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Minimum wage

Heruntergeladen am 26.06.2025

<https://fimportal.de/xzufi-services/392756088/L100008>

Modul	Sachverhalt
Leistungsschlüssel	99006026000000, 99006026000000
Leistungsbezeichnung I	Minimum wage
Leistungsbezeichnung II	
Typisierung	6 - Allgemeine Hinweise, nicht spezifische für eine Leistung
Quellredaktion	Sachsen-Anhalt
Freigabestatus Katalog	fachlich freigegeben (gold)
Freigabestatus Bibliothek	unbestimmter Freigabestatus
Begriffe im Kontext	
Leistungstyp	Leistungsobjekt
Leistungsgruppierung	Arbeitsschutz (006)
Verrichtungskennung	
SDG-Informationsbereich	
Lagen Portalverbund	
Einheitlicher Ansprechpartner	Nein
Fachlich freigegeben am	14.02.2018

Modul	Sachverhalt
Fachlich freigegeben durch	Federal Ministry of Labour and Social Affairs
Handlungsgrundlage	https://www.gesetze-im-internet.de/milog/index.html
Teaser	
Volltext	<p>The minimum wage is currently EUR 8.84. It is adjusted every 2 years, the next time on 1 January 2019.</p> <p>Exemptions from the minimum wage requirement, some of which were permitted until 31 December 2017, have no longer been permitted since 1 January 2018.</p> <p>Components</p> <p>The minimum wage is a gross wage. Payments made by an employer that compensate an employee for "normal work" are considered a component of the minimum wage.</p> <p>Payments that an employee receives as compensation for additional benefits, expense allowances and fringe benefits are not included. For example, capital-forming benefits are not remuneration and therefore cannot be offset against the minimum wage.</p>
Erforderliche Unterlagen	
Voraussetzungen	<p>You are not entitled to minimum wage if you:</p> <ul style="list-style-type: none"> • have not yet reached the age of 18 and are without completed vocational training, • are a trainee according to the Vocational Training Act, including preparatory vocational training measures, • are active in an honorary capacity, • are doing voluntary service, • are participants in employment promotion measures (e.g. 1-Euro-Job), • were long-term unemployed within the meaning of Section 18 (1) SGB III within the first six months immediately prior to commencement of employment, • are home workers according to the Home Work Act or • are self-employed.
Kosten	

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Bearbeitungsdauer
Frist

• As of 01.01.2015, a minimum wage of EUR 8.50 applied in principle. • Until 31 December 2016, wages below EUR 8.50 were only permitted if a collective agreement declared to be generally binding within the meaning of the Posted Workers Act or a statutory order under the Posted Workers Act or the Temporary Employment Act provided for this. • Since 1 January 2017, the minimum wage for all employees has been EUR 8.84 and applies to all sectors (exception: newspaper delivery staff). • Since 1 January 2018, the general statutory minimum wage of EUR 8.84 set by the Minimum Wage Commission has applied without any restriction.

weiterführende Informationen

<https://www.bmas.de/DE/Themen/Arbeitsrecht/Mindestlohn/mindestlohn.html?jsessionid=F7A8D3ECA8BE36212A97AD4B7A576870>

Hinweise

Special arrangements for certain categories of persons:

• Interns As a trainee you are also entitled to minimum wage. However, so-called compulsory internships are exempt from the minimum wage, i.e. in particular internships that are compulsory due to a school law provision, a training regulation or a university law provision. Voluntary internships that serve the purpose of vocational orientation (orientation internships) or are carried out during training or studies and do not last longer than 3 months are also not entitled to the minimum wage. However, if such an internship lasts longer than 3 months, it must be paid the minimum wage from the first day. In addition, the minimum wage does not apply to internships within the framework of an introductory qualification according to SGB III and measures of a vocational training preparation according to the Vocational Training Act. Internships can be very individually designed. If you have any specific questions, please use the personal telephone advice service.

• Trainees Persons undergoing vocational training do

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not receive a minimum wage. Their remuneration is regulated by the Vocational Training Act.

- **Marginally employed persons** As a marginally employed person, you are entitled to minimum wage. From the gross wage you only have to pay the share of 3.6% for the statutory pension insurance. Exemption from this is possible. Employer contributions to social insurance are not taken into account when calculating the minimum wage. The employer has to pay the contributions to the statutory health insurance and the statutory pension insurance which are incurred in the context of your mini-job - in addition to the gross hourly wage. However, the employer may transfer the uniform flat-rate tax amounting to 2% of the remuneration to you.

- **Part-time employees** Part-time employees are also entitled to the minimum wage.

Further details

- **Piecework and piecework wages** Piecework and piecework wages are permissible if it is ensured that the employees receive the minimum wage for each hour actually worked.

- **Stand-by times** On-call times are to be remunerated with the minimum wage according to general principles, insofar as they are to be regarded as working time subject to remuneration according to case law.

- **One-time payments** One-time payments (such as Christmas bonuses) can be taken into account when calculating the minimum wage. However, because of the due date rule, they can at most be counted towards the minimum wage in the month in which they are actually paid. Moreover, a one-off payment can also be made chargeable in such a way that it is distributed pro rata over several months and actually and irrevocably paid to the employee on the respective due date relevant for the minimum wage. The Christmas bonus, for example, could be taken into account in the calculation of the minimum wage to the

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extent that it is distributed over the entire year with the monthly statements and paid out in twelfths at the latest at the end of the following month.

- Cross-border activities The Minimum Wage Act applies to all employees working in Germany. This is also the case for short-term employment in Germany (for example, for truck drivers passing through).
- Room and board for seasonal work Room and board are not cash benefits and therefore cannot be counted towards the minimum wage. However, exceptions are possible in the case of seasonal work. If you have any questions, please make use of the possibilities of a personal or telephone consultation tailored specifically to your case.

Rechtsbehelf

Kurztext

The minimum wage is EUR 8.84.

Components

Payments made by the employer to compensate for the employee's "normal work" are considered to be part of the minimum wage. Payments that an employee receives as compensation for additional work and fringe benefits are not eligible.

When does the minimum wage not apply?

You are not entitled to minimum wage if you:

- Have not reached the age of 18 and have not completed vocational training,
- are a trainee according to the Vocational Training Act, including vocational training preparation measures,
- are active in an honorary capacity,
- are doing voluntary service,
- are participants in employment promotion measures (e.g. 1-Euro-Job),
- were long-term unemployed within the meaning of Section 18 (1) SGB III within the first six months immediately prior to commencement of employment,
- are home workers according to the Home Work Act or

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	<ul style="list-style-type: none"> • are self-employed.
Ansprechpunkt	<p>Minimum wage telephone</p> <p>Phone: +49 030 602800-28</p> <p>Availability</p> <p>Mon 08.00 - 20.00</p> <p>Tue 08.00 - 20.00</p> <p>Wed 08.00 - 20.00</p> <p>Thu 08.00 - 20.00</p> <p>Fax: +49 228 99 527-2965</p> <p>E-Mail: mindestlohn@buergerservice.bund</p>
Zuständige Stelle	
Formulare	
Ursprungsportal	Minimum wage, Mindestlohn