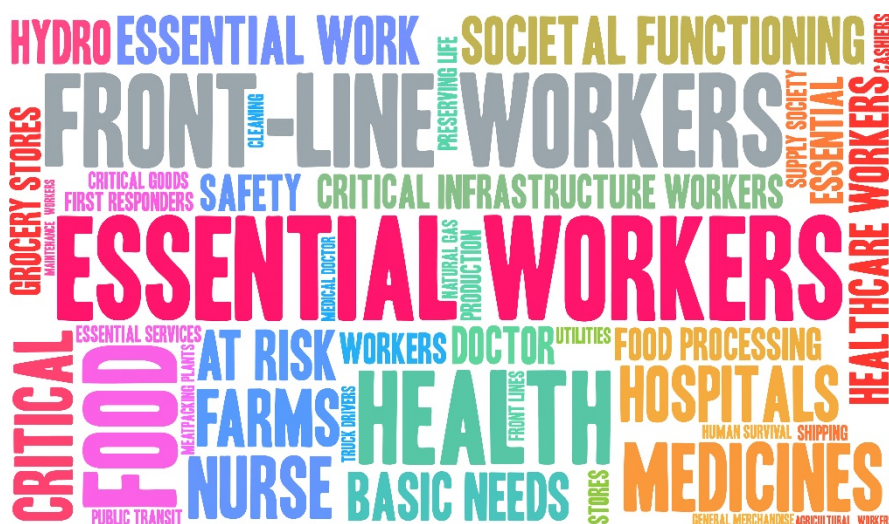


Annex 3.2. - Country study on Germany



Revaluation of working conditions and wages for essential workers

Annex 3.2. - Country study on Germany

Abstract

This country case explores the situation of essential workers in Germany in the context of the COVID-19 emergency, with a focus on women and migrant workers in low-paid frontline occupations. The study provides first a definition of essential workers in this country, together with key socio-demographic characteristics. It then analyses, based on existing literature and selected stakeholder interviews, the main impacts of COVID-19 on their working conditions. Finally, it illustrates key policy measures and agreements undertaken in Germany to support essential workers and their personal and professional lives.

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LIST OF ABBREVIATIONS

BiB	German Federal Institute for Population Research
BJV	German Federal Justice Office
BMAS	German Federal Ministry of Labour and Social Affairs
BMG	German Federal Health Ministry
BMI	German Federal Ministry of the Interior
BVAP	German Health Care Employees Umbrella Organization
DGB	German Trade Union Confederation
IAB	German Institute for Labour Market Research
NDR	Northern German Broadcasting
NGG	Food, Beverage and Catering Trade Union
Ver.di	German Trade Union in Services

EXECUTIVE SUMMARY

Background

This case study was carried out within the broader context of shedding light on the working conditions of essential workers. In particular, the case study focuses on Germany and on the key characteristics of essential workers in the country, key policy measures undertaken and their implications.

Aim

The objective of this study was to identify the definition of essential workers used in Germany, and the key socio-demographic characteristics of such workers, with particular attention to low-income occupations and in four specific sectors. Moreover, based on existing literature and interviews with selected stakeholders in the country, the study explores the key impacts of COVID-19 on the working conditions of essential workers. The study also reports the key policy measures undertaken at central, local and organisational level to support essential workers during the emergency. Based on the above, the study aims to assess the overall support given to essential workers and suggests possible policy interventions.

Key Findings

Germany did not have a unique and official definition of essential workers. Before the emergency, the country had a definition of essential infrastructures ("*systemrelevante Infrastruktur*"). Based on this pre-existing definition, in early 2020 emergency measures were enacted to contain the spread of the virus. "Essential" occupations are generally considered necessary to maintain basic services such as health care, social care, food production and transport. A list of "systemically relevant sectors" was published by the Federal Ministry of Employment and Social Affairs (BMAS) on March 30 in 2020. The list covers so-called essential "sectors" (not directly occupations) and covers a number of "essential" or "system-relevant" occupations, which were exempted from the limitations that other occupations faced during the pandemic, notably during lockdowns. The sectors included: energy, water and waste management, food and hygiene, information technology and telecommunication, health, finance and economic system, transportation, media, public administration, education and social services.

Approximately 13 million people are employed in Germany (with standard contracts) in these sectors. Including non-standard contracts, the estimate is even higher. Essential workers are predominantly women (60 % according to studies) and involved in interpersonal occupations. The median income in low-paid occupations within essential sectors is lower than the median income in low-paid occupations in non-essential sectors, thus showing the vulnerability of these groups of workers.

When considering the main impact of COVID-19 on specific sectors and occupations, studies show that essential workers reduced their working time less frequently than non-essential workers. The impact of COVID-19 was different according to the specific sector considered. In the agricultural sector and in food production, the pandemic highlighted existing precarious and unsafe conditions in the country. COVID-19 clusters happened in the meat industry, due to its sub-standard working conditions (crowded, without available masks and other protection mechanisms). The industry in Germany is reported to have lower wages and poorer conditions – compared to adjacent countries such as Denmark, Belgium, the Netherlands and France – due to a structural use of so-called *Werkverträge*, i.e. outsourcing of activities to subcontractors, which was not illegal per se but often translated into lower working standards. The use of such subcontractors has now been made impossible, due to a new norm issued by the German Parliament exactly in response to the situation in the meat industry and the COVID clusters.

Another key sector impacted in Germany has been health and personal long-term care, where workers also continued working during the pandemic and were exposed to great worry and distress, sources report. Many workers report the stress of infecting the care-receivers, of having to adapt to quickly changing processes and procedures, and of working under heavy workload whenever colleagues were in quarantine or ill. The conditions in the care sectors have given rise to some interventions and consideration, at least during the peak of the emergency.

Lastly, looking at workers in mail and package delivery, specific impacts could be identified, such as the increased workload due to changing consumption behaviours, resulting in longer shifts and changed processes to adapt to an unexpected and considerable increase in orders, and a higher, volatile volume of orders across distribution hubs. The lack of protective equipment such as masks and gloves increased the level of psychological distress among workers.

When considering the key policy interventions, collective agreements and measures taken to support essential workers, the analysis shows that most measures targeted the health and care sector, in the form of one-time financial support (in the range of EUR 1,000-1,500 per person, depending on effective working time) as payment for the distress and risk undertaken. Also in the public sector, collective agreements defined a one-time payment of about EUR 600 per worker.

At collective bargaining level, not immediately during the pandemic but in the following months, some progress was made – according to social partners – on agreeing on more extensive collective bargaining coverage in the elderly and healthcare sector, based on the assumption that on average, workers under collective bargaining enjoy more safety and better working conditions. Such measures are still in discussion/deployment and their impact will become evident in the near future.

Overall, key measures adopted during the emergency were of a financial, one-time nature, and were not differentiated based on the actual needs or situation of the worker. Some first structural initiatives were taken in the months following the peak of the pandemics and will be further developed in 2022, such as increasing controls in the meat industry with the prohibition of subcontractors in specific activities, and the new healthcare reform starting 2022, together with the extension of collective coverage in long-term care as mentioned above. The public debate on platform workers and their working conditions also increased.

The analysis undertaken uncovers three key policy suggestions that would allow the focus on essential workers to continue, leveraging the intense interest that these workers have received in recent months.

First, studies and interviewed stakeholders point out how important it is to keep consistency and coherence in the public debate, avoiding raising unrealistic expectations on the one hand, and "forgetting" the contributions of essential workers during the pandemic on the other hand. Secondly, many sources stress the importance of not only focusing on financial support but rather focusing on working conditions as a whole, considering quality of life, workload, safety and work-life balance. Thirdly, this can particularly be achieved by leveraging collective bargaining agreements, sectoral agreements and other overarching agreements that can bind employers and employees to higher standards of working conditions.

1. NATIONAL DEFINITION, SHARE IN OVERALL EMPLOYMENT AND MAIN CHARACTERISTICS OF ESSENTIAL WORKERS BEFORE COVID-19

KEY FINDINGS

Analysis shows that Germany did not have a unique and official definition of essential workers. Before the emergency, the country had a definition of essential infrastructures and based on this pre-existing definition, in early 2020 the central bodies issued emergency measures to contain the spread of the virus.

The list of essential sectors issued by the Ministry of Labour and Social Affairs encompassed the following sectors: energy, water and waste management, food and hygiene, information technology and telecommunication, health, finance and economic system, transportation, media, public administration, education and social services.

Approximately 13 million people are employed in Germany (with standard contracts) in these sectors. Considering non-standard contracts, the estimate is even higher.

Considering the variety of occupations and task-complexity involved in essential occupations, it can be shown that different clusters of essential workers exist and that the greater part enjoys rather good working conditions in standard contracts. Essential workers are predominantly women (60 % according to studies) and involved in interpersonal occupations. In the country, the median income in low-paid occupations within essential sectors is lower than the median income in low-paid occupations in non-essential sectors, thus showing the vulnerability of these workers' groups. Migrant workers represent an important component of essential workers, particularly in occupations related to cleaning services, eldercare, mail and logistics.

According to literature and interviews, Germany does not have a unique and clear, formal definition of 'essential workers'¹. The German expression for essential workers is *systemrelevante Berufe*, i.e. – strictly translated – occupations which are relevant, critical to the system (overall economic system)². In fact, previous to the COVID-19 emergency, there only existed a **list of essential infrastructures, but not of essential (i.e. system-relevant) jobs and occupations per se**³. Such infrastructures included key energy plants, water, food production, information technology infrastructure and telecommunication

¹ Tolios, P., 2020, *Systemrelevante Berufe. Sozialstrukturelle Lage und Massnahmen zu ihrer Aufwertung*, Rosa-Luxemburg-Stiftung. Available at: <https://www.rosalux.de/publikation/id/43750/systemrelevante-berufe>, p. 8. In support of this statement, Tolios shows how official legislation and interventions across 2020–2021 progressively extended and changed the list of occupations involved, as the situation was fluid and subsequent corrections were needed.

² Interestingly enough, the expression 'system-relevant' is particularly used and well-known in German-speaking countries since the financial crisis of 2008 to refer to large financial players that were considered 'too big to fail', because of their being system-relevant. The expression has undertaken an interesting semiotic shift and is now used to refer to essential, frontline workers.

³ BMI, 2009, *Nationale Strategie zum Schutz kritischer Infrastruktur*. Available at: https://www.bmi.bund.de/SharedDocs/downloads/DE/publikationen/themen/bevoelkerungsschutz/kritis.pdf?__blob=publicationFile&v=3.

infrastructures, health, finance and insurance, transport and distribution⁴.

With the outbreak of the COVID-19 emergency, it was based on this existing list of infrastructure that the decisions for lockdowns were taken, merged with the assessment of the specific type of risk that was anticipated. This risk is different, also within the same sector, depending on the specific occupation and its relevant tasks.

The Ministry of Labour and Social Affairs (BMAS) issued on March 30, 2020 a list of essential sectors⁵, while a formal listing of essential occupations is not available in Germany⁶.

One of the key studies available on essential workers during COVID-19 identifies the following sectors⁷: 1. administration; 2. police, criminal services, judiciary; 3. healthcare, obstetricians, emergency support; 4. education, social workers; 5. storage, post, logistics, distribution; 6. elderly care; 7. food production and processing; 8. agriculture; 9. retail; 10. cleaning; 11. safety; 12. food sales and retail⁸.

Overall, workers in these sectors represent an important share of all employed people in the country. Tolios (2020) estimates a total of approximately **13 million essential workers with standard employment contracts**, of which almost 60 % (7.8 million) are female⁹.

Arbeitsagentur data from July 2021 reported in Table 1 for selected essential sectors¹⁰, show that around 8 % of workers in these sectors are employed in mini-jobs.

⁴ BJV, 2016, BSI-Kritisverordnung vom 22. April 2016 (BGBl. I S. 958), die zuletzt durch Artikel 12 des Gesetzes vom 23. Juni 2021 (BGBl. I S. 1858) geändert worden ist. Available at: <https://www.gesetze-im-internet.de/bsi-kritisv/BJNR095800016.html>.

⁵ Such list, available at Lokalkurier, 2020, *Alle Menschen, die in systemrelevanten Berufen beschäftigt sind, sollen berücksichtigt werden*, with reference to BMAS Document which was published in 2020 at, <https://www.bmas.de/DE/Schwerpunkte/Informationen-Corona/Kurzarbeit/liste-systemrelevante-bereiche.html>, encompassed the following sectors: energy, water and waste management, food and hygiene, information technology and telecommunication, health, finance and economic system, transportation, media, public administration, education and social services.

⁶ Tolios, P., 2020, p. 8; BiB Bevölkerungsstudien, 2020, *Eltern während der Corona-Krise. Zur Improvisation gezwungen*, Wiesbaden. Available at: <https://www.bib.bund.de/Publikation/2020/Eltern-waehrend-der-Corona-Krise.html?nn=9751912>, p. 16: a list of sectors is provided, based – according to authors – to own elaboration and the BSI-list.

⁷ Tolios, P., 2020, p. 9.

⁸ Due to the absence of a formal list, available studies on essential workers use different definitions and interpretation of existing data. Figures provided in this report underline the data source and specific differences between studies, when relevant.

⁹ Based on *Arbeitsagentur* data, in Tolios, P., 2020, p. 20; it does not consider non-standard contracts.

¹⁰ Data available at: https://statistik.arbeitsagentur.de/Statistikdaten/Detail/202106/iiia6/beschaeftigung-sozbe-monatsheft-wz/monatsheft-wz-d-0-202106-pdf.pdf?__blob=publicationFile&v=1. Please note that sector split/aggregation might be different from other studies based on micro-data available – see footnote 8.

Table 1: Workers with standard contracts or with only minijobs contracts in selected sectors

Sector	Standard contracts*	Only Minijobs**
Healthcare	2,642,700	258,400
Elderly care and social workers	2,519,100	194,400
Logistics and storage	1,892,400	262,100
Agriculture, fishing, mining, energy and water management	827,000	89,400

Source: Arbeitsagentur data, July 2021.

* Workers with standard contracts enjoy full social security benefits (e.g. unemployment benefits; Kurzarbeitergeld). They include both full-time and part-time workers.

** Minijobs (*geringfügig Beschäftigte*), i.e. jobs with max income up to EUR 450 per month, which do not include the same social security benefits and coverage as standard employment. Minijobs are also often performed as secondary jobs along a regular part-time or full-time employment. In the last column is the number of workers who rely on minijobs only.

Despite the important differences across sectors and occupations, available analyses allow us to draw some shared features of essential workers. First, it is useful to point out that the variety of essential occupations is reflected in a number of very different tasks, requirements, and working conditions. The majority of essential workers enjoys "rather good working conditions" (Nivorozhkin, Poeschel, 2021). Nivorozhkin, Poeschel, (2021) show - using detailed data on job characteristics, including tasks, educational requirements and working conditions (a representative sample of 2.500 individuals, longitudinal) - that five clusters of essential workers of widely different sizes could be identified: "Standard jobs with rather good working conditions (Cluster A) alone account for 61% of jobs in essential occupations. White-collar jobs with good working conditions account for another 16% (Cluster B). Mostly standard jobs with bad working conditions account for still 12% (Cluster C); and a cluster of often temporary jobs with rather bad working conditions makes up 8% (Cluster D). Another cluster of generally temporary jobs (Cluster E) exhibits better working conditions but accounts for only 3% of jobs in essential occupations"¹¹.

Drawing on analysis from further sources, some additional characteristics can be detailed:

- A **gender** polarisation: 60 % of essential workers are female, as opposed to 35.7 % female non-essential worker¹² (based on SOEP-Mikrozensus data, approx. 370.000 private households covered). Looking into specific sectors, even higher percentages of female representation can be found: over 80 % are female in health and care, in medical laboratories, in social work, and in food sales and retail¹³.

¹¹ Nivorozhkin, A., Poeschel, F., 2021, *Working conditions in essential occupations and the role of migrants*. EUI Working Paper, RSC, 2021/40, p. 5.

¹² Tolios, P., p. 20.

¹³ Tolios, P., p. 20.

- An important share of immigrant workers (with **migration background**, born abroad): 39.3 % in cleaning services; 26.3 % in elderly care; 25.3 % in mail and logistics¹⁴. Of all non-standard employed in essential occupations, migrants make up 27 % as opposed to 14.9 % of all non-precariously employed¹⁵.
- Around 34 % of German **parents** with at-home children under 12 years (3.6 million out of 10.6 million parents) are employed in essential sectors: approximately 340,000 in hospitals, 310,000 in public administration and 140,000 in cleaning¹⁶. There are approximately 305,000 **lone parents** with essential occupations in Germany¹⁷.
- Those in **low-paid occupations in essential sectors** are paid less than the low-paid in other sectors: the study shows that lower-paid occupations (*Helfer*in*, lower-skilled) in essential sectors have a median income which is EUR 260 lower than comparable low-skilled jobs in non-essential sectors (11.1 % of the median). The difference decreases for progressively higher-skilled occupations: for skilled workers (*Fachkraft*) the difference is EUR 284, which is 9 % of the median; for professionals (*Spezialist*in*) the difference is EUR 301, which is 6.8 % of the median; for the higher-skilled (*Expert*in*) the gap decreases even more, with EUR 250 and 4.5 % of the income median¹⁸.
- Essential workers are employed mostly in **interpersonal occupations**, with a low rate of automation until now, but increasing potential for it¹⁹.

From an industrial relations perspective, health and personal care, as well as private logistics and mail delivery services, do not have overarching bargaining in place²⁰. Although historically Germany has a model of strong cooperation between state and social partners, in the past two decades the number of individuals in collective-bargaining-covered contracts (*tarifgebundene Beschäftigte*) decreased from 76 % in West Germany and 63 % in East Germany in 1996 to 56 % and 45 % respectively in 2018²¹. This structural feature has important implications for the specific sectors focus of this study.

¹⁴ DeZIM Research Notes, 2020, *Systemrelevant und prekär beschäftigt: Wie Migrant*innen unser Gemeinwesen aufrechterhalten*. Available at: https://dezim-institut.de/fileadmin/Publikationen/Research_Notes/DRN_3_Systemrelevante_Berufe/ResearchNotes_03_200525_web.pdf, based on Mikrozensus data 2018, p. 5.

¹⁵ DeZIM Research Notes, 2020, p. 7.

¹⁶ BiB Bevölkerungsstudien, 2020, p. 16. Data from Mikrozensus 2018, p. 20. This study uses a slightly broader definition of essential workers compared to Tolios, P., 2020.

¹⁷ BiB Bevölkerungsstudien, 2020, p. 23.

¹⁸ Tolios, P., 2020, p. 20. The study presents a detailed analysis of income not only across different sectors, but also across different complexities, differentiating between low-skilled, professional workers, specialised workers, and experts. While income for experts does not differ much across sectors and between essential/non-essential workers, it is in the lowest-paid range (low-skilled) that the difference for non-essential jobs is at its highest.

¹⁹ Tolios, P., 2020, p. 31.

²⁰ For the elderly care sector, see for instance Ver.di, 2018, *Der Weg zur flächendeckenden Tarifregelung in der Altenpflege*. Available at: https://www.boeckler.de/pdf/v_2018_12_11_sylvia_buehler.pdf.

²¹ Tolios, P., 2020, p. 29.

2. MAIN IMPACTS OF THE COVID-19 PANDEMIC ON THE WORKING CONDITIONS OF ESSENTIAL WORKERS

KEY FINDINGS

Studies show that essential workers reduced their working time less frequently, compared to non-essential workers. The impact of COVID-19 changed, based on the specific sector considered. In the agricultural sector, where approximately 1 million people are employed, and in food production, the pandemic showed existing precarious and unsafe conditions in the country. COVID-19 clusters happened in the meat industry, due to its sub-standard working conditions (crowded, without available masks and other protection mechanisms). The industry is known in the country for its relatively low collective bargaining coverage and the unsatisfactory working conditions.

Another key sector impacted in Germany has been health and personal long-term care, where workers also continued working during the pandemic and were exposed to great worry and distress, sources report. Many workers report the stress of infecting the care-receivers, of having to adapt to quickly changing processes and procedures, and of working under heavy workload whenever any colleague was in quarantine or ill. The conditions in the care sectors were also particularly in the public eye and have given rise to some interventions and consideration, at least during the peak of the emergency.

Compared to non-essential workers, research shows – as expected – that essential workers in Germany reduced their working time less frequently, worked mostly at the same workplace as before the Corona pandemic (as home-office possibilities were very limited), and had fewer worries about financial resources and their own job position. In addition, none of these indicators changed relevantly during the time of the Corona virus²².

Irrespective of the sector in which they are active, being an essential worker has indirect implications for important decisions at household level, as the following box shows.

Box 1: COVID-19 impact on income of households

COVID-19 impact on income of households with children and at least one essential worker parent. A Federal Institute for Population Research (BiB) analysis

The BiB study reports an interesting analysis on the indirect implications of working continuity for a *household with one or two essential worker parents*. Due to a structurally different median income between men and women in essential occupations, and due to the limits of child care offered during the first lockdown, if a choice was possible women would stay longer at home to take care of children while the father (more frequently with a higher income) would continue working. If the mother was an essential worker however, this decision was not possible as they had to continue working by law, and then the father had to stay home, resulting in higher income losses²³.

Source: BiB Bevölkerungsstudien, 2020.

However, the impact of COVID-19 has been different depending on the specific sector considered – due to different structures, risks, needs and interventions. This section focuses on four key essential

²² Bünning, M. et al. (2020).

²³ BiB Bevölkerungsstudien, 2020, p. 25.

sectors (agricultural; health and personal care; transport; food distribution) and outlines key features and impacts of the COVID-19 emergency on workers, together with some cross-sectoral analysis.

2.1. COVID-19 impact on the agricultural sector

The primary sector in Germany employs several hundred thousands people, as shown in the previous section (see Table 1: 827,000 standard-employed in agriculture, fishing, mining, energy and water management). Several subsectors of this industry are characterised by low unionisation and recurring cases of poor working conditions. COVID-19 impacted on this sector in two key ways: on the one hand, creating particularly severe infection clusters due to unsatisfactory working and safety conditions; on the other hand, due to COVID-19 and the disruption of certain agricultural activities, some migrant workers returned home, thus losing their livelihood and leaving gaps in agricultural activities. To address this shortage, increasing quotas of migrants were allowed for specific agricultural activities²⁴.

In particular, it is the higher infection risk due to working conditions that is relevant to the debate on working conditions. In Germany, a specific case brought to the forefront of public opinion was the link between a lack of safety regulations and COVID-19 infections. This case was related to COVID-19 clusters in the **meat industry**²⁵. Several clusters developed in North Rhine-Westphalia and Baden-Württemberg, leading to the closure of specific plants and the lockdown of larger areas (for instance in Gütersloh, 7,000 people were put under strict limitations²⁶). The clusters unveiled to public opinion the non-regulated and non-legal working conditions in which workers, often migrants, were employed: lack of safety clothing and equipment, and lack of social distancing in the plants and in the dorms where workers were often obliged to live together²⁷.

The meat industry had already been the focus of specific discussions and limited regulations. The industry in Germany is reported to have lower wages and poorer conditions – compared to adjacent countries such as Denmark, Belgium, the Netherlands and France – due to a structural use of so-called *Werkverträge*, i.e. outsourcing of activities to subcontractors. The usage of *Werkverträge* is not illegal per se and is allowed when part of an activity, for lack of resources or competences, is outsourced to another entity. However, this type of contract has been in the spotlight of social partners for being linked with lack of regulation, lower wages, and in general being considered as a way to avoid complying with existing standards and wages (see IAQ Report 2020). Efforts in past years to prompt the industry to self-regulate were only partially successful, and the Ministry for Labour and Social Affairs (BMAS), following the clusters of infections in 2020 promoted additional legislation enforced since 1 January 2021 to improve working conditions and agreements²⁸. Unions are comparatively weak in the industry due to fragmentation of the subcontractors, and a high share of migrants and seasonal

²⁴ Open Society Foundation, 2020, COVID-19, Agrar- und Lebensmittelsysteme und Migrantenarbeit. Die Situation in Deutschland, Italien, den Niederlanden, Spanien und Schweden. Available at: <https://www.opensocietyfoundations.org/uploads/b2302bc7-c8da-4d01-84f2-6797e0dd1450/covid-19-agrar-und-lebensmittelsysteme-und-migrantenarbeit-20201009-report.pdf>, pp.6–8.

²⁵ Bosch, G. et al., 2020, *Corona-Hotspot Fleischindustrie: Das Scheitern der Selbstverpflichtung*, Duisburg, IAQ-Report 2020-07. Available at: https://duepublico2.uni-due.de/servlets/MCRFileNodeServlet/duepublico_derivate_00072460/IAQ-Report_2020_07.pdf.

²⁶ Deutschlandfunk, 2020, *Warum die Arbeitsbedingungen in Schlachtbetrieben so prekär sind*. Available at: https://www.deutschlandfunk.de/covid-19-ausbrueche-warum-die-arbeitsbedingungen-in-2897.de.html?dram:article_id=476511.

²⁷ Bosch, G. et al., 2020.

²⁸ BMAS Pressemitteilung, 2020, *Bundeskabinett verabschiedet Arbeitsschutzkontrollgesetz*. Available at: <https://www.bmas.de/DE/Service/Presse/Pressemitteilungen/2020/bundeskabinett-verabschiedet-arbeitsschutzkontrollgesetz.html>.

workers.

Similar cases and debates also occurred in the **asparagus and strawberry picking sector**, in spring 2020 and spring 2021, periods characterised by more or less strict lockdowns in the country²⁹.

2.2. COVID-19 impact in the health and personal care sector

Employees working in **health and elderly care institutions** were impacted by COVID-19 at different levels, as reported by interviewees for this study. For example, in the long-term care institution affiliated with the interviewed stakeholder, at least 50 % of employees, and in some care centres up to 80 %, have a migration background (first or second generation). However, the migrant background was not reported as a specific driver of risk, while this was more related to the age of care givers: *younger age* was in some cases related to a certain 'lighter' attitude towards regulations (and later vaccines) because of the on-average lower risk of heavier health implications for younger people. Overall, the key impacts on workers' conditions reported by interviewees and literature are the following:

- worry and distress due to the risk of infecting elderly people under their care and responsibility³⁰;
- in the first months, insufficient protective equipment (in autumn, the organisation of one of the interviewees spent approximately EUR 100,000 in one month, just on masks and equipment for colleagues);
- uncertainty and distress related to unclear and fast-changing processes and procedures due to changing regulations, as well as to changing COVID-19 data and corresponding national/regional measures; employees have to adapt in a very short timeframe to new procedures³¹;
- increased workload in care centres and institutions because of employees in quarantine due to COVID-19 clusters;
- a decrease in volunteers in care institutions who were not available as before, and in apprentices, who were more likely to interrupt their vocational learning paths;
- increased self-awareness and a certain implicit expectation that something in the sector would change, due to the increased public and political attention that the sector and employees had benefitted from.

While at the moment there is no evidence on the impact of COVID-19 on the sector, some research has commenced and it should deliver interesting, comprehensive data. For instance, the study CoronaCare, still ongoing, is investigating the impact of the Corona virus on the life of care workers, and will be able to provide additional elements³².

²⁹ For press coverage on this topic see for instance TAZ, 2020, *Arbeitsquarantäne auf Spargelhof*. Available at: <https://taz.de/Arbeitsquarantaene-auf-Spargelhof/!5765810/>.

MDR, 2021, *Probleme bei der Einreise von Erntehelfern*. Available at: <https://www.mdr.de/nachrichten/deutschland/panorama/spargelernte-erntehelfer-corona-100.html>.

³⁰ See for instance: RBB24, 2020, *Interview mit Krankenschwester im Corona-Patientenkrankenhaus*. Available at: <https://www.rbb24.de/panorama/thema/2020/coronavirus/beitraege/interview-krankenschwester-corona-patienten-krankenhaus-berlin.html>.

³¹ See also Rheindorf, J. et al., 2020, *Wie erleben Pflegefachpersonen die Corona-Pandemie?*, in *Pflege Zeitschrift*, 73(8), pp. 50–53. Available at: <https://doi.org/10.1007/s41906-020-0761-4>.

³² See Medizinische Hochschule Brandenburg website, 2021, *CoronaCare*. Available at: <https://www.mhb-fontane.de/coronacare-de.html>.

2.3. COVID-19 impact on the transportation sector

The transport sector underwent a severe increase in volatility of demand due to the lockdown and changing behaviours. Approximately half a million individuals are employed in the delivery of packages and mail³³. Studies suggest a differentiated impact on companies and employees. For some goods, the first weeks of the lockdown were difficult because of the decrease of orders, as people only bought groceries and essential products. However, already since April 2020, demand has increased across different categories and achieved pre-Christmas levels (the most intense time of the year for package delivery), because of changing consumer patterns – people increasingly bought online products that they had previously bought in brick-and-mortar retail, thus leading to large increases in transportation and delivery³⁴.

According to interviewed stakeholders and literature³⁵, employees assigned to the delivery of mail and packages were impacted in different ways:

- Workload increased due to changing consumption behaviours, resulting in longer shifts and changed processes to adapt to an unexpected and exponential increase in orders, and a higher, volatile volume of orders across distribution hubs.
- At least in the first months of the pandemic, the lack of protective equipment such as masks and gloves increased the level of psychological distress among workers. It was only after a couple of months that contactless delivery was available with sufficient coverage throughout the country³⁶.
- Due to the emergency situation in the first few months, and the closure of small retail and bar/restaurant facilities, logistics employees were facing problems in accessing toilets and hygiene facilities (in usual times they went to bars/specific check points, to use toilets and to buy food and drink).

Workers involved in long-haul logistics and distribution had to face significant disruptions. Germany, as transit country across Europe, saw its borders close down and several trucks and distributors had to wait at the borders for a long time, waiting on the highways under precarious hygiene conditions, as interviewees report. As also reported by interviewees, the closing of borders exacerbated the situation because many workers with a migration background had to go back to their countries.

Several sources point towards a certain 'normalisation' of the sector in 2021, at least in terms of volume and perspective³⁷.

³³ KEP-Studie, 2020, Analyse des Marktes in Deutschland. Available at: www.biek.de.

³⁴ Ibid. p. 43.

³⁵ Ibid. p. 41.

³⁶ Nevertheless, in May, the consumers association pointed out how delivery is possible as contactless but still under sight surveillance, albeit at a distance – it is not possible for the employee to just drop the package without a distance interaction with the buyer. See for instance Verbraucherzentrale, 2020, *Paketzustellung in der Corona-Zeit: Einfach Abstellen geht nicht*. Available at: <https://www.verbraucherzentrale.de/aktuelle-meldungen/vertraege-reklamation/paketzustellung-in-der-coronazeit-einfach-abstellen-geht-nicht-47274>.

³⁷ See BITO Lagertechnik, 2021, *Auswirkungen der Corona-Pandemie auf die Logistik*. Available at: <https://www.bito.com/de-de/fachwissen/artikel/auswirkungen-der-coronavirus-pandemie-auf-die-logistik/>.

2.4. COVID-19 impact on the food distribution sector

There are approximately 730,000 people employed in the food and beverage retail sector in Germany. Available reports and analysis, albeit not exhaustive, show the key elements of working in supermarkets that stayed open during lockdown:

- There was a higher than average risk of infection due to lack of or incomplete safety equipment (in the beginning). Under correct safe conditions however, the risk of infection does not appear particularly high because contact with customers is usually quite short (compared to health and care workers where physical contact with patients is longer)³⁸. However, this lower risk became evident only later on, based on epidemiology data. Therefore, in the first few months of the pandemic, workers in food retail were under above-average stress of being exposed.
- Stress was caused by interacting in extremely unclear conditions with the public, facing cases of 'panic buying' and aggressiveness/stress from the customers.

A cashier interviewed by NDR – Northern German Broadcasting reports her experience as a frontline worker in a supermarket³⁹: She received a Corona bonus from the supermarket and free breakfast for two to three months. As time went by, she had to remind customers more and more often to wear their masks appropriately. During the lockdown period, for a couple of weeks, supermarkets were the only public buildings that were open, thus also becoming places for 'entertainment' and for people who saw groceries as an excuse to go out and escape the lockdown, uselessly increasing the risk for the workers. Frontline workers had to ensure that the rules were enforced. A year after the lockdown, the interviewed woman reported how the rhetoric on 'Corona-heroes' has become quite different in comparison to the previously⁴⁰.

Adjacent to the category of workers in the food retail is the food and grocery **delivery services** (*Lieferdienste; Lieferbote*). The share of German individuals ordering online food and other grocery items has constantly increased over time; in the case of ordering through platforms App, the share went from 14% before COVID-19 to 22% after COVID-19 (and the lock-down in 2020)⁴¹. The increase has included both directly operated delivery by specific retail distributors and restaurants/gastronomie, as well as services operated by platforms.

In Germany the largest operating platform is Lieferando. Due to the increased demand new services have been introduced or enlarged in the last months, among which Gorillas is one of the most debated for the very tight delivery schedule promised, and the corresponding pressure it puts on workers (a

³⁸ Results from a study on infection risks in food retail. BAUA, 2021, Eine Risiko-schätzung zur Infektion mit dem Coronavirus SARS-CoV-2 bei Beschäftigten im Einzel-handel für Lebens-mittel und Drogerie-waren. Available at: https://www.baua.de/DE/Angebote/Publikationen/Fokus/SARS-CoV-2-Infektionsrisiko-Einzelhandel.html?pk_campaign=DOI.

³⁹ Ms Petra Maischack. In interview. Panorama 3, 2020, Gedanken einer Kassiererin in der Corona-Krise. Available at: <https://www.ndr.de/fernsehen/sendungen/panorama3/Gedanken-einer-Kassiererin-in-der-Corona-Krise,panoramadreij3770.html>.

⁴⁰ Further reports from the frontline: Süddeutsche Zeitung, 2020, Warum wir ohne Kassierer jetzt ein Problem hätten. Available at: <https://www.sueddeutsche.de/wirtschaft/coronavirus-supermarkt-kassierer-1.4848550>; Hamburger Abendblatt, 2020, So hart arbeiten Kassierer in der Corona-Krise. Available at: <https://www.abendblatt.de/hamburg/article231244942/So-hart-arbeiten-Kassierer-in-der-Corona-Krise.html>.

⁴¹ Heise Website, 2021. Statistik der Woche: Pandemie hilft den Lieferdiensten. Available at: <https://www.heise.de/hintergrund/Statistik-der-Woche-Pandemie-hilft-den-Lieferdiensten-5054399.html>.

strike was organized in Berlin in June 2021)⁴². The working conditions of the so-called riders are under debate because of the non-standard contractual conditions they are involved in. Sources report that riders are often treated as self-employed workers without full social protection coverage and with low wages. The riders of Lieferando have joined a trade union (NGG - Food, Beverages and Catering Union) to improve their conditions via a collective agreement and request a minimum wage of 15 EUR pro hour⁴³. As reported in their requests statement, these workers use their own mobile phone for the deliveries and are tracked, through the GPS system of the company which tracks deliveries, times and routes.

Probably due to the type of activity carried out (which does not involve physical contact and exposure), the public debate and the requests of trade unions have focused more on conditions related to wages and working time/working conditions, driven by the increased attention and relevance gained through the lock-downs, but was not directly spurred to COVID-19 clusters or other enhanced sanitary risk.

⁴² Hamburger Abendblatt, 2021, *Schnelle Liefersdienste: Der Supermarkt kommt nach Hause*. Available at: <https://www.abendblatt.de/wirtschaft/article232517887/liefersdienste-lebensmittel-erfolg-gorillas-flink.html>.

⁴³ NGG Lieferando, 2021. *Was wir fordern*. Available at: <https://www.ngg.net/alle-meldungen/liefen-am-limit/>. The company reports that the minimum wage applied is 10,50 EUR pro hour, as journalists report in Tagesschau, 2021. *Lieferando-Fahrer fühlen sich überwacht*. Available at: <https://www.tagesschau.de/wirtschaft/lieferando-arbeitsbedingungen-101.html>.

3. MAIN LEGISLATION, POLICIES, COLLECTIVE AGREEMENTS AND EMPLOYERS' MEASURES ADOPTED IN THE COUNTRY TO SUPPORT ESSENTIAL WORKERS

KEY FINDINGS

When considering the key policy interventions, collective agreements and measures taken to support essential workers, the analysis shows that most measures targeted the health and care sector, in the form of one-time financial support (in the range of EUR 1,000-1,500 per person, depending on effective working time) as payment for the distress and risk undertaken. The public sector also agreed collectively on a one-time payment of about EUR 600 per worker.

At collective bargaining level, not immediately during the pandemic, but in the following months, some progress was made – according to social partners – on agreeing on more extensive collective bargaining coverage again in the elderly and healthcare sector, based on the assumption that on average workers under collective bargaining enjoy more safety and better working conditions. Such collective bargaining measures are still in discussion/deployment and their impact will become evident in the near future.

Overall, key measures were of a financial, one-time nature, and were not differentiated according to the actual needs or situation of the worker. Some structural measures were enforced, or will be enforced since January 2022, such as the prohibition of subcontracting core activities in the meat industry, and the healthcare reform that should incentivize the uptake of improved working conditions by supporting the extension of collective coverage.

This section outlines the main measures undertaken at national or local level to support and reevaluate working conditions of essential frontline workers. Firstly, legislation and bilateral collective agreements for different sectors are illustrated, followed by some measures and good practices at local level, or on a voluntary basis.

Overall, as illustrated by the emergency measures presented in the box below, measures defined at legislative or bilateral agreement level share similar features: they consisted mainly of additional payments/bonuses/lump sums for individuals in specific sectors. The sectors mostly represented are the healthcare and elderly care sectors. According to literature (Tolios 2020, p. 28), this type of measures had the benefit of being quick, supporting immediate relief and encouraging motivation (even though they were implemented at least a couple of months after the first lockdown). However, these measures were less able to support structural changes in the long term, for example addressing low wages or lack of bilateral agreements, which represent the key problems in the sectors, according to some interviewees.

In some cases (elderly care) there were differences based on the type of job carried out – care workers received a higher bonus than cooks or other home care workers. Interviewees point out that the choice behind this distinction was unclear – whether based on risk exposure, or on stress, it was not always clear how to differentiate between medical personnel and other personnel in facilities who were exposed as well.

One of the experts interviewed, who was directly involved in a ministerial task force for the determination of bonuses and other measures, recalls the difficulty of taking 'fair and just' decisions under extremely uncertain and dramatic circumstances, as well as uncertainties on future developments. The measures taken under the emergency were also emergent in their design and can

be improved and integrated by longer-term initiatives, not affected by emotional involvement and limited information.

Box 2: Emergency measures adopted in 2020–2021 for essential workers

1. **Premiums for care workers in the care sector**⁴⁴ (*Sonderprämie in der Pflegebranche*). This legislative measure was issued in September 2020. It is dedicated to workers in long-term elderly care facilities and consists of a one-time payment of up to EUR 1,500, paid by public insurance funds through employers. The measure was supported by the key German service trade union (ver.di).
2. **Sectoral agreement on bonuses for elderly-care workers**⁴⁵ (*Tarifvertrag für Corona-Sonderprämie*). This measure consisted of a sectoral agreement for workers in standard employment in the private elderly-care sector⁴⁶. It started in July 2020 and amounted to a one-time payment on top of compensation of up to EUR 1,500 for full-time and in proportion for part-time workers, and up to EUR 900 for individuals in vocational training (*Azubis*). According to available documents⁴⁷, this measure was considered an important step in the healthcare sector as it is a sector with significant labour shortages and structurally poorly developed industrial relations.
3. **One-time premium for construction workers**⁴⁸ (*Einmalige Sonderzahlung*). This measure, issued between September and November 2020, targeted workers with standard employment contracts in construction sectors, with different occupations. It consisted of a one-time payment of EUR 500 for the full-time employed, and EUR 250 for vocational trainees. While the premium was greeted positively by social partners, it can be said that overall, construction workers suffered less from COVID-19 than other essential sectors, and the sector benefitted from a public recovery programme and investments in public infrastructure and building retrofits, which supported demand⁴⁹.
4. **Public sector collective agreement including a Corona bonus**⁵⁰ (*TVÖD inklusive Corona-Sonderzahlung*). This measure was targeted at all employees in the public sector, with particular attention to social and care workers, and utility workers. It consisted of a one-time payment calculated on the existing wages, up to EUR 600⁵¹.

⁴⁴ Eurofound, 2020, *Premia for care workers in elderly care, case DE-2020-21/1150 (measures in Germany)*, COVID-19 EU PolicyWatch, Dublin. Available at: <http://eurofound.link/covid19eupolicywatch>.

⁴⁵ Eurofound, 2020, *Sectoral agreement on bonus for eldercare workers, case DE-2020-27/592 (measures in Germany)*, COVID-19 EU PolicyWatch, Dublin. Available at: <http://eurofound.link/covid19eupolicywatch>.

⁴⁶ In Germany, there is a key different between 'standard employment' contracts (full- or part-time, open-ended or fixed) which enable employees to have access to all social security supports. It is a different situation for those in a non-standard form of employment, e.g. in the so-called Minijobs/ EUR 450-basis contracts, which are not fully covered by social security and for instance do not have access to unemployment support if laid off, or to the one-time measures reported in this section.

⁴⁷ Eurofound, 2020, *Sectoral agreement on bonus for eldercare workers, case DE-2020-27/592 (measures in Germany)*, COVID-19 EU PolicyWatch, Dublin. Available at: <http://eurofound.link/covid19eupolicywatch>.

⁴⁸ Eurofound, 2020, *One-time premium for construction workers, case DE-2020-36/1139 (measures in Germany)*, COVID-19 EU PolicyWatch, Dublin. Available at: <http://eurofound.link/covid19eupolicywatch>.

⁴⁹ Ibid.

⁵⁰ Eurofound, 2020, *Public sector collective agreement includes Corona bonus, case DE-2020-44/1149 (measures in Germany)*, COVID-19 EU PolicyWatch, Dublin. Available at: <http://eurofound.link/covid19eupolicywatch>.

⁵¹ Employees in wage groups 13 to 15 receive EUR 300, those in groups 9a to 12 receive EUR 400. Those in groups 1 to 8 receive EUR 600. Social workers and education staff receive between EUR 400 (for wage groups S 10 to S 18) and EUR 600 (for wage groups S 2 to S 8 b). Care workers also receive between EUR 400 (for wage groups P 9 to P 16) and EUR 600 (for wage groups P 5 to P 8). The Corona premium

5. **Premium for hospital workers**⁵² (*COVID-19 Prämie für Klinikbeschäftigte*). This measure was taken only in some regions by some companies, and sources report a low outreach (some rare cases).
6. **Emergency/extraordinary child care** (*Notbetreuung*). While there has been no nationwide intervention to support essential workers with child care duties, at regional level and with different criteria parents could have access to emergency child care⁵³. In some regions criteria were stricter, e.g. both parents had to be essential workers to have access to this measure; in other cases, one essential worker parent was enough to have access to it⁵⁴. In some cases, this measure was ensured for children up to 6 years, or up to 12 years.
7. Despite not being a measure specifically targeted at essential workers and their activities or well-being, the **financial support for companies** (*Rettungsschirm*) created the conditions for a less heavy workload for workers, as institutions were able to have less profit-pressure, one interviewee reports.

Source: Eurofound; Bundesregierung press communication; interviews; BiB Bevölkerungsstudien 2020 (see footnotes for additional details on each measure).

The following more structural measures in the care sector were issued in 2021 after the peak of the Corona emergency.

Collective agreement for the elderly care sector between ver.di and BVAP (*Tarifvertrag Altenpflege*)⁵⁵. This agreement was signed in February 2021 between the union ver.di and BVAP, the National Association of Care Institutions (to which large church-related care institutions such as Caritas and Diakonie do *not* belong). The agreement includes a 25 % increase in the minimum wage for the sector⁵⁶. A press statement from ver.di shows that social partners were satisfied with this agreement, however two key conditions should follow to ensure a structural support to the sector. Firstly, the agreement has not been signed by Caritas and Diakonie, two of the largest, church-related institutions for care, who have other (and better) agreements and coverage. Social partners would welcome the discussion and uptake of the measure, also by the two above-mentioned umbrella organisations. Secondly, an important step in the improvement of contracts and working conditions seems to be related to better financing of the care services, i.e. through a reform of financial support⁵⁷.

Reform of the healthcare sector (*Pflegereform*) was announced in June 2021 and should be fully enforced by 1 September 2022⁵⁸, starting on January 2022. The reform should finance support for the

for utility workers ranges from EUR 300 (for wage groups 13 to 15) to over EUR 400 (for wage groups 9 to 12) to up to EUR 600 (for other wage groups).

⁵² Eurofound, 2020, *Premium for hospital workers, case DE-2020-33/1152 (measures in Germany)*, COVID-19 EU PolicyWatch, Dublin. Available at: <http://eurofound.link/covid19eupolicywatch>.

⁵³ See Government website communication, 2021, *Informationen für Familien*. Available at: <https://www.bundesregierung.de/breg-de/suche/unterstuetzung-fuer-familien-1738334>.

⁵⁴ BiB Bevölkerungsstudien, 2020, p. 10.

⁵⁵ Ver.di Pressemitteilung, 2021, *Tarifvertrag für die Altenpflege steht*. Available at: <https://gesundheits-soziales.verdi.de/tarifbereiche/altenpflege/++co++cb4d5a60-6467-11eb-ac5d-001a4a160100>.

⁵⁶ Ver.di Pressemitteilung, 2021, *ibid*.

⁵⁷ Ver.di Pressemitteilung, 2021, *ibid*. Hourly wages for different groups of workers in the sector will increase as follows: for lower-skilled care workers (*Pflegehelfer*innen*), the hourly wage will increase from EUR 12.40 in August 2021 to EUR 14.40 in July 2023; for higher qualified workers (*examinierte Pflegefachkräfte*) hourly wages will increase from EUR 16.10 in August 2021 to EUR 18.75 in July 2023.

⁵⁸ BMG, 2021, *Pflegereform. Altenpflege wird besser bezahlt und der Beruf attraktiver*. Available at: <https://www.bundesgesundheitsministerium.de/ministerium/meldungen/20202021/pflegereform.html>; some discussions

elderly and individuals who need care; furthermore, it prescribes that contracts and working conditions for care workers need to be aligned with collective bargaining contracts in the region, thus addressing one of the key elements of the sector. However, the largest union for care services (ver.di) points out that the reform does not do enough for care workers, as any type of (insufficient) collective contract 'with a pseudo-union' could be taken as a reference, thus not contributing to improving working conditions⁵⁹. Debate is ongoing to understand the potential impacts of this reform: some consider it a much less ambitious effort than initially planned⁶⁰. Also, the increase in wages does not directly support the improvement of working conditions: in an interview for a newspaper, the manager of a care institution states that he would rather pay the workers a little less and allow for a smaller worker-to-carer ratio (which directly impacts worker well-being) rather than having to reduce the number of workers to pay them more.

For the time being (as at December 2021), the reform is confirmed but little information is available. Before and after the elections, candidates have still demanded a wide-reaching reform of the healthcare sector, as the measures included in this reform do not seem enough⁶¹. Social partners and civil society have addressed chancellor candidates to take up their request for reforms, also drawing on experiences from the COVID-19 emergency⁶². The new coalition, in the Coalition Contract, has confirmed the support to the health and care sector, both financial and through incentives and initiatives (such as the focus on attracting additional workers to reduce labour shortage in the field, also through migration support and recognition of qualifications, through tax incentives and working schedule measures), and that it will monitor closely the above-mentioned reform since January 1, 2022, when the new norms will start to be effective⁶³.

Considering the **agricultural sector**, the season 2020 was characterized by some emergency measures linked to the need to support harvesting. Such measures consisted for instance in allowing a certain number of migrants to enter the country under strict health provisions (medical examination, quarantine) and in organizing work in small groups⁶⁴. 40,000 migrants were allowed to enter the country in April and the same number in May 2020. Additional actions were taken for the season 2021 and specific bulletins on working conditions were issued for migrant workers illustrating duties and recommendations before and during their stay in Germany, including⁶⁵:

are still ongoing. Social partners (on the offer side, and also an interviewee) pointed out how the average wage of a *Pflegekraft*, i.e. of a professional or specialised worker in the care sector, in the last years has increased. See Section 4 of this report as well.

⁵⁹ Tagesschau, 2021, *Was bringt die Pflegereform?* Available at:

<https://www.tagesschau.de/inland/innenpolitik/pflegereform-faq-103.html>.

⁶⁰ Ver.di Pressemitteilung, 2021, *ibid*.

⁶¹ Augsburger Allgemeine, 2021, *Baerbock fordert umfassende Pflegereform nach Bundestagswahl*. Available at: <https://www.augsburger-allgemeine.de/politik/Wahlkampf-Baerbock-fordert-umfassende-Pflegereform-nach-Bundestagswahl-id60632131.html>; Bayern 3, 2021, *Holetschek dringt auf umfassende Pflegereform – Bayerns Gesundheits- und Pflegeminister: Wir müssen rasch handeln und brauchen einen 360-Grad-Blick*. Available at:

<https://www.bayern.de/holetschek-dringt-auf-umfassende-pflegereform-bayerns-gesundheits-und-pflegeminister-wir-muessen-rasch-handeln-und-brauchen-einen-360-grad-blick/>.

⁶² Bayern 3, 2021, *ibid*.

⁶³ Spiegel, 2021, *Koalitionsvertrag der Ampelparteien*. Available at: <https://www.spiegel.de/politik/koalitionsvertrag-der-ampel-parteien-im-wortlaut-darauf-haben-sich-spd-gruene-und-fdp-geeignet-a-3e25c4da-088a-4971-8a4d-4797a4ecf089>.

⁶⁴ Die Zeit, 2020, *Erste Erntehelfer in Deutschland angekommen*. Available at: https://www.zeit.de/wirtschaft/2020-04/saisonarbeiter-rumaenien-spargelernte-social-distancing-coronavirus?utm_referrer=https%3A%2F%2Fwww.google.com%2F.

⁶⁵ Bundesministerium für Ernährung und Landwirtschaft; die Beauftragte der Bundesregierung für Migration, Flüchtlinge und Integration Gleichbehandlungsstelle EU-Arbeitnehmer. 2021. *Saisonarbeit in der Corona-Pandemie*. Available at: <https://cdn.svlfg.de/fiona8-blobs/public/svlfgonpremiseproduction/5fa42f9ede372837/842554b9584f/broschuere-saisonarbeit-coronapandemie.pdf>.

- Corona-test before entering the country (depending on the area of origin; alternatively, vaccination or recovery certification);
- FFP2-Mask obligation, when a distance of 1.5 m is not possible, and at any rate in closed spaces with other people;
- Workers receive masks free-of-charge from their employer:
- The rule "living together, working together" is applied: individuals are kept in mostly stable groups to avoid the spreading of infections in case of COVID-19-cases;
- For those who are not covered in their home countries by a full healthcare, the employer signs a private insurance;
- The normative has also extended the number of workdays which are exempted from social-security contribution, with the aim of making seasonal-work in Germany more attractive to foreigners. The number of workdays for a contract to be social-security-contribution free reached to 70 in 2020 and to 102 in 2021.

Prohibition of subcontractors/temporary agency in the meat industry⁶⁶. Following the clusters of infections in the meat industry, described in the previous section, the German government prohibited starting January 2021 the use of subcontractors and temporary agencies (*Werkverträge; Leiharbeitsverträge*) in core activities of the meat processors, with the goal of increasing control and compliance of working conditions. The new norms also promise more monitoring and the duty of electronic working-time controls. The evaluation of the impact of the decision is ongoing. Many hundred workers from third-party companies have been directly employed by important players of the meat industry (e.g. Vion, Tönnies), however discussions on minimum wages are still ongoing and trade unions keep monitoring living arrangements and safety conditions, where non-compliant situations are still found several months after enforcement of the law, as trade unions report to the press⁶⁷.

⁶⁶ Bundesregierung, 2021, *Arbeitsschutzkontrollgesetz in Kraft. Mehr Schutz für Arbeitnehmer*. Available at: <https://www.bundesregierung.de/breg-de/suche/arbeitsschutzkontrollgesetz-1772606>.

⁶⁷ RND, 2021, *Ende der Werkverträge: Was hat sich in der Fleischindustrie geändert?* Available at: <https://www.rnd.de/wirtschaft/ende-der-werkvertrage-was-hat-sich-in-der-fleischindustrie-geandert-F2AJJEHR3WTAXCCJOK2GB64NLM.html>.

4. CONCLUSIONS AND POLICY INDICATIONS

Interviewees and literature point out first of all that all jobs and employees are essential, or – as the Germans say – relevant to the system, meaning that there are no jobs that are more important than others⁶⁸. However, the workload, psychological distress and physical tension, together with the above-average exposure to risk of the categories investigated in this report do stand out for the exceptional conditions under which tasks were performed, and for ensuring business continuity during the pandemic.

Available data and studies show how the majority of essential workers in Germany enjoy rather good working conditions. However, a large share (around 20%, both in standard and non-standard jobs) is employed in occupations with poor working conditions are considered bad and linked to a particularly difficult situation during the pandemics. For these individuals, some measures have been undertaken in the country, and more are under discussion.

Overall, dedicated initiatives for essential workers in Germany have been mainly in the form of financial bonuses and premiums, as compensation and reparation for their efforts and sacrifices. In fact, most measures had the form of one-off payments. In some cases, the need to compensate essential workers led to improving overall working conditions, or setting the basis for subsequent reforms and collective bargaining. Moreover, measures were not differentiated based on needs but rather on performance (as they mostly took existing wages as the baseline) and targeted the essential sectors' workforce, rather than specific occupations.

The EU has the potential to contribute to an overall discussion on working conditions. According to literature and interviewed stakeholders, the improvement of working conditions should be based on different types of intervention, moving away from the short term and addressing the longer term.

- 1) **Consistency in focus and problem-solving.** While essential workers received from increased attention during the pandemic, it is deemed important that politicians and institutions maintain this attention, to avoid raising expectations of interventions that they do not follow through with. Consistency and trustworthiness are key in improving conditions. Moreover, one interviewee points out the risk of increasing the 'responsibility' burden of these workers, by creating for instance specific guidelines (e.g. vaccination obligations, restrictions on travel) to lower risk of exposure.
- 2) **Working conditions as a whole.** Often, as reported for the healthcare and logistics sectors, requests do not only focus on higher compensation, but also on workload and working conditions. For instance, due to the significant shortage of labour in these sectors, workload is high, and even higher compensation would do little to improve it. Improving working conditions would increase labour supply which would again have an impact on the overall working conditions, as reported by stakeholders from both the logistics and the care sector⁶⁹.
- 3) **Extension of accountability across the sector.** This means going beyond single businesses, extending coverage of collective bargaining/comparability of working conditions (which might include a reworking of minimum wages). Interviewees report how, in cases where there is a works council (*Betriebsrat*) or collective bargaining coverage, working conditions are, on

⁶⁸ BiB Bevölkerungsstudien, 2020, p. 17.

⁶⁹ Also reported in this interview with Diakonie: Augsburger Allgemeine, 2021, *Für bessere Pflege: Verbände schicken Brandbrief an die Kanzlerkandidaten*. Available at: <https://www.augsburger-allgemeine.de/politik/Sozialpolitik-Fuer-bessere-Pflege-Verbaende-schicken-Brandbrief-an-die-Kanzlerkandidaten-id60592121.html>.

average, better. Collective agreements can cover compensation, training, attraction of labour, contracts, and can be discussed at a sector/regional level, and are a key step to creating the conditions for better working environments. This extends in particular beyond the borders of a single firm, as in some industries the poorer working conditions are linked to subcontractors, false self-employment (*Scheinselbstständigkeit*), and a dilution of accountability along the value chain.

Several of the industries analysed are characterised by a large proportion of non-German workers, therefore a European-level intervention could and should take into account the interdependencies of national regulations and collective agreements to protect such workers.

Finally, if fairness is to be pursued, literature and interviewees point out that a careful consideration of the differences within a sector and across different occupations is needed to consider different needs and conditions, and avoid undifferentiated support.

REFERENCES

- BiB Bevölkerungsstudien, 2020, *Eltern während der Corona-Krise. Zur Improvisation gezwungen*, Wiesbaden. Available at: <https://www.bib.bund.de/Publikation/2020/Eltern-waehrend-der-Corona-Krise.html?nn=9751912>.
- BJV, 2016, *BSI-Kritisverordnung vom 22. April 2016 (BGBl. I S. 958), die zuletzt durch Artikel 12 des Gesetzes vom 23. Juni 2021 (BGBl. I S. 1858) geändert worden ist*. Available at: <https://www.gesetze-im-internet.de/bsi-kritisv/BJNR095800016.html>.
- BMAS, 2020, *Mehr Arbeitsschutz und Hygiene in der Fleischwirtschaft. Bundeskabinett beschließt Arbeitsschutzprogramm für die Fleischwirtschaft*. Pressemitteilung vom 20. Mai 2020, Berlin. Available at: <https://www.bmas.de/DE/Presse/Pressemitteilungen/2020/mehr-arbeitsschutz-und-hygienein-der-fleischwirtschaft.html>.
- BMFSFJ, 2020, *Aktuelle Informationen zu Hilfs- und Unterstützungsangeboten*. Available at: <https://www.bmfsfj.de/bmfsfj/themen/corona-pandemie>.
- BMI, 2009, *Nationale Strategie zum Schutz kritischer Infrastruktur*. Available at: https://www.bmi.bund.de/SharedDocs/downloads/DE/publikationen/themen/bevoelkerungsschutz/kritis.pdf?__blob=publicationFile&v=3.
- Bosch, G. et al., 2020, *Corona-Hotspot Fleischindustrie: Das Scheitern der Selbstverpflichtung*, Duisburg, IAQ-Report 2020-07. Available at: https://duepublico2.uni-due.de/servlets/MCRFileNodeServlet/duepublico_derivate_00072460/IAQ-Report_2020_07.pdf.
- Brücker, H. et al., 2021, *Die Arbeitsmarktwirkungen der COVID-19-Pandemie auf Geflüchtete und andere Migrantinnen und Migranten*, IAB Forschungsbericht. Available at: <http://doku.iab.de/forschungsbericht/2021/fb0521.pdf>.
- Bünning, M. et al., 2020, *Erwerbsarbeit in Zeiten von Corona. WZB Ergebnisbericht*, Berlin, Wissenschaftszentrum Berlin für Sozialforschung. Available at: <https://www.econstor.eu/bitstream/10419/216101/1/Full-text-report-Buenning-et-al-Erwerbsarbeit-in-Zeiten-von-Corona-v1-20200415.pdf>.
- Dams, J. et al., 2020, *Arbeitsminister Heil: "Das öffentliche Vertrauen ist auf dem Nullpunkt"*, in Welt.de. Available at: <https://www.welt.de/wirtschaft/article210604515/Arbeitsminister-Heil-kritisiert-Fleischunternehmer-Toennies.html>.
- Deutschlandfunk, 2020, *Warum die Arbeitsbedingungen in Schlachtbetrieben so prekär sind*. Available at: https://www.deutschlandfunk.de/covid-19-ausbrueche-warum-die-arbeitsbedingungen-in.2897.de.html?dram:article_id=476511.
- DeZIM Research Notes, 2020, *Systemrelevant und prekär beschäftigt: Wie Migrant*innen unser Gemeinwesen aufrechterhalten*. Available at: https://dezim-institut.de/fileadmin/Publikationen/Research_Notes/DRN_3_Systemrelevante_Berufe/Research_Notes_03_200525_web.pdf.

- DGB, 2021, *Echte Tarifverträge schaffen gute Arbeit – in der Pflege und überall!* Available at: <https://www.dgb.de/themen/++co++3dfea96e-af00-11eb-90fa-001a4a160123>.
- Die Welt, 2013, *Kampf gegen den Trick mit den Werkverträgen*. Available at: <https://www.welt.de/wirtschaft/article113347558/Kampf-gegen-den-Trick-mit-den-Werkvertraegen.html>.
- Huebener, M. et al., 2020, *Wohlbefinden von Familien in Zeiten von Corona: Eltern mit jungen Kindern am stärksten beeinträchtigt*, DIW Wochenbericht 30/31, pp. 527-537. Available at: https://www.diw.de/documents/publikationen/73/diw_01.c.794108.de/20-30-1.pdf.
- IAB Presseinformation des Instituts für Arbeitsmarkt- und Berufsforschung, 2020, *Tarifbindung nimmt weiter ab*. Available at: <https://www.iab.de/de/informationsservice/presse/presseinformationen/tb2019.aspx>.
- KEP-Studie, 2020, *Analyse des Marktes in Deutschland*. Available at: www.biek.de.
- Mediendienst Migration, 2020, *Geflüchtete fürchten um ihren Job*. Available at: <https://mediendienst-integration.de/artikel/gefluechtete-fuerchten-um-ihre-jobs.html>.
- Nivorozhkin, A., Poeschel, F., 2021, Working conditions in essential occupations and the role of migrants. EUI Working Paper, RSC, 2021/40. Available at: https://papers.ssrn.com/sol3/papers.cfm?abstract_id=3821727.
- Open Society Foundation, 2020, *COVID-19, Agrar- und Lebensmittelsysteme und Migrantenarbeit. Die Situation in Deutschland, Italien, den Niederlanden, Spanien und Schweden*. Available at: <https://www.opensocietyfoundations.org/uploads/b2302bc7-c8da-4d01-84f2-6797e0dd1450/covid-19-agrar-und-lebensmittelsysteme-und-migrantenarbeit-20201009-report.pdf>.
- Özcan, F. M. et al., 2020, *Eine Risikoschätzung zur Infektion mit dem Coronavirus SARS-CoV-2 bei Beschäftigten im Einzelhandel für Lebensmittel und Drogeriewaren*. Available at: <https://www.baua.de/DE/Angebote/Publikationen/Fokus/SARS-CoV-2-Infektionsrisiko-Einzelhandel.html>.
- Rheindorf, J. et al., 2020, *Wie erleben Pflegefachpersonen die Corona-Pandemie?*, in *Pflege Zeitschrift*, 73(8), pp. 50–53. Available at: <https://doi.org/10.1007/s41906-020-0761-4>.
- TAZ, 2020, *Arbeitsquarantäne auf Spargelhof*. Available at: <https://taz.de/Arbeitsquarantaene-auf-Spargelhof/!5765810/>.
- Tolios, P., 2020, *Systemrelevante Berufe. Sozialstrukturelle Lage und Massnahmen zu ihrer Aufwertung*, Rosa-Luxemburg-Stiftung. Available at: <https://www.rosalux.de/publikation/id/43750/systemrelevante-berufe>.
- Ver.di Pressemitteilung, 2021, *Spahn erweist Pflege einen Bärendienst*. Available at: <https://gesundheit-soziales.verdi.de/tarifbereiche/altenpflege/++co++ea6279fe-adae-11eb-a8e5-001a4a160100>.
- Ver.di, 2018, *Der Weg zur flächendeckenden Tarifregelung in der Altenpflege*. Available at: https://www.boeckler.de/pdf/v_2018_12_11_sylvia_buehler.pdf.

ANNEXES

Annex I – Stakeholders' Interviews

Position	Organisation	Date of interview
Manager and involved in the Ministerial task-force on care workers	Keppler-Stiftung	24.08.2021
Vice President and Director of the Post and Logistics Division of the Union	ver.di (service union)	24.08.2021
Team Leader	Keppler-Stiftung	06.09.2021

Annex II – Good Practice Fiche

Name/title of the measure Period of implementation <i>[Specify when the project/strategy/experience started, if it is still ongoing or finished and if concluded, indicate when]</i> Body responsible for implementation	Personnel sharing across companies (e.g. between Aldi and McDonald's).
Type of intervention	Sharing of personnel between companies from different sectors to even out overload and risk of furlough (e.g. between Aldi – distribution and food/non-food retail, and McDonald's – food restaurant).
Territorial coverage (national, regional, local)	local
Financial allocations	n/a
Main goals and reasons for introduction <i>[Specify the objects of the project/strategy/experience and the results it is supposed to achieve]</i>	The aim of the project was to support two companies – one of which (Aldi) was in work overload and would benefit from more workforce on the one hand, and on the other hand to provide additional working opportunities for workers in the other sector (McDonald's) who were at risk of having a reduced workload and income due to COVID-19-related closings.
Main target groups	Workers from food restaurants and workers from grocery retail.
Main partners/stakeholders involved (promoter and partners of the project/policy; typology and roles of actors involved)	HR Directors of Aldi and of McDonald's.

Main actions/measures implemented	<ul style="list-style-type: none"> - Reorganisation of shifts to include new workers in Aldi; - Changes in contracts/integration to ensure compatibility between the two companies.
Main results/achievements to date and expected longer term impacts according to available monitoring/evaluations <i>[Both quantitative and qualitative – specify results and outputs]</i>	<p>This practice was a reactive response to the COVID-19 emergency and the first lockdowns in the country, and was able to decrease the workload of those working in retailing, while at the same time ensuring working continuity for those in the restaurant sector. Moreover, the practice was covered in the public press as an example of solidarity and hope in a particularly critical moment, also creating trust and bonds beyond the two companies.</p>
Main weaknesses/obstacles and how they have been addressed	An effective but contingent practice that does not address structural issues.
Main strengths	Fast design and responsiveness in the emergency.
Innovative aspects if any	The deployment of human resources across different companies in a short time and the corresponding contractual coverage within a quick period of time.
Main lessons learnt	Possibility of addressing critical issues in a creative and effective way, also based on availability of employees to undertake new tasks and activities.
Additional comments/links/sources (if any)	<p>https://www.manager-magazin.de/unternehmen/handel/mcdonald-s-mitarbeiter-helfen-bei-aldi-aus-a-1305613.html.</p> <p>https://www.haufe.de/personal/hr-management/interview-zur-personalpartnerschaft-von-mcdonalds-und-aldi-80-513328.html.</p>

This country case explores the situation of essential workers in Germany in the context of the COVID-19 emergency, with a focus on women and migrant workers in low-paid frontline occupations. The study provides first a definition of essential workers in this country, together with key socio-demographic characteristics. It then analyses, based on existing literature and selected stakeholder interviews, the main impacts of COVID-19 on their working conditions. Finally, it illustrates key policy measures and agreements undertaken in Germany to support essential workers and their personal and professional lives.

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