

Do you need advice in your language?

These projects are the first points of contact:

Faire Integration

for people who come from countries outside the European Union

www.faire-integration.de/beratungsstellen
www.facebook.com/Faire-Integration

and Faire Mobilität
(for people who come from a European Union country)

www.faire-mobilitaet.de/beratungsstellen
www.facebook.com/DGBFaireMobilitaet

Who can help you with labour law problems?

In addition to the above-mentioned advice centres, you can also seek advice from trade unions, who are independent of political parties. Trade unions provide legal assistance and representation in a legal dispute and can give advice on issues such as labour law to employees who are members of the trade union.

The **Food, Beverages and Catering Union (Nahrung-Genuss-Gaststätten, NGG)** is responsible for the catering industry.

You will find their contact details on the next page.

A cooperative project of:



www.faire-integration.de

Fair integration is part of the Network "Integration through Qualification (IQ)"

fair

Arbeitnehmerfreizügigkeit sozial, gerecht und aktiv

www.faire-mobilitaet.de



You can find your local NGG office at:
www.ngg.net/vorOrt

Do you work for a fast food chain?

www.facebook.com/ffwunited/

Do you deliver food for a delivery service?

www.facebook.com/lieferrnamlimit

The Network "Integration through Qualification (IQ)" aims to create sustainable improvements in the labour market integration of adults with a migration background. The program is funded by the German Federal Ministry of Labour and Social Affairs (BMAS) and the European Social Fund (ESF). Strategic partners in implementing the program are the German Federal Ministry of Education and Research (BMBF) and the Federal Employment Agency (BA).

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WORKING IN THE HOSPITALITY INDUSTRY

DO YOU WANT TO WORK IN THE HOSPITALITY INDUSTRY?

ENGLISCH

HERE IS SOME IMPORTANT INFORMATION FOR YOU !

You have not received a written employment contract from your employer?

A verbal employment contract is also legally valid, but you can only prove the agreements you have made if you have a written contract.

No later than one month after the start of employment, your employer must provide you with a written statement of the main conditions of employment (wages, working hours, type of work, etc.). This document is not an employment contract! Therefore, you should ask for a written employment contract.

Your employer wants you to work without a written contract. He/she gives you your money in cash at the end of the month. What can you do?

Be careful if your employer doesn't want to give you a written employment contract and pays your wages in cash! Your employer is probably not paying taxes and social security contributions. This is called "working off the books" or undeclared work.

Undeclared work is illegal. You may have to pay a fine. For your employer, undeclared work has legal consequences. If you suspect that your employer has not registered you, seek assistance from an advice centre or your trade union.

How do you know if your employer has registered you?

Your employer must register you with the German pension insurance scheme (Deutsche Rentenversicherung). This must be done on the first day of your employment. Ask for proof of this registration.

How much do you get paid in the hospitality industry?

In Germany, a minimum wage of **€9.35 gross per hour** has been in effect since 1 January, 2020. Tips are not part of your wage - you will receive this additionally.

Collective agreements may ensure a higher hourly wage. Ask your trade union whether a collective agreement applies to you.

A higher wage should be paid for qualified work. Make sure that you are paid fairly!

You work 10 hours a day, including on weekends. Is this legal?

According to the law, you must not work more than eight hours a day. Breaks do not count. The daily working time can sometimes be extended to ten hours. However, in six calendar months or 24 weeks an average of eight hours a day must not be exceeded.

In the hospitality industry, you are also allowed to work on Sundays and public holidays. However, you must have at least ten Sundays off per year.

If you work for more than two hours between 11 p.m. and 6 a.m., this is called night work. As a rule, you are then entitled to a 25 % bonus per hour worked.

Important: Write down the hours you have worked exactly. What did you do? Who can be a witness to this? This is important in case of a legal dispute.

You can easily record your working hours using this table:

<https://www.faire-integration.de/arbeitszeit-tabelle>
<https://www.faire-integration.de/arbeitszeit>

You work part time, what do you need to take into consideration?

Do you work irregular hours? Then your employer must tell you at least four days in advance when you are supposed to work. If you and your employer have not agreed on a specific number of hours per week, then 20 hours per week is considered to be the agreed amount. You must be paid for these 20 hours.

You have a mini job. What are your rights and what do you have to take into consideration?

If you have a mini job you may earn a maximum of €450 per month. Therefore, you are only allowed to work a limited number of hours. In a mini job you have the same rights as other employees in almost all areas. For example, you are **entitled** to:

- The minimum wage of €9.35 gross per hour
- Union rates if there is an applicable collective wage agreement
- A pay slip
- Annual leave
- Continued payment of wages in the event of a (work) accident, public holidays, maternity leave and illness (but usually no sickness benefit)
- Extra pay, e.g. for working on public holidays, which your colleagues also receive

Problems with redundancies or other issues during the Corona pandemic?

You can find further information at:

<https://www.faire-integration.de/de/topic/157.corona-wichtige-informationen.html>

and at:

www.fair-arbeiten.eu/de/article/456.corona-faq.html