

Zur Anwendung Des § 14 Abs. 2 Satz 2 TzBfG (stand 2005) - Gianni Rudolph

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Befristete Arbeitsverhältnisse erfreuen sich in der Wirtschaft einer wachsenden Beliebtheit. Untersuchungen des Ifo-Instituts gehen davon aus, dass ihr Anteil sowohl in der privaten Wirtschaft als auch im öffentlichen Dienst fast 10% beträgt und in Zukunft wohl noch wachsen wird. Um diese Befristungen gesetzlich zu regeln, ist seit dem 01. Januar 2001 das Teilzeit- und Befristungsgesetz in Kraft getreten, es löst das bis dahin geltende BeschFG ab und dient der Umsetzung der Richtlinie 99/70/EG. Eine wichtige Neuregelung wurde im §14 Abs. 2 Satz 2 TzBfG getroffen, der das Verbot von Kettenbefristungen kodifiziert. Nach BeschFG waren Kettenbefristungen möglich, es konnten daher mit demselben Arbeitnehmer zunächst ein befristeter Arbeitsvertrag ohne sachlichen Grund, dann eine Befristung mit Sachgrund und wieder eine Befristung ohne sachlichen Grund vereinbart werden. Solche Konstruktionen sind nunmehr durch §14 Abs. 2 Satz 2 nicht mehr möglich. Im Folgenden soll dargestellt werden, welche Intuition der Gesetzgeber verfolgt und welche Voraussetzungen für eine wirksame Befristung vorliegen müssen. Author: Rudolph, Gianni Publisher: GRIN Verlag Illustration: N Language: GER Title: Zur Anwendung des § 14 Abs. 2 Satz 2 TzBfG (Stand 2005) Pages: 00018 (Encrypted PDF) On Sale: 2005-01-01 SKU-13/ISBN: 9783638354424 Category: Law : General

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