

LAW & POLICY GROUP**GRIST**

AUSTRIA INTRODUCES THE RIGHT TO UNPAID PATERNITY LEAVE

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Starting 1 Sep 2019, all Austrian employers must allow fathers to take one month's unpaid leave after the birth of their child, under a recently passed [change](#) (German) to the Paternity Leave Act. The leave entitlement — also called the “daddy month” — previously applied only to federal-sector employees and any private-sector employees who were covered by a collective agreement with a leave provision or had negotiated a 28- to 31-day leave period with their employer.

LEAVE REQUIREMENTS

To take paternity leave, fathers must live in the same household as the child but don't need to complete a minimum service period. Employers don't have to pay salaries during the leave, but fathers will receive a one-off social security payment of €700. Employers cannot discriminate against employees for requesting and taking the leave.

If the mother is employed, the father must take the leave between the birth and the end of the mother's protected period of maternity leave, which varies between six and 12 weeks. If the mother isn't entitled to maternity leave, the father must return to work within eight weeks after the child's birth. The leave cannot begin before the birth.

Fathers will have to submit a paternity leave request at least three months before the expected birth and notify their employer as to the finalized leave dates within one week of the baby's birth.

RELATED RESOURCES

- [Amendment to Paternity Leave Act](#) (German) (Austrian Parliament, 2 Jul 2019)

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