

**Guideline**  
**of the Hamburg University of Technology**  
**on the Procedure and Awarding of Performance Remuneration**  
**and of Research and Teaching Allowances for Professors**  
**of 01.01.2022**

The Presidential Board of the Hamburg University of Technology (TUHH) issues the following guideline on the procedure and awarding of performance remuneration and of research and teaching allowances for professors:

**§ 1 Scope**

- (1) This guideline concretises the principles of the Hamburg Salaries Act (HmbBesG), as amended, on the procedure and awarding of
  1. Appointment performance remuneration within the meaning of § 33 section 1 sentence 2, 1st Alt. HmbBesG.
  2. Remaining performance remuneration within the meaning of section § 33 section 1 sentence 2, 2nd Alt. HmbBesG.
  3. Special performance remuneration within the meaning of § 34 HmbBesG
  4. Functional performance remuneration within the meaning of § 35 HmbBesG
  5. Research and teaching allowances within the meaning of § 39 HmbBesG
  
- (2) It applies both to professors who are paid according to grades W 2 and W 3 pursuant to the HmbBesG and is also applicable accordingly to transferred professors who were paid according to the pay regulation and to those professors who are remunerated according to these grades in a private-law employment relationship. With regard to research and teaching allowances (§ 39 HmbBesG), this guideline also applies to junior professors in grade W 1 HmbBesG.

**§ 2 Procedure and competence**

- (1) A written application is required for the granting of remaining performance remuneration and special performance remuneration.
  
- (2) The Presidential Board shall decide on the application at its due discretion, taking into account the principle of performance and equal treatment, the salary regulations and the budgetary resources available to the TUHH.

- (3) The granting of performance remuneration in accordance with this guideline shall be documented completely and comprehensibly. In particular, the documentation shall show the extent to which the forecast of future budgetary resources and a corresponding financial scope of the TUHH have been taken into account in the deliberations on the awarding of the specific performance-related remuneration.
- (4) A decision shall be issued on the granting of performance-related remuneration in accordance with these guidelines.

### **§ 3 Determination of the award framework and capping**

- (1) On the 1st February of each year, the TUHH shall determine separately for each of the grades W 2 and W 3, applying the relevant calculation parameters of the budget of the Free and Hanseatic City of Hamburg for the award of performance remuneration at the TUHH, the total annual amount which the expenditure for performance remuneration within the meaning of § 1 section 1 nos. 1 to 4 may not exceed (upper limit for the award of performance remuneration).
- (2) The allocation of performance regulation is made separately within the total amount available for the respective grade, taking into account the budgetary regulations of the Free and Hanseatic City of Hamburg. The allocation is determined annually on the 1st of April.
- (3) The Presidential Board shall ensure that the total performance regulation granted does not exceed the difference between the basic salaries of grade W3 and grade B 10 in accordance with the HmbBesG. This shall also apply if the addition of performance-related remuneration under other regulations results in a higher amount.
- (4) Insofar as basic, appointment, remaining and unlimited special performance remuneration together exceed 1,500 euros per month, the exceeding amount shall be credited against additional special performance remuneration granted as monthly payments in accordance with § 5 section 3, up to a maximum monthly amount of 500 euros.
- (5) Exceptions to section 3 are permissible under the conditions of § 36 section 3 HmbBesG.

#### **§ 4 Appointment and remaining performance remuneration**

- (1) Performance remuneration for appointment and remaining pursuant to § 1 section 1 no. 1 and no. 2 may be awarded for a fixed-term or for an indefinite term. A combination of the awarding of fixed-term and indefinite appointment and, where applicable, remaining performance remuneration is permissible.
- (2) Remaining performance pay can only be granted if the professor submits a call to another university or an offer of employment from another employer. This evidence must be submitted at the time of application.
- (3) When deciding on the granting of appointment and remaining performance regulation, particular consideration shall be given to individual qualifications, available evaluation results, the applicant situation and the labour market situation in the respective subject.
- (4) The award of unlimited appointment and remaining performance remuneration shall be conditional on the beneficiary meeting performance criteria set out in the appointment or remaining negotiations within 3 years. The start of the three-year period shall be documented in the appointment or remaining agreement. If the performance criteria are not met after three years, 30 per cent of the appointment and remaining performance remuneration will not be paid. In justified cases, the unreduced appointment or remaining performance remuneration may be paid for one year after the three-year period has been exceeded.
- (5) As a rule, the granting of new or higher remaining performance remunerations as well as other changes can only take place 3 years after the last granting. In justified exceptional cases, this may be deviated from. The deviation must be documented. A new decision will be issued.

#### **§ 5 Special performance remuneration**

- (1) Special performance payments may be awarded as one-off payments or as monthly payments for proven special performance in research and teaching. These performances may also consist of the acquisition of third-party funds, if a research or teaching allowance is not already granted from this in accordance with § 39 HmbBesG.
- (2) Special remuneration shall be awarded as a one-off payment for academic performance that is significantly above average, unless the prerequisites for

monthly payments pursuant to paragraph 3 are met. The award of special performance payments as a one-off benefit shall be based on the catalogue of benefits in Table 1 of the Annex.

- (3) In awarding special performance payments as monthly payments and in determining special achievements, the Presidential Board is guided by a performance point system in which a performance payment of 500 euros per month is granted after achieving 10 performance points per year on average over the previous 3 years. Performance points are awarded on the basis of the point allocation of the performance catalogue in Table 2 of the Annex. Monthly benefit payments are awarded for a limited period of time for the three years following the determination of eligibility. They may be awarded for an indefinite period if the beneficiary again achieves an annual average of at least 10 performance points with regard to the required performance criteria in the three years following the previous assessment period and if there is a reasonable expectation that the level of performance can be maintained in the future. Permanent performance remuneration cannot be higher than the average number of performance points last achieved prior to continuation.
- (4) Special performance awards may be granted in an annual application procedure. The application must set out the individual achievements within the meaning of § 34 HmbBesG.
- (5) Persons who hold offices in academic self-administration which are associated with a considerable time demand and require special achievements within the meaning of § 34 HmbBesG amounting to at least 10 credit points per year are also entitled to apply for special performance payments in accordance with section 3. If the application is successful, these persons may be granted special performance payments as monthly payments for a performance period of at least two years from taking office. The granting shall contain a reservation of revocation. § 3 section 4 shall not apply. At the end of the two-year period or at the end of the term of office, an evaluation shall be made as to whether the performance expectation underlying the granting of the performance remuneration has been fulfilled. In the event of non-fulfilment, the performance remuneration granted subject to revocation may be revoked in whole or in part with retroactive effect.

## **§ 6 Functional performance remuneration**

- (1) Professors who, in addition to their generally predominant other duties as university teachers, hold the office of vice-president shall receive a

performance bonus for the duration of this activity, which shall be appropriate to their office and shall, as a rule, be granted monthly.

- (2) The award and amount of this performance-related remuneration shall be determined on the proposal of the Presidential Board and after receiving the statement of the University Council.

### **§ 7 Research and teaching allowances**

- (1) Research and teaching allowances may be granted for the acquisition and implementation of third-party funding projects, provided that the third-party funder has expressly reserved funds for this purpose. Payments of a research or teaching allowance are not pensionable.
- (2) For junior professors, the allowance may be paid for the duration of their employment as junior professor at the longest.
- (3) A teaching allowance shall only be granted on condition that the corresponding teaching activity does not count towards the teaching duties.
- (4) Research and teaching allowances may not exceed the amount of the beneficiary's basic annual salary each year.

### **§ 8 Pension eligibility of performance remuneration**

- (1) Insofar as performance-related remuneration is not already pensionable by law, the Presidential Board may, at its due discretion, declare the performance-related remuneration to be pensionable in accordance with the requirements of § 38 of the HmbBesG.
- (2) In the cases of § 38 section 2 sentence 2 HmbBesG, this requires approval by the competent authority.
- (3) With regard to further details on the eligibility for retirement of performance-related remuneration, reference is made to § 38 HmbBesG and § 41 a section 3 HmbBesG.

### **§ 9 Provisions on revocation**

- (1) The notices on performance remuneration shall be subject to revocation.
- (2) In the event that sufficient funds are not available for the performance remuneration to be awarded in the fiscal year in question, or if the upper limit for the award of performance remuneration is likely to be exceeded, the performance decisions must contain a revocation clause which regulates that permanent or recurring benefits may be reduced if necessary.
- (3) In the case of an undetermined duration of the award of special performance-related remuneration, the reservation of revocation shall refer to the case of a considerable reduction in performance. The case of a considerable reduction in performance does not exist if the restriction of activity was family-related or was caused by a disability or prolonged illness.
- (4) In the reduction referred to in section 2, all performance remuneration granted under this directive shall be reduced by a percentage to be determined which is necessary to be able to grant the justified requests for special performance remuneration and for remaining performance remuneration, as well as to be able to grant function performance remuneration and appointment performance remuneration.
- (5) These reductions are to be announced by means of an amendment notice.

## **§ 10 Precedence of statutory regulations**

The provisions of the Hamburg Salaries Act (Hamburgisches Besoldungsgesetz), in particular §§ 31- 41a HmbBesG as well as relevant budgetary provisions shall take precedence over this guideline in their respective applicable versions. This also applies in particular to the regulations on the amount of performance-related remuneration contained in § 36 HmbBesG.

## **§ 11 Final provisions**

- (1) In the case of the monthly special performance remuneration granted in accordance with this guideline, the monthly special performance remuneration granted on the basis of the expired TUHH performance guideline of 02.03.2005 in the respective applicable versions shall be taken into account.
- (2) The above crediting provision does not constitute a waiver by the employer of any possibilities or requirements for revocation or withdrawal or revocation of

permanent or fixed-term performance remuneration granted under the performance guideline of 02.03.2005, as amended from time to time, if the notice of grant was subject to a reservation of revocation.

(3) Insofar as fixed-term performance remuneration was granted until 31.12.2021 according to the old legal situation, the Presidential Board may decide to continue to grant this performance remuneration in the same amount as an unlimited performance remuneration on the basis of the new directive (de-funding). The prerequisite for this is that the achievements of the last three years are of particular importance and value for the university and that the beneficiary, due to the same or increased achievements, could have the justified expectation that his or her previously granted performance-related remuneration would have been de-funded under the old legal situation.

(4) This guideline shall come into force on 01.01.2022. The previous TUHH Performance Guideline of 02.03.2005 in the respective applicable versions shall be repealed upon entry into force of this guideline.

**Annex:**

**Table 1 (Performance catalogue for one-off payments) and**

**Table 2 (Performance catalogue for the award of special monthly performance remuneration)**

## Annex – Criteria for special performance remuneration

As of 01.01.2022

Table 1: Performance catalogue for one-off payments

Performance	Special performance remuneration in € (one-off payment)
ERC-Grant	5 000
Leibniz price or comparable award	5 000
Recruitment of a cluster of excellence as chairperson or co-chairperson	15 000
Recruitment of a collaborative research centre as chairperson or co-chairperson	10 000
Recruitment of a research training group as spokesperson or co-spokesperson	8 000
Recruitment of a DFG research group, priority programme, EU or federally funded project (BMBF, BMWi, ...) over 1 million € as coordinator.	5 000

Table 2: Performance catalogue for the award of special monthly performance remuneration

Performance	Performance / Point (annual average)
Recruitment of third-party projects	1 point for every €150K of third-party funds spent or 1 point for every €100K of DFG and EU third-party funds spent.
Reviewed publications	1 point for each 2 peer-reviewed publications; a maximum of 10 points can be achieved in total.
Patents	2 points per granted patent 2 points per 2 patents registered.
Publications Impact (h-index)	$(h\text{-index}/10)$ rounded = points (highest value from Google Scholar, Web of Science or Scopus).
Scientific editing of specialist journals	1 point for membership in the editorial board of one or more professional journals
PhDs per year	3 points for each completed first-supervised doctorate per state position (pool and doctoral position).
Special achievement in research coordination	5 points for the coordination of a collaborative research centre or cluster of excellence 2 points for the coordination of a research training group or a joint research project exceeding 1 million €.
Special performance in teaching coordination	10 points for special achievements for the development and coordination in teaching as dean of studies or head of field of studies (if not applied for separately); 5 points for special achievement in the development and coordination of teaching as head of a Bachelor's degree programme with > 50 first-year students or a Master's degree programme with > 25 first-year students, averaged over the last three years in each case. 2 points for special achievement in the development and coordination of teaching as an ERASMUS representative.
Overfulfilment of the teaching	1 point for each 20% approved overfulfilment of teaching duties by the professorship (averaged over three years).

Hamburg, March 22, 2023

Hamburg University of Technology

This version of the doctoral regulations of the Hamburg University of Technology is not legally binding. Only the German version is legally binding.