

Employment Brief: The first deadline from the Austrian Whistleblower Protection Act is fast approaching

22 June 2023

By 24 August 2023, companies in Austria with 250 or more employees must have established **internal reporting channels**. Key points for employers to consider are the following:

- Reporting channels may be operated internally or by a third party, and must be equipped with **adequate personnel and financial means**.
- These reporting channels must allow employees to report breaches of those **areas of law of high public interest** that are listed in the Whistleblower Protection Act, including environment protection, public health, data protection, money laundering, and bribery.
- **Anonymous reports** are allowed, but not required.
- Reporting channels must keep the identity of the whistleblower and the implicated party **confidential**.
- **Certain procedural requirements** (acknowledgement of the report, follow-ups, etc) apply.
- **Whistleblowers are protected against retaliation**. Instances of retaliation may be subject to administrative fines and damage claims. Certain measures, such as a retaliatory termination of the whistleblower, are void.
- In certain cases, employers may need to conclude a **shop agreement** with their works council.

Companies with a headcount between 50 and 249 employees have until 17 December 2023 to set up internal reporting channels.

Wolf Theiss

About Wolf Theiss

Wolf Theiss is one of the leading European law firms in Central, Eastern and South-Eastern Europe with a focus on international business law. With more than 360 lawyers in 13 countries, over 80% of the firm's work involves cross-border representation of international clients. Combining expertise in law and business, Wolf Theiss develops innovative solutions that integrate legal, financial and business know-how.

For more information, please contact:



Magdalena Ziembicka

Senior Associate

E magdalena.ziembicka@wolftheiss.com

T +43 1 51510 5293



Sign up

to receive our
latest updates
and insights