

Declaration of Commitment – “Minimum Working Conditions”

English translation of German “Verpflichtungserklärung Mindestarbeitsbedingungen”

This document serves as orientation for non-German speaking suppliers. The legally binding document is the German version “Verpflichtungserklärung Mindestarbeitsbedingungen”.

Besides any applicable regulations arising from collective agreements, all employers must respect the minimum working conditions and the appropriate reporting obligations contained in the German Minimum Wage Act (MiLoG), the German Posted Workers Act (AEntG) and the German Temporary Employment Act (AÜG).

The subcontractor warrants that all regulations applicable to its companies, operation or a branch of its activity, and to any of its employees will be observed in accordance with the applicable (framework) collective agreements, ordinances and legal regulations. Specifically, the subcontractor warrants in particular that it will comply with the relevant regulations on;

1. payment of the minimum wage, including overtime premiums;
2. keeping and maintaining work time sheets, wherever this is exceptionally legally permissible;
3. calculating and determining relevant working times in compliance with the law, in particular, taking into account dressing and changing times, set-up times, internal transit times etc.;
4. granting continued remuneration during statutory annual leave according to collective agreements and in compliance with the law;
5. ensuring continued remuneration in the event of sickness according to collective agreements and in compliance with the law;
6. respecting maximum working hours and minimum rest periods;
7. respecting the conditions for the hiring-out of workers, in particular through temporary work agencies;
8. respecting the applicable health & safety regulations, in particular with regards to safety, health and hygiene within the workplace;
9. implementing safeguards in connection with the working conditions and the conditions of employment for pregnant women, women who have recently given birth, children and juveniles;
10. the equal treatment of men and women, and other anti-discrimination provisions;
11. recording the start, duration and end of daily working hours in accordance with the law.

In addition, in the event of further subcontractors being used under the approval of the main contractor, the subcontractor shall ensure by means of the present Declaration of Commitment that such subcontractors are similarly bound in writing to respect the minimum working conditions and relevant reporting duties. In the event that the subcontractor should breach these duties, it shall hold the main contractor harmless against the claims of any third parties and shall be liable for any damage caused to the main contractor according to legal regulations.

Place, date

Subcontractor's signature