

With this leaflet we want to inform you about the most important part of the labour law. There are exceptions to these rules. If you are unsure or have any questions, please contact us. We will treat your inquiry confidentially and advise you free of charge.

If you come from a country outside the EU

If you come from a country outside the EU, clarify under which status you are working in Germany:

- Are you working in Germany as part of an internship?
- Do you have protection status, having fled Ukraine?
- Are you working on the basis of the so-called "short-term contingent employment"?
- Are you from Georgia or the Republic of Moldova and working in Germany on the basis of a bilateral agreement?

Depending on your status, you may have a different right of residence and a different social security status in Germany. If you have a question, please contact one of the advice centres of Faire Integration.

V.i.S.d.P.: Anja Piel, DGB-Bundesvorstand, Henrietten-Platz 2, 10178 Berlin | Stand: 09/2024

IG BAU trade union

Trade unions stand up for the rights of employees. Trade unions support you in labour law conflicts and problems with your employer.

If you work in agriculture and want to become a member of a trade union in Germany, you can register with the Industriegewerkschaft Bauen-Agrar-Umwelt (IG BAU). Your employer will not find out about your union membership.

You can get more information here:

Russian: 0049 0391 4085-921

Rumanian: 0049 0391 4085-107

Polish: 0049 0391 4085-108

Ukrainian: 0049 0391 4085-921

mobil@igbau.de

www.igbau.de/Jahresmitgliedschaft.html



Gefördert durch:



aufgrund eines Beschlusses
des Deutschen Bundestages

Fair mobility – advice centres for employees from Central and Eastern Europe

www.faire-mobilitaet.de

kontakt@faire-mobilitaet.de

Faire Integration – advice centres for employees from non-EU countries

www.faire-integration.de

ffi@iq-consult.de

Initiative Faire Landarbeit



**Working in agriculture
in Germany?
These are your rights**

englisch

You are entitled to an hourly wage of 12 Euros!

Ersetzen durch: "Since January 2024, the legal minimum wage of **12,41 euros gross per hour** applies to everyone working in agriculture in Germany.

Payment according to quantity harvested (piecework or piece rate) is permitted. However, the wage may never be less than 12,41 euros gross per hour. Gross wage means that there are certain deductions (such as taxes). The net wage is therefore lower than the gross wage.

Costs and deductions from wages

✓ **Accommodation:** The employer can deduct costs for accommodation from your wages. The employer must either inform you in writing about the amount when you start working or you must have signed a rental agreement in which the costs for accommodation are stated. If you earn less than 1,410 euros net in a month, the employer is not permitted to deduct the costs directly from your wages.

✓ **Meals:** The employer can only deduct costs for meals from your wages if he has informed you in writing about the amount when you start work. However, if you earn less than 1,410 euros net per month, the employer is not permitted to deduct the costs directly from your wages.

✓ **Taxes:** Your wages are taxed in Germany. Taxes are deducted from your gross salary.

✗ **Placement:** The employer is not allowed to deduct job placement costs from your wage if you are employed on a short-term basis.

✗ **Work equipment:** The employer must provide you with all work equipment (such as hoes, boxes, foils etc.) and personal protective equipment free of charge. This includes work-appropriate gloves as well as sun and rain protection. In addition, you must be provided with a sufficient drinking-water supply in the event of excessive heat at the workplace.

When is the wage to be paid?

Wages must be paid no later than the end of the month following the work performed. All hours worked must be paid. **You should receive a pay slip for each month.**

If the employer provides you with accommodation, you are entitled to a lockable compartment in the accommodation where you can safely store money. If you have agreed with the employer that all wages will be paid at the end of the season only, ask for an interim statement every week or at least every month. Compare these with your own records of hours worked.





Didn't get paid? – Take action!

Your employer pays nothing or too little? Then you can claim your wages. You always have a right to your wages, even after termination and even without a written employment contract. Call us!

Write down the hours you worked!

If the employer doesn't pay your wage, you must prove how much you actually worked and what wage you are entitled to.

Therefore, write down for each day:

-  the beginning and end of your working time
-  the break times, because breaks are not part of the working time
-  the delivered boxes or kilograms, if you are paid by quantity harvested
-  the places of work

Ask colleagues who can attest to the work you have done to sign your documentation.

Overtime

The regular working time per week in agriculture can be 48 hours over six days. A rest period of at least eleven hours must be observed between two shifts. **The daily working time may usually not exceed 10 hours.** **Only in exceptional cases can it be 12 hours.** Overtime must be paid. Travel time from one field to another is working time and must be paid.

Vacation




You are entitled to one day of vacation for every twelve days worked. You can take this leave during or at the end of your stay in Germany. **Apply to your employer for the vacation.** If he does not grant you any vacation days, he must pay you the money for the vacation days at the end of the employment in addition to your salary.

Employment contract

A written employment contract is important if you want to take legal action in case of problems. **Ask your employer for a written employment contract in which the most important working conditions are written down.** The employer must at least tell you in writing when you start work, how many hours per week you will work and how long the employment will last. If the employer deducts parts of your wages for accommodation and food, he must inform you in writing about the amounts to be deducted.

Make sure that the employer has also signed the employment contract.

Important:

-  Do not sign documents that you do not understand.
-  Never sign blank pieces of paper, receipts or vouchers.
-  Take a picture with your phone of all documents you sign and ask for a copy

Termination

Your employer must give you written notice of termination. If he only speaks to you, the notice is invalid. The period of notice for termination is stated in your employment contract. This can be very short. A notice of termination need only be signed by your employer, a signature from you is not required.

If you do not agree with a termination, call us immediately. Tell your employer in writing that you want to continue working (for example, by text message or WhatsApp). You only have three weeks from receipt of the notice to take action against it.

Your accommodation

You are entitled to reasonable accommodation. If the employer provides you with accommodation directly, you are entitled to:

- at least six square meters of space in the sleeping area
- a lockable cupboard for your linen and valuables
- a seat and a table area
- a sufficient number of toilets and showers if you share accommodation with a larger group

If the accommodation or food is worse than you were promised, take photos of it. In case of dispute, you can use these photos as evidence. If you are threatened that you have to leave your accommodation immediately because of a termination, call us. As a rule, you do not have to leave your accommodation overnight.

Health insurance

If you work in Germany for longer than 70 days, your employer must register you for health insurance and social security. This means that you are fully covered by the public health insurance in Germany. When you start work make sure that your employer gives you a certificate of registration for health and social insurance.