



ESPN Thematic Report on Retirement regimes for workers in arduous or hazardous jobs

Austria

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Marcel Fink
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Contact: Emanuela TASSA

E-mail: Emanuela.TASSA@ec.europa.eu

*European Commission
B-1049 Brussels*

European Social Policy Network (ESPN)

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hazardous jobs**

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Summary/Highlights

Workers in arduous and/or hazardous jobs (WAHJ) are recognised in Austrian legislation, and within the statutory pension scheme there are special pension schemes for professions of this type. At the same time WAHJ, as a specific target group, have not been in the focus of reforms and/or reform debates in Austria in recent years.

There has been much more emphasis on a general tightening of access to different early retirement schemes, and on making these schemes less generous by introducing and/or increasing deductions for every year/month of early retirement. However, WAHJ were partly – under specific circumstances and as a transitional arrangement – exempt from these reforms (especially regarding ‘early retirement subject to very long insurance periods’ (*Langzeitversichertenregelung*; so-called *Hacklerregelung*)).

A second focal point has been a reform of invalidity pensions. Here, ‘temporary invalidity pension’ (from which, in the past, there was a large inflow into permanent invalidity pension) was replaced by two new benefits – ‘rehabilitation benefit’ (*Rehabilitationsgeld*) and ‘re-training benefit’ (*Umschulungsgeld*) – for benefit applicants born after 31 December 1963. This reform pursues the goals of reducing the flow into permanent invalidity pension, increasing the effective retirement age and raising active labour market participation. The reform is not specifically targeted at WAHJ, but ‘rehabilitation benefit’, ‘re-training benefit’ and the related social services and measures are, in principle, also available to them.

At the same time, two specific early retirement schemes continue to exist for WAHJ. However, in terms of numbers, both of these are rather insignificant.

This particularly holds true of the ‘special retirement pension for those who worked heavy night work’ (so-called *Sonderruhegeld*), introduced in 1981, which had only 1,566 recipients in December 2015.

The so-called ‘heavy labour pension’ (*Schwerarbeitspension*), which came into effect on 1 January 2007, is of more importance: there has been an increase in the number of benefit recipients from 1,299 in December 2008 to 10,860 in March 2016. This increase is likely to be the result of tightened access to other forms of early retirement, which used to offer more generous benefits. In other words: fairly large numbers of WAHJ used to retire via ‘general’ schemes of early retirement. The most important pathway was probably the *Langzeitversichertenregelung/Hacklerregelung* mentioned above.

However, this pathway is gradually becoming closed off. So far it is unclear what the effects will be for WAHJ in the broader sense, as there is no solid evidence on the share of WAHJ that will be able to meet the requirements for schemes specifically targeted at WAHJ in the future.

Interestingly, this and related questions are not high on the political agenda in Austria. The ‘unspoken consensus’ appears to be to ‘wait and see’, and to trust in positive effects in the context of the reform of invalidity pensions.

1 Overall description of the policy mix targeted at workers in arduous or hazardous jobs

The Austrian statutory pension system has been subject to several reforms since the early 2000s. One of the aims of these reforms has been to increase the effective retirement age, but without changing the existing rules concerning the statutory retirement age for normal old-age pensions.

Within these reforms, specific forms of early retirement were abolished, and the rules governing access to the remaining early retirement schemes were gradually tightened. Early retirement due to 'reduced capacity to work' and 'on account of unemployment' was abolished under the reforms of 2000 and 2003. Regarding 'early retirement on account of long-term insurance contributions' (*Vorzeitige Alterspension bei langer Versicherungsdauer*), as part of the 2003 reform the minimum retirement age is gradually being brought into line with the normal statutory retirement age (by 2017). Regarding another form of early retirement – 'pensions subject to very long insurance periods' (*Langzeitversichertenregelung*; the so-called *Hacklerregelung*) – access has repeatedly been tightened over recent years (Fink 2016: 54). The same applies to invalidity pensions. The most important single reform measure in this area has been the one replacing 'temporary invalidity pension' (from which, in the past, there was a large inflow into permanent invalidity pension) with two new benefits – namely 'rehabilitation benefit' (*Rehabilitationsgeld*) and 're-training benefit' (*Umschulungsgeld*) – for benefit applicants born after 31 December 1963. This reform pursues the goals of reducing the flow into permanent invalidity pension, increasing the effective retirement age and raising active labour market participation.¹ 'Rehabilitation benefit', 're-training benefit' and the related social services and measures are not specifically targeted at workers in arduous or hazardous jobs (WAHJ), but they are, in principle, also available to them.

At the same time, specific regulations remain for WAHJ via two different schemes of early retirement. The first is the 'heavy labour pension' (*Schwerarbeitspension*), effective as from 1 January 2007. A modified version of this programme exists within the *Langzeitversichertenregelung/Hacklerregelung* scheme, in the form of specific regulations for persons with a record of 'heavy labour' (so-called *Hacklerregelung-Schwerarbeit*). These options are intended to mitigate potential problems arising from the above-mentioned tightening of access to other schemes of early retirement.

The second instrument is 'special retirement pension for those who worked heavy night work' (so-called *Sonderruhegeld*), under the Act on Heavy Night Work 1981 (*Nachtschwerarbeitsgesetz*).²

Regarding 'heavy labour pension' a specific by-law (the so-called *Schwerarbeitsverordnung*)³ defines heavy labour. According to this by-law, heavy labour is defined as activities carried out under conditions that are particularly stressful either physically or mentally – such as work performed:

- in shifts or with variable working hours (*Wechseldienst*), if night work amounts to at least six hours between 10pm and 6am for at least six days in the calendar month, or
- regularly in hot conditions, defined as a situation where the person is exposed to temperatures of 30 degrees Celsius or more, and relative air humidity of

¹ To reach this goal, substantial additional funds were made available for re-training measures and medical rehabilitation.

² BGBl. Nr. 354/1981 i.d.F. BGBl. I Nr. 87/2013; see:

<https://www.ris.bka.gv.at/GeltendeFassung.wxe?Abfrage=Bundesnormen&Gesetzesnummer=10008502>

³ BGBl. II Nr. 104/2006 i.d.F. BGBl. II Nr. 201/2013; see:

<https://www.ris.bka.gv.at/GeltendeFassung.wxe?Abfrage=Bundesnormen&Gesetzesnummer=20004642&ShowPrintPreview=True>

50%, with airflow velocity of 0.1 metre per second or less (e.g. blast furnaces, foundries and glassworks),⁴ or

- regularly in cold conditions and in walk-in cold rooms, where the room temperature is lower than minus 21°C or if frequent change between such cold rooms and other work areas is required,⁵ or
- under chemical or physical exposure, if this has resulted in a reduction in earning capacity of at least 10%, and especially:⁶
 - if using work equipment, machinery and vehicles that cause harmful vibration, or
 - if respirators must be worn either regularly or for at least four hours of the working time (or diving equipment for two hours), or
 - in case of permanent harmful exposure to inhaled pollutants that can cause occupational diseases (as defined under the General Social Insurance Act (ASVG)); also
- heavy physical work, defined as work-related consumption of at least 2,000 kilocalories (8,374 kilojoules) for men or at least 1,400 kilocalories (5,862 kilojoules) for women in an 8-hour working period (for a list of professions, see footnote 7),
- in professional care of sick or disabled people with special treatment or care needs (e.g. in hospice or palliative care),
- work performed despite reduced earning capacity of at least 80% (according to the Act on the Employment of People with Disabilities (*Behinderteneinstellungsgesetz*)), if the person was entitled to long-term care allowance (*Pflegegeld*) of at least level 3 after 30 June 1993.

Furthermore, work for which special insurance contributions are paid according to the Act on Heavy Night Work (see below) also counts as heavy labour. The same holds true of work for which a surcharge must be paid to the Construction Workers Leave and Severance Pay Fund (*Bauarbeiter-Urlaubs- und Abfertigungskasse* (BUAK)).

Regarding heavy physical work (defined according to work-related consumption of kilocalories; see above), a list is published of more than 150 professions regarded as 'heavy labour' for men and/or women.⁷

So, overall, a rather complex system exists in Austria to define 'heavy labour', as relevant for the 'heavy labour pension' (*Schwerarbeitspension*).⁸

The regulations regarding the 'special retirement pension' (*Sonderruhegeld*) under the Act on Heavy Night Work are partly the same as in the *Schwerarbeitsverordnung*. Heavy night work covers, for example, night work during which a person is exposed to heat, cold, pollutants, loud noise, etc. (as under the *Schwerarbeitsverordnung*; see above). However, the rules on *Sonderruhegeld* specify additional concrete forms of night labour, defined as 'heavy night work'. These are, for example, jobs in mining or, under certain conditions, computer work (for details, see Pensionsversicherungsanstalt 2016a). For heavy night work, the employer must pay a surcharge on the social insurance contributions, amounting to 3.4% of the contribution base.

⁴ Definition according to the Act on Heavy Night Work (*Nachtschwerarbeitsgesetz*).

⁵ Definition according to the Act on Heavy Night Work (*Nachtschwerarbeitsgesetz*).

⁶ Definition according to the Act on Heavy Night Work (*Nachtschwerarbeitsgesetz*).

⁷ See

<https://www.sozialversicherung.at/portal27/portal/esvportal/content/contentWindow?contentid=10008.555254&action=b&cacheability=PAGE&version=1450691968>

⁸ For more detail, see the 'questions and answers catalogue' of the Austrian Health Insurance Providers on the *Schwerarbeitsverordnung*:

<https://www.sozialversicherung.at/portal27/portal/esvportal/content/contentWindow?contentid=10008.555062&action=b&cacheability=PAGE&version=1400155859>

2 Pension rules for workers in arduous or hazardous jobs

Both the 'heavy labour pension' (*Schwerarbeitspension*) and the 'special retirement pension for those who worked heavy night work' (*Sonderruhegeld*) are part of the first pillar of the statutory old-age pension insurance. No major specific regulations exist for WAHJ in the second pillar (occupational pensions) or the third pillar (publicly subsidised private pensions).

For access to the 'heavy labour pension' (*Schwerarbeitspension*), the following requirements must be met:

- a minimum age of 60 years;
- at least 540 months of insurance (45 years); and
- 120 months (10 years) of heavy labour within the last 240 months (20 years).

Given the regulations on statutory retirement age *Schwerarbeitspension* is currently only available to men. This is because the statutory retirement age for women is currently 60 years, which means that they have access to normal old-age pension at this age. Only from 2024 will the statutory retirement age of women be incrementally increased to meet the retirement age for men (reaching 65 years, i.e. the statutory retirement age for men⁹, in 2033).

Heavy labour pension is subject to deductions, whereby the calculated pension benefit is reduced for every month of early retirement, i.e. for every month of retirement until the statutory retirement age is reached.

For persons born before 1 January 1955, the deduction is 0.35% for every month of early retirement (=4.2% per year of early retirement). However, the maximum deduction may not exceed 13.8% of the original benefit.

For persons born on 1 January 1955 or later, the deduction is set at 0.15% of the benefit per month, or 1.8% per year. So if a person retires on the 60th birthday, the deduction is 9% of the original benefit.

Apart from these deductions, the benefit formula for *Schwerarbeitspension* is basically the same as for other 'normal' old-age pensions.¹⁰ The same is true of the funding of the scheme (a mix of social insurance contributions and resources from the tax-financed federal budget).

Special regulations continue to exist for persons who performed 'heavy labour' (according to the definition given in the 'by-law on heavy labour') within the *Langzeitversichertenregelung/Hacklerregelung* scheme. As mentioned above, access to this early retirement scheme has been gradually tightened in recent years. Among other things, the minimum age for the *Langzeitversichertenregelung/Hacklerregelung* scheme was raised by two years from 2014, i.e. from 60 to 62 for men and from 55 to 57 for women. Furthermore, from 2014 the entry age for women born after 1 January 1959 is being gradually raised to 62 years (this will be in place by 2027). However, an exemption from this increase in the minimum retirement age has been put in place for women and men who have performed arduous work during 10 of the last 20 years (*Hacklerregelung–Schwerarbeit*). For access to this form of early retirement, women must have 480 contributory months, and men 540 contributory months. The calculated pension benefit is reduced by 0.15% for every month of early retirement, i.e. by 1.8% per year. This exemption from the increase in the minimum retirement age for people who performed 'heavy labour' will eventually expire, as it is restricted to men born before 31 December 1958 and to women born before 31 December 1963.

⁹ According to current plans, men's statutory retirement age is not being increased.

¹⁰ For more detail, see:

<http://www.pensionsversicherung.at/portal27/portal/pvportal/content/contentWindow?contentid=10007.707675&action=2&viewmode=content> and <http://www.pensionsversicherung.at/portal27/portal/pvportal/content/contentWindow?contentid=10007.707593&action=2&viewmode=content>

For access to the 'special retirement pension for those who worked heavy night work' (*Sonderruhegeld*), the following requirements must be met:

- a minimum age of 57 years for men and 52 years for women;
- 240 months (20 years) of insurance under the Act on Heavy Night Work; or
- 180 months (15 years) of insurance under the Act on Heavy Night Work within the last 360 months (30 years).

The *Sonderruhegeld* is also subject to deductions. These amount to 0.35% for every month of early retirement (=4.2% per year of early retirement). However, again a maximum ceiling applies, as the total deduction from the original benefit calculated may not exceed 13.8%. *Sonderruhegeld* is calculated according to the same benefit formula as normal old-age pensions and invalidity pensions. Financing comes from social insurance contributions (including the special additional contributions to be paid by employers for 'heavy night work'), and, to a lesser extent, from the tax-financed federal budget.

It should be stressed that those who receive *Schwerarbeitspension*, a pension under the *Hacklerregelung–Schwerarbeit* scheme or *Sonderruhegeld* may not at the same time be covered by compulsory insurance due to employment, or have earnings from employment above the lower earnings limit for social insurance (currently EUR 415.72 per month).

Within the different schemes, the rules are the same for all WAHJ, as defined within the *Schwerarbeitsverordnung* and the Act on Heavy Night Work. In other words, within the different schemes, no distinction is drawn between different categories of professions.

3 Retirement patterns and retirement income of workers in arduous or hazardous jobs

In the Austrian case, it is rather unclear what pathways the WAHJ typically use to transit from the labour market into retirement. We only know the number of beneficiaries in the schemes that specifically target the WAHJ. At the same time, no more detailed data are available on the number of people who would theoretically have access to one of these early retirement schemes, but who remain in employment or receive another (possibly more generous¹¹) benefit. Furthermore, no data are readily available on the number of older WAHJ who do not meet the minimum insurance records of 'heavy work' or 'heavy night work' necessary to access one of the early retirement schemes specifically designed for WAHJ.

For *Schwerarbeitspension* and *Sonderruhegeld* data are available on:

- the number of recipients of benefits from the different early retirement schemes,
- the average retirement age within these schemes, and
- the level of average benefits granted by these schemes.¹²

¹¹ This probably applied in the past, when many opted for early retirement via 'normal' *Langzeitversichertenregelung/Hacklerregelung*, where no deductions applied until 2014. Here, deductions now amount to 0.35% per month or 4.2% per year of early retirement, up to a maximum of 15% of the benefit originally calculated. This means that the deductions in schemes specially dedicated to the WAHJ are now lower.

¹² No data are publicly available regarding indicators like the actual net replacement rate and net pension wealth.

No specific data are readily available for *Hacklerregelung–Schwerarbeit*, as these cases are not usually separated from ‘normal’ early retirement under *Langzeitversichertenregelung/Hacklerregelung*.

The number of pensioners receiving *Schwerarbeitspension* has increased from 1,299 in December 2008 to 10,860 in March 2016. More precisely, the number of benefit recipients developed as follows:

- December 2008: 1,299
- December 2009: 1,828
- December 2010: 2,395
- December 2011: 3,227
- December 2012: 3,732
- December 2013: 4,482
- December 2014: 6,600
- December 2015: 7,405
- April 2016: 10,860.¹³

Clearly, it is particularly in the last three years that the number of recipients has accelerated. This is probably a result of the fact that access to early retirement via *Langzeitversichertenregelung/Hacklerregelung* has been tightened considerably and deductions have been introduced (see above). The number of recipients who use this scheme decreased from 90,522 in December 2013 to 67,364 in December 2015, and still further to 62,865 in April 2016. It appears that some of those who would have been covered by (or would have opted for) the *Hacklerregelung* before the reforms now apply for *Schwerarbeitspension*.

The average gross pension benefit from *Schwerarbeitspension* increased from EUR 1,307 in December 2007 to EUR 1,829 in April 2016. In more detail, the average gross monthly *Schwerarbeitspension* developed as follows (for comparison, the normal old-age pension is shown in brackets):

- December 2007: EUR 1,307 (EUR 965)
- December 2008: EUR 1,432 (EUR 1,029)
- December 2009: EUR 1,488 (EUR 1,040)
- December 2010: EUR 1,555 (EUR 1,030)
- December 2011: EUR 1,588 (EUR 1,053)
- December 2012: EUR 1,638 (EUR 1,098)
- December 2013: EUR 1,685 (EUR 1,132)
- December 2014: EUR 1,759 (EUR 1,163)
- December 2015: EUR 1,810 (EUR 1,194)
- April 2016: EUR 1,829 (EUR 1,249).¹⁴

The average *Schwerarbeitspension* was 35% higher than the average of all old-age pensions in 2007 and 46% higher in 2016.¹⁵ This is, of course, partly a result of the

¹³ Source: Hauptverband der Österreichischen Sozialversicherungsträger.

¹⁴ Source: Hauptverband der Österreichischen Sozialversicherungsträger.

¹⁵ The average gross pension for heavy labour pensions (old-age pensions) developed as follows:

- December 2007: EUR 1,307 (EUR 965)
- December 2008: EUR 1,432 (EUR 1,029)
- December 2009: EUR 1,488 (EUR 1,040)
- December 2010: EUR 1,555 (EUR 1,030)

fact that up until now only men have had access to the heavy labour pension.¹⁶ However, the average *Schwerarbeitspension* is also higher than the average for all old-age pensions granted to men (ca. EUR 1,550 in December 2015).

The average pension entry age for men claiming *Schwerarbeitspension* was stable (at around 60.6 years) from 2007 to 2014, whereas the average pension entry age for men claiming old-age pensions increased from 62.7 years in 2007 to 63.2 in 2014. In more detail, the entry age for men claiming *Schwerarbeitspension* developed as follows (for comparison, the entry age of men claiming old-age pensions is shown in brackets):

- 2007: 60.6 (62.7)
- 2008: 60.7 (62.6)
- 2009: 60.7 (62.5)
- 2010: 60.5 (62.5)
- 2011: 60.5 (62.6)
- 2012: 60.5 (62.9)
- 2013: 60.6 (62.8)
- 2014: 60.5 (63.2).¹⁷

The number of pensioners receiving 'special retirement pension for those who worked heavy night work' (*Sonderruhegeld*) increased from 1,211 in December 2003 to 1,566 in December 2015. This number has been largely stable since 2009/2010. In more detail, the number of recipients of *Sonderruhegeld* developed as follows:

- December 2003: 1,211
- December 2004: 1,297
- December 2005: 1,446
- December 2006: 1,490
- December 2007: 1,487
- December 2008: 1,445
- December 2009: 1,499
- December 2010: 1,497
- December 2011: 1,502
- December 2012: 1,471
- December 2013: 1,440
- December 2014: 1,467
- December 2015: 1,566.¹⁸

-
- December 2011: EUR 1,588 (EUR 1,053)
 - December 2012: EUR 1,638 (EUR 1,098)
 - December 2013: EUR 1,685 (EUR 1,132)
 - December 2014: EUR 1,759 (EUR 1,163)
 - December 2015: EUR 1,810 (EUR 1,194)
 - April 2016: EUR 1,829 (EUR 1,249). (Source: Hauptverband der Österreichischen Sozialversicherungsträger)

¹⁶ The statutory retirement age for women is currently 60 years, which means that they have access to normal old-age pension at the minimum age that applies for heavy labour pension (60 years). Only from 2024 will the statutory retirement age for women gradually increase to the level for men (reaching 65 years in 2033).

¹⁷ Source: Hauptverband der Österreichischen Sozialversicherungsträger.

¹⁸ Source: Hauptverband der Österreichischen Sozialversicherungsträger.

So overall, in terms of benefit recipients, this scheme is of only minor significance. Furthermore, very few women receive *Sonderruhegeld* – just ten female benefit recipients in December 2015.

Average monthly gross *Sonderruhegeld* was EUR 1,636 in 2003 and EUR 2,170 in 2015. In more detail, the average gross monthly level of *Sonderruhegeld* developed as follows:

- December 2003: EUR 1,636
- December 2004: EUR 1,631
- December 2005: EUR 1,652
- December 2006: EUR 1,662
- December 2007: EUR 1,696
- December 2008: EUR 1,802
- December 2009: EUR 1,807
- December 2010: EUR 1,857
- December 2011: EUR 1,901
- December 2012: EUR 1,970
- December 2013: EUR 2,019
- December 2014: EUR 2,095
- December 2015: EUR 2,170.¹⁹

These amounts are somewhat higher than the average benefits of 'heavy labour pensions' and they considerably exceed the level of the average for all old-age pensions granted to men (see above). Data on the retirement age of persons granted *Sonderruhegeld* are not published regularly. It is rather unlikely that the number of benefit recipients of this scheme will increase considerably: just 20,384 persons were insured under this scheme in December 2015.²⁰

With the pension harmonisation reform, general early retirement schemes are being phased out gradually or are being replaced by the corridor pension scheme, which comes with substantial deductions (5.1% per year) – and with no maximum set for these deductions. Therefore, the number of those drawing *Schwerarbeitspension* can be expected to increase further in future, as the possibility of retiring under other early retirement schemes diminishes or becomes less favourable.

In recent years there have been no major reforms of the benefit schemes and other services that specifically target WAHJ. Nor has there been much debate on reforms. The focus of reform measures has been much more on a general tightening of access to early retirement and invalidity pensions.

¹⁹ Source: Hauptverband der Österreichischen Sozialversicherungsträger.

²⁰ Source: Hauptverband der Österreichischen Sozialversicherungsträger.

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