

Info about

Classification of employees according to the collective agreement

It contains the most important information for an accurate classification and its consequences.

Having a new starter, a proper classification of the employee is crucial.

The **job function** defines the proper occupation group.

For taking into account earlier work of this employee the **working years** need to be considered.

For doing so following distinction needs to be made:

- **Employment with the company**
- Number of **years this employee had already worked**
- Number of **years the employee had worked in this occupation group**

For **blue-collar** workers most collective agreements define that only working years with the **current company** should be considered (meaning for the company they are working at), while for **white-collar** workers **also** work experience with **other companies** need to be taken into account.

Dependent on the collective agreement all previous working experience or only working experience in the **same sector** has to be considered. Some collective agreements also define a **maximum cap of years**, which can be taken into account. Also, the consideration of school years is regulated within the collective agreement.

Comparable working experience in the European Union and the European Economic Area have to be treated in the equally as working experience in Austria.

For being able to classify the employee correctly, the employer has to ask while recruiting an employee for his previous work experience. Of course the employer can ask for a **validation** of this experience (for example in the form of a testimonial). Generally, the declaration of working experience in the CV is sufficient.

ATTENTION

Only if the employee was explicitly asked by the employer about his working experience (e.g via an entree form, record of a conversation, etc.) the **deadline according to collective agreement** lapses. Otherwise, a higher classification can be made retroactively.

The correct classification should be confirmed by the employee in the contract or in the labour agreement ("Dienstzettel").

ATTENTION

It is important to state within the contract, **for which claims** the working experience is considered.

Otherwise, the consideration could be valid for all claims, which are based on working experience, for example: vacation leave, regulation of remuneration in case of a longer sick leave, severance pay, or longer period for giving notice.

