

*Bezirks-Nr.: *Mitgl.-Nr.:

*Dieses wird von den Bezirken ausgefüllt.

Beitrittserklärung und Einzugsermächtigung

Name:

Vorname:

Geburtsdatum: m / w

PLZ/Wohnort:

Straße/Haus-Nr.:

Nationalität:

privat E-Mail:

Telefon:

Mobiltelefon:

dienstlich E-Mail:

Telefon:

Mobiltelefon:

Eintrittsdatum IG BCE:

Anlass des Eintritts*:

Übertritt/Vorgewerkschaft:

Monatl. Bruttoeinkommen/Eingruppierung:

Personalnummer:

BLZ/Konto-Nr.:

Bankinstitut:

Ich bevollmächtige die IG BCE meinen satzungsgemäßen Beitrag bei Fälligkeit

- monatlich vierteljährlich
- halbjährlich jährlich

von meinem Konto per Lastschrift abzubuchen oder durch Betriebsabzug über den Arbeitgeber bzw. die Arbeitgeberin von meinem Lohn bzw. Gehalt einzubehalten. Diese Ermächtigung gilt auch für jedes andere, auf meinen Namen lautende Konto bei jedweden Kreditinstitut. Einen evtl. Widerruf werde ich bei der IG BCE vollziehen. Wenn mein Konto die erforderliche Deckung nicht aufweist, besteht seitens des kontoführenden Kreditinstituts keine Verpflichtung zur Einlösung.

* zum Beispiel: Tarifrunde, Kampagne, Werbegespräch

Beschäftigt bei:

PLZ/Ort:

Tätigkeit:

Abteilung:

Berufsgruppe (Zutreffendes im Kreis ankreuzen)

- 01 Angelernte
- 02 Handwerker/-innen und Facharbeiter/-innen
- 03 Chemotechniker/-innen und Laboranten bzw. Laborantinnen
- 04 Büroangestellte/Kaufleute
- 05 Meister/-innen
- 06 Technische Angestellte und Ingenieure bzw. Ingenieurinnen
- 07 AT-Angestellte: _____
- 08 Angestellte im Außendienst
- 09 Akademiker/-innen
- 10 Leitende Angestellte
- 11 Atypische Beschäftigung: Leiharbeitnehmer/-innen Befristet Beschäftigte
- 12 Sonstige: _____

Ausbildungsbeginn (Monat/Jahr):

Ausbildungsjahr:

Ausbildungsende (Monat/Jahr):

Werber/-in:

Einverständniserklärung nach § 4 a BDSG

Ich bin damit einverstanden, dass meine personenbezogenen Daten einschließlich evtl. Änderungen und Ergänzungen zur Erledigung aller im Zusammenhang mit der Mitgliedschaft stehenden Aufgaben (Mitgliederbetreuung), insbesondere der Mitgliederverwaltung, der Mitgliederinformation sowie des Beitragseinzugs im erforderlichen Umfang erhoben, verarbeitet und genutzt werden. Die Datenverarbeitung und Nutzung betrifft die zweckentsprechende Datenspeicherung, -nutzung und Datenauswertung durch die IG BCE sowie die Datenweitergabe an Dritte, sofern und soweit diese mit der Mitgliederbetreuung und/oder Mitgliederwerbung von der IG BCE ermächtigt oder beauftragt worden sind.

Datum Unterschrift

Das vollständig ausgefüllte Formular bitte bei Ihrem zuständigen **Bezirk** bzw. **Betriebsrat** abgeben oder per **Fax an: 0511 7631-708**



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REMUNERATION OF NON-TARIFF EMPLOYEES



Information from the IG BCE. Remuneration of non-tariff employees – potential forms and legal rights.

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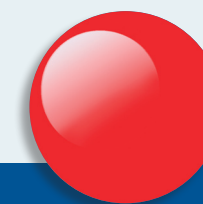
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Do I have a non-tariff employment contract?

To clarify the question of correct remuneration, it first has to be considered whether the status of non-tariff employee is legally correct. In most sectors in which collective agreements apply, these agreements define the status of non-tariff employee. At the top end of the hierarchy, the status of non-tariff employee ends with the transition to executive staff. Further details are stated in the flyer "Status and Definition of Non-Tariff Employees".



Remuneration in the non-tariff sector

Individual remuneration

Non-tariff employees are often thrown back on their own resources. It is therefore of crucial importance for them to know how comparable work is paid for at other companies in the same market environment. The Institute of Economic and Social Research (WSI) at the Hans Böckler Foundation, which has close links with the trade unions, has set up a web-based, anonymous salary comparison database which provides information about salaries on the basis of the following data: qualifications, sector of industry, career experience, gender, management responsibility, region and number of employees at the company.

Lohnspiegel.de

In addition to Germany, the database is also available for many other countries at the website wageindicator.org.

Wageindicator.org

As the survey depends on the continuous input of new data, you would help many colleagues when you use the salary comparison if you also take part in the survey and so help to enlarge the database.

Company remuneration schemes

Pursuant to Section 77 (3) Betriebsverfassungsgesetz (German Industrial Relations Act), works councils are not permitted to negotiate pay grids if a collective agreement exists for the sector concerned. In other words, the collective agreement always takes priority.

However, non-tariff employees are by definition employees whose remuneration is not covered by collective agreements, as their work is rated higher than the work of the employees in the top pay group of the collective agreement. Pursuant to Section 87 (10) Betriebsverfassungsgesetz, the **works council has a right of co-determination** in the principles of remuneration for non-tariff employees. The above law prescribes that the works council has a right of co-determination in questions related to remuneration arrangements in the establishment, in particular the establishment and modification of principles of remuneration and the introduction and application of new remuneration methods or modification of existing methods. The first sentence of Section 87 Betriebsverfassungsgesetz does not rule out the works council's right of co-determination in matters related to the remuneration of non-tariff employees.

The works council's right of co-determination is intended to protect employees from remuneration structures which are unilaterally designed in the interests of the company. It is intended to promote fair remuneration within the establishment and ensure the appropriateness and transparency of the remuneration structure.

The Federal Labour Court has ruled that the decision of the criteria which serve as the basis for the remuneration of individual performance and remuneration levels in relation to one another is subject to co-determination. The right of co-determination prescribed in Section 87 No. 10 Betriebsverfassungsgesetz refers to collective provisions. According to the Federal Labour Court, the works council therefore has a right of initiative in such matters. In proceedings to determine whether non-tariff employees are entitled to demand the introduction of a remuneration structure for the non-tariff sector if this is not intended by the employer, the Court has meanwhile also confirmed the works council's right of initiative.

Works councils have a right of co-determination when it comes to determining the criteria for pay increases and above all the distribution of the total sum available for pay increases. The total sum itself, however, is not subject to co-determination. In practice, this means that the works council has the right of co-determination in how a total sum

of EUR 40.000 is distributed amongst 100 employees, but has no right to insist that the sum is raised to EUR 50.000.

This example shows that non-tariff employees are even more dependent on the decisions of the works council than employees who are covered by the collective agreements, as the power of decision in many tariff matters is transferred to the works council. However, it should be noted that although the works council is entitled by law to many powers of determination, it cannot directly affect remuneration levels. Its right of co-determination entitles it only to influence questions of structure and distribution.

Collective agreement remuneration schemes

As stated above, the parties to the collective agreements define which employees are non-tariff employees. As a rule, they do so by restricting application of the collective agreements to the highest tariff groups. However, it would be possible at any time either to introduce higher tariff groups or to negotiate alternative agreements for those employees who are graded higher than the highest tariff group.



The IG BCE looks after the interests of non-tariff employees. In order to create an appropriate structure and enable it to represent the specific interests of this group more effectively, in 2011 the IG BCE launched the project "Non-tariff and highly qualified employees", which was aimed at demonstrating our competence in matters

involving these groups of employees and offering our support on a broader basis.

In recent years, despite increasingly tight labour markets there have been only low pay adjustments in the non-tariff sector and the borders between non-tariff and tariff employees have become increasingly blurred. We have to strengthen the role of the collective agreements and emphasise the differentiation from the non-tariff sector if we are in turn to succeed in improving remuneration for non-tariff employees. In addition to this, we also wish to campaign directly for better remuneration in the non-tariff sector. To do so, we need the support of non-tariff employees. No employer will be interested in negotiating good agreements with us if we do not have the necessary negotiating clout.

Support us so that we can support you!

We are strong together.

