
  
The members of this working group are the Inclusion Representative, the representative for the concerns of students with disabilities or chronic illnesses, the representative for disabled and chronically ill students in the Studentenwerk Oldenburg, as well as one Representative for Employees with Disabilities, one member of the Staff Council, one member of Facility Management, one member of the Health and Safety Unit, one member of the university health management team and the Autonomous Office for Students with a Disability or Chronic Illness. Other people are consulted if needed.  
  
The working group meets once every three months or as needed and is led by the Inclusion Representative on behalf of the university.
- IV. IV The inclusion team must be consulted in good time when planning construction measures so that any proposals can be taken into account in the implementation of construction measures. It can be kept informed about the progress of construction work at any time.
- V. Special consideration must be given to people with restricted mobility when it comes to parking options. This is ensured by Facility Management providing and designating suitable parking options. A personal parking allowance may be granted upon application to the Representative for Employees with Disabilities. The Representative for Employees with Disabilities must be informed in advance by Facility Management of any planned closures of existing disabled parking spaces. Replacement parking spaces must be provided.
- VI. The University of Oldenburg designs its websites and mobile applications, including the content intended for employees on the intranet, in a perceptible, usable, understandable and robust manner to make them easily accessible. The electronically supported administrative processes, including their procedures for electronic case management and electronic file management, should also be designed with accessibility in mind. The graphic program interfaces are included in the accessible design.
- VII. The University of Oldenburg takes into account regulations, guidelines and standards for accessible IT applications, digital platforms and office technology in their current version. This applies to the range of requirements in the call for applications as well as to new procurements and updates of existing applications.

## **Section 10 Prevention**

- I. The University of Oldenburg undertakes to raise awareness of the issue of disability and thus break down barriers, prejudices and fear of contact. The university therefore regularly holds seminars for managers and anyone confronted with the issue. Managers are encouraged to regularly attend the seminars. In addition, other groups or departments involved in the inclusion of people with disabilities in particular are approached and encouraged to attend. Suitable seminars are proposed in coordination with the Representative for Employees with Disabilities. Appropriate optional programmes should also be provided for the area of studying and teaching (higher education didactics).
- II. If the employment of a person with a disability is at risk, the Representative for Employees with Disabilities, the Inclusion Representative and the Staff Council must intervene at an early stage, if necessary with the involvement of the Integration Office. They discuss how the employment can be continued for as long as possible.
- III. As part of reintegration management, the Representative for Employees with Disabilities is involved if the person with a disability so desires.

## **Section 11 Compensation for disadvantages**

- I. In order to be able to claim compensation for disadvantages, employees and applicants with a disability must notify the employer of the application for disability, equal opportunities, or recognition.
- II. In order to compensate for special hardships that arise in competition with people without disabilities, people with disabilities are granted reasonable examination relief.
- III. In order for people with disabilities to be provided with compensation for disadvantages or aids for a selection procedure, they must be informed of this in good time. Depending on the type and extent of their impairment, they shall be granted compensation for disadvantages or aids (e.g. deadline extensions, breaks, sign language interpreter, computers suitable for use by the blind etc.). The Representative for Employees with Disabilities and the person with a disability will together discuss the necessary and appropriate arrangements in the individual case in advance of the procedure.
- IV. The assessment of the performance of the employee with a disability must not be adversely affected by the granted compensation for disadvantages.
- V. Assistance and guide dogs may be kept at the workplace or near the workplace during working hours. This also applies to assistance dogs and guide dogs in training insofar as the training relates to a specific need of an employee.
- VI. Assistance dogs may be trained at the workplace upon request and in the presence of an assistance dog trainer.
- VII. Disabled sport shall be promoted.
- VIII. Rehabilitation sports and functional training are in the university's interest as they are suitable for preventing additional health damage. If there are no options to participate in a recognised rehabilitation sports group or functional sports group within the context of flexible working hours, a leave of absence may be granted on a case-by-case basis.
- IX. If required, a key for access to the disabled toilets can be requested from the Representative for Employees with Disabilities.

**Section 12  
Entry into force**

This agreement shall enter into force when it has been signed by the Presidential Board, the Staff Council and the Representative for Employees with Disabilities. The inclusion agreement is valid indefinitely. It can be terminated with a notice period of three months from the end of the respective year.

Negotiations regarding amendments to this agreement can be initiated at any time. Mutually agreed amendments can be made at any time.

The agreement will be evaluated by a joint commission composed of the Inclusion Representative, a person appointed by the university, one Representative for Employees with Disabilities and one member of the Staff Council two years after it has entered into force.

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Präsident\*in

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Vertrauensperson  
der schwerbehinderten Menschen

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Vorsitzende\*r des Personalrates

**Please note: This is an unofficial translation provided for your convenience only.  
It does not have any legally binding effects.  
Only the German version is legally binding!"**