

The invisible workers caring for the German elderly

German hospitals, clinics and retirement homes are desperately short of labour. They are therefore recruiting more and more foreign care staff, mainly women, from eastern and southern Europe. With the low wages, employment contracts with exploitative clauses and onerous tasks, Germany is not the Eldorado hoped for.

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Beth Wambui Haupt, whose husband is German, comes from Kenya and has lived in Germany for eight years. Since 2009 she has worked as a nursing auxiliary with old people in a retirement home in Berlin.

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'What you have to do to work in Germany', says an endorsement to the employment contract to be signed by Bulgarian nurses recruited by a German temping agency. And as regards reaching Eldorado in Germany, the premier European economy: 'We can't offer you a land of plenty in Germany, because it doesn't exist!', warns the contract. Then, in bold: 'In Germany, everything is directed towards a high-performance society. This means you have to give 100% every day.' The other clauses of the employment contract are hardly more enticing. Employees have to pay financial penalties of EUR 3 000 to 5 000 if they disclose the employment and training conditions to a third party or if they breach the contract during the first year. This 'fine' has to be paid immediately and is collected by a Bulgarian collection firm.

'These clauses are null and void; they have no legal validity', says Vladimir Bogoeski, a Bulgarian-speaking trade union adviser to the German Trade Union Confederation DGB (Deutscher Gewerkschaftsbund). As part of the European project for assistance to casual workers, Fair Mobility, he has already helped some of these nurses hired by the temping firm. 'Workers have told me they had to sign 15-page contracts on the spot, with no time to ask for advice.'

The German health system has for years been recruiting care staff from eastern Europe. This phenomenon has taken on a new scale with the ever more striking shortage of labour in the sector. According to German Employment Agency figures, a nursing

post remains vacant for 15 weeks on average before being filled. This period increases to more than four months for a job in a retirement home which provides health care. The situation is only going to get worse in view of the changes in German demographics. In this context, some recruitment agencies seem open to any abuses.

Offices throughout eastern Europe

It was in his Berlin office that Vladimir Bogoeski received the first appeals for help from a handful of Bulgarian nurses in mid-January 2015. He is now dealing with two groups from Sofia, the capital, and a provincial town, Vratsa. Similar recruitment is said to be underway in Romania. The German temping company has offices throughout eastern Europe, from Tallinn to Budapest. Its website has been translated into six languages: Bulgarian, Romanian, Slovak, Hungarian, Czech and English. It finds qualified nurses, organises three-month German courses for them in their own countries, then sends them to work in Germany on temporary contracts. Care staff are seduced by tempting wage prospects.

'In Bulgaria, nurses' wages are miserable, between EUR 300 and 700 maximum', explains Valeri Bosukov. He used to work as a German teacher for the temping company. He taught the language of Goethe to a group of ten women from Vratsa with a view to their early employment in Germany. In order to have their nursing qualifications accepted,

migrant staff must first of all be able to prove an adequate knowledge of German. However, according to the teacher, 'it is impossible to reach this level in three months without any prior knowledge'. The future employer pays the costs of German lessons, estimated at EUR 1 800 per person for three months. But this advance payment has to be reimbursed by employees once their employment contract has been signed: EUR 150 deducted from their wage each month for a year.

'Nurses had to leave their jobs in Bulgaria to attend the course, which is full-time', says Vladimir Bogoeski. 'They don't earn anything during this period', adds Valeri Bosukov. They are supposed to receive EUR 10 compensation per day, but the money doesn't always arrive. It's like financial slavery.' Without the required level of language, these people, even though trained, cannot work as nurses in Germany. They have to either reimburse the EUR 1 800, or go to Germany anyway to work as trainees until they pass the language test, or as care assistants for a 20% lower hourly wage. These temps also have to be highly mobile and flexible: the contract is very vague as regards possible workplace. Employees can be sent anywhere in Germany and to any kind of institution: 'hospitals, retirement homes and any healthcare institution'.

Under these conditions, none of the nurses in the group from Sofia being followed by Vladimir Bogoeski eventually boarded the plane for Germany. The trade unionist and three of the nurses sent letters of resignation. The response from the company was unexpected. 'We request that you pay the costs of language training in the sum of EUR 1 800 by 15 February to the following account', instructed the temping agency in a letter in late January, threatening them with court proceedings and financial penalties.

Vladimir Bogoeski was unimpressed: 'We are going to ask for proof of the cost of the course', says the trade unionist, who contacted the company. The company prevaricated, arguing that it had never really made a threat of financial penalties. But it continued to worry the care staff. 'The nurses are really afraid of these fines. They are also afraid of just consulting a trade unionist', says the

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Sylwia Timm (DGB)

German teacher Valeri Bosukov, who is acting as an intermediary between the German trade union and the nurses from Vratsa.

Without sufficient knowledge of the language and without recognition of their qualifications, those arriving in Germany work for the time being with the status of trainees. 'Without a proper wage, with just a roof over their head provided by the company and pocket money to feed themselves', says Vladimir Bogoeski. 'They have no idea what's going to happen. But they are qualified nurses, with lots of experience, who have worked in intensive care, accident and emergency and neurology here in Bulgaria. Today, they are almost on the street and have no possibility for continuing to learn German', their former teacher complains.

Spanish, Portuguese and Greek nurses

Eastern Europe is not the only breeding ground for migrant nurses for German care institutions. More and more Spaniards, Portuguese and Greeks are coming to work in Germany owing to the crisis in southern Europe. Maria (her name has been changed) is Portuguese. Qualified in nursing in her home country, she chose to emigrate to Berlin. Her first German employer first of all paid her the wage of a part-time care assistant. The language course was financed by European funds. She learned German and then started at a retirement home in Berlin. When she realised that her wage was far less than she could earn elsewhere under better conditions, she resigned. Her former employer then claimed reimbursement of the costs incurred when she was learning German: thousands of euro to pay.

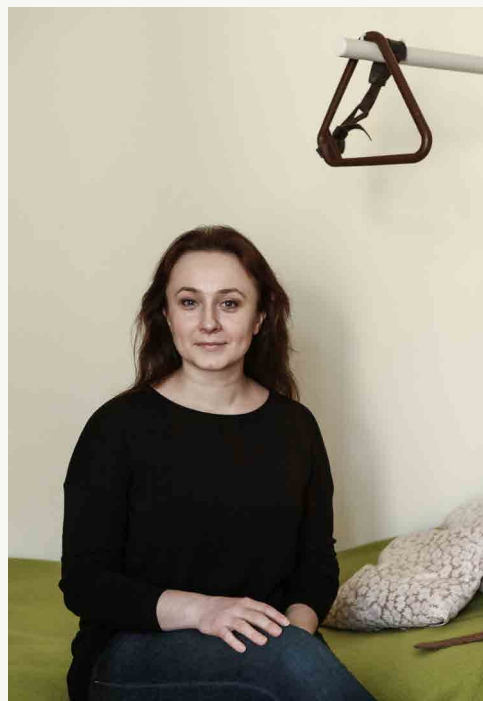
These particular practices have appeared in recent times in Germany. They have been implemented by private institutions recruiting staff directly from abroad, without going through temping agencies. 'Since the health sector is facing a labour shortage, wages are generally rather high', explains Kalle Kunkel, Secretary General at the German Services Trade Union Federation Verdi. So a nurse can earn EUR 13 to 15 gross per hour. But the sector has no collective agreement applying to everyone. Only public institutions have one. So, private clinics, retirement homes and care services can offer far lower wages to nurses from abroad, who are not aware of the normal level of remuneration.

Kalle Kunkel turns to a heavy file and takes out a contract offered to a Spanish nurse by a company providing intensive medical home care. The company employs about

a hundred foreign nurses, 5% of its staff. The wage is EUR 9.50 gross per hour. 'The company has no staff representatives, so we have not managed to find out how much German colleagues are paid on average. But I have seen in German nurses' contracts offered by this company that wages begin at EUR 11.'

The company denied any discrimination and issued a statement to the effect that it pays its employees 'according to their qualifications and experience'. 'Remuneration is negotiated individually and depends on candidates' profile, qualifications and *soft skills*', added the company, refusing to provide details. 'The employer can always say that foreign nurses do not speak German as well as the others and this justifies a difference in wage. But, for its part, the firm receives the same amount from its clients', Kalle Kunkel points out.

'When Portuguese or Spanish colleagues see that they could earn more elsewhere, they want to change employer and then they notice that this involves a clause in their contract obliging them to remain in post for three years. Otherwise, they have to reimburse the costs incurred during the German course', continues the trade unionist. The sums claimed vary from EUR 6 000 to 10 000, amounts which taper off in line with the number of months worked. According to the Verdi trade union, at least 300 migrant nurses have been in this situation in the last two years just in the Berlin-Brandenburg region.



From operating theatre to cleaning the floor

It's not just the remuneration. Nurses' work is often less qualified and physically harder in Germany than in the home countries of European staff. In Germany, it covers tasks such as hygiene care carried out elsewhere by care assistants. 'Nurses in the rest of Europe often have broader skills than in Germany. But there are areas, such as basic care, where they have little practical experience', says the German Agaplesion group of private clinics, which employs more than 200 migrant nurses in Frankfurt alone qui emploie plus de 200 infirmiers migrants rien qu'à Francfort. 'Spanish colleagues who come to work here are more highly qualified than the Germans. Our working conditions do not meet their expectations', confirms Dietmar Erdmeier, adviser on health policies at the Verdi trade union confederation.

Some companies specialising in home care also require them to carry out tasks which have nothing to do with care. 'For example, an intensive home care company which has recruited dozens of European nurses in recent years needs qualified staff for medical care, but these trained nurses are also treated like home helps. They are asked to do everything: walk the dog, water the plants, clean the floor', says Sylwia Timm, a Polish adviser specialising in the care sector at the DGB trade union confederation. 'One

'We can't offer you a land of plenty in Germany, because it doesn't exist!'

Extract from an employment contract

Danuta Joanna Dunajewski comes from Poland and has lived in Germany for 11 years. She has worked as a nursing auxiliary for three years.

of the Polish nurses I advised had previously worked in the operating theatre at the university hospital in Warsaw. And, all of a sudden, she was asked to clean the floor! With a contract that does not allow her to resign!.

Many resign anyway, in the hope that their employers will not go to court to obtain the thousands of euro claimed. Elsewhere, they find more highly qualified and better paid jobs. Like Maria, who quickly found a job at the university hospital in Berlin. Sylwia Timm says with regret: 'Foreign nurses are not always aware of their value on the German labour market. Their employers hide it from them well.' ●



Vladimir Bogoeski is a trade union adviser with the German Confederation of Trade Unions (DGB).

Home care assistants: 'They have almost no rights'

According to the German Services Trade Union Federation Verdi, between 115 000 and 300 000 migrants from eastern Europe are working in the home care sector for elderly people. It is impossible to establish a more precise figure since many of these workers, the great majority of them women, are invisible. 'They disappear shortly after arriving at the homes of the individuals who employ them', says Sylwia Timm, a Polish adviser for the personal care sector at the German trade union confederation DGB, as part of the European project for assistance to casual workers Fair Mobility. 'They are not represented, not organised and, whether it be in Germany or in Poland, no government is looking out for them.'

But there is much to do. Germany is short of between 150 000 and 190 000 care staff, nurses, care assistants and unqualified staff to look after elderly people. The sector already makes great use of migrant workers to meet this demand for labour. The phenomenon is set to expand since the number of people needing home care is about to increase from 2.3 to 3.4 million by 2030, according to forecasts by the German Statistics Institute.

What with the difficulty of the job – carrying people, endless hygiene care, etc. –, the emotional stress, very often availability for 24 hours a day and extremely low wages, the

working conditions of these home employees are particularly difficult. 'Their working hours are not defined at all. Staff often sleep at the place where they work, being present seven days a week', notes Dietmar Erdmeier, responsible for health policy and the question of care for elderly people at the Verdi trade union. 'They are most usually women aged between 45 and 60 years', adds Sylwia Timm. 'Some of them have little chance of finding a job in their own countries and they often underestimate the difficulty of this work. Others are already receiving a small pension, but not enough to live on.'

However, the remuneration awaiting them in Germany is poor: EUR 1 400 gross on average according to data gathered by Verdi for full-time attendance on elderly people. 'Since these people work for more than 48 hours a week, the wage is well below the minimum wage for the care sector' (EUR 9.40 gross at present in western Germany and EUR 8.65 in the east), the trade union concludes in a 2014 study*. Remuneration which is also below the general minimum wage in force in Germany since 1 January 2015, amounting to EUR 8.50 gross per hour. 'The minimum wage should clearly apply for these workers. But they will have to claim it and there will have to be checks', says Sylwia Timm.

However, checks are made even more difficult by the profile of the companies in the sector covering home care for elderly people. This sector is dominated by a whole bunch of private enterprises who send staff to their patients. There are more than 12 000 of them. The sector also relies on foreign companies, which send

The remuneration awaiting them in Germany is EUR 1 400 gross on average.

casual workers, or on organisations which put families in direct contact with staff working as freelances, a status open to all kinds of abuse.

'There are companies which operate on the basis of the casual work directive but often do not meet the required conditions. Since this involves home working, nobody checks it and the German authorities cannot in any case keep an eye on companies which are based in Poland, Sylwia Timm explains. And then there are women working as freelances and other employees working entirely on the black economy. For all of them, whatever their status, it is anyway very difficult to prove that they have worked such and such a number of hours or even that they have worked for such and such a person. These women carry out all the care and home help tasks they are asked to, but they have no right to paid holidays, nor sick leave, and not always even sickness insurance. They have almost no rights.'

* Steffen M., Migrantinnen aus Osteuropa in Privathaushalten. Problemstellungen und politische Herausforderungen, Verdi, Berlin, March 2014. The figures mentioned here are all taken from this study.