

# Informing Mobile Workers about Labour Rights

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## A Contribution to the Prevention of Labour Trafficking in Germany

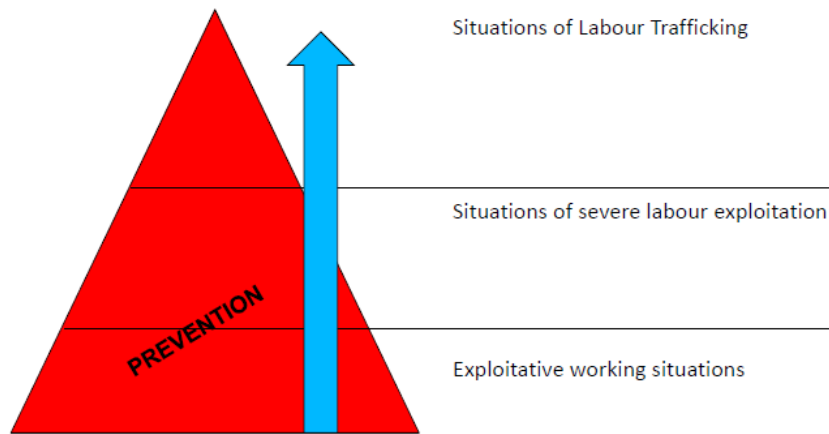
Dr. Philipp Schwertmann, Head of the Section „Migration and  
Decent Work“ at Arbeit und Leben Berlin (DGB/VHS)

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## The Alliance against Labour Trafficking: Partners and Aims

- Partners: Trade Unions, Welfare Organizations, State Ministries, IOs
  - Aims:
    - Sensitize authorities, trade unions, counselling centers etc.
    - Build structures and shape integrated approaches (protection and prosecution)
    - Provide information and support to victims of labour trafficking
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## To be Taken into Account: The Pyramide of Labour Exploitation



## Core Preventative Message to Migrant Workers

- You have rights („the right to rights“) and there are ways to claim them, even if:
    - You don't speak the local language
    - You don't have a residency or work permit
    - You don't have money
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# The Work Time Calendar

## WORK TIME CALENDAR

Write down your work time!  
Assure your pay!



- ✓ Developed jointly with practitioners
- ✓ Informs about labour rights
- ✓ Helps to claim back wages
- ✓ Helps to build trust with migrant workers
- ✓ Helps to seek support
- ✓ Available in 13 languages
- ✓ Easy to distribute and to hide

### WORK TIME CALENDAR



THIS CALENDAR BELONGS TO	NAME	SURNAME
ADDRESS	STREET NUMBER	POSTAL CODE CITY
EMPLOYED AT	NAME OF COMPANY	
COMMENCEMENT OF WORK	DATE	
PAYMENT	REGARDS	
AGREEMENT DATE	DATE	
WITNESS (IF ORAL)	NAME	SURNAME
OTHER		

### IMPORTANT INFORMATION

- ▶ **WRITE DOWN YOUR WORKING HOURS!**  
Basically, your boss is legally obligated to document your working hours. Still, you should stay on the safe side: Write down your working hours in this calendar, as well as work instructions, overtime, wage payments, etc. This will help you to prove your claims in case of conflicts. If you work with a business license, you have to write an invoice with your working hours and hand them to your boss in order to get paid!
- ▶ **COLLECT EVIDENCE!**  
SMS, letters, e-mails from your boss can help you in an emergency to prove your work. Take pictures with your mobile phone of you at your workplace or of company signs.
- ▶ **DON'T BE INTIMIDATED!**  
Don't sign anything that you don't understand (e.g. contracts, pay slips, blank forms). Your boss can't force you in any legal way to do so. You have rights – even without papers.

### IMPORTANT INFORMATION

#### ▶ JOIN FORCES WITH OTHER COLLEAGUES!

Together you are stronger. Colleagues can help you by witnessing your performance on the job. Write down their addresses and telephone numbers, in order to be able to contact them later. Try to hold discussions with your boss in their presence. They can testify the agreements made.

#### ▶ TRADE UNION AND COUNSELLING CENTRES CAN HELP YOU!

On the back you'll find contact persons that are on your side and can support you with problems at work. Ask for trade union offices near you.

### YOUR RIGHTS

#### ▶ MINIMUM WAGES

In Germany there exist statutory agreed minimum wages in certain branches (e.g. construction, commercial cleaning, and temporary work). You can find them on <http://www.wageindicator.org/main/minimum-wages/germany>. Starting on the 01.01.2015 a legal minimum wage of 8,50 Euro (gross)/hour is obligatory in Germany.

#### ▶ PAY SLIP

Your boss is legally obliged to hand you written pay slips every month. They have to entail the number of hours worked or the agreed gross monthly wage, the paid wage tax as well as the final amount paid to you.

#### ▶ OVERTIME

Overtime must be arranged with your boss in addition and always be paid.

#### ▶ SICKNESS, PENSION AND UNEMPLOYMENT

Your boss is obligated to pay for you contributions to sickness, pension and unemployment. They must be visible on your payroll.

### TRAFFICKING INTO LABOUR EXPLOITATION?

- ▶ HAVE YOU BEEN DECEIVED OR MISLEAD REGARDING YOUR WORK AND WORKING CONDITIONS BY YOUR BOSS?
- ▶ HAVE YOU BEEN PUT UNDER PRESSURE, THREATENED OR FORCED TO WORK OVERTIME? DO YOU HAVE TO DO DANGEROUS WORK AGAINST YOUR WILL?
- ▶ ARE YOU RESTRAINED TO CONTACT OTHER PERSONS OR LOCKED UP?
- ▶ DID YOU HAVE TO HAND YOUR PASSPORT TO YOUR BOSS?
- ▶ ARE YOU A VICTIM OF PHYSICAL OR PSYCHIC VIOLENCE?

Then it may be that your boss is liable of trafficking for labour exploitation. As a victim you are entitled to additional rights and support. Contact a counselling centre or a union, inform your friends about your situation or alternatively colleagues you trust.

### INSTRUCTIONS FOR THE CALENDAR

This calendar helps you to document important information about your employment. Keep it safe.

#### ▶ START / END

Write down when you first started to work and when you have stopped.

#### ▶ BREAKS

Write down the duration of your breaks. As of six hours worked, you are entitled to a break of at least 30 minutes.

#### ▶ WORKING HOURS

Compute how long you have worked on that day. If you have worked more than contractually agreed, it's overtime.

#### ▶ JOB LOCATION / ADDRESS

Write down the city, street and house number of your workplace, if you don't know the address, write down distinctive shop names or buildings in the neighborhood.

#### INSTRUCTIONS FOR THE CALENDAR

- ▶ **TYPE OF WORK**  
Describe the work that you have done.
- ▶ **WAGES ACTUALLY PAID**  
Write down how much money you received from whom. Who can verify it?
- ▶ **SIGNATURE**  
Ask for a signature underneath your indications. Ideally from your boss. Alternatively, ask colleagues at your workplace, even if they work for another company. Write down their names and contact details.
- ▶ **NOTES**  
Add here any other information about your work, e.g. alternating work places, long travel hours, holidays or sickness, and to whom you have reported your sickness.

#### WORK TIME CALENDAR

Year	Month	Day	Worked	Working time	Wages actually paid	Signature	Notes
2015	August	10	Yes	8h	100€		
EXAMPLE							

## Information Leaflets on Labour Rights



Six leaflets, distributed in CoO and CoD:

- Posted Workers – You have rights!
- No Pay – React quickly!
- No Pay – How do I sue in court?
- Dismissed? React quickly!
- Temporary agency workers – Do you know your rights?
- Self-employed – Only on paper?



## Course Module „Labour Exploitation – Be aware and react!“



- Designed for German language and integration courses
  - Includes a short silent movie
  - Allows participants to learn about labour law and rights
  - Allows to reflect on working conditions and to learn about signs of exploitative/trafficking situations
  - Allows the participants to share own experiences
  - Compatible to additional info material
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## Joint Counselling against Exploitation and Labour Trafficking

- Collaboration with regional counselling centers for mobile workers
  - Joint consultation hours
  - Broad distribution of info materials in counselling offices or on site (work places and accommodation)
  - Message: We want to help you to claim your rights (esp. fair wages and working conditions)
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## Lessons Learned for Effective Prevention

- Take an activating approach: „What can I do?“ instead of „What should I not do?“
- Focus on trafficking rather deters people at risk (message understood, but no impact on decisions)
- Stress the value for the people concerned
- Info on labour rights helps to build trust
- Info on labour rights allows to adress a broad target group
- Listen to practioners/counsellors: What do people really need?

→ Caveat: Systematic impact assessment still missing



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## Questions?

For materials and further info check

[www.buendnis-gegen-menschenhandel.de](http://www.buendnis-gegen-menschenhandel.de)

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