

Financing adult learning database

Name of the instrument - Local language	Ausbildungskostenrückerersatz
Name of the instrument - English translation	Training costs refund
Country	 Austria
Type of instrument	Payback clause
Type of entry	Single instrument

Short description	Employers and employees can agree on a payback clause. In compensation for employer-provided/financed training, employees commit themselves to stay in the company for an agreed period. According to the Labour Code, the retention period must not exceed 5 years (8 years in specific cases, e.g. very costly training, such as pilot-training). Upon employee's voluntary termination of employment contract before the agreed period, the employer may recover (part of) training costs.
Short description of the related instruments	nap

Level of operation	National
Name of a part of the country	nap
Name of the region (for regional instruments)	nap
Name of the sector (for sectoral instruments)	nap
Relevance	Key scheme
Legal basis	§ 2d AVRAG (Arbeitsvertragsrechts-Anpassungsgesetz) (act on the adaptation of the law of labour contracts)
Year of implementation	2006

Operation/Management	<p>Federal government: enacting the law Chamber of Commerce: providing guidance</p> <p>The costs and duration of the training as well as the repayment obligation of the employee need to be agreed on (in written form) before training takes place. The payback clause becomes effective if employee voluntarily ends the working contract before the agreed binding period. The clause is also applicable when the worker is dismissed for misbehavior. In case of consensual termination, the payback clause is also applicable. No payback obligation is possible during the probationary period.</p>
Eligible group(s)	All employers, employees
Group(s) with preferential treatment	None
Education and training eligible	Training costs are only eligible for compensation if the training increases the earning power of an employee on the labour market. Firm-specific training is therefore excluded.
Source of financing and collection mechanism	Employer, employee
Financing formula and allocation mechanisms	The amount to be repayed decreases over time.
Volumes of funding	na
Beneficiaries/take up	na
Monitoring/evaluation reports available	na
Most relevant webpage - in English	na
Most relevant webpage - local language	https://www.wko.at/Content.Node/Service/Arbeitsrecht-und-Sozialrecht/Ar...
Sources	<p>Republik Österreich (2015) § 2d AVRAG (Arbeitsvertragsrechts-Anpassungsgesetz). Wien. Online: http://www.jusline.at/2d_Ausbildungskosten%C3%BCckersatz_AVI</p> <p>https://www.wko.at/Content.Node/Service/Arbeitsrecht-und-Sozialrecht/Ar...</p>