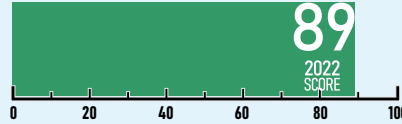


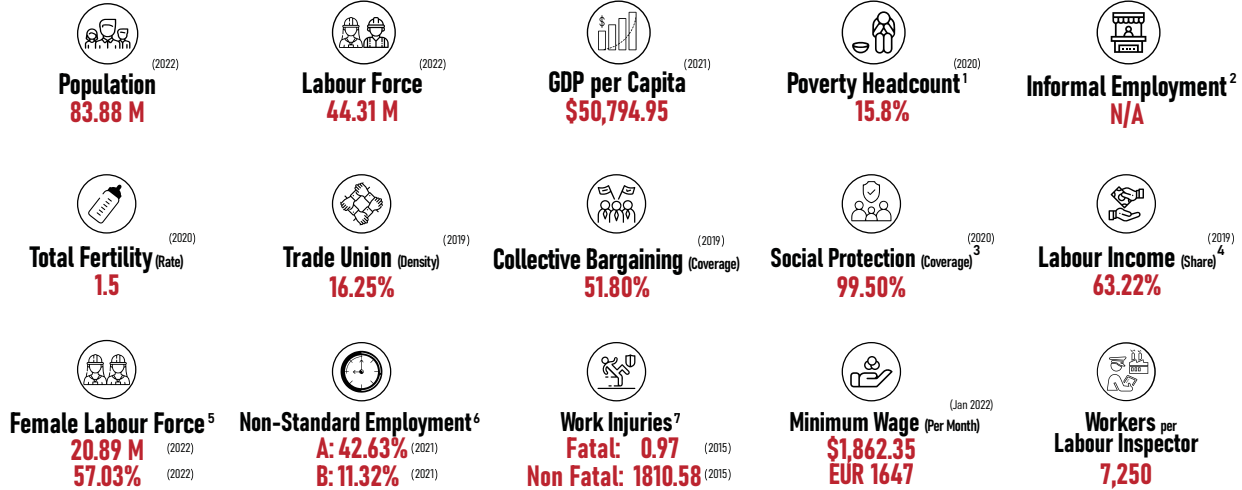


Germany



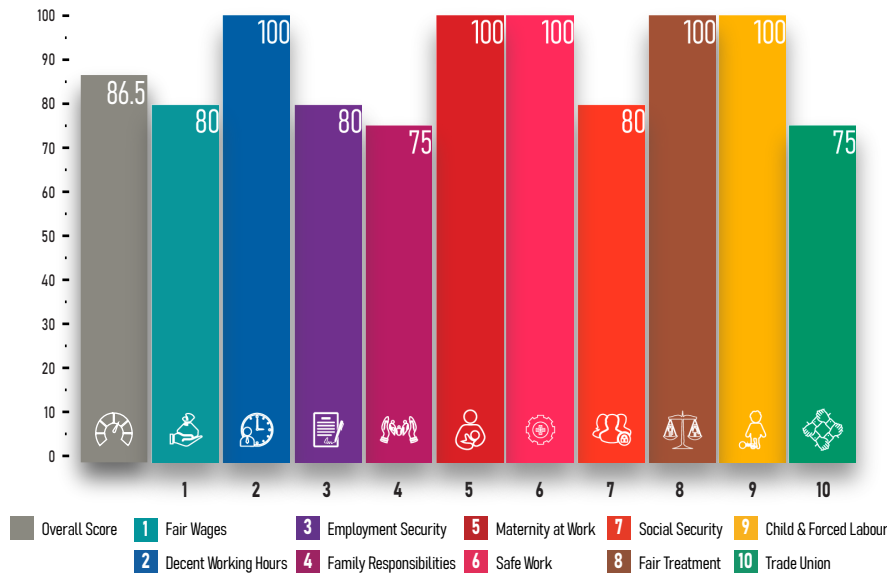
84 2020 SCORE
Western Europe
High Income
Approaching Decent Work
LRI RATING

Contextual Indicators



Sources: World Bank
International Labour Organization
WageIndicator Minimum Wages and Living Wages Database
M = Million

Legislative Performance Indicators



Introduction

The Labour Rights Index 2022 (LRI 2022) is a de-jure index covering 135 economies and structured around the working lifespan of a worker. In total, 46 questions or evaluation criteria are scored across 10 indicators. The overall score is calculated by taking the average of each indicator, with 100 being the highest possible score. The Index uses a rating system, ranging from "Total Lack of Decent Work" to "Decent Work". The Labour Rights Index aims at an active contribution to the Sustainable Development Goals, by providing necessary (complementary) insights into de jure provisions on issues covered in particular by SDG8 (Decent Jobs), SDG 5 (Gender Equality), SDG 10 (Reduced Inequalities) and SDG 16 (Strong Institutions). The Index is based on national labour legislation, applicable on 1 January 2022. The Index does not take into account COVID-19 related labour market measures in its scoring.

Germany's overall score is 86.5 out of 100. The overall score for Germany is lower than the regional average observed across Western Europe (89). Within the Western European region, the highest score is observed for Belgium (96).

¹ Proportion of population living below the national poverty line (%), as measured under SDG 1.2.1

² Share of informal employment in total employment (%), as measured under SDG 8.3.1

³ Proportion of the country population covered by social protection floors, as measured under SDG 1.3.1

⁴ Labour income (income of employees + partly income of the self-employed) as a percentage of GDP, as measured under SDG 10.4.1

⁵ The female labour force is shown in absolute number along with the female labour force participation rate

⁶ Non-Standard Employment has been defined as Part-Time Employment (A) and Temporary Employment (B)

⁷ Rate of fatal and non-fatal injuries per 100,000 workers, as measured under SDG 8.8.1

The country rating is based on the overall score of 0-100, with the following coding:

(90.5-100) Decent Work | (80.5-90) Approaching Decent Work | (70.5-80) Reasonable Access to Decent Work | (60.5-70) Limited Access to Decent Work | (50.5-60) Basic Access to Decent Work | (0-50) Total Lack of Decent Work

LABOUR RIGHTS INDEX 2022

	Question ⁹	Answer	Legal Basis	Trend ¹²
1. Fair Wages	Does the law prescribe minimum wage rates in the country?	Yes	§1(III), 22 & 24 of the Minimum Wage Law; §5 Collective Agreement Act; §15 of the Act on Minimum Working Conditions	●
	Does the law require regular payment of wages?	Yes	§612, 614 of German Civil Code; §2, 1, 6, 10 of Law (Nachweisgesetz)	●
	Does the law require overtime compensation be at least 125% of the regular hourly rate?	No	Determined under the CBA. §3, 7(1), 9(1) & 14 of the Hours of Work Act; §612 of German Civil Code	●
	Does the law require additional compensation for working on a weekly rest day?	Yes	Hours of Work Act, Public Holiday and Sick Pay Act; §2(1) Nr. 6 of Law of (Nachweisgesetz)	●
	Does the law require additional compensation for night work?	Yes	§2(3), 6 & 7(1) of the Hours of Work Act	●
2. Decent Working hours	Does the law stipulate general working hours as 48 hours or lower?	Yes	§3, 7(1), 9(1) & 14 of the Hours of Work Act; §612 of German Civil Code	●
	Does the law restrict maximum working hours including overtime to 56 hours per week?	Yes	& 14 of the Hours of Work Act	●
	Does the law require a weekly rest of at least 24 hours?	Yes	§1, 8 & 9 of Part-Time and Fixed-Term Work Act; §4, 7, 9(1-2), 10 & 11(1, 4) of the Hours of Work Act	●
	Does the law require paid public holidays?	Yes	§2(1-3) Public Holiday and Sick Pay Act	●
	Does the law require at least three working weeks of paid annual leave?	Yes	§3 & 11 of the Federal Holiday Act; §19 of the German Youth Employment Protection Act	●
3. Employment Security	Does the law require written employment contracts or at least written employment particulars?	Yes	§2(1) of Law on notification of conditions governing an employment relationship (Nachweisgesetz)	●
	Does the law restrict the hiring of fixed-term contract workers?	Yes	§14 & 16 Part-Time and Fixed-Term Employment Act, Temporary Employment Act	●
	Does the law limit the length of probation period including renewals to a maximum of 3 months?	No	§622 (3) of German Civil Code	●
	Does the law require a 30-day notice before contract termination?	Yes	§622-623 of German Civil Code; §15 of Protection against Dismissal Act, §85 & 91 of the Social Code IX	●
	Does the law require severance pay at the rate of at least 2 weeks of wages for every year of service?	Yes	§1(a) of Protection against Dismissal Act (PADA)	●
4. Family Responsibilities	Does the law require parental leave for parents?	Yes	§1, 2, 12(2), 15(1-4) & 16 of the Parental Allowance and Parental Leave Act	●
	Does the law require at least one week of paid paternity leave for fathers?	No	§13 & 14 of Maternity Protection Act	●
	Does the law require flexible work arrangements for workers with family responsibilities?	Yes	§45 & 47, Social Code V, §2, Act on Family Care Leave, Parental Allowance and Parental Leave Act	●
	Does the law require paid nursing breaks?	Yes	§7(1-3) of the Maternity Protection Act	●
5. Maternity at Work	Does the law prohibit inquiring about pregnancy during recruitment?	Yes	§2 and 3 of the General Act on Equal Treatment of 14th August 2006	●
	Does the law require paid maternity leave of at least 14 weeks?	Yes	§1, 3(1-2), 5(1-2) & 6(1-2) of the Maternity Protection Act	●
	Does the law require cash maternity benefit be at least 67% of a worker's former wage?	Yes	§3(1), 5(2), 11(1), 13(1-2), 14(1) of the Maternity Protection Act	●
	Does the law require maternity benefit be paid through contributory social insurance or universal benefits system?	Yes	§3(1), 5(2), 11(1), 13(1-2), 14(1) of the Maternity Protection Act	●
	Does the law protect workers from dismissals during or on account of pregnancy?	Yes	§9(1-3) of the Maternity Protection Act; 18(1) of the Parental Allowance and Parental Leave Act	●
6. Safe Work	Does the law require provision of free personal protective equipment to workers from employer?	Yes	§3(2-3), 5, 9 & 15(2) of Employee Protection at Work Act and Trade association(BGR)	●
	Does the law require the employer to train workers on health and safety issues?	Yes	§9 & 12 of the Employee Protection at Work Act; §618 of the Civil Code	●
	Does the law restrict work that is prejudicial to the health of the mother or the child?	Yes	§2(1-5), 4(1-5), 6(3), 8, 11(1) & 16 of the Maternity Protection Act; §618 of Civil Code	●
	Does the law provide for employment injury benefit?	Yes	Book VII and IX of the Social Code	●
	Does the law provide for an old age pension?	Yes	Book VI of the Social Security Code	●
	Does the law provide for a dependants/survivors' pension?	Yes	Book VI of the Social Security Code	●
	Does the law provide for unemployment benefit?	Yes	§Book II and III (136(ff)) of the Social Code	●
7. Social Security	Does the law require paid sick leave for the first 6 months of sickness?	No	§3-5 of the Public Holiday and Sick Pay Act; §84 of the Social Code IX; §44 of Social Code V	●
	Does the law provide for invalidity benefit?	Yes	Book VI of the Social Security Code	●
	Does the law require equal remuneration for work of equal value?	Yes	§1, 2(2) & 8(2) of the General Act on Equal Treatment; Pay Transparency Act of 30 June 2017	●
	Does the law prohibit sexual harassment in employment?	Yes	§1, 3(4), 7 & 15 of the General Act on Equal Treatment	●
	Does the law prohibit discrimination in employment matters? ¹⁰	Yes	§1, 2, 3, 7 & 15 of the General Act on Equal Treatment; §4, 5, & 11 of the Part-Time and Fixed-Term Work Act	●
	Does the law allow women to do the same jobs as men?	Yes	§3(2), 12 of the Basic Law for the Federal Republic of Germany; §1 & 7 of the General Act on Equal Treatment	●
	Does the law guarantee basic labour protections for gig economy workers?	Yes	§7(1) of the Social Insurance Code; Book IV of Social Security Code IV	●
9. Child and Forced Labour	Does the law prohibit employment of children?	Yes	§2, & 5(1-3) of the Young Individuals' Protection in Employment Act	●
	Does the law set employment entry age equal to or higher than the compulsory schooling age?	Yes	§35-41 of the NRW school law - SchulG, 2005	●
	Does the law prohibit the employment of children in hazardous work under the age of 18 years?	Yes	§22, 23, 24 & 25 of the Young Individuals' Protection in Employment Act	●
	Does the law prohibit forced labour?	Yes	§12 of the Basic Law for the Federal Republic of Germany	●
10. Trade Union	Does the law allow workers to form and join unions of their own choice?	Yes	§9 of the Basic Law for the Federal Republic of Germany 1949; §1, 2, 7, & 80(ff) of the Works Constitution Act	●
	Does the law allow workers to bargain collectively with employers through their representative unions?	No	§2-3, Works Council Constitution Act; §9, Basic Law for the Federal Republic of Germany 1949; CEACR, C98, Obs. 2021	●
	Does the law provide for the right to strike?	Yes	§9(3) of the Basic Law for the Federal Republic of Germany 1949; §74 of the Works Constitution Act	●
	Does the law prohibit employers from terminating employment contracts of striking workers?	Yes	§9 of the Basic Law for the Federal Republic of Germany 1949; §11(5) of the Manpower Provision Act 1995	●

Covid 19 and Labour Market in Germany*

Total Covid Cases	29.99 Million
Total Covid Deaths	142,771
Partial Vaccinated	78.0%
Fully Vaccinated	76.0%

Wage Subsidies	✓
Social Security Contributions (deferrals/waivers)	✓
Paid Sick Leave	✓
Add. Unemployment Benefits	✓

Protection from Dismissals	✗
Telework/flexible work	✓
Improved Health Access	✗
Training (activation measures)	✗

⁹ The Index has 10 indicators and 46 evaluation criteria or questions.

¹⁰ The prohibited grounds for discrimination are "race, colour, sex, religion, political opinion, national extraction or social origin, age, disability and trade union membership". A score of 1 is assigned only if a country has prohibited discrimination on at least 7 of the above 10 grounds.

¹¹ A country's score on LRI's Trade Union indicator must also be read together SDG indicator 8.8.2 which measures the level of national compliance with labour rights (freedom of association and collective bargaining) based on ILO textual sources and national legislation. It has a range from 0 to 10, with 0 being the best possible score (indicating higher levels of compliance with FACB rights) and 10 the worst (indicating lower levels of compliance with FACB rights). The score of Germany on SDG 8.8.2 is 0.38 (2020)

The Index uses Observations/Direct Requests from ILO CEACR and the US Department of State's Country Reports on Human Rights Practices (US DOS CRHRP) to measure a country's compliance on the Trade Union indicator.

¹² In order to measure the trend in country's legislative performance over the last edition of the Labour Rights Index (2020), the legislative table indicates improvement or worsening of labour rights in country through the following colours.

- Score increase
- Score decrease
- Score adjustment
- No change