TALENTSCOUTRY

GENERAL TERMS AND CONDITIONS

Introduction

Talentscoutry TM GmbH is a German personnel service agency that places foreign specialists in the German labor market on a long-term basis.

Unless otherwise agreed (e.g. a corresponding placement contract or a qualification agreement), the following terms and conditions apply to all contracts and services, including future ones, of the personnel service agency Talentscoutry TM GmbH (hereinafter: Talentscoutry) as a personnel service provider, in particular to all contractual relationships relating to the recruitment of foreign nursing staff. This also includes subcontractors in the service chain along the recruitment process. Employers are companies that commission Talentscoutry to place personnel from abroad in positions they wish to fill.

Talentscoutry is committed in its own declaration of principles to aligning its entire corporate practice with compliance with international standards in order to ensure ethically high-quality and sustainable recruitment of international employees. This is done in accordance with the six guiding principles of the "Fair Recruitment Care Germany" seal of approval:

- Written form for verifiability
- Free of charge placement process for care professionals
- Limiting the economic risk for care professionals
- Transparency of structures, services and costs
- Sustainability and participation
- Overall responsibility for the complete service chain

This voluntary commitment also results in quality standards for Talentscoutry's business partners, which they are required to comply with when employing foreign workers. The standards include in particular

- the WHO Global Code of Practice on the International Recruitment of Health Personnel
- the ILO General principles and operational guidelines for fair recruitment
- the EPP (Employer Pays Principle)

Talentscoutry also has a freely accessible, structured complaints procedure. Please send complaints directly by e-mail to our Complaint Management via support@talentscoutry.de or use our contact form on the website with the subject „Complaint".

1. Legal requirements for employers

The employer must comply with German law in all decisions and contractual arrangements relating to the placed skilled worker. In particular, the provisions of labor, equal treatment and immigration law must be observed. 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.

2. Contracts and working conditions

In addition to the general legal framework, certain requirements are placed on the framework conditions between the employer and the skilled worker:

- Termination and withdrawal from the qualification agreement are gene-rally possible for nursing staff subject to a notice period of 4 weeks, taking into account the provisions of the German Civil Code (§§ 346 ff. BGB, § 314 BGB).
- Participants have the right and the possibility to refuse an offered job wit-hout giving reasons. Participants also have the option of declining services that go beyond the original offer.
- The employer pays principle must always be observed and adhered to. This means that the costs of the recruitment process are paid by the employer and not passed on to the foreign specialist.
- Under no circumstances may the contractual relationship contain provi-sions on commitment and repayment obligations that conflict with the current state of case law or the principles of the „Fair Recruitment Care Germany“ seal of approval. In addition, the repayment obligation is only applicable if the termination is due to reasons for which the caregiver is responsible and there is the option of paying in installments.
- Talentscoutry grants the nursing staff the right to terminate and withdraw from the contract in the event of demonstrable breaches by contracting parties of the provisions on commitment and repayment clauses or the Employer Pays Principle.
- In accordance with the legal regulations on the recognition procedure in Germany, the applicant is generally free to choose between the various compensation measures (Nursing Professions Act).

3. Sustainable integration management

The long-term operational and social integration of employees is always the goal of job placement. To this end, the employer is required to provide measures and instruments for operational and social integration, language support and assistance with the induction of foreign skilled workers. The measures and instruments must be presented by the employer in writing and in a manner appropriate to the target group.

4. Right of review and right of termination

Talentscoutry reserves the right to review its business partners‘ compliance with the GTC and the Declaration of Principles (general right of review). If there are concrete indications of a violation, Talentscoutry reserves the right to conduct an event-driven review of its business partners. If business partners repeatedly violate the Guiding Principles and/or General Terms and Conditions, including the Declaration of Principles, or fail to comply with the requirements regarding commitment and repayment clauses, Talentscoutry reserves the right to terminate the existing contractual relationship without notice.

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