

GLOBAL G.A.P. Risk Assessment on Social Practice (GRASP)

NATIONAL INTERPRETATION GUIDELINE
FOR AUSTRIA

GRASP V2

ENGLISH **VERSION**

VALID FROM: 24 June 2024

CREATED BY: Austrian Chamber of Agriculture





General concept

The GRASP national interpretation guidelines (GRASP NIGs) provide guidance to producers and assessors on the respective legal framework of the country and, in certain cases, regions. In countries where a GRASP NIG exists, the NIG is a normative document and shall be used by producers and certification bodies (CBs).

The GRASP NIG shall be seen as supplementary information to the principles and criteria (P&Cs) and the GRASP general rules but it should not be understood as a modification of the contents of those documents.

A regulation or exception granted by a law and expressed in the GRASP NIG cannot satisfy compliance without CB auditor verification.

The omission of a topic in the GRASP NIG is not a reason to omit verification for that topic and the topic shall always be verified by applying the GRASP P&Cs, the GRASP general rules, and the GLOBALG.A.P. general regulations. However, the inclusion of a topic in the GRASP NIG shall not modify or change the GRASP P&Cs.

If *GRASP P&Cs provide more protection to the workers*, it shall be understood that, during the assessment, the *GRASP P&Cs override local law*. If the *local law provides more protection to the workers*, it shall be understood that the *local law overrides the GRASP P&Cs*. This should be mentioned in the NIG, if possible.

Please download all the documents for *GRASP v2* from the document center (link).

For guidance on how to develop a GRASP NIG and the approval process, please consult the document “Rules for the development of GRASP national interpretation guidelines”. For any queries about GRASP NIGs, please contact the GLOBALG.A.P. Secretariat at graspnig@globalgap.org.

What to consider when writing a GRASP NIG

The GRASP NIG *shall not give examples for implementation*, but rather *compile and explain applicable regulations* or collective bargaining agreements in the country.

Legal regulations regarding the P&Cs differ from country to country (e.g., minimum wage, legal minimum age of employment, working hours, etc.).

If several regulations apply, the rule that provides *more protection to the workers* shall be included.

GRASP NIGs (available on the GLOBALG.A.P. website) make requirements transparent to producers and assessors.

If GRASP NIGs are found to challenge the global integrity of the standard, GLOBALG.A.P. reserves the right to withdraw or revise the GRASP NIGs in consultation with the developing stakeholder group.

Instructions on how to use this GRASP NIG template

Each page covers a separate section/topic of the GRASP P&Cs. Under each principle section, you will find guiding questions for the NIG for a specific country. Please answer them in the second column and provide the relevant labor law weblinks, mainly in English if possible. A line for further comments is also included.

- To facilitate the verification of the GRASP principles, labor law weblinks and short extracts of labor law texts shall always be provided in *English*, if possible.
- *Please do not copy and paste the complete legal text of the regulation into the NIG:*
Please do not quote the full legal texts, but rather *compile and explain applicable regulations and provide sources (weblinks)* or collective bargaining agreements (e.g., minimum wage, weblinks to resources) that are relevant to the respective P&Cs by answering the questions provided under each section.
- When asked to answer *Yes or No*, please only choose one.
- When asked to provide a *source*, please include the name of the labor law, the year, and the specific article, chapter, or section of the law. (i.e., Labor Law of 1992, section 3, article 5). Please see a few examples here:

<p>LABOR-ACT-OF-TURKEY¶ Law-No:-4857¶ Date-of-enactment:-22.05.2003→¶ Published-in-the-Official-Gazette-on-10.06.2003-No:-25134¶ Latest-amendment-date:-28/07/2020¶ ¶ <i>Definition-and-form¶</i> Article:-8¶ <i>Employment-contracts-in-permanent-and-non-continuous-jobs:¶</i> Article:-10¶ <i>Part-time-and-full-time-employment-contract:¶</i> Article:-13¶</p>	<p>NATIONAL-EDUCATION-BASIC-LAW-OF-TURKEY¶ Law-No:-1739¶ Date-of-enactment:-14/6/1973 → ¶ Published-in-the-Official-Gazette-on-24.06.1973-No:-14574¶ Latest-amendment-date:-17/04/2020¶ ¶ <i>Primary-education¶</i> ¶ Article:-22¶ (Change:-27/6/2019-7180-/-4-art.)¶ Compulsory-primary-education-includes-children-aged-6-14.¶</p>
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- *Weblinks* to the law or a place where the law can be found shall be included (in addition to the above information, if available).
- When asked to provide *contact details*, please include the name of the organization, office, or institution, as well as a method of contacting them (e.g., telephone, email, etc.). Weblinks to the organization shall be included, if available.

GENERAL	
G1	The producer informs the workers of the GRASP assessment and its scope at least two working days before the date of assessment.
G2	The producer provides a register of any/all workers hired and those present on the date of the assessment.
G3	The producer/producer group completes a minimum of one self-assessment/internal GRASP QMS audit annually.
G4	Effective corrective actions are taken to address all non-compliant Major Musts and at least a percentage of Minor Musts detected during the self-assessment/internal GRASP QMS audit.

Provide the requested weblinks to relevant local labor laws and complete the following definitions:

Definition of “family farm” in the local regulations: Austrian law does not provide a definition. Auditors and producer shall use the

Definition of “worker” in the local regulations: Agricultural and forestry workers are persons who perform services in agricultural

Name and article of the local regulation that is being referenced: § 1 Abs 2 Landarbeitsgesetz 2021, BGBl 78/2021;

Further comments: There is extensive case law on the subject of the distinction between employment

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1	RIGHT OF ASSOCIATION AND REPRESENTATION
1.1	The producer respects the right of workers to join and/or form trade unions or other worker organizations of their choice (as well as the right to refrain from joining/forming such organizations) in accordance with applicable national legal requirements.
1.2	If the right to freedom of association and collective bargaining is absent, restricted, or denied under local law, the producer allows alternative forms of independent worker representation and negotiation that is free of employer control.
1.3	The producer does not discriminate or otherwise penalize worker representation, members of trade unions, or other worker organizations because of their membership in or affiliation with legally registered worker organizations.
1.4	The producer allows any worker representation duly registered and duly recognized by the local law access to the workplace to carry out their representative functions in accordance with applicable national legal requirements.

Provide a list of relevant local labor laws and answer the following guiding questions:

Is freedom of association restricted? Yes/No. If yes, indicate the specific local law:

No.

List the type of agricultural worker organizations that are legally recognized, including name and contact:

Chambers of Agricultural Workers of the Federal States: Further information and contact

Requirements for joining or forming worker organizations are indicated in this local regulation (include name and article of the regulation):

The Chamber of Agricultural Workers is the statutory representation of the interests of employees in agriculture and forestry. Membership is regulated by the

Indicate the government organization with which the worker representation is registered including names and contacts:

Associations that are eligible for collective bargaining are registered with the provincial supreme unification commissions (§ 421 of the Rural Employment Act).

Indicate the type of proof of registration that is available (i.e., certification, ID, or letter):

A voluntary interest group receives a decision on its eligibility for collective bargaining from the Higher Unification Commission. In principle, however,

Further comments:

2	GRASP WORKER REPRESENTATION
2.1	Current workers have decided on appropriate representation to help assess, communicate, and monitor their interests before the producer.
2.2	After the workers reach a decision on the representation, the composition and type of the worker representation is communicated by management to the current workers.
2.3	The producer ensures that worker representation is decided during the time with the highest presence of workers at the farm.
2.4	The worker representation/management liaison has been instructed on their role, duties, and rights within GRASP.
2.5	Workers, their representation, and the producer hold monthly gatherings on issues related to GRASP during the time with the highest presence of workers.

Provide the requested weblinks to relevant local labor laws and answer the following guiding questions:

List types of worker labor organization legally active in agriculture: There are the above-mentioned employee interest groups (Chamber of

Can these organizations have a representation at farm level? Yes/No. Yes.
If yes, include name and article:

List the type of documents required to verify the registration of worker organizations: Not applicable.

Indicate the legal government entity that oversees this registration: Not applicable.

Indicate the regulation that supports this: Not applicable.

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Indicate regulations that grant workers the right to participate in meetings regarding representation without having their wages reduced:

Indicate the labor authorities that are available for agriculture workers (include name and contact):

Provide approximate times of harvesting seasons for the main GLOBALG.A.P. produce audit.

Further comments:

The granting of time off to members of the works council is governed by § 363

Find the contact details of the Land- und Forstwirtschaftsinspektionen in the following links:

In regular circumstances, seasonal workers often prefer to work for longer periods, and farmers strive to offer employment for an extended duration of

3	COMPLAINT PROCESS
3.1	A confidential complaint process is available to be used by all workers free of any retaliation or penalty.
3.2	The complaint process is implemented and appropriate to the number and type of workers for filing complaints in person, anonymously, or through the worker representation.
3.3	The worker representation has been instructed on how to use the process on behalf of other workers on the rights included in the producer's human rights policies.
3.4	Easy-to-understand instructions are provided to all workers about the complaint process.
3.5	There are one or more well publicized places to file complaints, at least one of which should be independent of the supervisory staff.
3.6	The producer shall endeavor to resolve a complaint while the worker is under their employment, in a timely manner and proportionately to the nature of the complaint made.
3.7	A summary record of any complaint over the past 24 months is kept to show that they have been received and addressed.

Provide the requested weblinks to relevant local labor laws and answer the following guiding questions:

Are there organizations (other than a court or government) that resolve conflicts between employers and workers? Yes/No. If yes, include name and contact:

Employers' associations or chambers of agriculture and agricultural workers'

Are there government offices that mediate conflict between employers and workers? Yes/No. If yes, include name and contact:

No.

Are complaint procedures regulated in the local regulation? Yes/No. Provide source:

No.



Does the national regulation specify how to handle complaints?
Yes/No. Provide source:

Is there a local regulation that specifies how workers can file a complaint with the local court? Yes/No. If yes, include name and articles:

Can any worker file a complaint with the local court? Yes/No. Provide source:

Can a worker representation file a complaint with a court on behalf of workers? Yes/No. If yes, include the name of the court and a contact:

Is there any reference in the local regulation for internal rules about complaints? Yes/No. If yes, provide source:

Further comments:

No.

Yes. There is a statutory representation of employees' interests. As a rule, employees receive support from this body. § 39 ASGG

The Labor and Social Court Act provides for special rules on filing lawsuits in labor cases. § 39 ASGG <https://www.ris.bka.gv.at/GeltendeFassung.wxe?>

Yes. It is unclear what the question is aimed at. In principle, it is possible for an employee to be represented in court by an employee of the Chamber of

No.

4	PRODUCER'S HUMAN RIGHTS POLICIES
4.1	The producer has and complies with a policy on the protection of human rights, acknowledging the rights in the ILO Core Conventions and against any form of forced labor, corruption, corporal punishment, harassment or abuse, and discrimination and supporting good labor conditions, social practices, and human rights for all workers.
4.2	All workers are communicated the contents of the producer's human rights policy.
4.3	All supervisory staff is informed about the contents of the human rights policy.
4.4	The producer communicates the human rights policy to any labor subcontractor. Other subcontractors and visitors are communicated when visiting the farm.
4.5	The human rights policy is reviewed every three years, or when there is a change to labor legislation, or a change in GRASP, whichever occurs soonest.

Provide the requested weblinks to relevant local labor laws and answer the following guiding questions:

Is there a government office in charge of workers' rights? Yes/No. If yes, include names and contact:	<u>No. The interests of employees are represented by the Chambers of Labor and the</u>
Is there an office, organization, or any NGOs that work with human rights protection? Yes/No. If yes, include names and contact:	<u>For employees, the Chambers of Agricultural Workers and trade unions are also</u>
Is there a producer association or group that provides information on labor rights? Yes/No. If yes, include name and contact:	<u>The chambers of agriculture and the employers' associations inform and advise em</u>
Are any of the rights listed in the principles above illegal in the country? Yes/No. If yes, provide source:	<u>No.</u>

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Are there any government offices that provide support/information on these topics? Yes/No. If yes, please list them and include contacts:

Are there any organizations (government or NGOs) that support migrants and their rights? Yes/No. If yes, please list them and include contacts:

Further comments:

The Chambers of Agricultural Workers and the Chambers of Labor are responsible for

The rights of workers from abroad are also represented by the Chambers of Labor and

5	ACCESS TO LABOR REGULATION INFORMATION
5.1	The workers and the worker representation are provided with easy-to-understand and up-to-date information on minimum wage, working hours, breaks, freedom of association, holidays, labor unions, and local labor authorities contacts.
5.2	Taking into consideration any differences between national and local legislation and GRASP, the producer always applies the higher level of protection to workers.

Provide the requested weblinks to relevant local labor laws and answer the following guiding questions:

Are essential labor laws publicly accessible (in the local language)?
 Yes/No. If yes, please indicate the organization and the form in which the laws are available (please include weblinks, if available):

All laws can be accessed at www.ris.bka.gv.at. The Chambers of Agricultural

Further comments:

6	TERMS OF EMPLOYMENT DOCUMENTS AND FORCED LABOR INDICATORS
6.1	All workers are legally eligible to work at the producer site and on the activities assigned.
6.2	<p>All workers have entered work voluntarily and freely:</p> <ul style="list-style-type: none"> - Without being pressured, forced, or intimidated - Without being required to pay (directly or indirectly) a fee or related cost for being recruited, or making monetary deposits, financial guarantees, or deposits of personal possessions to be employed - Understanding and freely agreeing to the employment terms and conditions document
6.3	All contracted employment agencies and labor subcontractors are legally authorized to operate and/or registered with labor authorities when such registration exists.
6.4	For each worker, a document with the employment terms and conditions is available and has existed from the moment the employment relationship started.
6.5	Information on the worker's full name, nationality, and date of birth is verified by the employer before hiring and has been correctly included in the worker's terms and conditions documents.
6.6	The employment terms and conditions documents include up-to-date information on the period of employment, contract type, a basic job description, wages, payments, working hours, breaks, holidays, and information on maternity or sick leave applicable by law.
6.7	The employment terms and conditions in the document comply with national legislation and collective bargaining agreements.
6.8	Changes to the employment terms document have been recorded, communicated, and accepted by the worker.
6.9	The employment terms and conditions document together with other relevant documents of the workers hired during the previous and current production cycles are accessible to workers.

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Provide the requested weblinks to relevant local labor laws and answer the following guiding questions:

Is a national identification document required in the country?
Yes/No:

For persons who are not Austrian citizens, identification is mandatory in Austria.

If yes, indicate the legal or accepted documents that are required to work in the country. Provide source:

See above. § 32 Fremdenpolizeigesetz

Are work permits required for foreign workers? Yes/No. Provide source:

Third-country nationals generally require an employment permit. There are

Is it legal to make copies of these documents to keep in the workers files? Yes/No. Provide source:

Yes.

What is the legal minimum age of employment? Provide source:

15, however, an education requirement must be met by 18. Minors are allowed to

Is prison labor legal in the country? Yes/No. Provide source:

Yes. §§ 44 Strafvollzugsgesetz <https://www.ris.bka.gv.at/GeltendeFassung.wxe?>

Is the concept of debt bondage regulated in the local regulations? Yes/No. Provide source:

A cash payment requirement is governed by §§ 78 sub of the Business and

Do the local regulations allow fees to be charged for recruitment or contracting? Yes/No. Provide source:

Fees may only be collected from the employer. § 5 (2) AMFG

Are labor agencies regulated in the country? Yes/No. Provide source:

Yes. § 2 to § 6 AMFG <https://www.ris.bka.gv.at/GeltendeFassung.wxe?>

Is there an official/government office with which businesses are required to register? Yes/No. If yes, include contact:

There is a trade information system, GISA. <https://www.gisa.gv.at/>

Does this office issue a document as proof of registration? Yes/No. Provide source:

Yes. § 340 GewO



Are the terms permanent, seasonal, subcontracted, short term workers, etc. defined in local regulations? Yes/No. Provide source and list the definitions:

Further comments:

No. Austrian law provides for fixed-term employment contracts.

7	PAYMENTS
7.1	Payments to workers are made in accordance with the worker terms and conditions documents.
7.2	The workers are notified about when payments are made.
7.3	The record of payment information is accessible to current workers and kept on file for at least 24 months.

Provide a list of relevant local labor laws and answer the following guiding questions:

Is there a government system for registering payroll information?
Yes/No. If yes, include name:

Social security contributions and payroll tax and other duties must be paid by the

What information do they collect? List the details:

The employer is obliged to keep a payroll account. The data to be recorded in the

Do the workers have access to the information? Yes/No:

Yes.

Does the law require accounting records for agriculture? Yes/No.
Provide source:

It depends on the size of the company. With a turnover of up to EUR 600,000 and a

Further comments:

8	WAGES
8.1	Pay slips or registers show the amount of working time (including overtime) or harvest amount and the wages and/or overtime paid.
8.2	Wages, payments, number of hours, government social security/pension contributions, and payroll taxes in the pay slip comply with the employment terms and conditions, with national labor regulations, and/or with collective bargaining agreements.
8.3	All workers earn at least the national minimum wage and/or the collective bargain agreement wage within regular working hours.
8.4	Any deductions from salaries are included in the pay slip and are legally justified in writing, clearly explained, and accepted by the worker in files.

Provide a list of relevant local labor laws and answer the following guiding questions:

Is there a minimum wage in the country? Yes/No:

Yes. Minimum wages are regulated in collective agreements.

Is it applicable to agriculture? Yes/No:

Yes.

What is the minimum wage for agriculture? Please indicate all applicable minimum wages and/or where to find them:

The minimum wage in agriculture is set in the collective agreements of the federal

Is there a collective bargaining agreement for agriculture? Yes/No. Include name and provide source:

Yes. The collective agreements can be found on the website of the Chambers of

Which wage deductions are allowed by law? Provide source:

Permitted payroll deductions are governed by collective bargaining agreements. As

Does the local regulation limit the deduction allowed for the repayment of loans or advances? Yes/No. Provide source:

Yes. See collective bargaining agreements. You can access the collective

Is it legal to charge a recruitment fee in the country? Yes/No. Provide source:

No placement fee may be collected from the employee. § 5 Abs 2 AMFG

Are there sources of information regarding the market cost of basic needs? Yes/No. Provide source:

A subsistence minimum of 1,110 euros per month (excluding special payments) is

Does the local regulation require evidence of wage payment? Yes/No. Provide source:

Yes. § 14 LAG [https://www.ris.bka.gv.at/GeltendeFassung.wxe?](https://www.ris.bka.gv.at/GeltendeFassung.wxe?Abfrage=Bundesnormen&Gesetzesnummer=20014524)

What type of evidence is required?

The payroll and the payroll account are audited.

Are there regulations in the law regarding wages calculated by piece, unit, or quota? Yes/No. If yes, which? Provide source:

Yes. § 17, § 24, § 102 LAG Company agreements on such remuneration systems m

Are recruitment agency or labor agency fees regulated by law? Yes/No. Provide source:

Yes. [https://www.ris.bka.gv.at/GeltendeFassung.wxe?](https://www.ris.bka.gv.at/GeltendeFassung.wxe?Abfrage=Bundesnormen&Gesetzesnummer=20014524)

Are there laws in the country regarding debt bondage? Yes/No. Provide source:

Yes. [https://www.ris.bka.gv.at/GeltendeFassung.wxe?](https://www.ris.bka.gv.at/GeltendeFassung.wxe?Abfrage=Bundesnormen&Gesetzesnummer=20014524)

Further comments:

https://www.ris.bka.gv.at/Dokumente/BgblAuth/BGBLA_2021_I_78/BGBLA_2021_I_78.html

9	WORKING AGE, CHILD LABOR, AND YOUNG WORKERS
9.1	The producer verifies that no worker below the legal minimum age of employment or the age of completion of compulsory education (whichever provides the highest protection) is working at the producing/handling sites. The minimum age of employment shall not be less than 15 years and 13 for light work. For countries exempt from ILO Convention 138, the minimum age of employment shall not be less than 14 and 12 for light work.
9.2	The producer checks that no worker under the age of 18 is engaged in night work or tasks that are hazardous in nature in any producing/handling site.
9.3	Children on family farms shall be employed only by their core family under conditions that support their protection, right to education, and safety.
9.4	Supervisory staff has been informed of the legal requirements on working age and of the effective remediation plan (when workers under the age 18 are found working in non-compliance).

Provide the requested weblinks to relevant local labor laws and answer the following guiding questions:

What is the legal minimum age of employment? Provide source: 15 § 181 LAG

What is the age of majority in the country? Provide source: 18 § 182 LAG

Do local regulations list activities that are hazardous in agriculture? Yes/No. Provide source: Yes. §§ 188 sub LAG

Is there a legal definition of a family farm? Yes/No. Provide source: No.

What are the maximum hours that a minor can legally work? Provide source: 9 per day; 45 per week; § 182 LAG

What government office oversees cases of child labor in the country? Include contacts: Land- und Forstwirtschaftsinspektion; contact data see above



Are there other recognized organizations?

No. _____

Do these organizations provide permits (documents) as evidence of permission for children to work? Yes/No. If yes, what type of document?

No. _____

Are there public documents or a register that provide evidence of guardianship for a child? Yes/No. If yes, what type of documents/register?

The custody of a child is regulated by law. _____

Further comments:

10	COMPULSORY SCHOOL AGE AND SCHOOL ACCESS
10.1	Any children at compulsory school age living or working on any producing/handling sites shall have access to school education.
10.2	The producer verifies and keeps records with the full name, name of parents, and date of birth of all children at the producing/handling sites who are below the age of completion of compulsory schooling.
10.3	If access to a school is not possible, the producer facilitates transport for children below the age of completion of compulsory schooling.
10.4	If schools are not available for children living and/or employed on the company's production/handling sites who are below the age of compulsory school completion, the producer facilitates on-site schooling.

Provide the requested weblinks to relevant local labor laws and answer the following guiding questions:

Is school education compulsory for children by law? Yes/No.
Provide source:

Yes.

Is there a minimum and/or maximum compulsory school age for children in the local regulations? Yes/No. If yes, what is the minimum/maximum age? Provide source:

Yes. Children are required to attend school at the age of six. Compulsory education

Is there a government organization that oversees the school education of children? Yes/No. If yes, indicate which one(s):

Yes. Bildungsdirektion

What is the government organization that oversees education for children? Include name and contact:

Unterrichtsministerium; <https://www.bmbwf.gv.at/>; Bildungsdirektionen der Länder

Further comments:

11	TIME RECORDING SYSTEMS
11.1	A time recording system is in place and suitable for the type and the size of the producing/handling site.
11.2	The system provides a record of the regular working hours and overtime hours for each worker.
11.3	The system provides a record of the effective daily breaks, weekly breaks, and holidays for each worker.
11.4	All workers are instructed on the time recording system and on checking the system.
11.5	Each worker has access to a summary of the system records before or at the moment of wage payment in at least the worker's working instruction language or in the predominant language(s) of the workforce.

Provide the requested weblinks to relevant local labor laws and answer the following guiding questions:

Are regular working hours defined by law? Yes/No. Provide source: Yes. §§ 153 sub LAG

Is overtime defined by law? Yes/No. Provide source: Yes. § 159 LAG

Are there other systems for calculating total working hours? Yes/No. Provide source: Yes. §§ 154 - 158 LAG

If yes, list the types of systems (e.g., average number of hours in a period, flex time, compressed work weeks, etc.): Durchrechnung der Arbeitszeit, Arbeitsspitzenregelung, Gleitende Arbeitszeit

Is a maximum number of overtime hours specified by law? Yes/No. Provide source: Yes. § 160 LAG

Are breaks/rest time from work regulated by law? Yes/No. Provide source: Yes. §§ 161 -165 LAG

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Are there collective bargaining agreements that regulate working hours in agriculture? Yes/No. If yes, indicate which ones:

Yes. All collective agreements regulate working hours.

Further comments:

12	TIME RECORDING SYSTEMS
12.1	Working hours (including overtime, night work, and rest days/breaks) with indication of peak/harvesting season are shown in the records.
12.2	All overtime hours are voluntary, if not regulated otherwise in the national law or collective bargain agreement.
12.3	Overtime shall not be requested on regular basis in a production cycle/year and as indicated by law.
12.4	<p>Working time does not exceed 48 hours weekly (excluding overtime) unless indicated by law or collective bargaining agreement. The employer reports the total hours worked, and if they exceed 48 hours, the appropriate safeguards are in place to protect the workers' health and safety.</p> <p>If national legislation and collective bargaining agreements set lower weekly working hours (excluding overtime), these lower limits shall prevail.</p>
12.5	<p>Rest breaks/days as shown in the records indicate compliance with national regulations and/or collective bargaining agreements.</p> <p>If not specifically regulated for agriculture by local laws or collective bargaining agreements, the rest/breaks include, at least:</p> <ul style="list-style-type: none"> (a) Short breaks during working hours (b) Sufficient breaks for meals (c) Daily or nightly rest of not less than 8 hours within a 24-hour period (d) Rest of at least a full calendar day within a week
12.6	Total weekly working hours (including overtime) as shown in the records indicate compliance with national legislation and collective bargaining agreements. If national legislation sets total weekly working hour limits higher than 60 hours (including overtime) in peak season and/or agricultural workers are exempt from overtime limitations, the employer reports the total weekly hours worked and which appropriate safeguards are in place to protect the workers' health and safety.
12.7	Supervisory staff is instructed about the safeguards in place to protect the workers' health and safety-when working over the regular weekly working time and/or over the peak season weekly working time.
12.8	Workers are communicated to effectively use the rest breaks/days during peak season.

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Provide the requested weblinks to relevant local labor laws and answer the following guiding questions:

Is overtime regulated by law? Yes/No. Provide Source (refer to similar question from principle 11):

Yes. (see above)

Is overtime defined as voluntary by law? Yes/No. Provide source (refer to similar question from principle 11):

Partial. Compare § 160 (6) LAG.

Does the law indicate special circumstances for requesting overtime? Yes/No. If yes, which cases? Provide source:

In principle, the obligation to work overtime must be agreed. In cases worthy of consideration (e.g. children) or in accordance with § 160 (6) LAG, overtime may

Is there a *maximum number of overtime* hours specified by law? Yes/No. Provide source (refer to similar question from principle 11):

No more than a total of 12 hours per day and 60 hours per week may be worked. (§

Does the local law allow *averaging the total number of hours* as a method of calculating the maximum number of working hours? Yes/No. Provide source:

It is even mandatory to work no more than 48 hours on average in a 4-month period. § 160 (6) LAG

The legal maximum number of *total* working hours is: (indicate if per day/week/month/year) Provide source:

12/day; 60 week; (§ 160 LAG)

The legal maximum number of *regular* working hours is: (indicate if per day/week/month/year) Provide source:

9/day; 40/week; However, there are flexibilities and averaging options.

The legal maximum number of *overtime* hours is: (indicate if per day/week/month/year) Provide source:

These are derived from the above figures.

The legal maximum number of working hours for *night shifts* is: (indicate if per day/week/month/year) Provide source:

No distinction is made here.

Are there any *exceptions* to the legal maximum number of working hours? Yes/No. if yes, which exceptions? Provide source:

No.



The legal maximum number of working hours, *during peak/harvest* or the busiest season is:
(indicate if per day/week/month/year) Provide source:

12 Hours/day; 60 hours/Week (§ 160 LAG).

List the *minimum number of breaks* per day specified by law. Are these breaks paid? Yes/No. Provide source:

After a maximum of six hours, a break of at least half an hour must be taken. The

The legal minimum number of *rest days per week* is:
Provide source:

continuous 36 hours (§ 163 LAG)

Further comments:

13	DISCIPLINARY PROCEDURES
13.1	A written disciplinary procedure is available.
13.2	Workers are informed about the terms of the disciplinary procedure, including that any deduction from wages as a disciplinary measure is prohibited.
13.3	Records are kept of any disciplinary actions taken during the last 24 months.

Provide the requested weblinks to relevant local labor laws and answer the following guiding questions:

Are wage deductions regulated by law? Yes/No. Provide source:

Of course, the deduction of social security contributions (§ 51 ASVG) and income tax (§

Which deductions are allowed? Provide source:

See above.

Further comments: