

The Family Compass

For the most important thing in life – our families!
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bmfj

FEDERAL MINISTRY OF
FAMILIES AND YOUTH



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Dear Sir or Madame,

„More children in families – more families in society“ is the motto of our family policy. We offer sustainable support through a rich bundle of measures such as the expansion of child care and increased direct financial support for families, for example through child care allowance or the benefit for starting school.

It is important for us that all families have a good, comprehensive overview over all the services and benefits that the Ministry of Families and Youth offers. The Family Compass offers the most relevant information in compact summarized form. What you have to be aware of before and after the birth of a child, what you should not forget when school begins, when and how the employer must be informed of a pregnancy and which financial benefits are available. This brochure also provides tips on the reconciliation of family and work along with several services that may offer support with questions as well as emergencies.

I wish you an informative read!

Yours,

Dr. Sophie Karmasin
Federal Minister of Families and Youth

1. The Federal Ministry of Families and Youth

Federal Ministry of Families and Youth:
Untere Donaustraße 13-15
1020 Vienna
Tel.: +43-1-71100



Website

An **overview** of all **benefits, sponsorships** and projects as well as important forms to print out or free brochures to order can be found on our website: www.bmfj.gv.at

Family Service

The **Family Service** provides information about:

- » child care allowance and supplement to child care allowance
- » family allowance and multiple-child bonus
- » free use of public transport for pupils and apprentices
- » family hardship compensation and family hospice leave -hardship compensation
- » parental education
- » family counselling centres

Contact: familienservice@bmfj.gv.at
oder **0800 240 262*** (Monday to
Thursday from 9 am to 3 pm.)
Additional services specially designed to
help calculate the claims one is entitled
to can be found online at
www.bmfj.gv.at.

The **child care allowance calculator**,
the **family allowance calculator** and
the **hospice calculator** are tools to
help making decisions and calculating
critical benefits before applying for
them.

Information on Topics Related to Child-Rearing

Tips for the daily routine of raising
a child can be found on our parental
education website:
www.eltern-bildung.at.

The family counselling centres offer
guidance on child-rearing issues, prob-
lems in the family, generation gaps and
general life-crises.
www.familienberatung.gv.at

Extremism Hotline

0800 20 20 44*

Other service centres of the Federal
Ministry of Families and Youth are avai-
lable at the following addresses and
phone numbers*:

Media-Youth-Info Centre Federal Children's and Youth advocacy

("Medien-Jugend-Info") – on questions
related to media competence, computer
games, etc.
mji@bmfj.gv.at or **0800 240 266***

**Federal Children's and Youth Ad-
vocacy** – it is a contact point for young
people's questions, concerns and prob-
lems, it mediates in conflicts and offers
children and youths quick and non-bu-
reaucratic counselling and support in
difficult situations.
www.kinderrechte.gv.at/
[kinder-und-jugendanwaltschaft](http://www.kinder-und-jugendanwaltschaft.gv.at)
or **0800 240 264***

*free of charge throughout Austria

2. Parental Education & Family Counselling

Parental Education (Elternbildung)

In order to attain information about the current development phase of your child, develop your own parenting style, or if you want to be able to recognize potential problems before they occur in order to seek the appropriate help, the parental education facilities can be considered.

The Federal Ministry of Families and Youth grants subsidies to non-profit service providers such as parent-child-centres, family organisations or public and private initiatives. Further information can be attained online or by calling the toll-free phone number of the Family Service:

0800 240 262
www.eltern-bildung.at

Family Counselling (Familienberatung)

The Ministry of Families and Youth subsidizes about 400 family- and partner counselling centres of various affiliated organisations.

Most counselling centres offer teams of specialists such as physicians, social workers, marriage and family counselors, legal experts, psychologists and pedagogues.

The counselling interview is generally anonymous, free of charge and independent of age or gender.

The counselling centres answer questions and assist with problems covering a wide variety of topics:

- » family planning and birth control
- » financial and social considerations of mothers-to-be
- » concerns for single mothers/fathers
- » conflicts due to an unwanted pregnancy
- » legal and social issues that may arise in families
- » questions relating to sexuality and partnership relations
- » questions of child-rearing
- » mental difficulties
- » generation gap

The contact details of the counselling centres can be attained through the Family Service's toll-free service number or at www.familienberatung.gv.at

Counselling parents before mutual divorce

Compulsory counselling for parents wanting to get divorced by mutual consent is supported by a wide array of available adequate counsellors. Compulsory counselling of parents before they get mutual divorced is supported www.kinderrechte.gv.at/beratung/

3. Pregnancy

Pregnancy is a time of change and **preparation for a new family member**. Information on pregnancy and birth can be found on the Austrian Family Ministry's homepage: www.bmfj.gv.at

There are many important organisational details you should take care of and be aware before the birth of your child.

Mother-and-Child-Pass (Mutter-Kind-Pass): preventive check-ups

The Mother-and-Child-Pass documents **important examinations and health records** during pregnancy and after the birth until the 5th birthday of the child.

Generally every pregnant woman with a registered residence in Austria is entitled to a Mother-and-Child-Pass. The document is an important tool to keep track of all check-up dates during and after birth.

Through the Mother-and-Child-Pass, physicians and midwives are informed about important health records. This is especially important during an emergency. Therefore pregnant women should **always carry their Mother-and-Child-Pass with them**.



Attention!

In order to fully claim child care allowance, five Mother-and-Child-Pass check-ups of the pregnant woman as well as the first five health check-ups of the child are compulsory and must be documented by the examining physician(s) in the Mother-and-Child-Pass! (Further details see chapter 9 “Financial Support” / keyword “child care allowance”)



Attention!

Pregnant women must provide a medical certificate documenting her pregnancy and the expected due-date to their employers, if requested.

Non self-employed persons

Informing the employer: the employer must be informed of the pregnancy as soon as the woman learns of her pregnancy, then the employer can comply with legal maternity protection regulations.

More details on this subject can be found in chapter 11 "Family and Work".

Self-employed persons

Self-employed persons and farmers should consider if they can continue to work or possibly seek substitution or temporary help. For further questions please refer to the Social Insurance Authority of commerce and industry (Sozialversicherung der gewerblichen Wirtschaft) or those of farmers (Sozialversicherung der Bauern).



Attention!

Self-employed mothers-to-be have to present their health insurance a medical certificate confirming the probable date of birth by the beginning of the third-to-last month before the due date.

Registering for birth

In order to **give birth in the hospital** of your choice it can be **helpful to register**. Please inform yourself about the registration deadlines of your hospital. Generally every hospital can facilitate an outpatient or inpatient delivery. In case of an outpatient delivery the mother and her baby are checked out/get discharged a few hours after birth, provided that no further care for medical reasons at the hospital is necessary.

Maternity leave /maternity allowance/temporary help (Mutterschutz/Wochengeld/Betriebshilfe)

According to the regulations of the Maternity Protection Act, non self-employed pregnant women **may not be employed**. The **protection period starts basically 8 weeks prior to the expected date of birth and ends basically 8 weeks after the birth**.

During this period, mothers receive maternity allowance from the appropriate health insurance upon applying for their claims.

Marginally-employed women who are self-insured receive a set daily amount as maternity allowance.

Self-employed women and farmers are entitled to temporary help starting basically 8 weeks before the probable due date. In some cases these women are **entitled to maternity allowance** as well.

Additional information is available in chapter 9 "Financial Support".



Attention!

Non-self-employed persons or recipients of unemployment benefits or unemployment assistance require the following to apply for maternity allowance:

- » a medical certificate documenting the due date
- » work and wages documentation by the employer
- » confirmation by the AMS concerning received benefits

4. After Birth

The baby is born – and the joy is immense! The first days after the birth of a child are a very special period in time for many parents. The new born baby and its parents slowly get to know each other; possibly there are already older siblings excited to meet the new family member.



Important:

Although the baby is just born, there are already several important formalities to take care of!

1. Organizing baby's first documents:

- » **Notification of the birth (Geburtsanzeige)** by the hospital and/or the present physician(s) and midwives.
- » Within one week of the birth, apply for **birth certificate (Geburtsurkunde)** at the registry office (Standesamt) responsible for the place of birth (such as the location of the hospital).
- » If the parents are not married, the registry office will also handle the **acknowledgement of paternity (Vaterschaftsanerkennnis)**. The parents can decide whether custody is shared.
- » **Registration of residence (Meldezettel)** of the baby at the main residence.
- » **E-Card:** The baby is automatically **insured through the mother and the father**, as long as these are health-insured. Notify the relevant health insurance in order to receive an E-Card for the baby.



Attention!

Further information can be found at: www.help.gv.at





The next step is to apply for a **proof of citizenship (Staatsbürgerschaftsnachweis)** for the child at the residence's registry office. If the child travels abroad, it requires its own **passport**. It can be applied for at the local district administration or magistrate. Important: in order to clearly confirm the **child's identity**, it must be present when submitting the application.

2. Family allowance (Familienbeihilfe)

Austrian parents have a claim for family allowance regardless of their income for their children until they come of age, if the centre of their life interests is in Austria and the child constantly resides in Austria. Due to express legal regulation, the mother is predominantly eligible for receipt.

Non-Austrian citizens must, as parent and child, lawfully reside in Austria according to § 8 and § 9 of the Settlement and Residence Act, in order to be eligible.

With effect from May 2015 for children born in Austria no activity is required for claiming family allowance.

In all other cases family allowance has still to be applied for.

Further information can be found at pages 40 - 42

3. Child care allowance (Kinderbetreuungsgeld)

The day of birth is the earliest day you can apply for child care allowance with your health insurance.

Parents can choose out of two systems with a total of **five different options**.

In order to apply, the following is required:

- » the original, properly filled out application form
- » birth certificate

Mothers as well as fathers can apply for child care allowance. The application can not only be made personally but also by mail (original application form is necessary) or online through FinanzOnline:

<https://finanzonline.bmf.gv.at/fon>

Two basic systems are available: the flat-rate and the income-based child care allowance. Details can be found in chapter 9 "Financial Support".



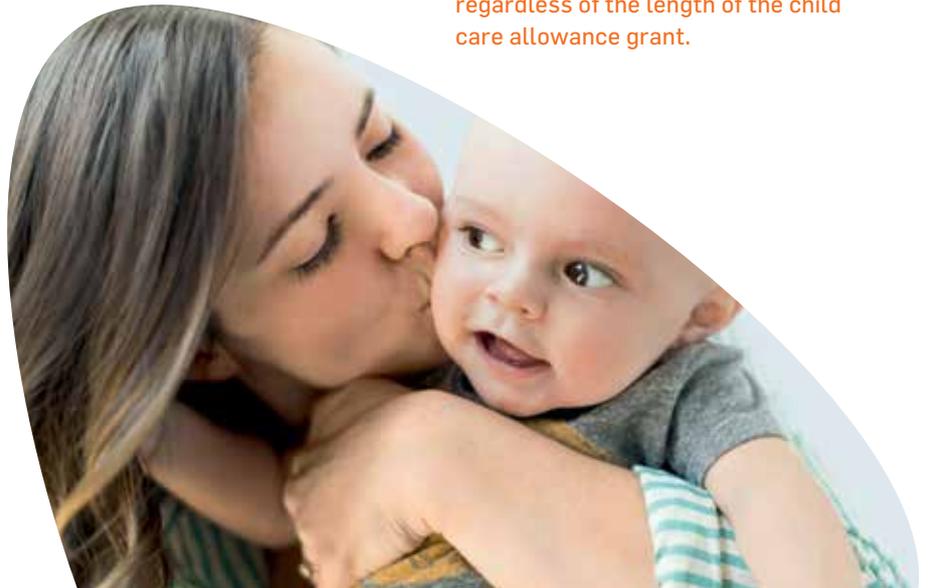
Attention!

Legally, parental leave from work ends no later than at the child's 2nd birthday, regardless of the length of the child care allowance grant.



Attention!

It should be considered carefully before deciding on a specific option for child care allowance. Usually the option cannot be changed retroactively!



4. Informing the employer

Non-self-employed women are in **maternity protection** from usually 8 weeks prior to the expected due-date and basically until 8 weeks after the birth. (More information on this subject can be found in chapter 11 “Family and Work”). During this time, young mothers and mothers-to-be may not be employed.

During maternity protection after the birth, the employer has to be notified of the length of maternity leave (= leave of absence due to labour legislation).



Attention!

If you do not register for parental leave by the last day of your maternity protection, you are not eligible for it (but you can retroactively apply for child care allowance up to 6 months)!

5. Extending maternity allowance

In order to receive maternity allowance after the birth, the health insurance institution will require the birth certificate and a certificate by the hospital.

6. Arranging Mother-and-Child-Pass check-ups

A **paediatrician** should be contacted no later than the baby is born. During the first months check-ups are required roughly every 6 weeks which will be documented by the physician in the child's Mother-and-Child-Pass.



Attention!

Documentation of the first 10 check-up appointments must be presented within a certain time frame. If one does not have the necessary records, child care allowance – depending on the selected option – is reduced after a certain point. Details on this subject can be found in chapter 9 “Financial Support” under the keyword “child care allowance”.



5. From Baby to Pupil

During this phase of a child's life, deciding on the appropriate form of **child care** becomes an **essential concern**.

There are many diverse available child care centres in Austria.

All parents wish an optimal child care for their children. The decision to manage child care at home until the child enters the kindergarten or to make use of an out-of-house child care professionals/centres is up to each mother/father individually.

Child care centres in Austria

An overview of Austrian child care facilities and available counselling can be found at www.kinderbetreuung.at

The most important child care providers are:

- » child minders
- » playgroups
- » nurseries
- » kindergartens
- » day-care facilities

Regulation of the available infrastructure for child care is handled by the individual provinces. The number of available facilities and their costs may therefore differ.

Child care in the usual domestic setting is not necessarily tied to close relatives such as parents or grandparents. It is customary for babysitters, au pairs and surrogate grandparents to take care of the children at home.

Further information you find under www.familieundberuf.at too.



Attention!

Child care costs are tax deductible under certain conditions (see page 44).

Half day attendance of kindergarten is **compulsory** for children whose 5th birthday is not later than 31st of August.





“The aim of the compulsory, free kindergarten year is to offer children the best possible chances for their future education, independent of their social origin, and to create a foundation for a successful, life-accompanying learning process. This year before entering school helps children to be prepared for the challenges of the next phase of their life through the support of kindergarten pedagogues.”

Dr. Sophie Karmasin

Federal Minister of Families and Youth

further information under
www.eltern-bildung.at

6. A New Chapter in Life Begins: School Years

To attend school is one of the most exciting moments in the common life of the child and his parents. In order to approach the beginning school year with appropriate calm, you can use the **last months before your child enters school** to **gently prepare** the child for this time.



Attention!

Children should never be threatened with school. Having a positive impression of school makes beginning with school easier.

Most children are naturally excited about school. Children should be supported in this excitement and be prepared for daily school life. You should explain your child what he/she will learn about in school, and where he/she can apply this knowledge in everyday life. You should talk to your child about other positive aspects such as new friends, sports and fun with handicrafts.

Schooling is compulsory for all children with a permanent residence in Austria.

If your child has its 6th birthday no later than at the 31st of August, it is obligated to attend school from the 1st of September of the same year.





If the child has its birthday between the 1st of September and the 31st of December, it is eligible for compulsory schooling in the following year, however, in some cases the child can be admitted to schooling earlier.

Compulsory schooling ends with the 9th school year, the day before summer holidays begin.

What happens after elementary school – changing schools

Abstract thinking will develop the child can recognize now complex connections in problem-solving situations and master them. Language behaviour of the adolescents changes as well. Children learn to form difficult sentence constructions and their vocabulary expands almost exponentially. This increase in mental performance capacity leads to the ability to organize and plan ahead, to follow these plans and learn from mistakes.

During the 4th year of elementary school, the teacher, who has accompanied and taught the child for several years, gives parents or legal guardians a recommendation as to the future education path. You can register your child in a secondary school or high school at the middle of the year.

The BMFJ provides the following services and benefits for all pupils in schools.

School-book initiative (Schulbuchaktion)

The **textbook initiative provides pupils** with the required schoolbooks for class, **free of charge**. Thereby all pupils have equal access to education and their parents are **financially supported** in an extent between 50 and 170 Euros per pupil. All pupils visiting domestic schools are entitled to it. Schoolbooks are ordered by the schools, are handed out at the beginning of the school year and become the pupil's property.

Free use of transport

The federal government provides free use of public transport for all pupils and apprentices in Austria. This measure subsidizes all pupils and apprentices who receive family allowance in Austria and are below 24 years of age. Public transportation is provided from their domestic residence to their school or place of apprenticeship.

Free transportation ID can be purchased for a cost sharing of 19.60 Euros at the **local federation of transportation** (“Verkehrsverbund”). If there are application-forms for the internal federal processing of the free transportation permits required, they will be provided to the schools by the federation of transportation or handed out directly.

Instead of the **free transportation permit**, pupils, apprentices and participants in a voluntary social year can also upgrade their permit to a **network-wide ticket** (such as the “TOP-Jugendticket” in VOR), as long as their residence or their school/place of apprenticeship are located within the transportation network of the Verkehrsverbund. This requires a **minimal increase** in price for the ticket (between 60 and 102 Euros in total). Further information can be found online at the individual websites of the particular Verkehrsverbund.

School buses – free transport for pupils in occasional transport (Schülerfreifahrt im Gelegenheitsverkehr)

If there is no public transportation available, the community helps out with so-called **“school buses”**, subsidized by the BMFJ. These school buses are used from pupils who have to travel 2 kilometres or more in one direction without any kind of public transportation available, or if the intervals are too long. Since the school year of 2006/07, schools and communities have the option to provide **additional trips at the end of afternoon care** at schools, subsidized by the Family Ministry. A co-payment per pupil and school year in form of another deductible of 19.60 Euros is charged for this service.

School trip allowance (Schulfahrtbeihilfe)

If free public transportation cannot be guaranteed for pupils due to lack of available transport, a **school trip allowance** for a school trip of at least 2 kilometres in one direction **can be applied for**. This is also possible for shorter distances for children with disabilities. This trip allowance is also applicable if pupils have a mandatory internship in their syllabus and require regular transport to these internships.

The appropriate application form can be attained at the responsible tax office or from the Finance Ministry's website: www.bmf.gv.at

Trip allowance for apprentices (Fahrtenbeihilfe für Lehrlinge)

If apprentices cannot apply for free public transport permits for their trips between their residence and place of apprenticeship and they have to make trips on at least 3 days per week, they can apply for a trip allowance for a distance of **at least 2 kilometres** per trip. Also in that case apprentices with disabilities do not require a minimum distance to be eligible.

Home trip allowance for pupils and apprentices (Heimfahrtbeihilfe für Schüler/Lehrlinge)

Pupils who go to school in a different area than their home and are also residing in a secondary residence at or in the area of their school during the

week (such as a boarding school) can apply for a home trip allowance for the transportation between their primary and secondary residence. The same applies to apprentices whose place of apprenticeship is in another area than their residence and who are also living in a secondary residence during the week.

The **amount** subsidized for this trip allowance depends on the distance **between the primary and secondary residence, varying between 19 and 58 Euros per month**. If public transport is available, the price of the local Verkehrsverbund network ticket determines the amount of the allowance. The appropriate application form is available at the responsible tax office or on the Finance Ministry's website: www.bmf.gv.at

7. Children Grow Up

When children slowly grow up and puberty reaches its climax, many conflicts in the family will be unavoidable. The body is changing and with it, its inner life. It's a period of change, a period of great leaps in development. Internal and external changes plunge adolescents into a state of unrest that can affect the entire family. To hit puberty is a new experience for the adolescent as well as for the parents.

In many conflicts between adolescents and their parents or legal guardians, the issues brought up touch on youth protection.





Youth protection in Austria covers many areas

- » smoking and alcohol
- » media liable to corrupt the young
- » external stays overnight
- » restricted areas and more

Detailed information can be found on the website of the Austrian Federal Chancellery: www.help.gv.at.



Attention!

Youth protection is not uniformly regulated in Austria. All 9 federal states have their own youth protection laws. Children and youths are always subject to the laws of the individual federal state they are residing in.



Electronic media are especially fascinating for adolescents, but contain **risks as well**. More information about how children and parents can best deal with possible dangers such as cyber mobbing, hidden costs and copyright infringement are provided at **www.safeinternet.at**

The “**Federal office for the positive assessment of computer and console games**” (“Bundesstelle für die Positivprädikatisierung von Computer- und Konsolenspielen”, BuPP) offers independent information on digital games. The list of games that BuPP offers online, can serve as a tool to help parents and legal guardians decide on the purchase of games. More information can be found at **www.bupp.at**

Are you seeking guidance?

All information about parental education and family counselling can be found online or by calling the toll-free phone number of the Family Service.

0800 240 262

www.eltern-bildung.at

www.familienberatung.gv.at

Choosing the right education – secondary school or apprenticeship?

Between the ages of 14 and 16 years children have finished compulsory schooling and have to decide now, whether they continue to attend school or to begin an apprenticeship.



Attention!

In Austria compulsory schooling lasts for 9 years and ends one day before summer holidays start.

Educational opportunities in Austria after compulsory schooling:

- » Upper school in a general high school provides a comprehensive and in-depth general education and closes with the “Matura”, the matriculation standard.
- » A general high school degree (AHS allgemeinbildende höhere Schule) does not generally provide any vocational qualifications.
- » The vocational high school (BHS – berufsbildende höhere Schule) provides an in-depth general education and awards the matriculation standard through the Matura as well, but simultaneously offers students a complete vocational education in a particular area of training.
- » Vocational middle schools (BMS- berufsbildende mittlere Schule) provide a more in-depth general education as well as concrete vocational qualifications in their respective areas of training.
- » Apprenticeship is a highly practice-oriented vocational education and predominantly takes place in a company and only partially in a vocational school. During apprenticeship, apprentices learn their chosen profession through hands-on work training. The vocational school expands the general education and provides theoretical background knowledge for the chosen profession or craft.

www.ausbildungskompass.at

8. Responsibilities and Rights of Parents in Austria

In all decisions parents make for their children, the children's well-being is always the predominant concern. But not every wish of the child must be fulfilled! Violence may never be applied in child-rearing.

Family life is a sense of togetherness – this includes a set of rules. In addition, there are certain legal basics that determine the responsibilities of parents towards their children.

Parents are responsible for:

- » health and physical development (care)
- » school attendance, education and support of abilities (upbringing)
- » managing a child's assets
- » legal representation such as for contract signings or for authorities

Parental Custody

In the context of a marriage, both parents are responsible for custody. Unmarried parents can determine at the registry office that joint custody is granted. Otherwise only the mother has custody. Parents should reach consensus in all areas of custody and act together. It is however sufficient if one parent officially represents the child. In the case of a divorce, parents should decide whether both or only one parent retains custody. If this cannot be agreed upon, a court must decide, based on the child's best interest.

Support Obligation

Parents must generally provide for their child or children together. They provide this support in the form of payments in kind (residence, food, school requirements etc.). If the parents are separated or divorced, the parent that the child does not live with must provide financial support.

Adolescents with their own income still retain their right to financial support, if they cannot live off their income or are undergoing education. If the child or adolescent does not live in the parent's home anymore, both parents must provide support in the form of payments for as long as the child cannot provide for itself yet.

Right to financial support

Parents have the right to several different forms of financial support and tax benefits for their children.

In chapter 9 "Financial Support" additional information is provided on the topics of

- » maternity allowance, temporary help (Betriebshilfe)
- » child care allowance
- » family allowance and tax credits for children
- » benefits that can be applied for through the tax return

9. Financial Support for Families in Austria

Benefits during pregnancy and after birth

Employed women who are expecting a child are generally entitled to financial support during maternity protection.

Maternity allowance (Wochengeld)

Pregnant women **may not be actively employed** in the period of usually 8 weeks before the probable date of birth until 8 weeks after (or 12 weeks for premature, multiple or caesarean births). Mothers who were non-self-employed before giving birth do not receive regular wages from their employers, but instead apply for maternity allowance with their health insurance.

Maternity allowance is roughly equal to the **average income of the last 3 calendar months** prior to the employment prohibition: statutory deductions as well as holiday and Christmas wages are taken into account in the calculation as well. **Freelancers** also have a right to wage-related maternity allowance as of 2008.

Recipients of unemployment benefits

Mothers who received unemployment or other benefits from the unemployment insurance prior to their maternity protection are also entitled to maternity allowance. It generally amounts to 180% of the last received benefit.

Marginally Employment

Marginally employed women can only claim maternity allowance if they had been self-insured during their marginal employment. Maternity allowance is then estimated at 8.91 Euros daily (2016).

If there is another baby on the way

If a mother receives child care allowance and enters maternity protection during this time, she will receive **maternity allowance** for a further child if she was entitled to maternity allowance already for previous birth.

Maternity allowance as based at a flat rate of child care allowance (no matter which flat rate option) = fixed maternity allowance at the sum of 26.15 Euros per day (i.e. approx. 785 Euros per month).

Maternity allowance based on income-based child care allowance = maternity allowance at the sum of 125 percent of the income-based child care allowance during new pregnancy and after birth.

If the maternity allowance after the birth is lower than the child care allowance of the selected option (such as due to marginal employment), then child care allowance is only partially suspended and the difference is paid out.

Temporary help (Betriebshilfe)

Self-employed women and farmers can apply for temporary help (Betriebs-hilfe) during the "protection period". This means that they will be provided with a qualified person to shoulder the workload. However, under certain conditions, self-employed women and farmers can receive maternity allowance instead. This maternity allowance is then estimated as 52.69 Euros per day (2016).

Child care allowance (Kinderbetreuungsgeld)

Eligibility for child care allowance principally begins **from the day of the child's birth**. In the case of maternity allowance eligibility, child care allowance is suspended in the amount of maternity allowance until the eligibility for maternity allowance has ended (this applies to both parents).



Attention!

Child care allowance is a financial benefit and independent of labour-law-related entitlements such as parental leave! The duration of parental leave and the duration of child care allowance do not necessarily have to be equal.

Allowance for only the youngest child

Child care allowance is only due for the youngest child. If another child is born during the period of child care allowance payments, then payments end with the birth of the younger child. For mothers who have renewed claim to maternity allowance, child care allowance is generally already suspended with the beginning of eligibility for maternity allowance before the birth of a further child. A father's child care allowance is not suspended if the mother is entitled to maternity allowance before the birth of another child.

Who is eligible?

Biological, adoptive or foster parents are eligible for child care allowance. Parents can take turns receiving payments.





Conditions for eligibility for child care allowance are:

- » entitlement to and receipt of family allowance (Familienbeihilfe) for the child
- » centre of vital interests in Austria of applicant and child (Lebensmittelpunkt)
- » the parent and the child are living together in a joint household and both, child and parent, have the same registered main residence (Hauptwohnsitz)
- » attendance and confirmation of the first 10 Mother-and-Child-Pass check-ups
- » adhering to the additional income limit
- » for non-Austrian citizens: additionally documentation of legal residence in Austria (NAG-Card or EU registration certificate) or fulfilling certain legal conditions of asylum status

Detailed information can be found in the brochure “Kinderbetreuungsgeld” (Child Care Allowance) of the Federal Ministry of Families and Youth. Family Service of the Family Ministry is available to answer general questions under the toll-free service number **0800 240 262**. For specific questions please refer to your individual health insurance institution during application.

TIP:
Visit our website as well!
www.bmfj.gv.at

5 Options for child care allowance

An overview of all of the 5 child care allowance options you may find on page 37 of the “Family Compass”.

Please be aware:

- » You have to apply for child care allowance!
- » Competent institution is the health insurance institution (Krankenkasse) providing maternity allowance or the one where the mother or father is insured with or was last insured with.



Attention!

You must decide on a specific option during your first application. This choice is binding for both parents.

- » If the parents take turns receiving allowance, the 2nd parent must also fill out and hand in an application form at his or her responsible health insurance institution.
- » Parents may take turns twice (in special cases of hardship more often). In general there can be at most 3 parts (periods) of payment, whereas one part must at least last 2 months. It is not possible for both parents to receive child care allowance simultaneously.
- » Child care allowance can be applied for retroactively up to 6 months. If a remaining (paid) leave is taken after receiving maternity allowance, consultation should be considered as to which day seems most sensible to begin receipt of benefits, so as not to exceed the additional income limit.

The following 5 options are available to choose from

Flat-rate option 1 (long option): 30 + 6

- » Duration of eligibility: One parent may receive the allowance until the child is 30 months old, if the other parent also receives the allowance, the period of eligibility may be extended until the child is 36 months old.
- » Reference amount: 14.53 Euros daily (approx. 436 Euros monthly) multiple births: 7.27 Euros daily per additional multiple child



Attention!

A notification of birth or application for maternity allowance never replaces an application for child care allowance!

Flat-rate option 2: 20 + 4

- » Duration of eligibility: One parent may receive the allowance until the child is 20 months old, if the other parent also receives the allowance, the period of eligibility may be extended until the child is 24 months old.
- » Reference amount: 20.80 Euros daily (approx. 624 Euros monthly) multiple births: 10.40 Euros daily per additional multiple child



Attention!

Parental leave ends on the child's 2nd birthday at the latest. If nothing else was agreed upon, the parent must return to employment on the 2nd birthday of the child regardless whether he/she is possibly still going to receive 6 more months of child care allowance. Please be aware of additional income limits!

Flat-rate option 3: 15 + 3

- » Duration of eligibility: One parent may receive the allowance until the child is 15 months old, if the other parent also receives the allowance, the period of eligibility may be extended until the child is 18 months old.
- » Reference amount: 26.60 Euros daily (approx. 800 Euros monthly) multiple births: 13.30 Euros daily per additional multiple child

Flat-rate option 4: 12 + 2

- » Duration of eligibility: One parent may receive the allowance until the child is 12 months old, if the other parent also receives the allowance, the period of eligibility may be extended until the child is 14 months old.
- » Reference amount: 33 Euros daily (approx. 1,000 Euros monthly) multiple births: 16.50 Euros daily per additional multiple child

Income-based child care allowance:

- » Duration of eligibility: One parent may receive the allowance until the child is 12 months old, if the other parent also receives the allowance, the period of eligibility may be extended until the child is 14 months old.
- » Reference amount: 80% of (fictional) maternity allowance, maximum of 2,000 Euros per month.

Based on an additional automatic comparison with the income from the calendar year before the year of the child's birth and in which no child care allowance was received (for births as of January 2012 limited to the calendar year three years back, which is considered the relevant year), the daily rate may rise as the higher amount is used, the daily rate will not be reduced on the basis of such calculation.

(If the final calculations result in a rate below 33 Euros daily it is possible to apply for a switch to the flat-rate option 12+2 of 33 Euros daily at the health insurance institution)

A multiple birth supplement cannot be received at the income-based child care allowance.

Parents must have been gainfully employed in the six months immediate preceding the birth of the child/period of maternity protection (employment in Austria subject to social insurance contributions). If a person receives unemployment insurance benefits within this 6 month' period (unemployment benefit, unemployment assistance, continuing education benefits = Weiterbildungsgeld etc.), he or she is not entitled to income-based child care allowance.

Details on the eligibility conditions for income-based child care allowance can be found in the special brochure "Kinderbetreuungsgeld" (Child Care Allowance).

TIP: To help you to decide on the right choice of allowance for you and your family, use the free child care allowance comparative calculator on the website of the Federal Ministry for Families and Youth. www.bmfj.gv.at

Mother-and-Child-Pass check-ups (Mutter-Kind-Pass Untersuchungen)

Every option is tied to the condition of 5 compulsory check-ups of the mother-to-be as well as the child's first 5 check-ups in order to receive the full amount of child care allowance. Otherwise child care allowance is halved from the

- » 25th month of life (in case of option 30 + 6)
- » 17th month of life (in case of option 20 + 4)
- » 13th month of life (in case of option 15 + 3)
- » 10th month of life (in case of option 12 + 2).

In the case of income-based child care allowance, the daily amount is reduced by 16.50 Euros per day starting with the 10th month of life (approx. 500 Euros per month).

Extension of eligible period for lone parents in cases of hardship

In certain hardships single parents can extend the receipt of child care allowance by 2 months beyond the longest possible duration of the specific option available to a parent.

Health insurance

During the receipt of child care allowance the receiving parent and the child are covered by statutory health insurance. Co-insuring the other parent is generally possible.



Attention!

If parental leave was agreed beyond the receipt of child care allowance with the employer, it is necessary to co-insure oneself with the partner or individually after expiration of child care allowance.

	Flat-rate option 30 + 6	Flat-rate option 20 + 4	Flat-rate option 15 + 3	Flat-rate option 12 + 2	Income-based option 12 + 2
Amount of CCA per month	approx. 436 Euros	approx. 624 Euros	approx. 800 Euros	approx. 1,000 Euros	80% of maternity allowance; otherwise 80% of fictional maternity allowance; additional benignity-comparison with tax assessment of relevant year; maximum of 2,000 Euros
Maximum duration one parent	until 30 th month of life	until 20 th month of life	until 15 th month of life	until 12 th month of life	until 12 th month of life
Maximum duration both parents	until 36 th month of life	until 24 th month of life	until 18 th month of life	until 14 th month of life	until 14 th month of life
Minimum duration per payment period	2 months				
Employment required?	no	no	no	no	Gainful work subject to compulsory social security payments for at least 6 month directly prior to birth/maternity protection period
Allowed additional income per calendar year	60% of income of relevant calendar year	Euro 6,400 (equivalent to roughly 14 times the maximum for marginal part-time earnings), no benefits under unemployment insurance must be received.			
Multiple birth: supplement per additional child + month	approx. 218 Euros	approx. 312 Euros	approx. 400 Euros	approx. 500 Euros	no supplement
Supplement on CCA	12 months each at 180 Euros	no supplement			
Special case: extending eligibility for a parent in hardship	2 months between 30 th and 32 nd month of life	2 months between 20 th and 22 nd month of life	2 months between 15 th and 17 th month of life	2 months between 12 th and 14 th month of life	2 months between 12 th and 14 th month of life

Additional income while receiving child care allowance (Zuverdienst)

You have a baby and **still want to work in your job**? No problem, as long as this additional income remains under a certain limit while you are receiving child care allowance. There are precisely specified additional income limits for each option of child care allowance:

Option flat-rate child care allowance

While receiving flat-rate child care allowance, your additional income may not exceed 60% of your former income. This individual additional income limit is calculated based on the income from the calendar year prior to the child's birth, in which no child care allowance was received (but for births as of January 2012 not further back than three years before the year of this birth).

At least 16,200 Euros may be earned additionally per year. Tax-free income (exceptions: unemployment benefits and unemployment assistance) does not count as additional income.



Exceeding the additional income limit

If the applicable additional income limit is exceeded, the exceeding amount must be repaid.



Attention!

If the parents take turns receiving child care allowance, each parent has his own individual-additional income limit. If both parents are taking turns receiving child care allowance, the longest possible period of receipt may be extended by 2 to 6 months depending on the selected option.

TIP:

In order to determine your individual additional income limit as well as your current income, the child care allowance comparative calculator or the online calculator on the website of the Federal Ministry of Families and Youth at www.bmfj.gv.at can be consulted.



Supplement to flat-rate child care allowance (Beihilfe zum Kinderbetreuungsgeld)

Parents and single parents with low income can apply for a supplement to flat-rate child care allowance amounting to 180 Euros per month. This supplement can be received for a maximum of 12 calendar months beginning with the date of application.

Single parents are not allowed to earn more than 6,400 Euros per calendar year in this case.

If parents live in marriage or a life partnership the supplement-receiving parent may not exceed an annual additional income limit of 6,400 Euros and the second parent may not exceed an income limit of 16,200 Euros per year.

If the applicable additional income limit is exceeded only marginally (not by more than 15%) then the exceeded amount must be repaid. If the amount is exceeded by more than 15%, the entire supplement amount must be repaid.

Option income-based child care allowance

The receiving parent may not earn an income of more than EUR 6,400 per calendar year while receiving income-based child care allowance and may not receive any benefits from unemployment insurance (such as continuing education benefits (Weiterbildungsgeld)).

Exceeding the additional income limit

If the applicable additional income limit of 6,400 Euros per calendar year is exceeded, the amount it was exceeded by must be repaid.



Attention!

The reclamation of the supplement by the health insurance institution can be addressed not just to the receiving parent, but the other parent and/or partner as well.

TIP:

Further information surrounding the topic “Child Care Allowance” can be found in the special brochure “Kinderbetreuungsgeld” (Child Care Allowance) or can be obtained by calling the service number 0800 240 262 as well as by visiting the website of the Federal Ministry of Families and Youth www.bmfj.gv.at.

Family allowance and tax benefits for children (Familienbeihilfe und Kinderabsetzbetrag)

Austrian parents **may receive family allowance** regardless of their income **for their children until they come of age**, if the centre of their life interests is in Austria and the child constantly resides in Austria. Due to express legal regulation, the mother is predominantly eligible for receipt.

Non-Austrian citizens must, as parent and child, lawfully reside in Austria according to § 8 and § 9 of the Settlement and Residence Act, in order to be eligible.

Family allowance without application

With effect from May 2015 for children born in Austria no activity of the parents is required for claiming family allowance.

Austrian tax offices start an examination – without any interference from parental side - on the basis of the data that are available and get in contact with the parents for necessary further information and to convey the result of the investigation process. Contact with tax office from parental side – if not asked for – is not necessary.

Application for family allowance in other cases

In all other cases family allowance has still to be applied for.

Application for family allowance can be filed online through FinanzOnline or with the application form Beih 1 at the tax office for your residence. Family allowance is paid out together with the tax benefit for children, at a sum of an additional 58.40 Euros per month and child. No separate application form is necessary for this benefit.

Family allowance differs in total depending on the age and the number of the children. The amount of family allowance as of 1 January 2016:

Family allowance	starting 1/1/2016
0-2 years	111.80 Euros
3-9 years	119.60 Euros
10-18 years	138.80 Euros
As of 19 years	162.00 Euros



Attention!

In border-crossing cases within the EU/ the EEA and Switzerland there are special European regulations concerning the receipt of family benefits!

Increased family allowance	as of 1/1/2016
(for severely disabled children)	152.90 Euros

Sibling scaling for	per child as of 1/1/2016
2 children	6.90 Euros
3 children	17.00 Euros
4 children	26.00 Euros
5 children	31.40 Euros
6 children	35.00 Euros
7 children and more	51 Euro per child

As of the 1st of January 2018, family allowance will be increased by 1.9% each.



Attention!

Since September 2014, family allowance is paid out on a monthly basis.

Benefit for starting school (Schulstartgeld) at the beginning of each school year

A benefit for starting school of 100 Euros is paid out for each child aged 6 to 15, together with family allowance, in the month of September.

The Family Ministry's website offers a family allowance calculator, which can help determine the amount of benefits one is eligible for:

www.bmfj.gv.at

Family allowance for children of age

Family allowance for children of full age in education is paid out until the completion of their 24th year of life. There are **exceptions to this rule** for an extension until the **completion of the 25th year of life**.

Detailed information on family allowance for adult children can be found on the website of the Federal Ministry of Families and Youth:

www.bmfj.gv.at



Attention!

There is no eligibility for family allowance during military service or civilian service.

Family Allowance for severely disabled children:

For severely disabled children an additional benefit of 152.90 Euros per month is granted. An extra application has to be submitted. Further information can be found under www.bmfj.gv.at

Financial benefits for families that can be applied for through the tax return

When filling their tax assessment for employees or income tax returns, parents can **apply for multiple financial benefits and tax deductions**.

Multiple-child supplement (Mehrkindzuschlag)

The multiple-child supplement (an amount of 20 Euros per child and month) is paid out for every third and additional child in addition to family allowance. The family's total income during the previous year may not have exceeded 55,000 Euros however.

The tax return can be filled online through the Finance Ministry's website. <https://finanzonline.bmf.gv.at>

Sole-earner tax credit (Alleinverdienerabsetzbetrag)

Sole-earners, defined as parents subject to taxes with at least one child, that have been living in a marriage, a life partnership or a registered partnership for over 6 months of a calendar year, with one partner being eligible for at least 7 months of tax benefits for children during that year and the other (marriage) partner earning no more than 6,000 Euros per year, are eligible for the **sole-earner deduction**.

This tax credit is 494 Euros for one child per year, 669 Euros for two children per year and increases to an additional 220 Euros for the third and any additional child per year.

The taxable income of the (marriage) partner may not exceed 6,000 Euros for that calendar year, including tax-free maternity allowance.

The sole-earner tax credit can be reflected in wages by the employer (form E30) or can be applied for when filling of the tax assessment for employees or income tax return at the end of the calendar year at the tax office.

Sole-earners whose calculated income tax balance for the calendar year is negative, will receive the sole-earner tax credit upon application via tax assessment for employees or income tax returns.

Single parent tax credit (Alleinerzieherabsetzbetrag)

Single parents, being subject to taxes and with at least one child, that haven't been married, living in a life partnership or registered partnership for more than 6 months during the calendar year and have received tax benefits for children for at least 7 months, are eligible for the single parent tax credit. This **tax credit** is **494 Euros for one child** per year, **669 Euros for two children** per year and increases for the **third and every additional child by 220 Euros** per year.

The single parent tax credit can be reflected in the wages by the employer or can be applied for when filling a tax assessment for employees or income tax return for the past calendar year at the tax office. Single parents who's income tax balance for the past year is negative (for example during maternity leave), will receive the single parent tax credit upon application via tax assessment for employees or income tax returns.

Child allowance (Kinderfreibetrag)

The child allowance is a sum of 440 Euro per year and child that **parents** who **pay income tax can make applicable to lower their taxable base**.

Child allowance can be applied for by one or both parents. If both parents apply for child allowance, each parent is entitled to 60% of the child allowance, which is 300 Euro per year. Condition for eligibility for child allowance is that the respective children are eligible for tax benefits for children or tax credits for child support payments for at least 7 months of the year.

Child allowance must be **applied for** by the **filling of a tax assessment for employees** or **income tax return** for the past calendar year, while providing the child's or children's insurance number(s).

Tax credits for child support payments (Unterhaltsabsetzbetrag)

If you pay child support (alimony) for a child not residing in your home and can document this, you are eligible for a tax credit for child support payments of

- » 29.20 Euros for the first child,
- » 43.80 Euros for the second child
- » 58.40 Euros for every additional child

Tax credits for child support payments are only recognized during the filling of a tax assessment for employees or income tax return.

The tax return can be submitted online through the Finance Ministry's website: <https://finanzonline.bmf.gv.at>

Tax deductibility of child care costs

Costs for the care of children up to their completed 10th year of life are **tax deductible** up to an amount of 2,300 Euros per child and year, provided that child care is handled through an institution (kindergarten, nursery, day-care...) or through a pedagogically qualified person (such as a child minder). Application occurs during the filling of a tax assessment for employees.

Supplements to child care costs by employers

Employers can award supplements to pay for child care costs free of social security payments and taxes up to a sum of 1,000 Euros per month and child, as long as it is paid directly to the institution handling child care or through vouchers.

TIP:
Always save the receipts for child care, summer camps, etc.! Child care costs can only be considered in the tax assessment for employees, which can be applied for retroactively only up to 5 years for each calendar year.

Other benefits and social measures

Consideration of child care periods in the pension insurance

Since 1st January 2005 mothers can also apply for contribution periods in their pension insurance through child care periods, not just through insurance contributions through employment. Fathers may become eligible for the mentioned contribution periods if they can prove that they predominantly raised the child, such as a single parent or a stay-at-home father in partnership with an employed mother.

Each child can account for a maximum of 4 contribution years in pension insurance (in the case of multiple births 5 years).

Overlapping periods are only taken into account once. The calculation of pension contributions from child care periods is based on a **monthly estimated base** of 1,735.06 Euros for the year 2016.

Due to this regulation, as of 1st January 2005, the minimally required 15 years of insurance contributions for a minimum pension can partially be made up of child care periods: if there are at least two children present that were born at least four years apart, four contribution years per child can be taken into account. The remaining seven contribution years must consist of employed periods after 1st January 2005 (periods of contribution equal to employment are periods of self-insurance for the care of a child with disabilities, self-insurance for the care of close relatives, periods of continued insurance for the care of a close relative at care level 3 and periods of family hospice leave before and after 1st January 2005).

More information on the currently applicable pension regulations can be found at the local pension insurance institutions in the federal provinces. Their addresses are listed at www.sozialversicherung.at

Free self-insurance in health insurance during the care of a child with disabilities

Persons that are involved in the care of a child with disabilities and have no other possibility of obtaining health insurance can insure themselves free of charge at the health insurance in cases of need for social protection. The contributions are taken – at most until the child's completed 40th year of life – fully from the family burden equalisation fund.

Free self-insurance in pension insurance during the care of a child with disabilities

If mothers or fathers need to take such intensive care of a child with disabilities in their home, for which they also receive increased family allowance, that they cannot remain in regular employment, they have the option of voluntarily self-insuring themselves in the pension insurance. The contributions are taken – at most until the child's completed 40th year of life – fully from the family burden equalisation fund.

Generally this self-insurance can be obtained up to a maximum of 12 months prior to the application date. Due to a legislative change as of 1st January 2013, self-insurance during times of care for a child with disabilities is now possible retroactively for up to 10 years, under certain conditions (at most until as far back as 1988).

If the caring person was previously employed, the application must be handed in at the respective pension insurance institution, otherwise at the pension insurance institution. Their addresses can be found online at:

www.sozialversicherung.at

Severance benefits when leaving employment due to the birth of a child

Employees can leave employment within certain deadlines due to the birth of a child: either during the protection period after birth (maternity discharge) or at the latest 3 months before the end of parental leave. In the case of maternity and paternity withdrawal and an uninterrupted previous employment of 5 years and more, the parent is entitled to a **severance package** according to old severance legislation. In this case one would receive half of the otherwise applicable severance, at most 3 months' worth of wages in severance.

Both employment contracts finalized after 31st December 2002 as well as new employment contracts which fall under the new severance system are eligible for the new Severance Act ("**Abfertigung neu**"). Under this Act, employees acquire severance rights from the corporate pension insurance fund regardless of the duration of the previous employment contract or the manner of its termination. It is not possible to lose one's severance entitlement - unlike under the old severance system. In the case of maternity or paternity withdrawal within the time periods mentioned above, the parent has the right to treatment under the new Severance Act (most notably the right to payment of a severance package), provided that the employee had at least 36 months of contribution prior to that.

More information on the right to a severance package in the case of maternity/paternity withdrawal is available at the local advocacy/representation of interest (works council, staff representatives, union or the Chamber of Labour) or at the Federal Ministry of Labour, Social Affairs and Consumer Protection – either at the "SozialTelefon" free of charge under **0800 20 16 11** or online at www.sozialministerium.at.

10. In case of financial emergency

The Family Ministry can subsidize families in special emergency situations.

Family Hardship Fund (Familienhärteausgleich)

Families or mothers-to-be can acquire a one-time bridging subsidy from this fund.

Three conditions must be met:

- » The applicant possesses an Austrian citizenship (or is an EU citizen, recognized asylum seeker or stateless).
- » Family allowance is received for at least one child (or a pregnancy exists).
- » An unavoidable event – such as death, sickness, disability, work disability, accident or natural disaster – through no fault of the applicant's has led to the financial emergency. The emergency situation cannot be overcome by the family or mother-to-be even after claiming legally applicable benefits and aids.

Only bridging allowances can be granted, allowances for the regular support of a family are not possible. There is no legal claim to the Family Hardship Fund benefits.

An application form for the Family Hardship Fund is available online at www.bmfj.gv.at

Or an informal application can be submitted to:

**Bundesministerium für
Familien und Jugend
Familienhärteausgleich:
Untere Donaustraße 13-15,
1020 Vienna
Tel.: +43-1-71100-0**

More information is available by phone under the Family Service number **0800 240 262**.

Family Hospice Leave – Hardship Fund (Familienhospizkarenz-Härteausgleich)

Employees and persons under the care of the AMS have the legal right to get released from work to accompany and care for dying relatives or chronically ill children. During this time of family hospice leave they are health- and pension- insured.

Furthermore, as long as certain conditions are met, you have the right to care leave benefits.

If the minimum income level is not reached by the family despite care leave benefits, a further supplement by the family hospice leave- hardship fund is possible.

The required application form to **care leave benefits as well as to family hospice leave-supplement** are available online at www.bmfj.gv.at

Information on the eligibility conditions for the family hospice leave-supplement are available by phone from the Family Service number **0800 240 262**.

Alimony Advance (Unterhaltsvorschuss)

An alimony advance can be applied for if a separated or divorced parent that is responsible for child alimony **fails to meet payments**.

It is important to note here that – except for a few exceptions – **the amount of alimony and its applicability are settled via a court** (divorce settlement, court order) and the enforcement of the collection of the claim is applied for at court (at the latest by the time an alimony advance is applied for). Alimony advance can only be paid for children under the age of 18 that are not living in the same household with the debtor, are living in Austria and possess an Austrian citizenship or EU citizenship (or are stateless). If all conditions are met, then a **guardianship court can apply for alimony advance**. Alimony advance may then be received for up to 5 years, before a renewed application and review of the situation are required. More information on alimony advances is available at the Child and Youth Welfare.

11. Family and Work

Employed mothers-to-be and employed parents of small children have to consider many important aspects of labour law.



Attention!

You are required to present a medical confirmation, documenting your pregnancy, if your employer expressly demands this.

Informing the employer about pregnancy

If you are non-self-employed, you have to inform your employer about your pregnancy, as soon as you learn about it, than your employer can adhere to existing maternity protection regulations. However, there is no legal basis for discharge if one fails to do so. It is also necessary to notify your employer of the probable date of birth, since certain activities are only partially permitted after a certain point in the pregnancy, or prohibited completely – as already mentioned previously.

The employer is obliged to respect the employment ban, and must notify the work inspectorate in writing about the fact that he/she is employing a currently pregnant woman.

Maternity protection (Mutterschutz)

According to the regulations of the Maternity Protection Act, mothers-to-be may not be actively employed from 8 weeks prior to the probable date of birth and ending 8 weeks (or 12 weeks in the case of premature, multiple or caesarean births) after birth.

Pregnant women or women nursing their babies may not work extra hours. The daily work amount may not exceed 9 hours per day or 40 hours per week.

If there is any danger for the mother or the child, it is possible to be released from work earlier, if the medical specialist advocates a release and substantiates this in a written form. The final decision concerning a release from work however rests with the physicians of the work inspectorate or the public health officer, who presents the pregnant woman with a certificate for release from work. This **certificate** must be handed to the employer, who is **not permitted to employ the pregnant woman** from that moment on.

Depending on whether one gives birth before or after the expected date of birth, the protection period before birth is either shortened or increased accordingly.



Attention!

The employer should be informed at least 4 weeks before entering maternity protection!

More information on the topic of "Maternity Protection" is available on the Federal Ministry of Labour, Social Affairs and Consumer Protection's website. (key-word labour protection/ special groups of people)
www.sozialministerium.at



Protection from Dismissal and Termination

Pregnant women employed under permanent contract generally cannot be terminated. **Protection from termination begins with the onset of the pregnancy**, of which the employer must be informed of as early as possible.

Protection from termination lasts until 4 months after birth. If you enter parental leave, you may not be terminated until 4 weeks after your leave ends. If you enter parental part-time employment, then protection from termination lasts until 4 weeks after the end of the mentioned part-time arrangement, but no longer than the child's completed 4th year of life.



More information on the topic of "Protection from Termination and Dismissal" is available on the Federal Ministry of Labour, Social Affairs and Consumer Protection's website (keyword labour law).

www.sozialministerium.at



Attention!

Women are not protected from termination during a trial period.

Parental leave (Elternkarenz)

Parental leave means a temporary release from work until the child's 2nd birthday. Parents can interrupt their employment due to the birth of a child for parental leave. The leave begins after maternity protection has ended. During this time and for 4 weeks after the end of this period, the parent is protected from termination. Parental leave is regulated through protection from termination and dismissal and lasts at most until the day before the child's 2nd birthday even if a longer lasting option for child care allowance was chosen.

Parental leave can be shared between parents up to two times. Each part of leave must last for at least 2 months. The employer must be notified of the duration of the leave of absence in writing.

Both parents have the option of delaying 3 months of their leave until the child's 7th birthday (or until it begins school).

During parental leave, wages or salaries are not received. However, child care allowance (based on the duration of the option selected) is received.



Attention!

The parental leave agreement with your employer is independent of your chosen child care allowance option!

The following groups of people are **eligible for parental leave**

- » employees
- » homeworkers
- » officials and contractual employees of the federal or state government



Attention!

Mother or father must live together with the child in the same household.

Deadlines for parental leave

Mother

If a mother goes into parental leave first, she must notify her employer about her leave and the duration of it by the last day of maternity protection.

Father

If a father goes into parental leave first, he must notify his employer about the duration and beginning of it no later than 8 weeks after the birth. If the father enters parental leave at a later date and takes turns with the mother, he must notify his employer of it no later than 3 months prior to entering parental leave, in order to be protected from termination (optimally in writing and per registered letter).

More information on the subject "Parental Leave" is available on the Federal Ministry of Labour, Social Affairs and Protection's website (keyword labour law).

www.sozialministerium.at

Parental part-time (Elternteilzeit)

After parental leave has ended (but also instead of parental leave) parents in Austria have the right to parental part-time. They can reduce their previous work time or change their previous schedule. The **legal right to parental part-time exists at most until the child's 7th birthday** and depends on the **size of the company** and the **duration of the previous employment** with the company.

Who is eligible for parental part time?

Employees are eligible who

- » work in a company with more than 20 employees
- » have worked in the company for 3 years without interruption
- » live in the same residence with the child (or have custody of the child)

Adoptive and foster parents are legally equal to biological parents.

In companies with less than 21 employees or when one does not fulfil the required minimal employment criteria, one may agree on parental part-time with one's employer until no later than the child's completed 4th year of life.



Attention!

An additional general condition is that the other parent is not simultaneously in parental leave for the same child. Both parents can however enter parental part-time at the same time

Applying for parental part-time

Mothers and fathers who wish to enter parental part-time have to notify it in writing to their employer within certain deadlines.

The written application for parental part-time must contain

- » beginning of part-time employment
- » duration of part-time employment (attention: minimum duration 2 months!)
- » extent of part-time employment (number of hours per week)
- » conditions of part-time employment (beginning and end of daily working hours, description of working days).



Attention!

The employee can demand a change of the part-time agreement (extent, duration) and a premature end to the part-time arrangement once each. The same applies to the employer.

Protection against termination and dismissal

From the moment of **notification about an intended parental part-time leave, no earlier than 4 months before the intended part-time leave**, you are protected against termination and dismissal. Protection ends 4 weeks after parental part-time has ended, no later than 4 weeks after the child's completed 4th year of life.



Attention!

If you are dismissed during parental part-time, you can, under certain conditions, appeal against it in the Labour and Social Court!

If you are otherwise employed during parental part-time without your employer's expressed consent, you have no protection against dismissal ceases.

Further information on the subject of "Parental Part-time" is available on the Federal Ministry for Labour, Social Affairs and Consumer Protection's website (keyword labour law).
www.sozialministerium.at

Care leave (Pflegefreistellung)

Employees have a right to paid care leave during which they continue to receive their salary for the length of one week per work year at most. Eligibility exists in the case of:

- » required care of a close relative (if it is not the child: living in the same household)
- » required care for children due to a missing caregiver
- » required care and assistance for a sick child before it has reached 10 years of age.

After the first week of paid care leave is used up and a child under the age of 12 (biological, adoptive or foster child) or a patchwork child living in one's residence falls sick again during the same work year, you can claim another week of paid care leave.

More information is available at: Social Ministry – toll-free under 0800 20 16 11 or online at www.sozialministerium/site/Arbeit/Arbeitsrecht/Urlaub_Pflegefreistellungen/Pflegefreistellung

12. Reconciliation of Family and Work

One of the greatest challenges facing Austrian family policy today is the reconciliation of work and family life. Family is a high priority issue for young people but at the same time they also strive to have a successful career.



The Ministry of Families and Youth subsidizes a number of social, mostly awareness-raising measures in order to support parents in their jobs. For example, the **Audit “berufundfamilie”** (“workandfamily”) which leads companies through an internal process to secure economic advantages through family-friendly measures, the **Audit “hochschuleundfamilie”** (“universityandfamily”) which is specifically designed for reconciliation requirements at universities, or the **national award Unternehmen für Familien** (“Companies for families”) which awards companies for especially innovative efforts to create a family-friendly work environment.

The **Audit “berufundfamilie für Gesundheits- und Pflegeeinrichtungen”** (“workandfamily audit for health and care facilities”) was created with the specific challenges of care institutions in mind: to keep the high level of quality in medical care and treatment in Austria in the face of rising pressure to save costs, increasing lack of specialized work forces and greater workload on staff.

A family-friendly living environment has a noticeable effect on the reconciliation of family and work as well. The **Audit “familienfreundlichegemeinde”** (“familyfriendlycommunity”) is a special initiative in Austrian communities, magistrates and cities to recognize and promote family-friendly measures.

Furthermore, **initiatives for better needs-based care for children, in-company child care and training for child minders** are subsidized.

The network **“Companies for Families”** was launched in order to connect companies and communities which are interested in or are already committed to a family-friendly human-resources and community policy (www.unternehmen-fuer-familien.at).

All completed auditing processes are awarded a seal of approval by the Family Ministry.

The Family & Work Management Ltd. (“Familie&Beruf Management GmbH”) is entrusted with the facilitation of these reconciliation measures. More information is available at www.familieundberuf.at

13. Mastering Crises

Every human being's personality but also external circumstances and one's life situation are subject to constant change. Change and development are part of life.

Sometimes however, changes can lead to a crisis within a family or just for a single family member. Additionally, everyday life and other factors that can take their toll on a family may play a role.

- » disagreements in a partnership relation
- » child-rearing issues
- » generation gap between parents and children or parents and grandparents
- » tensions when changes occur in the family make-up (patchwork families or the birth of a child)
- » life transitions (death, loss of employment or children leaving the family home)

TIP: Be aware of the counselling centres – they can offer support. Relevant addresses of counselling centre you find online at www.familienberatung.gv.at

Separation and Divorce

Sometimes a separation seems unavoidable, but even then amicable solutions for the time after should be worked towards.

Mediation

The Family Mediation is subsidized by the Federal Ministry of Families and Youth and helps families reach agreements on

- » issues with a separation or divorce
- » allocation of assets
- » child custody
- » alimony or
- » contact privileges with the child or children

Parent-Child-Guidance during Separation and Divorce

Mediation is performed by 2 mediators, with one possessing a psychosocial education and training (social worker, therapist, etc.) and the other having a judicial background (lawyer, judge, etc.). Apart from their formal professional training, mediators have also gone through special mediation training. Mediation is subject to a charge, but the fee is socially adjusted depending on family income and the number of children to maintain financially.

A list of mediators and further information on mediation is available online or by calling the toll-free Family Service number **0800 240 262**
www.bmfj.gv.at

Children often experience feelings of loss and fear when their parents separate or divorce, they lose their familiar home environment and the regular contact to both parents and often feel helpless, alone or misunderstood. Many children withdraw emotional and some become aggressive or develop other behavioural problems.

Parents undergoing a separation or divorce often struggle to recognize their children's pain due to being caught up in their own pain, aggressions and disappointments.

The Ministry subsidizes associations that offer therapeutic and pedagogical children's groups or individual work with children as well as couples guidance, and single guidance for parents.

TIP:
A list is available on the Federal Ministry of Families and Youth website
www.bmfj.gv.at

Against domestic violence

The Ministry of Families and Youth is actively engaged to prevent violence and subsidizes numerous projects that aim to prevent violence and support affected persons.

Austria has had a legal ban on violence since 1989. Additionally, in 1993 the "Platform against domestic violence" was created, which sees 45 established counselling institutions from areas such as "Violence against Children", "Violence against Women", "Violence against/among Adolescents", "Violence against the Elderly" and "Gender-specific Male Work" cooperate to prevent violence.

TIP:

Victims of violence can find information, addresses of contact points and immediate assistance and guidance online at www.gewaltinfo.at





Court assistance (Prozessbegleitung)

Becoming a victim of violence, especially sexual violence, is a horrible experience for all human beings, most especially for children and adolescents. In addition the decision whether to talk to others about the event and to press charges against the perpetrator must be made – which is often an enormous mental strain.

Victims wish to experience justice and expect to improve their situation through pressing charges, but the knowledge of the judicial system is often very scary. These situations are barely manageable without proper

professional assistance.

Numerous specialized judicial and psychosocial court assistants are ready to support victims of violence. Victims of violence have a legal right to court assistance from pressing charges to completing a trial. Psychosocial court assistants are specifically trained to assist individual victim groups such as children, adolescents or women.

TIP! More information and addresses are available online under www.gewaltinfo.at

14. Family Departments in the Federal States

The financial benefits and other opportunities for support that have been mentioned above are services of the Federal Government, and are granted throughout Austria according to uniform federal regulation.

However, every Austrian state (Bundesland) is permitted by the constitution to pass its own state laws and subsidize benefits for families out of state funds.

Therefore one may also be eligible for certain other financial benefits in one's state, under certain conditions, such as benefits by a "Family Pass". The financial benefits and conditions for eligibility differ from state to state because they are subject to individual state regulations.

Ask your local state government about your rights; you can find their addresses and phone numbers in the following list.

Burgenland

Amt der Burgenländischen Landesregierung
Familienreferat
7000 Eisenstadt, Landhaus Neu - Europaplatz 1

Telephone: +43 - (0)57 / 600

E-Mail: post.familie-konsumentenschutz@bglld.gv.at

Website: www.burgenland.at

Carinthia

Amt der Kärntner Landesregierung
Abt. 4 Soziales und Gesellschaft
9021 Klagenfurt am Wörthersee, Mießtaler Str. 1

Telephone: +43 - (0)50 / 536 - 14502

E-Mail: Abt4.Post@ktn.gv.at

Website: www.ktn.gv.at

Lower Austria

Amt der Niederösterreichischen Landesregierung
Referat Generationen
3109 St. Pölten, Landhausplatz 1

Telephone: +43 - (0)2742 / 9005-1-9005

E-Mail: familien@noel.gv.at

Website: www.noel.gv.at

Upper Austria

Amt der Oberösterreichischen Landesregierung
Direktion Bildung und Gesellschaft – Familienreferat
4021 Linz, Bahnhofplatz 1

Telephone: +43 - (0)732 / 7720 – 11831

E-Mail: familienreferat@ooe.gv.at

Website: www.land-oberoesterreich.gv.at

Tyrol

Amt der Tiroler Landesregierung
Abteilung JUFF – Fachbereich Familie
6020 Innsbruck, Michael-Gaismair-Straße 1

Telephone: +43- (0)512 / 508 – 3572

E-Mail: juff.familie@tirol.gv.at

Website: www.tirol.gv.at

Salzburg

Amt der Salzburger Landesregierung
Referat für Kinderbetreuung, Elementarbildung und Familien
5020 Salzburg, Gstättengasse 10

Telephone: +43 (0)662 / 8042 - 5421

E-Mail: kinder-familie@salzburg.gv.at

Website: www.salzburg.gv.at

Vorarlberg

Amt der Vorarlberger Landesregierung
Jugend und Familie
6901 Bregenz, Landhaus, Klostergasse 20

Telephone: +43 – (0)5574 / 511 – 24 105

E-Mail: familie@vorarlberg.at

Website: www.vorarlberg.at

Styria

Amt der Steiermärkischen Landesregierung
Referat Familie und Erwachsenenbildung
8010 Graz, Karmeliterplatz 2

Telephone: +43 -(0)316/877-4023

E-Mail: familie@stmk.gv.at

Website: www.zweiundmehr.at

Vienna

MAG 11 - Servicestelle
1030 Wien, Rüdengasse 11
(or at the office for Youth and Family in your district of residence)

Telephone: +43 (0)1 / 4000 – 8011

E-Mail: post@mag11.wien.gv.at

Website: www.wien.gv.at



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