

Differential inclusion: the labour market integration of asylum-seekers and refugees in Germany

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Introduction

Five years after Europe became a major destination for refugees mainly from Syria, but also from Afghanistan, Iraq, Iran, Eritrea and other countries, it is time for a review of their labour market integration. As elsewhere in Europe, refugees in Germany also face additional challenges in comparison to nationals and other migrants. These challenges concern having skills recognised, finding jobs that match their qualifications and entering a labour market which, above all, requires sound knowledge of the German language. Despite these and other challenges, 2020 has seen a positive interim evaluation: almost one-half of the refugees who came to Germany after 2013 were employed five years after their arrival (Brücker *et al.* 2020). Compared to earlier cohorts of refugees, this was a couple of months faster.

This chapter looks into these figures and asks about the specifics of Germany's labour market integration of refugees. Despite the overall positive numbers, there are some problematic dynamics and implications.

Compared to the other countries in this book, the German case stands out not only because of the high numbers of refugees that have arrived since 2014, but also because of the especially active labour market integration efforts being undertaken by state agencies, employers and civil society including trade unions. Parliament has passed regulations that have eased access to work for asylum seekers and, in particular, set about their early labour market integration. This approach stands in contrast to previous policies in Germany that were characterised by a restriction of labour market access, not for all refugees and asylum seekers but for a large part of them. The German employment ministry's new approach of intervention contains early screening and access to labour market integration measures for newly-arrived asylum seekers. It has been backed by interests from two sides: first, in 2014/2015, employers in certain sectors experiencing labour shortages (especially small and medium-sized firms, crafts and in elder care and healthcare) were eager to fill the gaps; and, second, this approach can be understood as a result of 'learning organisations' – a desire not to make the same mistakes as in the 1990s of having a high number of refugees whose qualifications were becoming obsolete and who were dependent on welfare over a long period.

Early labour market integration is implemented via funding granted to targeted projects. This includes already-existing projects (for example those with previous ESF funding; for an evaluation, see Mirbach *et al.* 2014), as well as numerous new projects and actors in the field of labour market qualifications, job-related language courses, skills testing

and specific support for finding jobs and apprenticeships. However, not all of them had a previous track record of engaging with labour market issues and/or refugees and migrants, and the quality was variable. For refugees themselves, policy priorities in Germany meant, on the one hand, opportunities to profit from professional support; but, on the other, a pattern of ‘differential inclusion’ emerging as a result of regulations introduced pre- and post-2015. This has meant that not all refugees have almost immediate or unlimited access to language, training and qualifications programmes and to the labour market; only some. The lines of differentiation are based on country of origin and residential status.

Overall, it has to be acknowledged that the approach of actively supporting refugees’ entry into the labour market in Germany is moving in the right direction, allowing refugees earlier access to work-related support structures, the recognition of their qualifications and the labour market itself. However, the legal and political framework has, over the years, been rather volatile (as we can see from Table 2, included later in this chapter) and, after phases of opening up, there have been phases of new restrictions. Thus, refugees have had regularly to adapt to new regulations.

The chapter begins with a brief explanation of the national context of migration in Germany and the relevance of humanitarian migration, including statistics and some characteristics of the recent refugee influx in 2014 and after. Section 2 discusses the reception process and eligibility for employment, while section 3 looks at the labour market performance of different population groups with the objective of highlighting the relative position of asylum seekers and refugees. Section 4 provides an overview of public policies on the labour market integration of refugees by national, regional and local governments. Section 5 evaluates the structural and context-specific challenges for the employment of refugees and the strategies which address these, while section 6 concludes.¹

1. Humanitarian migration in the national context of migration

For many decades, Germany has been reluctant to consider itself a country of immigration even if, since World War II, the presence of a range of immigrants has been the reality. Until 2005, when a Report by the *Zuwanderungskommission* (Expert and Parliamentary Committee on Immigration) was launched, the term ‘immigration country’ was taboo in German public discourse. The acknowledgement of the country as a diverse society remains contested among politicians as well as the conservative and right-wing parties, movements and strata of society which deny such an acknowledgement. This includes parts of the centre as well as trade union members (Dörre *et al.* 2018).

In the history of immigration to Germany, there are important turning points that need to be mentioned before we can better understand the labour market aspects of recent humanitarian migration.

1. All tables and graphs that were originally in German have been reproduced and translated by the author; the translations and visual appearance are not the responsibility of the organisations publishing the data.

From 1955 to 1973, the temporary *Gastarbeiter/innen* ('guestworker') scheme was the most important source of initial, temporary immigration although this later became, in part, permanent after recruitment was formally ended in 1973 and the family reunification of former 'guestworkers' became a more relevant aspect. In this phase, migrants came partly for economic reasons but many were also fleeing authoritarian regimes and dictatorships in southern Europe (in particular Portugal, Spain and Greece). As it was the easiest way, these southern Europeans mostly came through labour migration provisions, and only after 1973 did the number of asylum claims rise as other options were closed off. This means that many exiles from southern Europe never showed up in the asylum statistics even though they could easily be labelled as refugees.

Between the 1950s and 1988, around 1.4m ethnic Germans came from Russia, Poland, Romania, Czechoslovakia and other countries. In the 1990s, after the Soviet Union collapsed, the numbers of ethnic Germans that primarily came from former Soviet Union states to Germany again increased significantly. According to *Bundesamt für Migration und Flüchtlinge* (BAMF – the Federal Office for Migrants and Refugees) (BAMF 2020), almost 400,000 arrived in 1990 alone. Technically, most of these newcomers were not counted as 'foreigners' because they received German citizenship right away given their (ancestral) family ties.

Humanitarian migration as a result of worldwide political crises, (civil) wars and the violence of authoritarian regimes is also reflected in Germany. After the Geneva Convention entered into force, the first major refugee influxes were due to the uprising in Hungary in 1956; martial law in Poland during 1981-1983; the 1990s civil war in Yugoslavia (reaching a peak with 438,000 new asylum applications in 1992) and, later, the Kosovo war; and, in the 2000s, the wars in Afghanistan, Chechnya and Iraq, albeit with smaller numbers.

During the civil war in Yugoslavia, German asylum law (which is enshrined in the Basic Law) was significantly cut back in 1993 so that the numbers of asylum applications drastically dropped, from 438,000 in 1992 to 322,000 in 1993 and then to 127,000 in 1994 (BAMF 2020: 5). The lowest numbers since the 1970s were documented in the early 2000s, with around 30,000 per year between 2006 and 2009. Following the Arab Spring in 2011 and the civil war in Syria, numbers started rising (53,000 in 2011, 77,000 in 2012, 127,000 in 2013, 203,000 in 2014 and 476,000 in 2015) to a peak in 2016 with more than 745,000 new applications (*ibid.*). We should note that the numbers of asylum applications do not match the actual number of people arriving in Germany.²

2. It goes beyond the scope of this chapter to discuss further the problems with migration and asylum statistics in Germany. There are, in fact, inconsistencies between the different official statistics. The *Ausländerzentralregister* (the Central Register of Foreigners) has, for example, been criticised for carrying significant numbers of foreigners who are targeted for deportation but who have, in fact, already left the country or have died but who have never been removed from the statistics. One member of parliament, Ulla Jelpke, estimates that this inflates the number of people who are liable to be deported by about one-third (Hohlfeld 2017). Also, there are problems with asylum statistics concerning the secondary movements of people initially applying for asylum in Germany but then not withdrawing their applications when moving to another country (officially, this is not allowed in most cases given the Dublin Regulations). However, it is impossible to count precisely the deviances in the statistics.

This was particularly the case in 2016, when most of the applications refer to those who had already arrived in Germany in 2015 but who could only register afterwards. This produced a huge backlog of cases. The main countries of origin in 2016 were clearly Syria (36 per cent), Afghanistan (17 per cent) and Iraq (13 per cent). After 2016, the numbers of new applications dropped again. The most significant decrease (of 222,000) was between 2016 and 2017. In 2018, a total of 185,853 applications (the sum of initial and subsequent applications) were recorded; and the three leading nationalities were applicants from Syria (44,163; 24 per cent), Iraq (16,333; nine per cent) and Iran (10,857; six per cent) (BAMF 2019: 15). In 2019, 166,000 new applications were made. Compared to other EU countries, and despite the drop in numbers, Germany remains among the main destination countries in terms of new asylum applications (before the COVID19 crisis hit Europe, in the first quarter of 2020, Spain recorded 37,220 new asylum applications, Germany 36,360 and France 28,818 (BAMF 2020: 15).

The socio-demographic characteristics of current refugees in Germany show that, in the first phase of post-2014 refugee immigration, the share of young, male migrants was very obvious: about 60 per cent were male. Later, the share of female refugees increased. Another characteristic is the relatively young average age of refugees: 44 per cent are below the age of 25 and two-thirds below 35 (Bundesagentur für Arbeit 2019: 7). This youthful profile indicates significant potential concerning the labour market participation and life trajectory of people when they manage to acquire education and degrees (and are supported to do so).

According to the IAB-BAMF-SOEP refugee survey (Brücker *et al.* 2016a), the level of education and vocational training acquired in refugees' country of origin is highly polarised. A remarkably high share of 40 per cent of refugees have attended (and 35 per cent have graduated from) secondary school. Furthermore, 17 per cent of refugees (16 per cent of men and 17 per cent of women) had attended university or technical college or were pursuing a doctorate. At the other end of the spectrum, 12 per cent of refugees had attended no more than primary school while a further 13 per cent had not attended school in their home country at all.

In summary, between 1952 and 2020 a total of 5.9m asylum applications were submitted in Germany (i.e. in West Germany and then, later, unified Germany). The first decades – 1953 to 1989 – saw just 0.9m applications (16 per cent of the total number); while 1990 to 2020 has seen the remaining five million applications (84 per cent) (BAMF 2020: 5). Taking into account only the most recent phase of humanitarian migration into Germany (2011 to 2019), the numbers add up to 2,257,520 applications.

Humanitarian migration was the dominant type of immigration in the period 2015-2017, but this changed with the tightening of access to the EU with the closure of the land route through the Balkans followed by the EU Turkey Settlement (see also chapter by Kapsalis *et al.* of this publication). Tougher access to the EU has also meant scandalously high losses of life in the Mediterranean Sea, the Sahara Desert and in the detention camps in Libya, as well as the violent and deadly defences against refugees and migrants at the external borders of the EU, including pushbacks. Given these troubling circumstances, the immigration profile in Germany has again 'normalised'

which means that, at the time of writing, around two-thirds of all migration flows can be explained by intra-EU mobility and third country labour immigration from non-EU Europe (BMI and BAMF 2020: 6).

2. The national context for access to the labour market by asylum seekers and refugees

2.1 The refugee reception process

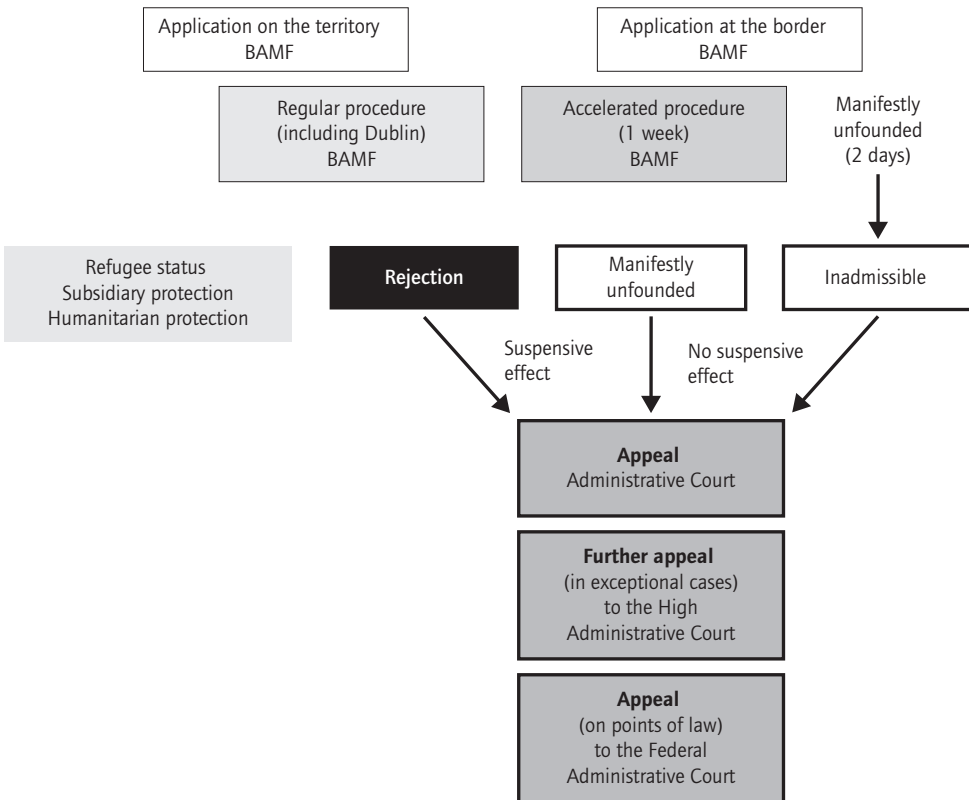
The reception process follows established rules in Germany but, given the high numbers following 2014 and a relatively unprepared and understaffed infrastructure regarding the administrative and practical reception of refugees, these rules came under pressure. Thus, many aspects were improvised and refugees had to withstand long and often opaque processes. Furthermore, civil society stepped in to contribute significantly to the procedures for initial reception and integration (van Dyk and Misbach 2016). The process itself contains several stages, such as the asylum application, the distribution of refugees within Germany and a range of subsequent issues such as housing, schooling, healthcare, labour market integration, language acquisition, family reunification and responding to the economic, cultural, spiritual and social needs of those who have arrived. Not all these aspects can be covered in this chapter, which focuses on the asylum application process because this matters significantly to labour market access.

In order to apply for asylum in Germany, asylum seekers need to announce that they intend to apply for asylum, usually at the border or point of entry. They are then registered. In this process, basic data such as name, country of origin and age are recorded, while fingerprints and a biometric passport picture are taken. Those registered receive proof of arrival, which is important as the actual asylum application was, in busy years, often filed only several months later because of the backlogs. With this proof of arrival, asylum seekers have access to state services such as accommodation, meals, healthcare and cash benefits. At this stage, they are not allowed to work. Their data is stored in a centralised data system to which all the authorities involved in the asylum procedure have access. This is intended to avoid multiple registrations and to check whether the asylum seeker has already filed an asylum application in another EU member state, i.e. whether it is a so-called Dublin case. If this is the situation, Germany is not responsible for the asylum procedure and can request a transfer to the corresponding EU country, most often Italy or Greece where there are known gaps in the support infrastructure for refugees. These transfers are perceived by many of those affected as *de facto* deportations.

Figure 1 illustrates that, once asylum seekers file their application, they are either assigned to the regular procedure or to an accelerated one where their application is classified by the state authorities as ‘unfounded’. The application can either be approved, with the applicant receiving one of the protection statuses (refugee status, subsidiary protection, humanitarian protection), or it is rejected. Applicants can appeal the decision. Appeals generally have suspensive effect, unless the application is rejected as “manifestly unfounded” or as “inadmissible” (e.g. in Dublin cases). In

these cases applicants may ask the court to restore suspensive effect, but they only have one week to submit the necessary request, which must be substantiated. The asylum procedure is quite complex and refugees normally do not have the relevant knowledge, so legal counselling is an important means by which the procedure can be managed competently; all the more so as the negative decisions of the administrative courts can be contested and there is a reasonable chance of such negative decisions being revoked. However, hiring a lawyer is expensive and not all lawyers are specialised in refugee protection. Thus, many volunteers and (semi-)professional counselling NGOs offer such services, as Refugee Law Clinics located in universities.

Figure 1 Flow chart of the asylum procedure in Germany



Source: ECRE (2019a).

It is impossible to identify a regular length for the asylum procedure, which can take between five and 17 months (see Table 1). In 2018, it took an average of eight months. The variation can be explained by (a) the workload of the BAMF authorities (this again varies between branch offices); and (b) the country of origin. Applicants arriving from Syria are handled the fastest, with almost all receiving protection; while applicants from countries with very low recognition rates, such as from Serbia, receive their decision rather quickly. The asylum procedure takes much longer where the applicant contests a negative decision, which is quite often the case since appeals are successful

Table 1 Average length of asylum procedures according to country of origin (in months)

Average duration of the procedure (in months), by country of origin						
	2013	2014	2015	2016	2017	Q3 2018
All countries	7.2	7.1	5.2	7.1	10.7	7.9
Afghanistan	14.1	13.9	14.0	8.7	11.9	11.3
Syria	4.6	4.2	3.2	3.8	7.0	5.0
Iran	13.0	14.5	17.1	12.3	10.3	6.8
Pakistan	15.0	15.7	15.3	15.5	13.9	11.7
Russia	5.6	10.0	11.8	15.6	15.7	11.7
Serbia	2.1	4.0	4.2	8.9	Not known	Not known

Source: ECRE (2019b: 21), based on responses by the German federal government.

about half the time. Thus, in order to establish actual rates of protection, the number of recognitions which follow a lawsuit needs to be added to those which are positive in the first instance.

2.2 Which refugees are allowed to work?

In the German legal system, there are four different types of protection: (1) the right to seek asylum; (2) refugee protection; (3) subsidiary protection; and (4) prohibition of deportation (*Duldung*). The right to work is linked to these statuses; however, it also depends on the country of origin, the local labour market and how the responsible administrations play out their discretionary decisions on whether a refugee can work and how individual requests for permission are determined.

In general, access to the German labour market for recognised asylum-seekers and refugees (1 and 2) and those with subsidiary protection (3) is not restricted. This covers the taking up of employment or vocational training and it also refers to self-employment. This unrestricted access also implies access to the labour agency's training programmes and the coverage of costs for the recognition of professional qualifications.

Permission to work is not linked exactly to residential status but to the type of protection awarded (NUiF 2017). Overall, there are three main categories concerning access to the labour market:

1. *Erwerbstätigkeit gestattet*: unrestricted permission to work;
2. *Erwerbstätigkeit nur mit Zustimmung der Ausländerbehörde gestattet*: employment permitted with the consent of the local Immigration Office;
3. *Erwerbstätigkeit nicht gestattet*: employment denied.

Depending on the type of protection, asylum seekers (1) are granted a residence permit (of one to three years with the possibility of extension or transformation into permanent residence). Asylum applicants who have received notice from the BAMF that they have a 'high prospect of remaining' may work without restriction and may also engage in

self-employment. Applicants who are in the middle of asylum proceedings receive ‘permission to reside’ entitling them to stay in Germany until a decision has been taken on their application and to work subject to specific conditions: those who receive limited permission to reside or whose deportation orders are temporarily suspended (4) must seek permission from the Immigration Office plus gain authorisation from the local Employment Agency.

Refugees who are *not* allowed to work are: ³

- those with permission to reside who are obliged to live in a reception facility (s. 61(1) Asylum Act). The obligation to live in a reception facility (*AE-Wohnverpflichtung*) applies for three months which can be extended to a maximum of six;
- those from safe countries of origin (such as EU member states, Albania, Bosnia and Herzegovina, Ghana, Kosovo, Macedonia, Montenegro, Senegal and Serbia) who filed their asylum applications after 31 August 2015 are obliged to live in reception facilities for the entire duration of their asylum procedure (and, if their application is rejected, in certain cases, until leaving the country) and are not permitted to engage in employment (s. 47(1a) Asylum Act);
- those who have a certificate suspending their deportation orders may not engage in employment if they have prevented residence-terminating measures such as, for instance, providing misleading information with regard to their identity or nationality; or if they come from a safe country of origin and their asylum application, filed after 31 August 2015, has been rejected.

It is evident that not all asylum seekers are allowed to work in Germany and fine lines are drawn between those who can and those who cannot. This uneven access to the labour market is a result of the conflicting interests in the grand coalition between the Christian Democratic Party (CDU/CSU) and the Social Democratic Party (SPD) and among the ministries involved as well as in society at large. While some social democratic forces – such as in the Federal Ministry of Labour and Social Affairs – and certain employer lobbies have attempted further to open the labour market to refugees (either motivated by humanitarian norms or economic interests), more restriction-oriented political forces – such as in the Federal Ministry of the Interior – have successfully advocated only a partial opening while introducing a range of deterrents against unwanted immigrants who, they suspect, are using the ‘asylum ticket’ to come to Germany and remain for work.

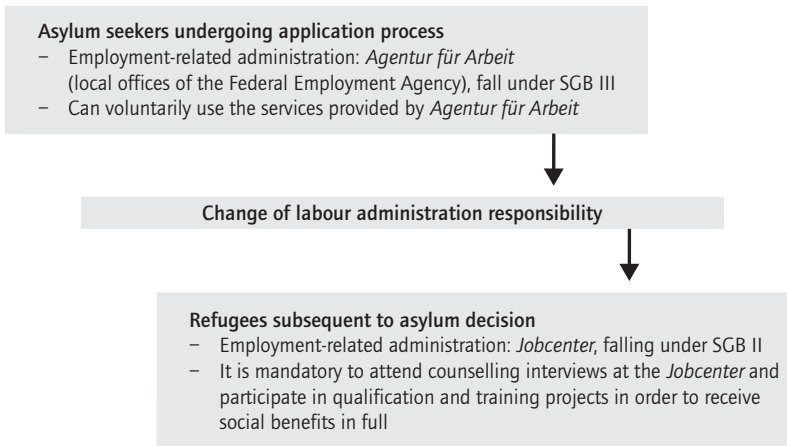
The different administrations at the level of the *Länder* (state) clearly have different organisational identities: the Immigration Offices, generally speaking, also operate in a restrictive, security-oriented mode; while the Employment and Social Affairs Offices, again generally-speaking, are in an enabling or socially assistive one. These conflicting,

3. www.bmas.de/DE/Themen/Arbeitsmarkt/Infos-fuer-Asylsuchende/arbeitsmarktzugang-asylbewerber-geduldet.html (28 July 2020).

or contradictory, orientations may appear as policy inconsistencies but in fact they are structurally embedded in the German system of asylum and migration policy. The state does not act in a unified way. This is important in terms of understanding the guiding hypothesis of this chapter about the differentiated labour market integration of asylum seekers and refugees. Such a lens – informed by critical state theory (Jessop 2008) – does not assume that a solution to these contradictions lies in reforms towards greater policy coherence but regards it as a result of deeply entrenched social conflict in (migration) societies.

An important administrative division of responsibility is made between asylum seekers who are in the middle of their application process and those for whom the process has been completed (see Figure 2). First, those who are asylum seekers fall within the jurisdiction of *Sozialgesetzbuch III* (SGB – Social Security Code III) and are subject to the *Agentur für Arbeit*, which is usually responsible for residents who have recently become unemployed and which handles unemployment insurance benefits; asylum seekers are able to make use of its services on a voluntary basis. After the asylum decision has been taken, refugees fall into the jurisdiction of *Sozialgesetzbuch II* and are subject to the services of a second type of administration, the *Jobcenter*. The *Jobcenter* usually handles social welfare for residents who are unemployed on a longer-term basis and who mandatorily have to attend *Jobcenter* counselling and employment-related training in order not to suffer cuts in their social benefits. This legal and institutional transition often creates challenges to the labour market integration of refugees (see further below).

Figure 2 **Divided administrative responsibility for the employment issues of asylum seekers and refugees**



Source: Own illustration.

3. Access to the labour market for migrants in Germany

3.1 German citizens and foreigners in the labour market in Germany

A report by the Federal Employment Agency (Bundesagentur für Arbeit 2018b) has identified 3,848,231 foreign citizens with regular employment⁴ in Germany as at June 2018, making up 11.7 per cent of total regular employment in the country and representing a 10.9 per cent increase on the previous year. Foreigners in work did not necessarily come for work reasons but have a multitude of personal backgrounds and a huge majority are, in fact, long-term residents.

After the period of the recruitment of *Gastarbeiter/innen* between 1955 and 1973, Germany had a restrictive approach to labour migration and only in 2000 did Germany opt selectively to open the labour market to (highly) skilled migrants and certain groups of asylum seekers (see Table 2). In 2018, for example, only 44,752 people received a new work visa (s. 18 *AufenthG*) (BMI and BAMF 2020: 60). The most common regions or countries of origin were the western Balkan states (Serbia, Bosnia and Herzegovina, Kosovo, North Macedonia and Albania, for whom there is a special agreement on labour migration); while other significant groups were from the United States of America, India, Turkey, Japan and China (*ibid.*). Two-thirds of these new labour migrants were male while about one-half were designated to take up positions that required a qualification. Interestingly, the share of migrants with completed professional qualifications is decreasing (*ibid.*: 62). Compared to other labour migration schemes, the Blue Card scheme for highly-skilled immigrants (s. 19a *AufenthG*) does not attract huge numbers of migrants; in 2018, a total of 12,015 Blue Card holders were registered, the main country of origin being India (3,549), followed by the Russian Federation, Turkey, China and Brazil (*ibid.*: 67). A category that is often overlooked when examining labour migration is the self-employed. Under certain conditions (see 21 *AufenthG*), a residence permit can be issued for self-employed and, in 2018, a total of 1,718 self-employed people entered Germany (mainly from the United States, China, Turkey, Iran and Canada) (*ibid.*: 70).

As in many other EU member states, the employment rates for those with German citizenship are higher than those of foreigners (a category which encompasses long-term residents many of whom could naturalise but have not done so; the term ‘foreigner’ thus refers only to citizenship status). German citizens’ employment rate is around 60 per cent while that for foreigners is c. 15 to 20 percentage points lower, being 45 per cent in 2018 (Bundesagentur für Arbeit 2018b: 21). This gap has been quite stable over the years.

Concerning the key structural characteristics of foreigners and German nationals in ‘regular employment’, the main differences identified by the Federal Employment

4. German statistics in this area are based on *sozialversicherungspflichtige Beschäftigung* (‘regular employment’) which means employment under which social security contributions are duly paid; the employment rates presented here refer to this category and do not include mini-jobs. This is the meaning of ‘regular employment’ throughout this chapter.

Agency (Bundesagentur für Arbeit 2018b) are as follows: a higher share of employees who are of prime age (25–55) among foreigners (78.4 per cent) than among Germans (68.9 per cent); a significantly higher share of men than women (63.4 per cent vs. 52.6 per cent, respectively); and a much lower share of completed professional qualifications for foreigners than for German nationals (47.4 per cent vs. 81.0 per cent).

3.2 Characteristics of the employment of refugees

Labour market performance

Germany's official labour market statistics give evidence of nationalities but not of residential status. Thus, the number of refugees who are employed cannot be stated precisely. There have been two workarounds developed in recent years in order to determine the most realistic numbers of those arriving after 2014. Working on the basis of official labour market statistics, the nationalities of the main countries from which refugees come may be taken as a proxy for 'refugee'. This means, however, that a Syrian doctor who arrived in the 1970s is counted as a refugee while a transgender person fleeing Ecuador is not. For countries such as Turkey, with a long history of labour and other migration to Germany, but also significant numbers of today's refugees, this workaround cannot help to determine the number of refugees in employment. Therefore, a targeted survey instrument – the IAB-BAMF-SOEP refugee survey – has been developed.⁵ This annual panel survey currently consists of 7,950 refugees and asylum seekers (the participants are drawn from the *Ausländerzentralregister* and are, therefore, representative) who have arrived in Germany since 2013. The first survey was taken in 2016, with repeated surveys in 2017 and 2018. Combining and comparing both sources gives the most realistic picture of the labour market participation of refugees and asylum seekers in Germany.

Five years after the major influx of refugees reached Germany, the IAB-BAMF-SOEP survey summarises that the labour market integration of those refugees (aged 18–64 years) that arrived after 2013 has occurred a little faster than for those refugees who arrived in the 1990s (Brücker *et al.* 2020: 7). One-half of post-2013 refugees have taken up their first 'regular employment' by 46 months following their arrival; whereas, for earlier cohorts, it was 50 months. Thus, labour market integration for the current refugee cohort arrives four months faster. Furthermore, the overall employment rate of refugees has significantly increased over the years, which speaks to a sustainable labour market integration.

Faster labour market participation compared to earlier cohorts is especially noteworthy because the earlier cohorts (mainly coming from the countries of the former Yugoslavia) were considered to have better preconditions – level of education, knowledge of the German language and the presence of networks within Germany due to previous migrations – for labour market integration. At the same time, polices on whether and

5. For more information, see: <https://www.bamf.de/SharedDocs/ProjekteReportagen/DE/Forschung/Integration/iab-bamf-soep-befragung-gefuechtete.html;nn=283560>

after what waiting period refugees are allowed to work have changed various times (see Table 2). In current times, unemployment rates are lower in Germany; policies allow the majority of refugees to take up employment relatively early; and, last but not least, refugees are entitled to, or are offered, a wide range of language courses, integration courses and employment-related training. The authors of the IAB-BAMF-SOEP study conclude: ‘Participation in language, integration and education programmes may have initially delayed labour market integration, but may have contributed to an increase in the employment of refugees who have moved in since 2013 once such measures have been completed’ (Brücker *et al.* 2020: 8).

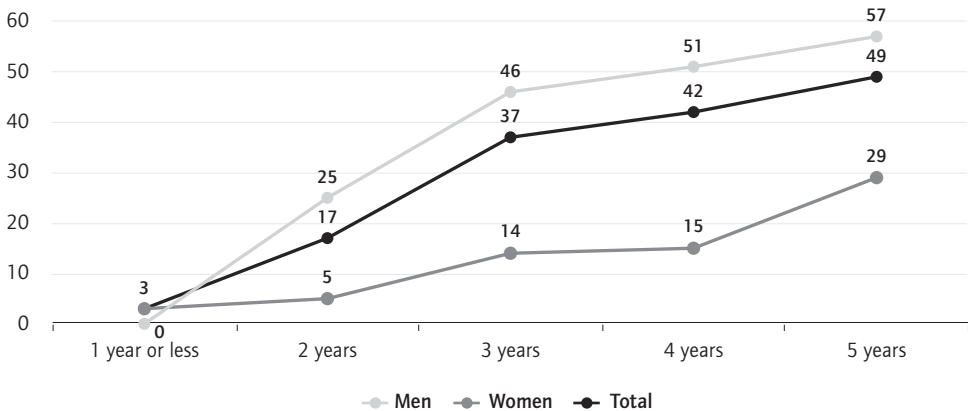
Table 2 **Introduction and the lifting of employment bans on refugees in Germany (1973-2015)**

1973	After the recruitment stop for Gastarbeiter/innen ('guest workers'), a prohibition on work for asylum seekers and refugees was introduced
1975	To ease the burden of social welfare on municipalities, the employment ban for refugees was lifted
1980	Introduction of a one-year employment ban; in Baden-Württemberg, employment was prohibited for the entire duration of the asylum procedure
1982	Increase in the employment ban to two years; also, the introduction of a residence obligation and the introduction of hostels for mass housing under the new Asylum Procedure Act (AsylG) as standard accommodation
1985	Bavaria introduces a general employment ban for asylum seekers throughout the duration of the asylum procedure
1987	Increase in employment ban to five years for asylum seekers (during the asylum procedure)
1991	As from 1 January 1991, a decrease in the employment ban to one year; with it lifted altogether by 21 January 1996 (65,000 work permits issued in 1991 and 85,000 in 1992); a permit for taking up a specific job, however, is dependent on priority checks (German and EU citizens first). Motivation for the reform: saving social welfare costs
1992	Introduction of a waiting period of three months for asylum seekers; asylum seekers living in hostels prohibited from working
1993	Tightening of the procedures for granting a work permit for refugees (the first 'Blüm-decree')
1997-2000	Total employment prohibition on refugees entering Germany after 15 May 1997 ('Blüm/Clever-decree')
2000	Decrease in the period of prohibition to two years; motivation: saving social welfare costs
2007	Continued restrictions on asylum seekers and refugees with suspended deportation orders (Duldung): families with children for six years of stay; single persons for eight years
2008	Decrease in priority check period to four years for people with suspended deportation orders
2009	People with suspended deportation orders able to receive a work permit through vocational training (s. 18a AufenthG)
2013	Reduction in prohibition of work for asylum seekers to nine months; limit of duration of priority check period for asylum seekers set at four years; immediate labour market access for refugees with subsidiary protection
2014	Since November 2014, asylum seekers not allowed to work for three months; priority check limited to 15 months
2015	Refugees from 'safe countries of origin' not allowed to work in Bavaria; contracts even for vocational training revoked

Source: <https://www.aktionbleiberecht.de/blog/wp-content/uploads/2015/08/Arbeitsverbote-von-1973-bis-heute-Liste.pdf> (5 July 2020)

Five years after their arrival, 49 per cent of all refugees are in regular full-time or part-time employment (57 per cent of male and 29 per cent of female refugees) (see Figure 3; data are consistent with other employment data of the *Agentur für Arbeit*). Taking all employed refugees together, 68 per cent are employed or self-employed; 17 per cent are in paid vocational training; three per cent are on a paid internship; while 12 per cent are in ‘minijobs’ (with earnings up to €450/month) (*ibid.*).

Figure 3 Employment rate of refugees (aged 18-64) in Germany by gender and number of years after arrival



Source: Brücker *et al.* 2020: 8.

There is evidently a significant gender gap – which we can find in many other countries, too. The gender gap seems widest four years after arrival and then women’s employment seems to double within a year. Looking at gender, though, tells only half the story: it is, in fact, gender plus caring responsibility for (small) children. Previous research has shown a very high valuation of women’s employment as an important means of (economic) independence by male and female refugees alike (Brücker *et al.* 2016a: 13). Additionally, the employment aspirations of female refugees are high: 86 per cent of not (yet) employed women (including those with children) intend to take up employment in the future (Brücker *et al.* 2016b).

It was noted above that recognised refugees and those with subsidiary protection have access to the German labour market and that this includes the ability to take up vocational training. Indeed, the number of refugees opting for this path is high, in total number as well as when compared to previous cohorts of migrants and refugees. In September 2019, 55,000 persons with a nationality of the top 8 refugee source countries were doing a vocational training (Bundesagentur für Arbeit 2020: 13). Trainees who are refugees are, on average, older than vocational training applicants as a whole: a good one in four is 25 years or older while, across all applicants, this proportion is only around seven per cent (Bundesagentur für Arbeit 2018a: 11). Refugees taking up vocational training have, on average, lower schooling than their non-refugee counterparts; but, at the same time, the share of those with a high school degree is higher (*ibid.*).

There are parallels between the top ten career aspirations of refugees and those of all applicants. The most frequently sought apprenticeships for the former are motor vehicle mechatronics technician; sales person; and hairdresser. Four occupations are, however, different from the top ten of all applicants: cook; electronics technician in energy/building services engineering; plant mechanic in sanitary/heating/air conditioning technology; and painter (*ibid.*).

Germany's *Ausbildung* (dual vocational training system) is quite specific because it is highly regulated (by the trades themselves and by the state as part of the education system) and because it values almost exclusively those certificates issued from within its own system. About one-half of all German citizens have completed vocational training or are acquiring it. On the one hand, such a system makes it very difficult for refugees who learned their occupational skills via on-the-job training programmes in their countries of origin or during their period of transit to Germany.⁶ On the other, however, it also opens a path to vocational employment and education to those whose academic interests, knowledge and language skills are less strong. Completing vocational training in Germany implies having a good reputation in society.

The reasons for starting vocational training are that the *Jobcenter* actively promotes vocational training and informs newly-arrived refugees of this option. Also, skilled labour shortages in many sectors lead firms of all sizes to become quite open to employing international trainees. Another reason lies in the legal regulation that, under certain conditions, participation in vocational training can prevent rejected asylum seekers from being deported (*Ausbildungsduldung*).⁷ Being threatened with deportation creates uncertainty, not only for the directly affected person but also for the employer, and some refugees hope that participation in the labour market as a trainee may improve their probability of staying. The *Ausbildungsduldung* has certainly become a contested issue, with several politicians considering it an illegitimate strategy to avoid deportation. Employers, on the other hand, do not want to lose their workers or, otherwise, they feel a social responsibility for their trainees and thus often protest against the threat of deportation of 'their' trainees or employees.

Pathways of labour market integration

In order to analyse the processes of refugees' labour market integration, it is important to look in more detailed at the manner of labour market integration. In the German case, overcoming a phase of unemployment and entering the regular labour market on the basis of social security contributions being paid appears to be the main indication of a successful transition for refugees. However, the largest number does this via temporary labour agencies and contract staffing, as Figure 4 shows (Bundesagentur für Arbeit 2018a: 9).⁸ Critics object that the conditions and job security for refugees are in

6. See: <https://www.make-it-in-germany.com/en/study-training/training/vocational/system/> (28 July 2020).

7. The conditions to obtain an *Ausbildungsduldung* are, however, very stringent.

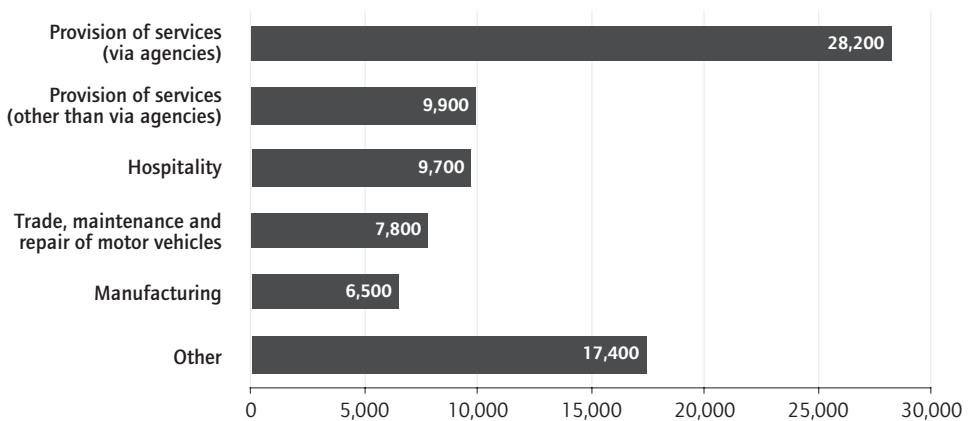
8. The hiring of workers is legally regulated in the *Arbeitnehmerüberlassungsgesetz* (AÜG – the Temporary Employment Act); two collective agreements exist (DGB-iGZ; DGB-BAP); and a minimum wage has been set (since 2019) at €9.96 (in *Länder* in western Germany) and €9.69 (in the east). A worker can be employed for up to 18 months in one company under such a temporary employment relationship and only after nine months is the worker entitled to be paid the same wage as other workers in the company.

this way lower than for those entering the labour market via direct hiring (LabourNet Germany, 2020); while supporters see it as the only realistic low-threshold facilitation for refugees' entry to the market. Besides the many for-profit temporary work agencies (for Adecco's perspective, see: *Die Zeit Online* 2018), a start-up – Social Bee – has gained quite some public attention. It considers itself a non-profit temporary agency targeting refugees' labour market integration (Social Bee 2020).

As of now, it is too early to evaluate definitively whether the path via temporary agencies will end up in more sustainable modes of employment for refugees. But there is reason for some scepticism: a 'spring board,' or bridging, effect is often assumed to take place but, given that many refugees perform 'auxiliary work', these might not be that strong (see Jahn 2016 for analysis of an earlier cohort, for 2005-2014, of foreign residents in Germany). Workers remain hired by temporary employment agencies for a relatively long period (on average three months), in terms of international comparison, and often their move from one job to the next is agency-facilitated. Jahn (2016: 6) establishes negative effects in terms of the ability to find a job that is not facilitated by a temp agency the longer a worker remains in the sphere of contract staffing.

Figure 4 also indicates that the hospitality and catering sector – one that is not often characterised by job stability and good working conditions – is an important employment sector for refugees. Thus, the types and sectors of employment that are widespread amongst asylum seekers and refugees may well entail significant degrees of precarity.

Figure 4 Initial pathways of refugees from unemployment to the labour market



Note: total numbers from the eight non-European main countries of origin of asylum applications during the period August 2017 to July 2018.

Source: Bundesagentur für Arbeit (2018a: 9).

Qualitative aspects of employment

Being employed is one thing; being employed in one's own profession, or in a field that allows both a living wage and job satisfaction, is quite another. Therefore, we turn next to the types of employment in which refugees are involved. As mentioned previously, many refugees have occupational experience but, as the German system of vocational training is certificate-based, they lack qualifications that are easily transferable to the German labour market.

The IAB-BAMB-SOEP survey finds that significant numbers of employed refugees are able to make use of their occupational experience despite not having the documents that are usually necessary in Germany: 44 per cent in 'auxiliary activities', 52 per cent as skilled employees, two per cent as specialists and three per cent as experts (Brücker *et al.* 2020: 9). This explains why astonishingly high numbers of refugees – one-third – are categorised in the data as being employed above their level of formal qualification. This is indeed an interesting finding because labour migration studies commonly find that migrants are deskilled and downgraded when moving across borders (McGuinness 2006). Another explanation for being employed above the level of formal qualification might be that many refugees spend time in transit or in the first country of reception; thus, their formal training might have been carried out in the country of origin while, during the transit period, they have acquired new skills and experience but no formal certificates (*ibid.*: 10). However, it is also the case that 28 per cent of refugees are employed below the level of employment they were doing before coming to Germany – rising to 35 per cent of women – and thus experience as downgrading or deskilling such a level of mismatch between their qualifications and their actual employment (*ibid.*).

Another factor that is important in terms of characterising the labour market integration of refugees is income. Salaries are very low when refugees enter the labour market but then increase (Brücker *et al.* 2020: 10). Respondents to the IAB-BAMF-SOEP survey who were working full-time earned a gross monthly income of €1,678 in 2016 and €1,863 in 2018 (*ibid.*). Across all employed refugees (including part-timers, apprentices, interns and mini-jobbers), gross income was €810 in 2016 and €1,282 in 2018 (*ibid.*). Such an increase can, most likely, be explained by a general increase in full-time employment amongst refugees. Additionally, the IAB-BAMF-SOEP survey found that, each year a refugee is employed, his or her wage increases by 12 per cent (*ibid.*: 13).

If one compares the income levels of refugees with those born in Germany, people working in jobs that do not require extensive training or vocational qualifications earn 89 per cent of the 'German' level; young refugees (aged 18-25) without significant experience earn 74 per cent of the median income of the same 'German' group; and, in skilled professions, refugees earn just 69 per cent of the level of their 'German' counterparts (*ibid.*: 11). The more a job requires qualifications, the greater the wage gap. There is also a gender pay gap: women refugees earn, after controlling for education and experience, and irrespective of whether they have small children, about 16 per cent less than male refugees (*ibid.*: 13).

4. How the idea of a fast labour market integration in the public policies by national, regional and local governments works in practice

The differentiation between groups who are allowed to work and those who are not or who need special permission from the Immigration Office has a significant impact on refugees' options for labour market integration. This section concentrates on those who are being actively encouraged to look for a job or being prepared to do so.

The idea of a fast labour market integration is characterised by an approach that attempts to focus on refugees as (future) employees at a much earlier stage than was the case with earlier refugee cohorts. The official integration strategy for refugees (see Figure 5 and Walwei 2016) is considered to last from nine to fifteen months. It does not start when the asylum application procedure is completed (as in previous times), but almost directly after arrival – at least, for those asylum seekers who are considered to have very good chances of staying.

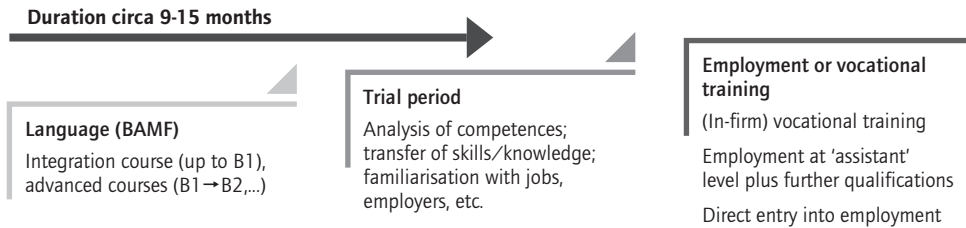
The first step is to learn or improve German language competence. Asylum seekers are assigned to a course at their level and then move up. However, some refugees (in particular fast learners) complain that they are on the wrong type of course, while (mostly female) refugees with small children have issues as only few courses offer childcare (Ullmann 2019). Additionally, people with an advanced degree and who have already learned foreign languages might be sitting next to others who have not completed even their basic education. There is also a significant lack of alphabetisation courses in many regions, as well as advanced courses that would qualify people for study, for example. In the latter case, universities have stepped in to offer language courses which build upon the government-sponsored courses as a means of establishing bridges to higher education. Refugees also often have to wait a long time to find a course. Thus, the idea of a fast and smooth qualification and integration process has found its limits with the existing course offer (and continues to do so).

This not only concerns language courses but any other employment-related training provision. Course and training providers are, in many cases, aware of the problems but face a shortage of qualified language teachers and need to fill their courses to cover their costs. Given the very large number of course providers, including many without a previous track record in offering courses to refugees or migrants, the quality has not always been good. The courses also differ significantly, depending on the educational approach of the course provider. In our research,⁹ comparing six different courses for

9. This section draws on the experiences of refugees, volunteers and project staff in a research project on the labour market integration of female refugees (Ullmann and Schwenken, forthcoming; Schwenken and Ullmann 2019). The project is part of a consortium-developed research project 'Gender, Forced Migration and the Politics of Reception', financed by the Ministry of Science and Culture of Lower Saxony, 2017-2020). The research design is for a comparative case study with six cases, all of them being non-profit projects offering training and qualifications courses for female refugees. A total of around 65 interviews and discussions were conducted between 2017 and 2018, including 13 interviews with experts and 16 with practitioners; a group discussion with employees of the labour administration; 25 interviews with participating refugee women; and 11 interviews with local actors.

female refugees, we found a range of approaches from gender and diversity-sensitive ones, aiming at the empowerment of refugee women, to paternalistic approaches (Ullmann and Schwenken Forthcoming).

Figure 5 Main stages in the official labour market integration strategy of the Federal Employment Agency



Note: Short internship, vocational German language training and employment possible in parallel.

Source: Bundesagentur für Arbeit (unpublished slide, Robert Steinbock, Agentur für Arbeit Waiblingen, greenmeetings and events conference, 2017).

After language, the ideal-type of integration process next tries to facilitate a test of existing skills¹⁰ and hold trial periods in potential occupations and with potential employers. Finally, the third step is hard-edged entry into the labour market. Depending on education and qualifications, there are several options: (a) vocational training; (b) an unqualified job to begin with, but undertaking further qualifications measures in parallel; or (c) start working directly in a job where the necessary qualifications are in place.

The underlying rationale beneath this integration strategy is not to push refugees into the first available job but to create the environment and preconditions for sustainable labour market integration in long-term employment relationships. This implies, further, a match with refugees' own skills and qualifications; the intention to improve and document their existing qualifications; and a desire to motivate younger refugees to invest in their own education.

In order to discover the best individual strategy, staff from the *Agentur für Arbeit* establish a profile for each refugee. The strategy of early labour market integration, at one point in the current period, translated into profiling refugees directly after their arrival: the *Agentur für Arbeit* opened offices in the reception centres and sat down with refugees and asked them about their education and qualifications. However, this was far too early for many refugees who were often confused about the procedures and wondered why they were having a work-based interview before their asylum interview.

10. The Federal Employment Agency developed the computer-based test 'MYSKILLS – Recognising Professional Competencies'. This test has been designed in particular for refugees who have lost their documents in the course of their flight or who do not have formalised credentials of their occupational skills. It is offered for about thirty occupations and can be completed in German, English, Farsi, Arabic, Turkish and Russian and with the support of pictures and videos (<https://www.arbeitsagentur.de/institutionen/myskills>).

Refugees are offered by the *Jobcenter* and *Agentur für Arbeit* – initially voluntarily; later as a part of the conditions set down for receiving the full amount of social assistance – the standard set of active labour market policy instruments. These are not specific for migrants or refugees although, besides these standard instruments, there are services that address the specific needs of migrants and refugees, such as skills testing and the recognition of certificates offered by foreign institutions. As age also matters, there are specific teams and services for young people below the age of 25.

Results from an ongoing research project (Ullmann and Schwenken Forthcoming; Schwenken and Ullmann 2019) on the labour market integration of female refugees indicates that experiences differ substantially. Many refugees are extremely happy with the active approach taken and they take every chance to learn German and improve their qualifications. But for some it is also a burden, in particular given the relatively high prevalence of mental strain and the difficulties for adult learners to acquire a new language, in particular for those with low degrees of formal schooling. Thus, the activating approach which lies behind the goal of early labour market integration can cause additional stress. Another issue of concern about the integration process which refugees raise is the recognition of their credentials: this is expensive, complex and they may well need to repeat whole courses of vocational training or study. Furthermore, the vast arrival bureaucracy is often experienced as a bureaucratic nightmare and administrative decisions are hard to understand given the high degree of discretion. Refugees are, ultimately, left dependent on advice either from volunteers or from professionals – but not all refugees have access to these sorts of support structures and some do not feel comfortable with being dependent on others.

Research on refugee women in different countries shows that gendered discourses (e.g. Ullmann and Schwenken (Forthcoming) in Germany; Koyama 2014 in the US; and Ghorashi and van Tilburg 2006 in the Netherlands), as well as national citizenship discourses (Hagelund and Kavli 2009 in Norway), matter in approaches to labour market integration.

Above all, gender equality is a norm within the German employment bureaucracy: ‘Gender equality between men and women is a cross-cutting principle to be applied’ (s. 1 Abs. 2; p. 3 SGB II). Thus, women are addressed directly in policy terms. As many female refugees have family responsibilities, staff in the employment agencies are confronted with an activation dilemma: women with children under three years of age can not be forced to take up employment by the *Jobcenter*; however, they may choose to participate in training measures. However, interviews with women refugees in the context of our research project indicate that many women refugees are not encompassed by *Jobcenter* offers of training measures and integration courses. In these interviews, both with refugees and *Jobcenter* staff, the assumption is raised that small children are a barrier and that their husband’s labour market integration is more promising. As the assumption is that both parents in a family are not likely to be working at the same time, it is mainly the male family members that are offered training measures or jobs (Schwenken and Ullmann 2019).

Racism also matters as an experience raised in particular by male, mostly young, refugees but partly also by women wearing a headscarf. *Antidiskriminierungsstelle des Bundes* (the Federal Office for Non-Discrimination) reports that many refugees in 2016 in Germany had experienced racism, primarily in their work environment or when searching for a job (55 per cent); followed by racist encounters in bureaucracy, in everyday life, in the housing market and with police (*Antidiskriminierungsstelle des Bundes* 2016). Refugees also encounter racist experiences in employment-related settings with employers, colleagues and clients; and, surprisingly, there are also some well-intentional employers who decide against employing a refugee on the grounds that they do not want to expose their new employee to colleagues with racist attitudes (Huke 2020).

5. Structural and context-specific challenges to the employment of refugees and selected strategies for overcoming them

I raised in the previous section that refugees face substantial challenges concerning their integration into the labour market and turn in this section to exploring these in greater detail.

Some of these challenges are due to the differences between humanitarian migration and more employment-driven forms of migration (such as, the case of the former, a frequent lack of preparations for leaving a country, the often long duration of forced migration and associated health-related issues); some are built into the German system of refugee policies (such as asylum procedures, restrictions on looking for a geographical location to live, placements in hostels for shorter or longer periods of time, etc.); while other challenges lie in the difficulties of transnational mobility that are not congruent with labour markets that continue to be fundamentally nationally-organised, including as regards the recognition of skills. There is, however, a great deal of experience and empirical knowledge of the importance of these and other challenges on the part of refugees as well as of professionals in employment agencies and among non-governmental projects and volunteers. The perceptions of these actors overlap to a large degree, but they differ at certain points when it comes to the identification of the barriers that lie within employment agencies and the effects of (gendered) stereotyping.

Institut für Arbeitsmarkt- und Berufsforschung (IAB – the Institute for Employment Research) asked in a qualitative survey (Dietz *et al.* 2018) a total of 1,580 refugee advisers in employment agencies (894 from *Agentur für Arbeit* offices and 766 from *Jobcenter* offices) about the main challenges in the labour market integration of refugees. The study differentiates between asylum seekers who are in the middle of their application process (who fall under the jurisdiction of SGB III and the *Agentur für Arbeit*) and refugees after the asylum decision has been taken (who fall under the jurisdiction of SGB II and the *Jobcenter*). Some of the challenges are similar to both groups of refugees, but for others there are significant differences that have to be taken into account in developing adequate labour market integration strategies.

The main challenge mentioned in the IAB study (Dietz *et al.* 2018: 3) is the lack of language competencies (mentioned by almost all advisers). Learning German is considered a key prerequisite for most jobs in Germany, except in some internationally-oriented firms and in parts of the ethnic economy. Thus, those refugees with ‘high prospects of remaining’ are offered German courses quite promptly after their arrival. Additionally, most labour market integration projects contain general or employment-specific German language classes. Debates about quality, the lack of tailored courses and the reasons why some refugees have problems on these courses (such as psychological issues due to family separation or trauma; not having quiet environments to learn; only some courses offering childcare; refugees in rural areas often not having adequate transportation to where the courses are held) have been identified and widely discussed (see, for an internal evaluation of BAMF integration courses, Tissot *et al.* 2019).

The second most frequently mentioned barrier is qualifications that cannot be utilised in the German labour market context, either because formal certification is lacking or because of different professional standards or types of job. There have been several attempts to respond to the problem of the recognition of professional qualifications (which is the case also for other groups of migrants). One response lies in offering skills testing, partial and complementary qualifications courses and occupationally-oriented language classes. The Germany-wide IQ Network of projects advising migrants on employment-related issues, in particular the recognition of credentials and skills, is one example of an institution which has provided support over many years. The German government has also set up *Anerkennung in Deutschland* (‘Recognition in Germany’), an online information portal that provides information on the procedures involved in gaining recognition. With regard to skills that cannot be utilised, there are many (pilot) projects and initiatives as well as negotiations between stakeholders (craft and trade associations, trade unions, employer organisations, the professional education sector, universities and governments) about skills testing, complementary training schemes and the recognition of skills that have been acquired outside the German vocational training system. One measure that could be helpful in dealing with this barrier is to promote and facilitate short-term internships, or trial periods, before a contract for an employment relationship or vocational training is signed. This can give both sides access to more informed judgements on which to ground their decision. The danger, though, is of prolonging the trial period and the consequent development of an unpaid labour force.

For asylum seekers in the middle of their application, insecure legal status is an important barrier, the third most important in the IAB study. Employers tend to be hesitant when it is unclear whether or not their new employee will be allowed to remain. Given the very different lengths of the asylum procedures (see Table 1), the situation is worse for people for whom the procedure is likely to be longer, such as Afghanistan. To remedy this hurdle, some non-profit organisations and crafts associations offer coaching for employers on how to handle the legal and other difficulties that may come with employing refugees. For employers as well as for refugees, such support can provide important information and, in the event of conflict, mediation between the parties. Given the range of potential problems, such support or coaching should cover the periods both before a refugee is employed and during the period of employment

itself. In particular, small and medium-sized firms that do not have many experiences with international employees are likely to benefit from it.

Low mobility (mentioned by one-half of advisers), and also *Wohnsitzauflage* (the requirement to reside in the assigned county or city) (mentioned by 14 per cent of advisers working with asylum seekers and 11 per cent of those working with refugees whose status is recognised) are also considered problematic to successful labour market integration. In response to this challenge, the OECD (2016: 22) has called for employment rationales to be factored into states' refugee dispersal schemes, which would allow greater mobility than is currently the case in Germany. The OECD refers to a study from Sweden which concluded that 'Eight years after settlement, refugees who had been dispersed to areas on the grounds of available housing earned 25 per cent less on average, showed employment levels that were 6 to 8 percentage points lower, and were 40 per cent more welfare dependent than refugees who were not settled through a dispersal policy' (OECD 2016: 24; referring to a study by Edin *et al.* 2004).

In Germany, the *Königsteiner Schlüssel* ('key') is a formula used to calculate the number of refugees that are allocated to each *Landkreis* (county) and city. Refugees are, in general, not allowed to leave the county for three years after their asylum case has been determined. This residence requirement may be waived where 'regular employment' is taken up of at least 15 hours per week (s. 12a(5)(1) *AufenthG*). However, in particular for those refugees who are actively looking for employment or who work in specialist occupations, and for those located in areas with high unemployment or poor infrastructure, the existence of such mobility restrictions is already a barrier to their labour market participation (i.e. that matches their skills and qualifications) and because employers are in fear of bureaucratic procedures with frequently uncertain outcomes.

Refugees who have a job offer, but not yet a signed contract, also complain about the administrative hurdles. A report on an Afghan asylum seeker (going through the asylum procedure which takes, on average, up to one year or so for Afghan applicants) who had gained a job offer at BMW in Leipzig reports: 'For him, the German bureaucracy is a single Kafkaesque obstacle course: no signed employment contract without a work permit from the Immigration Office; and, without an employment contract, the Immigration Office does not allow people to move' (Fluter 2019). Non-profit organisations in the field of refugee employment counselling state that the decision as to whether a refugee with a job offer can or cannot move is often handled with wide discretion and, frequently, refugees have to file a lawsuit. This takes time and can be costly while the job offer is, in most cases, likely to have already disappeared.

In an informal conversation in the course of my own research, a former staff member of the *Agentur für Arbeit* pointed to the problem of the Agency supporting refugees in such cases as these while the Immigration Office continued to turn down requests to waive employment restrictions or give permission to take up employment. This was a frustrating experience, depicting the very different and contradictory organisational cultures and identities among the agencies and their staff. There was, during 2015-2018, some attempts to create one-stop agencies which brought together staff from the

Federal Employment Agency, the Immigration Office and other local administrations into one office. Non-profit organisations considered this to be a step into the right direction; however, most of them were dissolved rather too quickly.

A further challenge, mentioned by about one-half of employment advisers to recognised refugees (among whom it was mentioned third most often in the IAB study), is a lack of knowledge about Germany, its cultural value system and ‘German’ employment traditions. This chapter does not elaborate on the debate about the culturalisation of differences and ‘moral panic’ with regard to flight and migration, but simply points out that newcomers have either no, limited or otherwise distorted knowledge of the work cultures and routines of which most people born in Germany have habituated knowledge. Projects that explicitly deal with this not only from a managerial perspective on how best to fit into German work culture, but that also point to workers’ rights as part of the struggles and cultural achievements of the German trade union movement, are scarce.

One example of best practice here is offered by the DGB office in Osnabrück-Emsland, which has developed a train-the-trainers programme for refugee advisers: ‘For this purpose, we had the idea of founding the “GIBA” (Refugee Information Office – World of Work). The DGB’s approach is to train people to spread the message as a means of explaining the first basics of the “German labour market”’ (DGB Osnabrück-Emsland 2015). The local DGB had noticed that most refugee support NGOs and initiatives were doing very good work but had less of a clue about labour rights or other work-related issues.

The degree to which care responsibilities are an obstacle to refugees finding employment is a hotly debated issue. The IAB study mentions that one-third of advisers working with asylum seekers in the process of their applications, and more than one-half of those dealing with recognised refugees, consider this a barrier to successful job placement. This is in line with the statistics presented above that female refugees with small children are least likely to attend language courses, employment-related training or take up a job or vocational training. Besides care responsibilities, female refugees had, on average, not only a lower educational level (differing greatly, depending on country of origin) but also less experience in employment (about 80 per cent of men, but only 40 per cent of women, had been employed before they came to Germany; Brücker *et al.* 2016b). These factors are likely to have an impact on the employability of women refugees.

There are various responses to the challenge of care responsibilities: one – in the light of the generally very high aspiration of female refugees to work – is to wait with targeted offers until children are attending school (or kindergarten); another, more proactive, approach would be to provide childcare as a component of training courses, deliver women-only courses or cover segments of the labour market that mainly address the needs of women (for example: *Perspektiven für weibliche Flüchtlinge* (PerF-W – Perspectives for Female Refugees) and *Stark im Beruf – Mütter mit Migrationshintergrund steigen ein* (Strong at work – Mothers with a migration background get involved)). However, such courses always bear the danger of gender

stereotyping and channelling women into professions that are considered female. A gender-reflexive approach (Ullmann and Schwenken Forthcoming) would be cautious in this respect and offer a broad range of potential development paths combined with the option of tasting a variety of professions. Furthermore, such an approach is not only limited to women; a gender-reflexive approach would do the same for male refugees.

The IAB study also asks about potential barriers within the German system of employment counselling and job placement. What is mentioned by *Agentur für Arbeit* and *Jobcenter* staff is the different institutional set-up behind working with refugees in both agencies. While some have established specialist teams for refugees in the post-2015 situation, other offices have integrated this work into their regular procedures. The majority of staff interviewed by IAB (Dietz *et al.* 2018: 6) support a specialisation of some of the specifics about engaging with refugees. Most specialist staff consider themselves well-qualified for their tasks, but 70 per cent of non-specialist staff say that their qualifications are insufficient. Well-qualified staff is an important point, in particular as asylum regulations are a fast-changing field of expertise while the international composition of the client base itself demands specific competences.

The IAB study is rather silent on a range of issues that might be seen as too sensitive to raise in the context of an internal study; nevertheless, these represent equally important challenges to the labour market integration of refugees.

One such point is indeed the institutional set-up, in particular the division of competences between the governmental agencies handling asylum cases. According to informal conversations with *Agentur für Arbeit* advisers working with refugees, pragmatic solutions are often not possible because someone else is formally responsible. Bureaucracies are hierarchically organised, so individual staff do not have much room for manoeuvre. One former employee also notes that the legal logic (that refugees are initially with *Agentur für Arbeit* and then, after their asylum process has been completed, move to the responsibility of *Jobcenter*) often interrupts the integration processes. The organisational logic, i.e. placement in the labour market, also lies in conflict with that of the migration regime since it hinders the integration of certain groups by placing those with 'high chances of remaining' in a significantly better position than those with 'poor prospects of remaining' as a result of coming from so-called 'safe countries of origin'.

Another important factor that is not directly mentioned in the IAB study is that – as in any other organisational field – some employees have racist attitudes and prejudices that make international clients feel that they have not been well attended (*Antidiskriminierungsstelle des Bundes* 2017). *Agentur für Arbeit* specialist staff have commented that there is not enough diversity training and that, sometimes, such training courses as are held are provided informally.

In some cities, *Agentur für Arbeit* and *Jobcenter* have set up so-called 'Integration Points' bringing together different services on the basis of an 'under one roof'

philosophy.¹¹ The most important advantage is that there is no disruption to services despite a formal change of jurisdiction when refugees' asylum application has been determined. Staff members in the Integration Points are usually better trained in intercultural communication, speak languages besides German as 'the language of administration' and can overcome the institutional divisions of responsibilities and bring people, as appropriate, around one table. The idea behind such Integration Points is to overcome the challenges that refugees face when dealing with the employment bureaucracy, while they also demonstrate a greater willingness to reflect on the problems that refugees face within the system.

Some of the Integration Points continue to exist although specialist units for refugees were discontinued in many cities around 2018. Sometimes, the specialist staff transferred their knowledge and this networked way of organising the counselling of refugees to their new units. Elsewhere, however, the knowledge was allowed to diffuse as a result of the discontinuation of official, as well as informal, exchanges with other organisations and non-profit organisations working in the field of the labour market integration of refugees.

To sum up, there are two types of structural challenge: the first lies in the legal framework and the implications for the competences of the organisations involved; while the second lies within the organisational structure and the profile of the staff within the employment agencies.

6. Conclusion

One evident fact is that many asylum seekers and refugees will stay in Germany. Thus, labour market integration will remain an important topic for refugees and all other involved actors alike. This encompasses not only, as in the first years after 2014/2015, the question of entry into the labour market, but also the long-term perspectives. Thus, new challenges will appear on the agenda.

The last five years of organised labour market integration in Germany show that the current cohort of refugees is managing to find their first 'regular' employment a little faster than refugees in the 1990s. There remains, however, a gender gap in labour market participation with, in particular, mothers of small children not having paid employment relationships despite, overall, high employment aspirations.

Governments at all levels in Germany are investing significant resources in programmes to achieve the public policy aim of language acquisition and employment training. Uncountable profit and non-profit labour market training projects are playing a major role in delivering the infrastructure required by the active and early labour market integration strategy. The courses are almost all (many of them fully) subsidised by the state. The state infrastructure is, compared to other countries, quite well-equipped;

11. Examples are the Integration Points in Bonn: http://www.job-center-bonn.de/site/integration_point/; and in Essen: https://www.essen.de/leben/fluechtlinge_1/integration_point.de.html

however, without the voluntary support of millions of citizens, refugee reception would not have taken place in such a relatively welcoming and ordered way. This is also the case for labour market participation: such volunteers are using their own networks to find jobs for refugees, help with job applications and provide translation during interviews with bureaucracies or with potential employers.

The German vocational training system plays a major role for younger refugees who will, upon completion, have a solid base for good employment prospects. Employers, especially in sectors with labour shortages, are very open to take on refugees for vocational training; however, the large amount of bureaucratic hurdles and, sometimes, the insecurity of investing in a person's education, without knowing whether s/he will remain in Germany or be deported, makes it difficult for employers. In addition, refugees face challenges in taking on apprenticeships, such as that the German learned in integration classes deviates from the German used in occupational settings.

For refugees, incorporation into the labour market is often perceived to be difficult in terms of the relevance of sound language knowledge, the matching of skills and qualifications with the job, the recognition of education and job credentials and, last but not least, the very human experiences of loss of status and of racism. From the perspective of decent work, the mode of labour market integration leaves some dark blots on the statistics that, otherwise, tell a success story on account of the high number of refugees who are employed via staffing agencies or under precarious conditions in low-wage sectors.

Germany is following an early labour market integration strategy for those refugees who have a high likelihood of remaining in the country which operates at the simultaneous expense of those asylum seekers who are categorised as having insufficiently good prospects. Therefore, the tone of refugee labour market integration is one of differentiated integration. This is in line with the overall policy orientation in Germany of combining a security-based approach with a neoliberal, or utilitarian, one while meeting the international responsibility of receiving humanitarian migrants. This pre-existing stratification was further developed in the 2015-2018 period during political reforms concerning eligibility for language courses, occupational training and access to the labour market. This phenomenon of boundary drawing and classification is one that is typical for labour migration policies (Paul 2015). However, the specific situation in Germany can only be understood when we take the antagonistic struggles of the forces of pro-refugee ('Welcome culture') and anti-refugee (conservative and populist right) actors into account, with both positions not marking extremes but covering wide parts of the centre. Discussions about refugee and migration issues have become major dividing lines among families and friends up and down the land. The result of these struggles at the national level is a refugee reception infrastructure and environment that combines humanitarian motivations, liberal-utilitarian approaches, restrictionism and structurally-racist perceptions of refugees. Sometimes all of this is visible within the same organisation which, self-evidently, makes it difficult for refugees to find room for manoeuvre.

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All links were checked on 13 August 2020.

List of abbreviations and translations of German institutions

<i>Agentur für Arbeit</i>	Employment Agency
AsylbLG	<i>Asylbewerberleistungsgesetz</i> (Asylum Seekers' Benefits Act)
AsylG	<i>Asylgesetz</i> (Asylum Act)
AufenthG	<i>Aufenthaltsgesetz</i> (Residence Act)
AufenthV	<i>Aufenthaltsverordnung</i> (Regulation on Residence)
BAMF	<i>Bundesamt für Migration und Flüchtlinge</i> (Federal Office for Migration and Refugees)
BMI	<i>Bundesministerium des Innern</i> (Federal Office of the Interior); since 2018: <i>Bundesministerium des Innern, für Bau und Heimat</i> (Federal Ministry of the Interior, Building and Community)
BVerfG	<i>Bundesverfassungsgericht</i> (Federal Constitutional Court)
DGB	<i>Deutscher Gewerkschaftsbund</i> (Confederation of German Trade Unions)
ECRE	European Council on Refugees and Exiles
IAB	<i>Institut für Arbeitsmarkt- und Berufsforschung</i> (Institute for Employment Research)
SGB II	<i>Sozialgesetzbuch</i> (Social Security Code) II
SGB III	<i>Sozialgesetzbuch</i> (Social Security Code) III

