

## Faire Arbeit – Fair Work

### Austria

GENERAL INFORMATION	
Name of the organisation	Gewerkschaft Bau-Holz (Trade Union for Builders and Woodworkers)
Type of organisation	Social Partner
Address	Johann Böhm Platz 1, 1020 Wien/Vienna
Web page	<a href="http://www.bau-holz.at">www.bau-holz.at</a>
Contact person	Name and surname: Christian Fölzer Job position: International Secretary E-mail: <a href="mailto:christian.foelzer@gbh.at">christian.foelzer@gbh.at</a>
Member State	Austria
GOOD PRACTICE - GENERAL INFORMATION	
Title of the good practice	Faire Arbeit - Fair Work
Topic of the good practice	Construction
Geographical focus	Cross-country (please specify)  Austria, Croatia, Slovenia
Duration	2017 - ongoing
Summary of the good practice	Faire Arbeit was launched to improve the availability and access to information on employment rights for short-term migrant (posted) workers from sending countries on the border with Austria. The initiative has an emphasis on Slovenian and Croatian workers posted in Austria. Since 2017, Faire Arbeit has opened a physical office in Austria, (in Styria), for workers to visit in-person, worked at the Austrian-Slovenian border to provide information to workers on their rights, inspected multiple construction sites and assisted exploited workers in attaining approximately EUR 1 million in reparations.

OBJECTIVES AND ACTIVITIES	
Background/context	<ul style="list-style-type: none"> <li>▶ The construction sector in Austria is covered by a collective bargaining agreement which sets minimum standards for the terms and conditions of employment in the sector. The agreement also applies to posted workers, which the Faire Arbeit initiative targets.</li> <li>▶ It is very common that posted workers from Croatia and Slovenia do not speak German. As a result, it is often very difficult for them to know the minimum legal (and collectively bargained) standards which they are entitled to. There are international firms which take advantage of this language barrier, exploiting these posted workers.</li> <li>▶ The first Faire Arbeit project started on 1 May 2017 under the project name '<a href="#">Equal pay for equal work</a>'. An office in Spielfeld was opened, next to the Austrian-Slovenian border. The location was chosen as it is a main thoroughfare for Slovenian people on their way to work in Austria and back home to Slovenia.</li> </ul>
Objectives	<p>General Objective:</p> <ul style="list-style-type: none"> <li>▶ Reduce social dumping by ensuring wages paid at or above legally binding collectively bargained pay rate.</li> </ul> <p>Specific Objective:</p> <ul style="list-style-type: none"> <li>▶ Support short-term posted workers who find employment in Austria, coming from bordering sending countries.</li> <li>▶ Increase awareness of short-term migrant workers' minimum rights in Austria, including the terms and conditions (e.g., benefits, insurance, BUAK (<i>Bauarbeiter-Urlaub- und Abfertigungskasse</i>/ Construction Workers' Annual Leave and Severance Pay, pension) guaranteed by the construction sector collective agreement.</li> </ul>
Main activities	<ul style="list-style-type: none"> <li>▶ Faire Arbeit provides a trilingual website (Austrian, Slovenian, Croatian) where Slovenian and Croatian individuals can get information about their employment</li> </ul>

	<p>rights. Workers can also report suspected cases of exploitation completely anonymously on the website. Faire Arbeit processes this information and takes action to support the cases (e.g., forwarding information to relevant authorities such as the financial police, BUAK, health insurers).</p> <ul style="list-style-type: none"> <li>► Faire Arbeit also provides advocacy services. This includes working with stakeholders (e.g, government ministries, social partners, companies) in the construction industry to improve working conditions.</li> <li>► Faire Arbeit has a physical office in the town of Spiefeld, in Austria. This is a service point which operates as a physical point of contact for workers from Slovenia and Croatia to contact representatives of Faire Arbeit. Workers can log a query online through a digital form before going to the office. Faire Arbeit employees will also actively hand out brochures with information to workers commuting. Faire Arbeit employees on-site speak German, Slovenian and Croatian.</li> <li>► The initiative also undertakes inspections at construction sites. This activity involves uncovering cases of exploitation and forwarding information to relevant authorities for further action.</li> </ul>
<p><b>Did you previously provide information about this particular good practice under the European Platform tackling undeclared work?</b></p> <p>(if yes, is it possible to provide the year and the title of good practice or a link of the good practice in <a href="#">ELA Virtual library</a>)</p>	<p>No</p>
<p><b>Funding/organisational resources</b></p>	<ul style="list-style-type: none"> <li>► As of May 2023, Faire Arbeit is funded by the Trade Union for Builders and Woodworkers (<i>Gewerkschaft Bau-Holz – GBH</i>).</li> </ul>

	<ul style="list-style-type: none"> <li>▶ From 2017 to May 2023 the Initiative was co-financed by GBH, the Styrian State government and the Croatian trade union SGH.</li> <li>▶ The Initiative was co-financed by the State government of Styria and Gewerkschaft Bau-Holz (<i>Trade Union for Builders and Woodworkers</i>) (GBH).</li> <li>▷ This project was continued from May 2020 to May 2023, financed by the Styrian government, GBH and the Trade Union of Construction Industry of Croatia (<i>Sindikat graditeljstva Hrvatske</i>) (SGH).</li> <li>▶ From May 2023 the initiative and project will continue with financing from the GBH.</li> </ul>
<b>PARTICIPATION</b>	
<b>Stakeholders involved</b>	<ul style="list-style-type: none"> <li>▶ State government of Styria.</li> <li>▶ The Austrian Trade Union for Builders and Woodworkers Gewerkschaft Bau-Holz (GBH).</li> </ul>
<b>Target groups</b>	<ul style="list-style-type: none"> <li>▶ Posted workers.</li> <li>▶ Short-term migrant workers.</li> <li>▶ Companies operating in the Austrian construction sector.</li> </ul>
<b>Final beneficiaries</b>	<ul style="list-style-type: none"> <li>▶ Short-term migrant workers from the sending countries bordering Austria, particularly those being posted from Croatia and Slovenia. Since 2017, people assisted by Faire Arbeit to settle workplace grievances due to exploitative practices have received approximately EUR 1 million in reparations. During the same period, over 4 000 companies have been inspected and 6000 workers received services.</li> </ul>
<b>GOOD PRACTICE CRITERIA</b>	
<b>Achievements/ Results and outcomes</b> (Alignment of good practice with the priorities of the Call (if not applicable, alignment with the field of EU labour mobility))	<ul style="list-style-type: none"> <li>▶ Faire Arbeit's multilingual service for the workers improved the availability of information and resources, reducing barriers to avoidance of exploitation.</li> </ul>

	<ul style="list-style-type: none"> <li>▶ Through research by Faire Arbeit, conducting 6 000 consultations, core areas of concern (challenges for workers) have been identified. This includes collective agreements (45 %), unpaid special payments (20 %), failure to report to the BUAK and non-payment of the BUAK surcharge (15 %), assistance with official channels (15 %), short-time work schemes (2 %), quarantine due to COVID-19 (3 %).</li> <li>▶ The accumulated data has given Faire Arbeit the information needed to undertake 815 interventions which will improve the attractiveness of the sector. This has included contact with companies directly to set further measures and priorities, as well as targeted inspections on construction sites with the financial police, BUAK and the Austrian health insurance fund.</li> <li>▷ In 2018, 2222 companies posting workers to Austria were inspected. 1 034 of these companies employed individuals at a pay rate below the legal minimum.</li> <li>▷ In 2022, 2367 companies posting workers to Austria were inspected. 589 of these companies employed individuals at a pay rate below the legal minimum.</li> </ul>
<p><b>Recognition</b> (has this good practice been recognised on regional, national or EU level)</p>	<p>N/A</p>
<p><b>Cost effectiveness</b> (the degree to which the practice was successful in reaching objectives and producing clear and measurable outcomes at the lowest possible cost)</p>	<ul style="list-style-type: none"> <li>▶ Faire Arbeit has won approximately EUR 1 million for affected workers as a result of its advocacy work.</li> </ul>
<p><b>Transferability</b> (how the experience from this practice could be transferred to other contexts i.e. what would another Member State/group/sector need to have or put in place for this measure to be successful in their country/group/sector)</p>	<ul style="list-style-type: none"> <li>▶ This model can be transferred to any industry where the aim is to enhance the availability of, and access to, information on employment rights for short-term migrant workers.</li> <li>▶ For trade unions, such a model is an example of how regional, state or national level government can work in collaboration with trade unions to improve working conditions in sectors with high employment rates of</li> </ul>

	short-term migrant labour and are traditionally outliers in terms of workplace grievances for this target group.
<b>Sustainability</b> (how the practice is sustainable from a social, financial or environmental perspective)	<ul style="list-style-type: none"> <li>▶ Workers can request the services from Faire Arbeit via digital channels, reducing waste of physical resources.</li> <li>▶ This initiative performs a social function which increases the ability to have a sustainable reduction in the exploitation of vulnerable people in the construction industry.</li> </ul>
<b>Innovativeness</b> (innovative features of the good practice)	<ul style="list-style-type: none"> <li>▶ Such an initiative is new throughout the EU. In particular, the model is an example of how the tripartite can work collaboratively, merging resources and increasing the ability of stakeholders to enhance working conditions of those most vulnerable to exploitation.</li> </ul>
<b>Digitalisation</b> (Design, development and/or utilisation of digital tools, policies or plans for digitalisation, business processes and data digitalisation, data sharing digital initiatives, the use of digitalisation to facilitate the access to data in real time and detection of fraud and error, etc.)	<ul style="list-style-type: none"> <li>▶ Faire Arbeit's services can be accessed entirely digitally. Users can access the services in Austrian, Slovenian and Croatian online and all documentation (e.g., for booking appointments, registering complaints) can be completed and processed digitally.</li> </ul>