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EMCC

European Monitoring Centre on Change

## Hungary: Time off for job search

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Hungary

Phase:

Management

Type:

Time off for job search

Last modified: 09 September, 2019

Native name:

2012. évi I. törvény a Munka Törvénykönyvéről

English name:

Act I of 2012 on the Labour Code

### Article

39, Section 70; 45, Section 85

### Description

In the event of dismissal, the employer shall exempt the employee concerned from work duty for at least half of the notice period. The notice period is set as follows:

- 0-3 years spent at the workplace: 30 days;
- 3-5 years: 35 days;
- 5-8 years: 45 days;
- 8-10 years: 50 days;
- 10-15 years: 55 days;
- 15-18 years: 60 days;
- 18-20 years: 70 days;
- 21 or more years: 90 days.

Any fraction of a day shall be applied as a full day. This time off work after dismissal should be allocated in not more than two parts, at the employee's discretion.

For the period of being exempted from work duties, the employee shall be entitled to absentee pay, except if he/she was not eligible for any wages otherwise.

If the employee was exempted from work permanently prior to the end of the notice period, and a circumstance occurred that prevents the payment of wages (such as illness making the employee unfit for work) after this time, the wages already paid may not be reclaimed by the employer.

The above provisions do not apply under fixed-term contracts, trial periods or in the case of immediate dismissals, where wrongdoing by either party is alleged. In these cases no time off or notice period is offered by law.

### Comments

Collective agreements can deviate from the above provisions on exemption from work duty during the notice period, also to the detriment of workers concerned (the collective agreement could set, at least in principle, shorter exemption period than stipulated by legislation).

#### Cost covered by

Employer

#### Involved actors other than national government

National government only

#### Thresholds

No, applicable in all circumstances

### Sources

-  [Act I of 2012 on the Labour Code](#)
-  [Act I of 2012 on the Labour Code](#)
-  [Milyen jogok illetik meg a munkavállalót a munkáltatói felmondáskor?](#)

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## Case studies

## Future of Manufacturing in Europe (FOME)

European Observatory on Quality of Life - EurLIFE

European Observatory of Working Life - EurWORK

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