



[Login](#)

EMCC

European Monitoring Centre on Change

Austria: Time off for job search

[Go to list page](#)

Austria

Phase:

Management

Type:

Time off for job search

Last modified: 16 May, 2019

Native name:	Allgemeines Bürgerliches Gesetzbuch (ABGB); Angestelltengesetz (AngG)
English name:	General Civil Code (ABGB); Employees Act (AngG)

Article

1160 (ABGB); 22 (AngG)

Description

In case of redundancy, every employee is entitled to make use of time off for job search (this is not applicable when employees themselves terminate a contract). Employees can demand at least one fifth of their weekly working time off during the notice period (*Kündigungsfrist*, for details also see: '[Notice periods to employees](#)'), without reduction of income. Time off does not have to be dedicated to job search. The employee is entitled to this, even if s/he has already found a new job.

Comments

Collective agreements can determine the extent, timing and preconditions for the entitlement to time off for job search. The extent varies considerably across collective agreements. Collective agreements can also foresee that the time off should exclusively be dedicated to job search. Some collective agreements (e.g. [metal and iron processing industry](#), [hotel and catering industry](#)) also grant employees the right to take time off for job search in cases when employees themselves terminate the contract.

The timing of the time off has to be agreed upon with the employer.

According to a [judgement](#) of the Austrian Supreme Court (2012) dismissed employees are not entitled to additional time off for job search in cases where s/he is already consuming paid leave during the period of notice (*Kündigungsfrist*).

Cost covered by

Employer

Involved actors other than national government




National government only

Thresholds

No, applicable in all circumstances

Sources

- DG Employment, Social Affairs and Equal Opportunities/Héra (2011), Selected companies' legal obligations regarding restructuring
- Ius Laboris (2011), Individual Dismissals Across Europe, Brussels
- [Allgemeines Bürgerliches Gesetzbuch § 1160](#)
- [Angestelltengesetz § 22](#)
- [Wirtschaftskammer Österreich \(Austrian Federal Economic Chamber\) - Anspruch auf Postensuche](#)
- [Arbeiterkammer Österreich \(Austrian Federal Chamber of Labour\) - Kündigung durch den Arbeitgeber](#)

-  Austrian Supreme Court judgement 2012 (OGH Urteil)
-  Collective agreement for the metall and iron processing industry 2017 (blue collar workers)
-  Collective agreement for the hotel and catering industry 2016 (blue collar workers)

Useful? Interesting? Tell us what you think. 

Eurofound welcomes feedback and updates on this regulation

Your name *

E-mail *

More information?

Homepage

Subject

Comment *

Save

Preview

European Monitoring Centre on Change - EMCC

[About EMCC](#)

European Restructuring Monitor

- [> About the European Restructuring Monitor](#)
- [> Restructuring events database](#)
- [> Restructuring support instruments](#)
- [> Restructuring related legislation](#)
- [> Restructuring case studies](#)
- [> ERM publications](#)

European Jobs Monitor

Labour market research

Case studies

Future of Manufacturing in Europe (FOME)

Quick links

- Legal information
- Data protection
- Environmental policy
- Cookies
- Subscriptions
- Multilingualism
- Templates for Eurofound reports
- Eurofound style guide
- Management Board extranet
- Map - how to get to Eurofound
- FAQ
- Sitemap



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



MEMBER OF THE NETWORK OF EU AGENCIES



EUROFOUND ACHIEVES EMAS REGISTRATION



EUROFOUND IS AN AGENCY OF THE EUROPEAN UNION



[Access to internal documents](#) | [Financial information](#) | [Archives](#) | [Information centre](#) | [RSS feeds](#)

© EUROFOUND 2023