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Factsheet for case **HU-2020-12/659**

Allowing new work arrangements due to pandemic

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Country	Hungary, applies nationwide
Time period	Open ended, started on 19 March 2020
Type	Legislation or other statutory regulation
Category	Protection of workers at the workplace – Changes of working hours or work-arrangements
Case created	16 April 2020 (updated 22 April 2020)

Background Information

Under Section 6 of the government decree 47/2020 (18 March), the employer may deviate from the Labour Code or from any part of an existing collective agreement in making new working arrangements involving working schedules, ordering employees to work remotely (home office) and in any other aspect necessary in connection with health and safety during the coronavirus pandemic. The aim of the measure is to allow the employer to make flexible changes in work conditions rather than lay off workers in the adverse economic climate of the covid-19 pandemic.

Content of measure

The measure applies to all employees working under the legal status regulated by the Labour Code (Act. 1/2012). The employer can change working arrangements, for example order remote work unilaterally. The employer may carry out any measures necessary to ensure the worker's health and safety during the pandemic. The employer and the employee can make any new arrangement by agreement even if it contradicts the provisions of the Labour Code. Some of the more important issues experienced by workers during the covid crisis are the options available to the employer for sending employees home and paying reduced wages or none at all. In human services-heavy sectors where work has become impossible, unpaid leave or "standby" status are common.

Use of measure

Four trade union confederations have complained in a joint call that the measure creates new kinds of “dependencies” for the worker, as the employer has gained too much flexibility in the arrangement of working conditions. By temporarily suspending the protections laid down in the Labour Code, the measure puts disproportionate burdens on employees which should not be the aim of this regulation, they said.

These four trade union confederations are as follows:

1. Liga - Democratic League of Independent Trade Unions
2. ÉSZT - Trade Union of Professionals
3. MASZ - Hungarian Trade Union Confederation
4. SZEF - Trade Unions' Forum for Cooperation

Actors, target groups and funding

Actors	Target groups	Funding
National government Company / Companies	employees All companies	Employees Employer

Social partners

Role of social partners	Informed
Form of involvement	No involvement

Social partners were not consulted, but trade union confederations have signed a joint statement protesting this new measure, arguing that it is putting too much of the economic burden suffered from covid-19 on employees

Sectors and occupations

This case is not sector-specific.

This case is not occupation-specific.

Sources

- 18 March 2020: Government decree 47/2020 (EN)
- 23 March 2020: Trade unions: measures of solidarity with employees needed (joint statement) (www.szakszervezet.net)