



## Paid leave scheme for blue-collar workers posted to construction sites in Germany

**You have a construction company established in a country outside of Germany and you post workers to construction sites in Germany?**

In that case, your blue-collar workers are entitled to the German minimum working conditions during their posting period. These include leave, remuneration for annual leave and payment of minimum wages. We explain below what you, as an employer, have to consider.

## Who is SOKA-BAU?

SOKA-BAU is a paritarian institution established by the social partners of the German construction industry which manages the paid leave scheme on their behalf. SOKA-BAU consists of the Paid Leave Scheme and Vocational Training Scheme of the German construction industry (Urlaubs- und Lohnausgleichskasse der Bauwirtschaft – ULAK) and the Pension Fund of the German construction industry (Zusatzversorgungskasse des Baugewerbes – ZVK).

## Paid leave scheme

An employer in the construction industry pays contributions to us for every blue-collar worker employed and posted by him.

We open an account for every such blue-collar worker. When a blue-collar worker has taken paid leave, we reimburse the employer for the payment made by him to the blue-collar worker. This is what we call the paid leave scheme. The collectively agreed leave regulation applies uniformly to the entire territory of the Federal Republic of Germany. This is also the reason why all construction companies located outside of Germany are included in this scheme when they post construction workers to construction sites in Germany. Participation in the paid leave scheme is mandatory. You are obliged to pay your blue-collar workers the current minimum wage in the German construction industry. The amount of the current minimum wages is available on our website [soka-bau.de/Europa](http://soka-bau.de/Europa).



## This is how the paid leave scheme works during the period of posting:

### 1. Your registration with us

You register with us in writing before your construction work starts. Important: You are also legally obliged to inform the Central Customs Authority about your construction work (§18 Arbeitnehmer-Entsendegesetz - AEntG).

### 2. Employer number and documents

We will assign you an employer number and inform you about it. We also send you the participation documents in the language of your home country. Please always mention your employer number when you contact us. We also send you an information letter for every blue-collar worker posted by you. Please give the information letter to your posted workers.

### 3. Registration of data

In a next step, you complete the master data forms for you as an employer and for each of your blue-collar workers.

Please return the completed forms to us, as we need them for your registration. When your master data or your blue-collar workers master data change (for example, if a blue-collar worker moves to a new address), please let us have the revised data directly.

### 4. Monthly report and payment of contributions

From now on, you send us an electronic report on a monthly basis. The report contains information on your blue-collar workers gross wage, leave and the number of hours worked. The monthly report must reach us at the latest by the 15th day of the following month. Contributions must be paid no later than on the 20th day of the following month. The contributions are calculated on the gross wages paid.

Example: The monthly report for January must reach us by 15 February; payment of contributions by 20 February.

### 5. Remuneration for annual leave

We enter your report and payment in our system and calculate the leave entitlement for your blue-collar workers. If you grant leave to your blue-collar workers during their posting period, you have to pay them a remuneration for annual leave. You enter the paid amounts in the monthly report.

### 6. Reimbursement

We will reimburse you for the payment of the remuneration for annual leave if your contribution account is balanced and if you meet all other requirements. We will inform you and your blue-collar workers about their current leave entitlements.

### 7. Change of employer

One of your blue-collar workers still has a leave entitlement from his previous employer? If this is the case, he can take leave while he is employed with you as long as he remains posted. We will reimburse you for the payment of the remuneration for annual leave made to the worker.

## In addition, your blue-collar workers have the following rights during the posting period in Germany:

### 1. Duration of leave

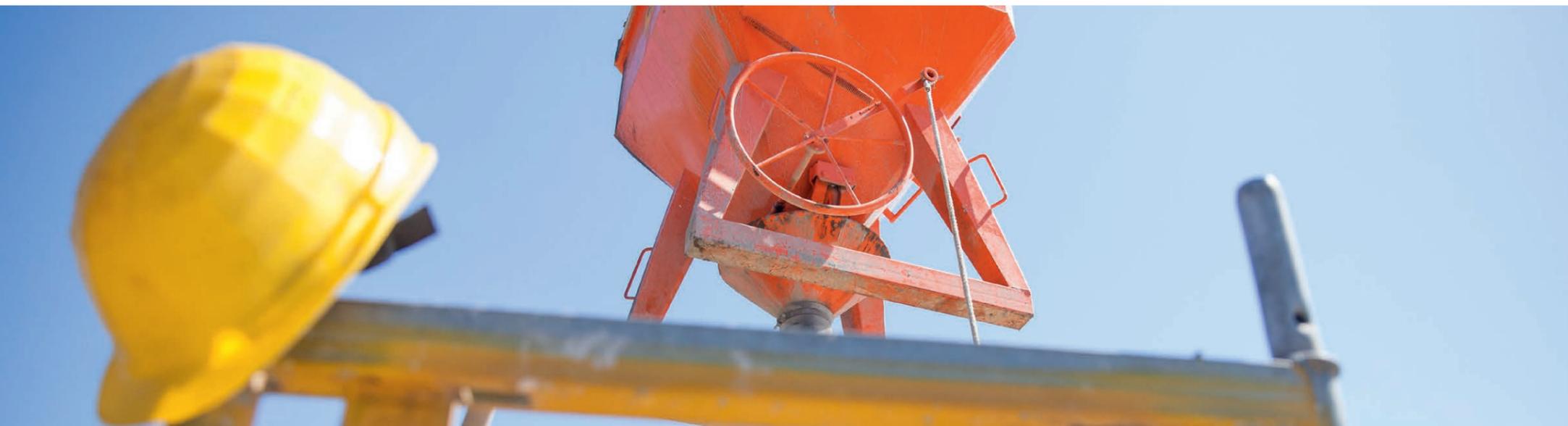
The number of leave days to which your blue-collar workers are entitled depends on the number of employment days in Germany. Every twelve days of employment entitle a blue-collar worker to one day of leave. The annual leave entitlement is therefore **30 days**.

### 2. Remuneration for annual leave

The remuneration for annual leave depends on the gross wage that your blue-collar workers have earned up to the start of their leave. You can find the current rate on our website [soka-bau.de/Europa](http://soka-bau.de/Europa).

### 3. Worker entitlements at the end of posting

- > Your workers can apply for an allowance in lieu of leave in case they have not taken leave during their posting period. We will pay the money directly to your blue-collar workers if all requirements are met.
- > We can only make a payment to your blue-collar workers if their entitlements are financed. This is the case when you have duly paid your contributions to us.
- > When a leave entitlement is forfeited, your blue-collar worker can apply for compensation.





**Do you still have questions? Please do not hesitate to contact us, also in your mother tongue, as follows:**

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