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Minimum wages in 2021



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BABS Beratungsstelle für
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in Sachsen

www.babs.sachsen.de

Minimum wages in Germany

In Germany there are minimum wages which the employer may not fall below.

There is a **general statutory minimum wage**:

- from January 1 to June 30, 2021, the statutory minimum wage is EUR 9.50 gross per hour
- from July 1 to December 31, 2021, the statutory minimum wage is EUR 9.60 gross per hour.

According to the Minimum Wage Act (MiLoG §1), every employee is entitled to receive from the employer a wage at least equal to the minimum wage.

In addition, for certain activities or branches of industry, **collectively agreed minimum wages** apply which are higher than the statutory minimum wage (e.g. construction industry, building cleaning, care, etc.).

These generally binding industry minimum wages based on the Collective Agreement Act (TVG), the Employee Secondment Act (AentG) and the Temporary Employment Act (AÜG) take precedence over the general statutory minimum wage.

The industry minimum wages must not fall below the statutory minimum wage.

At the beginning of each quarter, the Federal Ministry of Labour and Social Affairs publishes a list of the collective agreements declared generally binding on its homepage: www.bmas.de/DE/Themen/Arbeitsrecht/

More information on the current minimum wages in Germany can also be found in the WSI tariff archive www.tarifarchiv.de

An overview of generally binding minimum wages in Saxony (East Germany) for the year 2021 can be found in the following table.

Minimum wages in Saxony in 2021

Branch of industry Occupational group/pay group	from/until	East €/hour.
General statutory minimum wage	01/2021 – 06/2021	9.50 €
	07/2021 – 12/2021	9.60 €
Waste management	10/2020 – 09/2021	10.25 €
	10/2021 – 09/2022	10.45 €
Construction worker		
Worker	from January 2021	12,85 €
Skilled worker	<i>from 01/2021 no data yet</i>	
Training and further education		
Educational staff	01/2021 – 12/2021	16.68 €
Educational staff with Bachelor degree	01/2021 – 12/2021	17.02 €
Roofing trade		
Unskilled worker	01/2021 – 12/2021	12,60 €
Tradesmen	01/2021 – 12/2021	14,10 €
Electrical trade (installation)		
For all employees, as far as they carry out electrical and information technology activities.	01/2021 – 12/2021	12.40 €
Building cleaning		
Interior and maintenance cleaning	01/2021 – 12/2021	11.11 €
Glass and facade cleaning	01/2021 – 12/2021	14.45 €

Money and valuables services

Money and valuables transport	01/2021 – 05/2021	14.42 €
	06/2021 – 12/2021	14.92 €
Cash processing	01/2021 – 05/2021	12.16 €
	06/2021 – 12/2021	12.66 €

General binding not yet granted.

Scaffolding crafts	08/2020 – 09/2021	12.20 €
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Painters and decorators

Unskilled worker	05/2020 – 04/2021	11.10 €
	<i>from 05/2021 no data yet</i>	
Tradesmen	05/2020 – 04/2021	13.50 €
	<i>from 05/2021 no data yet</i>	

Nursing care sector

Nursing assistants	07/2020 – 03/2021	11.20 €
	04/2021 – 08/2021	11.50 €
	09/2021 – 03/2022	12.00 €
Qualified nursing assistants (at least 1 year of training and corresponding activity)	04/2021 – 08/2021	12.20 €
	09/2021 – 03/2022	12.50 €
Skilled nursing staff	07/2021 – 03/2022	15.00 €

Chimney sweeper	from 01/2021	13.80€
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Stonemasonry and stone sculpture	<i>from 05/2021 no data yet</i>	
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Temporary employment	10/2020 – 03/2021	10.10 €
	04/2021 – 03/2022	10.45 €

Statutory minimum wage: Are there exceptions?

In accordance with **Art. 22 MiLoG**, there are exceptions to the statutory minimum wage for the following groups:

- Minors – young people under the age of 18 who have not completed vocational training,
- Trainees – regardless of their age – within the framework of vocational training,
- Interns, if the internship is compulsory within the framework of a school or university education,
- Interns, if the internship is voluntary, lasts up to three months and serves as orientation for vocational training or studies,
- Long-term unemployed (registered without interruption for at least one year with the Federal Employment Agency) during the first six months of their employment,
- Volunteers.

Young people in particular, who have to gain **entry qualifications in the context of internships** are excluded from the minimum wage. According to the legislator, this is not an employment relationship, but an **educational relationship**.

If a compulsory internship is completed during the course of study, the trainee does not receive a minimum wage. **The duration does not play a role**. The same applies to a **voluntary internship that does not last longer than three months**.

These exceptions do not apply to the generally binding industry minimum wages!

Seasonal workers also receive the minimum wage!

Employees who work for a limited period during a season, e.g. in the hotel and restaurant industry, in agriculture or at Christmas markets, receive the minimum wage.

It makes no difference whether they are **German or foreign employees**. The minimum wage generally applies to **all seasonal workers working in Germany**.

Those who work here for less than 102 days a year do not have to pay pension and unemployment insurance contributions. This rule only applies, however, if you work occasionally and not professionally and do not earn more than the income limit of marginal employment (450 EUR per month). This means that this employment must not earn a living wage.

In the case of seasonal workers, **board and lodging may be deducted from the minimum wage**. But be aware! This applies only to a very limited extent. For example, it does not apply if employers are obliged to pay minimum wages for the branch – on the basis of the Employee Secondment Act (AEntG), or on the basis of the Employee Temporary Employment Act (AÜG), i.e. in temporary work. In such cases it is not permissible to charge benefits in kind against the wage.

In cases where it is permitted to charge the costs of board and lodging against the wage, however, at least the amount of the wage exempt from attachment must remain for unmarried persons who are not liable to pay maintenance. At present, the attachment exemption limit is 1,179.99 EUR/month/net. If you earn this sum or less, your employer may not deduct food and lodging costs from your wage.

The amount employers may deduct from seasonal workers' wages depends on the type and quantity of food provided (max. 263 EUR/month) as well as the type and occupancy of the accommodation.

Further information can be found on the website www.zoll.de.

Payment

In Germany the principle applies: **No work without payment!**

Important: The employer owes you your salary even without employment documents and employment contract! Don't let your employer intimidate you or force you to work without pay. You have a right to payment for your work!

The salary is usually paid until the middle of the following month and is transferred to your bank account. You can open an account at any bank, for this you need a copy of your identity card and your registration certificate.

The employer must provide you with a **pay slip** every month. This statement shows **how much you have earned** and **what amounts of tax and insurance are deducted**. The employer pays the income tax directly to the tax office.

Important: Under no circumstances may the employer pay less than the applicable minimum wage.

Attention: The employer often makes payment dependent on a target that you have to meet. This is not always permissible; have your employment contract checked by an advice centre or your trade union! Example: If you clean rooms in a hotel, the employer often determines how many rooms you have to clean in an hour. However, the employer may not reduce your wage below the minimum wage.

Always write down the hours you have worked and secure evidence! The employer must pay every hour you have worked for him, regardless of how many rooms you have cleaned.

The monitoring and control of compliance with the statutory minimum wage is carried out by the Financial Control of Undeclared Work (FKS) of the Customs Administration. The employer must cooperate with the authorities. Since the introduction of the minimum wage there have been additional reporting and documentation obligations for the employer.

If the employer does not pay

The employer has to pay your salary every month. If the employer does not do this, you should take action. Request your employer in writing (by post or fax) to pay your salary. In this letter, state the unpaid hours worked, the amount the employer owes you and a bank account. Set a **deadline of 2 weeks** for payment.

If you notice that your employer is not paying on time, it is best to **contact your trade union or an advice centre** immediately. Do not let yourself be held back and always write down the working hours. Use your mobile phone to take pictures of work and the workplace. Collect as much information about your employer as possible. The more information and evidence you have, the greater your chances of getting your money.

In many industries (construction, building cleaning, food industry) your employer often has a contract with another client, the so-called **general contractor** (e.g. the hotel that is cleaned by your employer's company). Also gather information and evidence about this general contractor or other subcontractors: If your employer does not pay you, in Germany **you can demand the wage from the general contractor** or any company in the order chain that is above your employer.

Attention: Don't wait too long! There are always **deadlines** that determine how long you can claim your salary from the employer or in court. Once **deadlines have expired**, you will no longer be able to receive your salary!

The **deadlines** are specified in the **employment contract** or in the **collective agreement** that governs your employment relationship. Again, contact your trade union or go to a local counselling centre for advice.

The **limitation period for entitlements to statutory minimum wage payments is three years**, i.e. you have to assert your wage claim within a period of three years.

If you have not received a salary for more than 2 months, you can suspend work until your employer pays your salary. However, you must **inform your employer in writing** that you intend to stop working for him because he has not paid. However, before you take this action, seek information from a **trade union or advice centre**.

Consulting hours:

Counselling center in Dresden

	Monday	Tuesday	Wednesday	Thursday	Friday
German	10–12 13–18	10–12 13–18	10–12 13–15	10–12 13–15	10–12
Polish	10–12 13–15	10–12 13–18	10–12 13–15	10–12 13–15	10–12
Czech	10–12 13–18	10–12 13–18	10–12 13–15	10–12 13–15	10–12
Slovak	10–12 13–18	10–12 13–18	10–12 13–15	10–12 13–15	10–12
English	10–12 13–18	10–12 13–18	10–12 13–15	10–12 13–15	10–12

Counselling center in Leipzig

	Monday	Tuesday	Wednesday	Thursday	Friday
German	10–12 13–15	10–12 13–15	10–12 13–18	10–12 13–18	10–12
Polish	10–12 13–15	10–12 13–15	10–12 13–15	10–12 13–18	10–12
Rumanian	10–12 13–15	10–12 13–15	10–12 13–18	10–12 13–15	10–12
Hungarian	10–12 13–15	10–12 13–15	10–12 13–18	10–12 13–15	10–12
English	10–12 13–15	10–12 13–15	10–12 13–18	10–12 13–18	10–12

Other dates are possible by arrangement.

This is how you can reach us:

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