




Work and Life - Counselling Service

Germany

	<p>Summary</p> <p>The Work and Life counselling service has 18 single points of contact across Germany to support EU mobile workers exploited through irregular employment practices. It targets sectors where undeclared work is high (agriculture, construction, social care) and empowers EU mobile workers to obtain regular employment, housing, and social rights. The Information Centre Labour Mobility in Hamburg is particularly active.</p>
<p>Title of the practice in original language</p>	<p><i>Arbeit und Leben - Servicestelle Arbeitnehmerfreizügigkeit (Hamburg)</i></p>
<p>Name(s) of authorities/bodies/organisations involved</p>	<ul style="list-style-type: none"> ▶ German Federal Government (<i>Deutsche Bundesregierung</i>); ▶ Federal state governments (<i>Landesregierungen</i>); ▶ Customs Administration’s Financial Control of Undeclared Work Unit (<i>Finanzkontrolle Schwarzarbeit</i>); ▶ Social partners (esp. the Federal Association of Trade Unions); ▶ Hamburg Welcome Centre; ▶ Work and Life (<i>Arbeit und Leben</i>) - Information Centre Labour Mobility.
<p>Sectors</p>	<p>All</p>
<p>Target groups</p>	<ul style="list-style-type: none"> ▶ Mobile workers from EU Member States exploited by non-compliant employers, including those trafficked for labour exploitation; ▶ Employers with illegal recruitment and employment practices (indirectly targeted); ▶ Regular employers who struggle with competition from non-compliant employers (indirectly targeted); ▶ Compliant employers and citizens who face rising costs due to shortfalls in national tax income (indirectly targeted).
<p>Purpose of measure</p>	<p>Changing attitudes: awareness raising</p>



Aims and objectives

The main objective of the Work and Life counselling service is to ensure fair working conditions and support systems for employed persons from all EU member States, who might lack the language skills and legal expertise to enforce their employment rights in Germany.

Background context

- ▶ In Germany, the total financial loss due to undeclared work and unlawful employment uncovered by investigations (involving fines and criminal charges) of the Customs Administration's Financial Control of Undeclared Work Unit (FKS) amounted to approximately EUR 816 million in 2020 (EUR 755 million in 2019).. In 2019, the German parliament adopted the Act to combat Unlawful Employment and Benefit Fraud. The Act gave the FKS additional responsibilities and powers, created new administrative offences liable for fines, strengthened the FKS's rights with regards to proceedings, and enhanced cooperation and the exchange of data between the participating authorities. It also massively beefed up FKS staffing by stipulating that the unit be given approximately 3,500 additional posts by 2029 in order to implement the Act.ⁱ
- ▶ This was complemented in 2020 by an updated law to regulate temporary work agencies and similar third-party intermediaries. This law required that an agency establishes an employment relationship with the worker before the worker is sent to the agency's clients.
- ▶ Nonetheless, there was a gap in social service provision since EU mobile citizens do not always have access to regular social support systems at local, regional or national level. A total of 18 single points of contact were established in 10 different regions across Germany. The one-stop-shop counselling service reached out to EU mobile workers in their own language and assisted them through mediation, litigation, and training. This was complemented by other social services like housing.

Key objectives of the measure

General Objective:


- ▶ Ensure fair working conditions in Germany for the rising number of EU mobile citizens while reinforcing freedom of movement and the European Pillar of Social Rights.

Specific Objectives:



	<ul style="list-style-type: none">▶ Reach the target group and build trust by advertising support services and communicating in their own language.▶ Assist EU mobile citizens in understanding their rights under German labour law.▶ Identify breaches of employment rights and social rights.▶ Assist EU mobile citizens in establishing lawful and fair employment conditions, either through formal legal recourse or informal mediation.▶ Ensure the fulfilment of the European Pillar of Social Rights by promoting social inclusion through referrals to auxiliary support services such as those providing adequate housing in the community.
Main activities	<ul style="list-style-type: none">▶ Counselling centres were established in geographic and economic areas with high rates of undeclared migrant labour;▶ Networks for close collaboration were set up between the counselling centres, labour offices, social partners, occupational health and safety regulators, customs authorities, law enforcement, international diplomatic networks (e.g., consulates and embassies from the main sending countries). In Hamburg this collaboration is facilitated by the Hamburg Welcome Centre. This allows the counselling centres to become one-stop-shops providing a range of support measures from legal aid to housing assistance;▶ Workers are targeted where they live or close to their workplace, either at urban transport hubs (the Hamburg branch of Work and Life is located next to the main train station) or by setting up mobile counselling centres for rural communities in vans (e.g., in Schleswig-Holstein and Niedersachsen);▶ The counselling service is advertised in the languages spoken by EU mobile workers in the target area, offering advice and information on employment rights in a variety of formats (e.g., websites, printed material, social media, films, training sessions on labour law);▶ Confidential advice and practical support (e.g., accommodation search) is provided in the individual's own language, both face-to-face and remotely;

	<ul style="list-style-type: none"> ▶ The individual's progress is shared with relevant services (e.g. social services) while progress and challenges are communicated to stakeholders in the cross-sectoral cooperation network; ▶ The feedback loop is used to strengthen the regulatory framework while the practice is publicised in other areas covered by the same regulatory framework or in regions and sectors in other Member States which face similar challenges regarding undeclared work.ⁱⁱ
<p>Funding/organisational resources</p>	<ul style="list-style-type: none"> ▶ The Information Centre Labour Mobility in Hamburg is funded the local government (Free Hanseatic City of Hamburg (FHH)). The total funding within the ESF allocated to the counselling service in the 2017-20 operational programme (funding period) was EUR 1 739 957. The annual funding was EUR 434 990 of which 42.5% was provided by the ESF and 57.5% by the FHH. In 2021, the practice was integrated into the regular social budget of the FHH; ▶ The counselling service recruited 4 multilingual counsellors, 1 project manager, 1 assistant and 1 accountant; ▶ A multilingual website allows both employees and employers to book counselling sessions and training.

	<p>Outcomes</p> <p>The Work and Life counselling service reached its target group successfully and provided an average of 1 386 consultations per year to reinforce employment rights. Communicating with individuals in their own language is essential for building trust, helping to integrate them into a local, regional, national, and international network of specialist support services.</p>
<p>Achievement of objectives</p>	<ul style="list-style-type: none"> ▶ In 2019 the Information Centre Labour Mobility in Hamburg was evaluated for the 2014-20 programming period; ▶ The target group has been reached and engaged successfully. Since 2015 the counselling service has attracted around 500 annual users who benefit from an average of 1 386 specialist consultations per year. The service is so well known in the target community that 73%



	<p>of participants accessed the service at the recommendation of a friend;</p> <ul style="list-style-type: none"> ▶ The service providers have successfully identified breaches of labour law and helped workers to rectify them through, for example, mediation between employer and employee (20%), litigation (15%) or other forms of specialist support by liaising with appropriate social services; ▶ The practice has established itself as an indispensable service for the legal and social integration of migrant workers and thereby achieved its objectives. The city of Hamburg has thus decided to include the one-stop-shop counselling service in its regular annual budget.
<p>Lessons learnt and success factors</p>	<ul style="list-style-type: none"> ▶ Providing a multilingual service is essential for reaching target audiences and building trust; ▶ The one-stop-shop model makes public services more accessible and effective; ▶ Close cooperation with labour offices, social housing, law enforcement, customs authorities and embassies allows for synergies within the employment ecosystem; ▶ Employers require training on labour law as much as employees.
<p>Transferability</p>	<ul style="list-style-type: none"> ▶ Except for the national legal framework, all aspects are transferable: cities and regions can provide funding; project promoters can recruit and train multilingual staff; websites, hotlines and counselling centres can be set up to target migrant workers close to their place of work or residence; cooperation networks between existing governance units can be strengthened.

Further information

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Useful sources and resources

Work and Life Hamburg – Service Point for Free Movement of Workers website



<https://hamburg.arbeitundleben.de/arbeitnehmerfreiz%C3%BCgigkeit>

Network of Counselling services across Germany (Arbeit und Leben e.V. DGB/VHS – Beratungsstellen) website

<https://www.arbeitundleben.de/beratungsstellen/beratungsstelle>

Hamburg Welcome Centre website

<https://www.hamburg.com/welcome/14828486/hwc/>

Act to combat Unlawful Employment and Benefit Fraud (Bundesgesetzblatt)

https://www.bgbl.de/xaver/bgbl/start.xav#_bgbl_%2F%2F%5B%40attr_id%3D%27bgbl119s1066.pdf%27%5D_1636389013537

ⁱ Good practice fiche: Act to Combat Unlawful Employment and Benefit Fraud available at: <https://ec.europa.eu/social/BlobServlet?docId=23006&langId=en>

ⁱⁱ The Hamburg branch of the counselling service is in touch with the embassies of the sending countries (who refer their nationals to the counselling service) and they also collaborate with law enforcement of the MS neighbouring Germany. These actors also participate in regular seminars to exchange best practices and information.