Time recording checklist for Austria – is everything in order?

As of: October 29, 2026 · This checklist refers to Austrian law.

- [ ] **1. All employees are recorded**
The recording duty covers all employees – including part-timers and marginal employees. Executives with significant independent decision-making powers are exempt.
Legal basis: § 1 Abs. 2 Z 7 AZG

- [ ] **2. Hours worked and breaks**
Record the hours worked with start and end, plus start and length of any averaging period. Breaks need not be recorded only if their timing is fixed by works or written individual agreement.
Legal basis: § 26 Abs. 1 und 5 AZG

- [ ] **3. Flexitime and home office**
With flexitime, employees may record their own hours – the employer instructs them and checks at the end of each period. Those who largely decide where and when they work, or mainly work from home, only record the daily duration.
Legal basis: § 26 Abs. 2 und 3 AZG

- [ ] **4. Respect maximum working hours**
Normal hours 8 per day and 40 per week. Including overtime at most 12 hours a day and 60 a week; no more than 48 hours on average over 17 weeks.
Legal basis: §§ 3 und 9 AZG

- [ ] **5. Take rest breaks**
At least 30 minutes for more than 6 hours of work. Splitting into 2 × 15 or 3 × 10 minutes is possible if it suits the employees or is operationally necessary.
Legal basis: § 11 AZG

- [ ] **6. Daily rest period**
At least 11 hours of uninterrupted rest after the end of the working day.
Legal basis: § 12 AZG

- [ ] **7. Weekend and holiday rest**
36 hours of weekend rest (from Saturday 1 pm) and holiday rest – work only within the exceptions of the Rest Periods Act.
Legal basis: §§ 3 und 7 ARG

- [ ] **8. Information for employees**
Employees are entitled to a free copy of their time records once a month if they demonstrably request it.
Legal basis: § 26 Abs. 8 AZG

- [ ] **9. Keep the records**
The Working Hours Act sets no period of its own. Recommendation: 7 years if the records are used for payroll; at least 3 years (limitation of pay claims).
Legal basis: § 1486 ABGB, § 132 BAO

☐ **10. Traceable corrections, own access**
Changes to recorded times are traceable (who, when, why). Employees can view their own times.
Legal basis: Art. 15 DSGVO

☐ **11. Involve the works council**
If there is a works council, an electronic system may need a works agreement depending on its design (control measures or personnel data systems).
Legal basis: §§ 96 Abs. 1 Z 3 und 96a ArbVG

☐ **12. Settle data protection**
Purpose, access rights and deletion periods are defined; a data processing agreement is in place with the provider.
Legal basis: Art. 5 und Art. 28 DSGVO

☐ **13. Avoid penalties**
Missing or deficient records are an administrative offence and can be fined per employee.
Legal basis: § 28 AZG

This checklist does not replace legal advice.

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