

**CORPORATE CULTURE**  
**WELLBEING** **ERGONOMICS**  
**HEALTH** **OPERATIONAL** **MOVEMENT**  
**VITALITY**  
**INTEGRATION MANAGEMENT**  
**RESPONSIBILITY** **OCCUPATIONAL SAFETY**  
**ESTEEM**

**BOCKHOLDT**

[bockholdt.de](https://www.bockholdt.de)

## Operational integration management (German acronym: BEM)

### What is the legal basis of this?

In § 167 para. 2.1 of SGB IX (the German Social Security Statute Book), the legislature has defined BEM, a legal duty of employers, as follows: "If, within one year, employees are continuously or repeatedly unable to work for more than 6 weeks, the employer, together with the responsible representatives of the employee's interests under § 176, and in the case of severely disabled people, the disability representative, should elucidate, with the employee's involvement, how the inability to work can be overcome and with what aids or provision renewed inability to work can be prevented and the job be retained (operational integration management)".

### What are the goals of BEM?

- Fulfilling the duty of care of BOCKHOLDT GmbH & Co. KG
- Optimising working conditions for employees
- Increasing company loyalty and generating a positive working environment
- Unburdening colleagues and client support
- Reducing sick days and the costs associated

As part of BEM, the causes of sick days should be explored and possibilities sought together with you to avoid or reduce them as far as possible in the future. You can also make your own proposals. The goal is to retain your job over the long term.

### What people and departments might be involved in BEM?

You determine who takes part in BEM by giving your written consent beforehand. In accordance with your decision, your client support representative or another representative of the company will take part in the meeting. In addition, as desired, a representative of the works council, the company doctor, the occupational safety specialist and/or the rehabilitation provider and integration office can take part. You also have the right to bring along a trusted representative of your choice. This could be someone from the company or from outside.

### What are the advantages of BEM for you?

BEM can help you to stay healthy. The operational causes of your inability to work are explored in order to prevent any illness from becoming chronic. By taking suitable measures that reflect your health limitations, we can ensure your job is retained at our company in the future.

### Are you obliged to take part in BEM?

Your participation in BEM is voluntary. The law states that no BEM can be carried out without your consent. There is also the option to retract any consent you have given with future effect, thus terminating the process. In this regard, we would, however, like to draw your attention to the fact that, without your willingness to cooperate, successful re-integration into the company cannot take place.

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### **Do you have to tell your employer and other participants about your diagnoses?**

You are not obliged to reveal your diagnoses. However, a BEM can only be successful if the participants are informed of all current or long-term limitations in the workplace caused for you by your illness. If you do not consent to offer this information, the result will be that the BEM can no longer be carried out.

We as an employer are obliged only to gather as much information about your health condition and any limitations it raises in the workplace as is necessary to be able to carry out a targeted BEM to the end of improving your recovery and continued health. This is accompanied by the obligation on our part to treat the data gathered with particular sensitivity and erase them once the retention period has elapsed. Any illness-related data are not put on your personal file but retained as part of a personal BEM file, which is subject to special confidentiality and privacy obligations. All data no longer required once BEM is completed will be erased.

### **What happens if you decline to carry out BEM?**

Initially, there will be no effects if you do not agree to carry out BEM. Declining BEM has no direct consequences and reasons need not be given. Your decision may have indirect consequences, however. If you are offered BEM and decline, you will not be able to claim in any disputes under labour law, particularly relating to termination for personal reasons, that no BEM was carried out.

With our offer to carry out BEM with you, we first and foremost want to retain your abilities and experience, gained over the course of time, for the company. Together, we want to look for suitable solutions that let you continue your work with us in the future. In this way we both – you as an employee, us as an employer – benefit from successfully completing BEM!

Questions? Get in touch with us at any time:  
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Betriebliches Gesundheitsmanagement  
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