



European
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EUROPEAN SOCIAL CHARTER

Answers to additional questions related to

20th National Report on the implementation of the European
Social Charter

submitted by

THE GOVERNMENT OF HUNGARY

Articles 2, 3, 4, 5, 6, and 20

CYCLE 2024

Responses to the supplementary questions of the European Committee of Social Rights regarding the 2024 report submitted by Hungary

Article 2(1)

- **Please provide information on whether compensation is granted for inactive on-call periods without performing actual work, particularly for inactive on-call duty performed outside the employer's premises. If so, what rules apply to such compensation?**

Section 110 of Act I of 2012 on the Labour Code (hereinafter: Labour Code) regulates on-call duty and stand-by duty. If the place designated for the employee to remain available is determined by the employer, it qualifies as on-call duty; if it is determined by the employee, it qualifies as stand-by duty.

In cases of on-call or stand-by duty not involving actual performance of work, the employee is entitled to a wage supplement as follows:

- a) 20% of the base wage for the duration of stand-by duty;
- b) 40% of the base wage for the duration of on-call duty.

The basis for calculating the wage supplement is the employee's base wage, in accordance with Section 139(1) of the Labour Code. The basis of calculation may be determined differently by mutual agreement of the parties or by a collective agreement.

However, in addition to this supplement, the employee is not entitled to regular wages for the duration of the stand-by or on-call duty, as these periods, in and of themselves, do not qualify as working time in the absence of actual work performed. [Labour Code Section 110]

Persons falling under Act XLII of 2015 on the Service Status of Professional Members of Law Enforcement Agencies

Pursuant to Act XLII of 2015 on the Service Status of Professional Members of Law Enforcement Agencies (hereinafter referred to by the Hungarian abbreviation as Hszt.), the commander in charge may require a member of the professional staff—outside of regular duty hours and for service-related purposes—to remain accessible, in a service-ready condition, at a location not at the duty station, from which they can be called upon to perform service tasks at any time (stand-by duty) [Section 141 (1) of the Hszt.].

If service interests or exceptional circumstances so require, a member of the professional staff may be obliged to remain on stand-by at a location designated by the issuing authority (enhanced stand-by duty). The enhanced stand-by duty must be ordered in writing by the commander responsible for the personnel, with the provision that the actual location where the service tasks are carried out cannot be designated as the availability location for the enhanced stand-by duty [Section 141 (2) of the Hszt.].

As defined in Section 161 (1)(d) and (2) of the Hszt., the amount of stand-by allowance per hour for a member of the professional staff is **0.25% of the law enforcement salary base**, and **1% in the case of enhanced stand-by duty**. The stand-by allowance is payable to the member of the professional staff for the period during which the activity eligible for allowance is actually carried out.

Taking into account Section 38/B (1)(e) of Decree No. 33/2015 (VI. 16.) of the Minister of the Interior on the determination of the salary and other benefits of members of law enforcement bodies under the Minister of the Interior's supervision in professional service relationships, as well as the rules of their payment, the stand-by allowance does not form part of the additional allowance included in the calculation of the regular monthly salary of the professional staff. The weekly working hours of the professional staff are determined by the Hszt. as follows.

The regular weekly working time is forty hours (general weekly service time). In service assignments that are partly or entirely of a stand-by nature, a longer service time may be established, provided it does not exceed forty-eight hours per week. The working time may also be defined in a multi-week framework – taking into account the weekly service time – but not exceeding a four-month or sixteen-week period. In service assignments organized for continuous on-call duty, those of a stand-by nature, or those established for performing personal protection tasks, the working time – taking into account the weekly service duration – may be determined in a framework of up to six months.

The period of service may be scheduled unevenly across working days; however, even in such cases, the daily period of service may not be less than four hours and – with the exception of continuous on-call service arrangements, guard and standby-type duties, as well as the cases specified in Paragraph (2) and Section 135/A – may not exceed twelve hours [Section 135 (1) of the Hszt.].

Highly hazardous service assignment – involving exposure to high-frequency and ionizing radiation, poisoning, or the risk of infection due to the presence of biological pathogenic agents, as well as activities carried out in underground facilities or under artificial and climatic conditions – the daily working time dedicated to such activities shall not exceed six hours, even in the case of irregular working hours [Section 135 (3) of the Hszt.].

Contrary to the provisions of Section 135 (1) of the Hszt., a daily service time exceeding twelve hours but not exceeding sixteen hours may be established for:

- a) service assignments requiring continuous duty, continuous intervention, or operational tasks;
- b) those service assignments organized for tasks where the performance of duties may periodically require varying personnel numbers, and where the regular fulfilment of service duties may foreseeably be necessary on any day of the week, at any time.

In this case, the weekly service time may exceed forty hours, but within the applicable service time framework, the average weekly working time must not exceed 48 hours. [Section 135/A of the Hszt.]

According to Section 162 of the Hszt., the remuneration for on-call duties, medical on-call services, and standby duties performed by healthcare professionals shall be governed by the provisions set forth in Section 13/B of Act LXXXIV of 2003 on Certain Issues Related to the Performance of Healthcare Activities.

A law enforcement administrative employee (hereinafter: law enforcement employee) is, in exceptional cases, obliged to be available for work beyond their scheduled working hours for a specified period and at a specified location. During the period of availability, they are required

to maintain a condition fit for work and perform tasks according to the employer's instructions. During the availability period, the law enforcement employee determines their place of stay in such a way that they can be available immediately upon the employer's instruction (on-call duty).

The monthly duration of a law enforcement employee's on-call duty may not exceed one hundred and sixty-eight hours, which, in the case of the application of a working time frame, shall be taken into account on an average basis [Section 289/M (1), (3)–(4) and (8)].

As compensation for on-call duty performed beyond the daily working hours, a law enforcement employee is entitled to an on-call allowance, the amount of which is 0.25% of the law enforcement salary base per hour worked. This allowance is payable for the for the period during which the activity eligible for allowance is actually carried out. [Sections 289/C (1)–(2) and 289/N (3a) of the Hszt.].

For a law enforcement employee, the working time is forty hours per week, within which the person exercising the employer's rights may determine the start and end times of work (general work schedule). The working time schedule of a law enforcement administrative employee may also be determined by the holder of the employer's authority in a manner different from the general work schedule or within a working time frame [Section 289/J (2), (3) and (6) of the Hszt.].

The daily working time of a law enforcement administrative employee, excluding part-time work, may not be less than four hours. The scheduled daily working time of a law enforcement administrative employee may not exceed twelve hours, and the weekly working time may not exceed forty-eight hours. The employer may, by agreement of the parties, schedule the daily working time in no more than two parts (split daily working time), in which case at least two hours of rest time shall be provided between the daily working periods [Section 289/K (1), (2) and (7) of the Hszt.].

- **Please provide information on whether the maximum weekly working hours for military personnel is established by law.**

The service period of military personnel is regulated in the form of a framework regulation by Government Decree No. 137/2024 (VI.28.) on the legal status of military personnel, while the detailed rules are set out in Decree No. 6/2024 (VI.28.) of the Ministry of Defence on personnel regulations applicable to members of the professional and contracted personnel.

Article 3(1)

- **Please provide information on the content and implementation of national policies (including existing action plans/strategies) related to psychosocial or new and emerging risks, with regard to the following:**
 - **the gig or platform economy.**

The current national policy programme entitled “*National Policy on Occupational Safety and Health 2024–2027*” (hereinafter referred to as the NP-OSH) places particular emphasis on psychosocial and new or emerging risks in the context of the digital transition. However, it does not contain specific occupational safety and health objectives directed explicitly at the gig or platform economy.

The NP-OSH sets out in a dedicated point (Point 3) measures to support the identification,

prevention and mitigation of psychosocial risks, with specific attention to telework.

In order to protect workers' mental health, the objective is to assess, manage and prevent work-related stress. This includes methodological assessments and follow-up evaluations, as well as interventions aimed at reducing stress levels among the affected workers.

A guidance document to support the assessment and management of psychosocial risks – also applicable in the context of the gig or platform economy – is available on the website of the Department of Occupational Safety and Health of the Ministry for National Economy.

For occupational health services, a methodological guide known as the “Workplace Stress Monitor” is also available. This tool can assist in tracking changes in stress-related risks at the workplace and may serve as a basis for the prevention of work-related stress and for the development of workplace stress risk management strategies.

From 1 February 2024, for office work using IT and computing equipment, OSH training can be completed by providing the employee with the general training topic. This can also be done by publishing the training material on an internal electronic network accessible to the employee. The employment policy minister has published the OSH training topics and general knowledge on his professional website.

- **Please provide further information on the content and conclusions of the study concerning the identification and analysis of potential future health impairments (diseases) directly or indirectly affecting workers, which was carried out within the framework of the National Occupational Safety and Health Policy for the period 2016–2022.**

In 2022, as part of the implementation of the objectives set out in the National Policy on Occupational Safety and Health, studies were conducted on the following topics:

- An occupational safety and health perspective on the health impacts of climate change;
- An overview of various national regulations related to workplace heat stress – both outdoor and indoor – and cold working environments, with particular attention to extreme weather conditions;
- Occupational safety and health challenges associated with the rising average age of the workforce;
- Occupational safety and health aspects of atypical forms of employment in Hungary.

The studies are available in Hungarian at the following website: https://mvff.munka.hu/#/mvk_munkavedelmi_kiadvanyok_3

Based on the findings of the studies related to climate change and workplace climate conditions, it was concluded that there is a need to modernise the relevant legislation at both EU and national levels.

The current occupational safety and health directives of the European Union are not adequate to address all risk factors related to climate change. Therefore, new research synergies, as well as enhanced cooperation between occupational safety and health and public health sectors, are required to address the impact of climate change on the world of work.

As a result of the studies, Hungary has reviewed the legal provisions concerning climatic

factors. For outdoor workplaces, the relevant requirements have been aligned with the national heat alert system.

As a result of demographic changes, the proportion of the working-age population is declining, which may lead to labour shortages and a slowdown in economic growth. Taking into account the impacts of the rising average age and implementing appropriate and effective measures are beneficial for the national economy, employers, and workers alike. There is a need for greater synergy between public health and occupational health.

In this context, it is recommended to strengthen cooperation in the following areas:

- the identification and management of new risk factors threatening health and safety,
- campaigns promoting a healthy lifestyle,
- health screening programmes,
- the management of chronic diseases.

The use of atypical forms of employment is becoming increasingly common among domestic enterprises. The results of the questionnaire-based survey underlying the study show that approximately one-third of companies simultaneously apply multiple forms of atypical employment to meet their changing labour needs.

Student cooperative employment is present across nearly all sectors. Foreign nationals are most frequently employed in construction, IT services, and consultancy.

Most employers are not aware that the use of atypical forms of employment may pose additional occupational safety and health risks for the workers concerned. Furthermore, the majority of companies do not approach occupational safety and health in a systematic manner. The study also revealed that the incidence of serious occupational accidents is 2.7 to 3.6 times higher in atypical employment relationships compared to conventional forms of employment.

Article 3(3)

- **Please provide information on the measures taken by the labour inspection or other competent authorities to ensure the supervision of the implementation of health and safety regulations about the following categories of workers:**
 - **domestic workers;**
 - **digital platform workers;**
 - **posted workers;**
 - **workers employed as subcontractors;**
 - **self-employed workers.**

The occupational safety and health authority's inspection mandate applies in cases of organized work.

According to point 9 of Section 87 of Act XCIII of 1993 on Labor Safety (Occupational Safety and Health), the following categories do **not** fall under the scope of organized work:

- domestic workers;
- workers operating via digital platforms;
- posted workers (due to lack of jurisdiction);
- self-employed persons (in their case, the inspection authority has competence solely with respect to the protection of persons present within the sphere of activity).

Employees of subcontractors are considered as engaged in organized work. However, during data collection, no distinction is made between whether the employer is a subcontractor or not.

Article 6(2)

- **Please provide information on the measures taken or planned to guarantee the right to collective bargaining for: (i) economically dependent self-employed persons (those exhibiting characteristics similar to employees), and (ii) self-employed persons.**

In Hungary, the right to conclude collective agreements does not extend to economically dependent self-employed persons or to self-employed workers in general. During the reporting period, no measures were taken to establish the right to collective bargaining for these groups.

Article 6(4)

Armed Forces

- **Please indicate whether the restriction of the right to strike for members of the armed forces is established by law and explain why such a restriction is necessary in a democratic society for the protection of the rights and freedoms of others, or for the protection of the public interest, national security, public health, or morals (in accordance with Article G of the Charter).**

The restriction of the right to strike for the armed forces is established by the first sentence of Section 3 (2) of Act VII of 1989 on Strikes, which provides that “*There shall be no strike in the judicial bodies, in the Hungarian Defence Forces, in law enforcement and policing bodies, and in civilian national security services.*” The restriction of the right to strike in relation to the armed forces is necessary due to the nature of their employment. Members of the Defence Forces perform tasks aimed at protecting the lives and physical integrity of others, as well as the territorial integrity of Hungary; therefore, there is a compelling public interest in restricting the right to strike of soldiers. Allowing the exercise of the right to strike would hinder the performance of these tasks, and thus the fulfilment of the essential duties of the armed forces, which could result in harm to the physical integrity or life of others, or to the territorial integrity of Hungary.

Pursuant to Section 24 (1) and (2) of the Hszt., members of the professional staff may establish and join representative bodies based on the right of association. It is the right of a member of the professional staff, without any discrimination, to form representative organizations together with others to promote and protect their economic and social interests, and to join or refrain from joining such organizations. Within the framework of the Hszt., representative bodies may operate freely and exercise their rights; however, they are not permitted to organize strikes, and their activities – including any that jeopardize the public trust necessary for the functioning of law enforcement agencies – must not hinder the lawful and proper operation of the law enforcement agency or the member’s obligation to execute orders and instructions.

- **Please indicate whether members of the armed forces have alternative means through which they can effectively negotiate the conditions of their employment, including remuneration.**

According to Section 45 (8) of the Fundamental Law of Hungary: „*No trade union may be set up and operated in relation to the legal status of the professional members of the Hungarian*

Armed Forces. Other interest-representative organizations operating in relation to the legal status of the professional members of the Hungarian Armed Forces may be established and may operate according to specific rules laid down by the relevant government decree.”

Exercising the fundamental rights guaranteed by the Fundamental Law of Hungary, and based on the provisions of Act CLXXV of 2011 on the Freedom of Association, Non-profit Status and the Operation and Support of Civil Organizations (Civil Act), as well as Act V of 2013 on the Civil Code, the Defence Interest Representation Organization (“*Honvéd Érdekképviselői Szervezet*”) operates as the “other” interest-representative organization defined in the Fundamental Law, with the aim of representing the interests of soldiers and other persons employed within the defence sector, and of providing moral and financial support to its members.

The purposes of the Defence Interest Representation Organization, as defined in its statutes, include the following:

- Providing a national forum for the organization’s members.
- Representing and protecting the civic, individual, and collective labour rights of its members.
- Supporting the advocacy efforts of other domestic and international military interest-representative organizations, assisting their activities, and maintaining close cooperation with them.
- Representing the interests of its members before state authorities, in the principal bodies and institutions of social and political life, before other organizations, in sectoral and national interest-reconciliation forums, and in domestic and international organizations of soldiers and other armed forces.
- Ensuring the fulfilment of tasks related to the representation of the employment-related interests of the organization’s members.

Pursuant to Sections 291 and 292 of the Act on the Hszt., the Hungarian Law Enforcement Corps (“*Magyar Rendvédelmi Kar*” hereinafter referred to by the Hungarian abbreviation as MRK) is a professional public body with self-governing powers for the professional staff of law enforcement agencies, contracted border guards, and law enforcement employees. Its operation is based on mandatory membership, which arises automatically upon the establishment of the employment relationship of the person concerned.

The MRK is competent, inter alia, to initiate – through the Minister of the Interior – the drafting or amendment of legislation by the Government affecting its members’ working conditions, employment terms, and the practice of their profession; to participate, with a right of consultation, in the development of legislation influencing its members’ employment and professional practice conditions, in matters related to prescribed professional examinations, and in legislation concerning the MRK; and its opinion must be sought on issues related to service relationships and to law enforcement administrative service relationships.

In addition to the above, the head of the law enforcement body shall be obliged to seek the opinion of the MRK on regulations within his or her competence relating to the performance of service or work, the service time or working hours, rest periods, rewards, and benefits of the professional staff or law enforcement administrative employees. The MRK shall also be entitled, on its own initiative, to give an opinion on any employer’s measure, decision, or draft thereof affecting a group of its members, and to initiate consultations in connection therewith.

Pursuant to Section 310 (1) of the Hszt., members of the professional staff shall be entitled to establish a trade union within the law enforcement body.

In addition to the above, in accordance with the specific rules and schedules set out by law, the Ministry of the Interior shall ensure the holding of meetings of the Interior Sectoral Reconciliation Council (“*Belügyi Érdekegyeztető Tanács*” hereinafter referred to by the Hungarian abbreviation as BÉT) and the Law Enforcement Sectoral Interest Protection Council (“*Rendészeti Ágazati Érdekvédelmi Tanács*” hereinafter referred to by the Hungarian abbreviation as RÁÉT) on key issues affecting the personnel of the bodies under its authority, including law enforcement agencies.

The Police, pursuant to Section 313 of the Hszt., also fulfils its consultation obligations on matters related to service relationships by holding meetings of the Police Interest Reconciliation Council (“*Rendőrségi Érdekegyeztető Tanács*” hereinafter referred to by the Hungarian abbreviation as RÉT), attended by designated representatives of the law enforcement body and elected officers of the trade unions. The negotiating parties may also involve experts in the resolution of disputed issues.

Article 20

Please provide data on the gender quotas of publicly listed companies.

The proportion of women in leadership positions in public institutions was 8.2% in April 2025, while in the governing bodies of the largest publicly listed companies, it was 11.3% in the first half of 2025.

(Source: HCSO and European Institute for Gender Equality)

Under Directive (EU) 2022/2381 on improving the gender balance among directors of publicly listed companies and related measures, adopted by the European Parliament and the Council on 23 November 2022 the ratio of male and female directors in governing and management bodies of publicly listed companies is as follows:

Issuer	Board of Directors				Supervisory Board				Company Management/Directors				31/12/2024 +different fiscal year Individual numbers		
	Total number (headcount)	Number of men (headcount)	Number of women (headcount)	Proportion of women (%)	Total number (headcount)	Number of men (headcount)	Number of women (headcount)	Proportion of women (%)	Total number (headcount)	Number of men (headcount)	Number of women (headcount)	Proportion of women (%)	Revenue (Thousand HUF) <20 billion HUF	Balance sheet total (Thousand HUF) <17 billion HUF	Number of employees <250
4iG Nyrt.	8	8	0	0%	4	3	1	25%	5	5	0	0%	109 927 000	712 047 000	1 453
Alteo Nyrt.	4	3	1	25%	4	4	0	0%	9	6	3	33%	38 619 845	64 849 764	477
ANY Nyrt.	5	5	0	0%	7	5	2	29%	7	6	1	14%	56 421 481	43 891 227	773
Magyar Telekom Nyrt.	8	7	1	13%	5	3	2	40%	6	5	1	17%	794 514 000	1 420 624 000	5 267
MOL Nyrt.	10	10	0	0%	10	9	1	10%	11	8	3	27%	3 349 746 000	4 659 445 000	4 731
OTP Bank Nyrt.	11	10	1	9%	6	5	1	17%	6	6	0	0%	1 626 153 000	18 391 053 000	10 820
Richter Gedeon Nyrt.	12	8	4	33%	6	4	2	33%	6	5	1	17%	721 981 000	904 660 000	6 073
Waberer's International Nyrt.	5	5	0	0%	6	5	1	17%	2	2	0	0%	336663 EUR	349 731	1 407
Zwack Unicum Nyrt.	7	5	2	29%	6	6	0	0	6	4	2	33%	24 057 000	15 067 000	255
Gránit Bank Nyrt.	5	3	2	40%	5	4	1	20%	7	6	1	14%	101 202 000	1 598 239 000	338
MBH Nyrt.	6	6	0	0%	5	2	3	60%	9	6	3	33%	423 452 000	11 951 671 000	7 909