

Starker Mittelbau – Starke Hochschulen!

Strong Academic Staff – Strong Universities!

Translation of the open letter of the non-tenured faculty (Mittelbau) representatives of the Carl von Ossietzky Universität Oldenburg to the state government of Lower Saxony regarding the amendment of the Lower Saxony Higher Education Act

Good employment conditions are the responsibility of universities

According to § 3 of the Lower Saxony Higher Education Act (NHG, Niedersächsisches Hochschulgesetz), one of the tasks of universities is to take into account the “legitimate interests of their staff in good employment conditions, in particular in permanent employment and, in the case of fixed-term employment, in the longest possible contract duration [...]”. The 2022-2027 coalition agreement also addresses good employment conditions and more permanent positions for permanent tasks:

„Permanent tasks should be staffed with permanent positions [...]. We want a modern personnel structure that is appropriate for academic work. In addition to lifetime professorships, we want to create independent permanent positions in the mid-level faculty.“ (translation of the coalition agreement 2022-2027, p. 69)

For years, non-tenured academic staff (e.g. #IchBinHanna), the Federal Report on Early Career Researchers and trade unions have been drawing attention to precarious employment conditions in academia.¹ As a result, more and more academics in the early stages of their careers are thinking about leaving academia or are doing so.² The recurring points of criticism, which also apply to the University of Oldenburg and other universities in Lower Saxony,³ include:

- a high proportion of fixed-term contracts,
- short contract durations,
- low qualification rates,
- work intensification and loss of quality in research and teaching.

These problems were ignored in the last two amendments to the Lower Saxony Higher Education Act, and no improvements were initiated. Good employment conditions at universities require more than declarations of intent, they also require concrete legal regulations!

We therefore call for new regulations in §§ 31 and 32 of the NHG:

- Anchoring independent permanent positions for mid-level staff in the Higher Education Act!
- Realistic and appropriate contract terms for fixed-term academic qualifications!
- Increase the proportion of qualification work to 50 % of work time for fixed-term qualification positions!
- Restrict LfBA positions to the teaching of practical skills!

These changes would not only improve the employment conditions of the non-tenured academic staff, but they would simultaneously also strengthen Lower Saxony's universities!

¹ See Federal Report on Early Career Researchers ([BuWin](#)) 2021; Federal Report on Early Career Researchers ([BuWiK](#)) 2025; [Statement by the DGB](#) and member unions on the „Act to Strengthen Differentiated University Autonomy“ 2020; [GEW statement](#) on the „Act to Strengthen the Culture of Participation within Universities“ 2015; [Statement by the Federal Government](#) on the Federal Report on Early Career Researchers 2021, p. 15.

² See BuWiK 2025, p. 180.

³ See e.g. the [Open letter from the Philosophy Student Council](#) of Carl von Ossietzky Universität Oldenburg from 20.12.2024 or the [TAZ article](#) „Ein Institut probt den Aufstand“ from 05.02.2025.

Our demands in detail:

1. Enshrine permanent mid-level positions in the Higher Education Act!

Since the introduction of the Academic Fixed-Term Contract Act (WissZeitVG, Wissenschaftszeitvertragsgesetz), the proportion of full-time academic staff with fixed-term contracts has risen continuously – from 34 % in 1980 to 79 % in 2022. For academic staff under the age of 40, the proportion of fixed-term contracts is as high as 96 %. This high rate of fixed-term contracts affects employees' health, life and family planning, as well as the continuity and predictability of teaching (= bottlenecks in teaching capacity) and supervision of theses (= no supervisors or changes of supervisors necessary). In addition, universities lose competence and expertise in research and teaching because of this fixed-term practice. In other areas of society, it is hard to imagine that the majority of highly qualified staff would be regularly replaced after completing their qualifications. This puts non-tenured academic staff at a disadvantage compared to highly qualified employees in the private sector, which makes positions at university less attractive.⁴

As early as 2021, the German federal government urged universities to reduce the rate of fixed-term contracts among PhD students and to create more permanent positions.⁵ According to the current Lower Saxony coalition and University Development Agreement (Hochschulentwicklungsvertrag), more independent permanent positions are to be created at universities. However, the NHG does not contain any regulations on this yet, although these have been repeatedly demanded by initiatives from non-tenured staff and trade unions, and they have been included in the University Development Agreement.⁶ We therefore call for permanent positions to be enshrined in the NHG and to be made possible with their own research and teaching profile independently of a professorship. The Bremen Higher Education Act (§ 23a and § 24 BremHG, Bremisches Hochschulgesetz), for instance, provides a template for this.⁷

The aim should be to achieve an appropriate ratio of temporary qualification positions and permanent positions. To this end, maximum quotas for fixed-term contracts could be set in university agreements. Individual federal states such as Berlin, Saxony and Hesse have already agreed fixed-term quotas of around 40 % of positions (excluding third-party funded positions).⁸ As the fluctuation rate for permanent positions in academia (in addition to the fluctuation rate due to retirement) is around 8 %, universities retain flexibility even with permanent positions.⁹

To meet the requirements of a rapidly developing society based on knowledge, permanent positions should also contribute to the development and updating of didactic and other professional qualifications, as specified, for instance, in the Higher Education Act of the state of North Rhine-Westphalia (§ 44 para. 1).

⁴ BuWiK 2025, p. 126-128, 186; [Employee survey](#) of the Carl von Ossietzky Universität 2024, status group: academic staff; [Student survey](#) of the Carl von Ossietzky Universität, winter semester 2023/24, p. 20.

⁵ Statement by the Federal Government 2021, p. 15.

⁶ See e.g. statement of the DGB 2020, p. 13; Demands of the [UNI Göttingen UNBEFRISTET alliance](#).

⁷ On the possibilities of sustainable employment structures, see e.g. Mathias Kuhnt: Nichts dem Zufall überlassen, in: DUZ Wissenschaft & Management Nr. 7, 2024, p. 10-17; [Junge Akademie 2024](#). Leitlinien für unbefristete Stellen an Universitäten neben der Professur.

⁸ See BuWiK 2025, p. 59, 187.

⁹ BuWiK 2025, p. 202.

2. Appropriate contract durations for fixed-term qualification positions!

Academic staff employed on a fixed-term basis for qualification purposes are usually given an initial employment contract limited to a *maximum* of three years (average duration 20 to 28 months). The contract then has to be extended several times until the completion of the doctorate (or habilitation), as the duration was set too short for the desired qualification goal. Many employees at universities in Lower Saxony therefore have to live with uncertainties about the extension of their contract, the duration of the follow-up contract and periods of unemployment between fixed-term contracts. These uncertainties affect life planning, the compatibility of career and family and they can lead to the abandonment of the doctorate and to leaving the academic system – especially for women.¹⁰

According to the WissZeitVG (§ 2 sentence 1), “the agreed fixed-term period [...] must be calculated in such a way that it is appropriate for the qualification being pursued”. Corresponding regulations can be found in the NHG: “the longest possible contract durations” (§ 3 para. 1 NHG) are specified for fixed-term employments, and the duration of fixed-term qualification positions should “enable the desired qualification” (§ 31 para. 4 NHG). However, the average duration of doctorates is significantly longer than the usual contract periods. According to studies, around five years are required across all disciplines.¹¹ We therefore call for contract terms to be realistic and for the NHG to stipulate that the first fixed-term employment contract should generally be for at least four years. To this end, § 31 para. 4 NHG should be amended accordingly:

„In the case of sentence 1 [qualification], the term of employment contracts shall be such that it enables the desired qualification. The duration of an initial employment contract should generally be four years. Contract extensions should appropriately reflect the remaining qualification period. If time-limited funding is granted for the qualification or for the project within the qualification is to be carried out, the duration of the employment contract should correspond to the approved project period.”

In justified cases, exceptions for a shorter duration (e.g. for certain disciplines such as medicine) should be made possible. These should be regulated in binding target agreements between the federal state and the university.

In principle, these demands also apply to the habilitation. However, we consider the qualification phase to be completed with the doctorate and call for more tenure-track professorships and independent permanent positions for the postdoc phase.

3. Increase the proportion of the independent academic work in fixed-term qualification positions to 50% of work time!

Academic qualifications require an appropriate time frame, i.e. an appropriate job duration, an appropriate job scope and an appropriate proportion of qualification work. The current conditions make it difficult for academic staff to conduct independent research and successfully gain academic qualifications. For example, their own qualification, which is the main reason for fixed-term employment contracts in academia, is largely an unpaid “private activity”, as there is not enough paid working time available for it. The lack of time to work on one’s own academic qualification can have a negative impact not only on the duration of the doctorate, but also on its success. Despite the high share of fixed-term qualification positions, the number of completed doctorates has hardly increased

¹⁰ See BuWiK 2025, p. 132-133, 141, 204-210; Mathias Kuhnt/Tilman Reitz/Patrick Wöhrle: Arbeiten unter dem Wissenschaftszeitvertragsgesetz. Eine Evaluation von Befristungsrecht und -realität an deutschen Universitäten 2022, <https://nbn-resolving.org/urn:nbn:de:bsz:14-qucosa2-791926>, p. 39-54.

¹¹ See BuWiN, 2021, p. 138; BuWiK, 2025, p. 142, 154; Deutsche Forschungsgemeinschaft (DFG): [Sprint oder Marathon? Die Dauer von Promotionen in DFG-geförderten Verbünden](#) 2021, p. 12-13.

and the doctoral rates across all disciplines have fallen significantly since 2014. In other words, fewer people are opting for a doctorate, which points to the declining attractiveness of working in academia, with working conditions likely playing a key role.¹² This problem will likely become more acute in the future in the light of the shortage of skilled workers, which has now also reached universities. If the pursuit of a doctoral degree is to remain attractive and junior academics are to successfully complete their qualification, the qualification positions have to be arranged accordingly. To allow sufficient working time for qualification (= reason for fixed-term employment), at least 50% of working time should be made available for it. This has been demanded by the DGB since 2015.¹³ At the very least, however, a corresponding regulation should be included in the NHG for part-time employment (see e.g. § 23 para. 1 BremHG). Accordingly, § 31 para. 4 NHG should be amended as follows:

„Academic staff [...] shall be given the opportunity to carry out independent in-depth academic work within the scope of their official duties to the extent of at least half of the agreed working hours.“

4. Restrict the position type Lecturer for Special Tasks (LfbA) to teaching practical skills and knowledge!

Already during the previous amendment of the NHG, the DGB criticised the regulations on LfbA positions: Universities use LfbA positions “to ‘gain’ teaching capacity without a budget burden and use LfbA positions for academic teaching. The creation of LfbA positions (with 18 teaching hours) comes at the expense of positions for research assistants (wissenschaftliche Mitarbeiter*innen; 10 teaching hours), which could use more working hours for research. The replacement of positions for research assistants with LfbA positions in academic teaching leads to a considerable increase in workload, undermines the principles of the unity of research and teaching and, in the long term, worsens the quality of teaching, since the LfbA cannot conduct research in these positions and have less time for the preparation and follow-up of teaching [...]”¹⁴ At the University of Oldenburg, an increase in LfbA positions has been observed, especially in areas of particular interest to the state, like teacher education, which has also led to protests from students.¹⁵ Good teaching should serve as a role model for prospective teachers, but despite the high motivation from LfbAs, it can hardly be realised in terms of time and/or leads to an overload of teaching staff due to their high teaching workload.

We therefore call for § 32 para. 1 sentence 4 NHG to be adapted to the regulations of the Higher Education Framework Act (Hochschulrahmengesetz) and other higher education laws of the federal states (e.g. § 24a BremHG) and for the LfbA positions to be limited to teaching of practical skills and knowledge (e.g. language, sports or instrumental lessons). Existing LfbA positions that are responsible for academic teaching must be converted into academic staff positions (wissenschaftliche Mitarbeiter*innen) accordingly.

¹² See. BuWiK 2025, p. 141-145; Kuhnt/Reitz/Wöhrle 2022, p. 35, 70; Grün, Dieter et al.: Der wissenschaftliche „Mittelbau“ an deutschen Hochschulen. Zwischen Karriereaussichten und Abbruchtendenzen, Berlin 2009, <http://doku.iab.de/externe/2009/k090302f06.pdf>, p. 9-10.

¹³ DGB position paper 2020, p. 13.

¹⁴ Ibid., p. 14.

¹⁵ See Open letter from the Philosophy Student Council.

Good employment conditions – attractive universities

The changes we propose would not only improve the employment conditions for non-tenured academic staff but also strengthen universities as a whole!

More permanent positions, longer contract durations and a higher proportion of the work time dedicated to the qualification do not conflict with other laws and can be implemented in a largely neutral manner in terms of costs and capacity. Although this leads to fewer (qualification) positions being available, these positions also offer employees better working conditions, better health protection, better life and career planning and better qualification opportunities. This, in turn, can have a positive effect on the duration and success of qualifications as well as gender equality aspects. Universities would also benefit from longer-term planning options and lower administrative costs.

More independent permanent positions in the non-tenured faculty would create long-term career prospects for non-tenured academic staff. On the other hand, universities would benefit from the long-term availability of experienced experts who see themselves as members of the university and are committed to it in the long term. The continuity and quality of university's research and teaching will thus improve for students, early career researchers and professors alike.

Finally, the proposed changes will make non-tenured academic positions more attractive in a nationwide competition, which would make it easier for universities in Lower Saxony to fill positions and attract highly qualified researchers.

Signatories:

Non-tenured faculty representatives in the Senate of the University of Oldenburg

Non-tenured faculty representatives on the Council of School I of the University of Oldenburg

Non-tenured faculty representatives on the Council of School II of the University of Oldenburg

Non-tenured faculty representatives on the Council of School III of the University of Oldenburg

Non-tenured faculty representatives on the Council of School IV of the University of Oldenburg

Non-tenured faculty representatives on the Council of School V of the University of Oldenburg

Non-tenured faculty representatives on the Council of School VI of the University of Oldenburg

Staff Council of the Carl von Ossietzky University of Oldenburg (unanimous decision on 25.02.2025)