

Key Considerations When Hiring Seasonal Workers

While seasonal employment provides flexibility, businesses **must comply with legal regulations** to ensure a fair and lawful arrangement.

1. Employment Contracts

- Seasonal employment **requires a written contract** specifying **duration, working hours, duties, pay, and benefits**.
- Contracts should include **termination clauses**, accommodation provisions (if applicable), and any relevant **collective bargaining agreements**.

2. Employment Duration & Limits

- Seasonal work is typically **short-term**, lasting **a few weeks to several months**.
- The legal limit for **temporary seasonal work** in Germany is **three months or a total of 70 working days per calendar year**.

3. Work Hours & Breaks

- The **maximum daily work limit** is **8 hours**, extendable to **10 hours** under certain conditions.
- **Breaks are mandatory**:
 - **30 minutes** for shifts over 6 hours
 - **45 minutes** for shifts over 9 hours
- Workers must have at least **11 hours of uninterrupted rest** between shifts.

4. Wages & Compensation

- Seasonal employees **must be paid at least the legal minimum wage**.
- Businesses can opt for **hourly wages or piece-rate pay (common in agriculture)**, but compensation **must meet minimum wage laws**.
- Seasonal work **cannot be a person's primary source of income**, meaning employees must prove it's a **side job** rather than full-time employment.

5. Seasonal Work & Unemployment Benefits

- Unemployed individuals in Germany **can take on seasonal jobs**, but:
 - Weekly working hours **must not exceed 15 hours**.
 - Income above **€165 per month** may reduce unemployment benefits.

6. Vacation Entitlement

- Seasonal employees **are entitled to vacation days** based on Germany's Federal Vacation Act.
- Vacation entitlement is calculated as **1/12th of the annual leave per full working month**.
- If the worker cannot take their leave, **unused vacation days must be compensated** financially.

7. Social Security & Insurance

- Seasonal workers **may or may not require social security contributions**, depending on:
 - **Duration of employment** (less than 3 months = exemption)
 - **Primary employment status** (if they have a full-time job elsewhere)
 - **Country of origin** (EU workers must present an **A1 certificate** to avoid double taxation)

8. Hiring Foreign Seasonal Workers

- Citizens of **EU/EFTA countries** (e.g., Switzerland, Norway) **do not need a work permit**.
- Non-EU nationals **must register as seasonal workers** with the German labor agency.
- Employers must ensure **valid social security coverage** for foreign seasonal employees.

9. Termination & Contract End

- Seasonal contracts **end automatically** on the agreed date.
- **Early termination** is possible if specified in the contract or under **serious circumstances** (e.g., legal violations, wage disputes).