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GERMAN PENSIONS FOR WORK IN GHETTOS (ZRBG)

A CLAIMS CONFERENCE HANDBOOK

The Claims Conference is not involved in the administration, implementation or processing of Social Insurance pensions for the German government or its social security institutions.

The information presented herein is intended for information purposes only and as a general guide to certain issues involved in filing applications for German Social Insurance pensions. The information is not intended as legal advice. It is a summary of specific issues and does not represent a definitive or complete statement of the programs and policies of the governments or agencies mentioned. This guide may not address the special needs, interests and circumstances of individual applicants. It is recommended that individuals obtain professional advice in connection with individual applications. In addition, all deadlines must be checked with the responsible agency. Individuals seeking specific information on a claim are urged to contact the relevant program directly. The information is correct as of the date of this document and this information may change subsequent to such date.

JUNE 2003

GERMAN PENSIONS FOR WORK IN GHETTOS

A CLAIMS CONFERENCE HANDBOOK

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GERMAN PENSIONS FOR WORK IN GHETTOS

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On June 20, 2002 the German Parliament enacted a “Law for the Payment of Pensions for Periods of Work in a Ghetto” (“*Gesetz zur Zahlbarmachung von Renten aus Beschäftigungen in einem Ghetto*,” or ZRBG). This is a supplemental law coming under the jurisdiction of the German Social Insurance institutions.

BASIC PRE-CONDITIONS

The following pre-conditions must be met before work periods in a Ghetto can be counted as relevant contribution periods for a German government “Ghetto Pension.”

- The claimant (or deceased spouse) must have the status of a persecuted person under the regulations of §1 of the German Indemnification Law (BEG), i.e.:
A Nazi persecutee is a person who, because of political opposition, or because of race, religion or ideology, was persecuted by Nazi oppressive measures and consequently suffered loss of life, damage to limb or health, liberty, property, possessions, or vocational or economic pursuits.
- The claimant (or deceased spouse) was forced to live in a Ghetto, which was occupied by or incorporated into the German Reich. Relevant Ghettos were primarily in occupied or incorporated Polish territory and in occupied Soviet and/or Baltic territories.
- Despite the limitations on liberty in the general living conditions, the persecuted person must have taken up the work under his/her own free will.
- If the claimant already received credits from a foreign Social Security system for the work s/he completed in a Ghetto s/he cannot collect this pension.

You should apply *only if...*

- ✓ You were a victim of Nazi persecution.
- ✓ You lived in a Ghetto officially occupied by or incorporated into the German Reich.
- ✓ You performed voluntary labor either out of your own free-will or in order to avoid “an otherwise worse fate.”
- ✓ You were compensated in some form for your work above basic subsistence levels.
- ✓ You were not credited for work completed in a Ghetto by a foreign Social Security system.

The Deadline to Receive Retroactive Payments to 1997 is June 30, 2003. In order to meet this deadline, you must write to the German Social Insurance agency BEFORE June 30, 2003 (See page 11, How to Apply).

1. QUALIFYING PERIODS

To be entitled to a German government Ghetto Pension (also known as an Old Age Pension), a qualifying period must always be completed. The qualifying period for applicants to be considered insured and who are 65 years of age or older, is five (5) years (60 calendar months).

CONTRIBUTION PERIODS/ SUBSTITUTE PERIODS

The five-year qualifying period can consist of contribution periods (i.e. voluntary and paid Ghetto employment) with the addition of substitute periods, as applicable. Substitute periods can be periods of Nazi persecution or periods in DP camps.

Periods of insured working times in Germany or in a foreign country (provided the foreign country has a bilateral Social Security agreement with the Federal Republic of Germany) may be counted as additional contribution periods.

Postwar working times in nations with bilateral Social Security agreements with Germany are counted as insured periods and are therefore useful to people who otherwise are unable to meet the five (5) year minimum to obtain a pension. In other words, non-German working periods can be counted in the calculation of this pension if they are done in a country that has a bilateral Social Security agreement with Germany.

Germany now has Social Security agreements with: Bulgaria, Australia, Chile, Israel, Japan, the former Yugoslavia, Canada/Quebec, Croatia, Morocco, Poland, Switzerland, Slovenia, Turkey, Tunisia, Hungary, the Czech Republic and the USA. Germany is currently holding negotiations on Social Security agreements with China, South Korea, Russia and Slovakia.

COMBINING CONTRIBUTION AND SUBSTITUTION PERIODS

Even if the claimant was in a Ghetto performing voluntary work for compensation for a short time, s/he can still meet the criteria for this pension if s/he has a total of five (5) years of combined contribution and substitution periods. If s/he worked in Ghetto X for one year and then was sent to a Concentration or Labor Camp for four years s/he meets this requirement. If after working in a relevant ghetto the applicant never went to a Camp but worked after the war either in any country with a Social Security agreement with Germany for more than 4 years, s/he still satisfies this prerequisite.

THE QUALIFYING PERIOD

Part or all of the five-year qualifying period MUST include voluntary work for payment in a recognized Ghetto. However, if this alone does not help the claimant to fulfill the sixty (60) months of the qualifying period, contribution time can be supplemented (substituted) by recognized *periods of Nazi persecution* or by *working times* before or after the war in Germany or in countries with a Social Security agreement with Germany. Displaced Persons Camps are recognized either as substitution or contribution periods

RETROACTIVE CONTRIBUTION PAYMENTS

The conditions for meeting the qualifying period by retroactive contribution payments remain unchanged. It is only possible to make retroactive payments if an application was made by 31 December 1991.

If an original application was rejected and the applicant's eligibility is now changed as a result of the new law, s/he may now be able to fulfil certain requirements by making retroactive insurance payments today. It is advisable to seek legal assistance in such cases. However retroactive insurance payments cannot be made on new applications.

NO RETROACTIVE CONTRIBUTION PAYMENTS ON NEW APPLICATIONS

2. WORK

All relevant work must have been done while living and working in a Ghetto recognized as occupied by or incorporated into the German Reich, and must have been "voluntary" and "for payment."

VOLUNTARY WORK

This includes circumstances where the work was carried out with "free will." The voluntary aspect, i.e. "occupation carried out at one's own free will" could also be recognized if the applicant states that s/he worked to avoid "an otherwise worse fate."

PAYMENT

Payment can have been distributed as "Ghetto-Marks" or ration cards. In certain cases, payment can be assessed as room and board or other exchanges, if it was over and above the bare "subsistence minimum." In other words, while at work you received extra food or additional ration cards, etc.

VOLUNTARY WORK

It is possible for the applicant to have been taken to work under guard and then to have carried out the work itself in relative freedom

PAYMENT

According to the Federal Social Court, the term "payment" includes all benefits obtained above the bare subsistence wage.

INTERPRETATION OF CRITERIA

Interpretation of the work and payment criteria will be clarified by the Social Insurance authorities or the Federal Social Courts on a case by case basis.

SLAVE LABOR/FORCED LABOR

Slave/Forced labor or work without payment cannot be taken into account and will not be considered a relevant period of contribution. These periods may however be used as substitute periods for the entitlement.

If the claimant has already received payment from the German Foundation/Claims Conference Program for Former Slave and Forced Laborers, s/he may still benefit from the Ghetto Pension provided that s/he has **ALSO** fulfilled the pension's eligibility requirements (i.e. did voluntary labor for payment in a recognized Ghetto).

BOTH FORMS OF PAYMENTS ARE POSSIBLE

In most cases, applicants went through various stages of persecution. Therefore, if you were in a Ghetto included in this legislation but were later transferred to a Labor or Concentration Camp, it is possible for you to collect both the German Foundation's payment for slave labor and this Ghetto pension.

The Ghetto Pension is not for forced or slave labor, but the definition of voluntary labor is complicated because of the conditions that existed in the ghettos.

IF YOU HAVE RECEIVED A SLAVE LABOR PAYMENT FOR GHETTO WORK, YOU MAY NOT BE AWARDED THIS PENSION FOR THE SAME TIME PERIOD AND THE SAME WORK.

3. GHETTOS

Pensions will be awarded only to applicants who lived and worked in a Ghetto officially annexed to or occupied by the German Reich. The "Ghetto" includes all open and closed Ghettos in such territories.

WORKING OUTSIDE THE GHETTO

Even if the applicant worked outside of the Ghetto, but returned to it each night, s/he is still considered to be eligible for this pension.

LIST OF GHETTOS

There is no complete list of accepted Ghettos available. To date, we know that more than 300 Ghettos have been recognized. The Budapest Ghetto is included in this law for work done voluntarily and for some form of remuneration.

At this time, the Shanghai Ghetto does not meet the governing criteria of the German legislation (under occupation or annexation by the Third Reich) and is therefore not included among eligible Ghettos.

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4. AGE

According to this new law it is no longer necessary for the applicant (or deceased spouse) to have reached fourteen (14) years of age before or during the stay in a ghetto in order to obtain a pension. In accordance with the Federal Social Court, each individual claim will be reviewed independently to determine if voluntary and compensated labor was carried out, *irrespective of the claimant's age*. Therefore, much younger people may now be eligible.

5. GERMAN RESIDENCY

Under the new law the statute requiring the claimant to have left Germany **no later** than 31 December 1949 has been removed and is no longer a factor. Individuals previously rejected on the basis of German residency dates or lapsed "Persecutee" ("*Verfolgte*") status (in other words, persons who emigrated from Germany after December 31, 1949) are encouraged to reapply.

6. PROOF

The applicant must substantiate the stay in the relevant Ghetto and the work carried out. Substantiation in the form of a personal statement or applicable documents should suffice. Two witness statements are no longer required to file a claim.

COOPERATION

Applicants are legally bound to allow the German Social Insurance Court to review any or all previous procedures, applications and/or statements for corroboration or confirmation of their claim. This includes applications for *Wiedergutmachung* (BEG), the German Foundation "*Remembrance, Responsibility and the Future*" (Slave/Forced Labor Compensation Program), or compensation programs administered by the Claims Conference such as the Article 2 Fund and the Central and Eastern European Fund (CEEF).

YOU SHOULD REVIEW PREVIOUS APPLICATIONS

It is advisable for applicants (or their legal representatives) to review records of their previous applications to Holocaust compensation programs. This will ensure that different details from earlier procedures do not contradict with procedures today. Such contradictions could result in the denial of the present claim.

7. RAISING AN EXISTING PENSION

Re-assessment of an existing German Social Insurance pension is not automatic. Potential applicants must contact the relevant German Social Security agency **in writing** to apply for a re-evaluation of an existing pension. According to the law, a new establishment of the pension entitlement is not possible in all cases.

CONSULT AN EXPERT

Generally, in considering applying for a re-evaluation of an existing pension, or for a widow/er's pension, specialized legal assistance is advisable.

8. WIDOW(ER)'S PENSIONS

It is possible to apply for benefits on behalf of a deceased spouse if s/he had fulfilled the aforementioned work requirements, i.e. performed voluntary and paid work in an accepted Ghetto.

Such pensions are paid out to surviving spouses of contributors, provided that they have not remarried.

If the surviving spouse is over the age of forty-five (45), or is rearing a child under eighteen, or cares for a dependent child who for reasons of physical or psychological disability is unable to fend for itself, or has a reduced earning capacity, the surviving relative's pension amounts to sixty percent (60%) of the deceased spouse's full pension entitlement.

9. OTHER RESTITUTION OR ONGOING PENSIONS

The German Ghetto Pension is separate from Holocaust restitution or compensation programs and legislation. Therefore, if you currently collect Holocaust restitution monies, this should not affect your eligibility to claim for the Ghetto pension, if you fulfill the specific requirements for this pension.

COOPERATION

Applicants are legally bound to allow the German Social Insurance Court to review any or all previous procedures for discrepancies.

RELATIONSHIP WITH *NON-GERMAN* SOCIAL SECURITY

Ghetto Pensions are not considered standard Social Security benefits and therefore will only be paid if they are to the beneficiary's advantage. The German pension will **not** be paid into a foreign country if that country's benefits would be negatively affected as a result of this German pension.

NON-GERMANS TREATED AS GERMAN NATIONALS

If the applicant worked after the war in a country that has concluded a bilateral Social Security agreement with Germany (see page 4), s/he will be treated as a German national and will receive the full pension amount based on the contribution periods completed in a Ghetto.

NON-GERMANS IN COUNTRIES WITHOUT BILATERAL AGREEMENTS

If the applicant worked in a country with no Social Security agreement with Germany, s/he receives only 70% of the German pension entitlement in relation to periods of contribution. Such periods of contribution can only be completed *in Germany*, before or after the war, or in a Ghetto included in this legislation. Germany is currently holding Social Security negotiations with China, South Korea, Russia and Slovakia.

RESIDENTS OF POLAND

Victims who were residents of Poland on 31 December 1990 cannot receive a German pension in Poland. The Old Age pension is paid by the Polish insurance authorities, who by law must include any German awards when calculating the pension.

NO PREJUDICIAL EFFECT ON YOUR SOCIAL SECURITY

**The Ghetto Pension will have no bearing on benefits, which you may currently be collecting from your current country of residence.
However, if this country already credited you for work done in the Ghetto you are precluded from receiving the German Ghetto Pension.**

10. DEADLINE

PENSIONS ARE ONLY AWARDED IF APPLIED FOR.

DEADLINE FOR RETROACTIVE BACK-PAY

New applications and applications for reassessments made by **30 June, 2003** are considered as having been made on 18 June 1997. The entitlement of a pension would therefore begin with a retroactive payment (*back-pay*) dating back to June 1997, provided that from this date all pension requirements are met.

If the claim is submitted before 30 June 2003, but the pension requirements are not met until after June 1997, the pension benefits will begin from the date that the requirements are fulfilled (reaching the age 65 or date of death, in the case of widow(er)'s benefits).

APPLICATIONS REQUESTED AND FILED AFTER JUNE 30 2003

Ghetto Pensions applied for after 30 June 2003 will not be awarded any retroactive payments. Any pension is awarded from the date of the application.

Applications for widow(er) benefits made after this date will be backdated for a maximum of twelve months, at the earliest from the date of death.

REAPPLYING

If an applicant previously applied but was rejected due to age, date of emigration or ineligible Ghetto, s/he should be encouraged to reapply, provided s/he meets the eligibility requirements for this pension.

11. APPEALS

If the applicant for an Old Age Pension (based on Ghetto contribution periods) is **rejected** by the administrative office handling the claim, an appeal can be filed. . However, appeals should be filed within **one month** of receiving the rejection.

Due to the unprecedented nature of this law many of the legal issues surrounding its interpretation have yet to be reviewed by the German Federal Social Courts. Therefore, a number of claims that are initially rejected may be reversed on appeal.

Applicants should consult a legal expert during the appellate process.

APPEALS MUST BE FILED IN WRITING WITHIN ONE MONTH OF RECEIVING A REJECTION. Grounds for the appeal must be stated in your response. The claimant should indicate whether substantiating documents are to follow shortly.



HOW TO APPLY

1. Write to the appropriate German Social Insurance office requesting the appropriate forms (see sample letter below). Please note: This letter will ensure that you meet the June 30th 2003 deadline. It is a good idea to send this letter by registered mail so that you have a record of when it was sent.
2. Upon receiving the packet of forms you should complete and return them to the German agency promptly.
3. Remember to pay special attention to the instructions which accompany the forms.
4. If you require additional assistance consult your local Help Center, Jewish Family Service or legal services (see page 13).

SAMPLE LETTER

Dear Sirs,

I hereby apply for payment of a Pension based on the work I did in a Ghetto. Please promptly forward me all forms, which I need to complete. I am looking forward to hearing from you.

Sincerely,

The application request letter should be very simple and contain only the basic information. It is **not** necessary to describe the working conditions at this time. **Be sure to include (legibly) the claimant's current address.**

If the claimant has a **German Insurance Number**, it should be included in his/her letter. If s/he does not have such a number, the German authorities will assign one. *Note: this number is different from claim numbers issued through other Holocaust compensation programs.*

German Insurance Numbers are unique for each individual. They consist of two digits which distinguish the office handling the file, the claimant's date of birth (European format), first letter of his/her last name (at birth) and ending in another three digit inter office code.

This letter is sufficient for meeting the 30 June 2003 deadline. The relevant Social Security office will reply with the appropriate forms for the claimant to *promptly* complete and return to them.

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WHERE TO SEND YOUR LETTER REQUESTING AN APPLICATION

Determining which office to contact (with the above letter) depends on where you *currently* live and the type of work performed in the Ghetto.

CONTACTING THE APPROPRIATE OFFICE

If you send your request to the wrong office there will be no penalty or disadvantage. Your letter will be forwarded to the appropriate LVA or BFA office.

ALL SALARIED EMPLOYEES (WHITE-COLLAR JOBS, E.G. TEACHERS, ACCOUNTANTS, OFFICE-CLERKS, NURSES, ETC.) should contact the Federal Insurance Institution for Salaried Employees, or BFA:

Bundesversicherungsanstalt für Angestellte or BFA.
 Ruhrstrasse 2
 10709 Berlin, Germany
 Tel: (0) 30-865-1
 Fax: (0) 30-86527240

ALL OTHER WORKERS/MANUAL WORKERS (E.G. CONSTRUCTION, MUNITIONS WORKERS, LOCK-SMITHS, ETC.) should contact a manual workers Regional Pension Insurance Institution (Landesversicherungsanstalt or LVA).

<p>Residents of Great Britain, Ireland, United States, Canada/Quebec: Landesversicherungsanstalt (LVA) Freie und Hansestadt Hamburg Postfach 70 11 25 22011 Hamburg Tel: (49-40) 5300 -1315 Fax: (49-40) 5300 -2999 Internet: www.lva-hamburg.de</p>	<p>Residents of Hungary: Landesversicherungsanstalt (LVA) LVA Thueringen Kranichfelder Strasse 3 99097 Erfurt Germany</p>	<p>Residents of Israel: Landesversicherungsanstalt (LVA) Rheinprovinz Koenigsallee 71 40215 Dusseldorf, Germany Tel: (49-211) 937-0 Fax: (49-211) 937-3044</p>
<p>Residents of Countries with No Agreement With Germany (e.g. Argentina, Baltic Countries, Russian Federation): Landesversicherungsanstalt (LVA) Rheinprovinz Koenigsallee 71 40215 Dusseldorf, Germany Tel: (49-211) 937-0 Fax: (49-211) 937-3044</p>	<p>Residents of Australia: Please enquire at the German Embassy</p>	<p>Residents of European Union: You may submit your claim request through the Pension Insurance institution of your country. Your claim will be forwarded to the appropriate German Insurance Institution.</p>

ASSISTANCE

The procedure to obtain a German Ghetto Pension may be complex and complicated. For additional information and assistance in the application process, you may contact the following organizations:

USA/CANADA

Bet Tzedek Legal Services (Los Angeles)

Free Assistance

Tel: (323) 939-0506

Fax: (323) 549-5880

Email: info@bettzedek.org

www.bettzedek.org

New York Legal Assistance Group

Holocaust Compensation

Assistance Project

Free Assistance/Referrals

Tel: (212) 688-0710

Fax: (212) 750-0820

Email: ldavis@nylag.org

Email: hdrook@nylag.org

www.nylag.org

ISRAEL

Information Center for Holocaust Survivors in Israel

(In collaboration with the National Insurance Institute)

Free Assistance

Tel: 972-3-629-0015

Fax: 972-3-629-2690

www.claimsinfo.org

Not-for-profit legal services at a moderate fee:

United Restitution Organization

[\$50 registration fee/ contingency fee of 12% of the first 60 monthly pensions]

Frankfurt: Tel: (49-69) 713 7790 – Fax: (49-69) 713 77920

Tel Aviv: Tel (972-3) 517-5204; Fax (972-3) 517-0655

New York: Tel (212) 921-3860; Fax (212) 575-1918

Toronto: Tel (416) 630-2920; Fax (416) 630-1885

Guidelines for the “Short Questionnaire”

“QUESTIONNAIRE ON LAW REGARDING PENSIONS PAYABLE FROM EMPLOYMENT IN A GHETTO [ZRBG]”

Several versions of “Short Questionnaires” tailored to the Ghetto Pension are distributed by the German government agencies. They consist of approximately 8-15 questions and they can be submitted to initiate the application.

The standard German Social Security Application Form consists of over 40 questions. The German Social Insurance offices may ask applicants to complete this form instead of the shorter Ghetto Pension Forms. Please note that this form is not specifically designed or adapted to questions pertaining solely to the Ghetto Pension. It may not always be possible for applicants to respond to each question in this general questionnaire.

Below is an example of one version of the Short Questionnaire.

German Insurance Number [VSNR]: Like the United States Social Security Number everybody is assigned a different German Insurance Number. If you are already a recipient of an Old Age Pension this number can be found on your check stub, or any correspondence from the LVA or BfA office handling your file. These numbers contain your birthday and the first letter of your last name at birth. If you do not have a German Insurance Number yet you can leave this section blank.

Processing Identification Number [BKZ]: This applies only to claimants whose file will be handled by the BfA. If you do not know this number yet you can leave it blank.

1. Commencement and termination of employment (day, month and year)?

The more detailed your response the better. However, if you are unsure of the exact date it is acceptable to write the month and year or just year.

2. Where (town, street and district) was the given place of employment and/or place of work? What was the name of the Ghetto?

If you remember the name of the organization, factory, etc. that you were employed write that here. Also, write the name of the Ghetto(s) in which you lived and were employed.

3. Did the work take place beyond the Ghetto as well?

Please answer either yes or no, did you work outside the Ghetto or remain inside? **If yes:** was there a daily return to the Ghetto? **Please note:** in order to qualify for this pension work must have been performed in the Ghetto in which you resided. However, *it is acceptable* to have left the Ghetto each day to work but returned each night.

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Guidelines for the “Short Questionnaire”

4. In which labor department (if applicable) were you employed?

(See below)

5. What type of employment (brief description of duties) were you engaged in?

Briefly describe your job. For example, you could write, “I sewed German Army uniforms.”

6. Length of daily working hours for this employment?

Write here how long your work day was. Most people indicate that they have worked between ten and twelve hours.

7. How was this work assigned for this employment and/or which institution facilitated your placement there?

Write here how you obtained the relevant position. Most people usually write the “*Judenrat*” or a similar organization.

8. Was there any remuneration – including in “Ghetto-Money,” food or payments in kind granted?

- A. Type
- B. Amount (weekly/monthly)
- C. Currency

Write here what type of compensation you received for the work that you voluntarily performed.

Type- This could include for example, “Ghetto-Marks,” food, ration-cards, board and lodging, etc.

Amount- If you remember how much you received indicate that amount here.

Currency- Indicate what currency was used for payment.

9. Did you have proof of employment? If applicable what type and issued by which institution? In as far as you are still in possession of relevant documents we request that duplicates of these be submitted.

Did you have any documents, while in the Ghetto, which proved that you were employed? A simple YES or NO will suffice. If you remember you could describe these documents. Also, if you still have them please attach notarized copies.

Guidelines for the "Short Questionnaire"

10. What was your address (street and house number) in Ghetto?

If you cannot remember all of this information write as much as you can remember. For example, if you cannot recall the house number write the street name, or district.

11. When were you transferred from the Ghetto to a forced Labor/Concentration Camp?

Indicate, as specifically as possible, the date you left the Ghetto.

12. When were you liberated from there?

Write where and when you were liberated.

13. Where did you stay from that time (liberation) until your departure from the country?

Write here where you were after liberation. Most people indicate which DP Camps they stayed in.

14. Were you employed before your stay in the Ghetto?

If yes: a) Commencement and termination of employment?

b) Type of employment engaged in?

Write here if you had any previous employment before entering the Ghetto and what that was?

15. Have you made applications for restitution?

If you applied for or collect *Wiedergutmachung* (BEG) write the restitution office and file number here. This information is on the check stub. If you cannot locate this information please attach a copy of any correspondence from the appropriate restitution office and write attached in the space provided. Or indicate your Hardship Fund claim number or Article 2 Fund pension number if applicable.

***Sign and date.**

FREQUENTLY ASKED QUESTIONS

What are the eligibility criteria for the new law?

- Voluntarily worked in an accepted ghetto
- Received compensation for such work

How can I apply to receive these benefits?

The first thing you must do is send a letter to the relevant German Social Insurance Office. See the sample letter. These letters do not need to describe your work or persecution history. You only need to request the appropriate forms and include your current address.

What does it mean that I need to have been compensated or paid for my work?

Payment includes any form of remuneration including, but not limited to, Ghetto-Marks, room and board and ration cards. This payment *must* have been in addition to what one normally would have received. In other words, while at work you received extra food or ration cards, etc. above the normal allotment. Thus, money or Ghetto-Marks are not the only acceptable forms of payment

I did work in the Ghetto but it was only for a very short time. Should I still apply?

Yes. Regardless of how long you spent working in the Ghetto as long as you fulfill the requirements for working you should apply, even if it was only for a short time.

I was only X years old when I worked in the Ghetto should I apply?

As long as you meet the other criteria you should apply, regardless of age.

I meet all of the criteria but didn't leave Germany until 1951. Should I still apply?

Yes. The law requiring claimants to have left Germany by 31 December 1949 has now been canceled. Therefore, even if you previously applied for this pension but were rejected for this reason you should now reapply.

What determines the size of the pension?

German Old Age pensions are determined according to an individual's *contribution* periods. Credits for contribution periods are valued by the average salary earned by persons who performed similar work but who did *not* suffer the fate of a persecuted person. Other relevant factors include the claimant's gender, education level, periods of child rearing and age. Substitute periods are only used for entitlement.

I am already receiving an Old Age Pension from Germany – Can I get additional payments according to this new law?

Yes. However, raising a existing pensions is complicated and may require legal assistance.

What if I do not want the German Social Insurance Agency to inspect the previous statements, which I made when I was applying for other German restitution programs (i.e. German Foundation "Remembrance, Responsibility and the Future," Article 2 Fund, Hardship Fund, and Wiedergutmachung [BEG])?

You are legally *obligated* to allow the German Social Insurance Agency to review any claims and/or statements for corroboration of your application. If you do not permit this your application may be rejected.

What is the deadline?

You should send your inquiry letter to the appropriate Social Insurance office by June 30th 2003. Therefore you will be eligible to collect additional monies in back-pay (to 1997). If you inadvertently miss this deadline you should still apply.



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