1. **Undertaking to prevent disadvantages**

The contractor undertakes the following:

1.1 To comply with the federal and state legal provisions regarding general non-discrimination, particularly the General Act on Equal Treatment;

1.2 To pay male and female staff the same rate for the same or equivalent work. This is without prejudice to the provisions of collective agreements.

2. **Transfer of undertaking to the subcontractor chain**

2.1 The contractor undertakes to oblige its subcontractors and/or agencies providing staff to comply with the undertaking in accordance with point 1 above.

2.2 The contractor undertakes to oblige its subcontractors and/or agencies supplying staff to conclude an agreement pursuant to 2.1 with any subcontractors so as to ensure that the undertaking in point 1 is complied with throughout the entire subcontracting chain.

2.3 A subcontractor and/or agency supplying staff is not obliged to comply with these agreements if:

   2.3.1 The subcontractor in question is exempted from public procurement law for the purposes defined in Sections 107, 109, 116, 177, 137, 140 as well as Section 145 of the Act Against Restraints of Competition;

   2.3.2 The contractor or subcontractor is required to accept the contract conditions of a subcontractor in order to perform the contract;

   2.3.3 The value of the subcontract for a deliverable or service is less than EUR 10,000 (excluding VAT) or in the case of construction work EUR 50,000 (excluding VAT).

2.4 Upon request, the contractor is required to provide proof of the transfer of undertaking as per 2.1 and 2.2, or to provide proof of right of exemption as per 2.3.
2.5 Any infringements of the agreements as per 2.1 and 2.2 regarding the contractor’s undertaking under 1. by a subcontractor or agency supplying staff shall be attributed to the contractor.

Please note

The contract conditions concerning possible sanctions in the case of infringement are set out in Part B (Wirt-2144)