Internships: Minimum wage for students

Since 1 January 2019, the mandatory minimum wage of 9.19 euros per hour has applied in Germany. This socio-political reform also has an impact on students who, for example, have to or would like to complete an internship during their studies. However, the introduction of the minimum wage also raises many questions. We have summarised the most important questions and answers for students at Eberhard Karls University Tübingen here.

Am I entitled to the minimum wage if I have to complete an internship as part of my studies at the University of Tübingen, according to the regulations?

**No**, because according to "university law" this is a so-called mandatory internship, which is excluded from the minimum wage law and therefore the employer is not obliged to pay the minimum wage of 9.19 €.

It does not matter whether the internship lasts two, four or six months, is divided into several small periods and/or is completed with different employers.

So-called practical phases or practical semesters anchored in the examination regulations are also regarded as mandatory internships and are therefore exempt from the minimum wage.

Before the start of the internship or before the conclusion of an internship contract, the internship company can / must be provided with proof from the university that the internship to be completed is a mandatory internship.

**Tip:** Whether students have to complete a mandatory internship during their studies at the University of Tübingen is specified in the relevant examination regulations. In addition, the student advisors of the individual study programmes provide relevant information.

Am I entitled to the minimum wage if I would like to complete a voluntary internship during my studies at the University of Tübingen, because the examination regulations do not provide a mandatory internship?

This is a voluntary internship, which usually serves as professional orientation. Regarding the minimum wage:

the duration of the internship is crucial:

- Duration **less than 3 months**: no entitlement to the legal minimum wage
- Duration **over 3 months**: Entitlement to the legal minimum wage - from the 1st day of the internship onwards.

The duration always refers to the same employer/internship - i.e. several internships that are completed at different companies, organisations, etc., with a duration of less than three months are excluded from the minimum wage law.
Am I entitled to the minimum wage if I would like to complete a voluntary internship after graduating from the University of Tübingen?

Yes, because after successful graduation (e.g. Bachelor's degree), the "professional orientation phase" is actually regarded as completed and the minimum wage must be paid by the employer from the first day of the voluntary internship.

Tip: It is therefore advisable to complete an internship (unpaid, and therefore appealing to organizations, companies, etc.), during your studies, which means as a matriculated student.

Is the number of voluntary internships that I would like to complete during my studies at the University of Tübingen limited in terms of the Minimum Wage Law?

No, as many voluntary internships as desired may be completed during your studies - however, the educational goal of the internships should be obvious.
In this case, however, the duration of the individual internships is important again:
- Duration of less than 3 months: no entitlement to the legal minimum wage
- Duration over 3 months: Entitlement to the statutory minimum wage - from the 1st day of the internship onwards

Is it possible to do a compulsory internship and a following voluntary internship with the same employer during my studies at the University of Tübingen?

Am I then entitled to the statutory minimum wage?

Yes, during your studies you can combine a voluntary "minimum wage-free orientation internship" with a compulsory internship under the same employer - as long as the voluntary internship lasts a maximum of three months:
- Voluntary internship (duration less than 3 months) + compulsory internship:
  ➔ no minimum wage
- Voluntary internship (duration over 3 months) + compulsory internship
  ➔ minimum wage

As a student at Tübingen University, am I entitled to the minimum wage if I write my Bachelor’s or Master’s thesis within a company, organisation, ...

No, since this is neither an "employee activity" nor an ordinary internship.
As a student at the University of Tübingen, am I entitled to the legal minimum wage if I want to complete an internship abroad?

Only if the internship contract was concluded "according to German law" will the minimum wage law apply (e.g. duration: more than 3 months ⇔ less than 3 months | voluntary internship ⇔ compulsory internship).

Does the German Minimum Wage Law also apply to foreign students at the University of Tübingen?

Yes, because the Minimum Wage Law applies to all internships within Germany (and internships "under German law") - for this reason it does not matter whether the intern is a German or foreign student.
