

Subject: Rights of harvester hands and agricultural workers on farms

Dear Member of the Chamber,

The Upper Austrian Chamber of Agricultural Workers (OÖ LAK) is the legal representation of interests for all workers in agriculture and forestry in Upper Austria. Anyone who is employed on a farm in Upper Austria is automatically a member of the OÖ LAK. In cooperation with all authorities (job centres, Austrian Health Insurance Fund, the police departments concerned with financial crimes and the Agricultural and Forestry Inspectorate) we would like to prevent maladministration in the field of seasonal agricultural work and therefore inform you about your rights regarding remuneration, worker protection and the minimum standard of accommodation. The core task of the OÖ LAK is the **free support** of members of the Chamber in matters of labour law.

The following principles apply to all employment relationships with harvest hands and agricultural workers:

1. The monthly **minimum wage** (gross) is, depending on the remuneration agreement reached
 - € 1.576,00 for harvesters and for seasonal workers
 - € 1.580,00 for farm workers

Employers who pay less than the minimum wage face heavy penalties.

2. Various **working papers** must be handed over to employees. Make sure that you hand over in particular:
 - at the beginning of the employment relationship, the registration with the Austrian Health Insurance Fund and
 - a payroll statement on a monthly basis.
3. Each employee is entitled to two **special payments** per year ("13th and 14th monthly wages") equal to one monthly wage each. Irrespective of the duration of the employment, they are entitled to receive these special payments pro rata in any event.
4. The **normal working time** for full employment is **40 hours** per week. As a principle, any overtime work shall be compensated with a surplus on the hourly wage.
5. Employers are obliged to keep **working time records**. Make sure these records are handed to

you and also keep your own handwritten records of the start and end of daily working hours and work breaks.

6. You are entitled to five weeks of paid **leave** per year of employment.
For any unconsumed leave, compensation ("holiday compensation") is payable at the end of the employment relationship.
7. In the event of **illness**, you are entitled to continued payment of the wage for a certain period of time. You must report the illness to your employer immediately. In any event, you should be able to prove that you have made this report. At the request of the employer, a medical certificate of incapacity for work must be presented. You must present or submit medical confirmations from other countries to the Austrian Health Insurance Fund within one week, otherwise no sickness benefit will be paid.
8. If accommodation is provided to you by the employer, it must comply with local standards. For more information, please refer to the enclosed information sheet.

Do you have questions or need assistance in enforcing your claims? Contact us at: **phone number 0732 656 381-0**

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Consultation by appointment
only. (in German or English)