

PRESS RELEASE

Uniper Launches Germany's First Social Partner Model with the Support of ADVANT Beiten

Dusseldorf, 27 October 2022 – Uniper SE, the Employers' Association of Energy and Water Management Companies (Arbeitgeberverband energie- und wasserwirtschaftlicher Unternehmungen e.V. - AVEW) and the Employers' Association of Bavarian Energy Supply Companies (Arbeitgebervereinigung Bayerischer Energieversorgungsunternehmen e.V. - AGV Bayern), the United Services Union (Vereinte Dienstleistungsgewerkschaft ver.di) and the Industrial Union of German Coal and Steel Workers (Industriegewerkschaft IGBCE) have agreed on a company-related association collective agreement on the introduction of a pure defined contribution scheme and have now achieved the final breakthrough. The parties to the collective agreement hereby establish the first social partner model for a pure defined contribution scheme in Germany with the involvement of the pension provider Metzler Sozialpartner Pensionsfonds AG.

Christian von Buddenbrock and Jörn Manhart, both partners at the international law firm ADVANT Beiten, have been advising Uniper on the concept of the pure defined contribution scheme since 2019, drafted all the necessary contractual texts, from the employer's draft collective agreement to the pension plan, and supported Uniper in the collective bargaining negotiations. In addition, ADVANT Beiten was involved in the BaFin approval process for Uniper and in coordination with Metzler Sozialpartner Pensionsfonds AG. In September 2022, the Metzler rBZ 1 pension plan of the Uniper social partner model was the first in Germany to receive the BaFin clearance certificate in accordance with its application.

The pure defined contribution scheme was initiated by the then Federal Minister of Labour, Andrea Nahles, and anchored in 2017 in the Act on the Improvement of Occupational Pension Provision (BetrAVG). The instrument is intended to allow employers to issue pension commitments that are guaranteed and thus risk-free in the long term. As a counterbalance to the lack of a guarantee component, the law orders mandatory participation of the social partners in the implementation and management of the pension scheme. However, the considerable legal ambiguities, political restraint on the part of the social partners and questions of competence between collective bargaining and supervisory law have since made it difficult to set up pure defined contribution schemes.

The social partner model is aimed at employees of the Uniper companies who fall within the pay scale group in Germany. It also offers the possibility for other collective agreements to join the pension scheme.

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