

Austria

Health monitoring of workers affected by restructuring

Phase	Health and Safety at Work Act (ASchG)
Native name	ArbeitnehmerInnenschutzgesetz (ASchG)
Type	Health monitoring of workers affected by restructuring
Added to database	08 May 2015
Access online	Click here to access online

Article

4, 5, 81

Description

According to general employee protection rules, the employer has to consult a specialised medical doctor on questions concerning health and safety, working conditions and design of work organisation. If needed, additional experts have to be consulted, for example in the case of (ASchG, [§81](#)):

- planning work places,
- acquiring or changing work equipment,
- introduction or change of work procedures and introduction of working material,
- job rotation, or
- regarding psychological issues related to work rhythm, working time or design of work places.

The results of such evaluations have to be summarised in written safety and health protection documents, to be made accessible to the works council in order to inform staff. The employer has to offer workers the opportunity to regularly undergo a health monitoring on demand of the worker.

The recent amendment to the ASchG is now intended to create the legal basis for supporting AMED through the use of occupational medical assistants (occupational medical assistants - AFA) without compromising the quality of care.

Commentary

The ASchG does not explicitly refer to cases of restructuring. However, the cases ([§81](#)) are defined in a broader sense and therefore can also be applicable for cases of restructuring (e.g. planning work places or job rotation is relevant for business expansions; the consequences of changes in work place design might be relevant in organisational restructuring).

Additional metadata

Cost covered by	Employer
Involved actors other than national government	Works council Other
Involvement (others)	Medical doctors, experts
Thresholds	Affected employees: No, applicable in all circumstances Company size: No, applicable in all circumstances Additional information: No, applicable in all circumstances

Sources

Citation

Eurofound (2015), Austria: Health monitoring of workers affected by restructuring, Restructuring legislation database, Dublin

Slovakia

Health monitoring of workers affected by restructuring

Phase	Act No. 355/2007 on public health protection, support and development and on changes and supplements to some laws
Native name	Zákon č. 355/2007 o ochrane, podpore a rozvoji verejného zdravia a o zmene a doplnení niektorých zákonov
Type	Health monitoring of workers affected by restructuring
Added to database	24 June 2015
Access online	Click here to access online

Article

30, 30e

Description

Employers are obliged to provide health services to check the health ability of their employees to perform the assigned job and the threat to employees' health linked to the performance of tasks in a job. Particular attention is paid to hazardous jobs with high levels of risk.

After the termination of employment relations, employees who performed jobs with high levels of risk can ask the employer for preventive health checks in relation to the job performed by them. This service is optional and the employee decides whether to undergo the preventive health check. However, if employees concerned ask the employer for the health check, he/she has to provide this service.

During a crisis situation declared in relation to the COVID-19 pandemic, employers are not obliged to provide these health services.

From 15th of September 2023 Slovak Government canceled crisis situation (related to Covid-19 pandemic), therefore employers are obliged to adhere to this legislation as it was

before the pandemic. The employers have 90 days to ensure this obligation is in effect.

Commentary

Jobs with high levels of risk are performed at workplaces where employees should be protected from impacts of health harming factors of working conditions (for example, radiation, heat or vibration) by organisational measures, technical means or personal protective means.

In covid pandemic, the employers were alleviated from certain regulations of 355/2001 c.c.. However, it should have not affected OSH. For example, Personal protection equipment(PPE) was mandatory without exception.

Additional metadata

Cost covered by	Employer
Involved actors other than national government	Other
Involvement (others)	Occupational health service in enterprises/companies
Thresholds	Affected employees: No, applicable in all circumstances Company size: No, applicable in all circumstances Additional information: No, applicable in all circumstances

Sources

Citation

Eurofound (2015), Slovakia: Health monitoring of workers affected by restructuring, Restructuring legislation database, Dublin

Sweden

Health monitoring of workers affected by restructuring

Phase	Provisions of the Swedish Work Environment Authority on Systematic Work Environment Management (AFS 2001:1)
Native name	Arbetsmiljöverkets föreskrifter (AFS 2001:1) om systematiskt miljöarbete
Type	Health monitoring of workers affected by restructuring
Added to database	08 May 2015
Access online	Click here to access online

Article

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Description

Employers must assess whether any planned restructuring entails risks of ill-health (including psycho-social health), or accidents which may need to be remedied.

The health of both redundant employees and those staying in the company must be monitored in accordance with the provisions.

The risk assessment shall be documented in writing and indicate what risks are present and whether or not they are serious.

The employer is obliged to carry out follow-ups of the performed risk assessment.

The employer shall give the employees, trade unions and safety delegates the possibility of participating in the systematic work environment management (including the aforementioned assessments in connection to the restructuring process).

Commentary

The Work Environment Authority has published [videos](#) explaining how to make risk assessments. Prevent, an organisation providing of knowledge and training in the field of Health and Safety owned jointly by the Confederation of Swedish Enterprise and The Swedish Trade Union Confederation, provides [templates and check lists](#).

Additional metadata

Cost covered by	Employer
Involved actors other than national government	Trade union Other
Involvement (others)	Safety delegates
Thresholds	Affected employees: No, applicable in all circumstances Company size: No, applicable in all circumstances Additional information: No, applicable in all circumstances

Sources

Citation

Eurofound (2015), Sweden: Health monitoring of workers affected by restructuring, Restructuring legislation database, Dublin