

# GENERAL TERMS AND CONDITIONS OF BUSINESS AND PLACEMENT OF FOREIGN PROFESSIONALS

## Introduction

Talentscoutry TM GmbH is a German personnel training and placement company that places foreign specialists in the German labor market on a long-term basis. Talentscoutry is committed, as part of its own Code of Conduct, to aligning its entire corporate practice with compliance with international standards in order to ensure the ethical and sustainable recruitment of international employees. The standards include in particular:

- the WHO Global Code of Practice on the International Recruitment of Health Personnel
- the IRIS standard of the International Organization of Migration
- the ILO General principles and operational guidelines for fair recruitment

Furthermore, Talentscoutry undertakes to inform its customers and the professionals about quality-assured offers for language acquisition and compensatory measures in the recognition process and to support them in the implementation of the favored process. Talentscoutry introduces its clients to consulting and networking opportunities, such as IQ networks (Integration through Qualification), the Welcome Center or the DKF.

This voluntary commitment also results in quality standards for employers that must be met when deploying foreign employees.

## 1. Legal requirements for employers

The employer must observe German law in all decisions and contractual arrangements regarding the placed specialist. In particular, the labor, equal treatment and alien law provisions must be complied with. The following are emphasized in particular:

- The equality of foreign skilled workers with German employees.
- Compliance with statutory working hours, taking into account shifts in daily working hours that are customary in the industry. Overtime is only required in exceptional cases, after prior consultation and with time or

monetary compensation.

- Handing out assignment and vacation schedules with reasonable advance notice.
- Respect for the privacy and rest of the employee. Interference with these may only occur in exceptional cases.
- Regular, timely and contractual payment of salary and wage entitlements. In order to ensure sufficient financial means, the first salary is to be paid to the employee upon entry, but no later than 4 weeks thereafter. If this is not possible for the employer for organizational reasons, the candidates are to be granted an interest-free bridging loan/advance until the first salary payment.
- The activity of specialists outside their actual areas of responsibility only in exceptional situations justified by the company.
- No retention, custody or use of the employee's passport, identification papers, work permit or other documents without the employee's written permission and a required justification on the part of the employer. If it is unavoidable, the employee must be informed at all times of the location and purpose of the retention, custody or use.

## **2. Employment contract and working conditions**

In addition to the general legal framework, certain requirements are placed on the employment contract between the employer and the specialist:

- Employment contracts are generally issued for an indefinite period of time.
- Employment contracts are to be issued bilingually. The contract languages are German and the lingua franca of the foreign specialist's home country.
- Immediately after successful completion of the recognition process, employment as a nursing assistant is converted into employment as a nursing specialist in the recognition process. This is accompanied by an adjustment of the working conditions.
- The employer pays principle must always be observed and adhered to. According to this, the costs of the recruitment process are paid by the employer and not passed on to the foreign professional. The professionals do not bear any economic risk.
- No agreements may be concluded which, in the event of termination of the contract, lead to a disproportionate burden on the employee or place the employee in a situation which restricts the freedom of movement of employees. Under no circumstances may the contractual relationship contain provisions on commitment and repayment obligations that conflict with the current state of the law and/or case law or the requirements and principles of the „Fair Recruitment Care Germany“ seal of quality.

In addition to the employment contracts, this also applies to possible ancillary agreements and / or arrangements contained in the mediated employment contracts, regulations on labor relations, language acquisition, recognition procedures and relocation process, as well as in other special cases, such as the termination of the recruitment process, which are regulated and recorded in writing.

### 3. Sustainable integration management

The long-term operational as well as social integration of employees is always the desired goal of job placement. For this purpose, the following conditions are assured by the employer:

- **Integration concept:** Presentation of a written company integration management concept in accordance with the DKF pilot standards, with a structured presentation of the staged familiarization process, feed-back options and support offers. This concept must be demonstrably communicated to the specialist in the lingua franca of the country of origin before the employment contract is concluded.
- **Sponsorship or mentoring program:** Appointment and clear communication of a contact person who assumes a coordinating and moderating role within the company as integration manager/ mentor for the foreign specialists. The person in charge should be able to be called upon for confidential queries and to intervene in conflict situations. If possible, contact with the new employees should be established before they enter the company.
- **Team building:** Preparation of the working environment for the new employees through intercultural sensitization and awareness of the quality standards of recruitment. If necessary, the integration process should be accompanied and supported by teambuilding measures.
- **Relocation:** Support in contacts with the authorities to obtain the residence title of the employee or booking of a corresponding service package via a relocation agency or talent scouting.

In the event that employers or business partners violate the General Terms and Conditions of Business and Placement, Talentscoutry reserves the right to terminate the existing contractual relationship without notice.

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