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Factsheet for case **AT-2020-10/818**

Increase of maximum weekly working hours

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Country	Austria, applies nationwide
Time period	Temporary, started on 04 March 2020
Type	Legislation or other statutory regulation
Category	Change of work arrangements to ensure business continuity – Increase of maximum working time
Case created	06 May 2020

Background information

The Austrian labour law has clear definitions of daily maximum working time, duration of extended service hours, maximum number of extended service hours, and maximum weekly working hours in individual weeks (Arbeitsruhegesetz, ARG). These partly stem from EU rules on driving times and rest periods for the transport sector, but also affect working hours of health care staff in hospitals. The law defines exceptions to avert an immediate danger to the safety of life or human health or in the event of an emergency. In this context, the Federal Ministry for Labour, Family and Youth (BMAFJ) issued decrees clarifying exceptions to these rules.

Content of measure

The Federal Ministry for Labour, Family and Youth (BMAFJ) issued several decrees to clarify on occupations which qualify as 'exceptional cases' according to the law.

In a decree from 4 March 2020 it is defined that hospitals are an 'exceptional case' when they treat patients or perform tests in the context of COVID-19 and when other organisational measures (such as the purchase of additional test equipment and the inclusion of additional qualified personnel) are not possible on short notice. While rules on the daily maximum working time, duration of extended service hours, maximum number of extended service hours, and maximum weekly working hours in individual weeks will not apply in these cases, the average weekly working time can only be increased with written approval by the employee.

In a decree from 16 April 2020, and applicable as of 11 April, it was also clarified that rules on driving and rest periods stemming from (EC) No 561/2006 will be adjusted. Daily driving time has been increased to 11 hours, weekly driving time to 60 hours, and the sum of driving time in two consecutive weeks to 100 hours. These changes have been approved by the European Commission.

Use of measure

Currently no information available.

Actors, target groups and funding

Actors	Target groups	Funding
National government EU (Council, EC, EP)	Employees	No special funding required

Social partners

Role of social partners	Informed
Form of involvement	No involvement

Social partners like the Austrian Economic Chamber (WKÖ) have been informed and have themselves issued information, such as <https://www.wko.at/branchen/transport-verkehr/gueterbefoerderungsgewerbe/infos-zu-corona-fuer-das-gueterbefoerderungsgewerbe.html>.

Sectors and occupations

This case is sector-specific.

Economic area	Sector (NACE level 2)
H - Transportation And Storage	H49 Land transport and transport via pipelines
Q - Human Health And Social Work Activities	Q86 Human health activities

This case is occupation-specific.

Occupation (ISCO level 2)
Health associate professionals

Drivers and mobile plant operators
Health professionals

Sources

- 04 March 2020: Exceptional cases due to the appearance of the corona virus (SARS-CoV-2) (Außergewöhnliche Fälle wegen Auftretens des Corona-Virus (SARS-CoV-2); KA-AZG; AZG) (www.bmafi.gv.at)
- 16 April 2020: Exceptions to VO (EG) 561/2006, new BMK decree (Ausnahmen von der VO (EG) 561/2006, neuer Erlass des BMK) (www.arbeitsinspektion.gv.at)