

Information by the Styrian Chamber of Agricultural Workers

Rights of harvester hands and agricultural workers on farms

Dear Member of the Chamber,

the Styrian Chamber of Agricultural Workers (Stmk. LAK) is the legal representation of interests for all workers in agriculture and forestry in Styria. Anyone who is employed on a farm in Styria is automatically a member of the Stmk. LAK. In cooperation with all authorities (job centres, Austrian Health Insurance Fund, the police departments concerned with financial crimes and the Agricultural and Forestry Inspectorate) we would like to prevent maladministration in the field of seasonal agricultural work and therefore inform you about your rights regarding remuneration, worker protection and the minimum standard of accommodation. The core task of the Stmk. LAK is the **free support** of members of the Chamber in matters of labour law.

The following principles apply to all employment relationships with harvest hands and agricultural workers:

1. The monthly **minimum wage** (gross) is, depending on the remuneration agreement reached:
 - € 1.540,50 for farm workers/for harvester hands
2. Employers who pay less than the minimum wage face heavy penalties.
3. Various **working papers** must be handed over to employees. Make sure that you hand over in particular:
 - at the beginning of the employment relationship, the registration with the Austrian Health Insurance Fund and
 - a payroll statement on a monthly basis.
4. Each employee is entitled to two **special payments** per year ("13th and 14th monthly wages") equal to one monthly wage each. Irrespective of the duration of the employment, they are entitled to receive these special payments pro rata in any event.
5. The **normal working time** for full employment is **40 hours** per week. As a principle, any overtime work shall be compensated with a surplus on the hourly wage.
6. Employers are obliged to keep **working time records**. Make sure these records are handed to you and also keep your own handwritten records of the start and end of daily working hours and work breaks.
7. You are entitled to five weeks of paid **leave** per year of employment.
8. For any unconsumed leave, compensation ("holiday compensation") is payable at the

end of the employment relationship.

9. In the event of **illness**, you are entitled to continued payment of the wage for a certain period of time. You must report the illness to your employer immediately. In any event, you should be able to prove that you have made this report. At the request of the employer, a medical certificate of incapacity for work must be presented. You must present or submit medical confirmations from other countries to the Austrian Health Insurance Fund within one week, otherwise no sickness benefit will be paid.

Do you have questions or need assistance in enforcing your claims? Contact us at: **phone number +43 316/ 83 25 07 -25**

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