

## HOLIDAY COMPENSATION

The primary objective of BUAG is the acquisition and use of leave entitlement. Holiday compensation (UEL) has been newly regulated. In the case of UEL, BUAK takes over the function of the employer. The worker acquires qualifying weeks upon payment. UEL must be linked to a terminated employment contract. Following the termination of an employment contract, qualifying periods which are in danger of expiring are automatically paid out in the form of UEL.

## COMPENSATION

If a worker takes a job in a different industry, they are also able to apply to BUAK for compensation for any outstanding qualifying weeks.

### PAY-OUT

- Payment is conditional on the worker not having been in an employment contract which is subject to BUAG for at least the previous six months.
- The six-month period is cancelled and the compensation becomes due with immediate effect if a pension notice is presented or the supplement paid to unemployed construction workers prior to retirement is awarded.

As both UEL and compensation are subject to social security contributions, the worker will acquire periods where they are covered by social security and any unemployment benefit or pension payments will be stopped for the period during which they are receiving UEL or compensation.

### 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  
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Mail betriebsbetreuung@buak.at

**Upper Austria**  
4020 Linz  
Anastasius-Grün-Str.26-28/1/16  
Fax DW 92 3 99  
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**Styria**  
8020 Graz  
Mohsgasse 10  
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9010 Klagenfurt  
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FaxDW 92 5 99  
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**Tyrol**  
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**Vorarlberg**  
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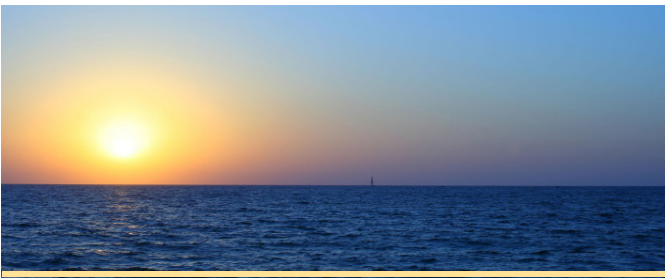


## SUBJECT HOLIDAYS

### HOLIDAY 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: 1.8. 2017



The aim of the holiday provision is to ensure that construction workers whose employment rhythm is marked by seasonal interruptions are also able to acquire and use annual leave days.

## QUALIFYING WEEK

A worker who is employed by a company subject to BUAG acquires one qualifying day per day of employment. In this context, the company must pay a supplement for the worker to BUAK for each day of their employment. If the worker, for example, is employed by a company for a week and three days, he or she will acquire 1.6 qualifying weeks for holiday entitlement.

## LEAVE ENTITLEMENT

After reaching 52 qualifying weeks in a calendar year, the worker is entitled to a full leave entitlement of 25 or 30 working days. Entitlement is awarded in relation to the number of weeks of employment built up in a calendar year.

Each subsequent calendar year marks the start of a new holiday year and the number of qualifying weeks is reset to zero.

During the year, only full days are collected towards the worker's leave entitlement; only at the end of the year is leave entitlement rounded up.

- ☐ up to 1150 collected qualifying weeks (25 days of leave entitlement)

$$\frac{25 \times \text{number of qualifying weeks}}{52} = \text{leave entitlement}$$

For example, 12.2 collected qualifying weeks (25x12.2/52) = 5.9 days.

Only 5 days can be claimed during the calendar year; at the end of the year, this corresponds to 6 days of annual leave.

The amount of the worker's holiday remuneration is the same throughout the year as it is at the end of the calendar year.

- ☐ 1150 collected qualifying weeks and above (30 days leave entitlement)

$$\frac{30 \times \text{number of qualifying weeks}}{52} = \text{leave entitlement}$$

## EXPIRATION OF LEAVE ENTITLEMENT

Leave entitlement shall be forfeited if the worker has not used their holidays by 31 March of the third consecutive year following the calendar year in which the leave entitlement was acquired.

## USING LEAVE

For leave to be used, this requires mutual agreement between the company and the worker. Leave can only be taken during an ongoing employment contract. Alternatively, holiday compensation (leave taken from BUAK (UEL)) can be claimed by the worker following their last employment contract.

## SUBMISSION OF HOLIDAYS

Once a holiday has been agreed between the worker and the company, the company must submit this to BUAK in order to receive holiday remuneration for the worker. Depending on whether or not the company has set up an escrow account as per §8 para. 3, BUAK will either transfer the holiday remuneration to the company, or transfer net holiday pay directly to the worker. The worker is entitled to receive their holiday pay before the start of their holiday.

## AMOUNT OF HOLIDAY REMUNERATION

Holiday remuneration is made up of  
50% continued pay and  
50% holiday allowance..