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European Monitoring Centre on Change

Hungary: Public authorities information and consultation on dismissals

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Hungary

Phase:

Anticipation

Type:

Public authorities information and consultation on dismissals

Last modified: 16 May, 2019

Native name:

2012. évi I. törvény a Munka Törvénykönyvéről

English name:

Act I of 2012 on the Labour Code

Article

40, Section 72 (5), Section 74, Section 75; 45, Section 85 (2)

Description

The employer shall notify the government employment agency of its intention regarding collective redundancies and of the details and aspects of collective redundancies as negotiated with the works council, and shall supply a copy thereof to the works council. Collective dismissals are defined as those affecting at least 10 workers in companies with 21-99 employees, 10% of workers in companies with 100-299 employees, and at least 30 workers in companies with 300 or more employees.

Regarding the intention of collective redundancies, the employer shall notify in writing the government employment agency of its decision at least 30 days prior to delivering the notice of dismissal. This notification shall contain:

- the identification data;
- the job position; and
- the qualification of the employees to be made redundant.

The employer shall negotiate on collective redundancies with the works council. The agreement concluded between the employer and the works council in the course of these negotiations shall be made in writing, and a copy shall be sent to the government employment agency (regarding the content of the negotiations and the agreement see '[Staff information and consultation on collective dismissals](#)').

Furthermore, the employer shall notify in writing the workers affected from the decision regarding collective redundancies at least 30 days prior to delivering the notice of dismissal or the dismissal without notice as defined in the law. The notice of dismissal or the dismissal without notice may be delivered after 30 days following the time of notification. The notification shall be sent to the works council and the government employment agency as well.

Any notice of dismissal delivered in violation of the above regulations regarding the notification of workers affected shall be considered unlawful.

Regarding the notification of public authorities, derogations by collective agreement are allowed only to the benefit of workers.

Comments

A modification from 2017 foresees that, in the event of collective dismissals affecting the crew of a sea ship, the employer has to inform the competent authority of the nation of the ship.

Cost covered by

Not applicable

Involved actors other than national government

Public employment service
Works council

Thresholds

Company size by number of employees:

21

Number of affected employees:

10

Sources

 [Act I of 2012 on the Labour Code](#)

 [Act I of 2012 on the Labour Code](#)

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Contact us

Eurofound, Wyattville Road, Loughlinstown, Co. Dublin, D18 KP65, Ireland

Phone: (00) 353 1 2043100

E-Mail: information@eurofound.europa.eu

Press: media@eurofound.europa.eu



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