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# Partial retirement, application

Heruntergeladen am 07.06.2025

<https://fimportal.de/xzufi-services/6000162/L100009>

Modul	Sachverhalt
Leistungsschlüssel	99038009223000
Leistungsbezeichnung I	Partial retirement, application
Leistungsbezeichnung II	Partial retirement, application
Typisierung	4 - Land: Regelung
Quellredaktion	Sachsen
Freigabestatus Katalog	unbestimmter Freigabestatus
Freigabestatus Bibliothek	unbestimmter Freigabestatus
Begriffe im Kontext	
Leistungstyp	
Leistungsgruppierung	
Verrichtungskennung	
SDG-Informationsbereich	
Lagen Portalverbund	
Einheitlicher Ansprechpartner	
Fachlich freigegeben am	

**Modul**
**Sachverhalt**
**Fachlich freigegeben durch**
**Handlungsgrundlage**

- [Altersteilzeitgesetz (AltTZG)]([https://www.gesetze-im-internet.de/alttzg\\_1996/index.html](https://www.gesetze-im-internet.de/alttzg_1996/index.html))

**Teaser**

The regulations on part-time work for older employees are intended to create a smooth transition to retirement for older employees and employment opportunities for the unemployed, trained workers and trainees in small companies (up to 50 employees).

**Volltext**

The regulations on part-time work for older employees are intended to create a smooth transition to retirement for older employees and employment opportunities for the unemployed, trained workers and trainees in small companies (up to 50 employees).

The Agentur für Arbeit therefore subsidises part-time work for older employees if the jobs that become vacant as a result are filled or a trainee is employed.

The partial retirement model is made attractive for companies by reimbursing employers for certain statutory benefits. The advantage for employees is that in the last few years before retirement, they only work half the time for the duration of partial retirement, but their salary is only reduced by around a third. Pension insurance remains virtually unaffected because the employer pays the higher insurance contributions.

Possible models of partial retirement are

- Half-time employment
  - Working only half of the previous working hours every day.
  - Alternating work and time off
- For example, working one day at the previous working hours and the next day off. The change can also take place weekly or monthly.
  - Block model
    - The period from the agreement until retirement is divided into two equal blocks of time. The first half of

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the period is worked at the previously agreed working hours (working phase). This is followed by time off until retirement (release phase).

**\*\*Please note:\*\***

- Regardless of which model is considered by the employee and employer, the employee receives the same salary throughout the period of partial retirement, i.e. until retirement, both for working hours and for the time off.
- These labour regulations apply from the time the partial retirement is agreed - regardless of whether the employer receives funding from the Bundesagentur für Arbeit.

### #### Wages for partial retirement

- 70 per cent of the previous salary with 50 per cent of the previous working hours
- Partial retirement employees receive their salary and the top-up amount from their employer

The Agentur für Arbeit reimburses the employer on a monthly basis:

- the top-up amount of 20 per cent of the standard pay and
- the additional pension insurance contributions in the amount of the contribution attributable to 80 per cent of the standard pay

## Erforderliche Unterlagen

Your employer submits the following documents to the Agentur für Arbeit:

- Application for recognition of the requirements
- Application for reimbursement of benefits

## Voraussetzungen

Subsidised benefits under the Altersteilzeitgesetz are

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only granted in cases where the partial retirement employment relationship began before 31 December 2009.

**\*\*Note:\*\*** It is legally possible to work part-time after 31 December 2009, as the Altersteilzeitgesetz (according to the current legal status) has not lost its validity since 2009. However, this can then no longer be subsidised by the Bundesagentur für Arbeit (BA).

## Kosten

- for the application: none

## Verfahrensablauf

- Before considering whether to agree to partial retirement, employees should obtain detailed information about their personal insurance history and pension entitlement from the relevant pension insurance provider.

- The employee and employer should then discuss the most suitable employment model for both parties. At this stage, the employer can already apply for an assessment of the requirements by the employment agency.

- The previous weekly working hours are halved by means of a contractual agreement. This is usually done by amending the employment contract accordingly. The agreement must be drafted in such a way that the partial retirement period lasts at least until the earliest possible date on which the employee can claim an old-age pension. The pension insurance provider will advise on whether a reduced pension is also possible.

Benefits under the Altersteilzeitgesetz are paid by the relevant employment agency upon written application by the employer.

There is a two-stage application procedure at the Agentur für Arbeit for the reimbursement of benefits to the employer:

#### Application for recognition of the requirements

- The Agentur für Arbeit checks whether the employer and employee fulfil the requirements for funding.

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- If the vacant position in the block model is not refilled until the start of the release phase, the Agentur für Arbeit will decide in advance, at the employer's request, whether the employee belongs to the group of older employees who qualify.

### #### Application for reimbursement of benefits

- If the requirements are met and the position is filled again, an application must be made in writing to have the benefits paid.
- At the employer's request, the Agentur für Arbeit will decide whether the conditions for the provision of benefits are met. The employer is required to prove that he has actually filled the required position.

### #### End of partial retirement

- Partial retirement ends when the contract expires without the need for notice of termination. After the agreed duration of partial retirement, the pension should be approved. The employee can then retire directly.

## Bearbeitungsdauer

### Frist

Application for recognition of the prerequisites • Application: within three months of fulfilment of the requirements • if the application is submitted later, the application only takes effect from the beginning of the month in which the application is submitted

Application for reimbursement of benefits • Application: without time limit • Limitation period: four years \*\*Note:\*\* Benefits from the Agentur für Arbeit can be granted for a maximum period of six years. They end earlier if the employee has acquired an unreduced pension entitlement, is drawing an old-age pension or has reached the age of 65.

## weiterführende Informationen

Modul	Sachverhalt
Hinweise	The entitlement to benefits is suspended if the employee, in addition to his or her partial retirement work, has another job or self-employed activity that exceeds the marginal earnings threshold or if he or she receives a wage replacement benefit as a result of such employment.
Rechtsbehelf	
Kurztext	
Ansprechpunkt	
Zuständige Stelle	
Formulare	
Ursprungsportal	