

Information by the Styrian Chamber of Agricultural Workers

The rights of agricultural workers in Styria

The Styrian Chamber of Agricultural Workers represents the rights of all individuals employed in agriculture and forestry in Styria. Anyone who is employed in an agricultural enterprise in Styria automatically becomes a member of the Chamber. The Chamber's main task is to offer its members free support on legal questions regarding their work.

1. The minimum monthly wage for unskilled workers is € 1.434,00 (gross)/€ 1.182,01 (net) for 40 hours of work per week (as per 1 January 2020). Don't hesitate to find out what wage you are entitled to! Workers provided by temporary work agencies and other workers placed with agricultural enterprises in Styria are also entitled to the minimum wage. Heavy fines are imposed on employers if less than the minimum wage is paid.
2. At the beginning of your work you must be given a number of documents including, in particular
 - ⇒ your registration with the Österreichische Gesundheitskasse (ÖGK): make sure that it indicates the actual hours you work!
 - ⇒ a written contract or confirmation of employment.You must be given a payslip for every period of payment.
3. In the course of registering with the Österreichische Gesundheitskasse (ÖGK) you must be given a social insurance number. This number means you can make use of the health insurance benefits for a period of at least 90 days without any problems. During this period you must apply in person to the Austrian health insurance fund for an E-card with a photo. If this official administrative task is only possible within working time, then this constitutes a justified reason for being unable to attend work and you are entitled to release from employment to the extent required with continued payment of remuneration. (Further information: www.chipkarte.at)
4. Every employee in agriculture is entitled to special payments, i.e., a 13th and 14th monthly wage. If you are not employed for a full year, you are entitled to a proportion of the special payments calculated on a pro-rata basis.
5. There must be an agreement specifying regular standard working hours (40 hours per week in the case of full-time employment), i.e., when and how long you have to work. If you work more than the regular working hours agreed upon you are entitled to extra pay based on your per-hour wage.

6. Employers are required to keep working time records. Make sure that these records are handed to you or keep private records yourself of the beginning and end of the daily working time and of any breaks adhered to. Without such records it is not possible to check whether your payslip is correct.
7. You are entitled to five weeks of paid holiday per working year. At the end of the employment relationship you are entitled to compensation for any holiday unused (compensation for unused holiday).
8. If you are unable to work because of important reasons, especially in case of illness, you are entitled to continued pay, i.e., the employer must continue to pay the regular wage for a certain period of time. In the event of illness, you must notify the employer immediately. In the case of potential disputes, you should be able to prove that you have provided this notification. At the request of the employer, confirmation from the doctor of the illness must be provided (doctor's note). It is essential that foreign doctors' notes are submitted or sent to the Austrian public health insurance fund otherwise sickness benefit will not be paid.

Working in Heat

What are the dangers or effects of working in high heat and/or intense sunlight?

- Increased risk of accidents, susceptibility to errors
- Heat stroke (skin redness, rapid breathing, accelerated heartbeat, disorientation, coma – attention: danger to life)
- Heat collapse (blood pressure drop, feeling weak, dizziness, nausea and fainting)
- Sunstroke (nausea, dizziness, severe headache)
- Sunburn, risk of skin cancer development
- Decreasing work performance and quality of work (30-70% during summer heatwaves)

Time off due to excessively hot weather?

- No temperature limits are set by law.
→ No entitlement to "time off" at certain temperatures.
BUT: The employer is legally obliged to take measures to keep heat stress as low as possible (duty of care).
Collective measures (e.g. installation of awnings) take precedence over individual measures (e.g. applying sunscreen).

What measures are reasonable?

- Supply of soft drinks
- Shading of the workplace, e.g. by sunshades / awnings
- Protective clothing, e.g. sun hats, neck protection, cooling vests, UV-safe clothing, sunglasses
- Applying sunscreen
- Refrigerated crew containers / common rooms
- Cooling box / refrigerator for drinks and food
- Organisational measures (earlier start of work, avoid midday heat)

- Instruction of employees / workers in first aid, especially in the event of heat collapse, sunstroke, heat stroke
- Indoors: relax the dress regulations (light footwear, summer clothes), providing fans (avoid drafts), airing in the morning and evening (cool down during the night), shading by outdoor blinds

What applies to indoor work?

- The employer must ensure that the following air temperatures are maintained as far as possible:
 - a. Low physical strain (sitting, office work): min. 19°C and max. 25°C
 - b. Normal physical strain (standing): min. 18°C and max. 24°C
 - c. High physical strain (industrial activities): min. 12°C
- Exceptions are possible if the usage purpose of the room does not allow the above values (e.g. glass house, cold storage)
- There is no fundamental right to air conditioning.

What to do in case of heat emergencies – first aid measures?

- Start the rescue chain = First responder (incl. emergency call) – Ambulance service – Hospital (in case of doubt ALWAYS call an ambulance!)
- Do not leave the affected person unattended
- Supine positioning in a cool room, with legs elevated
- Provide hydration
- Place water-soaked, cool towels in the neck and on skin