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Bundesarbeitsgeberverband  
der Personaldienstleister

# Code of Conduct

of the German Employers'  
Association of Personnel Service  
Providers e. V. (BAP)



**Status: June 14, 2012**

»» Fairness and transparency are crucial foundations of our actions and our guiding principles for dealing with employees and customers. ««

## Preamble

The member companies of the Federal Employers' Association of Personnel Service Providers (BAP) are aware of their social and economic responsibility. The following guidelines for modern personnel services have been developed out of responsibility for companies and employees.

Modern personnel services such as temporary employment make a significant contribution to the creation of new jobs and the preservation of existing ones, as well as to the greater competitiveness and flexibility of companies. Temporary staffing in particular is a modern and contemporary response to the challenges of an increasingly international and transnational economy. Modern staffing services reconcile the labor market flexibility urgently needed by the economy on the one hand and employees' need for employment on the other.

Fairness and transparency are crucial foundations of our actions and our guiding principles for dealing with employees and customers. The appreciation of our employees is a central concern for us, which we promote publicly and internally as well as in customer companies. We attach great importance to a fair social partnership between employers' associations and trade unions. Together with the trade unions, we want to further develop this social partnership with a modern collective bargaining policy and intensive social dialog.

We, the companies associated in the BAP, commit ourselves to this Code of Conduct. It is the guideline for our actions and formulates the essential principles for personnel services, in particular temporary staffing in Germany:

## I. Ethical foundations

1. We are committed to ethical standards derived from European human and civil rights. The European Convention for the Protection of Human Rights and Fundamental Freedoms of 2000 and 1950the Charter of Fundamental Rights of the European Union of 2000 are important guidelines for human rights. Fair and trusting treatment of employees and applicants, customers and competitors, based on respect and appreciation, is the guiding principle of our actions.
2. Compliance with the law is a matter of course for us and an indispensable basis for our business activities.
3. We manage our companies in such a way that the reputation and standing of the temporary employment industry and the association are not damaged.
4. We are merchants within the meaning of the statutory provisions. Our branches require business operations set up in accordance with commercial principles.
5. We work to ensure that our employees comply with these principles. We monitor compliance with our principles and ensure that sanctions are taken in the event of violations.

## II. Conduct and duty of care towards employees and applicants

1. We are committed to our employer obligations to our employees. We know and bear all the associated duties, responsibilities and risks. Our employees enjoy the full protection of German labor law, such as continued payment of wages in the event of illness, paid vacation and protection against dismissal.
2. We inform our employees about their rights and obligations, The employer shall inform the employee of the nature of the work to be performed and the details of his or her working conditions. Working conditions, such as regulations on the amount of wages or salaries, working hours, vacation entitlements, reference to collective agreements, are set out in a written agreement.

3. assigning a temporary employee, we take a thorough and conscientious assessment of the potential health and safety risks. safety risks in the workplace. We inform our employees about possible health and safety risks associated with their work.

4. We consider it a violation of this Code if a member intentionally or through gross negligence fails to provide adequate compensation to its employees. Compensation that deviates to the disadvantage of employees, e.g. from binding collective agreements or the ethical principles of our association, is not sufficient.

5. We undertake to refrain from any form of unlawful discrimination.

6. We undertake not to obstruct an employee's wish to change his or her place of work, but rather to accept it in compliance with contractual and legal regulations in a professional manner.

7. We do not transfer workers to assignment companies to replace workers who are on a lawful strike.

8. We are committed to providing continuous support for our employees. This includes, for example, regular appraisal interviews as well as the explanation and clarification of questions relating to the employment relationship, such as Payroll, vacation entitlement, etc.

9. For us, there are no differences between temporary and permanent employees. We work to ensure that in our We are committed to treating our employees with respect. employees is cultivated. We are committed to integrating them socially and into the environment of the client company.

10. We ensure confidentiality in all our activities and ensure that the provisions of the Data Protection Act are complied with.

## III. Behavior towards customers and competitors

1. We develop contemporary quality standards for our services and strive

and explained verbally to the employees.

for continuous improvement of our quality specifications.

2. We ensure that our employees are tested for their suitability for the respective task in the customer company.
3. We ensure that our employees are adequately trained and prepared to perform their duties responsibly and with high quality.
4. Within the scope of our possibilities, we work to ensure that our customer companies are informed about their legal obligations towards temporary workers.
5. We are committed to fair competition and refrain from any unfair or otherwise unlawful competition.

#### IV. Sanctions

1. The members of the Association submit to the arbitration of the BAP and recognize the binding nature of its decisions, subject to possible review by ordinary courts. The Association shall in any case ensure the neutrality of the arbitral tribunal.
2. Failure to comply with a decision of the arbitration panel is a serious violation of the Articles of Incorporation and this Code.
3. Each member is obliged to notify the Association immediately of the withdrawal of permission to hire out employees.
4. Violations of these principles (exception No. III. 5.) shall be investigated and, if necessary, penalized by the arbitration court upon request. Details are governed by the Articles of Association and the Rules of Arbitration.
5. Depending on the severity and sustainability of the violation of the interests of the association and the industry as a whole, the arbitration court may issue a warning or reprimand, impose a fine of up to 1.5 times the last membership fee of the member concerned, up to a maximum of EUR 25,000, or decide on a proposal for the exclusion of the member by the general meeting.
6. Fines are used for the purposes of the Association in accordance with its statutes.


#### Imprint

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