



Austrian Development Workers' Act:

**Took effect in 1974, amendment in
November 1983**

Comprises 17 articles

§ 1 Field of application

Regarding the employment of development workers and experts

§ 2 Definition

A development worker is a person with legal capacity, who fulfills her/his duties on behalf of an Austrian implementing organisation in developing countries to contribute to a program or project, that is in line with the principles of the official Austrian Development Aid Program to make a contribution to the economic and social development of these countries. Also a person who is being trained for the purpose of fulfilling those tasks is a development worker.

§ 3 Contract for preparation period

After an extensive selection period there has to be concluded a written agreement for the preparation period containing the rendered services by both parties.

§ 4 Contract during assignment

Between the implementing organisation and the development worker a written assignment contract has to be concluded containing the following information:

1. Place; expected length of service; description of work; project title; name of legal project holder in the development country;
2. Amount of remuneration rendered
3. Kind and amount of compensation for additional expenditure during the assignment; taking into account the family situation of the development worker
4. Kind and extent of insurance coverage
5. Refund of necessary travel- and transport costs
6. Special conditions of contract termination for the assignment period
7. Obligation of the development worker to mind the legal order of the country of assignment

§ 6 Work schedule

The working hours may only be stipulated within the limits of the law of working hours.

§ 7 Insurance coverage

1. In addition to the mandatory Austrian social security the implementing organisation is bound to insure the development worker and her/his accompanying spouse and children and to bear the premium of the insurance according to the particular risks for the preparation period and the duration of the assignment. The sums insured have to be adjusted every year between the implementing organisation and the insurance company and the information hereafter has to be provided to the Austrian Development Agency.
2. The additional insurance has to comprise the following risks:
 - For the development worker: Health, life, disability, liability for driving motor vehicles, private liability and professional liability, insurance for personal effects
 - For accompanying spouses: Health, life, insurance for personal effects
 - For accompanying children: Health

§ 8 Travel costs

1. The implementing organisation has to bear all travel costs of the development worker whose journeys are undertaken with the approval or on behalf of the implementing organisation.
2. The travel costs have to be borne also for the spouse and children if they do not have an assignment agreement themselves or another paid work contract or if they stay in Austria.
3. The entitlement for reimbursement of travel costs is also met if the assignment contract is terminated by premature dismissal by the employer.
4. The travel costs for the spouse and children have only to be reimbursed if the assignment has lasted at least one year, respectively if after the event of marriage the assignment has lasted at least another 6 months.

§ 9 Reintegration

1. The period of the employment contract has to be assessed in the way that directly after end of assignment there has to be granted a period of one month in Austria for the purpose of debriefing, to undergo medical checkup and for the reintegration. During this period the development worker will receive the same remuneration according to § 4 p. 2.
2. The entitlement to p. 1 is also given, if the service contract was terminated upon dismissal.

The time-frame of a formal employment contract consists of 3 consecutive sections such as:

Preparation period of 1 to 6 months

Assignment period of 2 years

Debriefing period of 1 to 2 months

§ 11 Status of employment

The Employees Act applies throughout the entire period of employment.

§ 12 Principle of legal certainty

The legal provisions are applicable for the employment and may not be put to the employee's disadvantage.

§ 13 Subsidies and tax situation

1. Development workers with Austrian citizenship will be treated just as if they have a permanent residence in Austria also during preparation and assignment period in respect of entitlement for state subsidy such as family allowance. The same is applicable for their spouse and children, as long as they live in a common household with the development worker.
2. Regarding their revenues development workers are liable to § 3 p.14 income tax law.

§ 14 Notification

The implementing organisation is obliged to notify the Austrian Development Agency and the Ministry for European and Foreign Affairs about any new development worker and her/his assignment project and the probable period of employment.

§ 15 Public agenda

The development workers' preparation, assignment and reintegration are considered as a matter of public concern, especially in terms of § 37 compulsory military service law and § 13 civilian service law.

Contract matters:

Document „Declaration of termination of assignment agreement and employment contract“

Contributions are being paid regarding mandaroty Austrian social security

Health Insurance	7,65%
Accident Insurance	1,40%
Retirement Pension Insurance	22,80%
Unemployment Insurance	6,00%
Insolvency fund	0,55%
Mandatory Trade Union	0,50%
Housing Promotion fund	1,00%
Company Pension	<u>1,53%</u>

Total: 41,43 %; employer 23,36 %, employee 18,07 %