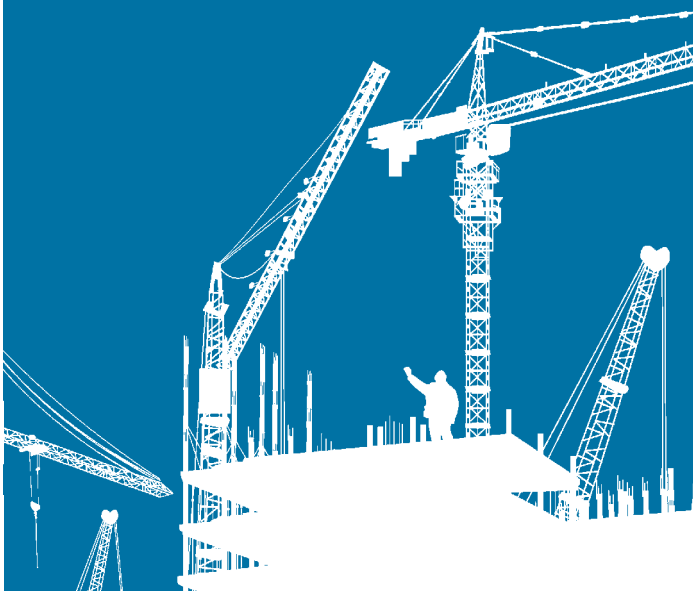


Englisch

fair **DGB**

Arbeitnehmerfreizügigkeit  
sozial, gerecht und aktiv

# Your rights as a construction worker in Germany





## Minimum wage in the construction industry

The following minimum wage rates apply to all persons employed in the construction industry – including those posted to Germany by employers in other countries.

<b>Minimum wage in the construction industry</b>	from 1 January 2018 (gross)	from 1 March 2019 (gross)
For unskilled workers who perform simple duties	€ 11.75 in Germany	€ 12.20 in Germany
For skilled workers who are qualified to perform duties requiring prior training	West Germany € 14.95 East Germany € 11.75 Berlin € 14.80	West Germany € 15.20 East Germany € 12.20 Berlin € 15.05

Wages are to be paid for each hour worked (including overtime hours). Taxes and social security (pension, health, unemployment and home nursing care insurance) contributions are deducted from gross wages. Minimum wage must not be undercut! No other deductions may be made from the minimum wage, such as those for accommodations, transportation to and from the construction site or for the costs of tools, supplies or safety clothing.



## When must wages be paid?

Wages must be paid no later than the middle of the following month and are ordinarily transferred to your bank account. Your employer is required to issue a monthly wage statement which shows the amount you have earned and the deductions made for taxes and social security contributions.



## Overnight accommodations

When you are assigned to work at another site away from your normal place of work, your employer is required to arrange and pay for your overnight accommodations. You are also entitled to a flat-rate meal allowance of 24 euros per workday for the duration of such assignments.



## Leave entitlement and the leave fund process

You are entitled to 30 days paid leave per year. Since many construction workers are frequently assigned to different workplaces, leave entitlements are registered and administered by the "Sozialkasse des Baugewerbes" (SOKA-BAU) in what is known as the "Urlaubskassenver-

fahren" (leave fund process). You earn one day of leave for every 12 days of work for a construction firm. Thus if you work for an entire year, you are entitled to 30 days of paid leave. Should you transfer to a different construction firm, your leave entitlement will be carried over to the new firm. If you do not take all of the leave days you have earned in a given year, you may take the remaining days of leave until December of the following year, after which your entitlement expires.

Every employer pays monthly contributions to the SOKA-BAU. When you take leave, your employer is reimbursed by the SOKA-BAU for the amounts of leave pay you have received.

The SOKA-BAU will send you an account statement containing at least the following information once each year:

- The names of employers for whom you have worked
- The number of days on which you were employed
- Your gross wage amounts as reported by your employer(s)
- Your leave entitlement and the number of days of leave you have taken

This wage account statement is based on the data your employer(s) has/have reported to the SOKA-BAU. You should check these data and notify your employer of any incorrect data within two months of receipt of the wage account statement. Contact the SOKA-BAU immediately if you experience any problems.



## **Health insurance coverage?**

When you work and pay social insurance contributions in Germany, you are entitled to health insurance. Health insurers receive monthly insurance premiums directly from your employer, and you will be issued a health insurance card which you can present to a physician. Medical treatment is ordinarily free of charge in Germany.



## **Payment of wages during periods of illness**

After four weeks of employment subject to social insurance contributions you are entitled to your full wage for up to six weeks when ill. In order to qualify for continued wage payments, you must submit a sick certificate from your physician to your employer and your health insurer. If you are sick and unable to work for more than six weeks, you are entitled to receive sick-leave pay from your health insurer.

You are required to notify your employer of your inability to work and the anticipated duration of your disability immediately. Please remember that

you must submit a certificate of inability to work due to illness from your physician to your health insurer within one week of the date on which it is issued! If you fail to do so, you may lose your entitlement to sick-leave pay.

## **Work-related accidents**

Your employer is required to register you with the appropriate employers' liability insurance as soon as you start work. You are then insured for accidents that occur at work or on your way to or from your workplace.

**Important:** If you have an accident at work, be sure to tell the hospital staff that this was an industrial accident. If your employer, supervisor or foreman advises you to say that the accident did not occur at work, your employer has probably failed to register you with the employers' liability insurance. Call an Advisory Center or speak with someone from your trade union to receive advice on how to proceed. It is possible that fraud has been committed! If you do not speak German well enough, ask to speak with someone at the hospital who speaks your language.

## **Workers are often cheated out of their wages in the construction industry. What can you do to protect yourself against wage fraud?**

- Note the beginning and ending times and the total time you work each day, including breaks and any overtime hours.
- Note the names and telephone numbers of colleagues who can verify your statements.
- Note the addresses of the construction sites at which you work.
- Note the name of the firm for which you work and its contact data. Also note the name of the managing director of this firm and other individuals who give you instructions.
- Note the name of the firm that acts as general contractor and its contact data.
- Write down the name of the construction foreman and the relevant contact data.
- Take photographs of the construction site and specifically of the sign on which the construction project is described.
- Do not sign anything you don't fully understand.

### **Fair Mobility Advisory Center Mannheim**

Telephone: +49 621 15 04 70 14 (German | English | Bulgarian)

Telephone: +49 711 12 09 34 12 (German | English | Croatian | Serbian)

mannheim@faire-mobilitaet.de

### **Fair Mobility Advisory Center Munich**

Telephone: +49 89 51 39 90 18 (German | Bulgarian)

Telephone: +49 89 51 24 27 72 (German | English | Romanian)

muenchen@faire-mobilitaet.de

### **Fair Mobility Advisory Center Oldenburg**

Telephone: +49 441 924 90 19 (German | English | Romanian)

Telephone: +49 441 924 90 12 (German | English | Polish)

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### **Fair Mobility Advisory Center Stuttgart**

Telephone: +49 711 12 09 36 35 (German | Polish)

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### **IG Bauen-Agrar-Umwelt**

Olof-Palme-Str. 19

60439 Frankfurt/Main

Telefon: +49 69 95 73 70

Fax: +49 69 95 73 78 00

www.igbau.de



### **We recommend**

that you join a trade union on your first day of work in Germany! Contact the relevant union. If you are in doubt about whom to contact, get in touch with an Advisory Center. If you are a member of a union in your homeland, ask a representative of the relevant German union whether your union membership is recognized in Germany.

# Faire Mobilität

## Advisory Centers for workers from Central and Eastern Europe

[www.faire-mobilitaet.de](http://www.faire-mobilitaet.de)

### Fair Mobility Advisory Center Berlin

Telephone: +49 30 21 01 64 37 (German | Polish)

[berlin@faire-mobilitaet.de](mailto:berlin@faire-mobilitaet.de)

### Fair Mobility Advisory Center Dortmund

Telephone: +49 231 54 50 79 82 (German | English | Hungarian)

Telephone: +49 231 18 99 98 59 (German | English | Bulgarian)

Telephone: +49 231 18 99 86 97 (German | English | Polish)

Telephone: +49 231 18 99 86 52 (German | English | Romanian)

[dortmund@faire-mobilitaet.de](mailto:dortmund@faire-mobilitaet.de)

### Fair Mobility Advisory Center Frankfurt am Main

Telephone: +49 69 27 29 75 67 (German | English | Romanian)

Telephone: +49 69 27 29 75 66 (German | English | Polish)

Telephone: +49 69 15 34 52 31 (German | English | Bulgarian)

[frankfurt@faire-mobilitaet.de](mailto:frankfurt@faire-mobilitaet.de)

### Fair Mobility Advisory Center Kiel

Telephone: +49 431 51 95 16 67 (German | English | Polish)

Telephone: +49 431 51 95 16 68 (German | English | Romanian)

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