

No. 8512

**AUSTRIA
and
YUGOSLAVIA**

**Agreement concerning the regulation of employment of
Yugoslav workers in Austria (with annexes). Signed at
Vienna, on 19 November 1965**

Official texts: German and Serbo-Croat.

Registered by Austria on 9 January 1967.

**AUTRICHE
et
YUGOSLAVIE**

**Accord réglementant l'emploi de travailleurs yougoslaves
en Autriche (avec annexes). Signé à Vienne, le 19 no-
vembre 1965**

Textes officiels allemand et serbo-croate.

Enregistré par l'Autriche le 9 janvier 1967.

[TRANSLATION — TRADUCTION]

No. 8512. AGREEMENT¹ BETWEEN THE REPUBLIC OF AUSTRIA AND THE SOCIALIST FEDERAL REPUBLIC OF YUGOSLAVIA CONCERNING THE REGULATION OF EMPLOYMENT OF YUGOSLAV WORKERS IN AUSTRIA. SIGNED AT VIENNA, ON 19 NOVEMBER 1965

The Federal Government of the Republic of Austria and the Government of the Socialist Federal Republic of Yugoslavia,

Desiring, in the interests of both countries, to regulate the employment of Yugoslav workers in Austria, and

Considering that the authorities of the two countries should be given guidelines for the implementation of their intention,

Have for this purpose decided to conclude an agreement in the following terms :

Article 1

1. The Austrian Federal Ministry of Social Affairs (hereinafter called the Social Ministry) or its authorized agents shall transmit to the Federal Employment Bureau of Yugoslavia (hereinafter called the Federal Bureau) offers by Austrian employers for the employment of Yugoslav workers in Austria.

2. The offers referred to in paragraph 1 shall contain at least the following particulars : place of employment, name of employer, nature and duration of the specified employment, qualifications required and working conditions and wages.

Article 2

1. The recruitment of Yugoslav workers for employment in Austria shall be carried out by the Yugoslav employment service, which shall, according to its own procedure, make a selection from among the workers concerned in the light of the requirements of the situations offered. It shall arrange for the competent Yugoslav health service to carry out a medical examination of the workers and to issue a certificate in respect thereof according to the form set out in annex I.

¹ Came into force on 3 April 1966, the thirtieth day after the date of an exchange of notes indicating approval of the Agreement by the competent authorities of the Contracting Parties under their respective constitutional procedures, in accordance with article 17 (1).

2. Upon completion of the procedure aforesaid, the Federal Bureau shall notify the Social Ministry or its authorized agent when and where the Standing Commission to be established in pursuance of article 3 will carry out its work.

Article 3

1. An Austrian-Yugoslav Standing Commission shall be established. Not more than three members of this Commission shall be appointed by the Social Ministry or its authorized agents and not more than three members by the Federal Secretariat of Labour or its authorized agents.

2. The Commission shall determine whether the workers selected by the Yugoslav employment service meet the health and other requirements for the employment offered.

3. The Commission may for this purpose require that the workers be re-examined.

4. The final decision concerning which workers meet the requirements for the employment offered shall rest with the Commission.

5. The Commission shall, as required, meet at the places best suited for the performance of its functions.

6. The Federal Bureau shall ensure that premises and technical facilities are made available to the Commission for carrying out its work.

Article 4

1. Before his departure for Austria, the Yugoslav worker shall be given, as confirmation of the employment relationship which has been established and of the conditions of employment, and for the purpose of being signed by him, copies of the contract of employment drawn up according to the form set out in annex II and signed by the employer or his authorized agent.

2. The contract of employment shall be prepared in three copies in the German and Serbo-Croat languages, one copy to be given to the worker, one to the employer and one to the Yugoslav employment service.

3. The worker shall at the same time be given a certificate assuring him of the issuance of a work permit in Austria. The contract of employment may not be concluded for a period extending beyond the period of validity of the work permit.

Article 5

The competent authorities of the two Contracting States shall, in accordance with their domestic legislation, issue travel documents and visas that are valid at least during the period for which the contract of employment has been concluded.

Article 6

1. The Austrian component of the Standing Commission shall, on behalf of the employer, assume the travel costs of the Yugoslav workers from their place of residence in Yugoslavia to the place of employment in Austria, the payment of a cash sum for food commensurate with the length of the journey, the cost of the necessary medical examination and the cost of the Austrian visa, none of which costs may be deducted by the employer from the workers' wages.

2. The Standing Commission may by agreement establish a lump sum for the costs specified in paragraph 1.

3. Assumption by the employer of the return travel costs shall be subject to an agreement between the employer and the worker.

Article 7

The Social Ministry or its authorized agents may also transmit offers from Austrian employers to the Federal Bureau which relate to workers designated by name. These offers may include persons who are members of the families of workers already employed and persons who were previously employed by the same employer. The employment of these workers shall also be carried out according to the procedure provided for in this Agreement.

Article 8

The travel of Yugoslav workers to Austria shall be organized by the Austrian component of the Standing Commission after consultation with the Federal Bureau or the recruitment agency designated by it.

Article 9

1. The Yugoslav workers shall be entitled to all rights deriving from the employment relationship in the same way as Austrian workers.

2. The Yugoslav workers shall be entitled to the same rights and to the same protection as Austrian workers with regard to the application of the provisions of law on industrial safety and health protection, freedom of association and the organization of cultural and recreational activities.

3. The Yugoslav workers shall, in the event of labour disputes, have access to the competent Austrian administrative authorities on the same conditions as Austrian workers; they shall also, as provided in the agreements in force between the Contracting States, have access to the Austrian courts.