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European Monitoring Centre on Change

Hungary: Notice period to employees

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Hungary

Phase:

Management

Type:

Notice period to employees

Last modified: 17 June, 2019

Native name: 2012. évi I. törvény a Munka Törvénykönyvéről

English name: Act I of 2012 on the Labour Code

Article

39, sections 68-70

Description

The notice period shall begin at the earliest on the day following the date when the dismissal is communicated.

Where employment is terminated by the employer, the notice period shall begin at the earliest on the day after the last day of the following periods:

- duration of incapacity to work due to illness, not to exceed one year following the expiration of the sick leave period;
- absence from work for the purpose of caring for a sick child; and
- leave of absence without pay for providing home care for a close relative.

The above rules shall apply in case of collective redundancies if the conditions specified exist at the time when the written notification on the decision regarding collective redundancy is given.

The notice period is 30 days. If employment is terminated by the employer, the 30 day notice period shall be extended by a certain number of days on the basis of the number of years of employment by the employer in question, and namely:

- 5 days after 3 years of employment by the employer;
- 15 days after 5 years;
- 20 days after 8 years;
- 25 days after 10 years;
- 30 days after 15 years;
- 40 days after 18 years; and
- 60 days after 20 years.

By agreement of the parties, the notice period may be extended by up to six months.

In case of a fixed-term employment relationship, the notice period may not go beyond the fixed term.

In case of collective dismissals, the employer is obliged to initiate a consultation with the employee representatives at least 15 days prior to the decision and pursue it until an agreement is made. Collective dismissals are defined as those affecting at least 10 workers in companies with 21 to 99 employees, affecting 10% of workers in companies with 100 to 299 employees, and at least 30 workers in companies with 300 or more employees.

Comments

Collective agreements could foresee notice periods longer than 30 days, if this is to the benefit of the worker.

Cost covered by

Not applicable

Involved actors other than national government

National government only

Thresholds


Company size by number of employees:


21

Number of affected employees:

10

Sources

 2012. évi I. törvény a munka törvénykönyvéről

 Act I of 2012 on the Labour Code

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