



Fair Integration: advice on employment and social security law

A nationwide service for refugees and migrants from third countries

IQ GOOD PRACTICE
in a nutshell



Addressees for transfer

Federal Employment Agency, job centres, work advice centres, recognition advice centres, further advice centres specialising in employment law, Service Centre against Forced Labour, Financial Control of Undeclared Work Unit, migrant organisations, trade unions

Instrument

The Fair Integration Advice Centres are a nationwide advice service which form part of the IQ Funding Programme. Advice is provided free of charge, anonymously and in various languages for refugees and migrants from third countries.

Project

IQ Competence Centre Fair Integration
Fair Integration Advice Centres

Provider

Provider of the Competence Centre:
IQ Consult gGmbH

Providers of the advice centres:
multiple providers

Project contact partners

Points of contact at the Competence Centre

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Details of points of contact for the Fair Integration Advice Centres are available here: www.faire-integration.de/beratungsstellen

Services

All information relating to the advice centres and the Competence Centre are available on the Fair Integration website alongside information material and details of points of contact: www.faire-integration.de
Content is available in Arabic, English, Dari, Spanish and Russian. French will be introduced in future.

Starting point/challenge

People from third countries who work in Germany are often insufficiently aware of German labour laws. Their employment opportunities are also frequently linked to provisions set out under residence law. These aspects and further factors such as a lack of language knowledge mean that refugees and migrants from third countries are likely to be affected by precarious working conditions. They often do not know to whom they should turn once they find themselves in such unstable employment arrangements, such as when they are not paid or are paid at a level below the minimum wage. Persons seeking advice in such circumstances are usually poorly networked and not members of a trade union. They do not have access to advice or to points of contact with detailed knowledge in the field of employment law who can provide support in circumstances where intercultural or linguistic difficulties may arise.

Implementation

The national Fair Integration Advisory Network was initiated as part of the IQ Funding Programme in order to offer refugees and migrants counselling on matters relating to employment and social security law in a language-appropriate and culturally sensitive way. Advice centres have been delivering free advisory sessions in various languages of origin since 2018. Advice can also be given anonymously if preferred. The aim is to use active and preventative information to notify refugees and migrants from third countries of the employment rights they have and to assist them in asserting these. A multilingual and protected advisory environment helps to break down barriers and to increase trust in the advice services. The objective is to avoid precarious employment relationships and work exploitation.

The advice centres are being implemented by sixteen provider organisations across the country. These providers collaborate closely with stakeholders of the IQ Funding Programme, with further local advisory structures such as Fair Mobility, with individual trade unions, with the Federal Employment Agency, with migrant organisations, with language



schools, and with social institutions.

Preventative information campaigns are also organised to run alongside the individual advisory sessions. Staff from specific occupational groups and sectors, such as construction industry workers and couriers, are recruited to explain the rights and opportunities they enjoy.

In addition to this, advisers from Fair Integration also offer the service users active assistance in the further course of the advisory session. These advisers can provide help in understanding and translating documents. They also draw up enforcement notices directed at employers and escort the service users if possible and as required, including by serving as interpreters in court. The advisers always act in the best interests of the service users and with a view to promoting empowerment. They highlight legal possibilities and issue recommendations, although the service users themselves ultimately decide the direction they wish to pursue in order to resolve their own problem.

A national structure is in place to support the advisers in carrying out their various tasks. The Fair Integration Competence Centre has been set up for this purpose. This centre falls within the remit of IQ Consult, a not-for-profit company dedicated to cosmopolitanism, tolerance and diversity which is a 100-percent subsidiary of BUND, the Education and Training Institute of the German Confederation of Trade Unions

(DGB). The main task of the Competence Centre is to support and coordinate the advice centres. It plans and carries out events that allow the advice centres to network, enables the exchange of professional expertise at case conferences, and uses seminars as a vehicle to train advisers on important labour law issues. The Competence Centre facilitates practical consultancy work by ensuring quality standards and by offering second level support in difficult advisory cases.

It assists further by designing and producing information materials for persons seeking advice. Nationwide public relations work raises awareness of the opportunity for advice and also draws attention to the successes and results of Fair Integration.

Conclusion

The experience from providing advice shows that many third country nationals are insufficiently aware of their rights and that there

is a high level of need for the advice and information offered by Fair Integration. Fair Integration has created an advisory structure to avoid exploitation on the labour market and to prevent precarious working arrangements. Anonymous advice offered free of charge in many languages of origin has enabled third country nationals to receive advice in an innovative and efficient way. This ultimately also ensures fair and sustainable labour market integration.

Advice which focuses on empowerment

Three questions to Mousa Othman, policy expert at the Competence Centre Fair Integration

1. What is special about the advisory services of Fair Integration?

Services users find their way to us via recommendations or via referrals from job centres, from the Employment Agency and from migrant organisations. In my view, the particular feature of Fair Integration is that our advice services are not provided as part of a government measure or similar instrument. Those seeking advice come because they need help. We provide recommendations that are geared towards empowerment. We energise the service users and give holistic advice, during which more than one aspect is usually addressed. We also explain the labour market in Germany, e.g. with regard to which prerequisites offer which prospects. The aim is to motivate rather than merely to inform. The service users are then free to decide for themselves which route to pursue.

2. What are the main topics on which the service users are seeking advice?

The issues concern contracts of employment that have not been understood, unpaid wage claims, unlawful notices of dismissal and the presentation of severance agreements. The-



se are the dominant advice topics. Other frequent matters include lack of clarity regarding working times. Or service users may have questions about existing leave entitlements if they change employers. Employers frequently fail to comply with their duties. They might not provide their staff with enough clarification on work accidents or illnesses. The advice centres then need to follow up on these issues and inform the service users. In serious cases, we also indicate the possibility of legal representation. Intercultural misunderstandings can also sometimes occur, and an advisory session is then able to clear these up. Sensitive topics such as discrimination or harassment in the workplace are also sometimes mentioned in

the advice interviews. In these instances, we can refer the service users to experts from other advisory bodies.

3. How sustainable is the advice concept?

I believe that the sustainability of our advisory approach lies in empowerment. We do not have people who return to seek advice a second time. In fact, the advice centres are constantly welcoming new service users. We help them to act autonomously in asserting their rights and therefore in pushing for better working conditions. It is very important for us that those seeking our advice are able to see for themselves what they can change and that they do not become dependent or vulnerable. Preventatively passing on information, such as at information events or via individual initiatives with employers at a local level, is also highly sustainable: Participants transfer information to their networks, to friends, to relatives and to colleagues and notify them in turn of our advisory services. We work very closely with labour market stakeholders, who support us in this preventive work in order to work together on identifying approaches to improve work reality for migrants.

Legal notice

The IQ Competence Centre Fair Integration and the Fair Integration Advice Centres are financed within the scope of the IQ Funding Programme.
www.netzwerk-iq.de

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