

**Questionnaire for the meeting of the IV th . Study Commission the IAJ
(Abidjan 27 – 31 October 2002)**

**Working conditions for children
in
Germany**

1. Has your country provided for a legislation or protective measures concerning children at work?
 - minimum age for employment;
 - differences in rights based on age;
 - special working conditions for children.

In Germany the protection of children and young persons at work is safeguarded by the Law “Protection of young persons at work “ (Jugendarbeitsschutzgesetz – Bundesgesetzblatt 1976 S. 965).The regulations of this Law are fully in line with the European Union Directive 94/93 /EC on the protection of young people at work and with the provisions of the European Social Charter, Article 7, Para 8, concerning the right of children and young persons .

a) Minimum age for employment

The employment of children (under 14 years of age) and young persons under 15 years of age is prohibited. There are some exceptions for the purpose of performance, in theatre, music, radio, TV, sports, on conditions that the activities are not harmful to physical or mental health and with a license of the local government. Children who are at least 14 years of age are allowed to start an apprenticeship. Children who are at least 13 years of age are allowed to do farm-working (3 hours a day).

b) Differences in rights based on age

There are a lot of differences in rights based on age in Germany. The above mentioned Law

- defines the maximum hours of work of children (7 hours of work in one day and 35 hours in one week) and young persons (8 hours in one day and 40 hours in one week);
- contains determinations of breaks and working holidays based on age ;
- prohibites the employment of young people at night (before 6.00 am - after 10 pm). There are exceptions for farm-working, working in hotels ec.;
- prohibites working on Saturdays and Sundays, ECO piece work, shift-work and working under dangerous conditions.

c) Special working conditions for children

No child worker shall be permitted to do heavy and hazardous work. Children and young persons are not allowed to work beyond their physical or mental capabilities

or in unethical, unmoral business or under dangerous conditions (extremely temperature, harmful substances) in mines below ground.

School –Education is compulsory until the young persons reach the age of 18 years (at least one day a week).

2. What are the sanctions (applies or applicable) in case of breach of children's right at work ? Any recent cases in your country on violation of children's right at work ?

According to the provisions of the above mentioned Law any person who breaches the children's rights at work is guilty of an offence and is liable to a fine not exceeding ten thousand Euro or the personal income not more than 180 days or to imprisonment for a term not exceeding one year.

3. Specify , if need be , the concrete measures likely to improve the conditions of children at work in your country ?

No improvements are needed. In Germany the regulations protecting the child workers are quite exhaustive.