



# Update business law

News from corporate law from Greindl & Köck attorneys

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## Special Care Time for Employees

- In case that schools or other childcare facilities will close (partly or entirely) due to official measures, it is possible to grant employees special care time to the maximum extent of three weeks from the time of the official closing, so that they can provide necessary child care for children up to the age of 14.
- In this case, employers are entitled to claim compensation from the federal government in the amount of one third of the salary paid to the employee during the special care time.
- The compensation claim can be asserted within 6 weeks after the date of the official closing of the schools or other childcare facilities.

## Emergency and Interim Aid

Emergency and interim aid is already available for businesses.

It can be applied for here:

- Tourism businesses: <https://www.oeht.at/produkte/coronavirus-massnahmenpaket-fuer-den-tourismus/>
- Commercial and industrial SMEs: <https://www.aws.at/aws-garantie/ueberbrueckungsgarantie/>

The target group are small and middle-sized enterprises (i.e. enterprises with less than 250 employees, maximum 50m euro turnover or 43m Euro total balance) in all sectors.

## Short-time Work for Employees

- Furthermore, there is the possibility to introduce short-time work.
- Short-time work is available to companies regardless of their size and sector.

- For this purpose, it is necessary to immediately notice the Austrian Employment Market Service (*Arbeitsmarktservice - AMS*) about the lack of employment opportunities. This can be done by phone or per email.
- If applicable, it is necessary to seek a consultation with the works council and to reach a works agreement.
- In companies without a works council an individual agreement with each employee is necessary.
- In addition, the social partners have to approve the short-time work plan. So, it is necessary to inform the social partners as well.
- For an application for short-time work, the Austrian Employment Market Service (*Arbeitsmarktservice - AMS*) needs information on the following:
  - current numbers of employment relationships
  - number of employees affected by short-time work
  - average income of the affected employees
  - maximum planned reduction in hours worked.
- Throughout the entire short-time work period the working hours – and thus remuneration – can be reduced by maximum 90 %.
- In the event of Corona-short-time work, the employees are obliged to consume their remaining vacation days (even of the past years), and also consume their time credit after consultation with the employer.
- The short-time work aid granted by the Austrian Employment Market Service (*Arbeitsmarktservice - AMS*) is calculated according to the employee's net pay before the short-time work and guarantees a minimum income.
- The social partners have confirmed they will come back to employers within 48 hours after presenting a plan that is ready to be signed.

For any further questions do not hesitate to contact.