

The Abolition of the Caretaker Law and its Impact on Caretaking

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Abstract

Until June 2000 caretaking was based on the Caretaker Law (Hausbesorgergesetz) which had been in force since 1970. This law provided the profession with exceptional regulations which were not offered by the general labour law. The particularity of caretaking required deviations from the Working Time Law, it also used to be common sense that it would be favourable to have the caretaker living in the house or at least close to the house he or she had to look after. Therefore the caretaker was entitled by law to be offered a home on the premises by the house owner and was reaping the benefits of an extraordinary legal dismissal protection. The Caretaker Law also includes a job profile and empowers the provincial government to fix the tariff for the caretaking services. The law itself being a part of the labour law was thus having an enormous impact on the entire caretaking business, housing maintenance and housing costs.

The abolition of this law caused a setback of caretaking into general labour law for those who were employed after 30th June 2000. Since then caretaking services have been segmented and redistributed among different workers and service companies more than ever before. Politicians in favour of the abolition had argued that it would cut down the caretaking costs, that new jobs would be created by liberalising the services and that introducing market rules would facilitate the replacement of unsatisfactory caretakers and thus improve the quality of the services.

The study includes a documentation of the political debate before 2000, it also analyses the change of the political positions and the fragmentation of the political lobbies up till 2007. It compares the professional profiles of caretaking services before and after 2000, it investigates the abolition's impact on the quality of caretaking, and it questions the problem of cost-comparison. The main objective of the research project was to evaluate the consequences of the abolition of the Caretaker Law and to provide empirical evidence to the political debate about implementing new legal federal regulations for the professional field of caretaking.

Research methods Textanalysis (parliamentary minutes, press releases, newspapers),
in-depth-interviews, standardised written random sample survey
carried out in selected housing estates in Vienna

Keywords caretaking, housing politics, property management

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