

Code of Conduct

for the **Bundesarbeitgeberverband der Personaldienstleister e. V.**
(**BAP - Federal Employers Association of Staffing Services**)

Version: 14. June 2012

**„Fairness and transparency are separate
key principles of our business and our
guidelines for dealing with employees and
customers.”**

PREAMBLE

The member companies of BAP are aware of their social and economic responsibility. The following guidelines exist for present-day staffing services as a result of this responsibility for company and employees.

Present staffing services such as temporary work, for example, contribute to the establishment of new and existing positions to be maintained as well as the higher competitive ability and flexibility of companies. In particular, temporary employment is a modern and seasonal response to the challenges of a growing international economy working across the borders. On the one hand, modern staffing services bring the necessary flexibility of the labour market and the needs of the employee after employment on the other, in line with one another.

Fairness and transparency are key principles of our business and our guidelines for dealing with employees and customers. The appraisal of our employees is a key goal for us, for which we publicly and internally advertise as well as in customer businesses. We place great importance on the fair social partnership of employer associations and trade unions. Together with trade unions, we wish to advance this social partnership with a modern collective bargaining policy and intensive, social engagement.

We, the companies united in the BAP, commit ourselves to this code of conduct. It is a guiding principle of our business and shapes the fundamental principles for staffing services, most notably temporary employment in Germany:

I. ETHICAL PRINCIPLES

1. We shall undertake to adopt ethical standards which derive from European human and civil rights. Essential guidelines on human rights are the European Convention for the Protection of Human Rights and Fundamental Freedoms of 1950 and the Charter of Fundamental Rights of the European Union of 2000. Fair and trusting, respectful treatment based on the appraisal of employees and candidates by customers and contestants is a guiding principle of our business.
2. Staying true to the law and legislation is a certain and essential principle of our economic business.
3. We operate our company in such a way so as not to impede upon the reputation and prestige of the temporary employment industry and association.
4. We are business people as defined by statutory regulations. Our establishment exacts business operations established according to commercial principles.
5. We shall work towards the compliance of these principles through our employees. We shall monitor the compliance of our principles and arrange for penalties in cases of violations.

II. CONDUCT AND DUTY OF CARE TOWARDS EMPLOYEES AND CANDIDATES

1. We stand by our employer's obligations towards our employees. We are aware of and bear all obligations, responsibilities and risks associated with them. Our employees shall enjoy full protection of the German employment law such as, for example, continued pay in the event of illness, paid holiday and job protection.
2. We shall inform our employees of their rights and obligations, of the type of activities to be carried out by them and the details of their working conditions. Working conditions such as, for example, regulations on the amount of pay or salaries, working hours, holiday entitlement, the reference to collective agreement, for example, shall be set out in a written agreement and explained to employees verbally.
3. Prior to employing a temporary employee, we shall conduct a thorough and precise assessment of the possible health and safety risks at the place of employment. We shall inform our employees of possible health and safety risks associated with the employment.

4. We consider it a violation of this code should a member of its employees not warrant sufficient emoluments, wilfully or in gross negligence. Insufficient emoluments are those at the detriment of the employee; from mandatory collective agreement of the ethical principles of our association for example.
- We shall undertake to refrain from any form of illegal discrimination.
 - We shall undertake, at the request of an employee, to change his place of employment, not to interfere, but to professional accompany him in compliance with contractual and legal regulations.
 - We shall leave no employees in employment to replace employees who find themselves in a legal strike.
 - We shall undertake to continuously care for our employees. This includes, for example, regular appraisal meetings as well as the exemplification and clarification of questions concerning the employment such as payroll, holiday entitlement, amongst others.
 - We believe that there are no differences between temporary employees and permanent employees whatsoever. We shall work to ensure that valued contact with our employees is maintained in our customer businesses. We undertake to ensure that they are integrated socially and in the field of customer companies.
 - We shall guarantee confidentiality in all of our activities and ensure that the regulations of the Data Protection Act are observed.

III. CONDUCT TOWARDS CUSTOMERS AND COMPETITION

1. We devise up-to-date quality standards for our services and aspire to steady improvement of our quality specifications.
2. We shall ensure that our employees are assessed on their suitability for a particular job in the customer company.
3. We guarantee that our employees are appropriately trained and prepared to perform their functions in an employment responsibly and to a high quality.
4. We shall work within the framework of our abilities to ensure that our customer companies are informed of their statutory obligations towards temporary employees.
5. We shall commit ourselves to fair competition and refrain from any unfair or otherwise illegal competition.

IV. PENALTIES

1. Members of the association shall be subject to BAP arbitration and acknowledge the commitment of the same decisions, subject to a possible inspection by ordinary courts. The association shall ensure neutrality of the court of arbitration in any case.
2. Non-compliance with a decision made by the court of arbitration shall represent a serious violation against the articles of association and this code.
3. Each member shall undertake to turn the information into temporary employment immediately via withdrawal of the license.
4. Violations against these principles (Except paragraph III. 5.) shall be examined by the court of arbitration upon application and punished where applicable. Details will be regulated by the articles of association and rules of arbitration.
5. According to the severity and sustainability against the interests of the association and the industry as a whole, the court of arbitration may issue a warning or reprimand, impose a penalty up to one and a half times the last contribution by the member concerned, however no higher than EUR 25,000, or determine the proposal for exclusion of the member via a members' meeting.
6. Fines shall be used for statutory association purposes.

