



PENSION REFORM AND EMPLOYEE'S RIGHTS

AUSTRIAN NATIONAL REPORT

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1. INTRODUCTION

This section of the “Austrian National Report” serves to present the four written contributions that were drawn up by the Austrian national team in the framework of the Resore project on the request of those responsible for the “Pension Reform and Employees’ Rights” research task.

- The first contribution, “Austrian Pension Systems” was drawn up in English at the end of 2002/early 2003. On the one hand it broadly describes the development of the Austrian pensions systems, with the focus on the statutory pension insurance system, since 1980, and on the other hand it summarises the debates regarding the changes in the Austrian pension system that were taking place at that time (2002/2003).
- The second contribution, “Nomenclature of the Austrian Pension Regime”, was written in English and French in summer 2003. The task was to collect and present in table form as much comparable information as possible on one field of the Austrian pension system (in this case the statutory pension insurance for employees) for a particular year (in this case for 2000) and above all data regarding “contributors and pensioners”, “financing”, “benefits”, “conditions of access” and “management”.
- The third contribution, “Austrian Pension Reforms: Actors and Contents (1980-2003)” was also written in 2003, but in German (including an English abstract). The aim of this contribution was to trace the reforms to the Austrian pension system since 1980 and above all to give a more precise picture of the contents and the actors of the most important reforms.
- The fourth contribution was written in English in early 2005. It is a “synthesis of the interviews on Austrian pension reforms”. The interviews are primarily of major interest with regard to two points: first, regarding the estimation of the influence of the EU level on Austrian pensions policy, and secondly with regard to the most recent developments: the so-called “Harmonisation 2004” a further important and far reaching reform of the Austrian pension system.

In conclusion there is an overall summary in which, also based on the interviews, the most essential points of the Austrian pension reforms from 1980 to 2004 are presented alongside the research questions of the research task “pension reform and employees’ rights”, namely: “changes in rights related to pension entitlements”, “shifts in the structure of financing pensions” and “main actors and discourses regarding pension reforms”.

2. THE AUSTRIAN PENSION SYSTEMS

2.1. The Austrian pension systems since 1980

Since the mid-1980s the development of the Austrian pension systems – especially the statutory pension insurance system – has been characterised by a continual limitation of access to benefits (e.g. through tightening eligibility criteria) and reductions of the level of benefits (e.g. changes in calculating the amount of pensions). As a countermove, improvements have taken place only in some individual areas – e.g., the introduction of child-care periods in pension insurance in 1993. Pension reforms were primarily set with a view to maintain “financial sustainability”, not in order to modernise and improve the Austrian pension systems.

With Austria’s access to the EU in 1995 social policies became completely subject to budgetary cutbacks. This led to a massive and above all unbelievably rapid dismantling of existing social standards and levels. Thus, in the context of the so-called “Structural Adjustment Acts 1995 and 1996” and the “Pension Reform of 1997” far-reaching measures regarding the Austrian pension systems were introduced. Although the 1995 “Structural Adjustment Act” was initially negotiated without the social partners, with the coming into office of the ÖVP¹/FPÖ² government in February 2000 a new social policies decision-making process was introduced in Austria. Thus, counter to the Austrian tradition the social partners – primarily the workers’ interest-group representatives – were not included in the negotiation of “Pension Reform of 2000” and in the context of the “Austrian Pension Strategies” their position papers were hardly taken into account.

Most Austrians obtain their retirement income from the *compulsory statutory pension insurance system* or the *special pension system for civil servants*. Austrian pension systems are mainly based on a person’s employment status and a person’s marital status. Thus, people who were active labour-market participants and insured throughout most of their working life or surviving married partners are entitled to retirement income from the Austrian pension systems. Since statutory insurance pensions and special pensions for civil servants will normally be sufficient to ensure an adequate standard of living, company and private pensions are of minor importance only.

2.1.1. The statutory pension insurance system

2.1.1.1. Organisational structure and legislation

The Austrian statutory pension insurance system has been developed over the last century in different phases. The still existing *organisational structure based on occupational groups* is an expression of this historical development. Therefore, the different social insurance institutions are: the pension insurance institution for blue-collar workers (since 1945), the pension insurance institution for with-collar workers (since 1907), the social insurance institution for the self-employed in trade or business, the social insurance institution for farmers, the social insurance institution of the Austrian railways, the social insurance institution of Austrian mining and the

¹ ÖVP: Österreichische Volkspartei = Austrian People’s Party (ideological orientation: conservative, Catholic, economically liberal).

² FPÖ: Freiheitliche Partei Österreichs = Freedom Party of Austria (right-wing extremist and populist orientated).

social insurance institution of Austrian notaries. Based on cost saving arguments the two major pension insurance institutions for blue- and white-collar workers were unified in 2002. But there are indications that one of the main reasons for the unification was the (political) appointment of new chairpersons (administrative bodies) by the Federal Minister of Social Security and Generation (FPÖ).

The above mentioned insurance institutions are – together with other insurance institutions (e.g. the general work accident insurance institution and the health insurance funds) – united in the umbrella organisation of the Federation of Austrian Social Security Institutions. Decentralised bodies composed of representatives of the social partners govern the individual social security institutions and the Federation of Austrian Social Security Institutions. These bodies have autonomy within the framework of legal provisions. Since October 2002, the Federation of Austrian Social Security Institutions has been obliged to work out target agreements for the “coordination of administrative actions of social security institutions”, which have to be endorsed by the Federal Minister of Social Security and Generation. A “controlling group”, established by the Federation and comprised of 9 members (including 5 government representatives), is to monitor the implementation of these agreements (monitoring). An additional “special management” team of two qualified senior Federation managers will be directly responsible to the controlling group. The Federation is to submit quarterly financial reports and cost/performance reports every six months to the Federal Minister of Social Security and Generation (reporting). These measures allow for far-reaching political intervention in the autonomy of social security institutions.

In addition to the organisational structure based on occupational groups, *different legal regulations* apply. Since 1955, the statutory pensions insurance for employees has been regulated by the General Social Insurance Act – with some special regulations for mining workers. Following the General Social Insurance Act, special laws for the statutory pension insurance for the self-employed in trade or business (Social Insurance Act for self-employed in trade or business), for the farmers (Farmers Social Insurance Act) and for the professional workers (Professional Workers Social Insurance Act – in 1978) were introduced. The Professional Workers Social Insurance Act covers a range of occupations such as doctors, lawyers, pharmacists, etc. With regard to the organisational structure these professional workers are classified as belonging to the self-employed in trade or business. And last but not least, also Austrian notaries have their own Notaryship Insurance Act. Although different regulations were harmonised over the last decades, there are still notable differences with regard to the financing of the pension system.

2.1.1.2. *Financing*

The statutory pension insurance system in Austria is primarily financed by the *contributions of the insured* (and the *contributions of their employers*) and a *federal contribution* (tax revenues), which essentially covers the gap between revenues and expenditure. The financing of the statutory pension insurance system is based on a *pay-as-you-go system*. The pension insurance contributions are different for different occupational groups, and contributions have to be paid only to a certain maximum level of gross monthly earnings (2001: €3.270 for employees and €3.764 for self-employed and farmers).³ Due to financing problems, contribution levels have been raised several times and the ceilings in insurable earnings have seen extraordinarily rises over the last years. Presently, the pension insurance contribution for employees (without mining) is 22.8% (1980: 20.5%), of which 10.25% is paid by the employee and 12.55 by the employer, and with regard to mining employers’ contributions even amount to 18.05%. Since 1988, however, there have been no new increases in contributions for employees. The

³ The so-called ceilings on insurable earnings are adjusted annually.

contributions for farmers and self-employed (in business or trade) were also raised between 1980 and 1988, but *Structural Adjustment Acts 1995 and 1996* and the Pension Reform of 2000 have brought about additional increases. Pension insurance contributions for self-employed (in business or trade) and the so-called “new self-employed”⁴ are currently 15% and for farmers 14.5%.

To simplify administration, all social security contributions are collected by the health insurance funds and then distributed to the relevant insurance or public institutions.

In 2001, altogether, about 77% of the expenditure of the statutory pension insurance system was financed through the contributions of the insured (and the contributions of their employers), only about 23% were financed from tax revenues (federal contribution). Due to different contribution rates and the unfavourable ratio of contributors to pensioners for the self-employed and farmers the proportion of tax-based financing differs according to occupational groups: for the employees the proportion was about 15%, for the self-employed (in trade or business) about 41% and for the farmers about 74% (Republik Österreich 2002:29). What is more, over the last ten years the federal contribution has decreased in relation to the GDP: in 1991 the federal contribution was about 2.85% of GDP and in 2001 only about 2.4% of GDP.

2.1.1.3. Pension benefits

The statutory insurance pension system (from 1956) provides a range of pension benefits: *old-age pensions, invalidity pensions, survivor’s pensions* and *the equalisation supplement*. Regarding old-age pensions, there are different types of benefits, some of which were introduced and some abolished over the last years. The following old-age pension benefits can be distinguished: standard old-age pension, early retirement pension due to long contributory service or due to unemployment or due to reduced working capacity (between 1993 and 2001) and old-age partial pension (since 1993).

In order to obtain pension benefits, claimants need to have reached the corresponding retirement age (old-age pensions), to be considered invalid (invalidity pension) or have lost their married partners (survivor’s pension). In addition, they need to have accumulated a minimum period of insurance coverage. Until the early 1980s the minimum insurance period for old-age pensions was 15 insurance years, for invalidity and survivor’s pensions 5 years. Younger invalids need less than 5 years, depending on their age and for victims of accidents at work no minimum insurance period is required.

Regarding *insurance periods*, two types of periods must be distinguished: *contributory periods* and *qualifying periods*. Qualifying periods are periods of war, military and community service, periods of having received unemployment or sickness benefit, periods of secondary school and university attendance (until 1988) and (between 1971 and 1993) periods in which parental leave benefits were received. The *Pension Reform of 1993* replaced the qualifying period during parental leave (up to two years per child, according to the duration of the parental leave benefit) by so-called childcare periods (up to four years per child, independent of entitlement to or having received parental leave benefit or not).

As of the *Pension Reform of 1988*, special contributions have to be paid if qualifying periods for secondary school and university attendance are to be counted for the calculation of the pension amount. Since the *Structural Adjustment Act of 1996* these qualifying periods are even only considered for the minimum insurance period if such contributions have been paid.

As of the *Pension Reform of 1993*, 15 contributory years or 15 insurance years (that means contributory and qualifying periods) within the past 30 years prior to retirement or 25 insurance

⁴ Since 1998, freelancers and related workers whose jobs do not require a trade or business licence have been subject to compulsory pension and health insurance.

years have to be accumulated to claim *standard old-age pension*. Currently, the *statutory retirement age* for a standard old-age pension is 60 years for women and 65 years for men. According to a ruling by the Constitutional Court in 1990, different retirement ages for women and men are not in accordance with the Austrian constitution. In response to this ruling, the Austrian government decided in 1992 to raise women's statutory retirement gradually to that of men, after having set a range of measures regarding labour legislation, equality legislation and social security laws in order to promote the factual equal treatment of women and men. Thus, from 2018, women's statutory retirement age will be gradually raised; and by 2033, the statutory retirement age is to be 65 for both men and women.

Until recently, women were able to claim *early retirement pensions* due to unemployment or due to long contributory service or old-age partial pensions from the age of 50 and men from the age of 55.⁵ In the course of the *Pension Reform of 2000*, the statutory retirement age for these early retirement pensions and partial old age pensions was gradually raised by 18 months to 56.5 years for women and 61.5 years for men.

Until 1996, 35 insurance years had to be accumulated to claim early retirement pension due to long contributory service or old-age partial pension and 15 insurance years to claim early retirement pension due to unemployment. In the course of the *Structural Adjustment Act of 1996*, the required number and the quality of the insurance years were changed. Thus, the required insurance period for early retirement pension due to long contributory services was gradually extended to 37.5 insurance years, while for partial old-age pension it was reduced to 25 insurance years. Claimants of early retirement pension due to unemployment now have to accumulate 20 insurance years – including a minimum of 15 contributory years – and must have received benefits under unemployment insurance for 52 weeks prior to the date of their retirement. What is more, with the *Structural Adjustment Act of 1996* the gender neutral statutory retirement age for early retirement pension due to reduced working capacity (introduced in 1993) was raised from 55 to 57 years for men, with 15 contributory years now required instead of 10 insurance years.

Following a ruling of the European Court,⁶ early retirement pension due to reduced working capacity was retroactively abolished from May 23, 2000. A measure introduced at the same time to some degree protects those claiming invalidity pension from having to change careers: employees aged 57 and over who due to ill health cannot continue to work in their present jobs but have worked in this field for more than 10 years within the past 15 years, are considered invalid. A reasonable change of occupation, however, can be expected (Mairhuber 2001:6).

Entitlement conditions for invalidity pension or the definition of invalidity varies depending on qualification or type of work: qualified workers who have worked in a job for at least the last 15 years are considered invalid if they are no longer able to pursue the vocation for which they have trained. Unskilled workers are considered invalid only if they are no longer able to engage in any gainful employment. In 1981 the definition of invalidity for unskilled workers from the age of 55 and over was harmonised with that of qualified workers. In the course of the *Pension Reform of 1993* this invalidity pension was transformed into the early retirement pension due to reduced working capacity.

Compared to most EU member states, Austria offers generous regulations governing eligibility to *survivors' pension*. In 1980 some restrictions were introduced for widows or widowers who were only married after the deceased's obtaining an old-age or invalidity pension and if the age difference between the spouses was very large. Until 1981, men were entitled to widowers'

⁵ Age limits for early retirement pensions will be harmonised in accordance with raised statutory retirement age for standard old-age pensions.

⁶ According to the ruling, different retirement ages for men and women are not in accordance with European Law.

pension only in some exceptional cases. In response to a ruling by the Constitutional Court, eligibility criteria were harmonised with those applicable for widows. As of the *Pension Reform of 1988*, surviving spouses who have completed their 35th year of age are entitled to survivors' pension until their death unless they enter into a new marriage. The age limit is not considered in cases where the surviving spouse is invalid, if a child was born during the marriage or if the widow is pregnant, or if the spouses were married for at least ten years.

The amount of pension is generally calculated on the basis of the insurable earnings, the duration of insurance and (since 1993) the age on the date of retirement. Since 1984, the average insurable earnings of the 10 insurance years before retirement and since the *Pension Reform of 1993* that of the "best" 15 years, have been used for calculating the amount of pension (so-called period of assessment). In the course of the *Pension Reform of 1997* the period of assessment for early retirement pensions was gradually raised to the "best" 18 insurance years, which will become effective between 2003 and 2020. These longer assessment periods have led to a reduction of the so-called assessment basis (average earnings during the period of assessment) and therefore to a reduction of the amount of pension. Childcare periods are credited on the basis of an uniform assessment basis (€421). Childcare periods are added cumulatively to any gainful employment which may have been pursued during the first years of the child's life. Thus, monthly pension rises by about the same amount for all mothers or fathers, independent of breaks in gainful employment.

Since the mid-1980s, the amount of the pension has been calculated using the total number of insurance years multiplied by a so-called increment factor. The maximum amount of pension is 80% of the assessment basis (i.e. 80% of the average insurable earnings during the "best" 15 or 18 insurance years). Since the *Pension Reform of 1988*, the increment factor for the first 30 insurance years was 1.9% of the assessment basis and 1.5% for the following insurance years. Thus, the amount of pension after 35 insurance years is 64.5% of the assessment basis and 80% after 45 insurance years. The *Pension Reform of 1993* introduced higher increment factors for persons who only retire at or after the statutory retirement age for standard old-age pension. Thus, the amount of the pension is already 80% of the basis of assessment for women at the age of 60 and men at the age of 65, provided that they have accumulated 40 insurance years.

In the course of the *Structural Adjustment Act 1996* the increment factors were reduced for retirees who have not accumulated 40 insurance years or claimants of early retirement pension or invalidity pension. These new regulations governing individual cases were highly complicated and mainly women and invalidity pensioners suffered reductions (Tálos/Wörister 1998:229). Although the new increment factors had not been fully implemented, the *Pension Reform of 1997* replaced them with new ones. Thus, the amount of pension is calculated using an increment factor of 2% (of the assessment basis) per insurance year, up to a maximum pension of 80%. In order to rise factual retirement age, increasing deductions for early retirement has been introduced. If a person opts for early retirement, a deduction of 2% is made per year, up to a maximum of 15% of the pension or 10 percentage points. Persons who opt for retirement after the age of 60 (women) or 65 (men) are to be granted a bonus of between 2% and 5% per year they start retirement later. For invalidity pensions an increment factor of 1.8% was guaranteed per insurance year, but the *Pension Reform of 2000* gradually did away with this favourable calculation method applied to invalidity pension. In order to reduce the negative effect on the pension of mothers the special assessment basis for periods of childcare has been raised to the level of the equalisation supplement for non-married persons (2002: €630.92).

In the course of the *Pension Reform of 2000* deductions were raised to 3% for each year the retiree falls short of statutory retirement age for standard old-age pension and the bonus for persons who opt for later retirement was changed to 4% per year, up to a maximum pension of 90% of the assessment basis (Mairhuber 2001:5ff).

For survivors who only receive a widow's or widower's pension, this benefit amounts to 60% of the deceased spouse's pension. In the course of the *Pension Reform of 1993* it was decided to reduce the amount of the survivor's pension in cases where the survivor receives several incomes (effective as of 1995). Accordingly, the widow's and widower's pension made up between 40% and 60% of the deceased spouse's pension. As of the *Pension Reform 2000*, the survivor's pension amounts to between 0% and 60% of the deceased spouse's pension. The percentage depends on the income gap between spouses during their active working lives. A survivor receiving several incomes which together do not exceed €1453.45 monthly will still receive 60% of the spouse's pension. Because of the low direct pensions for women widows' pensions are still of great importance to ensure retirement income for women.

Non-married persons and married couples who are generally entitled to a pension benefit (own pension or survivor's pension) whose total income does not exceed a certain level (so-called equalisation supplement reference rate) may claim a so-called *equalisation supplement*. The equalisation supplement is the difference between the means-tested income and the reference rate. The reference rate depends on marital status: for 2002, the minimum was €630.90 monthly for non-married persons and €900.13 monthly for married couples. As a consequence, married women are much less frequently entitled to claim equalisation supplement than men, due to the generally much higher income earned by men. Since the Austrian statutory pension system has no provision for an individual minimum pension benefit, in the case of old age and invalidity the subsistence of married women depends heavily on their husbands' income.

2.1.1.4. *Pension adjustment*

Pensions are normally adjusted at annual intervals. Since the *Pension Reform of 1993*, the adjustment factor is calculated on the basis of a mathematically determined reference value obtained from "net wages development" (wages before tax minus social security contributions) and structural changes in pensions. In their final decision, the political bodies have some leeway, which is, however, strictly limited either way by law. In 1997, pension adjustment was exceptionally suspended as part of the *Structural Adjustment Act 1996*.

In the course of the *Pension Reform of 2000* the calculation of the pension adjustment was changed: annual pension adjustment will continue to use the net adjustment model, however without any leeway. Should the calculated adjustment factor fall below inflation rate, equalisation in the form of a one-time payment can be granted. In future, the adjustment factor will no longer be calculated by the Pension Adjustment Supervisory Board but by a "Commission for a Sustainable Pension System". The commission will be comprised of members of the parliamentary parties, representatives of the social partners and pensioners' representatives.

2.1.1.5. *Shortcomings*

Although the Austrian statutory pension insurance system is one of the most generous systems in Europe (mainly due to high replacement rates), there are some remarkable shortcomings. Besides the structural discrimination against women the problem of weak or insufficient social protection of some employment groups has emerged during the last years. This is mainly due to the fact that the Austrian pension insurance system is strongly related to the insurable income before retirement or the insurance contributions paid. Since women's employment opportunities are still restricted due to the gendered division of labour (as a consequence women work part-time, take career breaks and suffer lower income), women's pension benefits are much lower than those of men and a decent living or even the subsistence is often not guaranteed for women. The strong orientation on paid work of the statutory pension insurance system, which has been reinforced by the pension reforms adopted in the last decades, not only makes women's income maintenance in old age more difficult but involves the old age income of all persons who have been insufficiently integrated in the labour market or have had periods of

relative low income. Those employed in non-standard forms of work, the long-term unemployed, persons with low qualification levels and foreigners are mainly affected.

Women's income maintenance in old age depends strongly on their marital status. As a consequence, on the one hand unmarried women are not entitled and divorced women are hardly entitled to claim a survivor's pension. But the above described structural discrimination within the pension insurance system involves these women, too. On the other hand, married women are hardly entitled to an equalisation supplement, due to the fact that the means test is based on the couples' income. Thus, the gender pay gap is not only reproduced within the pension insurance system but also results in a factual exclusion of many women from the right to equalisation supplement, i.e. in an exclusion from minimum income maintenance.

Besides the fact that currently four in ten women over 60 (about 400,000 women) are not entitled to pensions in their own right (old-age pensions or invalidity pensions) and thus depend on their husbands, one in two pensions of women did not even reach the level of the equalisation supplement reference rate for non-married persons. Structural discrimination against foreigners is due to the fact that entitlement to equalisation supplement is linked to residence in Austria.

2.1.2. *Special retirement system for civil servants*

In Austria, more than half of those employed in the various lines of the public service are subject to a special retirement system, while the others are covered by the statutory pension insurance system. In 1997, the special retirement system applied to 365,000 civil servants (federal government, federal provinces, Austrian Railways, Post and Telecom Austria; approx. 12% of employees (Hörndler/Wörister 1998:47f). They obtain retirement benefits directly from their public employers, but also civil servants have to pay (retirement) contributions during their active working life. With the *Structural Adjustment Act of 1995* contributions were raised from 10.25% to 11.75%. Since then, contributions for civil servants have been slightly above those of employees under the statutory pension insurance system. Since the *Pension Reform of 1997*, the contributions for active civil servants have been 12.55% and 2.3% for retired civil servants (Republik Österreich 2002:29). Contrary to the statutory pension insurance system, the system for civil servants has no provision for a maximum contribution basis and thus no maximum basis for assessment.

Although no extra data on the expenditure of the special retirement system for civil servants are available in published form, calculations show that the federal contribution to the special pension system is almost identical to that of the statutory pension insurance system. At the same time the number of pensions paid by the statutory pension insurance system is six times the number of retirement benefits paid by the special system (Tálos/Wörister 1998:225).

The special retirement system for civil servants provides for equal age limits for women and men. Until recently, civil servants were entitled to retire upon completion of their 60th year. In the course of the *Pension Reform of 2000* the age limit was raised to 61.5 years, following the retirement age for early retirement pensions under statutory pension insurance system. Generally, civil servants retire upon the 65th birthday at the latest. In order to retire before the 65th birthday civil servants require at least 15 years of service.

Contrary to the statutory pension insurance system, civil servants' retirement benefits were previously assessed on the basis of their last monthly income before retirement. But the *Pension Reform of 1997* aimed to harmonise different regulations. As of 2003, the benefit for those retiring upon their 65th birthday is calculated on the basis of the "best" 15 years of employment and for those retiring between their 61.5th and the 65th birthday the assessment basis it to gradually rise to 18 years (Schmidt/Wörister 2002:263).

2.1.3. *Company and private pensions*

Company pensions are traditionally of minor importance in Austria. But since the early 1990s the institutional framework for additional forms of protection has been improved by the adoption of the *Company Pension Law* and the *Pension Fund Law*: the *Company Pension Law* provides for better hedged pension commitments by employers and the *Pension Fund Law* enables the formation of company and inter-company (pooled) pension funds and regulates the requirement for admission, organisation and activity of such funds (cf. Tálos/Wörister 1998:265f). The formation of a company or inter-company pension fund needs a company or collective agreement. Within this agreement the following regulations have to be stipulated: the participation of employees in the administration of pension funds and in the rules of entitlements (e.g. entitlement to benefits and employers' contributions).

Currently, there are 12 company and 7 inter-company pension funds in Austria and about 280,000 employees have the expectation to qualify for pensions and benefits. 35,000 benefits paid out by the company or inter-company funds are faced with 2 mio. pensions paid out by the public pension system (Republik Österreich 2002:11f).

Private pensions are even less important than company pensions. According to the Austrian government this should be changed with the severance pay reform of July 2002 (Republik Österreich 2002:13). As of January 2003, employers have to pay severance pay contributions (1.53% of monthly income) for all new employment contracts to so-called Staff-Provisions-Funds (SP funds). The SP funds have to be selected in cooperation with the workers' councillor. Two out of seven members of the supervisory board must belong to the workers' representation. The contributions have to be paid also for periods without remuneration, that means for periods of military and community service as well as for periods of receiving health benefits. For periods of receiving childcare benefit or educational leave benefit and for periods of family leave in order to care for terminally ill relatives contributions will be paid by the Family Fund.⁷ All contributions are collected by the Health Funds and then redistributed to the SP Funds. With the termination of their employment contract, employees are entitled to receiving severance pay in a number of ways: e.g. they can decide to leave the amount of the severance pay in the SP fund until they retire or they can move the amount of the severance pay into a company or inter-company fund. If severance payments are paid out, they are subject to taxation; in all other cases payments are exempted from taxation (AK 2002).

2.2. *Currently debated changes of pension systems*

Currently contemplated or debated changes in the Austria pension system focus on two main issues: financial sustainability – especially with regard to the statutory pension insurance system – and the elimination or at least moderation of the shortcomings described above. According to the government and employers' representatives, the financial question is most important as it seems mainly connected with demographic developments (e.g., the aging of the population). Employees' representative bodies emphasise the need to maintain the levels of benefits and have recently began to call for an adaptation of pension systems to the increasing need for "flexible work" and "individualised lifestyles". What is more, they are convinced that a major effort within employment policies is needed to solve the financial problems of the Austrian pension systems. For many years, mainly women within the SPÖ,⁸ have demanded an

⁷ The *Family Fund* was established in 1949 in order to finance family related benefits. The Fund's finances are mainly obtained from employers' contributions.

⁸ SPÖ: Sozialdemokratische Partei Österreichs = Social Democratic Party of Austria.

“individual right to retirement pension for women” and the Austrian Poverty Conference⁹ is asking for a means-tested minimum old-age pension also for persons who have not accumulated the required insurance years.

The reform objectives of the Austrian government are, inter alia, expressed in the Report on “Austrian Pension Strategies 2002”. The Report was written in order to follow the “European Pension Strategies”, which focuses on the financial sustainability of European retirement systems. Apart from an increase in employment rates (especially that of older workers and women), contemplated strategies include a reform of invalidity pensions (improvements of prevention, rehabilitation and the introduction of partial invalidity pensions), a further enforcement of the link between insurance contributions paid and the actual pension levels, the harmonisation of all pension systems (i.e. the abolishment of a special retirement system for civil servants), an enforcement of the individual right to retirement pension and of gender equality, the improvement of company and private pensions as well as effective funding of the qualifying periods by the respective social institutions (*Public Employment Service, Family Fund*, etc.) (Republik Österreich 2002).

On the one hand, the enforcement of the link between insurance contributions paid and pension levels primarily means a massive reduction in the amount of early retirement pension benefits. This proposal by the Austrian government is also supported by the Austrian employers’ representative bodies (Bundswirtschaftskammer 2002:7). On the other hand, new methods of calculating pension levels are under discussion: a further extension of the assessment period used to calculate pension levels from the “best” 18 years to a person’s entire working life or the replacement of the benefit-based method with a contribution-based scheme for calculating the amount of pension. Both measures, an extended assessment period and the introduction of a contribution-based method have been rejected by the employees’ representative bodies because they would lead to a massive reduction in the amount of pension benefits and therefore undermine adequate standards of living (Bundesarbeitskammer 2002:15f).

Regarding the enforcement of an individual right to retirement pension and of gender equality, two key measures are under discussion: firstly, the transformation of childcare periods from qualifying periods into contributory periods, in order to raise the share of women with entitlements to pensions in their own right; and secondly, the splitting of spouses’ pension (entitlements) in the case of divorce (Republik Österreich 2002). Both measures have been rejected by the Women’s section of the SPÖ and employees’ representative bodies as the transformation of childcare periods would primarily affect (married) women with short contributory periods – that means short periods of gainful employment – and splitting spouses’ pension would neither improve the situation of unmarried women nor is this an individual right to retirement pension, independent of marital status (Bundesarbeitskammer 2002:19).

Recently, the employees’ representative bodies, who, together with the employers’ representatives and the government, negotiated the pension reforms described above (with the exception of the Pension Reform of 2000), have begun to focus on new dimensions. Thus, the demands of the SPÖ women and the Austrian Poverty Conference have been integrated into their concept. Following the debate of the Austrian Poverty Conference, all needy married couples and unmarried persons should have a right to a minimum old-age pension benefit, analogous to the equalisation supplement. The proposals regarding the “individual right to retirement pensions for women” differ not only substantially from the government’s objectives but also from that of the SPÖ women. Measures proposed by the employees’ representations mainly concern gainfully employed women and women who suffer career breaks or reductions in working time due to unpaid family care work. Suggestions include a significant increase in

⁹ The Austrian Poverty Conference was founded in 1995 by NGO’s and is part of the „European Anti-Poverty-Network“.

the assessment basis for periods of childcare and the introduction of periods taken into account for caring for infirm or disabled relatives (Wöss 2002; AKaktuell 2002a; Bundesarbeitskammer 2002). What is more, employees' representatives also demand an effective means of funding the qualifying periods. Thus, qualifying periods should no longer be covered by the federal contribution, but contributions should be paid for by the respective social institutions (*Public Employment Service, Family Fund etc.*) (Ivansits 2000; Wöss 2002; Bundesarbeitskammer 2002).

Another interesting consideration concerns changes in the financing of the pension systems through an increase in the basis determining employers' contributions. This idea dates back to the 1980s and is based on the concept that the payroll is no longer an adequate basis of financing the pension systems as personnel-intensive companies are disadvantaged and capital-intensive companies are advantaged by this method of calculating contributions. As a consequence, companies should pay contributions in relation to their added value (Vorbach 2001; Wöss 2002; Bundesarbeitskammer 2002). This widening of the basis of contribution has been rejected by employers' representative organisations. They argue for a reduction of the level of pension benefits as well as for improvements and financial incentives by the state regarding company and private pensions (Bundeswirtschaftskammer 2002).

According to the SPÖ women, the individualisation of the right to retirement pension for women is an important objective within gender equality policies, and not only necessary because ensuring women's income in old age through derived rights (survivors' pension benefits) is becoming increasingly inadequate, especially in view of rising divorce rates and increasing numbers of single mothers. The individual right to retirement pension for women should be obtained basically by the introduction of a *General Compulsory Pension Insurance System*, which covers the entire population. That means, that all persons over a certain age limit resident in Austria would have to pay contributions, independent of their employment status. Apart from a substantially higher assessment basis for childcare periods (e.g. based on the level of the average pay), the introduction of periods taken into account for caring for infirm and disabled relatives and the individualisation of the means-tested equalisation supplement, the payment of individual contributions for women by either social insurance institutions or the husband is an important tool within this new pension system. This means that in the case of unemployment, sickness, motherhood, caring for infirm or disabled relatives, contributions should be paid by the respective social insurance institutions (*Public Employment Service, Health Funds etc.*), by the state and in the case of reduced gainful employment due to household work by the husband. That way, women would not be affected at the individual level, e.g. by structural labour market problems (Prammer 1997; Mairhuber 2000:242).

Although women's individual right to retirement pension has been demanded since the mid-1990s and was re-enforced by the so-called "Women's Referendum" of 1997, which was strongly supported by the Austrian population, there is little indication that this proposal will be put into practice anytime in the near future. The main reasons for this delay are financial considerations: the individualisation of the right to retirement pensions for women goes hand in hand with a need of more funding or the redistribution of funds among quite well protected men and under-protected women. Therefore, not only employers' representatives and the current ÖVP/FPÖ government oppose the idea but also (male) parts of the SPÖ. Only the Green Party is in favour of the realisation of an individual right to retirement pension – e.g. within the "Green Pension System" (individual right to retirement pensions for all Austrian residents by way of a so-called two-pillar-system) (Talos/Wörister 1998:264).

3. NOMENCLATUR OF THE AUSTRIAN PENSION REGIME

Statutory pensions insurance for employees (ASVGⁱ) 2000	
Contributors and pensioners	<ul style="list-style-type: none"> ▪ <i>effectifs</i>: <ul style="list-style-type: none"> ➢ Pensioners: 1.630.640 in December 2000 (pensions due old age or disability and survivor's pensions)ⁱⁱ ➢ Contributors: 2.709.492 (85,5% of all contributors)ⁱⁱⁱ ▪ <i>structure par âge</i> <ul style="list-style-type: none"> ➢ Pensioners: 52.194 in the age till 49 years; 206.198 aged between 50 and 59 years; 560.254 aged between 60 and 69; 520.294 aged between 70 and 79; 258.700 over 79 years old (pensions due old age or disability and survivor's pensions)^{iv} ➢ Contributors (no detailed data available): employees according to age in 2000: 462.000 aged between 15 and 24 years; 2.236.000 aged between 25 and 49 years; 455.000 aged between 50 and 59 years^v ▪ <i>sexe</i> <ul style="list-style-type: none"> ➢ Pensioners: 595.493 male, 993.526 female pensioners in 2000 (pensions due to old age or disability and widows' and widowers' pensions)^{vi} ➢ Early retirement pensioners due to long contributory service: 57.025 male and 58.101 female pensioners^{vii} ➢ Contributors: 1,488.100 male and 1,230.200 female contributors^{viii} ▪ <i>niveau de qualification</i> <ul style="list-style-type: none"> ➢ Contributors (no detailed data available): employees aged between 15 and 59 years according to highest attended level of education in 2000: 621.000 primary and lower secondary school; 2.085.000 higher secondary school; 446.000 post secondary education and university^{ix} ▪ <i>niveau de revenue</i> <ul style="list-style-type: none"> ➢ A) pensions in December 2000: 1) pensions due to old age: female blue collar workers: 497,22 € male blue collar workers: 932,68 € female with collar workers: 886,97 € male with collar workers: 1.494,95 € female railway workers: 699,47 € male railway workers: 1.241,17 € female mining workers: 913,86 € male mining workers: 1.478,02 € 2) pensions due to invalidity: female blue collar workers: 447,59 € male blue collar workers: 812,99 € female with collar workers: 672,28 € male with collar workers: 1214,94 € female railway workers: 515,75 € male railway workers: 876,72 €^x ➢ B) Net median income in 2000: female blue collar workers 1.181 € male blue collar workers 1.909 € female with collar workers 1.640 € male with collar workers 2.739 €^{xi} ▪ <i>(ancienne) activité professionnelle</i> <ul style="list-style-type: none"> ➢ No detailed data available: 975.041 former blue-collar worker in 2000, 612.599 former white-collar worker, 24.040 former miners, 18.960 former railway workers^{xii} ▪ <i>durée de contribution (durée moyenne, durée selon le sexe)^{xiii}</i> <ul style="list-style-type: none"> ➢ <i>Durée moyenne</i>: pensions due to old age: 451 months (including 65,2 non-contributory qualifying month); pensions due to invalidity: 362

	<ul style="list-style-type: none"> (including 74,5 non-contributory qualifying month)^{xiv} ➤ <i>Durée selon le sexe</i>: female pensions due to old age: 415 months (including 97,6 non-contributory qualifying month); pensions due to invalidity: 348(including 107,7 non-contributory qualifying month); male pensions due to old age: 491 months (including 29,6 non-contributory qualifying month); male pensions due to invalidity: 374 (including 48,9 non-contributory qualifying month)^{xv} ▪ <i>comparaison entre l'âge de liquidation de la pension et l'âge de cessation d'activité professionnelle (situation des individus entre ces deux âges)</i>: no data available ➤ <i>Legal retirement age in 2000</i>: Statutory retirement age for standard old-age pension: 60 years for women and 65 years for men; for early retirement pension: 56,6 years for women and 61,5 years for men ➤ <i>Factual retirement age in 2000</i>: employees: 57,5; female employees: 56,5; male employees: 58,3; female blue collar workers: 56,7; male blue collar workers: 57,6; female with collar workers: 56,4 and male with collar workers: 59,1^{xvi}
Financing	<ul style="list-style-type: none"> ▪ <i>structure de recette de regime</i> <ul style="list-style-type: none"> ➤ Compulsory social insurance scheme for employees (including miners) with earnings/contributions-related cash benefits. Pay-as-you-go financing ▪ <i>assiette et taux des contributions</i> <ul style="list-style-type: none"> ➤ Pension insurance contribution for employees: 22,8% (up to a maximum level of gross monthly earning of 3.139 €2000) ▪ <i>repartition entre les salaires et les employeurs</i> <ul style="list-style-type: none"> ➤ 10,35% employees and 12,55% employer (18,05% for mining workers) ▪ <i>poids des impôts affectés et des contributions du budget general de l'Etat</i> <ul style="list-style-type: none"> ➤ 85% through contributions, 15 % from tax revenues (federal contribution)^{xvii} ▪ <i>versements de compensation venant d'autres regimes ouversés à d'autres regimes (compensation démographique, validation du temps de chômage, formation et autres)</i> <ul style="list-style-type: none"> ➤ Transfers form public funds (e.g. AMS^{xviii}, FLAF^{xix}) to the equalisation fund of the Pension Insurance Institution (or blue and with collar workers) in order to fund some of the non-contributory qualifying periods (e.g. periods of having received unemployment or sickness benefits and childcare periods); transfer payments are not enough to fund the total cost of the non-contributory qualifying periods ▪ <i>structure du portefeuille</i> <ul style="list-style-type: none"> ➤ funding in 2000: 18.830 million € spending 18.886 million € funding in detail (rounded): contributions by employees and employers: 11.563 million € federal contributions: 2.211 million € contributions form the equalisation funds: 4.431 million € equalisation supplements: 445 million € miscellaneous: 58,87 million €^{xx} ▪ <i>poids des reserves et poids des rendements du portefeuille dans le resources</i> <ul style="list-style-type: none"> ➤ funding through investment income in 2000: 4,98 million € ➤ allocation to reserve in 2000: 56,17 million €
Benefit	<ul style="list-style-type: none"> ▪ <i>structure des dépenses du régime</i> <ul style="list-style-type: none"> ➤ total spending in 2000: 18.886 million €, main spending in detail

	<p>(rounded): pension benefits: 16.858 million € equalisation supplements: 445,48 million € preventive health care measures and rehabilitation: 283,83 million € contributions for health insurance for pensioners: 682 million € administration costs: 308 million € allocation to reserve: 56,17 million € miscellaneous: 252,91 million €^{xxi}</p> <ul style="list-style-type: none"> ▪ <i>partage entre pensions de droit direct et pensions de réversion</i> <ul style="list-style-type: none"> ➤ spending for old age pensions: 11.081,81 million € spending for invalidity pensions: 3.039,87 million € ➤ expenditures for survivors' pensions: 2.736,94 million € = 16,39 % of total pension expenditures^{xxii} ▪ <i>niveau des pensions (niveau moyen, niveau selon le sexe et l'activité professionnelle, comparaison avec le revenu minimum de l'aide sociale, comparaison avec le salaire moyen ou le salaire median)</i> <ul style="list-style-type: none"> ➤ Average pension level of employees in December 2000: average pension benefits level : 759,57 € female average old age pension level: 688,50 € male average old age pension level: 1178,02 € female average invalidity pension level: 518,01 € male average invalidity pension level: 905,06 €^{xxiii} ➤ Average pension levels in December 2000: 1) pensions due to old age: female blue collar workers: 497,22 € male blue collar workers: 932,68 € female with collar workers: 886,97 € male with collar workers: 1.494,95 € female railway workers: 699,47 € male railway workers: 1.241,17 € female mining workers: 913,86 € male mining workers: 1.478,02 € 2) pensions due to invalidity: female blue collar workers: 447,59 € male blue collar workers: 812,99 € female with collar workers: 672,28 € male with collar workers: 1214,94 € female railway workers: 515,75 € male railway workers: 876,72 €^{xxiv} ➤ Survivor's pension level (employees) in December 2000: widow's pension: 525,64 € widower's pension: 258,35 € orphan's pension: 235,82 €^{xxv} ➤ Median level of pensioners with two pensions in December 2000^{xxvi}: 1) widow's or widower's pension and direct pension: female pensioners: 1.019 € male pensioners: 1.339 € 2) widow's or widower's pension and old age pension: female pensioner: 1.100 € male pensioner: 1.415 €^{xxvii} ➤ Equalisation supplement reference rate in 2000: non-married persons: 604,05 € married couples: 861,81 €^{xxviii} ➤ Median income in 2000: total: 1.553 € female: 1.212 €; male: 1.816; blue collar workers: 1.422 € female blue collar workers: 1.012 € male blue collar workers: 1.636 € with collar workers: 1.751 € female with collar workers: 1.405 € male with collar workers: 2.348 €^{xxix} ▪ <i>durée moyenne de versement de la pension</i> <ul style="list-style-type: none"> ➤ average duration of drawing retirement benefits in 1998: blue collar workers: 19,1 year^{xxx} (no detailed data available) ▪ <i>rapport au revenu d'activité</i> <ul style="list-style-type: none"> ➤ net replacement rate (old age pensions) in 2003: for blue-collar worker: with 40 years of contribution: 85%; with 35 years of contribution: 77%, with 25 years of contribution: 61%; with-collar worker: with 40 years of contribution: 85%; with 35 years of contribution: 77%, with 25 years of contribution: 60%^{xxxi}; net replacement rate for first-time pensioners (employees) in 1998: women: 74,4%; men: 81,7%^{xxxii}
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	<ul style="list-style-type: none"> ▪ <i>mode d'indexation (sur le prix, les salaires ...)</i> <ul style="list-style-type: none"> ➤ Annual adjustment (1. January) on the basis of a mathematical determined reference value obtained from the “net wages development” (wages before tax minus social security contributions) and structural changes in pensions.^{xxxiii} In 2000 pensions were raised between 0,6% and 1,5% in accordance to the level of the pension ▪ <i>poids dans le revenu des pensionnés (données par ménages et individuelles)</i> <ul style="list-style-type: none"> ➤ No detailed data available; see: net replacement rate and rates of poverty risks ▪ <i>taux de pauvreté des pensionnés</i> <ul style="list-style-type: none"> ➤ Rates of poverty risk^{xxxiv} in 1998: persons aged over 65 years: 21%; female: 25%, male 15%; persons aged over 75 years: 25%; female: 29%, male: 15%; Rates of poverty risk in 1998 without considering the pension benefits: persons aged over 65 years: 29%; female: 32%, male 23%; persons aged over 75 years: 30%; female: 33%, male: 24%^{xxxv} ▪ <i>poids des suppléments (pour charges de famille, handicap, etc...) et autres prestations que les pensions (aide sociale, service en nature...)</i> <ul style="list-style-type: none"> ➤ Pensioners entitled to equalisation supplement in December 2000: total: 158.375; female pensioners (old age and invalidity pensions): 55.409; male pensioners (old age and invalidity pensions): 31.988; widow’s pension: 59.692; widower’s pension: 417; orphan’s pension: 10.869 blue collar workers: 138.383; with collar workers 16.647, railway workers: 1.316; mining workers: 2.029^{xxxvi} ➤ Currently four in ten women over 60 (about 400,000 women) are not entitled to direct pensions (old-age pensions or invalidity pensions) and thus depend on their husbands; one in two pensions of women did not even reach the level of the equalisation supplement reference rate for non-married persons; married women are hardly entitled to an equalisation supplement, due to the fact that the means test is based on the couples’ income^{xxxvii}
<p>Conditions of access</p>	<ul style="list-style-type: none"> ▪ <i>mode de calcul détaillé de la pension</i> <ul style="list-style-type: none"> ➤ The amount of the pension is <i>generally calculated</i> on the basis of the insurable earnings, the duration of insurance and the age on the date of retirement (with regard to early retirement pensions) ➤ The amount of the pension is calculated using an increment factor of 2% (of the assessment basis) per each year of insurance, up to a maximum pension of 80% (of the assessment basis) provided that the person retire at the statutory retirement age ➤ <i>Assessment basis</i>: calculated on the basis of the total insurable earnings of the “best” 15 insurance year adjusted by a so-called “Aufwertungsfaktor” for early earnings (e.g. 8,278 for earnings in 1956 or 1,006 for earnings in 1999) and since 1993 adjusted by a so-called “Beitragsbelastungsfaktor” (depends on the increase of the social insurance contributions since 1992; in 2000: 0,99956) ➤ <i>Insurance years</i>: contributory periods and qualifying non-contributory periods (= periods of war, military and community service, periods of having received unemployment or sickness benefits and childcare periods - up to four years per child) ➤ Persons who opt for early retirement , a deduction of 3% is made per year, up to a maximum of 15% of the pension; persons who opt for retirement

	<p>after the age of 60 (women) or 65 (men) are to be granted a bonus of 4% per year up to a maximum pension of 90% of the assessment basis</p> <ul style="list-style-type: none"> ➤ <i>Childcare periods</i> are credited on the basis of an uniform assessment basis (2000: 604,06 €). They are added cumulatively to any gainful employment which may have been pursued during the first years of the child's life ➤ <i>Maximum assessment basis</i> in 2000: 2.775,01€ maximum pension for employees in 2000: 2.220,01 € <ul style="list-style-type: none"> ▪ <i>conditions d'entrées dans la regime (plancher ou plafond de ressources, caractère obligatoire ou facultative,)</i> <ul style="list-style-type: none"> ➤ Compulsory social insurance scheme for employees (blue and white-collar workers; mining workers, railway workers (partly) and home workers) with earnings above the marginal earnings threshold (2000:289.02 €monthly) and apprentices ➤ Voluntary opting-in for marginally employed since 1998 ➤ Since 1998, free service contractors have also been compulsory insured if their income exceeds the marginal earnings threshold ➤ Option of voluntary self-insurance for the entire resident population (since 1992); since 1998 voluntary pension insurance at little cost^{xxxviii} to care-givers who provides long-term care to a family member entitled to long-term care benefit of category 4, 5, 6 or 7 and who ceases to be gainfully employed ▪ <i>conditions de liquidation de la pension (âge, durée de contribution ou d'activité, ...)</i> <ul style="list-style-type: none"> ➤ In order to obtain pension benefits, claimants need to have reached the corresponding retirement age (old-age pension), to be considered invalid (invalidity pension) or have lost their married partners or a parent (survivor's pension). In addition a minimum period of insurance coverage has to be accumulated ➤ <i>Standard old-age pension</i>: statutory retirement age: women 60 and men: 65^{xxxix}; minimum insurance period: 15 contributory years or 15 insurance years (contributory and non-contributory qualifying periods) within the past 30 years prior to retirement or 25 insurance years ➤ <i>Early retirement pension</i>: retirement age: women 56.5 and men: 61.5^{xl}; minimum insurance period: for early retirement pension due to long contributory service: 37.5 years of contribution; for early retirement pension due to unemployment: 20 insurance years (including a minim of 15 contributory years); partial-pension: 25 insurance years ➤ <i>Invalidity pension</i>: 5 insurance years; younger invalids need less than 5 years, depending on their age and for victims of accidents at work no minimum insurance period is required; qualified workers who have worked in a job for at least the last 15 years are considered invalid if they are no longer able to pursue the vocation for which they have trained; unskilled workers are considered invalid only if they are no longer able to engage in any gainful employment ▪ <i>fiscalité des contributions et des prestations</i> <ul style="list-style-type: none"> ➤ Pension benefits are subjected taxation like any income from gainful employment; but the equalisation supplement is exempted from taxation ➤ Pensioners are entitled to a "pensioners-credit" ("Pensionistenabsetzbetrag") up to 400 €per year (gradually reduced to 0 €in the case that the pension amounts between 16.715 €and 21.802 €)
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	<ul style="list-style-type: none"> ➤ Contributions are free of taxation ▪ <i>conditions d'accès aux pensions de réversion</i> <ul style="list-style-type: none"> ➤ Entitled persons: Surviving spouses, divorced spouse (very limited), orphans ➤ Deceased insured person: 5 insurance years; the waiting period is deemed fulfilled, when the insured person deceased as a consequence of certain incidents (e.g. as a consequence of an employment injury) or under certain circumstances ➤ Surviving spouses who have completed their 35th year of age are entitled to survivors pensions until their death unless they enter into new marriage; the age limit is not considered in cases where the surviving spouse is invalid, if a child was born during the marriage, if the widow is pregnant or if the spouses were married for at least 10 years ➤ Divorced spouses may be entitled to a survivor's pension when they have filed a claim and received maintenance payments from the divorced spouse at the time of the death; the amount of the pension is limited to a ceiling equivalent to the maintenance payment ➤ Orphans' pension: children are entitled until they have completed their 18th year of age; the limit is extended if the orphan is still in school or occupational training ➤ Amount of the pension: for survivors who only receive a widow's or widower's pension, this benefit amounts to 60% of the deceased spouse's pension; in cases where the survivor receives several pensions the pension amounts to between 0% and 60% of the deceased spouse's pension (the percentage depends on the income gap between spouses during their active working lives. A survivor receiving several incomes which together do not exceed €1453.45 monthly will still receive 60% of the spouse's pension) ▪ <i>âge de liquidation de la pension (âge moyen, âge selon le sexe et l'activité professionnelle)</i> <ul style="list-style-type: none"> ➤ Factual retirement age in 2000: employees: 57,5; female blue collar workers: 56,7; male blue collar workers: 57,6; female with collar workers: 56,4 and male with collar workers: 59,1^{xlii} ▪ <i>cumul emploi/pension</i> <ul style="list-style-type: none"> ➤ Direct pensions (= old age pensions and invalidity pensions) and survivor's pension: see above ➤ Pensioners with two pension benefits in 2000: total: 260.495; female pensioners: 225.571 (out of them: 213.514 widows pension + old age pension or invalidity pension); male pensioners: 34.924^{xlii} ➤ Cumulating pension/employment: 1) standard old age pensions may not be accumulated with earnings from gainful employment above 604,06 €monthly; 2) early retirement pensions may not be accumulated with earnings from gainful employment above the marginal employment threshold (2000: 289,02 €monthly); 3) survivor's pensions may be accumulated with any gainful employment, but if the income exceeds 1.465,08 €the pension will be reduced ➤ Gainful employed pensioners in 2000: total: 50.567; female pensioners: 30.865 (out of them: 19.218 widows); male pensioners: 19.702^{xliii}
<p>Management</p>	<ul style="list-style-type: none"> ▪ <i>instances politique (composition, mode de designation, niveau de decentralisation, pouvoirs)</i> <ul style="list-style-type: none"> ➤ Although the 1995 "Structural Adjustment Act" was initially negotiated

	<p>without the social partners, with the coming into office of the ÖVP^{xliv}/FPÖ^{xlv} government in February 2000 a new social policies decision-making process was introduced in Austria. Thus, counter to the Austrian tradition the social partners – primarily the workers’ interest-group representatives – were not included in the negotiation of “Pension Reform of 2000” and in the context of the “Austrian Pension Strategies” their position papers were hardly taken into account</p> <ul style="list-style-type: none"> ▪ <i>instances de gestion</i> <ul style="list-style-type: none"> ➤ <i>Organisational structure:</i> Austrian statutory pension insurance system has been developed over the last century in different phases. The still existing organisational structure based on occupational groups is an expression of this historical development. The different social insurance institutions for employees are: the pension insurance institution for blue-collar workers (since 1945), the pension insurance institution for white-collar workers (since 1907), the social insurance institution of the Austrian railways and the social insurance institution of Austrian mining.^{xlvi} These insurance institutions are – together with other insurance institutions – united in the umbrella organisation of the Federation of Austrian Social Security Institutions. Decentralised bodies composed of representatives of the social partners govern the individual social security institutions and the Federation of Austrian Social Security Institutions. These bodies have autonomy within the framework of legal provisions^{xlvii} ➤ <i>Legislation:</i> Since 1955, the statutory pensions insurance for employees has been regulated by the General Social Insurance Act – with some special regulations for mining workers
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4. *AUSTRIAN PENSION REFORMS: ACTORS AND CONTENTS (1980-2003)*

4.1. *Sozialpolitische Entscheidungsfindung in Österreich: einige grundlegende Anmerkungen*

Nach 1945 war das politische System Österreichs vor allem von der Herausbildung und Kooperation der zwei Großparteien (SPÖ¹⁰ and ÖVP¹¹) geprägt. Die jahrzehntelange Kooperation von SPÖ and ÖVP realisierte sich in den Jahre 1945 bis 1966 in Regierungskoalitionen, wurde jedoch darüber hinaus während der Alleinregierung der ÖVP (1966-70) und der SPÖ (1970-83) auf Basis eines weitgehenden wirtschafts- und sozialpolitischen Konsenses fortgeführt (vgl. dazu näher: Tálos 1995:539). Neben der Herausbildung der zwei Großparteien zeichnete sich die Etablierung einer neuen Form der Politikformulierung sowie des (sozial)politischen Willensbildungs- und Gestaltungsprozesses ab. In der so genannte Sozialpartnerschaft realisiert sich eine spezifische Form der Zusammenarbeit zwischen den zentralen Dachverbänden der „monopolartigen“ (Tálos/Kittel 1995:107) Interessenvertretungen der Arbeitnehmerschaft (Österreichischer Gewerkschaftsbund – ÖGB und Österreichische Bundesarbeitskammer), der Arbeitgeber (Bundeskammer der Gewerblichen Wirtschaft), der Landwirtschaft (Präsidentenkonferenz der Landwirtschaftskammer) und der Regierung im vorparlamentarischen sowie parlamentarischen Entscheidungs(findungs)prozess. Das Netz der Interaktionen wurde durch Personalunionen von Interessensvertretern, Parteimitgliedern und Abgeordneten noch verstärkt. Basis dieses spezifisch „österreichischen Korporativismus“ stellte lange Zeit die grundlegende Übereinstimmung betreffend bestimmter gesamtwirtschaftlicher Zielsetzungen – vor allem hinsichtlich des Wirtschaftswachstums und der (männlichen) Vollbeschäftigung – dar. Die kapitalistische Aneignung des Mehrwertes stand außerhalb der sozialpartnerschaftlichen Auseinandersetzungen, Verteilungsfragen wurden durch junktimierte Kompromisse vor allem im Bereich von Sozial- und Wirtschaftspolitik gelöst (Tálos 1981:310).

Frauen blieben in den ersten Jahrzehnten der zweiten Republik von der Regierungsebene nahezu völlig ausgeschlossen, ihr Anteil im Nationalrat betrug etwa 1970 nur 4,8% und innerhalb der Parteiorganisationen wurden Frauen und ihre politischen Anliegen durch spezielle „Frauenorganisationen“ politisch marginalisiert. Frauen wurde aber auch die Teilnahme an der „Sozialpartnerschaft“ bzw. wie Tálos/Kittel (1995:119) formulieren die Teilnahmen am österreichischen „Muster selektiver Elitenkooperation auf Ebene der Dachverbände und der Regierung“ auf zweifache Weise verwehrt: Einerseits durch den Ausschluss sowohl aus den zentralisierten Entscheidungsspitzen als auch aus den anderen Entscheidungsebenen der Dachverbände.¹² Andererseits wurden so genannte „Fraueninteressen“ ignoriert bzw. widersprach eine geschlechterdemokratische Umverteilung etwa von Einkommen, Erwerbs- und Versorgungsarbeit dem selektiven sozialpartnerschaftlichen Grundkonsens, wie etwa männliche Vollbeschäftigung (vgl. Mairhuber 2000:108).

Seit Mitte der 80er Jahre, zeichneten sich jedoch wesentliche Veränderungen in der österreichischen Parteienlandschaft und der Rolle der Sozialpartnerschaft ab. Neben soziokulturellen

¹⁰ SPÖ: Sozialdemokratische Partei Österreichs.

¹¹ ÖVP: Österreichische Volkspartei.

¹² Die institutionelle Einbindung von Frauen in die Dachverbände der Interessensorganisationen erfolgte, wenn überhaupt, ähnlich wie auf Ebene der politischen Parteien auf hierarchisch untergeordneter Ebene in eigenen Frauenreferaten und Frauenabteilungen (vgl. dazu näher: Appelt 1993:249ff).

Veränderungen (z.B. die Herausbildung einer neuen Mittelschicht) verlor – laut Becker (2000:100) – die SPÖ-Regierungspolitik Anfang der 80er Jahre ihre wirtschaftliche Grundlage, denn die international Hochzinspolitik entzog dem so genannten „Austrokynesianismus“ seine finanzielle Basis. Als Konsequenz kam es bereits unter der SPÖ/FPÖ¹³ Regierung (1983-1986) zur Abkehr von Elementen der traditionellen politischen Prioritätensetzung (etwa Vollbeschäftigungspolitik). 1986 schlugen sich diese Veränderungen auch bei den Wahlen nieder: die Grünen zogen erstmals ins Parlament ein und die FPÖ – seit damals unter der Führung von Jörg Haider – konnten ihr Ergebnis von 1983 verdoppeln. Die beiden Großparteien (SPÖ und ÖVP) verloren 10% ihrer Stimmen – ein Trend der sich in den nachfolgenden Wahlen fortsetzte und von dem vor allem die FPÖ profitierte.

Die zunehmende internationale Verflechtung der Wirtschaft und vor allem die geringen Wachstumsraten reduzierten die nationalen Spielräume der Verteilungspolitik der beiden Großparteien und vor allem jener der Sozialpartner, die in erster Linie für die Wirtschafts- und Sozialpolitik verantwortlich zeichneten. Dies hatte u.a. die Veränderungen des ökonomischen und sozialpolitischen Konsenses (etwa Budgetkonsolidierung statt Vollbeschäftigung) und die Verringerung des Einflusses der Interessensvertretung der ArbeitnehmerInnen zur Folge. Die Interessensvertretung der ArbeitgeberInnen konnte hingegen ihre Position im Rahmen des neokorporativen Aushandlungsprozesses stärken (vgl. Becker 2000:104). Kompromissfindung und Interessenausgleich innerhalb der Sozialpartnerschaft in den Bereichen von Lohn-, Wirtschafts- und Sozialpolitik wurden daher zunehmend schwieriger.

Mit dem Antritt der ÖVP/FPÖ Regierung im Februar 2000, kam es vor allem für die Gewerkschaften und die Bundesarbeitskammer zu einem systematischen Ausschluss aus dem Prozess der Politikformulierung. Mit der Neuauflage der ÖVP/FPÖ Regierung nach den Wahlen 2002, wobei die FPÖ den Preis für die Regierungsbeteiligung zahlen musste und die erste große Wahlniederlage seit 1986 erlebte, scheint die Einbindung der Sozialpartner in den wirtschafts- und sozialpolitischen Entscheidungsprozess bzw. die traditionelle Konsenspolitik – zumindest vorläufig – endgültig beendet: Weitreichende Reformprojekte, wie etwa die Pensionsreform 2003, werden ohne vorherige Konsultation der Sozialpartner entworfen, Widerstand in Form von Streiks in Kauf genommen und gegen den Willen, vor allem der Interessensvertretung der ArbeitnehmerInnen beschlossen (vgl. dazu näher: weiter unten).

4.2. *Pensionsreformen: Akteure, Positionen und Inhalte*

4.2.1. *PENSIONSREFORMEN DER 80ER JAHRE*

Die Veränderungen in der politischen Prioritätensetzung seit Anfang der 80er Jahre zeigte sich auch immer stärker in der konkreten Arbeitsmarkt- und Sozialpolitik. Insbesondere mit der Neuauflage der SPÖ/ÖVP Regierung ab 1987 kam es zur Anpassung der Sozialpolitik im allgemeinen und der Sozialversicherung im besonderen an die „budget- und wirtschaftspolitischen Prioritäten“ (d.h. Budgetkonsolidierung, staatliche Förderung des Strukturwandels und Sicherung des Wirtschaftsstandortes) – (Tálos/Wörister 1998:256). Die Konsequenzen waren u.a. einnahmen- und ausgabenseitige Maßnahmen im Bereich der Finanzierung der gesetzlichen Pensionsversicherung. Als Maßnahmen zur Entlastung des Budgets waren im Leistungsbereich mit der Pensionsreform 1985 folgende Schritte gesetzt worden: stärkere Berücksichtigung der Versicherungsdauer bei der Pensionsberechnung (Einführung linearer Steigerungsbeträge anstelle eines Grundbetrages – 30% der Bemessungsgrundlage – und – je nach Dauer des Versicherungsverhältnisses – progressive Steigerungsbeträge, Ausdehnung des Bemessungszeitraumes

¹³ FPÖ: Freiheitliche Partei Österreichs.

von 5 auf 10 Jahre), Aufschiebung der zweiten und dritten Etappe der Erhöhung der Witwenpension und die „Dämpfung“ der Pensionsanpassung (Berücksichtigung der Entwicklung der Arbeitslosenrate). Die Pensionsreform 1988 stand bereits ganz im Zeichen der „Stabilisierung des Zuflusses von Steuermitteln an die Pensionsversicherung“ (Tálos/Wörister 1994:66) und sah demnach nur mehr ausgabenseitige Maßnahmen vor: Ausdehnung des Bemessungszeitraumes von 10 auf 15 Jahre; Streichung der Schul- und Studienzeiten als leistungsrelevante Ersatzzeiten bei der Pensionsberechnung, Aufschub der Pensionsanpassung sowie Einschränkung des Anspruches auf Witwen- und Witwerpension.

Die Pensionsreformen der 80er Jahre brachten einerseits die gewünschte Reduktion des Bundesbeitrages in Prozent des Pensionsaufwandes und führten andererseits zu starken Leistungseinschränkungen (Tálos/Wörister 1994:67). Von der Reduktion des Leistungsniveaus waren insbesondere Frauen und ArbeiterInnen betroffen, denn Maßnahmen, wie etwa der Wegfall des garantierten Grundbetrages (d.h. Abbau der sozialen Komponente) aber auch die Ausdehnung des Bemessungszeitraumes schlugen sich vor allem bei unregelmäßigen oder kürzeren Versicherungsbiographien und (Erwerbsphasen mit) geringerem Einkommen negativ zu Buche (vgl. dazu auch: Obermayr et al. 1993).

4.2.2. PENSIONSREFORM 1993

Obwohl auch die erste große Pensionsreform der 90er Jahre vor allem im Zeichen der „langfristigen Absicherung der Pensionsversicherung unter den Bedingungen demographischer Veränderungen – ohne die Erhöhung des Bundesbeitrages“ (Tálos/Wörister 1994:67) stand, sollten im Rahmen der Pensionsreform 1993 auch Maßnahmen gesetzt werden, die der „Gleichbehandlung von Frauen und Männer“ und der „Schließung von Versicherungslücken“ (von Frauen) dienten. Interessanterweise gingen die Impulse für die Verbesserungen von einem Erkenntnis des Verfassungsgerichtshofes betreffend die Gleichheitswidrigkeit des geschlechtsspezifischen Pensionsanfallsalter aus. Das Verfassungsgerichtshoferkenntnis löste vor allem bei den politischen und gewerkschaftlichen Frauenvertreterinnen heftige Kritik aus, denn die Überprüfung der Gleichheitswidrigkeit erfolge unter Ausblendung der realen Gegebenheiten und der geschlechtsspezifischen Lebensumstände.¹⁴ Die Parlamentarierinnen von SPÖ, ÖVP und den Grünen kritisierten vor allem die Vernachlässigung des anhaltenden geschlechtsspezifischen Unterschiedes der tatsächlichen Pensionshöhe.¹⁵ Diese Diskrepanz zwischen rechtlich-formeller Gleichstellung und faktisch-materieller Benachteiligung nützte die damalige Bundesministerin für Frauenangelegenheiten Johanna Dohnal um weitreichende Maßnahmen zum Abbau der Diskriminierung von Frauen zu fordern. Gemeinsam mit den Frauen des ÖGB (allen voran Vizepräsidentin Irmgard Schmidleitner), der Bundesarbeitskammer und aller im Parlament vertretenen Parteien, mit Ausnahme der FPÖ-Frauen, schnürte sie ein arbeits- und sozialrechtliches „Gleichbehandlungspaket“, erreichte die verfassungsrechtliche Festschreibung bis bzw. schrittweise Anhebung des unterschiedlichen Pensionsanfallsalters ab 2018 und die Zusage für Verbesserungen im Rahmen der Pensionsreform 1993 (vgl. Mairhuber 2000:154ff).

¹⁴ Aufgrund anhaltender geschlechtlicher Arbeitsteilung und struktureller Diskriminierung von Frauen im Pensionsversicherungsrecht differierte das faktische Pensionszugangsalter von Frauen und Männern nämlich nur geringfügig (vgl. Mairhuber 2000:156).

¹⁵ Die durchschnittliche weibliche Direkt Pension machte Anfang der 90er Jahre ca. 56% der männlichen Pensionsleistung aus (Obermayr et al. 1993:25).

Die nach über zweijähriger Diskussion beschlossene Pensionsreform 1993 sah zur „Sicherstellung der Finanzierung der Pensionsversicherung“ u.a. die so genannte „Nettoanpassung“,¹⁶ die Vereinheitlichung bzw. Ausdehnung des Bemessungszeitraumes auf „die 15 besten“ Beitragsjahre¹⁷ sowie die Berücksichtigung des späteren Pensionsantritts bei der Pensionsberechnung vor. Das Schließen der so genannten „Versicherungslücken“ bezog sich in erster Linie auf die „verbesserte Anrechnung von Zeiten der Kindererziehung“.¹⁸ Demnach wurde der Mitte der 80er Jahre eingeführte dreiprozentige Kinderzuschlag und die nur für ASVG-Pensionistinnen geltende Ersatzzeitenregelung für Karenzjahre¹⁹ durch so genannte „Kindererziehungszeiten“ ersetzt. Somit gebührten seit 1993 neue Ersatzzeiten für die Erziehung eines Kindes im Höchstausmaß von 48 Monaten alle jenen Müttern, die einen eigenen Pensionsanspruch erwerben. In der Pensionsberechnung fanden die Kindererziehungszeiten in Form einer gesonderten, einheitlichen Bemessungsgrundlage Berücksichtigung. Dadurch wirkte sich die Anrechnung dieser Zeiten bei allen Frauen in gleicher Höhe auf die monatliche Pensionsleistung aus.

Im Gegensatz zur früheren Ersatzzeitenregelung bei Inanspruchnahme von „Karenzurlaub“ lag und liegt die Besonderheit der „Kindererziehungszeiten“ darin, dass sie unabhängig von der gleichzeitigen Ausübung einer versicherungspflichtigen Erwerbstätigkeit in jedem Falle und für nahezu alle Frauen pensionssteigernd wirksam werden. Durch diese additive Anrechnung werden Erwerbstätigkeit und Kindererziehung gleichsam wie zwei parallele Beschäftigungen behandelt. Im Falle der Erwerbsunterbrechung aufgrund von Kinderbetreuung (in den ersten 48 Monaten) tragen die „Kindererziehungszeiten“ als Ersatzzeiten hingegen zur Schließung von vorhandenen Versicherungslücken bei (vgl. dazu näher: Mairhuber 2000:165ff).

Die Opposition kritisierte vor allem die starken Leistungskürzungen durch die Einführung der Nettoanpassung (Tálos/Wörister 1994:70).

4.2.3. PENSIONSREFORMEN IN DER ZWEITEN HÄLFTE DER 90ER JAHRE

Ab Mitte der 90er Jahre zeichnete sich - als Vorbereitung auf bzw. als direkte Folge des Beitritts Österreichs zur EU - eine völlige Unterordnung der Arbeitsmarkt- und Sozialpolitik unter eine restriktive Budgetpolitik ab, die die Erreichung der Maastricht-Kriterien zum Ziel hatte. Dies führte u.a. zu zwei so genannten Strukturanpassungsgesetzen und zur Pensionsreform 1997. Das Strukturanpassungsgesetz 1995 basierte auf einem Arbeitsübereinkommen, das SPÖ und ÖVP Ende 1994 beschlossen hatten und das sich auf eine ausgabenseitige Budgetkonsolidierung festlegte. Die geplanten Maßnahmen stießen nicht nur bei der Opposition, den Familienverbänden, der Kirche, den Organisationen der Regierungsparteien selbst, sondern auch bei den Interessenvertretungen der ArbeitnehmerInnen, die in den Entscheidungsfindungsprozess nicht

¹⁶ Die „Nettoanpassung“ bedingte eine Reduzierung jener Faktoren, mit denen die Beitragsleistungen im Sinne der Entwicklung des Lohnniveaus aufgewertet und die laufenden Pensionsleistungen angepasst werden. Die Einkommen der PensionistInnen sollten sich zwar grundsätzlich weiter im Gleichklang mit den Einkommen der Versicherten entwickeln, aber nach Abzug der Sozialabgaben.

¹⁷ Die Pensionsberechnung auf Basis der „besten 15 Beitragsjahre“ brachte für manche Frauen aber auch den Vorteil, schlechte Einkommensjahre (z.B. Teilzeitarbeit) aus der Bemessungsgrundlage und somit aus der Pensionsberechnung ausklammern zu können.

¹⁸ Daneben gab es noch geringfügige Verbesserungen für geschiedene Hinterbliebene und geschiedene AlterspensionistInnen.

¹⁹ Im Bereich des ASVG wurde im Fall der Inanspruchnahme des „Karenzurlaubes“ seit 1971 maximal ein Jahr, seit 1990 maximal zwei Jahre angerechnet. Die dadurch bedingte Pensionsleistungssteigerung ergab sich, wie bei allen übrigen Ersatzzeiten auch, aus der Höhe der individuellen Bemessungsgrundlage.

eingebunden gewesen waren, auf heftige Kritik.²⁰ Anhaltende Proteste kamen von den ÖGB-Frauen, den Grünen und von der damaligen Bundesministerin für Frauenangelegenheiten Johanna Dohnal (vgl. dazu näher: Mairhuber 2000:187f). Nach dreimonatigen Verhandlungen zwischen VertreterInnen der Sozialpartner und den Regierungsparteien sollte das Strukturanpassungsgesetz 1995 – von den Interessenvertretungen der ArbeitnehmerInnen als „gerade noch tragbarer Kompromiss“ bezeichnet – Anfang 1995 im Parlament verabschiedet werden. Im Bereich der Pensionsversicherung waren ursprünglich die Einführung von Abschlägen beim vorzeitigen Pensionsantritt vorgesehen. Vor allem auf den Widerstand der Bundesarbeitskammer und des ÖGB war es jedoch zurückzuführen, dass es vorläufig zu keinen Kürzungen bei den vorzeitigen Alters- und Invaliditätspensionen kam.

Das Strukturanpassungsgesetz 1996 entstand unter völlig anderen Bedingungen: Nachdem die Sozialpartner in die Erstellung des Strukturanpassungsgesetzes 1995 nicht einbezogen gewesen waren und dies zu großem Unmut geführt hatte, ersuchte die Regierung die Sozialpartner, „eine gemeinsame Studie über die notwendigen Maßnahmen zur Konsolidierung des Bundeshaushaltes 1996 bis 1997“ vorzulegen. Im daraufhin erstellten „Gutachten zur Budgetkonsolidierung“ bekannten sich die Sozialpartner unter Hinweis auf die „Sicherung des Wirtschaftsstandortes Österreich“ und die „langfristige Finanzierung des Sozialstaates“ zu einer „vor allem ausgabenseitigen Budgetkonsolidierung“. Die im Koalitionsübereinkommen zwischen SPÖ und ÖVP Anfang 1996 festgeschriebenen Einsparungsmaßnahmen stützte sich inhaltlich und in der grundsätzlichen Ausrichtung auf dieses Sozialpartnergutachten und sollten im Rahmen des Strukturanpassungsprogramms 1996 weitestgehend umgesetzt werden (vgl. dazu näher: Mairhuber 2000:195ff).

Im Bereich der Pensionsversicherung sollte einerseits durch die Anhebung der erforderlichen Beitrags- und Versicherungsmonate für die vorzeitigen Alterspension und andererseits durch die Änderung der Steigerungsbeträge das faktische Pensionsanfallsalter angehoben und somit Einsparungseffekte erzielt werden. Im Bereich der vorzeitigen Alterspension wegen geminderter Arbeitsfähigkeit genügte für einen Anspruch nicht mehr 10 Versicherungsjahre, sondern es mussten mindestens 15 Beitragsjahre (!) vorliegen. Zudem wurde das Pensionsantrittsalter für Männer vom 55 auf 57 angehoben. Im Falle der vorzeitigen Alterspension wegen Arbeitslosigkeit wurde die Mindestversicherungszeit von 15 auf 20 Versicherungsjahre innerhalb der letzten 30 Jahre angehoben. Zusätzlich waren nun mindestens 15 Beitragsjahre (!) erforderlich, wobei Kindererziehungszeiten wie Beitragszeiten gerechnet wurden, sofern zehn „echte“ Beitragsjahre vorhanden sind. Im Bereich der vorzeitigen Alterspension wegen langer Versicherungsdauer erfolgte eine schrittweise Anhebung der erforderlichen Versicherungsjahre von 35 auf 37,5 Jahre.

Die Erhöhungen der erforderlichen Mindestversicherungszeiten waren nicht nur beträchtlich, sondern abgesehen von der vorzeitigen Alterspension wegen langer Versicherungsdauer auch ohne Übergangsfrist. Wurde bei den Wartezeiten bisher von Versicherungszeiten (also Beitragszeiten und Ersatzzeiten) ausgegangen, führten in Hinkunft fast nur mehr Beitragszeiten zu einem vorzeitigen Pensionsanspruch. Personen, die aufgrund von Erwerbslosigkeit, Krankheit, Mutterschaft oder Kinderbetreuung unstete Erwerbsverläufe aufweisen (d.h. vor allem Frauen), wurden damit vom Anspruch auf eine dieser Versicherungsleistungen nahezu ausgeschlossen.

Die relativ komplizierte Neugestaltung der Steigerungsbeträge führte dazu, dass sich bei Inanspruchnahme einer vorzeitigen Alterspension zwischen dem 55. bzw. 60. Lebensjahr und

²⁰ Von den zahlreichen Protestaktionen sei hier nur auf die Veranstaltung „Republik der Solidarität“ vom März 1995 hingewiesen, bei der ParteivertreterInnen der Grünen und der SPÖ, InteressenvertreterInnen der ArbeitnehmerInnen, KirchenvertreterInnen, WissenschaftlerInnen etc. angesichts von Ent-Solidarisierung und Sozialabbau über „Neue Wege der Solidarität“ diskutierten (vgl. näher: Mairhuber 2000:187ff).

35 Versicherungsmonaten eine maximale Pensionsreduktion von 7% ergab. Bei weniger bzw. mehr als 35 Versicherungsjahren lagen die Abschläge paradoxerweise darunter und betrugen ca. 5% (vgl. dazu näher: Mairhuber 2000:203).

Im Rahmen der Budgeterstellung für die Jahre 1998 und 1999 stand die Pensionsversicherung abermals im Mittelpunkt. Hauptargument für weitere notwendige Maßnahmen war wiederum die nachhaltige Sicherstellung der Finanzierung der Pensionsversicherung angesichts der gestiegenen Lebenserwartung. Bereits im Frühsommer 1997 einigte sich die SPÖ/ÖVP-Koalition in Grundzügen über das so genannte „Pensionskonzept 2000“. Nachdem die Sozialpartner diesmal wieder nicht in den Entscheidungsfindungsprozess eingebunden gewesen waren, kam es neben der grundlegenden Ablehnung durch die Opposition zu Widerständen von Seiten der Interessenvertretungen der ArbeitnehmerInnen. Die auf Basis des so genannten „Rürup-Gutachtens“²¹ vorgesehenen Maßnahmen stießen bei der Bundesarbeitskammer und dem ÖGB auf heftige Kritik. Trotz anfänglich nahezu unüberwindbar erscheinender Konflikte einigten sich Regierung und Sozialpartner im Zuge der Nachverhandlungen jedoch bereits Ende 1997 auf weit reichende Änderungen, die in qualitativer Hinsicht kaum von den ursprünglichen Vorschlägen der Regierungsvorlage abwichen: Neben der heftig diskutierten Verlängerung des Bemessungszeitraumes (von 15 auf 18 Jahre²²), die nach einer Übergangsregelung für „vorzeitige“ Pensionsantritte ab dem Jahr 2020 voll wirksam werden sollte, blieben auch die Abschläge für vorzeitige Alters- und Invaliditätspensionen grundsätzlich erhalten. Im Zuge einer nun linearen Gestaltung der Steigerungsbeträge (2% pro Versicherungsjahr) erfolgte pro Jahr vorzeitigem Pensionsantritt eine Abschlag von 2% (bis zu einem Höchstausmaß von 15%). Als teilweiser Ausgleich für die zu erwartenden massiven Pensionsreduktionen bei Frauen, kam es gleichzeitig zu einer Höherbewertung der Kindererziehungszeiten ab dem Jahr 2000 (vgl. dazu näher: Mairhuber 2000:207).

4.2.4. PENSIONSREFORM 2000

Wie bereits erwähnt, kam es mit dem Antritt der ÖVP/FPÖ-Regierung für die Gewerkschaften und die Bundesarbeitskammer zu einem systematischen Ausschluss aus dem Prozess der Politikformulierung. So wurde die Pensionsreform 2000 auch ohne Einbindung der Sozialpartner entworfen und gegen den Willen – nicht nur der Opposition, sondern auch – der Interessenvertretungen der ArbeitnehmerInnen beschlossen. Die weit reichenden Maßnahmen wurden auf Basis eines Berichtes einer von der Regierung eingesetzten „Expertenkommission zur langfristigen Pensionssicherung“ erstellt. Hauptargument war wiederum die „Sicherstellung der nachhaltigen Finanzierung der Pensionsversicherung“ angesichts der grundlegenden Veränderungen der Altersstruktur der Bevölkerung.

Bereits vor Beschluss der Pensionsreform 2000 sollte jedoch in Folge eines Urteils des Europäischen Gerichtshofes²³ die vorzeitige Alterspension wegen geminderter Arbeitsfähigkeit rückwirkend mit 23. Mai 2000 abgeschafft werden. Gleichzeitig wurde ein stark eingeschränkter Tätigkeitsschutz für den Zugang zur Invaliditäts- und Berufsunfähigkeitspension eingeführt (vgl. dazu näher: Mairhuber 2003:5).

²¹ Der deutsche Ökonom Bert Rürup erstellte im Auftrag des Bundesministeriums für Arbeit, Gesundheit und Soziales eine Studie zum Thema: „Perspektiven der Pensionsversicherung in Österreich“. Eine Reihe der Vorschläge, die angesichts „demographischer Veränderungen die langfristige Finanzierung des österreichischen Pensionsversicherungssystems“ sicher stellen sollten, flossen in das „Pensionskonzept 2000“ ein.

²² Diese Ausdehnung des Bemessungszeitraumes auf 18 Jahre im Falle eines vorzeitigen Pensionsantrittes bezieht sich auch auf die Besamtenvorsorge.

²³ Demnach widersprachen die unterschiedlichen Altersgrenzen für Männer (57. Lebensjahr) und Frauen (55. Lebensjahr) dem Europarecht.

Obwohl die Maßnahmen der Pensionsreform 1997 zur Erhöhung des faktischen Pensionsantrittsalters noch nicht einmal ihre volle Wirksamkeit entfaltet hatte, wurden mit der Pensionsreform 2000 folgende Änderungen beschlossen: Die schrittweise Anhebung des gesetzlichen Pensionsantrittsalters für die vorzeitige Alterspension wegen langer Versicherungsdauer, bei Arbeitslosigkeit sowie für die Gleitpension um 18 Monate auf 56,5 Jahre für Frauen und 61,5 Jahre für Männer. Parallel zu dieser Anhebung wurden die Abschläge schrittweise von 2% auf 3% pro Jahr des Pensionsantrittes vor dem 60. (Frauen) bzw. 65. (Männer) Lebensjahr erhöht.

Die Maßnahmen der Pensionsreform 1997 waren sehr problematisch, denn ältere ArbeitnehmerInnen – vor allem HilfsarbeiterInnen und angelernte ArbeiterInnen – sind in Österreich überdurchschnittlich von Arbeitslosigkeit betroffen und haben vielfach einen sehr schlechten Gesundheitszustand. Eine Veränderung ihres Erwerbsverhalten war daher – vor allem kurzfristig – kaum möglich. Für Frauen bedeutete die Anhebung des vorzeitigen Pensionsalters auch eine Verstärkung ihrer finanziellen Abhängigkeit im Alter, denn anstelle der vorzeitigen Alterspension bei Erwerbslosigkeit erhielten sie nun bestenfalls eine Leistung aus der Arbeitslosenversicherung – hier führt die Anrechnung des Partnereinkommens vielfach aber zum Entfall der Geldleistung (vgl. dazu näher: Mairhuber 2001:126).

Darüber hinaus wurde die für die Invaliditätspension geltende günstigere Pensionsberechnung schrittweise abgeschafft – somit werden diese ab 2005 wie alle anderen Pensionsarten berechnet – und die Berechnung der Witwen-/Witwerpensionen so gestaltet, dass es mitunter zu einem völligen Entfall der Leistung kommen kann (vgl. Mairhuber 2001:127).

Neben diesen Maßnahmen im Leistungsbereich sollte es auch zu Veränderungen im Bereich der „Mitbestimmung“ kommen: Die Berechnung des Pensionsanpassungsfaktors erfolgt künftig nicht mehr durch den „Beirat für Pensions- und Rentenanpassung“, sondern durch die „Kommission zur langfristigen Pensionssicherung“. Die Mitglieder der Kommission werden von den im Nationalrat vertretenen Parteien, von Interessenvertretungen und Betroffenen Gruppen entsendet. Im Jahr 2002 sollte die Kommission zudem einen weiteren „Bericht über die längerfristige Entwicklung der gesetzlichen Pensionsversicherung“ legen.

4.2.5. PENSIONSREFORM 2003

Mit der Pensionsreform 2003 ist nun in zweifacher Hinsicht ein Höhepunkt erreicht: einerseits bezogen auf den Prozess der Politikformulierung bzw. die Aufgabe der traditionellen Konsenspolitik, und andererseits im Hinblick auf die inhaltlichen Dimension bzw. die geplanten Maßnahmen, die einem Versuch einer Systemänderung (Abgehen vom Prinzip der Lebensstandardsicherung) gleichkommen.

Auf Basis des „2. Berichtes der Expertenkommission zur Rahmenplanung des österreichischen Pensionssystems“²⁴ verfasste die ÖVP/FPÖ-Regierung – ohne Konsultation der Sozialpartner – einen Reformentwurf der Pensionsversicherung der Ende März 2003 in Begutachtung ging. Geplant waren neben der sehr kurzfristigen Abschaffung aller vorzeitigen Alterspensionen, drastische Einschnitte im Leistungsbereich (Kürzungen bis zu 18% bereits ab 2004 und für jüngere Versicherte bis zu 40%). Die Bundesarbeitskammer und der ÖGB lehnten das Gesetzesvorhaben als völlig inakzeptabel ab (vgl. AK-Wien 2003; ÖGB 2003). Der Präsident des ÖGB und der Präsident der Bundeswirtschaftskammer forderten den Rückzug des

²⁴ Der „2. Bericht der Expertenkommission“ wurde am 12. Dezember 2002 abgeschlossen und enthält „Vorschläge zur Reform der Sicherung gegen das Risiko der Invalidität und zur langfristigen Stabilisierung der Alterssicherung“. Sowohl die Kommission als auch die zwei Arbeitsgruppen und verschiedenen Unterausschüsse wurden einerseits von Universitätsprofessoren (Mehrzahl Juristen) und andererseits von Beamte des zuständigen Bundesministeriums für soziale Sicherheit und Generationen geleitet. Es handelte sich dabei ausschließlich um Männer.

Reformentwurfes und boten im Gegenzug an, bis Herbst ein gemeinsam erarbeitetes Reformkonzept vorzulegen. Dies wurde jedoch abgelehnt. Der etwas abgemilderte Reformentwurf sollte bereits Ende April im Ministerrat beschlossen und als Regierungsvorlage an das Parlament zur Verabschiedung Anfang Juni weitergeleitet werden.

Entgegen der österreichischen Tradition beschloss der ÖGB daraufhin für den 6. und 13. Mai 2003 so genannte „Abwehrmaßnahmen“: Informationsveranstaltungen in Betrieben, erste „Abwehrstreiks“ und eine Grossdemonstration in Wien waren die Folge. Nach dem Anschwellen der Protestbewegung – laut Umfragen unterstützte die Mehrzahl der ÖsterreicherInnen die Aktionen der Interessensvertretung der ArbeitnehmerInnen – und Vermittlung des Bundespräsidenten (!) erklärte sich die Regierung zu Gesprächen am „Runden Tisch“ bereit. Dabei beharrt sie jedoch auf den Eckpunkten und war nur zu einer generellen „Verlustdeckelung“ und zu etwas längeren Übergangsfristen bereit. Zu einer Einigung zwischen Sozialpartner und Regierung kam es nicht. Daher beschloss der ÖGB am 6. Juni großflächige „Abwehrstreiks“. Dies führte zu den größten Streiks, die Österreich seit den 50er Jahren erlebt hatte. Dennoch sollte das Parlament am 11. Juni 2003 mit den Stimmen der Regierungsparteien die Pensionsreform 2003 beschließen, wobei der Grossteil der am „Runden Tisch“ in Aussicht gestellten Abänderungen aufgenommen worden waren.

Für die Interessenvertretungen der ArbeitnehmerInnen handelt es sich bei der Pensionsreform 2003 angesichts der „relativ günstigen Entwicklung der Finanzen der Pensionsversicherung in den nächsten Jahren“²⁵ und trotz „Angebot der Sozialpartner zur Vorlage eines auf bereitem Konsens basierenden Reformmodells“ um eine „schnelle Geldbeschaffungsaktion“ und nicht um eine langfristige Sicherstellung der Pensionen (AK-Wien 2003:3). Eine sozial verträgliche Pensionsreform müsste laut Bundesarbeitskammer und ÖGB folgende Grundsätze enthalten: die Gewährleistung des Vertrauensschutzes; die Sicherung des Lebensstandards im Alter; die Gleichbehandlung aller Versicherten-Gruppen bzw. eine Harmonisierung der verschiedenen Pensionssysteme; den Aufbau einer eigenständigen Alterssicherung für Frauen und die Berücksichtigung besonderer Arbeitsumstände (Schwerarbeit) (AK-Wien 2003:3). Die Abschaffung der vorzeitigen Alterspensionen wird hingegen abgelehnt. Zur Anhebung des faktischen Pensionsantrittsalter sollten Qualifikations- und Gesundheitsmaßnahmen und geeignete beschäftigungsfördernde Maßnahmen für ältere Arbeitnehmerinnen gesetzt werden (ÖGB 2003:3).

Betreffend die Harmonisierung der Pensionssysteme bzw. die Schaffung eines einheitlichen Pensionsrechtes für alle jüngeren Erwerbstätigen – eine Forderung die sowohl von der SPÖ als auch der FPÖ gestellt wurde – sollte nur eine so genannter Entschließungsantrag verabschiedet werden, der die Regierung auffordert bis Ende 2003 einen entsprechenden Gesetzesentwurf ins Parlament einzubringen. Hierzu sollte es im Lauf des Jahres 2003 weitere „Runde Tische“ – also Gesprächsrunden mit den Sozialpartnern geben.

Die Pensionsreform 2003 bedeutete konkret zweierlei: die Abschaffung der vorzeitigen Alterspensionen und massive Leistungseinschränkungen. Die vorzeitige Alterspension bei Arbeitslosigkeit und die Gleitpension werden mit 2004 gestrichen, die Abschaffung der vorzeitigen Alterspension bei langer Versicherungsdauer erfolgt schrittweise bis 2014. Im Leistungsrecht erfolgen: bis 2028 eine schrittweise Ausweitung der Bemessungsgrundlage von 15 auf 40 Jahre, wobei es zu keiner vollständigen Aufwertung weiter zurückliegender Einkommen kommt (!); eine bis 2009 schrittweise Absenkung des Steigerungsbetrages von 2% auf 1,78% pro Versicherungsjahr und eine Erhöhung des Abschlages von 3% auf 4,2% pro Jahr des früheren Pensionsantrittes – dies gilt auch für die Invaliditätspensionen.

²⁵ Die Zahlungen aus dem Budget zu den ASVG-Pensionen werden in den nächsten Jahren selbst ohne Änderungen im Pensionsrecht zurückgehen (vgl. AK-Wien 2003:3)

Allein die Absenkung des Steigerungsbetrages bedeutet eine Reduzierung der Pensionsleistung um bis zu 11%. Die Ausdehnung des Bemessungszeitraumes führt im Endausbau (d.h. für Jüngere) zu einer durchschnittlichen Pensionskürzung von 25%. Nach den massiven Protesten vor allem der Interessenvertretungen der ArbeitnehmerInnen sollten die Verluste, die sich aus der Kulminierung der einzelnen Maßnahmen ergeben, mit 10% gedeckelt werden. Laut ÖGB und Bundesarbeitskammer besteht jedoch „die Gefahr, dass der Deckel bald aufgehoben wird und dann alle Verluste durch die ‚Pensionsversicherungsreform‘ voll auf die Pensionen durchschlagen“ (ÖGB 2003:12, AK-Wien 2003:2).

Für Mütter wurden darüber hinaus folgende Regelungen beschlossen:²⁶ eine Reduktion des Bemessungszeitraumes um 3 Jahre pro Kind, eine schrittweise Anhebung der Bewertung der Kindererziehungszeiten in den kommenden 25 Jahren auf das Eineinhalbfache des Ausgleichszulagenrichtsatzes (2003: 965,31 €); eine Ausdehnung der Anrechnung der als Beitragszeiten geltenden Kindererziehungszeiten von derzeit 18 auf 24 Monate. Diese Maßnahme im Leistungsrecht werden aber angesichts der 10%-Verlustdeckelung für Mütter aber kaum konkrete Auswirkungen haben (AK-Wien 2003:7). Maßnahmenvorschläge betreffend den Ausbau der „eigenständigen Alterssicherung von Frauen“, die auch im Bericht der Expertenkommission enthalten sind, fanden jedoch keine Berücksichtigung.

Sollte es in den nächsten Jahren zur befürchteten Aufhebung der Verlustdeckelung kommen, so würde dies einem tatsächlichen Abgehen vom Prinzip der Lebensstandardsicherung und damit einer Systemänderung in mehreren Schritten gleichkommen. Bezogen auf die ohnedies bereits sehr niedrigen Frauenpensionen sowie Invaliditäts- bzw. Berufsunfähigkeitspensionen, bedeutet jedoch auch eine 10% Pensionskürzung einerseits eine weitere Entfernung von der Idee der „eigenständigen Alterssicherung von Frauen“ und andererseits bereits ein Abgehen vom Prinzip der Lebensstandardsicherung.

4.3. Zusammenfassung

Die Geschichte der Pensionsreformen in Österreich ist seit den 80er Jahren bezogen auf den Prozess der Politikformulierung von einem schrittweise Abgehen von einer traditionellen Konsenspolitik gekennzeichnet: Sowohl das Strukturanpassungsgesetz 1996 als auch die Pensionsreform 1997 waren entgegen die österreichische Tradition zunächst ohne die Einbeziehung der Sozialpartner entworfen worden. Nach heftiger Kritik – vor allem von Seiten der Interessenvertretungen der ArbeitnehmerInnen – war es jedoch in beiden Fällen zu sozialpartnerschaftlichen Nachverhandlungen und letztendlich zur Beschlussfassung mit Zustimmung der Sozialpartner gekommen. Im Unterschied dazu sollten die Pensionsreformen 2000 und 2003 unter der ÖVP/FPÖ-Regierung ohne Sozialpartnerverhandlungen, trotz Widerstand in Form von Streiks und vor allem gegen den Willen der Interessenvertretungen der ArbeitnehmerInnen beschlossen werden.

Bezogen auf die inhaltliche Dimension schlug sich in den Pensionsreformen der 80er Jahre die Veränderung in der politischen Prioritätensetzung (Budgetkonsolidierung statt Vollbeschäftigung) nieder: vor allem leistungseinschränkende Maßnahmen waren die Folge. Die Pensionsreform 1993 stand bereits im Zeichen der „langfristigen Absicherung der Pensionsversicherung unter den Bedingungen der demographischen Veränderungen“, stellt aber insofern auch eine Ausnahme dar, als es nicht nur zu Leistungseinschränkungen, sondern auch zu strukturellen Verbesserungen im Bereich der Frauenpensionen kam. Die sehr weit reichenden Maßnahmen in der Pensionsversicherung in der Mitte der 90er Jahre entstanden im Zuge der völligen Unter-

²⁶ Auch für Frauen und Männer mit 40 bzw. 45 Beitragsjahren (!) gibt es eine Sonderregelung, diese ist jedoch zeitlich begrenzt: Demnach können diese noch einige Jahre lang eine vorzeitige Alterspension in Anspruch nehmen, die Verschlechterungen im Leistungsrecht gelten aber auch für sie.

ordnung aller Politikbereiche unter das Ziel der Erreichung der Maastrichtkriterien. Die Pensionsreformen 2000 und 2003 sind im Gegensatz zu den vorangegangenen Reformen nicht nur durch eine Verschärfung der Zugangsbestimmungen und durch massive Leistungskürzungen geprägt, sondern einerseits durch die sukzessive Abschaffung der vorzeitigen Alterspensionen und andererseits durch den Versuch des Abgehens vom österreichischen Prinzip der Lebensstandardsicherung.

4.4. *Abstract*

Regarding the social-policy discussion process, Austrian pension reforms since the 1980s have been characterised by a step-by-step abandonment of the traditional “consensus policy”: Both pension reform measures set by the Structural Adjustment Act of 1996 and the Pension Reform of 1997 were initially formulated without the consultation of the social partners. Negotiations with the social partners were only taken up after massive protest – first and foremost by the workers’ interest-group representatives – and finally both acts were passed with the approval of the social partners. In contrast, the Pension Reforms of 2000 and 2003 – under ÖVP/FPÖ government – were realised not only without social partner negotiations, but also in the face of the express rejection by workers’ interest-group representatives and after strikes – counter to the Austrian tradition.

With regard to their content, the Austrian pension reforms of the 1980s were determined by changes in the fundamental economic and social-policy consensus (e.g. budget consolidation instead of full employment): Measures to reduce the level of pension benefits were some of the consequences. The Pension Reform of 1993 was already governed by the slogan of “financial sustainability in view of demographic changes”. This pension reform was also an exception, however, because it led not only to limitations and cutbacks but also to structural improvements with regard to women’s pensions. The far-reaching pension reform measures of 1996 and 1997 were realised under the banner of a budgetary cutback policy after Austria’s accession to the EU. With the Pension Reform of 2000 and the Pension Reform of 2003 not only measures to limit the access to benefits (e.g. through tighter eligibility criteria) and to reduce the level of benefits (e.g. changes in the calculation methods) were set, but these reforms were first and foremost characterised by the abolishment of early retirement pensions and the intention to abandon the Austrian tradition of guaranteeing decent living standards by means of the statutory pension system.

5. SYNTHESSES OF THE INTERVIEWS ON AUSTRIAN PENSION REFORMS

5.1. Interviews with Unionists

First Interview: (Union of Salaried Employees (Gewerkschaft der Privatangestellten, GPA)

Date and Place: 13 January 2005, 10:00-11:30, Vienna

Interviewers: Ingrid Mairhuber, Roland Atzmüller

Exploitation: Ingrid Mairhuber

Main Statements/Results

Link with the EU level

- On the one hand, EU-level influence on public discourse evident (comparison of European pension systems; the “expensive Austrian pension system” used as national argument to promote radical reforms in Austria);
- On the other hand, “*the OMC is not taken very seriously*” (e.g. “Austrian Pension Strategy Report 2002” (“Strategiebericht 2002”), “*no influence on national politics*”.

Framework

Global Trend

- Austria had known a decade-long policy of reducing the workforce with the help of early retirement; reversal of this policy in the past few years;
- Continual reviews of the pension system, especially with regard to expenditure;
- First caesura in the mid-1980s: Not only in terms of measures regarding revenue but also changes in terms of benefits;
- Deterioration of the situation of women as early as the mid-1980s (introduction of linear increment points).

Role of the Organisation in the Decision Making Process

- First breach with the traditional social partner involvement: the pension reform of 1997²⁷;
- Major breach: “Pension Reform 2000”: representative bodies of social partners were not at all involved;
- “Pension Reform 2003”: Social partner talks only taken up after hugely successful industrial action (strike and protests); the reform was passed without the consent of employees’ representative bodies;
- “Harmonisation 2004”²⁸: Politically strengthened by the action taken against the 2003 reform, talks with the social partners from the very start; nevertheless, this reform, too, was passed without the consent of employees’ representative bodies.

²⁷ Cf. Mairhuber 2003: Pensionsreformen in Österreich: Akteure und Inhalte (1980-2000), Deliverable 8 for the EU-project “Employees’ resources and social rights in Europe”, Vienna: 8f.

²⁸ In late 2004, a harmonised pension system was introduced in Austria for private sector employees, public servants, farmers and self-employed people. Key features of this so-called “Harmonisierung 2004” include:

a) the introduction of a “benefit-based, individual pension account” (*leistungsdefiniertes Pensionskonto*) for each working person, granting at the age of 65 a pension of 80% of pensionable earning, calculated on a period of 45 years of contribution (so-called 45/65/80 scheme);

Involvement in the Management

- Social partners in charge of self-administration of the social insurance; funds are only managed, not invested;
- Employees' representative bodies not involved in the management of pension funds.

National Event***“Pension Reform 2003” (main points from his point of view)***

- New method of calculating benefits (the *Durchrechnung* scheme²⁹);
- Disadvantageous regulations for periods of unemployment;
- Deterioration of the situation of women working part-time due to the *Durchrechnung* scheme).

“Harmonisation 2004” (main points from his point of view)

- Introduction of a “benefit-based pension account” (*leistungsdefiniertes Pensionskonto*)³⁰ positive;
- No longer any “insurance gaps” for women who lose their entitlement to unemployment assistance because their partners' income has been taken into consideration³¹;
- The introduction of more favourable adjustments of pension insurance contributions (*höhere Aufwertungsfaktoren*)³² is positive (also for women).

Tensions***Conflicts/Consensus***

- Main points of criticism regarding “Pension Reform 2003”: major cuts in benefits; abolishment of early retirement schemes without transition periods;
- Following successful protest action on the part of employees' representative bodies: introduction of a 10% ceiling to pension benefit losses (*Verlustdeckung*)³³; abolishment of early retirement schemes, however, remains;

-
- b) a revaluation of pensionable earnings due to a more favourable adjustment of pension insurance contributions (*bessere Aufwertungsfaktoren*) in line with real wage developments;
- c) the introduction of ‘corridor pensions’ (*Korridorpension*) for those aged between 62 and 68. This scheme initially applies only to men since the retirement (pensionable) age for women is still 60, and will gradually be increased to 65 between 2024 and 2033. This special scheme will be the only possibility for men to opt for retirement before the age of 65, since the previous early retirement scheme was abolished by the “Pension Reform 2003”. However, since each year of early retirement entails a reduction of 4.2% in the pension awarded (on the basis of the ‘45/65/80 scheme’), this option may bring reductions in pension benefits of up to 12.6%;
- d) the consideration of “qualifying periods” (*Ersatzzeiten*) as pension contribution periods, even though at a lower rate than “real” contribution periods based on regular earnings (Cf. Austria: Controversy over government's pensions harmonisation plans; <http://www.eiro.eurofound.eu.int/2004/09/feature/at0409203f.html>).

²⁹ The *Durchrechnung* scheme refers to the staged extension of the period of earnings on the basis of which pension benefits are calculated from the previous 15 best-paid working years to 40 years (Also see: Mairhuber 2003:12ff).

³⁰ Cf. Footnote 28.

³¹ Periods in which unemployment benefit or unemployment assistance were claimed are considered contribution periods. As, in establishing entitlement to unemployment assistance (*Notstandshilfe*), the spouse's income is taken into consideration, many women frequently failed to qualify for this type of transfer and thus did not accumulate pension contribution periods (See also: Mairhuber 2003a: The Austrian pension systems; Deliverable 3 for the EU-project “Employees resources and social rights in Europe”, Vienna:6).

³² Cf. Footnote 28.

- ÖGB demands not met by the “Harmonisation 2004” reform: repeal of the “Pension Reform 2003”; more favourable assessment of qualifying periods (*Ersatzzeiten*), especially for periods of unemployment, the absence of a “corridor pension”³⁴ scheme for women;
- The ‘45/65/80’³⁵ scheme will engender additional changes for the worse; the widespread agreement regarding this scheme can be “traced back to societal change on the whole, to how the issue of social protection in old age is perceived (international influence)”. A major argument is demographics. “This is something that by now even the decision-makers within ÖGB have become aware of”.

Mobilisation

- “Pension Reform 2003”: Mobilisation by the ÖGB was very successful, among others reason because the reform brought “changes for the worse for everyone”;
- “Harmonisation 2004”: No mobilisation on the part of ÖGB as “people were no longer that interested. The right atmosphere was lacking”. All in all, the “Harmonisation 2004” reform was a more heterogeneous situation than that surrounding the “Pension Reform 2003”.

Perspectives

- No major changes in the pension scheme are to be expected in the near future, as four pension reforms have been implemented since 2000, which have yet to come into effect.

Second Interview (Austrian Trade Union Federation (*Österreichischer Gewerkschaftsbund, ÖGB*)/Women’s Organisation)

Date and Place: 26 January 2005, 10:00-11:20, Vienna

Interviewer: Ingrid Mairhuber

Exploitation: Ingrid Mairhuber

Main Statements/Results:

Link with the EU level

- Positive influences in terms of the equal treatment of women;
- Negative pressure regarding the increase of the statutory retirement age (women and men).

Framework

Global Trend

- The first decisive incision: the gradual increase of the female statutory retirement age following a ruling by the Austrian Constitutional Court in 1992³⁶;

³³ That means, a limitation of the possible overall losses in pension benefits for each individual retiree resulting from the pensions reform, set at a maximum of 10% in relation to the benefits provided by the previous scheme (See also Mairhuber 2003: 12).

³⁴ Cf. Footnote 28.

³⁵ Employees’ representative bodies adopted the model of the “Österreich-Pension” (“Austria Pension”) developed by the Austrian Trade Union Federation (*Österreichischer Gewerkschaftsbund, ÖGB*) and the Austrian Chamber of Labour (AK) for the negotiations of the “Harmonisation 2004” reform. The so-called “Österreich-Pension” is based on a ‘45/65/80’ scheme. For details, see Footnote 28.

³⁶ According to a ruling by the Austrian Constitutional Court in 1990, different retirement ages for women and men are not in accordance with the Austrian constitution. In response to this ruling, the Austrian government decided in 1992 to gradually raise women’s statutory retirement age to that of men, after having set a range of measures regarding labour legislation, equality legislation and social security laws in order to promote the factual equal treatment of women and men (the so-called *Gleichbehandlungspaket*). Thus, from 2018, women’s statutory retirement age will be gradually raised; and by 2033, the statutory retirement age is to be 65 for both men and women (Cf. Mairhuber 2003a:4f).

- The second major event in the past four years: major cuts in benefits and the sudden increase of the statutory retirement age, without the creation of necessary framework conditions.

Role of the Organisation in the Decision Making Process

- In terms of women's interests, the negotiations of the *Gleichbehandlungspaket* of 1992³⁷ were an important event;
- *"If there hadn't been this major wave of protests in 2003, the pension reform would have turned out a lot worse."*

National Event

"Pension Reform 2003" and "Harmonisation 2004" (main points from her point of view)

- Rapid increase of the statutory retirement age (i.e. abolishment of early retirement options), combined with massive cuts in benefits;
- Trust in the pension insurance scheme has fallen, *"especially younger people no longer believe in the stability of the system"*;
- The new *Durchrechnung* scheme will especially hit women, due to part-time work in their career histories;
- Women are also at a disadvantage in terms of "corridor pensions";
- No adequate measures for women to offset losses as the more favourable assessment of childcare periods³⁸ is not sufficient;
- A positive feature is the consideration of periods of unemployment as contributory periods, even if no unemployment assistance (*Notstandshilfe*) was claimed³⁹;
- *"It will be difficult for women to live on these pensions"*.

Interpretation of the Trend

- *"They really have perfectly managed to, with the help of a number of different political constellations, put the Austrian social security system down, to flog it to death"*;
- *"The Austrian government promotes private pension schemes and provides tax incentives for such schemes, and at the same time claims that a publicly-funded pension scheme can no longer be financed"*;
- The discrimination of women in terms of occupational pensions⁴⁰ was also heavily criticised by the ÖGB Women's Organisation but *"powerful insurance institutions won out"*.

Tensions

Conflicts/Consensus

- The "45/65/80 scheme": *"Was simply a realistic approach. Had we adopted a contributory period of just 40 years, we would have made fools of ourselves in the political landscape"* (supposed unsustainability of the pension system);
- "Corridor pensions" for women were rejected by the government; this was one of the reasons why ÖGB did not agree to the "Harmonisation 2004" reform.

³⁷ Cf. Footnote 10.

³⁸ The assessment basis for periods of childcare obligations will be raised to the level of the median female income (2004: EUR 1350.-/month).

³⁹ Cf. Footnote 5.

⁴⁰ Austrian occupational pension schemes use different actuarial calculations for men and women. The differences are based on gendered life-expectancy tables. Although women and men pay the same contributions, women's pension benefits within occupational schemes are lower than those of men.

Mobilisation

- “Pension Reform 2003”: Mobilisation through ÖGB was an important event for the organisation to realise: *“We are present”*; *“We are the ones who can mobilise and the ones who see when the people concerned have had enough”*;
- “Harmonisation 2004”: no mobilisation, *“because simply the pressure had gone and we all felt that”*; no protests, neither from women.

Perspectives

- Demands: Pensions for women in their own right which are high enough to secure women a livelihood; in doing so, take women’s career histories into account; more favourable assessment of childcare periods (median income of both men and women as an assessment basis); creation of framework conditions that allow women to better reconcile work and childcare obligations;
- The abolishment of the constitutional amendment/the earlier increase of the female retirement age⁴¹ will remain an issue and will also be combated in future (in this respect solidarity of the overall organisation);
- No further reforms to be expected within the next few years as elections are due in 2006. *“But everything’s possible”*;
- *“After 2006, I hope for political change in this country”*; envisages a political constellation that keeps employees’ interests in mind and a government that once again becomes involved women’s policy rather than just family policy.

Third Interview (Chamber of Labour (Arbeiterkammer, AK), Vienna, Social policy department)

Date and Place: 3 February 2005, 14:00-15:30

Interviewer: Ingrid Mairhuber

Exploitation: Ingrid Mairhuber

Main Statements/Results:**Link with the EU level**

- *“The EU has come to play a major role in the shaping of policies in Austria”*: a) the discussion of social security in old age at EU level, such as the expansion of the second and third pillars, the curtailing of early retirement schemes, a more liberal pensions policy, *“fits in perfectly with the concepts and ideas of the Austrian government”*; b) *“from the very start, the EU made the reduction of budget deficits a priority”*, and for Austria this means major upheavals in terms of the pension system;
- *“The EU continually confronts Austria with country comparisons”* (regarding costs of social security in old-age), *“which I really think are wrong”*;
- Influence of the EU also in terms of the Pension Funds Act – this is to be liberalised;
- The OMC is not regarded as an effective instrument.

Framework**Global Trend**

- *“Continual pension reforms have completely eroded people’s trust in a secure pension insurance scheme”*;
- Since 1993, all pension reforms have been aimed at cutbacks;
- Despite the aims of the pension reforms, people are trying to retire as early as possible, *“as uncertainty and insecurity are prevalent”*.

⁴¹ Cf. Footnote 10.

Role of the Organisation in the Decision Making Process

- Points to the “well-known development”.⁴²

Involvement in the Management

- The Chamber of Labour advises works councils on the negotiation of pension funds in their enterprises;
- Close involvement of the Chamber of Labour in the creation of the Pension Funds Acts of 1990; “*Thus we have been able to limit the proportion of stocks and shares*”;
- “*The ‘Abfertigung Neu’ scheme⁴³ was developed by the social partners*”. But it was never meant to become an occupational pension scheme. Now workers have a choice. “*As far as we know, this scheme is not widely made use of*”.

National Event

“Pension Reform 2003”

- Abolishment of early retirement pension schemes, reduction of the increment factor, extension of the assessment period; attempt to bring the public-sector pension scheme in line. “*Actually, nothing was left untouched and alterations were radical*”;
- Effects: “*On the one hand, the political reverberations, i.e. ÖGB has gone as far as calling a strike. This is something very out-of-the-ordinary*”;
- The *Durchrechnung* scheme presents a huge problem for women (who worked part-time for some of their contributory years);
- The major problem of the “Pension Reform 2003”: “*Closely designed in accordance with the insurance principle and much more oriented towards male career histories. At a time when developments are starting to go quite the opposite way*”;
- A major part of men continue to earn pensions that allow them to maintain their standard of living. “*Female pensions have never been able to guarantee women maintenance of their living standard, in many cases not even enough to prevent poverty – unless through their family background. The gender pension gap is set to widen further*”;
- “*All employees are hard hit, apart from civil servants because two sets of regulations limit their losses in benefits and they can also count on extensive transition periods*”.

“Harmonisation 2004”

- Implementation of harmonised retirement and pension legislation for all those entering the labour market only for the first time seen as a very positive step;
- “*The direct funding of qualifying periods⁴⁴ is also a question of what value a society attributes to certain activities, such as childcare obligations. And that’s important*;
- *Public sector employees have once again managed to remain within the old scheme for another fifty years.*”;
- At first “corridor pensions” will only be available to men. “*This was supported by EU legislation, as EU law states that newly introduced pension schemes cannot allow for gender-specific differences.*”;
- “*A more favourable adjustment of pension insurance contributions is a lot more just to women and makes up for quite a few other things*” (such as the *Durchrechnung* scheme).

⁴² Cf. Mairhuber 2003.

⁴³ *Abfertigung neu* refers to a new severance pay system introduced in 2002. “Cf. Mairhuber 2003a:11.

⁴⁴ In future, “real” pension contributions will be paid by the respective funding institutions (e.g. Public Employment Service, Family Fund) for periods of unemployment, childcare obligations, etc. (“qualifying periods”, *Ersatzzeiten*).

Tensions

Conflicts/Consensus

- Major parts of the “pension account model” (“Österreich-Pension”) implemented in the “Harmonisation 2004” reform; *“Its basic structure is not a government model”*;
- Other major issues (such as deductions, corridor pensions for women, etc.) were not implemented; thus no consent to the reform;
- Could not prevent the discrimination of women in terms of the corridor pension as: a) *“Reasoning (women are still at a disadvantage in working life, within the family; etc, and thus a gender-specific design of the retirement age is still justified) did not seem tenable in the public debate, “sounds ridiculous”*; b) Many journalists were in favour of an increase in the female retirement age and thus the media coverage was largely favourable;
- 45/65/80 scheme: *“Trust in the pension insurance system has been undermined also within the unions – reform is really needed.”* Another reason is growing life expectancy and the issue of sustainability, *“which is also a question of social redistribution. And that’s a hotly debated issue. This is something science and research certainly contributed to as well”*.

Mobilisation

- “Pension Reform 2003”: Successful mobilisation by ÖGB; *“Has also got to do with the fact that the AK managed to impress with its calculations and demonstration of the effects of the reform and that ÖGB really succeeded in mobilising people. The SPÖ Oberösterreich (Social Democratic Party of Upper Austria) launched a “pensions petition” (“Pensionsvolksbegehren”), which was successful in Upper Austria, otherwise SPÖ did not mobilise sufficiently; in addition, it came too late – the negotiations had already been completed;*
- “Harmonisation 2004”: No mobilisation because: a) *“the successes of 2003 were not really presented as successes”* as attempts had failed to prevent the reform completely; b) *“A lot had been taken over from the ÖGB/AK model of the ‘Österreich-Pension’”*.

Perspectives

Actors

- *“As long as this governmental constellation continues, it will keep drawing up concepts (such as the reform of invalidity pensions) without the involvement of the social partners”*;
- Alliances can be envisaged with SPÖ and parts of the economy *“as before long they will face the problem of what to do with the older workers”*;
- Negative influence of the EU set to increase even further.

Pensions

- Demands: Pensions for women in their own right; *“That’s the most important thing”*; real minimum pensions for all; accompanying measures in working life; creation of serious options of “gradual retirement”; reform of validity pensions necessary as gross injustice exists in this area;
- *“The reform of invalidity pensions is bound to be next. Under this government, though, such a reform will bring about changes for the worse”*.

5.2. Interviews with Passeurs

First Interview (Federal Ministry of Social Security and Generations) (SPC)

Date and Place: 19 January 2005, 10:00- 11:30, Vienna

Interviewer: Ingrid Mairhuber

Exploitation: Ingrid Mairhuber

Main Statements/Results:

Framework

Global Trend

- Introduction of OMC “constituted a major caesura in European development”;
- Influence on national policy expected, “but in the end this has not happened; added value currently not significant”.

Changes in the Pension System

- “Pension Reform 2003”: One of the most extensive reforms, which however, remained within the system and only further developed existing parameters;
- “Harmonisation 2004”: the “old system” translated into a “pension account system”.

Effective Role of the SPC

- High-level committee at public-sector level;
- SPC is a co-player in conveying papers right up to the Council of Ministers;
- Co-responsible for drawing up the national “Pension Strategy Report”.

National Event

“Pension Reform 2003” (main points from his point of view)

- Changes in calculation of pension earnings used as a means of exerting pressure to make people retire later;
- Gradual introduction of the *Durchrechnung* system;
- Abolishment of early retirement schemes.

“Harmonisation 2004”

- Standardised system for all insured people, including public sector employees;
- Benefit-based pension account system;
- For women the new system offers both improvements and changes for the worse.

Interpretation of the Trend

- There won't be another reform quickly, as “Pension Reform 2003“ and the “Harmonisation 2004” reform are to ensure financial sustainability;
- Parameters can be adapted without another pension reform, the new system allows for that. Financial sustainability is in the foreground;
- Austrian pension system still ensures a decent standard of living;
- Increase in retirement age justified by growing financial pressure;
- Capital cover rather than a “pay as you go” system: “In Austria, that was a fashion. According to the government programme additional risk diversification, i.e. first pillar remains dominant but second and third pillars are promoted. And that means capital cover.”

Conflict, Consensus, Mobilisation

- “Pension Reform 2003”: Mobilisation was successful “as it was relevant to all persons close to retirement”;
- “Harmonisation 2004”: No mobilisation as the reform mainly affects young people, for whom pension and retirement issues are still in the very distant future. For those below 50, this is all very vague and difficult to grasp.”

National/EU

Role of the Committee

- Major differences in terms of contents between “Pension Strategy Report 2002” and “Pension Reform 2003”: *“As one of the co-authors, I can only say that this was not foreseeable. Politically we had no indication that something like this was planned”*;
- The “Strategy Report” is, in principle, seen as an implementation report rather than the description of planned projects, as that would mean *“the government committing itself in future”* – and this is regarded as a problem;
- *“The entire issue (pension scheme) is just part of the phenomena subsumed under the heading of Economic Guidelines. In the end it is all about financial sustainability”*.

Relationships

- No continuous contact with the players at national level but cooperation, e.g. in terms of drawing up the “Pension Strategy Report” 2005;
- However, we are in constant contact with the EPC and EMCO; the “Strategy Report” is written in cooperation with the EPC;
- Sees SPC as a *“sounding board of the government”*;
- Weight of individual countries within the SPC predominantly depends on whether the representative is an expert and what kind of national political back-up he has;
- The SPC also has political weight, as *“whatever leaves the Committee in the form of a paper usually stays like that”*.

Perspectives

- The problem with the OMC is that an increasing number of areas are being added, with a whole new set of needs and requirements; *“social policy is quite a lot more complex, you cannot cover it all by means of a single process. The more I try to do justice to this complexity, the more I’ll weaken the social pillar”*;
- *“And the principles of economic policy (the monetary pillar) remain the same; i.e. the question is: What are the national budgets, are we below or above the 3%; it’s very simple.”*;
- *“The many different areas covered also weaken the role of the committee. If we continue like this, this is the perfect way of ensuring that everything is condemned to insignificance.”*

Second Interview (Federal Ministry of Finance/Department of Economic Policy) (EPC)

Date and Place: 2 February 2005, 10:00-11:15, Vienna

Interviewer: Ingrid Mairhuber

Exploitation: Ingrid Mairhuber

Main Statements/Results:

Framework

Global Trend

Changes in the Pension System

- Since 1992, there have been a series of reforms and the dawning realisation of long-term financing problems;
- The Rürup analysis (1997)⁴⁵: Marked the start of putting the financing issue on an analytical basis and developing future scenarios;
- *“In the end, everyone in Austria knew that the key parameter is retirement age and that it is mainly by adapting this parameter that we can control long-term sustainability”*;

⁴⁵ Cf. Mairhuber 2003:8.

- In terms of financing, a number of major steps have been taken in recent years; amongst them e.g. risk diversification;
- On the benefits side of things, important steps have been taken towards “standardising” the system (by means of the “Harmonisation 2004” reform but also the *Durchrechnung* scheme).

Effective Role of the SPC

- Regards influence of the committee on Austrian pensions policy as “indirect”; *“our projections formed the basis of the pension reforms, as they pointed out the financial risks”*;
- EU level also “indirectly” influences national policy *as views are exchanged there, and to some extent agreement is reached on “what is good policy“* (e.g. keep older workers in employment longer – a question of potential growth).

National Event

“Pension Reform 2003” (main points from his point of view)

- Core issue: Raising the statutory retirement age;
- For him, the *Durchrechnung* scheme instead of the “best 15 years” system also means more equality.

“Harmonisation 2004”(main points from his point of view)

- Core issue: “A single regulation for everyone”;
- Effect of female pensions: *“Whether women’s pensions will further decline, is unknown. The fact that, for instance, the median female income will be used as an assessment basis for childcare periods, will have positive effects for lower-income earners”*;
- Regards question of women’s pensions mainly from the vantage point of preventing poverty in old age. Social equilibrium should not be achieved through the pension system as this creates *injustice*.

Interpretation of the Trend

- Does not perceive a trend in Austria towards reducing the ability of pensions to ensure a decent living standard;
- Invalidity engenders higher risks. Could become an issue in future *“if dynamics emerge that the budget can no longer absorb”*;
- In 2004, the government failed to succeed regarding a contribution-based method of pensions calculation. This is currently not an issue, perhaps after the next elections;
- Capital cover rather than a current income financing (“pay as you go”) system: In Austria, transition costs would be difficult or impossible to finance. Second and third pillar are bound to further gain in importance. Does not envisage any substantial shifts however.

Conflict, Consensus, Mobilisation

- The protest actions against “Pension Reform 2003” has not had any influence on the work within the Committee. *“We are all experts and try to analyse as objectively as possible”*.

National/EU

Role of the Committee

- *“Processing and disseminating information, the exchange of views and positions, of information on national policies in order to develop increasingly common perspectives, also at EU-level. And this in turn reflects back on the national level”*;
- Discrepancies between “Pension Strategy Report 2002“ and “Pension Reform 2003”: The report attempts to point out how good the (present) system is. But at the same time it is designed to point out the need for reform. *“That’s somehow all included in this dynamic field of conflicting forces. But if you read it closely, you could tell from the projections what direction it would take”*;
- EU recommendations regarding retirement age are clear both in terms of the Economic Guidelines and the Guidelines for employment policies;

- Influence has grown as the Committee has been intensively dealing with this issue since 1998/99 and the “ageing-working-group” was established in 1999.

Relationships

- Intensive collaboration with colleagues from other committees;
- In drawing up the “Strategy Reports”, the EPC is responsible for long-term projections;
- Within the Thomandl Commission,⁴⁶ views were exchanged with all relevant national actors;
- Sees himself as the representative of the Ministry of Finance;
- The larger countries have a little more weight (within the Committee). This is not really relevant however because the EPC predominantly works on technical analyses.

Perspectives

Actors

- The main actors in the process of pension reform will be “*those who are key actors today*”;
- “*Everyone has to play their part. We need the balance, government and social partners*”.

Reform Process

- The OMC will continue to exist if probably in more compact form.
- “*The work of the ‘ageing-working-group’ will surely continue, with its main focus remaining on long-term projections.*”;
- “*Our priority: What is financial sustainability, where are the risks, how can we minimise them, what parameters are there, and then options are developed*”;
- Social sustainability is not the main focus; there is a clear division of tasks with the SPC.

⁴⁶ This refers to the so-called “Expert Committee on Long-Term Pension Sustainability” (*Expertenkommission zur langfristigen Pensionssicherung*) chaired by Univ. Prof. Thomandl, which was established by the ÖVP/FPÖ government in 2000 and developed suggestions for reform. (Also see: Mairhuber 2003:8f).

6. *OVERALL SUMMARY – AUSTRIAN PENSION REFORMS 1980-2004*

6.1. *Changes in rights related to pension entitlements*

The Austrian pension reforms of the 1980s were determined by changes in the fundamental economic and social-policy consensus (e.g. budget consolidation instead of full employment): Measures to reduce the level of pension benefits were some of the consequences.

The pension reform of 1993 was already governed by the slogan of “financial sustainability in view of demographic changes”. This pension reform was also an exception, however, because it led not only to limitations and cutbacks but also to structural improvements with regard to women’s pensions.

The far-reaching pension reform measures of 1996 and 1997 were realised under the banner of a budgetary cutback policy after Austria’s accession to the EU.

After the change of government in 2000, from a social-democrat-led coalition (SPÖ/ÖVP) to a centre-right coalition (ÖVP/FPÖ), however, even more drastic reforms were to take place. With the pension reform of 2000 and the pension reform of 2003, all forms of early retirement pension were abolished. In addition, with the pension reform of 2003 the Austrian tradition of guaranteeing decent living standards by means of the statutory pension system was de facto abandoned (through the staged extension of the period of earnings on the basis of which pension benefits are calculated from the previous 15 best-paid working years to 40 insurance years). What is more, this staged extension of the period of earnings on the basis of which pension benefits are calculated presents a huge problem for women who have worked part-time for some of their contributory years due to childcare obligations. These years can no longer be excluded from the pension calculation, but directly reduce the level of pension.

With the “Harmonisation 2004”, a standardised pension system for all of the economically active population was created. The pension calculation is converted to a “benefit-based, individual pension account” system – granting a pension of 80% of pensionable earnings, calculated on a period of 45 years of contribution at the age of 65 (the “45/65/80” scheme). In contrast to the 2003 pension reform, however, the “Harmonisation 2004” also included improvements in the benefit calculation (e.g. more favourable adjustment of pension insurance contributions in line with real wage developments). These improvements, however, cannot make up for the disadvantages that arise for women as a result of the incorporation in the pensions calculation of years of part-time working, for example.

6.2. *Shifts in the structure of financing pensions*

Essentially, it is not possible to speak of any direct change in the financing structure of the Austrian pension system in the period from 1980 to 2004. From the contributory side, in recent years there have only been very marginal adjustments for individual groups of people insured. Above and beyond this, no explicit measures have been implemented that actually call into question the statutory old-age provision as the main old-age insurance system. However, as a result of the massive reduction of the level of pension, the 2003 pension reform and the “Harmonisation 2004” will in the long term lead to more money going into company and private pension schemes.

In this connection, however, it is interesting that in public documents (primarily since 2002) and in the media, talk is repeatedly of the construction of a “three-pillar model”. This means: a sufficient guarantee in old age is composed of a pension benefit from the statutory pension insurance system (first pillar), a company pension fund (second pillar) and a private pension fund (third pillar). In contrast to countries in which there is a genuine “three-pillar model”, in Austria not only is the corresponding regulatory framework lacking, but also the majority of Austrians draw and will continue to draw only one pension benefit, i.e. from the statutory pension insurance system.

With regard to the shifts in the structure of financing pensions in Austria, however, one interview partner said: *According to the government programmes there should be an additional risk diversification, i.e. the first pillar remains dominant but the second and third pillars are promoted. And that means capital cover”*.

In 1955, in creating the General Social Insurance Act (Allgemeines Sozialversicherungsgesetz - ASVG), there was the understanding in Austria that as far as the funding of old-age pensions was concerned, one third should be paid by employee contributions, one third through employer contributions and one third by federal government contributions. In the meantime there has evidently not so much been a worsening of the financial situation in pension insurance as a change in the basic consensus regarding pension policy. Although in 2001 about 77% of the expenditure of the statutory pension insurance system was financed through the contributions of the insured (and the contributions of their employers), and only about 23% were financed from tax revenues (federal contribution), the supposed “financial non-sustainability of the Austrian pensions insurance” was the reason for the far-reaching pension reforms of recent years.

In this connection, an interview partner notes: *“The Austrian government promotes private pension schemes and provides tax incentives for such schemes, and at the same time claims that a publicly-funded pension scheme can no longer be financed”*.

6.3. *Main actors and discourses regarding pension reforms*

Regarding the social-policy discussion process, Austrian pension reforms since the 1980s have been characterised by a step-by-step abandonment of the traditional “consensus policy”: Both pension reform measures set by the Structural Adjustment Act of 1996 and the pension reform of 1997 were initially formulated without the consultation of the social partners. Negotiations with the social partners were only taken up after massive protest – first and foremost by the workers’ interest-group representatives – and finally both acts were passed with the approval of the social partners.

In contrast, the pension reforms of 2000 and 2003 – under ÖVP/FPÖ government – were realised not only without social partner negotiations, but also in the face of the express rejection by employees’ representative bodies and after strikes – counter to the Austrian tradition.

Politically strengthened by the action taken against the Pension Reform of 2003, there were talks with the social partners regarding the “Harmonisation 2004” from the very start. Nevertheless, this reform, too, was passed without the consent of employees’ representative bodies.

Above and beyond this it should be noted that the employees’ representative bodies adopted the model of the “Österreich-Pension” (“Austria Pension”) developed by the Austrian Trade Union Federation (Österreichischer Gewerkschaftsbund, ÖGB) and the Austrian Chamber of Labour (AK) for the negotiations of the “Harmonisation 2004” reform. This “Austria Pension” is based on a ‘45/65/80’ scheme and fundamentally means an essential reduction of the pension benefit. This shows that even in the run-up to negotiations, the employees’ representative bodies had already made concessions, or as one interview partner put it: this scheme can be *“traced back to societal change on the whole, to how the issue of social protection in old age is perceived”*.

Regarding the position of the unions, another interview partner said, *“Trust in the pension insurance system has been undermined also within the unions. [They believed that] a reform is really needed.”* Further, the interview partner addresses the distribution question and the influence of science and research on the political pensions debate: Another reason is growing life expectancy and the issue of sustainability, *“which is also a question of social redistribution. And that’s a hotly debated issue. This is something science and research certainly contributed to as well”*.

In addition to this, with “Harmonisation 2004” the term “fairness” repeatedly crops up. The historically developed different systems for different groups of employees appear to have largely lost their acceptance (above all with regard to civil servants). A system for all employees seems fairer and more in keeping with the times.

With regard to the influence of the EU level on Austrian pensions policy, in the interviews the view predominates that there is primarily an indirect influence: on the one hand at the level of public discourse (i.e. the discussion of social security in old-age at EU level, such as the expansion of the second and third pillars, the curtailing of early retirement schemes, a more liberal pensions policy) and on the other hand regarding the financial room for manoeuvre (i.e. reduction of budget deficits as a priority of EU policy). This leads one interviewee to the following conclusion: *“The entire issue (pensions) is just part of the phenomena subsumed under the heading of the economic guidelines. In the end it is all about financial sustainability”*.

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- xxxi Hauptverband der österreichischen Sozialversicherungsträger, Pensionsversicherung; Die österreichische Sozialversicherung in Zahlen 13. Ausgabe, p. 23
- xxxii Hauptverband der österreichischen Sozialversicherungsträger; AK (2000): Wirtschafts- und sozialstatistisches Taschenbuch, p. 359
- xxxiii Cf. Mairhuber, I. (2003): The Austrian pension systems; Deliverable 3 for the EU-project „Employee’s resource and social rights in Europe”, p. 7
- xxxiv Less than 60% of the weighted per-capita medium income, EUROSTAT- weighting factors: first adult = 1, every other adult person in the household = 0,5, every child in the household = 0,3
- xxxv Republik Österreich (2002): Bericht über die österreichische Rentenstrategie 2002, Wien; Tabellenteil zu Anhang 4, Tabelle 5.1
- xxxvi Hauptverband der österreichischen Sozialversicherungsträger, Pensionsversicherung, Berichtsjahr 2000, Tabelle 2, 3, 4, 5 and 6
- xxxvii Cf. Mairhuber, I. (2003): The Austrian pension systems; Deliverable 3 for the EU-project „Employee’s resource and social rights in Europe”, p.11
- xxxviii The care-giver pays only the employee’s share of the contribution, while the employer’s share is funded from the federal budget
- xxxix According to a ruling by the Constitutional Court in 1990, different retirement ages for women and men are not in accordance with the Austrian constitution. In response to this ruling, the Austrian government decided in 1992 to raise women’s statutory retirement gradually to that of men, after having set a range of measures regarding labour legislation, equality legislation and social security laws in order to promote the factual equal treatment of women and men. Thus, from 2018, women’s statutory retirement age will be gradually raised; and by 2033, the statutory retirement age is to be 65 for both men and women
- xl Age limits for early retirement pensions will be harmonised in accordance with raised statutory retirement age for standard old-age pensions
- xli Hauptverband der österreichischen Sozialversicherungsträger, AK (2002): Wirtschafts- und sozialstatistisches Taschenbuch 2002; p. 369
- xlii Hauptverband der österreichischen Sozialversicherungsträger, AK (2001): Wirtschafts- und sozialstatistisches Taschenbuch 2001; p. 374
- xliiii Hauptverband der österreichischen Sozialversicherungsträger, AK (2001): Wirtschafts- und sozialstatistisches Taschenbuch 2001; p. 373
- xliv ÖVP: Österreichische Volkspartei = Austrian People’s Party (ideological orientation: conservative, Catholic, economically liberal)
- xlvi FPÖ: Freiheitliche Partei Österreichs = Freedom Party of Austria (right-wing extremist and populist orientated)
- xlvi Based on cost saving arguments the two major pension insurance institutions for blue- and white-collar workers were unified in 2002. But there are indications that one of the main reasons for the unification was the (political) appointment of new chairpersons (administrative bodies) by the Federal Minister of Social Security and Generation (FPÖ)
- xlvii Since October 2002, the Federation of Austrian Social Security Institutions has been obliged to work out target agreements for the “coordination of administrative actions of social security institutions”, which have to be endorsed by the Federal Minister of Social Security and Generation. A “controlling group”, established by the Federation and comprised of 9 members (including 5 government representatives), is to monitor the implementation of these agreements (monitoring). An additional “special management” team of two qualified senior Federation managers will be directly responsible to the controlling group. The Federation is to submit quarterly financial reports and cost/ performance reports every six months to the Federal Minister of Social Security and Generation (reporting). These measures allow for far-reaching political intervention in the autonomy of social security institutions