

PAY-OUT OF STATUTORY SEVERANCE

- The conditions for payment are that the worker has not been in an existing employment contract which is subject to BUAG for a minimum of twelve months, and that the worker has received no bridging allowance as per § 131 BUAG during this period.
- If a pension notice is submitted, or in the event of the worker's death, the twelve-month period will no longer apply and the statutory severance will be payable immediately. A reduced waiting period also applies in the event of a worker's departure following the birth of a child.

AMOUNT OF STATUTORY SEVERANCE

	Monthly wage
+	1/12 holiday pay
+	1/12 Christmas bonus
=	monthly remuneration
	Monthly remuneration x severance entitlement
=	gross severance
-	6% income tax
=	net severance

EXPIRATION OF SEVERANCE

The entitlement to statutory severance shall be forfeited if no claim is submitted to BUAK within 3 years of the due date (twelve months after departure from the construction industry).

Customer Service

Tel DW 5000
Fax DW 95 0 99
Mail kundendienst@buak.at

Corporate Customer Service

Tel DW 2000
Fax DW 93 0 99
Mail betriebsbetreuung@buak.at

Corporate Pension Insurance Fund

Tel DW 3000
Fax DW 93 0 99
Mail buak-bvk@buak.at

OPENING HOURS

Vienna
Monday, Tuesday, Thursday
8.00 am – 3.00 pm
Wednesday 8.00 am – 6.00 pm
Friday 8.00 am – 12.00 pm

Tyrol, Carinthia and Styria
Monday to Thursday
8.00 am – 3.00 pm
Friday 8.00 am – 12.00 pm

Upper Austria, Salzburg and Burgenland
Monday to Thursday
8.00 am – 1.00 pm
Friday 8.00 am – 12.00 pm

Vorarlberg
Monday to Friday
8.00 am – 12.00 pm

LEGAL NOTICE
BUAK, Kliebergasse 1A, 1050 Wien

LOCATIONS

Vienna
1050 Wien
Kliebergasse 1A
Fax DW 92 1 99
Mail betriebsbetreuung@buak.at

Burgenland
7000 Eisenstadt
Wiener Straße 7
FaxDW 92 1 99
Mail betriebsbetreuung@buak.at

Salzburg
5020 Salzburg
Hans-Sachs-Gasse 5
FaxDW 92 1 99
Mail betriebsbetreuung@buak.at

Upper Austria
4020 Linz
Anastasius-Grün-Str.26-28/1/16
Fax DW 92 3 99
Mail lo@buak.at

Styria
8020 Graz
Mohsgasse 10
FaxDW 92 4 99
Mail lst@buak.at

Carinthia
9010 Klagenfurt
Bahnhofstraße 24
FaxDW 92 5 99
Mail lk@buak.at

Tyrol
6020 Innsbruck
Südtirolerplatz 14-16
FaxDW 92 8 99
Mail lt@buak.at

Vorarlberg
6900 Bregenz
Kaiserstraße 27
FaxDW 92 9 99
Mail lv@buak.at



SUBJECT STATUTORY SEVERANCE PAY

STATUTORY SEVERANCE PROVISION FOR CONSTRUCTION WORKERS in accordance with the provisions of the Construction Workers' Holiday and Severance Pay Act [Bauarbeiter Urlaubs- und Abfertigungsgesetz] (BUAG)

Last updated: 1 August 2018



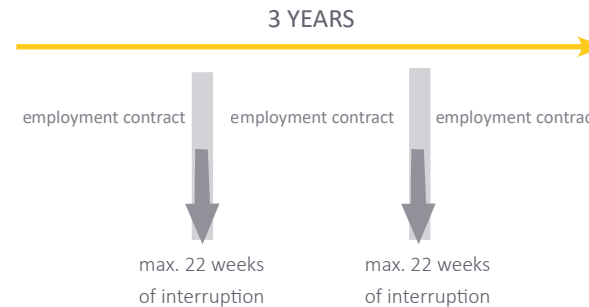
The basic idea for statutory severance was to extend the “company impartiality” already enshrined in the holiday provision for construction workers to also include statutory severance. This means that the worker’s periods of employment at different companies are added together in order to calculate their severance pay entitlement.

Thus the statutory severance provision according to BUAG has been in force since 1 October 1987.

SCOPE OF APPLICATION - WORKERS

The following provisions apply only to construction workers who fulfilled the conditions for entitlement to statutory severance pay no later than 31 December 2005.

Otherwise, they are subject to the provisions of the Corporate Employee and Self-Employed Pension Act [Betriebliches Mitarbeiter- und Selbständigenvorsorgegesetz] (BMSVG).



STATUTORY SEVERANCE PAY ENTITLEMENT

To be entitled to statutory severance in the construction sector, construction workers must either provide evidence of an uninterrupted employment contract lasting 3 years (156 weeks of employment) at a single company, or have built up at least 92 weeks of employment at a single company in one or several employment contracts within a three-year period; in the latter case, any interruption of the employment contract may last no more than 22 weeks and the worker must be in an employment relationship with the respective company at the end of this period.

Following fulfilment of the eligibility criteria described, subsequent employment contracts will be credited without reference to any specific company, unless they are terminated by:

- Mutual resolution
- Termination on the part of the employee
- Early resignation without just cause or
- Dismissal due to fault

Severance entitlement increases in proportion to the number of weeks of employment earned, though quantity breaks apply. The following is a detailed breakdown of the amounts of monthly remuneration:

- after 156 weeks of employment:
2 months' remuneration
- after 260 weeks of employment:
3 months' remuneration
- after 520 weeks of employment:
4 months' remuneration
- after 780 weeks of employment:
6 months' remuneration
- after 1040 weeks of employment:
9 months' remuneration
- after 1300 weeks of employment:
12 months' remuneration

If statutory severance in accordance with BUAG is paid out, the worker will be automatically included in the statutory severance provision as per BMSVG the moment they enter their next employment contract.