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Applying for compensation under the Infection Protection Act in the event of loss of earnings

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<https://fimportal.de/xzufi-services/492848303/L100040>

Modul	Sachverhalt
Leistungsschlüssel	99003054080001, 99003054080001
Leistungsbezeichnung I	Applying for compensation under the Infection Protection Act in the event of loss of earnings
Leistungsbezeichnung II	
Typisierung	2/3 - Bund: Regelung (2 oder 3), Land/Kommune: Vollzug
Quellredaktion	Niedersachsen
Freigabestatus Katalog	unbestimmter Freigabestatus
Freigabestatus Bibliothek	unbestimmter Freigabestatus
Begriffe im Kontext	
Leistungstyp	Leistungsobjekt mit Verrichtung
Leistungsgruppierung	Gesundheit (003)
Verrichtungskennung	Gewährung (080)
SDG-Informationsbereich	Rechte und Pflichten im Bereich der sozialen Sicherheit

Modul	Sachverhalt
	in der Union, auch im Zusammenhang mit Renten
Lagen Portalverbund	Arbeit (1040000), Existenzsicherung und staatliche Unterstützung (1140100), Hilfen für Geschädigte (1160200), Finanzierung zur Krisenbewältigung (2060300)
Einheitlicher Ansprechpartner	Nein
Fachlich freigegeben am	05.04.2023
Fachlich freigegeben durch	Lower Saxony Ministry of Social Affairs, Labour, Health and Equality
Handlungsgrundlage	https://www.gesetze-im-internet.de/ifsg/_56.html https://www.bundesgesundheitsministerium.de/service/begriffe-von-a-z/e/entschaedigungsansprueche-nach-56-ifsg.html https://www.gesetze-im-internet.de/ifsg/_56.html https://www.bundesgesundheitsministerium.de/service/begriffe-von-a-z/e/entschaedigungsansprueche-nach-56-ifsg.html
Teaser	Are you no longer allowed to work due to infection control and have a loss of earnings as a result? Find out here how you will be reimbursed for the loss of earnings.
Volltext	<p>If you have been sent into quarantine or banned from working on the basis of an order from the health department, you are entitled to compensation for your loss of earnings.</p> <p>If you have an alternative job or work from home (home office), you are not entitled to compensation.</p> <p>Compensation depends on your earnings.</p> <p>The following applies to employees:</p> <ul style="list-style-type: none"> • For the first 6 weeks, you will receive compensation directly from your employer in the amount of your previous net salary. Short-time work allowance is also taken into account. • From the 7th week onwards, the compensation is

Modul

Sachverhalt

paid by the State Administration Office in the amount of the sickness benefit.

- Subsidies from your employer are deducted from the calculation.
- If you are entitled to unemployment benefit during the employment ban, you will receive it from the Employment Agency.

The following applies to employers:

- You must pay the compensation to your employees. You can have the amounts paid reimbursed by the State Administration Office.
- Contributions to pension, long-term care and health insurance can also be reimbursed.
- You can also apply for an advance at the State Administration Office.

The following applies to the self-employed:

- You will receive the reimbursement directly from the State Administration Office.
- Your most recent annual profit is taken into account for the calculation. This is divided by 12.
- Contributions to pension, long-term care and health insurance can be reimbursed.
- You will receive the compensation on a monthly basis retroactive to the 1st of the month. For example, you would receive the compensation for March on April 1st.
- You can also apply for an advance.

The following applies to home workers:

Unlike the self-employed, your average monthly income is taken into account for the calculation.

<https://www.ifsg-online.de/index.html>

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Erforderliche Unterlagen

The required documents vary according to the type of employment:

For the self-employed:

- Proof of income (tax assessment) for the past year

Modul

Sachverhalt

- If available: Proof of loss of income during the period of prohibition of activity or isolation/quarantine
- If applicable, proof of insurance benefits received
- If available: Proof of the officially ordered ban on activities or the officially ordered isolation/quarantine
- If applicable, proof of vaccination status

For employers:

Salary statements for the two months prior to loss of earnings per employee

Salary statements for the months for which the reimbursement is claimed, per employee

If available: Proof of the officially ordered ban on activities or the officially ordered isolation/quarantine

If applicable, proof of vaccination status

For Authorized Representatives:

If you are submitting this application on behalf of a company or self-employed person (e.g. as a tax advisor), please submit a power of attorney.

In individual cases, further documents may be required.

Voraussetzungen

You are entitled to reimbursement of your loss of earnings if:

- you are subject to a ban on activity
- or are in quarantine
- and you have a loss of earnings,
- You are not unable to work
- and you were not ill and unable to work.

Kosten

There are no costs for you, but employers are obliged to pay compensation to employees for the competent authority in accordance with Section 56 (5) sentence 1 IfSG. However, not longer than 6 weeks. Employers then submit an application to the authority for reimbursement of the amounts paid (compensation for loss of earnings).

Modul

Sachverhalt

Verfahrensablauf

Applications can be submitted online via ifsg-online. Alternatively, you can download the application as a PDF document from the Lower Saxony Social Affairs website.

For employees:

Unfortunately, it is not possible to submit an application via the specialist procedure. Ask the competent authority for an application form. Employees receive the compensation from their employers in the first six weeks. From the seventh week onwards, they must submit an application to the competent authority themselves in order to continue to receive compensation.

For employers:

Employers can then request a refund of the compensation. You can submit applications on behalf of several employees and employers together. In the specialist procedure, they will find the expression "collective application" for this. If you want to submit several applications for your company, you also have the option of creating a user account. This allows you to temporarily save applications, for example if you are missing documents or information. Otherwise, it is advisable to already have all the documents available, as only a certain period of time is provided. And it is annoying when this has expired and all the data that has already been entered is deleted.

As soon as you have entered your application online, it will be automatically sent to the competent authority and processed and calculated with the help of the specialist procedure.

After submission of all documents and examination of the claim by the clerks, you will then receive your decision. You can then find out the amount of the compensation for loss of earnings granted or the reasons for a reduction or rejection.

The compensation will then be transferred to your

Modul

Sachverhalt

specified account.

If you do not have access to the specialist procedure, you can also submit the application by post. There are corresponding PDF documents on the home page of the state of Lower Saxony. Please understand that this may lead to longer processing. In these cases, the application will be manually recorded by the clerks in the specialist procedure, which may take additional time.

The processing takes place after the application has been entered and the possible documents have been processed. Subsequent request for documents, as in the case of the application in the specialist procedure.

For the self-employed:

Self-employed persons can submit the application themselves.

As a self-employed person, you have the option of submitting your application via ifsg-online.de or as a paper application. The procedure is the same as for employers' applications. After the claim has been examined by the authority, a corresponding decision will be issued and the compensation will be paid.

Bearbeitungsdauer

Please understand that the processing of applications varies depending on the volume and authority. Unfortunately, it may well take up to 12 months or longer to process your application. Applications will be processed on a first-come, first-served basis.

Frist

You must submit the application for reimbursement of loss of earnings in the event of a ban on activity within 2 years of the start of the prohibition of activity. In the case of quarantine, you must submit the application within 2 years of the end of the quarantine. The one-year period depends on the period of your isolation or prohibition of activity, or the isolation or prohibition of activity of your employee. After the expiry of the period, you are no longer entitled to compensation for loss of earnings. As an example: Your employee was in isolation in the period from

Modul

Sachverhalt

10.02.2022 to 20.02.2022. You submit your application in April 2024. The two-year period would therefore have expired and compensation would no longer be possible. In order to make the full claim, you would have to submit your application by 09.02.2024. If you submit an application via the specialist procedure ifsg-online.de, you may receive a corresponding notice in the event of a time limit.

weiterführende Informationen

Hinweise

Rechtsbehelf

If you are not satisfied with the decision of the authority, you can first try to tell them your reasons and concerns. The authority will then review your request.

If the authority upholds your decision, you have the option of filing a written or recorded complaint with the competent administrative court within one month of notification of the decision. In some federal states, the objection must be filed.

Kurztext

Applying for compensation under the Infection Protection Act in the event of loss of earnings

You can receive compensation if you have a loss of earnings as a result of quarantine or a ban on activity.

The ban on activity or quarantine must be ordered by the health department or another competent body.

The application should be submitted directly via the ifsg-online portal. In exceptional cases, the application may be submitted in paper form.

Applications can be submitted up to 2 years after isolation.

Responsibility is based on a) the authority that issued the quarantine notice or the segregation (responsibility of the federal state), b) the place of business.

In Lower Saxony, the districts and independent cities

Modul	Sachverhalt
	are responsible.
Ansprechpunkt	<p>In Lower Saxony, Hesse and Baden-Württemberg, the districts and independent cities are responsible. In the other federal states, the corresponding state authorities.</p> <p>https://www.ifsg-online.de/index.html https://www.ifsg-online.de/index.html</p>
Zuständige Stelle	
Formulare	<p>Forms available: Yes</p> <p>Written form required: Yes</p> <p>Informal application possible: No</p> <p>Personal appearance required: No</p> <p>https://ifsg-online.de https://soziales.niedersachsen.de/startseite/soziales_gesundheit/soziales_entschadigungsrecht/infektionsschutzgesetz/entschadigung_bei_verdienstaufall_durch_quarantane/informationen-zur-entschadigung-bei-verdienstaufall-nach-56-ff-infektionsschutzgesetz-ifsg-214130.html https://ifsg-online.de https://soziales.niedersachsen.de/startseite/soziales_gesundheit/soziales_entschadigungsrecht/infektionsschutzgesetz/entschadigung_bei_verdienstaufall_durch_quarantane/informationen-zur-entschadigung-bei-verdienstaufall-nach-56-ff-infektionsschutzgesetz-ifsg-214130.html</p>
Ursprungsportal	<p>Entschädigung nach dem Infektionsschutzgesetz bei Verdienstaufall beantragen, Applying for compensation under the Infection Protection Act in the event of loss of earnings</p>