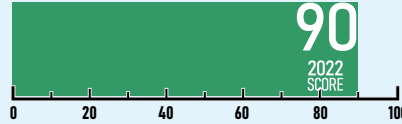


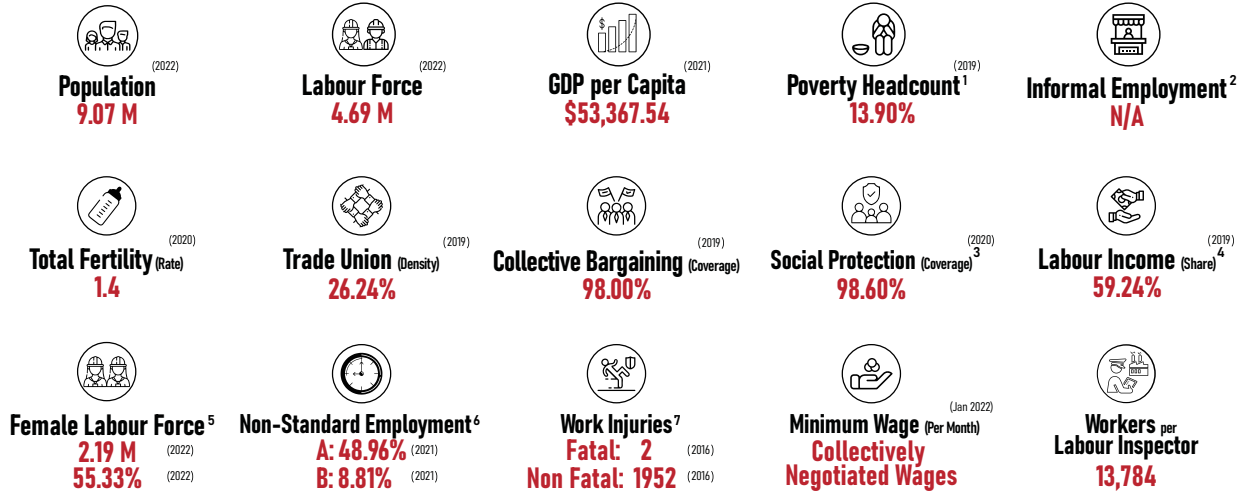


Austria



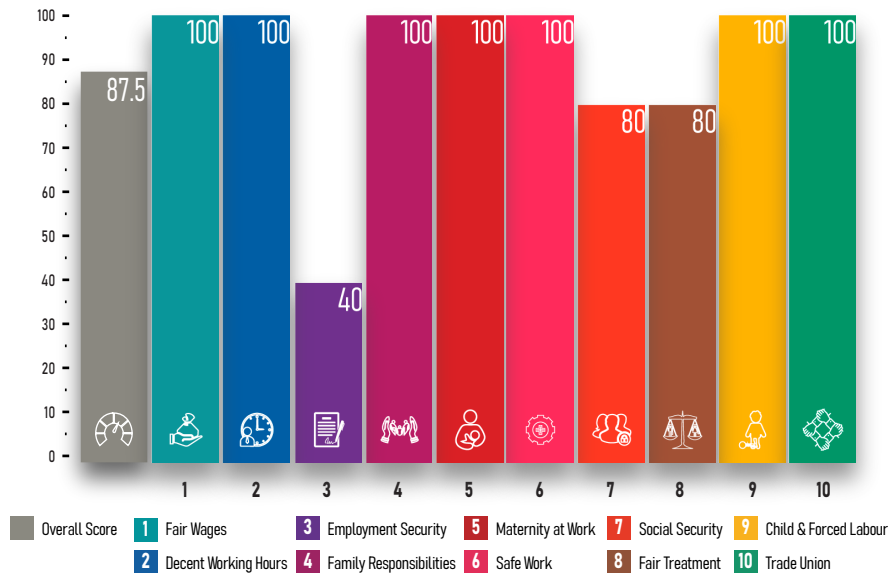
90 2020 SCORE
Western Europe
High Income
Approaching Decent Work
LRI RATING

Contextual Indicators



Sources: World Bank
International Labour Organization
WageIndicator Minimum Wages and Living Wages Database
M = Million

Legislative Performance Indicators



Introduction

The Labour Rights Index 2022 (LRI 2022) is a de-jure index covering 135 economies and structured around the working lifespan of a worker. In total, 46 questions or evaluation criteria are scored across 10 indicators. The overall score is calculated by taking the average of each indicator, with 100 being the highest possible score. The Index uses a rating system, ranging from "Total Lack of Decent Work" to "Decent Work". The Labour Rights Index aims at an active contribution to the Sustainable Development Goals, by providing necessary (complementary) insights into de jure provisions on issues covered in particular by SDG8 (Decent Jobs), SDG 5 (Gender Equality), SDG 10 (Reduced Inequalities) and SDG 16 (Strong Institutions). The Index is based on national labour legislation, applicable on 1 January 2022. The Index does not take into account COVID-19 related labour market measures in its scoring.

Austria's overall score is 87.5 out of 100. The overall score for Austria is lower than the regional average observed across Western Europe (89). Within the Western European region, the highest score is observed for Belgium (96).

¹ Proportion of population living below the national poverty line (%), as measured under SDG 1.2.1

² Share of informal employment in total employment (%), as measured under SDG 8.3.1

³ Proportion of the country population covered by social protection floors, as measured under SDG 1.3.1

⁴ Labour income (income of employees + partly income of the self-employed) as a percentage of GDP, as measured under SDG 10.4.1

⁵ The female labour force is shown in absolute number along with the female labour force participation rate

⁶ Non-Standard Employment has been defined as Part-Time Employment (A) and Temporary Employment (B)

⁷ Rate of fatal and non-fatal injuries per 100,000 workers, as measured under SDG 8.8.1

The country rating is based on the overall score of 0-100, with the following coding:

(90.5-100) Decent Work | (80.5-90) Approaching Decent Work | (70.5-80) Reasonable Access to Decent Work | (60.5-70) Limited Access to Decent Work | (50.5-60) Basic Access to Decent Work | (0-50) Total Lack of Decent Work

LABOUR RIGHTS INDEX 2022

	Question ⁹	Answer	Legal Basis	Trend ¹²
1. Fair Wages	Does the law prescribe minimum wage rates in the country?	Yes	§12(1), 18 & 22-26 of Collective Labour Relations Act (Official Gazette No. 22/1974)	●
	Does the law require regular payment of wages?	Yes	§15 of White-Collar Employees Act (No. 292/1921); Employment Contract Law - AVRAG (No.459/1993)	●
	Does the law require overtime compensation be at least 125% of the regular hourly rate?	Yes	§10 of Working Time Act (Official Gazette No.461/1969)	●
	Does the law require additional compensation for working on a weekly rest day?	Yes	§9 of Rest Periods Act (Official Gazette No. 144/1983)	●
	Does the law require additional compensation for night work?	Yes	§12a-d of Working Time Act (Official Gazette No.461/1969)	●
2. Decent Working hours	Does the law stipulate general working hours as 48 hours or lower?	Yes	§2-10 of Working Time Act, 1969	●
	Does the law restrict maximum working hours including overtime to 56 hours per week?	Yes	§9 of Working Time Act (Official Gazette No.461/1969)	●
	Does the law require a weekly rest of at least 24 hours?	Yes	§3 of Rest Periods Act, 1983; §12(3) of Working Time Act, 1969	●
	Does the law require paid public holidays?	Yes	§7-9 of Rest Periods Act, 1983	●
	Does the law require at least three working weeks of paid annual leave?	Yes	§2-10a of Annual Leave Act, 1976	●
3. Employment Security	Does the law require written employment contracts or at least written employment particulars?	Yes	§2 of Employment Contract Law Harmonization Act, 1993	●
	Does the law restrict the hiring of fixed-term contract workers?	No	No applicable legal provisions could be located	●
	Does the law limit the length of probation period including renewals to a maximum of 3 months?	Yes	§19 of White-Collar Employees Act, 1921	●
	Does the law require a 30-day notice before contract termination?	No	§20(2), White-Collar Employees Act 1921; §1159 & 1159(A&B), General Civil Code 1811; §77, Trade, Comm. and Ind. Regulation Act, 1859	●
	Does the law require severance pay at the rate of at least 2 weeks of wages for every year of service?	No	Chapter 4 of White-Collar Employees Act, 1921; §7 of the Employees' Income Provision Act, 2002	●
4. Family Responsibilities	Does the law require parental leave for parents?	Yes	§15(a-g) of Maternity Protection Act 1979; §1-4 of Parental Leave for Fathers Act 1989; §5 of Child Care Benefit Act 2001	●
	Does the law require at least one week of paid paternity leave for fathers?	Yes	§1 and 2(4) of the Family Time Bonus Act 2016, ; §1a of the Austrian Paternity Leave Act 2019	●
	Does the law require flexible work arrangements for workers with family responsibilities?	Yes	§15(h-n) of Maternity Protection Act 1979; §8 & 8(a-h) of Parental Leave for Fathers Act 1989	●
	Does the law require paid nursing breaks?	Yes	§9 of Maternity Protection Act 1979	●
	Does the law prohibit inquiring about pregnancy during recruitment?	Yes	§31 of the Equal Treatment Act, 2004	●
5. Maternity at Work	Does the law require paid maternity leave of at least 14 weeks?	Yes	§3 & 5 of Maternity Protection Act 1979	●
	Does the law require cash maternity benefit be at least 67% of a worker's former wage?	Yes	§14 of Maternity Protection Act 1979; §162 of General Social Insurance Act, 1955	●
	Does the law require maternity benefit be paid through contributory social insurance or universal benefits system?	Yes	§14 of Maternity Protection Act 1979; §162 of General Social Insurance Act, 1955	●
	Does the law protect workers from dismissals during or on account of pregnancy?	Yes	§10, 12 & 15 of Maternity Protection Act 1979	●
	Does the law require provision of free personal protective equipment to workers from employer?	Yes	§15, 17, 69-70 of the Health and Safety at Work Act 1994	●
6. Safe Work	Does the law require the employer to train workers on health and safety issues?	Yes	§14 of the Health and Safety at Work Act 1994	●
	Does the law restrict work that is prejudicial to the health of the mother or the child?	Yes	§2-8 & 14 of Maternity Protection Act 1979; §3a of Act on Protection of Mothers	●
	Does the law provide for employment injury benefit?	Yes	§138-143 & 468, General Social Insurance Act 1955; §1154-1158, General Civil Code 1811; Continued Remuneration Act 1974	●
	Does the law provide for an old age pension?	Yes	§253 of General Social Insurance Act, 1955; General Retirement Income Act, 2004	●
	Does the law provide for a dependants/survivors' pension?	Yes	General Social Insurance Act, 1955; General Retirement Income Act, 2004	●
7. Social Security	Does the law provide for unemployment benefit?	Yes	Unemployment Insurance Act (Official Gazette No. 609/1977)	●
	Does the law require paid sick leave for the first 6 months of sickness?	No	§138-143 & 468, General Social Insurance Act, 1955; §1154-1158, General Civil Code 1811; Continued Remuneration Act 1974	●
	Does the law provide for invalidity benefit?	Yes	General Social Insurance Act, 1955; General Retirement Income Act, 2004	●
	Does the law require equal remuneration for work of equal value?	Yes	§3(2) & 11 of Equal Treatment Act, 2004	●
	Does the law prohibit sexual harassment in employment?	Yes	§6, 7 & 12(1) of Equal Treatment Act, 2004; §218 of Penal Code, 1974	●
8. Fair Treatment	Does the law prohibit discrimination in employment matters? ¹⁰	No	§7 of Austrian Federal Constitution 1920; §1-29 of Equal Treatment Act, 2004; §283 of Penal Code, 1974	●
	Does the law allow women to do the same jobs as men?	Yes	No restrictive legal provisions could be located	●
	Does the law guarantee basic labour protections for gig economy workers?	Yes	Freelance Social Insurance Law - FSVG, 1978; MISSOC Comp. Table for Austria	●
	Does the law prohibit employment of children?	Yes	§1-7 of Employment of Children and Young Persons Act, 1987	●
	Does the law set employment entry age equal to or higher than the compulsory schooling age?	Yes	§1-7, Emp. of Children and Young Persons Act, 1987; §2 & 3 of Compulsory Schooling Act 1985	●
9. Child and Forced Labour	Does the law prohibit the employment of children in hazardous work under the age of 18 years?	Yes	§1, 12, 14, 17 & 23 of Employment of Children and Young Persons Act, 1987	●
	Does the law prohibit forced labour?	Yes	§104, 104(a) and 217 of Penal Code, 1974; §114-116 of Aliens Police Act, 2005	●
	Does the law allow workers to form and join unions of their own choice?	Yes	Labour Constitution Act, 1974; Chamber of Labour Act, 1991; Associations Act, 2002	●
	Does the law allow workers to bargain collectively with employers through their representative unions?	Yes	Labour Constitution Act, 1974; Eurofound Country Profile for Austria	●
	Does the law provide for the right to strike?	Yes	No violative legal provisions could be located	●
10. Trade Union	Does the law prohibit employers from terminating employment contracts of striking workers?	Yes	No violative legal provisions could be located	●

Covid 19 and Labour Market in Austria*

Total Covid Cases	4.66 Million
Total Covid Deaths	20,183
Partial Vaccinated	77.0%
Fully Vaccinated	75.0%

Wage Subsidies	✓
Social Security Contributions (deferrals/waivers)	✓
Paid Sick Leave	✓
Add. Unemployment Benefits	✓

Protection from Dismissals	✗
Telework/flexible work	✓
Improved Health Access	✗
Training (activation measures)	✓

⁹ The Index has 10 indicators and 46 evaluation criteria or questions.

¹⁰ The prohibited grounds for discrimination are "race, colour, sex, religion, political opinion, national extraction or social origin, age, disability and trade union membership". A score of 1 is assigned only if a country has prohibited discrimination on at least 7 of the above 10 grounds.

¹¹ A country's score on LRI's Trade Union indicator must also be read together SDG indicator 8.8.2 which measures the level of national compliance with labour rights (freedom of association and collective bargaining) based on ILO textual sources and national legislation. It has a range from 0 to 10, with 0 being the best possible score (indicating higher levels of compliance with FACB rights) and 10 the worst (indicating lower levels of compliance with FACB rights). The score of Austria on SDG 8.8.2 is 0 (2020)

The Index uses Observations/Direct Requests from ILO CEACR and the US Department of State's Country Reports on Human Rights Practices (US DOS CRHRP) to measure a country's compliance on the Trade Union indicator.

¹² In order to measure the trend in country's legislative performance over the last edition of the Labour Rights Index (2020), the legislative table indicates improvement or worsening of labour rights in country through the following colours.

- Score increase
- Score decrease
- Score adjustment
- No change