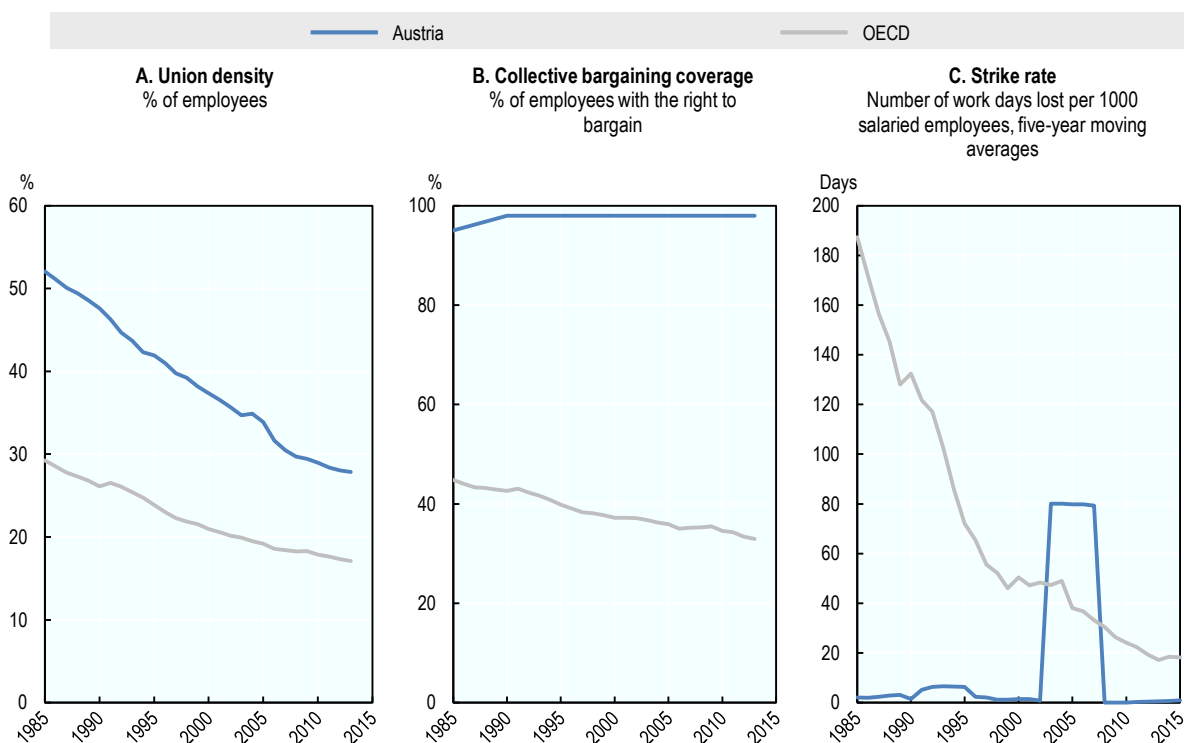


## Austria

### KEY FEATURES OF THE COLLECTIVE BARGAINING SYSTEM IN 2015

Predominant level	Sectoral
Degree of centralisation/decentralisation	Organised decentralised
Co-ordination	High
Trade union density in the private sector	20-30%
Employer's organisation density	90% or more
Collective bargaining coverage rate	90% or more
Quality of labour relations	High

### TRENDS IN INDUSTRIAL RELATIONS IN AUSTRIA, 1985-2015



## BUILDING BLOCKS OF COLLECTIVE BARGAINING

The detailed description of the building blocks of collective bargaining mainly relies on information provided by the responses to the policy questionnaires that were sent to Labour Ministries, employer organisations and trade unions in 2016. The information reported in the questionnaires represents the situation in **December 2015**.

### Use of *erga omnes* clauses

Legal application of a sector level agreement in the absence of administrative extensions *Erga omnes*

Legal application of a firm-level agreement All workers

### Use and coverage of extensions

Use of extensions of sectoral collective agreements Yes, but uncommon.

Procedure Extensions are rarely issued. Compulsory membership to an employer organisation for all firms works as a functional equivalent keeping collective agreement coverage high. When they are issued, a formal request is always necessary. The extension must be requested by one of the parties. The ultimate decision is taken by a tripartite body.

Representativeness criteria The agreement must have overwhelming importance (>50% in the whole branch) for the industry.

Public interest criteria No

Exemptions or possibility of appeal There are no exemptions but the decision can be appealed.

### Duration of collective agreements

Average duration 12 months

Maximum duration of collective agreements No (in some agreements this is fixed by social partners, in practice wage agreements are bargained every year).

Can contracting parties terminate an agreement before its expiry date? Social partners can terminate agreements but they have to comply with notice periods which are established in the agreements (if no conditions, each party can terminate after one year with a notice of three months).

### Ultra-activity of collective agreements

Is maximum duration of after-life/ultra-activity of agreements fixed by law? No rule.

### Retroactivity of agreements

Do firms have to pay arrears in case of late renewal? No

Does retroactivity apply only to members of signatory parties or does it cover all parties? To signatory parties including the non-UMs in member firms of signatory employer organisation.

**Use of the favourability principle**

Favourability principle always applies.

**Use and scope of derogations and opt-out**

Derogations from the law

Possible to favour agreements between social partners on individual dismissal and working time.

Derogations from collective agreements

Scope

General opening clauses can be foreseen in sector-level agreements.

Topics

Wages and working time.

Rationale

Defensive and offensive measure.

Criteria

An agreement with the work council is necessary.

Other

None

**Forms of co-ordination**

Mode of co-ordination

Pattern bargaining and Inter/Intra-associational

Degree of co-ordination

Strong

**Enforcement of collective agreements**

Sector-level agreements

Firm-level agreements

Do agreements typically include a peace clause?

No

Not relevant

 Do agreements typically include a mediation/arbitration procedure?  
 Is it compulsory?

Yes

Not relevant

Yes

Not relevant

**Worker representation at the workplace**

Work council

**Board-level employee representation**

Public sector

Yes

Private sector

Yes

Scope

&gt; 300

Proportion/number of workers' representatives

1/3 of the supervisory board.

Nomination of candidates

Appointed by work council.

Appointment mechanism

ORGANISATION FOR ECONOMIC CO-OPERATION AND DEVELOPMENT  
PARIS, SEPTEMBER 2017