

## Declaration of obligation according to the Tariff Compliance and Minimum Wage act of the state of Baden-Württemberg (LTMG)

[Processing note: In the case of bidding consortiums, the declarations must be submitted for each company].

### Declaration of obligation to the minimum wage

Company Name: \_\_\_\_\_

I/We declare,

- that I/we undertake to fulfill the obligations according to Section 4 LTMG as well as to ensure that the subcontractors and temporary work agencies fulfill the obligations according to Section 4 LTMG;
- that my/our employees covered by the German Minimum Wage Act (MiLoG) (with the exception of apprentices) are paid a remuneration during the performance of the service that at least meets the requirements of the MiLoG and the legal ordinance issued pursuant to Section 1 (2) Sentence 2 MiLoG (in the amount of the applicable legal regulations);
- that I/we will have a declaration of obligation in the aforementioned sense issued by a subcontractor or temporary work agencies commissioned by me/us in the same way as for all other subcontractors and temporary work agencies of the subcontractors and temporary work agencies and will then submit this to the company issuing the invitation to tender;
- that, I am/we are aware,
  - that my/our company is to prove compliance with the obligation arising from this declaration to the company issuing the invitation to tender at any time upon its request and that the subcontractors and temporary work agencies commissioned by me/us are to be obligated accordingly,
  - that my/our company must keep complete and verifiable documents in the aforementioned sense about the employees used and that the subcontractors and temporary work agencies commissioned by me/us must commit themselves accordingly,
  - that in order to comply with the obligations arising from this declaration, a contractual penalty is to be agreed between the tendering company and my/our company for each culpable breach,
  - that the company issuing the invitation to tender is entitled to terminate the contract without notice for good cause after conclusion of the contract and that I/we must compensate the company issuing the invitation to tender for any damage incurred as a result of such termination

and I/we am/are prepared to agree this accordingly with the company issuing the invitation to tender.

**Declaration of obligation for public contracts governed by the German Act on Mandatory Working Conditions for Workers Posted Across Borders and for Workers Regularly Employed in Germany (AEntG)**

**Company Name:** \_\_\_\_\_

I/We declare,

- that I undertake/we undertake to fulfill the obligations according to Section 3 LTMG as well as to ensure that the subcontractors and temporary work agencies fulfill the obligations according to Section 3 LTMG;
- that my/our employees (with the exception of apprentices) are granted those working conditions, including remuneration, during the performance of the service which is governed by the AEntG in the currently applicable version, which correspond in terms of type and amount at least to the specifications of the collective agreement to which my/our company is bound on the basis of the Employee Posting Act;
- that my/our employees (with the exception of apprentices) who are not subject to the AEntG in the currently applicable version, or to whom the collective bargaining agreement pursuant to the AEntG does not apply, are paid a remuneration during the performance of the service that at least complies with the requirements of the MiLoG and the statutory instrument issued pursuant to Section 1 (2) Sentence 2 MiLoG.
- that I/we will have a declaration of commitment in the aforementioned sense issued by a subcontractor or temporary work agencies commissioned by me/us in the same way as for all other subcontractors and temporary work agencies of the subcontractors and temporary work agencies and will then submit this to the company issuing the invitation to tender;
- that, I am/we are aware,
  - that my/our company is to prove compliance with the obligation arising from this declaration to the company issuing the invitation to tender at any time upon its request and that the subcontractors and temporary work agencies commissioned by me/us are to be obligated accordingly,
  - that my/our company must keep complete and verifiable documents in the aforementioned sense about the employees used and that the subcontractors and temporary work agencies commissioned by me/us must commit themselves accordingly,
  - that in order to comply with the obligations arising from this declaration, a contractual penalty is to be agreed between the tendering company and my/our company for each culpable breach,
  - that the company issuing the invitation to tender is entitled to terminate the contract without notice for good cause after conclusion of the contract and that I/we must compensate the company issuing the invitation to tender for any damage incurred as a result of such termination

and I/we am/are prepared to agree this accordingly with the company issuing the invitation to tender.

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| <b>Company name</b>   |  |
| Name of the person making the declaration legally binding for the company |  |
| Place, date   |  |
| Signature   |  |