

Company name  
Building number, street  
Place, postcode  
Country

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Our ref.

Your ref.

Date

Comp. code

## Supplement statement pertaining to posting to Austria of employees working in the construction industry

Dear Sirs,

With regard to leave arrangements, since 01.09.2005, foreign employers have been subject to the Austrian Construction Workers Leave and Severance Pay Act (Bauarbeiter-Urlaubs- und Abfertigungsgesetz - BUAG) if the latter post or carry out cross-border leasing of employees to Austria or employ employees to work for them whose habitual place of residence is in Austria. For the duration of the posting or leasing, the posting or leasing enterprise must pay supplements to the Construction Workers Leave and Severance Pay Fund (Bauarbeiter-Urlaubs- und Abfertigungskasse - BUAK) for each employee who performs construction work in the widest sense.

### I. Supplement statement and subsequent notifications

Therefore, based on the initial notifications provided by your company (notifications according to the Austrian Employment Contract Law Adaptation Act (AVRAG) or the Austrian Employee Transfer Act (AÜG) are deemed initial notifications according to Article 33 g (2) BUAG), or on the basis of other account-related information, BUAK has calculated supplements for the >>period<< settlement period, which you are now required to pay on the basis of the enclosed supplement statement, plus a list of the credited employees (known as the settlement list).

A form for subsequent notification by your company in the event of continued posting during the supplement period <<subsequent notification period<< is enclosed with the supplement statement.

*We would further point out that notification of any amendments to the duration of the employment and the work being performed and the resulting collectively agreed hourly wage for the employees included must be carried out using the enclosed subsequent notification form, otherwise it will be assumed that the details shown in the supplement statement >>period<< are correct. Any changes notified using the subsequent notification form will be taken into account in the next supplement statement, following internal verification by BUAK.*

BUAK therefore requests transfer of the amount shown in the enclosed supplement breakdown to the following **account** when due:

**Bank: Bank Austria – Creditanstalt (BA-CA)**  
**BIC: BKAUATWW**  
**IBAN: AT04 1200 0006 9658 6007**  
**Sort code: 12000**  
**Account no.: 00696586007**  
**Purpose: E <<Comp. code<<, PP >>Period<<, Name**

When making the transfers please bear in mind EC Regulation no. 2560/2001 on cross-border payments within the European Union, according to which euro transfers which are furnished with the recipient bank's BIC and IBAN numbers are subject to the same charges as for domestic transfers for the payer and payee. Should the requirements stipulated in the EU Regulation for handling transfers from the European Union like domestic transfers not be fulfilled, however, BUAK will not assume any charges for the increased fees incurred as a result. BUAK will not assume any charges either for transfers from states outside the European Union.

## **II. Employee leave pay entitlements**

BUAK also points out that employees' leave claims are exclusively directed to BUAK during performance of work in Austria subject to BUAG. After an application has been filed, BUAK will make the leave pay payments to the individual employees in accordance with the standard statutory conditions for entitlement.

For every five days of employment subject to BUAG, which is defined in greater detail in Article 5 BUAG, employees accumulate what is known as eligibility for a week's leave. The number of week's eligibility for leave and the supplements paid by the posting firm determine the actual level of the leave entitlement due the employee in question.

The weeks' eligibility accumulated by employees is shown in the enclosed entitlement list as of

>>Date<< in the "Total WW" column and the leave pay entitlement due the employees is shown in days in the "Days' leave outstanding" column.

Leave pay can be claimed from BUAK using the "Urlaubsvereinbarung gemäß §33f BUAG" (Leave declaration pursuant to Article 33f BUAG) form. BUAK will subsequently pay the net leave pay direct to the employee after the claim has been verified.

If BUAK pays a leave pay claim direct to the employee, the Fund will cover the wage supplements for the days' leave held (see "BUAK days" and "BUAK amount" columns in the supplement statement).

If the employee does not use the leave pay entitlement during the period of posting, or within six months of the last day of employment in Austria that is subject to BUAG, the employee can claim compensation for the leave entitlement direct from BUAK using the "Application for leave pay according to Article 10 (1) BUAG)". The employee can request this direct from the Coordination Office or it can be downloaded from our website at [www.buak.at](http://www.buak.at).

You are welcome to contact BUAK by post, by telephone during office hours, or by e-mail ([koordinierungsstelle@buak.at](mailto:koordinierungsstelle@buak.at)) if you require additional information regarding the provisions on posting to Austria, or the documents enclosed. We also provide explanations on our website at [www.buak.at](http://www.buak.at).

Yours faithfully,

The Department Manager BUAK  
Coordination Office

### Enclosures