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**Rechnungshof
Österreich**

Unabhängig und objektiv für Sie.

Secondary employment and outside activities

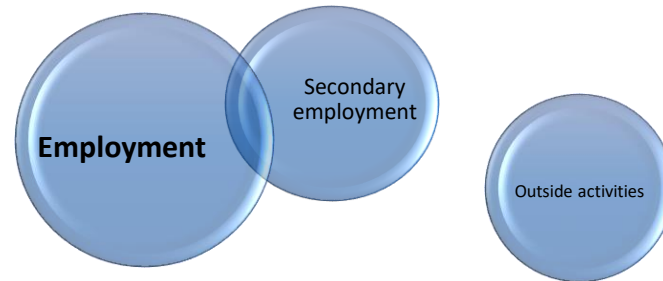


Baseline

- Austria is a federal state
- Public sector: civil servants vs. contract staff
- Secondary employment
 - activities for the public sector in another sphere of activity
→ additional work for the same employer
- Outside activities
 - any employment outside of their employment relationship and any secondary employment



https://d-maps.com/carte.php?num_car=17743&lang=en



Audit process

- Audited entities:
 - 3 ministries (Ministry of Finance, Ministry of Climate Protection, Ministry of Civil Service)
 - 2 federal states (Burgenland and Upper Austria)
 - Seperate laws for ministries and each federal state, for civil servants and contract staff → 11 different laws
 - Submitted overviews of 7065 employments and activities
 - Anonymized, risk-oriented sample: 479 secondary activities and 570 secondary employments of 295 employees

Strategy, Organisation

- Not all staff groups (especially contract staff) are covered equally
- Lack of overview
- Issues in checking compatibility/compliance
- 36% (secondary employment) and 33% (outside activities) of the sample had serious deficiencies in documentation
- Different limits for a reservation of authorisation
- Governing functions in legal entities (e.g. supervisory board mandates) are not uniformly regulated

Audit process – Commercial Register

- The Commercial Register contains the name of functions holders within registered companies
- The ACA compared the staffing levels of the audited entities with the Commercial Register
- GDPR → Hashed-Linkage-method
- 105 employees had a function in the Commercial Register that was not included in the overviews of the audited entities submitted to the ACA

Central recommendations

- Uniform approach → standardization of the legal basis
- All employment should be recorded centrally and fully automated
- All outside activities and the substantive assessments of admissibility – by the responsible authority or personnel department – should be documented
- The current status of outside activities should be regularly and systematically requested from employees by the service authorities or personnel departments

Central recommendations

- Before paying remuneration – whose amount depends on whether the work was performed during off-duty or working hours – it would be necessary to determine whether the work was performed during those hours
- Secondary activities should only be assigned if the time compatibility with the main professional activity is guaranteed (management positions and reported secondary employment)

Incompatibility and Transparency Act

Members of the state government were represented on the supervisory boards of state-owned companies

Special requirements:

- stock corporations and companies operating in the banking, trade, industry or transport sectors:
 - the state has to hold a stake in the company,
 - the state government has to declare that this is in the interest of the state,
 - the state parliament has to approve of the function and
 - it has to be without additional remuneration



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Thank you for your attention

#youcancountonus

www.rechnungshof.gv.at

guld@rechnungshof.gv.at

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