

# What to do in case of illness?

## Practical information for Employees in Saxony

### Entitlement to continued payment of wages and sick pay

Employees in an employment relationship subject to social insurance are entitled to continued payment of wages or wage replacement benefits (sick pay or injury benefit).

If you fall ill in the first four weeks after the start of your employment relationship, you will receive sick pay from the health insurance fund.

If the employment relationship has already existed for more than four weeks at the time of the illness, the employer is obliged to continue paying wages for up to six weeks (the loss of earnings is covered at 100%). After these six weeks, you will receive sick pay from your health insurance fund (70% of gross earnings, max. 90% of net earnings).

### Notification of incapacity for work

You must notify your employer of your inability to work immediately. Since 2021, the medical certificate should be sent electronically by the doctor to the health insurance company.

As of January 1, 2023, you are no longer required to forward your medical certificate to your employer. Your employer can access the certificate electronically from your health insurance company.

In some cases, doctors may not be able to do this for technical reasons. In this case, you will receive a duplicate for the insurance company, which you must submit to your health insurance company within one week!

If you are unable to work for more than 3 calendar days, you must provide your employer with a medical certificate of illness no later than the following day. The employer may require a medical certificate from the first day (please check your employment contract).

### Cross-border workers

Cross-border workers may continue to visit their doctors in their country of residence (on the basis of the S1-formerly E106-form). The medical certificate is also accepted in the language of the country of residence. It is important that your doctor indicates the diagnosis (ICD code).

**Attention!** Non-German medical certificates must still be submitted to the health insurance company and the employer in paper form. Electronic data transmission does not work transnationally.

**Attention!** During the period of illness, it is possible to get dismissed! The employer must respect the notice period and continue to pay wages until the end of the employment relationship, if the incapacity for work still exists





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or the 6 weeks have not yet expired.  
In that case, the health insurance company will then pay your sick pay until you are healthy again (max. 78 weeks due to the same illness). During this time, you remain insured with the health insurance company. After the end of your incapacity for work, you must immediately register as unemployed with the employment agency. As a cross-border worker, you must register as unemployed with the responsible employment office in your country of residence as well as with the health insurance fund. Do not forget to deregister with your German insurance company within 8 days!

You can find more information on the following website: <http://sachsen.dgb.de/cross-border-workers>

If you have any questions, please do not hesitate to contact us. **Our advice is free of charge.**