

AUSTRIA

LABOUR CONSTITUTION ACT 1974 (LCA)

**AN APPRECIATED ROAD-MAP OF
MUTUAL UNDERSTANDING AND A
SYMBOL OF A SYSTEM OF CONCORDANCE**

**LCA AS MIRROR OF THE WORLD OF WORK
AMONG COMPANIES ON ONE HAND AND
ONE ESSENTIAL PILLAR OF THE POLITICAL
MANAGING AND ACTING OF THE SOCIAL
PARTNERS.**

THE LCA 1974 - A LAW DESCRIBING THE „EXISTING REALITY - NOT CREATING „NEW PLAYERS“.

SOCIAL PARTNERSHIP IN AUSTRIA-MODERN FORM-SINCE 1957; (TODAY ALSO CONSTITUTION)

- 1) THE AUSTRIAN CHAMBERS OF ECONOMICS (1848/1946/1998)
(1 FEDERAL, 9 REGIONAL CHAMBERS, INCLUDING „PROFESSIONAL ASSOCIATIONS - FACHVERBÄNDE“ FOR COLLECTIVE BARGAINING
- 2) THE AUSTRIAN TRADE UNION FEDERATION (1945)
- 3) THE CHAMBERS OF BLUE AND WHITE COLLAR WORKERS (1922)
- 4) THE CHAMBERS OF AGRICULTURE (1922)

- LCA WITH CLEAR CHAPTERS, DISTINCTIONS AND DUTIES ON THE PUBLIC SIDE-ACTORS: THE OFFICIAL SOCIAL PARTNERS F.E. COLLECTIVE BARGAINING.
- WIDE LCA-RULES FOR PLANT-AGREEMENTS FOR THE „INNER SIDE“ AND THE COMPETENCES OF THE WORKS COUNCILS VIS-A-VIS THE OWNER.
- ALL RULES FROM COUNCIL‘S-ELECTION ON A PLANT‘S GROUND UP TO THE EWC.

- IN FIRMS WITH AT LEAST 5 EMPLOYEES, THESE EMPLOYEES ARE ENTITLED TO ELECT A WORKS COUNCIL AS AN INDEPENDENT BODY OF X-PERSONS DEPENDING ON THE NUMBER OF EMPLOYEES.
- IT IS ALWAYS A DECISION OF THE EMPLOYEES „IN LOCO“ TO ELECT/TO ACT - OR EVEN NOT.
- THE NEUTRALITY OF THE LAW OPENS IN PRINCIPLE ALSO THE POSSIBILITY THAT SINGLE MEMBERS OF THE BODY MUST NOT BE MEMBERS OF THE UNIONS, BUT VIA FACTI THE OVERWHELMING MAJORITY CONSISTS OF MEMBER OF THE UNIONS.

SPECIAL RIGHTS OF UNIONS REPRESENTATIVES WITHIN COMPANIES:

- TO CALL A WORKS ASSEMBLY IN FIRMS WITH AT LEAST 20 EMPLOYEES IN A SUBSIDIARY MANNER IF THERE IS NO INITIATIVE FROM THE EMPLOYEES.
- TO BE GUEST AT ALL WORKS ASSEMBLIES.
- IF THE WORKS COUNCIL BODY CONSISTS OF AT LEAST 4 MEMBERS (I.E. 51-100 EMPLOYEES) A REPRESENTATIVE FROM THE UNION CAN TAKE ONE MANDATE (3/4 OF THE BODY HAVE TO BE DIRECT EMPLOYEES).

INDIVIDUAL HELP FOR AN EMPLOYEE BY SEVERAL WAYS

- 1) INFORMATION, ADVICE, LEGAL HELP IS GUARANTEED LEGALLY BY THE WORKS COUNCIL (THE CHAIR OF THIS BODY IS IN AN IMPORTANT POSITION BECAUSE HE/SHE IS THE SPEAKER VIS-A-VIS THE EMPLOYER)
- 2) THE CHAMBER OF BLUE AND WHITE COLLAR WORKERS AND THE UNIONS TOO HAVE THE RIGHT TO INTERVENE IF IMPROPRIETIES COME TO THEIR EARS. (IF THERE ARE WORKS COUNCILS THEY INTERFERE VIA THAT CHANNEL, IN ABSENCE OF A WORKS COUNCIL THEY DO IT DIRECTLY).
- 3) (AS FAR AS HEALTH+SAFETY ON WORK PLACES IS CONCERNED THERE IS ALSO A LARGE NETWORK WITH THE LABOUR-INSPECTION).

**THANK YOU VERY MUCH FOR YOUR
ATTENTION**

WKOE-INDUSTRY SECTION

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DEC. 2013

**IN TEAMWORK WITH IV-FEDERATION OF AUSTRIAN INDUSTRIES
(MEMBER OF BUSINESS EUROPE)**