



Law &amp; Policy Group

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# Austria enacts remote working measures

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A remote working law that took effect in Austria on 1 Apr 2021 includes a definition of remote work, requires employers and employees to agree to remote working, sets out the arrangements for providing work equipment or compensatory payments, and allows remote work agreements to be negotiated with works councils.

## Highlights

- Remote working is work done from the employee's home, a secondary residence, or the home of their partner or close relative.
- Remote working arrangements must be in writing, and must be agreed to by both parties. Employees do not have a right to work remotely and employers cannot require employees to work from home. Either party can terminate the agreement for good cause, subject to one month's notice.
- Employers can negotiate voluntary agreements on remote working arrangements with their works council, but remote work arrangements must still be agreed to with individual employees.
- Employers must provide remote workers with the equipment necessary for them to perform their work, including an internet connection, or pay a lump sum compensation to cover the necessary costs if employees use their own equipment or internet connection. Tax regulations — effective 1 Jan 2021 — clarify the rules applicable to the compensation payments given to remote workers for costs they incur, such as an office furniture provision, etc.
- Remote workers are subject to normal working time laws, including rest periods, and they must record their working time. Employers and remote workers can agree to adjust work schedules.
- Remote workers are liable for any damage to employer-provided work equipment. Employers' accident insurance must cover remote workers, as well as certain accidents that occur outside of the worker's home.
- Office equipment provided by the employer must meet certain ergonomic standards. The government labor inspectorate must have the remote worker's express permission to inspect a home office.

## Related resource

- [Law on homework](#) (German) (Austrian parliament, 26 Feb 2021)

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