

Betriebsrat für das wissenschaftliche Personal
Works council of the scientific staff
Chairman: Ass.Prof. DI Dr. Ewald Pertlik

March 2021

Dear colleagues!

Working hours – Allocation of free time

As an academic scientific staff member, you have the right to free time allocation according to the collective treaty (a kind of "flexible-time without core-time", unless there are important business reasons to the contrary). The daily working-hours listed in the individual work-contract are only used to account for absences as vacation and sick leaves.

We strongly recommend that you communicate your work schedules and absences to your superiors in the interest of a good collaboration.

Current amendment of the University Act (National Council resolution 24.3.2021)

The amendment of the University Act, in particular the new version of §109, has been the subject of many inquiries. The amendment will go into effect on October 1, 2021.

There will be no "reset" of the chain of contracts. The maximum fixed-term employment period is 8 years (6 years plus max. 2 years extension). Excluded are up to 4 years for obtaining the PhD, when the person is employed at the university. In the case of appointments within the framework of research projects, there is no limit on the number of employment contracts.

In the transitional provisions of the new amendment the following regulations are found:

- For those project employees whose employment contract was signed after 1.10.2021, up to 4 years are not counted towards the chain of working-contracts.

The distinction between part-time and full-time employment will be dropped, so that any type of legally questionable constructs will no longer be possible in the future, even if these type of employment contracts were often also in the interest of the employees.

The ministry's political intention here seems clear: There should be an earlier decision whether someone is employed on the basis of a permanent contract, or not. We will see how this is put into practice at BOKU in the future. For the works council, the task remains to be an important topic for the discussions with the rectorate.

Home office regulations for tax purposes (Bundesrat resolution 12.3.2021)

Due to the recently adopted regulations, it is recommended to wait with the tax return for 2020 until the tax provisions on home office are reflected in the declaration forms of the Ministry of Finance.

The tax part of the home office regulations as well as the extension of the tax deferrals were incorporated by amendment into a legislative package requested by the coalition

parties. This brings an extension of various special tax regulations until the end of June 2021. According to this, employees who work in a home office for at least 26 days a year can claim up to 300 € per year for ergonomic furniture such as chairs, work desks and lighting as income-related expenses, whereby a partial amount can already be claimed retroactively for 2020. At the same time – starting from the year 2021 - up to 300 € home office allowance (3€ per day for a maximum of 100 home office days) granted by an employer can be claimed tax-free. Alternatively, a corresponding claim for income-related expenses is also possible here, if no expenses for a work-room at home are considered. The prerequisite for claiming the tax benefits is a home-office-agreement between the employer and the employee. In addition, the regulations are limited until 2023.

<https://www.bmf.gv.at/public/top-themen/home-office-pauschale.html#anv>

News on Company Agreements currently under negotiation with Rectorate

- Working-Hours-Recording: An easy-to-use, standardized electronic tool is to make it easier for all employees to record their time according to the Rectorates guide lines.
- Jubilee bonus (for long term employees): Although this is guaranteed in the collective agreement, it is not regulated in detail up to now.
- Home-office: The current regulation was introduced at the begin of the pandemic without detailed rules and should be regulated for the periods after COVID-19.

Consumption of remaining vacation days

Please use the up-coming student's vacation also for your recreation. Use your vacation days and enjoy the Easter holidays. The coming months will continue to provide big challenges and require the expenditure of all our energies.

Health and safety at the workplace

Both works-council-bodies at BOKU are actively involved in matters of workplace health and safety activities. This includes supporting the so called crisis-team in dealing with the Corona crisis - which BOKU has handled very well so far. We thank all colleagues for their contributions and acceptance.

Reconstitution of the works-council for the scientific staff.

After the last election the new works council committee has been constituted. The new colleagues are heartily welcomed!

<https://boku.ac.at/mitteilungsblatt/mitteilungsblaetter-2020-21/06-stueck-21122020>

The office of the works council for the scientific staff is located at Muthgasse 11, Stairway 2, ground floor, 1190 Vienna. Due to the Corona crisis, most of the colleagues are in their home offices - therefore the office is not manned all the time. The works council members are at your disposal for inquiries and advice. Please make an appointment!

Please send your inquiries to: brwiss@boku.ac.at. To make an appointment with the chairman, please send an email to brwiss@boku.ac.at or ewald.pertlik@boku.ac.at.

Happy Easter and - stay healthy!

The current measures put a lot of strain on all of us - nevertheless, we wish all colleagues a pleasant and relaxing Easter holidays - if possible in the company of your family and loved ones! Let's stick together to get out of the crisis.

Your Works Council Team wishes you a Happy Easter 2021!



Photo credit: H.Balas

Ass.Prof. DI Dr. Ewald Pertlik
Chairman
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Disclaimer: As a works council, we make every effort to pass on all information to our colleagues in an accurate and up-to-date manner. Nevertheless, we cannot guarantee its accuracy. If you have specific questions regarding labor law, please contact the office of the works council, the Chamber of Labor or the trade union.