FAIRE INTEGRATION

Your rights and responsibilities

Vocational training in Germany



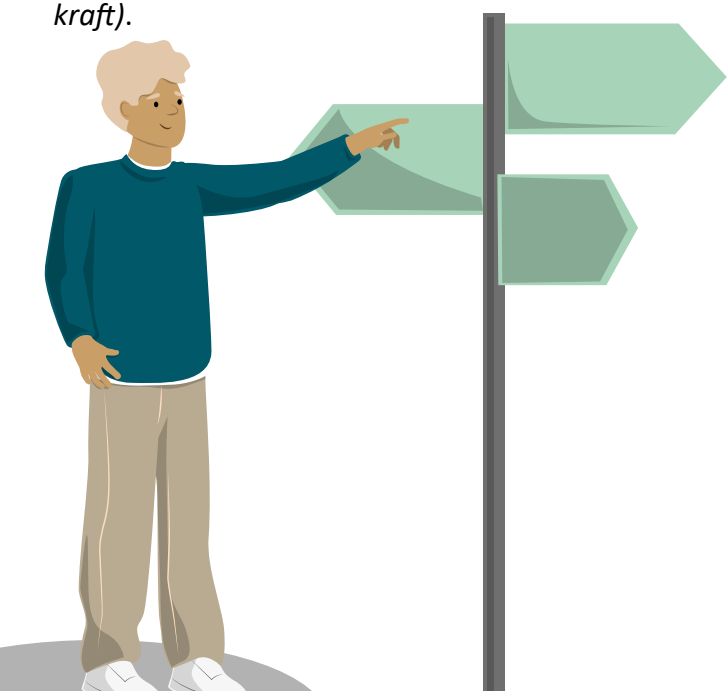
www.faire-integration.de

Advantages of doing vocational training in Germany

Vocational training in Germany offers many advantages: you will **learn the occupation** you will one day work in. And at the same time, **you will already earn money** and gain **practical experience.**

A vocational training course is not a degree course and not an ordinary job. It usually takes 2 to 3.5 years: **During this time, you will learn everything there is to know about the occupation that requires vocational training** *(Ausbildungsberuf)*.

Once you have obtained your **vocational training qualification** *(Ausbildungsabschluss)*, you will be a **qualified skilled worker** *(qualifizierte Fachkraft)*.



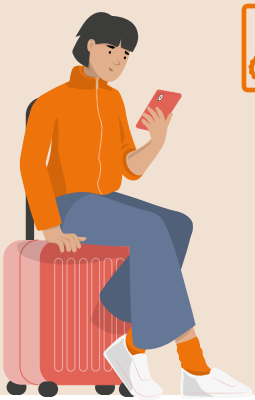
- You will have **a good chance of getting a job** and can start working in your chosen occupation straight away.
- You can **gain further qualifications:** This means, for example, that you can take part in seminars and get to know new fields, or gain new knowledge and skills through further training *(Weiterbildung)*.
- For example, you can also get your master craftsperson qualification (*Meister*):
  A **master craftsperson qualification** is the highest vocational training qualification you can get. To qualify, you will have to learn more theoretical and practical topics after you finish your initial vocational training and then sit a **master craftsperson exam** *(Meisterprüfung)*. After the exam, you will then be a master craftsperson in your chosen occupation. With this qualification you can, for example, **set up and run your own business.**

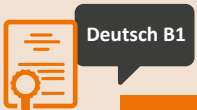
You can find out here what you need to know about your rights and responsibilities during your vocational training.

If you do not understand your training contract *(Ausbildungsvertrag)* or feel that you are not being treated fairly, you can contact the advisors of Fair Integration.

www.faire-integration.de/advice-centres

Overview







Requirements for your vocational training in Germany

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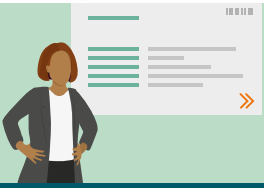



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Requirements for your vocational training in Germany

What do you need to do to come to Germany for vocational training?

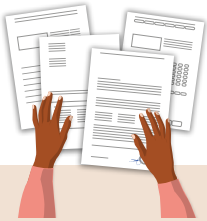


You will need a permit (**visa**) to enter Germany to do vocational training.

You will get this visa if you can provide evidence of the following:

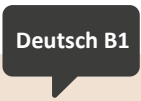
- **a training contract** *(Ausbildungsvertrag)* for a specific training place *(Ausbildungsplatz)*
- **language skills: German B1** *(Deutsch B1)*
- **securing your livelihood** *(Sicherung des Lebensunterhalts)*





A specific training place

You must have a **training contract** with a company or training company in Germany. For this, you usually have to provide certificates (e.g. school-leaving certificates). You will often need **translations of your qualifications** or **you will need to have them officially recognised** *(Anerkennung deiner Abschlüsse)*. Find out in advance which qualification you will need for which vocational training course.



Language skills

Your **level of German is B1**. Level B1 means: you can already understand a lot of German and talk about some topics in German.



Securing your livelihood

You must have sufficient means to support yourself throughout your entire stay.
This means you must be able to pay for everything you need to live (rent, food, etc.).

Please note: The cost of living in Germany may be higher than in other countries.

What requirements do you need to meet?

Before you start your vocational training, you should think about a few things:

What are you interested in?
Do your vocational training in an occupation that you find interesting. **A vocational training course takes up to 3.5 years**; during this time, you will learn a lot.

Which occupations are in demand?
Find out which **occupations requiring vocational training** *(Ausbildungsberufe)* **currently** have **(plenty of) vacancies** in Germany.

Occupations requiring vocational training that are in demand at present:
www.make-it-in-germany.com/en



How does vocational training work in Germany?

Dual vocational training
(duale Ausbildung)

Germany has a **dual vocational training system**. This means that, during your vocational training, there will be a practical part, which you will learn in the company, and a theoretical part, which you will learn at vocational school *(Berufsschule)*.

Your time is usually divided as follows:

3 - 4 days per week: Practical training in the company under the supervision of your trainer.



1 - 2 days per week: Theoretical training at the **vocational school.** On these days, the company must release you from work.



On average, a vocational training course takes 3 years.

School-based vocational training
(schulische Ausbildung)

As well as dual vocational training, there is also school-based vocational training in Germany. In school-based vocational training, you will learn in **vocational schools, vocational colleges or specialist academies** and will not regularly spend time at a company. As a rule, however, there is also a **practical part**, in which you do not only learn theory: e.g. an **internship** *(Praktikum)* in a company or specialised practical lessons at your school. You will be informed about this at the start of your vocational training.

School-based vocational training is available in, for example, the healthcare sector, in the social or technical field, in language-related or creative occupations.

More information about school-based vocational training:
www.arbeitsagentur.de/bildung

The vocational training qualification
(Ausbildungsabschluss)



To achieve your goal, you will have to learn: a lot of what you will learn will also be tested in practical and theoretical exams. **Only if you pass the exams can you get your qualification and successfully complete your vocational training.**

Your rights and responsibilities during your vocational training

Your training contract – what you need to know about it:

Before you start your vocational training, you will sign a training contract with a company or business. **The contract includes the following:**

- **aim and structure of the vocational training**
- **start and duration of the vocational training**
- **place of training, trainer**
- **regular daily or weekly training hours**
- **duration of the probationary period**
- **training allowance** *(Ausbildungs-vergütung)* (the money you get)
- **days of holiday per year**
- **conditions of termination**
- **information on collective agreements and works agreements**



This contract states your rights and responsibilities and how much money you will get.

Under the Vocational Training Act *(Berufsbildungsgesetz – BBiG)***, trainees** *(Auszubildende)* **are given special protection:** The Act contains **rules that must not be agreed** between the training company *(Ausbildungsbetrieb)* and the trainee:

- There must be no requirement for you to work for the company where you did your training after you have completed it. **You must have the option of choosing a different company once you have qualified.**

  Please note: This does not apply if you have already agreed to stay with your training company during the last 6 months. In this case, your employer can require you to continue working for your training company.

- You **do not have to pay any money** for your training; that means **no school fees** (for the vocational school) and **no compensation** (for the practical training).
- Also, your training contract should not include any **contractual penalties**.
- The training company is also **not allowed to prevent you from claiming money** *(Schadensersatz)* **from it if it has done something wrong** (damages).
- And the employment contract must not **specify any flat-rate sums of money** that you have to pay **if you make mistakes**.

If your contract contains such provisions, then they are not lawful. If this is the case, you need to get help.

Here's what you need to know:



Training framework plan: You will be given this plan at the start of your vocational training. **It will specify the content you will have to learn during your training.** The content is structured in such a way that each section builds on the previous one. This means you will keep learning new things and develop **a deeper understanding of the procedures and work processes.** You will also have the right to ensure that **your training programme is followed as planned.** That's the only way you can learn. You should not constantly be given tasks that have nothing to do with your training.



Probationary period: During the probationary period (a maximum of 4 months), the **employment relationship can be terminated without cause** and **at short notice**. This means that your training company can terminate your contract at short notice and without giving any reason. But you can also terminate your contract at short notice and without giving a reason. This period is designed to allow **you and your employer to see whether you are a good match.**



Maximum working time: Working time includes your **time in the company** and the **time** you spend learning at your **vocational school**.

age of the trainee	working time per day	working time per week
under 18 years of age (minor)	**8 hours**	**40 hours**
over 18 years of age (adult)	**8 hours**	**48 hours**



Rest breaks: Rest breaks are **required by law. This means you must take a break!** They are designed to protect you from becoming overworked.

age of the trainee	working time	right to break time (as specified by law)
under 18 years of age (minor)	**4.5 - 6 hours**	**30-minute break**
	more than 6 hours	**60-minute break**
over 18 years of age (adult)	**6 - 9 hours**	**30-minute break**
	more than 9 hours	**45-minute break**



Mistakes are allowed: You are still learning, so it is only natural if you make mistakes. No one is allowed to punish you for accidental mistakes. **You have the right to receive support.**



Safety: Your trainer must give you instructions on safety measures (explaining hazards and protective measures). Also, your company must provide you with **protective clothing and work clothing** if you need them for your work. You are also covered **through the company for accidents.**



Holiday: Your training contract specifies **how many days of holiday** you have. The amount of holiday you get depends on your age and, where applicable, company or collective agreement regulations (you can find more details here: **collective agreements** *(Tarifverträge)* and **works agreeements** *(Betriebsvereinbarungen))*.

Even without provisions in your training contract or collective agreement, **your holiday is defined by law:** If you are already 18 years old, you are entitled to 20 days of holiday with a 5-day week. If you are younger than 18, you are entitled to even more.

Reporting sick: If you are ill, you must report sick. To do this, you must notify your company and your vocational school of your inability to work before the start of work.

To prove that you are unable to work, you must see a doctor. The doctor will give you a **certificate of incapacity for work** *(Arbeitsunfähigkeitsbescheinigung)*. It states how long you are ill. You must give it to your company and the vocational school.

Resitting exams: If you fail an exam, you can sit it again. You can **resit the exam up to two times**. If you have to resit an exam, your training period may be extended.

Please note: Different rules may apply to your vocational training course.





Changing your training company: If you want to change your training company, you can do so: **You are allowed to change company once.**

Please note: If your visa (and your stay) depends on your training place, there are various conditions for this. The best thing to do is to seek advice from the Fair Integration advisors straight away.



Training allowance *(Ausbildungsvergütung)*:
Your training contract specifies your salary.
If a **collective agreement** *(Tarifvertrag)* applies in the training company, your salary will also be specified in it.

If your salary is **not** specified in either contract, you are entitled to the **statutory minimum training allowance.**

You can check the current minimum training allowance here:

www.dgb.de/service/ratgeber/mindestausbildungsverguetung

Termination: During the probationary period you or your training company can terminate the contract **without notice. After the end of the probationary period**, you can terminate your contract with a notice period of **4 weeks**. Your training company can then only **terminate** your training contract on **"exceptional" grounds**. This means that you have behaved badly, e.g. you have often been absent from work without an excuse or you have stolen something.

Please note: If your training contract has been terminated, you must take action against this **within 3 weeks!** Only within this period can a notice of termination still be withdrawn. After the 3 weeks have passed, it will become difficult to do anything about the termination.

The best thing to do is to get advice from the Fair Integration advisors straight away.

You can challenge a termination!





Collective agreements
(Tarifverträge)

A collective agreement is agreed between **trade unions** and **employers** (employers' associations). Collective agreements specify the rights and responsibilities of employees and employers. **They regulate working conditions and contain provisions** on, for example, working conditions, wages, working hours and holiday entitlement. These agreements often apply to entire regions and sectors.



Works agreements
(Betriebsvereinbarungen)

A works agreement is an agreement between **the works council** *(Betriebsrat)* **and the employer**. Without a works council, there can be no works agreements. Works agreements are binding for the company and the employees and apply in the same way as laws or collective agreements.

A works agreement must not violate collective agreements, laws, regulations or EU law. A works agreement specifies, for example, **working time models, health and safety at work or the way the Internet, e-mails and social media are used in the company.**

In the **public sector,** agreements between **the authority and the staff council are called "service agreements"** *(Dienstvereinbarungen)*.

Support during your vocational training

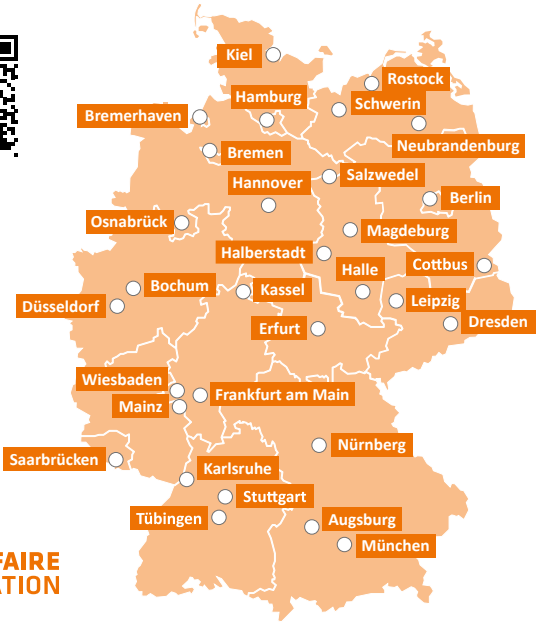
If you **need any help during your vocational training**, you can also **contact your company at any time.**

However, there are also other places you can turn to:

Fair Integration

If you have any questions or do not understand your training contract **before you start your training** or **during your training period**, the best thing to do is to contact the **advisors of Fair Integration:** They offer **free** advice **in a range of languages:**

www.faire-integration.de/advice-centres



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Works council *(Betriebsrat)*

A **works council is made up of employees** who are elected by all the employees. The works council then **represents the interests of all employees** to the employer. By law, a works council can be set up in all companies that have more than 5 employees. If you have any problems during your training or if you feel you are being treated unfairly, you can contact the works council.

Youth and Trainee Representation Council *(Jugend- und Auszubildendenvertretung - JAV)*

If your company has a works council and there are at least five trainees under the age of 18 (minors), there must be a Youth and Trainee Representation Council.**This group represents the interests of the young trainees in cooperation with the works council.** For example, you can contact them if you have to work too much overtime or if you have any questions about your vocational training.



Trade unions *(Gewerkschaften)*

A trade union is an **association of workers in a particular sector.** You can think of a sector as a group of companies that produce similar things or offer similar services. Workers come together voluntarily to represent the **interests of all trade union members with regard to employers and the state. You can also join a trade union during your training.** The trade union can support you if, for example, you need a lawyer or have any general questions about labour law.

Federal Employment Agency
(Bundesagentur für Arbeit)

You can ask for advice from the advisors at the Federal Employment Agency at any time.

www.arbeitsagentur.de/bildung

Youth Employment Agency
(Jugendberufsagentur)

The youth employment agencies help young people if they have any problems or questions relating to training and starting a career.

www.arbeitsagentur.de/institutionen/jugend-berufsagenturen

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