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European Monitoring Centre on Change

Austria: Health monitoring of workers affected by restructuring

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Austria

Phase:

Management

Type:

Health monitoring of workers affected by restructuring

Last modified: 16 May, 2019

Native name: ArbeitnehmerInnenschutzgesetz (ASchG)
English name: Health and Safety at Work Act (ASchG)

Article

4, 5, 81

Description

According to general employee protection rules, the employer has to consult a specialised medical doctor on questions concerning health and safety, working conditions and design of work organisation. If needed, additional experts have to be consulted, for example in the case of (ASchG, [§81](#)):

- planning work places,
- acquiring or changing work equipment,
- introduction or change of work procedures and introduction of working material,
- job rotation, or
- regarding psychological issues related to work rhythm, working time or design of work places.

The results of such evaluations have to be summarised in written safety and health protection documents, to be made accessible to the works council in order to inform staff. The employer has to offer workers the opportunity to regularly undergo a health monitoring on demand of the worker.

Comments

The ASchG does not explicitly refer to cases of restructuring. However, the cases ([§81](#)) are defined in a broader sense and therefore can also be applicable for cases of restructuring (e.g. planning work places or job rotation is relevant for business expansions; the consequences of changes in work place design might be relevant in organisational restructuring).

Cost covered by

Employer

Involved actors other than national government

Works council
Other


Involvement others

Medical doctors, experts

Thresholds

No, applicable in all circumstances

Sources

 DG Employment, Social Affairs and Equal Opportunities/Héra (2011), Selected companies' legal obligations regarding restructuring

 ArbeitnehmerInnenschutzgesetz § 4

 ArbeitnehmerInnenschutzgesetz § 5

 ArbeitnehmerInnenschutzgesetz § 81

 Arbeiterkammer (Chamber of Labour), Arbeitsplatzevaluierung

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Contact us

Eurofound, Wyattville Road, Loughlinstown, Co. Dublin, D18 KP65, Ireland

Phone: (00) 353 1 2043100

E-Mail: information@eurofound.europa.eu

Press: media@eurofound.europa.eu



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