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## **EUROPEAN SOCIAL CHARTER**

10<sup>th</sup> National Report on the implementation of the European  
Social Charter  
submitted by

### **THE GOVERNMENT OF HUNGARY**

Article 1, 10, 15, and 20

for the period 01/01/2015 - 31/12/2018

Report registered by the Secretariat on  
18 May 2020

**CYCLE 2020**



**Ministry of Human Capacities**

**National Report**

**Sixteenth Report**

**on the implementation of the commitments undertaken in the  
Revised European Social Charter**

**Submitted by:  
The Government of Hungary**

**covering the period from 1 January 2015 to 31 December 2018**

**Budapest, 2019**

Pursuant to Article C of Part IV of the Revised European Social Charter (hereinafter: Charter), the implementation of the commitments undertaken in the Charter falls under the same control as those undertaken in the European Social Charter. Pursuant to the reporting procedure set out in Article 21 of Part IV of the European Social Charter, the reporting obligation covers the adopted articles of the European Social Charter. Based on the decision of the Committee of Ministers of the Council of Europe No. CM(2014)26 adopted at its 1196th meeting held on 2 April 2014, the 2019 National Report covers the topic entitled “Employment, training and equal opportunities”.

This Report concerns the implementation of the following Articles of the Revised European Social Charter, ratified and approved by Hungary, for the reporting period set out in the table:

<b>Provision</b>	<b>The title of the article</b>
Paragraph (1) of Article 1	1 January 2015 – 31 December 2018
Paragraph (2) of Article 1	1 January 2015 – 31 December 2018
Paragraph (3) of Article 1	1 January 2015 – 31 December 2018
Paragraph (4) of Article 1	1 January 2015 – 31 December 2018
Article 9	1 January 2015 – 31 December 2018
Paragraph (1) of Article 10	1 January 2015 – 31 December 2018
Paragraph (2) of Article 10	1 January 2015 – 31 December 2018
Paragraph (3) of Article 10	1 January 2015 – 31 December 2018
Paragraph (4) of Article 10	1 January 2015 – 31 December 2018
Paragraph (5) of Article 10	1 January 2015 – 31 December 2018
Paragraph (1) of Article 15	1 January 2015 – 31 December 2018
Paragraph (2) of Article 15	1 January 2015 – 31 December 2018
Paragraph (3) of Article 15	1 January 2015 – 31 December 2018
Article 20	1 January 2015 – 31 December 2018
Article 1 of the Additional Protocol of 1988	1 January 2015 – 31 December 2018

The implementation of the above articles was last reported by the Government of Hungary in its 12th National Report for the period 1 January 2011 to 31 December 2014.

This National Report was prepared on the basis of the questionnaire approved by the Committee of Ministers of the Council of Europe on 26 March 2008, and with a view to the above-mentioned decision adopted on 2 April 2014. The report incorporates the answers of the Government to the specific questions and statements raised by the European Committee of Social Rights (hereinafter: ECSR) in its Conclusions published in 2016 on the report concerning the provisions falling within the thematic group “Employment, training and equal opportunities”.

Given that, pursuant to Article 23 of the Charter, national organisations with membership in international employer and employee organisations can deliver an opinion on this National Report, the Report was sent to the relevant Parties of the (Hungarian) National Economic and Social Council (NGTT).

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## LEGISLATION REFERRED TO IN THE NATIONAL REPORT

- Fundamental Law of Hungary
- Act IV of 1991 on Promotion of Employment and Unemployment Benefits
- Act III of 1993 on Social Administration and Social Benefits
- Act LXXV of 1996 on Labour Inspection
- XXXI of 1997 on Child Protection and Guardian Administration
- Act XIX of 1998 on Criminal Proceedings
- Act XXVI of 1998 on the Rights and Equal Opportunities of Persons with Disabilities
- Act LXXXIV of 1998 on Family Support
- Act LXXVI of 1999 on Copyright
- Act LXXXI of 2003 on Certain Issues of Health Activities
- Act CXXV of 2003 on Equal Treatment and Promotion of Equal Opportunities
- Act CXXIII of 2004 on the Promotion of Employment of Young Entrants to Labour Market, Unemployed Persons Over the Age of Fifty, Job Seekers After Child Care and Family Care, and Scholarship Employment
- Act X of 2006 on Cooperatives
- Act I of 2007 on the Entry and Residence of Persons with the Right of Free Movement and Residence
- Act II of 2007 on the Admission and Right of Residence of Third-Country Nationals
- Act XCII of 2007 on the Promulgation of the Convention on the Rights of Persons with Disabilities and the Optional Protocol thereto
- Act LXXV of 2010 on Simplified Employment
- Act CXCI 2011 on Benefits for Persons with Reduced Ability to Work and Amendments to Certain Laws
- Act CVI of 2011 on Public Employment
- Act CXI of 2011 on the Commissioner for Fundamental Rights
- Act CXC of 2011 on Public Education
- Act CLXXXVII of 2011 on the Vocational Education
- Act CXCIX of 2011 on Public Servants
- Act CCIV of 2011 on National Higher Education
- Act I of 2012 on the Labour Code
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- Act CCV of 2012 on the Legal Status of Soldiers
- Act LXV of 2013 on Complaints and Notices of Public Interest
- Act LXXVII of 2013 on Adult Education
- Act CCXL of 2013 on the Execution of Punishments, Measures Certain Coercive Measures and Custodial Arrest for Offences
- Act C of 2014 on the Central Budget of Hungary for 2015
- Act XLII of 2015 on the Service Status of the Professional Members of Law Enforcement Agencies
- Act C of 2015 on the Central Budget of Hungary for 2016
- Act CCXXII of 2015 on General Rules for Trust Services for Electronic Transactions
- Act LXVII of 2016 on Establishing the Central Budget of Hungary for 2017
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- Act CXXI of 2016 on the Amendment of Certain Acts Necessary for the Establishment of a Unified Electronic Administration System
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- Act L of 2017 on the Amendment of Certain Laws Relating to the Entry into Force of the Act on General Public Administration Proceedings and the Act on the Code of Administrative Litigation
- Act LXXXIX of 2017 on the Amendment of Certain Acts in Connection with the Establishment of Pensioners' Cooperatives of Public Interest
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- Act CLXX of 2017 on the Implementation of Act C of 2015 on the Central Budget of Hungary for 2016
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- Act XCIV of 2018 to Amend Certain Employment Laws
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- Government Decree No. 51/2007 (III. 26.) on Grants Available for Higher Education Students and Fees Paid by them
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- Government Decree 389/2016 No. (XII. 2.) on the Funding of the Basic Tasks of Higher Education Institutions
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- Government Decree No. 130/2018 (VII. 23.) on the Functions of the Public Employment Service and the Conditions for the Participation of Other Organisations in that Activity, participating in the activities of the European Employment Service
- Government Decree No. 213/2018 (XI. 22.) on the Sector Skill Councils
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- Decree No. 32/2012 (X. 8.) EMMI of the Minister of Human Capacities on the Principles of the Kindergarten and School Education of Children with Special Educational Needs
- Decree No. 7/2013. (VII. 25.) HM of the Minister of Defence on the provision of grace and related social tasks
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- Decree No. 19/2013 (IX. 6.) HM of the Minister of Defence on certain cost reimbursements
- Decree No. 10/2014 (VII. 25.) HM of the Minister of Defence on the introduction of housing money and lump sum support
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- Decree No. 12/2018 (VI. 12.) IM of the Minister of Justice on the Persons Involved in Each Criminal Procedure Act and Criminal Proceeding
- Parliament Resolution No. 10/2006 (II. 16.) OGY on the new National Disability Programme
- No. 70/2012. (X. 16.) OGY adopting a report on the pro-rata implementation of the tasks of the new National Disability Program and the medium-term action plan for its implementation (2007-2010)
- Parliament Resolution No. 15/2015 (IV. 7.) OGY on the National Disability Program (2015-2025)



- Government Resolution No. 2062/2000 (III. 24.) on the medium-term action plan for the implementation of the National Disability Programme
- Government Resolution No. 1062/2007 (VIII. 7.) on the mid-term action plan for the implementation of the National Disability Programme for the years 2007-2010
- Government Resolution No. 1257/2011 (VII. 21.) on a strategy for the replacement of social institutional care facilities for people with disabilities and on governmental responsibilities for its implementation
- Government Resolution 1430/2011 No. (XII. 13.) on the National Social Inclusion Strategy and the government action plan for its implementation for the years 2012-2014
- Government Resolution No. 1056/2012 (III. 9.) on the action plan of the implementation of the new National Disability Program for the years 2012-2013
- Government Resolution No. 1603/2014 (XI. 4.) on the adoption of the National Strategy for Social Inclusion of Hungary II., the policy strategi of life-long learning, the Public educational development strategy and the Medium-term strategy combatting early school leaving
- Government Resolution No. 1040/2015 (II. 10.) on the concept of "Vocational training in the service of the economy"
- Government Resolution No. 1432/2015 (IV. 30.) on setting up the Interministerial Committee on Disability
- Government Resolution No. 1653/2015. (IX. 14.) on the Action Plan of the implementation of the National Disability Programme for the years 2015-2018
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- Government Resolution No. 1125/2019 (III. 13.) on the Necessary Measures Needed to Increase the Effectiveness of the Fight Against Human Trafficking

## ARTICLE 1 - THE RIGHT TO WORK

*With a view to ensuring the effective exercise of the right to work, the Parties undertake:*

*1. to accept as one of their primary aims and responsibilities the achievement and maintenance of as high and stable a level of employment as possible, with a view to the attainment of full employment;*

### 1) CURRENT SITUATION

In 2010, the Government of Hungary set the ambitious goal of creating one million new jobs in a decade. In the period before the change of government, the domestic employment level was the lowest in the European Union. This situation was aggravated by the dramatic decline in job creation for businesses following the global crisis.

As a result of government measures, employment in Hungary has increased by 820,000 since 2010 (based on Q1,2019 figures). The employment rate is above the EU average [according to the latest survey by Hungarian Central Statistical Office (hereinafter referred to by the Hungarian abbreviation as "KSH"), the employment rate of the population aged 20-64 is 75%], while unemployment has fallen to a record low of 3.4%, the third lowest unemployment rate in Europe (Q1,2019 comparison). The permanently low unemployment rate indicates that Hungary is close to full employment. For four months now, the number of people employed has been above 4.5 million due to seasonality, thanks to measures to encourage employment and sustained high economic growth. According to the latest KSH measurement (figures between March-May 2019), of the 4.5 million employed, 4,271,000 worked in the primary labour market, while the number of public employees decreased to 114,000 and the number of people working abroad was 115,000.

The Government aims to gradually reduce unemployment to below 3%, thus achieving full employment. The mobilisation of the available workforce reserve is continuous, and the government is providing substantial support to the recruitment of job seekers, the inactive and the public employees. As a result of the measures, the average length of time spent in unemployment has also been greatly reduced, which contributes to a further increase in the number of employed. Businesses are responding to the current labour market situation through a more efficient use of workforce, which both relieves tension in the labour market and founds the continued wage convergence in line with productivity improvements. Significant job creation in the private sector will further support the strong economic growth in the coming period, which is also outstanding in Europe.

The expansion of employment and job creation accelerated in the period after 2013, following the successful return of the Hungarian economy to sustainable growth. The structure of the labour market has also changed favourably. The number of people employed in the primary labour market has been steadily rising for over 5 years, while public employment has been gradually declining since its peak of 2016. Over the past four years, the number of jobs in the domestic private sector has increased by half a million, while the number of people employed in public employment has decreased by more than 120,000 from its peak 3 years earlier.

Rapid expansion of employment required comprehensive economic and labour market reforms. One of the first government measures was to expand public employment which, on the one hand activated a significant part of the domestic labour reserve and, on the other hand, created jobs in disadvantaged regions where business activity was moderate. As a result of the measure, 470,000 people returned to the labour market between 2010 and 2019, improving the activity rate to 72.5% (figures of Q1,2019). This is a major step forward in the light of demographic trends, with regard to the working-age population has decreased by more than 400,000 since 2010. Over the past 4 years, the outflow of public employees into the private sector has increased. One of the important reasons for this is that, due to high employment and low unemployment, the domestic labour market has become tighter and competition for labour among businesses has become more intense. Simultaneously, the social nature of employment in the public employment sector has strengthened.

From 2010, Hungary's employment policy goal is to achieve full employment, meaning that anyone who can and wants to work should be able to find employment within a set time. "Work instead of aid" was the guiding

principle of employment policy, and its enforcement fundamentally transformed the aid system. Spending on employment policies increased by about 15% compared to the period before the employment turnaround. The share of accrued expenses decreased from 0.7% of GDP to 0.2%, while that of active employment subsidies increased from 0.3% of GDP to 0.9%, which is the second highest in the European Union. Only Denmark (1.5%) spends more on active employment policy instruments, related to its GDP (Eurostat data for 2016).

Overall, domestic employment policy measures have significantly boosted and made the labour market more flexible, creating more favourable conditions for employment growth. The Hungarian "employment model" is not based on one miraculous intervention, rather its success is essentially based on the introduction of employment promotion measures that have affected both sides of the labour market and stimulated the demand and supply of labour at the same time. These are primarily targeted and coordinated measures that focus mainly on promoting the activity of disadvantaged people and supporting employment in the labour market. This has given greater assistance and financial support to the groups of workers who are less demanded by employers.

## **2) THE GENERAL LEGAL FRAMEWORK, THE NATURE, CAUSES AND SCOPE OF REFORMS**

### **Rules applicable to government officials**

Compared to the 2015 report, the entry into force of Act CXXV of 2018 on the Governmental Administration (hereinafter referred to by the Hungarian abbreviation as "Kit.") resulted in a significant change in the legal status of government officials.

The Kit. contains the following provisions relating to the prohibition of discrimination:

Section 63 of the Kit. states that "the government official and the party exercising employer rights (hereinafter jointly referred to as parties) shall act and cooperate in the exercise of their rights and fulfil their obligations in accordance with the principles of good faith and fairness, and shall not engage in any conduct which violates the other party's right and legitimate interest." [Section 63 (1) of the Kit.]

In addition, it ensures the protection of the privacy rights of government officials, which can only be limited if it is strictly necessary and proportionate to the purpose for which the public service is intended. The Kit. states the right of a government official to initiate proceedings for the payment of restitution in the event of a breach of their personal rights or, if their legal relationship terminates or is terminated, to apply directly to court. [Section 67 ((2)-(6) of the Kit.)

The Kit. establishes the principles of professional ethics applicable to government officials. These are, in particular: commitment, the preference of national interests, justice, fairness, dignity, integrity, non-prejudice and responsibility. [Section 92 of the Kit.]

The Hungarian Government and State Officials Corps (hereinafter referred to by the Hungarian abbreviation as "MKK"), established by Act CXCIX of 2011 on Public Servants (hereinafter referred to by the Hungarian abbreviation as "Kttv.") continued to be applicable after the entry into force of the Kit. The MKK has the following responsibilities with regard to prohibition of discrimination:

- defends the prestige of the MKK, the interests of its bodies and members, and the rights of government officials,
- establishes detailed rules of professional ethics, establishes the system of ethical procedures as defined in the Government decree, and conducts ethical procedures,
- at the request of a government official, issues a certificate of good conduct to the members of the MKK certifying that there is no ethics procedures in progress and no ethical penalty against that member. [Section 77 (3) a-c) of the Kit.]

The Kit. includes the following provisions in order to encourage access to the labour market and improve working conditions:

With the mutual agreement of the employer and the employee, working at home shall be allowed if the following conditions are met:

- Working at home is allowed when the nature of the work to be done permits it, and if the ordering or enabling of working at home does not cause disproportionate harm to the government administration or government official,
- The agreement on the working at home shall specify the time of work at home, the tasks to be performed individually, and the manner and time of communication and of the work to be performed,

The detailed rules for working at home are laid down in a Government Decree and by the party exercising employer rights in the public service regulations in accordance with the decree. [Section 126 (2)-(4) of the Kit.]

The following provisions shall apply to the leave of government officials:

A government official is entitled to 20 working days of basic leave each calendar year, supplemented by extra leave in accordance with the position of a government official. Duration of extra leave:

- three working days for government councillor and official councillor,
- five working days for senior government councillor and senior official councillor,
- seven working days for government chief councillor and official chief councillor I,
- eight working days for official chief councillor II,
- nine working days for the senior government chief councillor.

For senior government officials, the duration of extra leave is as follows:

- five working days for the unit manager,
- ten working days for the senior head of department.

In addition, a government official is entitled to five days' extra leave a year in the following cases:

- if the work is performed permanently underground or exposed to ionizing radiation for three hours a day,
- if a government official is regularly exposed to double health hazards, when one of them is radiation irrespective of its daily duration,
- if the health status of the government official is assessed by the rehabilitation authority to be 60% or less,
- if the government official has at least 40% health impairment or 50% capacity of work reduction,
- if the government official is entitled to a disability allowance or a personal allowance for the blind persons. [Section 128 of the Kit.]

Government officials are entitled to additional benefits with regard to the regulation of working time up to the age of three of their child:

- unequal working hours may be ordered only with their consent,
- weekly rest days may not be allocated irregularly for them,
- extraordinary work or stand-by duty cannot be ordered,
- night work cannot be ordered for them.

A government official who is raising a child alone may be ordered to work in extraordinary working time or to perform standby duty – from the age of three to four of their child – only with his/her consent. [Section 152 of the Kit.]

In addition, government officials are eligible for subsidies for the cost of supervising and camping their child during the summer holidays. If both parents of a child are government officials, they are both entitled to it. [Section 163 of the Kit.]

### **Rules applicable to public servants**

Another act of the public administration covering the personnel of administrative agencies controlled by the Government is the Kttv., which covers public servants and contains provisions identical to the contents of the Kit. The general provisions relating to the requirement of equal treatment are contained in Section 13 of the Kttv. The requirement of equal treatment with regard to public service, in particular remuneration, must be respected. Any remedy for an infringement of this requirement shall not entail the infringement or curtailment of the rights of any other public servants.

For the purposes of the above, remuneration shall mean any consideration, whether in cash or in kind, provided directly or indirectly on the basis of the public service. The equal value of work for the purposes of the principle of equal treatment is determined based on the nature of the work performed, its quality and quantity, working conditions, the required vocational training, physical or intellectual efforts expended, experience, responsibilities and labour market conditions.

Like the rules of the Kit., Sections 9-11 of the Kttv. regulate common rules of conduct, prohibit abuse of rights, and guarantee the protection of rights relating to personality.

Pursuant to Sections 100-102 of the Kttv., a government official is entitled to 25 days of basic annual leave, in addition to which they are granted extra leave depending on their grades.

In the case of a government official with a higher-education degree, the amount of the annual extra leave is the following:

- three working days for a draftsman,
- five working days for a councillor,
- seven working days for a senior councillor,
- nine working days for a chief councillor,
- eleven working days for a senior chief councillor.

In the case of a government official with a secondary baccalaureate qualifications, the amount of the annual extra leave is following:

- five working days for an administrator,
- eight working days for a senior administrator,
- ten working days for a senior officer.

A government official in a management position is entitled to extra annual managerial leave, the duration of which annually is

- eleven working days for the unit manager,
- twelve working days for a deputy head of department,
- thirteen working days for the head of department.

A government official who has children under the age of sixteen years is entitled to the following extra leave:

- two working days after one child,
- four working days after two children,
- in total seven working days after more than two children.

This extra leave is increased by two working days per disabled child.

For the purposes of entitlement to extra leave, a child must be taken into account first in the year of birth and last in the year in which they reach the age of sixteen.

Upon the birth of his child, a father is entitled to five days of extra leave time, or seven working days in the case of twins, until the end of the second month from the date of birth, which leave is allocated on the days requested by the father. Such leave must be provided whether if the child is stillborn or dies.

Government officials

- having suffered a degree of health impairment of at least 50% as diagnosed by the body of rehabilitation experts,
- eligible for disability allowance, or
- eligible for special aid for the blind,
- are entitled to five working days of extra leave a year.

### **3) MEASURES TAKEN TO IMPLEMENT THE LEGISLATION**

*The European Committee of Social Rights (hereinafter: ECSR) requested information on the overall impact of each policy measure.*

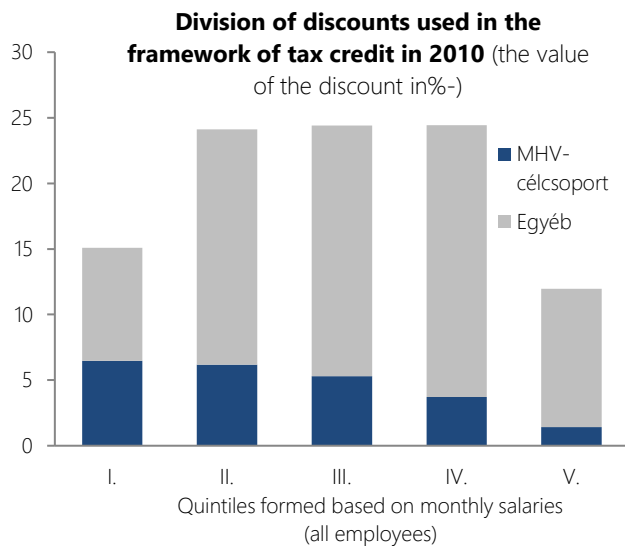
#### **1. Measures concerning employees and job seekers**

*The ECSR requested information on the sustainability of the measures implemented in the framework of the Action Plan for Employment Protection.*

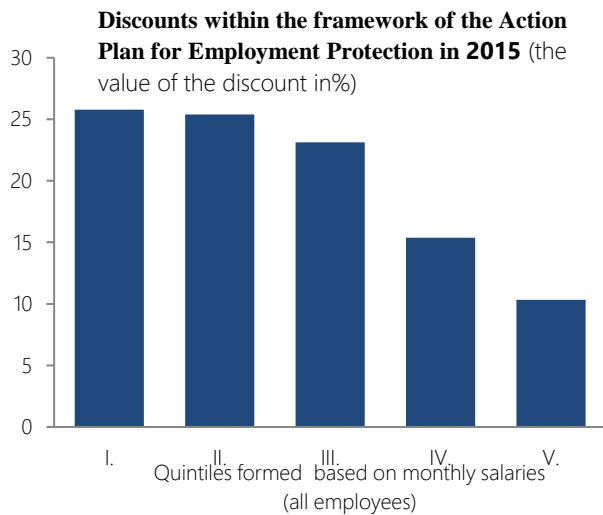
#### **Action Plan for Employment Protection**

In order to facilitate the employment of the most disadvantaged groups, targeted social contribution tax relief was introduced in the Action Plan for Employment Protection in 2013, which is much more effective than the former personal income tax credits in providing incentives to the employment of those in real need. The Action Plan for Employment Protection targets the employment of groups whose activity rates are typically below the average. According to the measure, the employer can apply a relief on the vocational training contribution and the social contribution tax of up to HUF 100,000 of the wage at the rate of 50% for people under 25 and over 55, as well as employees returning after maternity benefits (child-care benefit, child-care allowance/child care assistance, child-raising benefit), and at the rate of 100% for long-term unemployed, new entrants and non-skilled workers. The relief is automatically available to employers for the first three years of employment or for five years with large families.

Although the benefits under the Action Plan for Employment Protection are narrower in scope than the pre-2010 tax credit, they play a similar role at workforce cost level and the income category targeting is more beneficial, while avoiding the high marginal burdens caused by the deduction of the tax credit. From the aspect of redistribution, the targeting of the benefit amount is more effective, because the greater part of the amount used reduces the employment burden of the worst-performing and the lowest-paid employees. Thus, the tax advantage of employment protection benefits is the highest for lower and middle income households, as opposed to the general employee tax credit, which was most beneficial to middle and medium-high income earners. The elimination of the benefits introduced by the Action Plan for Employment Protection at higher wage levels is not justified either, because well-defined affected groups ensure the proper allocation of the tax benefit in advance. As a result, the Action Plan for Employment Protection increases willingness to work, less encourages wage concealment, and, while having a similar impact on employment, contributes more to GDP growth than the former tax credit institution. Employment protection benefits helped more than 900,000 workers prosper in 2017 in the private sector.



Source: NAV, PM



Source: NAV, PM

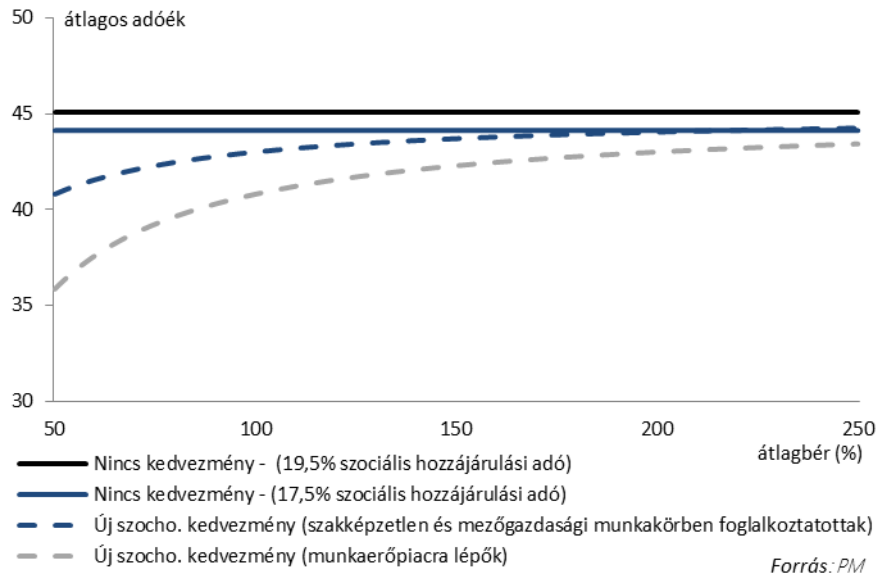
According to an econometric analysis of the Ministry of Finance (hereinafter referred to by the Hungarian abbreviation as "PM"), in the private sector, the benefit facilitated labour market inflows among those under 25, as a result of which, the employment rate of the 22-23 age group surveyed near the eligibility threshold, increased by 2-3 percentage points between 2013 and 2015. For people over 55, this measure could have helped prevent or delay the exit from the labour market. Within the 56-57 age group surveyed, employment increased by 0.5-1 percentage points due to the benefit, which focuses primarily on the low-skilled. The benefit for long-term job seekers increased the exit from registered unemployment to the market by 1 percentage point and helped to keep the job after the unemployment ceased.

### **A new system of reliefs available from social contribution tax**

Due to the continuously increasing demand for labour in recent years, there is a need to reconsider employer benefits: besides the employment protection function, a new aspect has come to the fore, i.e., the efficient utilisation of labour market reserves. Therefore, reliefs from social contribution tax have been renewed, became more targeted than previous benefits, and now focusing on attracting new people to the labour market. An allowance has been introduced for those entering the labour market to support the employment of new entrants and entrants after long-term absence, groups of those who are more loosely connected to the labour market and who are not working long-term. The new allowance applies to all employees who had no income from work for six months out of the nine months prior to taking up employment, thus replacing the allowance for new entrants and long-term unemployed, as well as maternity benefits, while maintaining the extended eligibility period for large families. Simultaneously, the allowance provides an opportunity to include among the beneficiaries a group of people who are also more loosely connected to the labour market, those who were previously permanently inactive. The new allowance also represents a significant administrative simplification, as in the case of the newly registered employees the tax authority automatically checks the eligibility for the allowance and notifies the employer that the allowance is available. The upper limit for the application of the allowances has increased from the previous 100,000 HUF to the amount of the current minimum wage. Thus, for unskilled and agricultural workers, people entering the labour market, women entering the labour market with three or more children, employees and self-employed people with reduced ability to work and public employees, from 2019 employers can apply a 50% or 100% relief up to the minimum wage (or twice the minimum wage for employees and self-employed people with reduced ability to work).

In 2019, allowances related to the age of employees (under 25 and over 55) ceased to exist. Many of those before retirement have a favourable labour market situation and unemployment is below the national average, so maintaining a general benefit for all in this circle in the current situation is not justified. And for new entrant employees under the age of 25, the newly introduced allowance of people entering the labour market will then be greater than ever.

## Average tax wedge at defined income levels as a proportion of average wages, 2019 (%)



Another positive change is that the employer is no longer required to pay social contribution tax for employed pensioners with own rights, and the private individuals are also exempt from any obligation to pay contributions. It is only the personal income tax liability that remains for them.

### Wage agreement with social partners

The Government's six-year wage agreement with social partners concluded in 2016 provides businesses predictability and stability in developing and implementing their long-term business plans. As a result of the agreement, with continued strong demand for workforce, wage convergence is expected to continue in the coming years. Along with rising wages, the government is contributing to a significant reduction in the tax burden on employers to improve the competitiveness of companies and maintain workforce demand. Higher remuneration for work can also provide greater incentives for employers to increase their productivity and move to a higher value added production structure. At the same time, the reduction in corporate tax supports both the inflow of working capital and investments leading to higher technological levels. By doing so, businesses can achieve higher productivity, which improves their competitiveness.

One of the important elements of putting the economy on a growth path was the restructuring of the tax system. Instead of taxes on labour, the emphasis was on increased taxation of consumption. The flat-rate personal income tax rate with family allowance is currently 15%. A longer-term plan is to achieve a one-digit rate. The rate of employers' social contribution tax has fallen from 27% of the tax base to 17.5%, effective from July 2019, and may be reduced by another 6 percentage points in 3 steps until 2022.

Economic policy measures have created the conditions for growth, while domestic employment policy has focused on supporting the most disadvantaged groups in the labour market. This provides assistance, from public sources to the employment, to those groups who are only moderately in demand by employers.

### Summer student work

The programme aims to assist young people to get into work as early as possible in their student life and, in addition to gaining early work experience, also provides income opportunities. An early experience of success through work also contributes to the later process of work socialisation.

The long-term goal of the programme is to place students in the competitive sphere in the future, to improve their theoretical knowledge in practice, and the acquisition of work experience within the programme contributes to this.



In 2018, the programme was expanded so, in addition to local governments, the programme provided employment opportunities for students in agriculture and catering to address the sector's workforce shortages. In 2019, the scope of employment opportunities expanded with tourism.

Elements of the programme include labour market services and employment-related wage subsidies. The target group of the programme is full-time students between the ages of 16 and 25 who would be employed during the summer holidays.

The programme supported the employment of 26,000 students with 1.9 billion HUF in 2016, 27,100 students with 2.7 billion HUF in 2017, and 29,200 students with more than 3.2 billion HUF in 2018. The plans for 2019 included 3.6 billion HUF to promote the employment of about 30,000 full-time students between July 1 and August 31 2019.

### **Assistance for the design of workers' hostels**

In order to increase employment, it is necessary to facilitate workforce mobility. One of the tools for this is government support for the construction of workers' hostels.

In the framework of 'Design of Workers' Hostels' central labour market programme assistance is available from 2017 for the construction or renovation of workers' hostels for at least 80 people and for the purchase of new tangible assets for the purpose of the investment. A non-refundable assistance may be granted for the construction of a new property or for the construction costs necessary for the renovation of an existing property. Refundable assistance may be granted for the purchase of new tangible assets for the purpose of the investment. The assistance is subject to the discretion of the Minister responsible for the employment policy. 100% advance can be made from the assistance.

Assistance applications could be submitted in 2017 and 2018 by local governments and associations of municipalities. The availability of 40% own resources was a prerequisite of the assistance applications.

To date, three calls have been launched in line with the programme to support the construction of workers' hostels. As a result of the first and second calls announced in 2017 and 2018, in total 1 500 employees were accommodated in 11 locations with state assistance of around 3 billion HUF.

Based on the experience of the first and the second call, the conditions of access to the assistance became more favourable from 15 September 2018: the subjects of the assistance were extended to business associations 100% owned by municipalities and associations of municipalities, the rate of own funds was reduced from 40% to 20% and, the specific cost limits applied in the support scheme increased.

In the third call between November 2018 and May 2019, 18 applicants requested a total assistance of 8.4 billion HUF for the creation of about 2,600 places.

In order to facilitate further growth of the domestic competition sector and the regional mobility of workforce, the government will, in accordance with the rules on support for local infrastructure, continue to provide businesses with access to assistance for the establishment of workers' hostels. It is in the interest of the Hungarian economy to ensure the workforce demand of companies, therefore the government has been supporting workforce mobility for years. To date, only municipalities or associations of municipalities have been eligible for assistance for the construction or renovation of workers' hostels. However, from the autumn of 2019, this option has been extended to Hungarian businesses in the framework of the Action Plan for Economic Protection.

### **Housing support**

Since October 2012, the Public Employment Service (hereinafter referred to by the Hungarian abbreviation as "NFSZ") has been providing assistance to job seekers who are away from their residence to help the unemployed find employment by reducing the cost of living in distance employment by encouraging mobility.

The rules of housing assistance are set out in Government Decree 39/1998 (4 March) on support to reduce employee's travel expenses and workforce recruitment support. The employee can apply for the assistance by submitting a request to the district office registering them as job seekers prior to the start of employment or, if the employment relationship was established prior to the application, no later than 30 days after establishing the employment relationship. As a general rule, the assistance may be granted to registered job seekers for at least one month if they are employed for at least six months and work at least 20 hours a week, with their place of residence and place of employment at least 60 km apart, and if they do not own any residential property at the place of employment or in a settlement less than 60 km from the place of employment. The assistance may be granted for a maximum period of 12 months.

As a general rule, the amount of the assistance for the same residential property may not exceed 100,000 HUF. If at least two of the close relatives who use the property qualify for the assistance requirements, the assistance amount may be up to 150,000 HUF for the same residential property. The assistance may be used to cover rent and utilities costs. Housing assistance may not be granted to a job seeker who otherwise receives a housing or utility assistance at the time of the application, and the disbursement shall be terminated, if it occurs in the meantime.

To date, nearly 10,000 employees have received assistance at national level.

### **Small and medium-sized enterprises (hereinafter: SMEs) job creation investment assistance**

After 2017, four SME job creation calls were launched from a domestic source funded by the National Employment Fund. The objective of the SME job creation investment assistance is to increase employment, to maintain existing jobs, to catch up with the regions and to increase the competitiveness of SMEs.

Significant progress has been made in improving the performance of SMEs, with more favourable conditions for applying for job creation assistance from 2017:

- The title of the assistance has been expanded: companies can now choose between two titles (regional investment and de minimis aid). This has been made it possible for businesses to have access to assistance at national level.
- Eligible costs have been added, such as purchase of real property, rents, and leasing costs.
- The amount of the advance has also increased, instead of the previous 20%, now possible 50% advance is also available on application.
- In addition, new target groups have also become eligible for assistance in this form. For example, in the case of those employed in public employment, or in the case of women raising children under the age of 6, an additional assistance of 1.5 million HUF can be applied for.
- Both the fund and supplementary assistance amounts have increased over the past 9 years, which means that the highest assistance per job has risen from the previous 1.4 million HUF to 3.6 million HUF.

In 2017-2018, on the basis of the SME application for job creation investment financed from domestic sources more than 10 billion HUF has been granted to businesses in the SME sector which helped to create nearly 5,000 new jobs. In total, over 690 businesses received non-repayable assistance during this period.

In 2019, the government announced an additional call for a total amount of 5 billion HUF (code: NFA-2019-SME), which could create about 1,500 new jobs at approximately 250 SMEs.

The basic assistance rate for new jobs is currently 1.7 million HUF. In addition, applicants will receive additional assistance of 700,000 HUF per new job if they employ a mediated job seeker, or if they undertake to employ a public employee or a woman raising a child under the age of 6 in her own household. Applicants will receive additional assistance of 1.5 million HUF per new job. In addition to these three additional forms of assistance, applicants may receive an additional 400,000 HUF per new job if the investment is performed in a beneficiary district or settlement, and businesses may receive up to 3.6 million HUF assistance per new job.

The assistance programme was announced in two phases, the first of which was completed. For the second phase the project applications could be submitted between 1 August 2019 and 5 September 2019.

### **Labour Market Programmes - Supporting the employability and employment of job seekers**

*The ECSR requested the presentation of specific retraining and reintegration measures to combat long-term unemployment and their effects, and requested figures to support them. This section of the report and Section 4 contain the information.*

- **Road to the Labour Market (GINOP 5.1.1 and VEKOP 8.1.1)**

In January 2015, the 'Road to the Labour Market' programme was launched to integrate job seekers and the inactive people into the labour market. The EU co-financed programme aims to improve the employability of job seekers and inactive people over the age of 25, in particular those with low educational qualifications, to support their employment on open labour market, to improve the efficiency of labour market tools and to facilitate the transition from public to private employment for those who are capable and ready to work in the private sector. Within the framework of labour market programmes, the Public Employment Service provides participants with personalised services, assisting their employment and/or training opportunities through various forms of employment incentives and housing assistance. While supporting employment, priority is given to satisfying the labour needs of the private sector and assisting the employment of the target group at the employers of the private sector. A mandatory element of the labour market programme is mentoring services, which must be made available to participants in each county. The project will be implemented by the Ministry of Finance (hereinafter referred to by the Hungarian abbreviation as "PM") in a consortium with the employment and labour market departments of government offices in the capital and the county between 1 October 2015 and 31 December 2022. The source of the measure is HUF 231.8 billion and aims to involve at least 188,000 job seekers in total. More than 170,000 people have participated in the programme since the start of the projects until the end of November 2019.

- **Support to becoming an entrepreneur**

In 2017, a new EU-co-financed facility was launched to support job seekers intending to start a business, the implementation of which began in 2018. The aim is to train at least 3,000 registered job seekers over 30 years of age to acquire the basic knowledge and skills needed to start and sustain a business (GINOP 5.1.9-17) and, of these, providing up to 4.5 million HUF in non-refundable seed capital to at least 2,627 people who successfully complete the training and have an approved business plan to cover their start-up costs (GINOP 5.1.10-18). A total of 13.35 billion HUF will be available for implementation until 2021.

Those who set up a business with an approved business plan and successfully complete training programs can receive a non-refundable grant of 4.5 million HUF. The consortiums implementing the first phase will continuously monitor the start-up companies, mentoring them and providing them with advice as necessary during the first year of operation. The company founders are expected to apply between August 2019 and December 2020 on the online platform of the Hungarian State Treasury implementing the project.

In addition, support for young people becoming an entrepreneur will receive special attention. Details of the measures taken to this end can be found below, in Section titled ‘Improving the labour market situation of young people’.

- **Supporting the labour market services of non-governmental organisations (GINOP 5.1.5-16, VEKOP 8.1.2)**

In the "Road to the Labour Market" priority project, assistance and services provided by NFSZ are complemented by services provided by non-governmental and non-profit organisations within the framework of the ‘Supporting the labour market services of non-governmental organisations’ published in 2017. The project relies on cooperation between government offices and non-governmental and non-profit organisations to provide personalised services to disadvantaged unemployed people. The available budget is 6.757 billion HUF, which will provide at least 93,350 people with access to the labour market service, and as a result of the service, it is expected that 18,600 people will be able to find employment in the open labour market. By 31 October 2019, more than 45,000 people had been involved and the service programme had closed for more than 26,000 people.

- **Training of the low-skilled and people in public employment (GINOP-6.1.1-15)**

The aim of the priority project launched on 1 November 2015 is to encourage the participation of the adult population with low educational attainment or without the skills or qualifications needed in the labour market, in particular the participation of the public employees in education, training and provide them with opportunities to acquire education, knowledge, skills and competences relevant to the labour market.

The call targets disadvantaged people who have fulfilled their schooling obligations, in particular those with low educational attainment, and at most completed primary education, among them, it is primarily aimed at public employees and focuses on the beneficiary districts. The programme under this call expands access to training programmes based on labour market demand, which increase employability, which may be aimed at the acquisition of state-recognised vocational qualifications, partial qualifications, further vocational qualifications, the acquisition or improvement of competencies necessary for the performance of a job or activity, i.e., it other vocational training, other training and the acquisition of official qualifications. The programme provides an opportunity for adults who have participated in previous labour market training programs, skills development, to enter vocational training, as long as the public employers supports participation in retraining in case of the public employee and can further improve its chances in the labour market. In the framework of its ‘Entering the world of digitalised work’ training programme, people living in the most disadvantaged settlements can learn about the use of most advanced digital tools, which significantly increases their chances on the labour market. The 120-hour training programme is implemented as a pilot program. The training programme will cover the use of IT and communication tools in administration, work and learning; familiarisation with the use of modern tools (in particular touch screen and robotic devices; developing competences for learning and working in an IT environment; and developing technical skills to meet the needs of the labour market).

83,812 people were involved in the project until 31 December 2018 was of whom 77,513 were low-skilled (participants with at least primary (ISCED 1) or lower secondary (ISCED 2) qualifications at entry) and 83,290 were public employees. The training was successfully completed and certified by 72,368 persons (of which low-skilled: 67,019, public-employed: 71,898).

The project is in progress and is scheduled for completion on 31 December 2020.

- **Reducing the digital divide (GINOP-6.1.2-15)**

The priority project GINOP-6.1.2-15, ‘Reducing the digital divide’, launched on 1 July 2015, has committed to developing the basic digital competences of 260,000 adults along the following sub-objectives:

- Developing digital awareness and literacy skills among those living in the Northern Great Plain, Southern Great Plain, Central Transdanubia, West Transdanubia, and South Transdanubia regions of the country, with particular emphasis on the benefit districts, and developing their ICT competences.
- Reducing the primary digital divide among disadvantaged, non-digital literate populations of working age, especially those with low educational attainment.
- Reducing the secondary (use) and tertiary (quality) digital divide among disadvantaged, non-digital literate populations of working age, especially those with low educational attainment.

The target groups included in the programme are private individuals of working age (16-65 years), who are low-skilled, with at least primary (ISCED 1) or lower secondary (ISCED 2) qualifications at entry, and residing in the Northern Hungary, Northern Great Plain, Southern Great Plain, Central Transdanubia, Western Transdanubia, South Transdanubia regions.

The tasks defined in the project are implemented in two intertwined phases; of the available budget (22.9 billion HUF) 8.95 billion HUF was provided for the call for the first phase, published on 2 April 2015.

The main tasks of the project: Preparation of IKER Level 1 and IKER Level 2 training materials, implementation of training, collection of training experiences, revision and updating of training materials, training programmes as needed, development of related contextual tools, development of trainer training, development of measuring and evaluation systems.

The ‘Getting Started in the digital world’ (IKER Level 1) and ‘I use my IT device on my own’ (IKER Level 2) courses are based on standardised training programmes, each lasting 35 hours in cooperation with adult education institutions. The practice-oriented, easy-to-learn training programme allows low-skilled individuals to take advantage of the World Wide Web. The training provides a solid user base and is a pre-requisite for successfully completing the final exam. The knowledge acquired during training helps the communication, administration and knowledge building on the computer, on tablet or on smartphone, i.e., it can improve the quality of life and increase the chances of employment.

‘Involvement’ and ‘retention’ of private individuals in training is facilitated by e-Counseling mentors.

As regards the 260,000 indicators on the number of persons involved in the training in the framework of the project, 140,884 persons were involved by 31/12/2018, of which 57,449 were low-skilled (with at least primary (ISCED 1) or lower secondary (ISCED 2) qualifications participants). The training was successfully completed and certified by 130,722 persons (of which low-skilled: 52,438). The project is in progress and is scheduled for completion on 31 October 2021.

- **Improving the labour market situation of young people**

One of the employment components of the Youth Guarantee Scheme developed by the Council of the European Union in the form of the Youth Guarantee Recommendation of 2013 is the Youth Guarantee Labour Market Programme (GINOP 5.2.1-14 and VEKOP 8.2.1 programmes). The programme was launched in January 2015, co-funded by the European Social Fund and the Youth Employment Initiative. The implementing NFSZ offers, besides individual counselling, employment opportunities, assistance in becoming an entrepreneur, mobility/housing support, marketable vocational qualifications or a basic school qualification enabling it to be acquired for young people under 25 within 4 months of their application. EU-funded labour market programmes are available nationwide at 177.03 billion HUF, with which the Government plans to facilitate at least 160,000 young people under the age of 25 years and/or obtaining a qualification by 31 December 2022. Since the start of the project, NFSZ has involved 133,000 young people in the programme until the end of November 2019.

In the 2014-2020 programming period, funding for young people wishing to be entrepreneurs is mainly provided by the European Social Fund (and the GINOP (Economic Development and Innovation Operational Programme) and to a lesser extent by the VEKOP (Competitive Central Hungary Operational Programme). The aim of the scheme, which will be implemented between 2014 and 2018, is to prepare young people aged 18-25 (25-30 years of age in case of graduate job seekers with higher education) with entrepreneurial minds who are planning to start a new sole proprietorship or micro-enterprise in Hungary by developing knowledge and skills to develop their business plan, and a 3 million HUF financial contribution (with a 10% own resource) to cover the start-up costs of their business, based on an approved business plan. The GINOP 5.2.2-14 and 5.2.3-16 programmes were implemented as part of the Youth Guarantee Scheme and contributed to the start-up of some 700 businesses, involving 1,800 young people in training. In the Central Hungary Region, the same goals were achieved through the VEKOP 8.3.1 programme, which helped to establish about 159 businesses. In this region, the National Employment Fund supports the preparation and mentoring of young people using domestic resources.

Building on the experience of implementing the project assisting beneficiaries to become an entrepreneur, a new scheme was announced in 2017, and implementation began at the end of 2018. The purpose of the scheme consists of GINOP 5.1.9 and 5.2.7 projects is to prepare young people aged 18-30 planning to start their own businesses or micro-enterprises in Hungary (GINOP 5.1.9-17) and to provide financial support for their start-up costs (GINOP 5.2.7-18). Young people with an approved business plan who successfully complete training programmes and establish their own business can receive non-refundable assistance of 4.5 million HUF. The consortiums implementing the first phase will continuously monitor the start-up businesses, mentoring them and providing them with advice as necessary during their first year of operation. The founders of the business are expected to apply between August 2019 and December 2020 on the online platform of the Hungarian State Treasury implementing the project. Of the 4 billion HUF available for training, at least 6,000 young people are expected to be involved. The 26.65 billion HUF available for seed capital support is expected to contribute to the start-up costs of at least 5,200 new businesses.

At the beginning of February 2016 a traineeship program for young people under the age of 25 was published, aimed at helping young people with vocational qualifications to gain early employment experience, improve their employability and improve their long-term labour market prospects. Encouraging youth employment are provided through wage and contribution subsidies and intra-company mentoring. The projects contribute to the employment of young people in all the seven regions of Hungary: in the former, the GINOP 5.2.4-16 call is still available and in the latter was available under the VEKOP 8.3.2 until 6 December 2018. The assistance supports the trainee's wages and the wage supplement of the mentor at the supportive workplace that teaches them, equipment development related to the trainee's employment, providing the material conditions necessary for the position of the traineeship. A consortium of vocational training centres will promote the programme and monitor the trainees' progress within a priority programme (GINOP 5.2.5-16). By the end of August 2019, nearly 3,000 SMEs received more than 22 billion HUF financial assistance nationwide. Preparation of a new internship call for applications began in the first half of 2019, which will reduce the administrative burden compared to the current application and extend the target group of trainees to young people with reduced ability to work under the age of 30 without any qualification requirement. The call was published in September 2019.

- **Parents with small children**

The preparation of the project 'Return to the labour market of parents with small children' (GINOP 5.3.11-18) began in 2018; it aims to make it easier for parents who bring their child over the age of 20 weeks but under pre-school into a family or workplace nursery in order to be able to return to the labour market, they will simply be eligible for assistance if there is no municipal nursery or mini-nursery capacity available in the settlement or the application has been rejected for lack of capacity. In the framework of the programme, parents who return to work can receive up to HUF 40,000 a month in support of a family or workplace nursery service. The tax-free support is available to the parents of any child under the age of 3 who is raising a child in a family or workplace nursery and is employed or self-employed. The sum of the call for proposals in the Northern Great Plain, Southern Great Plain, Central Transdanubia, West Transdanubia, and South

Transdanubia regions is 9.8 billion HUF, which is expected to help support 5-6,000 parents returning to the labour market. In the Central Hungary Region, the programme will be implemented with domestic funding of 1.6 billion HUF. Parents with small children can apply for support from 9 August 2019 to the implementing Hungarian Treasury.

Parents returning from childcare are a particular target group under the 'Road to the Labour Market' (GINOP 5.1.1-15 and VEKOP 8.1.1) programme, launched in October 2015. From the beginning of the programme (2015) until 5 November 2019, 800 GYES [child care allowance] / GYED [child care benefit] returners were included in the programme.

- **Support for social entrepreneurship in the field of social economy**

In the case of disadvantaged groups of workers and underdeveloped regions, there is a need for a special form of stimulating workforce demand and supporting social entrepreneurship in the social economy. This typically involves the support and development of economic activities that respond to local demand, combining financial sustainability and social aspects. Since 2013, we have continued to encourage the creation and operation of social enterprises Within the framework of the 'PiacTárs' (Market Partner) Programme (GINOP 5.1.2-15 scheme) implemented by the Országos Foglalkoztatási Alap Nonprofit Kft. and IFKA Közhasznú Nonprofit Kft. consortium, providing professional advice to social entrepreneurship in organisational development, business and social sustainability of their activities. Tender support is available for the financing of business development, strengthening its market position, involvement of new employees and activities related to human resources development and directly related infrastructure investments of social entrepreneurship having both a social and business purpose. The support amount is 23.243 billion HUF and the projects is being implemented between 2016 and 2021. Supporting social entrepreneurship in the social economy aims to create sustainable jobs, thus helping to create new jobs in disadvantaged areas and small settlements. Under the two related calls (GINOP-5.1.3-16. and GINOP-5.1.7-17), a total of 400 social entrepreneurship will be supported, creating a total of 2,800 new jobs in the social economy. So far, 437 social entrepreneurship received more than 18.2 million HUF in support of the realization of their social business models for creating jobs

- **Transit employment programme for the employment of the most disadvantaged unemployed**

The integration of the most disadvantaged, the long-term unemployed and the inactive people into the labour market can be successfully facilitated through customised, complex labour market programmes. For this purpose, transit employment programmes will be supported between 2014 and 2020, which will organise individual development through employment linked to training opportunities. The essence of the method is to offer a special training opportunity to those who have failed to obtain basic and/or vocational qualifications within the traditional school system. The core elements of such programmes are continuous mentoring, psycho-social support, and strengthening and sustaining motivation. There is also strong emphasis on the development of basic skills and social competences essential for social and job integration. Vocational training organised within the framework of the programme is embedded in practical work, thus offering opportunities for those who have difficulty or are unable to integrate into traditional system of school education. Financial incentives that substitute for market income through student's cash benefits, living allowance or wages also play an important role in supporting livelihood and motivation. In the framework of the GINOP 5.1.4 call published in February 2017, up to May 2019, assistance of up to 3 billion HUF was available for non-governmental and non-profit organisations with experience in organising transit employment programmes enabling for long-term job seekers to acquire qualifications and work experience at the same time, who work closely with sectoral employer organisations as part of their programme. The winning projects are currently being implemented. The 18 supported projects under the scheme will involve 748 people in the transit employment programme from the above target group and 518 people will be in employment at the time of leaving the scheme. These figures will be complemented by the results of another 8 projects supported in 2019.

## **Reform of public employment**

The reform concerns persons subject to the Act CVI of 2011 on Public Employment and the Amendment of Public Employment and Other Laws (hereinafter referred to by the Hungarian abbreviation as "Közftv.").

The government approved 270 billion HUF for public employment in 2015, 340 billion HUF in 2016, 325 billion HUF in 2017, and 225 billion HUF in 2018, which increased the number of participants in public employment from an average of 178,850 in 2014 to 223,470 in 2016. This number declined by 19.7% in 2017 compared to the previous year, and in 2018 another 24.4% in one year. The average number of public employees was 179,500 in 2017 and 135,600 in 2018.

<b>Yearly changes of the main labour market data</b>				
	<b>2015</b>	<b>2016</b>	<b>2017</b>	<b>2018</b>
<b>Monthly average number of persons participate in public employment (person)</b>	208,127	223,470	179,492	135,620
rate of persons with low educational attainment (with or without primary educational attainment) (%)	53,4%	54,6%	55,7%	57,6%
rate of persons living in disadvantaged settlements (%)	81,4%	80,6%	81,6%	83,5%
rate of the elderly (55 years and above)	15,3%	19,5%	22,2%	24,4%
<b>Number of registered job-seekers on the closing day (person)</b>	378,181	313,782	282,970	255,310
<b>Public employment rate</b>	35,5%	41,6%	38,8%	34,7%
<b>Number of the employed (thousand persons)</b>	4,210,5	4,351,6	4,421,4	4,469,5

Source: NISZ Datawarehouse, KSH

The available resources ensured that anyone who is able to work, wants to work and is ready for work, but does not provide employment opportunities in the primary labour market, does meaningful and value-creating work in the framework of public employment.

As the economy moves towards sustained growth, demand for workforce in the private sector is growing dynamically, which has broadened the chances of public employees to find employment in the primary labour market, and the government intends to reduce the number of public employees by supporting their employment in market businesses. As the situation of the Hungarian economy strengthens, the Government creates an opportunity for the market-based employment of the public employees. The main measures in the reform of public employment will facilitate the return from public employment to the open labour market:

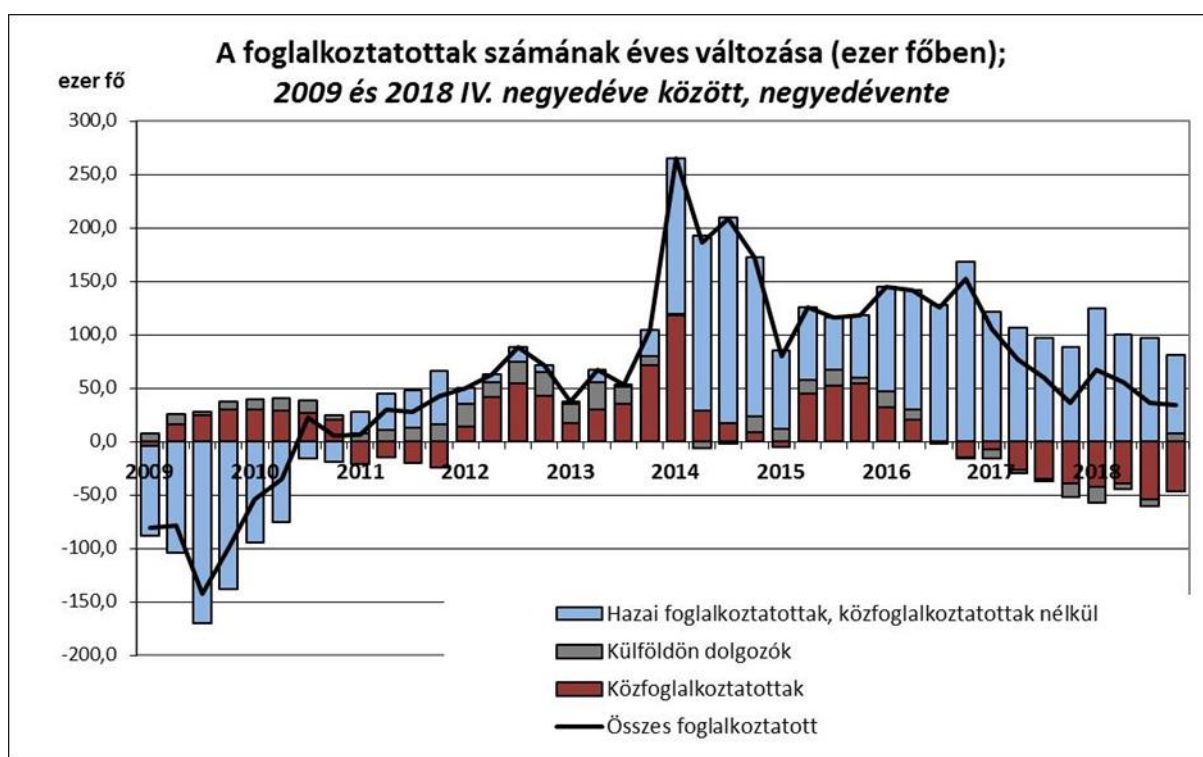
- With respect to the shortage of workforce in the private sector, the average monthly maximum number of participants in public employment programmes will continue to fall to 150,000 by 2020.
- Qualified people can only be included in public employment if the district office's mediation attempt has failed 3 times due to the employer or for 3 months the district office has not been able to offer the job seeker a suitable job.
- Persons under the age of 25 may only be included in public employment programmes if the labour market programme under the Youth Guarantee Scheme does not offer them any realistic option.



According to the labour force survey of the KSH, the average number of people employed in Hungary in 2018 was 4,469,000, an increase of 1.1% (almost 50,000 people) in one year. Annual growth rates have been falling in recent years, partly as a result of unfavourable developments in the composition of the workforce reserve.

In 2016, the increase in the number of public employees played a role in the increase in the number of the employed, but from 2017 it is no longer relevant. The number of public employees is decreasing. According to the administrative data of the NFSZ, while the average monthly number of public employment participants was 230,000 in 2016, it decreased to 103,000 in March 2019. However, this decline is compensated by the expansion of domestic employment without public employment: in 2018, the number of people working in domestic workplaces as non-public employees increased by about 100,000. The expansion is particularly significant for those transferring into the private sector, who accounted for 20% last year. The intensive growth of the demand side of the labour market makes it likely that in the future even more people will be able to find jobs in market businesses.

There is a similar but smaller trend in the number of people working abroad. According to the labour force survey, the intensive phase of emigration ended in the second half of the 2010s, and from 2017, the number of people working abroad decreased.



An analysis of the 180<sup>th</sup> day labour market status of those leaving public employment in 2017 shows that 18.1% of those leaving the primary labour market - nearly 64,000 people - were in employment. A similar proportion (18.2%) of those leaving in 2018 had more than 58,000 employees on the 180<sup>th</sup> day after closing the programme.

Although part-time employment was still significant in public employment in 2011 and 2012, as of 2013, 8-hour daily working time became the norm. In 2018, the overwhelming majority of public employment relationships established 8 hours a day. The table below shows the average monthly number of public employees by daily working time:

daily working hours	2018	
	Person	%
6 hours*	308	0,2
8 hours**	135,312	99,8

<b>Altogether</b>	<b>135,620</b>	<b>100,0</b>
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\*\* 7-8 hours altogether

\* 1-6 hours altogether

Source: NISZ Datawarehouse

- **Training**

One of the most important goals of the government is to ensure that public employees do value-creating work according to their abilities and to return from the public employment system to the primary labour market in the highest possible number. One of the decisive tools for the return of the public employees to the open labour market is to provide them with primary, vocational and further training in line with market needs. The training programmes highlight the importance of learning and provide opportunities for the public employees to enter the primary labour market with the knowledge they have acquired, to work and with it to make a living. Training programmes supporting public employment may be aimed at catching up, lack of competences, education or professional knowledge and qualifications, preparation for entering vocational training and further training.

- **From Public Employment to the Private Sector Programme**

It is clear from the data presented above that with the decline in public employment, the number of employed people is increasing and the public employees are being absorbed by the private sector. Hungary also contributes to this with assistance. A nationally funded 'From Public Employment to the Private Sector' programme has been launched, with the aim of ensuring that people with the right motivation and qualifications, who is ready for work and able to work are not involved in public employment but in the private sector, thereby facilitating full employment.

The programme provides an employment allowance: participating public employees receive an assistance if they are employed in the private sector. As of 1 November 2018, the amount of the employment allowance has doubled to 45,600 HUF/month, and the public employee who participates in seasonal agricultural work is also entitled to the employment allowance. To date, the employment allowance has been used by nearly 14,000 people and has been employed on the primary labour market.

The programme also provides labour market services (psychological, job search counselling, job counselling, etc.), which increase the self-confidence and motivation of the public employees, all of which are essential for successful and efficient job search. In 2018, 59,000 public employees participated in group counselling and 68,000 in individual counselling. The programme was extended until 31 December 2019, using a total of 7.5 billion HUF of the resources of National Employment Fund.

- **TÁMOP-2.1.6-12/1-2012-0001 priority project 'I am learning again'**

With the emergence of the public employment system, examining the education of the public employed, it was concluded that more than 50% of them have at most basic education and therefore the greatest demand from the labour market is to prepare them for entry into vocational training and to acquire vocational skills. The TÁMOP projects facilitating social inclusion closely linked to the Lifelong Learning Program, which is a priority for the European Union, provided opportunities for this. Within this, the TÁMOP-2.1.6-12 priority project (hereinafter: TÁMOP-2.1.6-12 project) provided a budget between 2012 and 2015 for the training of those in employment and, as part of this, in public employment at national level.

The vast majority of the courses were practice-oriented, during the period of public employment, closely related to work. During the training, the public employees received public employment wages, the financial background of which was provided by the Ministry of Interior (hereinafter referred to by the Hungarian abbreviation as "BM"). Most of the trainings have been completed after the theoretical training material has been acquired, with practical work provided by the public employer in the framework of actual work.

When defining the training directions for the public employed, it was necessary to respond quickly to the needs related to the Start micro-region programmes, mainly agricultural activities. The main objective was to enable the agricultural training participants to perform professional agricultural activities after the successful completion of the course. Thanks to the knowledge gained, the crops produced in the agricultural programmes will provide long-term raw materials for local public catering, sometimes contribute to the basic food supply of their families in the form of small-scale farming, and improve the financial situation of their household by selling products that exceed family needs.

Agricultural and catch-up training competences (taking into account the low level of education and lacking competences of the public employees) were developed and implemented with the professional guidance of the Türr István Training and Research Institute, also taking into account the needs of the BM.

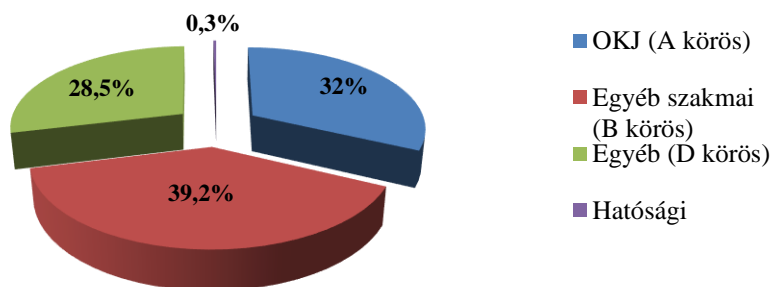
Following the successful start of agricultural and catch-up training, a new goal was clearly formulated, covering not only vocational training, which is related to public employment, i.e., actual work and the needs of public employees, but also provides vocational skills that can be used immediately during work. After successful completion of the training, the public employees could use their acquired skills in their subsequent employment, thus facilitating the possibility of future employment in the open labour market (e.g., work at public and private forestry companies, water management directorates as forest workers, dam and canal guard, chainsaw operator).

For the result and success of the training related to public employment, there have been continuous discussions with public employers and private sector participants to enable the public employees to enter the open labour market as much as possible after completing the training to be launched. To do this, it was necessary to start training courses, which, taking into account the high number of low-educated people living in the most disadvantaged small settlements, aimed at acquiring state-recognised vocational qualifications included in the National Qualification Registry (hereinafter referred to by the Hungarian abbreviation as "OKJ") and improving the competencies of the trainees (e.g., health promotion assistant, cheese maker, vamp maker, garden workers, animal farm worker/animal caretaker, textile product assembler, cleaning technology skilled worker).

The physical implementation of the TÁMOP-2.1.6-12 project was completed on 30 November 2015. In the framework of the programme, in total 176,097 people were given opportunities to develop their knowledge and competences, of whom 175,307 (99.5%) were public employees. Of the latter target group, 165,522 people, i.e., 94.4%, successfully completed and only 5.6% dropped during training. The multi-disadvantaged public employment target group declaring themselves to be Roma in a voluntary statement, which was also observed as a separate indicator, was 36,838 people (21%).

In the case of the types of training implemented within the TÁMOP-2.1.6-12 project, besides other vocational training courses (39.2%), 32% of the courses were OKJ courses and 28.5% were catch-up and competence development courses (other D round), and 0.3% was official training.

**Képzésbe vontak arányának megoszlása képzési körönként**



The effectiveness of the trainings was also supported by a special programme element, the mentoring activity available during the training. The implementation of the training of the public employees involved in the TÁMOP-2.1.6-12 project was supported by on average 126 mentors in the duration of the project, according to the actual number of those involved. Overall, 20.4% of those involved, i.e., 35,824 people used mentoring service to successfully complete their individual training and prevent them from dropping out.

- **GINOP-6.1.1-15-2015-00001 Priority Project 'Training of the low-skilled and people in public employment':**

In Hungary, the share of people aged 25-64 in lifelong learning is low. Within the participation rates, education indicators show that the lower the individual's educational attainment, the less likely they are to participate in education and training. People with low levels of education are the most vulnerable in terms of training and the labour market in general, and have less access to (further) education-training, i.e., also to lifelong learning.

Taking into account the above and the employment policy recommendations of international organisations (European Commission, OECD), the position on public employment is as follows: human resources development and training programmes are the most important for the further development of the public employment and to enable them to find employment in the primary labour market.

Between 2016 and 2019, the GINOP-6.1.1-15-2015-00001 Priority Project 'Training of the low-skilled and people in public employment' (hereinafter: priority project) provides the opportunity to support the training of the low-skilled public employees. The priority project is implemented with the cooperation of the National Office of Vocational Education and Training and Adult Learning (as the consortium leader), the BM and 18 county government offices in the convergence region (as consortium partners). During the training, the public employees receive public employment wages, the financial background of which is provided by the BM.

Initially, the priority project provided training for at least 85,000 people for the period 2016-2018, with a support of 30 billion HUF, of which 80,000 were low-skilled or with primary or lower-secondary qualifications (ISCED 1, ISCED 2) in public employment or employment. Only a small proportion (5.9%) of those with a higher education (at least secondary qualification - ISCED 3) can be involved. The target indicator for the attestation or certificate holder is 68,000 people (80% of the total number of staff to be involved).

The planned physical completion of the priority project had been extended until 31 December 2019 in order to allocate and optimise resources as much as possible.

The decisive goal of the training to be launched in the priority project is to catch up, to develop the competences needed to start vocational training and to meet the needs of the primary labour market, and new elements have been added to the success of the programme. The career inquiry questionnaire to be completed by the target group members helps to determine the individual interest direction upon involvement in the programme, and the individual training plan prepared taking into consideration of this supports to customise the training. One of the specialties of the programme trainings is the 16-hour ancillary activity added before the training under the title of 'Increase the efficiency of training' activities and the 24-hour activity at the end of the training under the title of 'Promoting employment' activity for supporting the exit to the primary labour market.

The primary target groups of public employment include both people living in disadvantaged settlements and job seekers with low educational qualifications and unskilled people, who typically include those who identify themselves as Roma.

Within the framework of the priority project, several training needs assessments have been performed since the beginning of the project with the professional coordination of the BM, taking into account and following changes in the labour market. In these, it was always defined as the expectation that government offices and

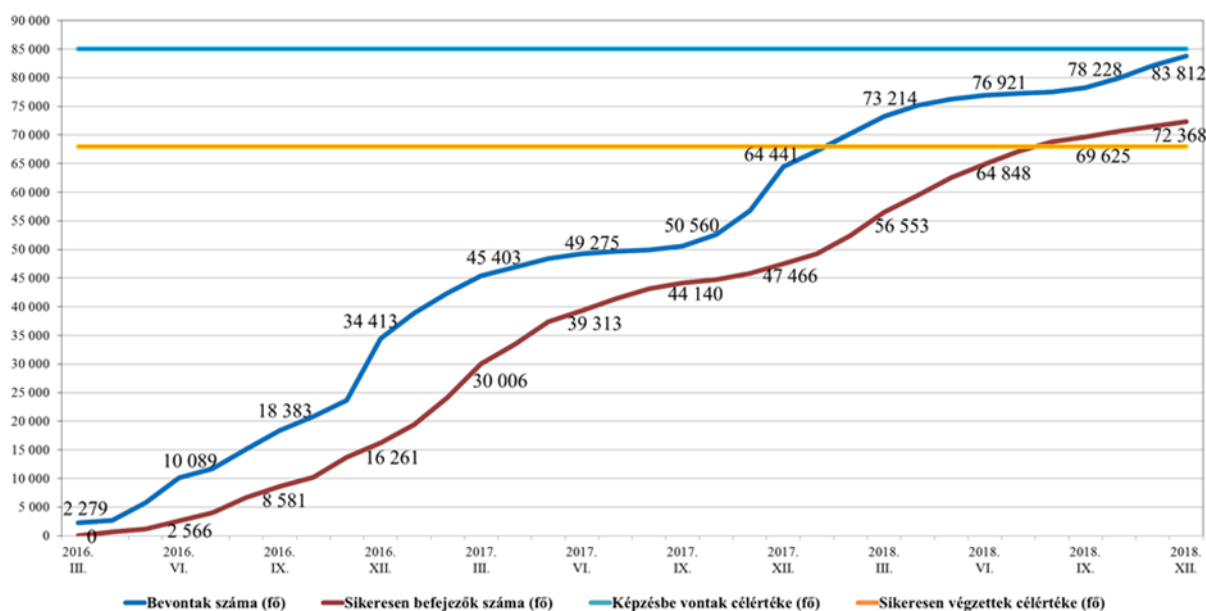
district offices should assess and collect training courses customised primarily to local and national open labour market needs, based on training needs identified in daily contact with relevant local chambers and non-governmental organisations. The specialties appearing in the needs assessments serve as the basis for the Calls for Proposals and the Training Registers based on them, thus ensuring the continuous launch of the trainings. The Training Register shall be renewed at least annually, but may be supplemented and updated in a separate procedure if required and justified.

During the large-scale involvement in the trainings, the Government of Hungary also paid special attention to the launch of public employment programmes, so the trainings took place mainly in the winter period.

Following the launch of the priority project (from February 2016), the number of those involved in training has increased, but with varying intensity. Until 31 December 2018, only 83,812 people had been involved - i.e., 98.6% of the programme had been completed to that date - of which 28,447 people (33.9%) declared themselves to be Roma.

Another key achievement indicator for the priority project is the number of those successfully completing the training, which at the end of 2018 totalled 72 368 people, thus meeting and exceeding the expected target of 68,000 people.

**Képzésbe vontak és a képzést sikeresen befejezők számosságának alakulása**

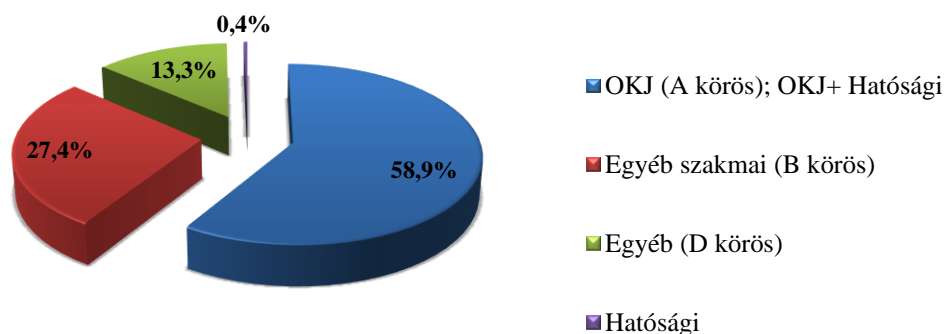


Source: BM-KKSZF

The Training Register, effective at the end of 2018, published in November 2017 and updated three times thereafter, contains 302 specialisations, providing an extremely wide range of training opportunities for the public employees.

Of the trainings launched by the end of 2018, 58.9% of the courses are OKJ or OKJ+ official programmes, while 27.4% are other vocational training programmes in the case of the target group with low educational qualifications, besides competency development programmes that help catching up.

### Képzésbe vontak arányának megoszlása képzési körönként



Source: BM-KKSZF

There was also a shortage of qualifications among the trainings – in line with the needs of the labour market–, which could ensure the future successful employment of the public employees. Among the shortage professions, the industrial and construction industries (e.g., tool maker; mason and tiler; carpenter; painter, decorator, paper hanger) and other shortage professions are also represented in the register of completed training courses (e.g., cook, social worker and nurse, meat product manufacturer, gardener).

By the end of 2018, in terms of the number of people involved in the training programme, among the ‘TOP 10’ courses, there was the greatest demand for training in the field of greenfield machinery operator, basic competence development, construction and material handling machine operator and kitchen assistant.

<b>TOP 10 courses of GINOP-6.1.1-15 priority project based on the number of participants</b> (based on the December 2018 data provision of the National Office of Vocational Education and Training and Adult Learning)			
No.	Name of course	Course round	Number of participants (person)
1.	Small machine operator in green area	Other qualification (B round)	5,728
2.	Basic competence improvement	Egyéb (D körös)	5,298
3.	Building and material-handling machine operator	OKJ (A round) + Authority + OKJ (A round)	4,901
4.	Kitchen helper	OKJ (A round)	3,373
5.	Park manager	OKJ (A round)	3,190
6.	Agricultural worker	OKJ (A round)	3,115 f
7.	Bio- and green waste utilization, composting	Other qualification (B round)	2,883
8.	Vegetable and fruit processing	OKJ (A round)	2,498
9.	Garden worker	OKJ (A round)	2,141
10.	Motor saw operator	OKJ (A round)	2,134

Source: NSZFH/BM-KKSZF

Government Resolution 1545/2018 (30 October) amended the Annual Development Budget of GINOP, which also affected priority project GINOP-6.1.1-15, thus raising the budget to 31.15 billion HUF. The training content of the priority project was supplemented with a digital skills development programme aimed at catching up for the most disadvantaged small settlements; as a result a 120-hour 'Entering the world of digitalised work' complex training programme, compiled by the common working group of ITM and BM, has been added to the 2018/2019 Training Register relating to winter public employment that develops the digital skills and competences of the public employees.

Within the framework of the priority project, a mentoring and support service will be provided during the training of the target group member as needed or on an individual basis, with the aim of facilitating the retention in training and effective completion of the participants by providing a personalised service. The mentoring activity provided by the priority project starts at the beginning of the training and ends at the end of the training.

For consortium partners, information on the work of mentors at county and district level is provided by monthly manual mentor charts and quarterly mentor professional reports. The following table shows the effectiveness of the mentors' work by counties.

<b>Changes in the number of persons involved in the priority project and the mentoring service (on 31 December 2018)</b>				
<b>County</b>	<b>Prescribed involvement indicators (person)</b>	<b>Number of persons involved in the project (person)</b>	<b>Persons used the mentoring service</b>	
			<b>number (person)</b>	<b>number of drop-outs (person)</b>
Bács-Kiskun	4,995	5,106	4,997	415
Baranya	4,945	4,808	4,808	417
Békés	3,870	3,930	3,928	334
Borsod-Abaúj-Zemplén	15,293	14,711	13,914	1,223
Csongrád	2,447	2,817	2,751	250
Fejér	2,588	2,309	2,309	237
Győr-Moson-Sopron	686	759	759	21
Hajdú-Bihar	8,242	8,438	7,921	940
Heves megye	4,149	3,752	3,752	407
Jász-Nagykun-Szolnok	5,331	5,439	5,439	272
Komárom-Esztergom	1,573	1,570	1,570	201
Nógrád	4,097	3,529	3,266	101
Somogy	5,240	5,399	5,399	498
Szabolcs-Szatmár-Bereg	14,040	14,168	13,261	915
Tolna	2,434	2,050	1,938	183
Vas	1,007	1,062	1,062	81
Veszprém	1,828	1,693	1,693	127
Zala	2,235	2,272	2,272	129
<b>Összesen:</b>	<b>85,000</b>	<b>83,812</b>	<b>81,039</b>	<b>6,751</b>

Source: BM-KKSZF

The table shows that mentoring service is present at all 18 county government offices in the convergence regions. From the start of the priority project to December 2018, a monthly average of 118 mentors provided



mentoring service. To date, 96.7% (81,039 people) of those involved in the project have received mentoring services. So far, only 8.3% of them, 6,751 people, have dropped out.

In addition to their previous knowledge, the mentors must have specialised knowledge to perform their activities, which is why BM provided two days of preparatory training at the start of the priority project, according to the theme it developed.

In addition to the events, Personal contact and professional consultation with the professional implementers (training officers, mentors, financial referent) employed by the consortium partners will also take place during regular monitoring visits. During the on-site visits, the monitoring inspections are executed in cooperation with the monitoring and control officers working in the priority project and the county governors (training officers and service officers) of the given county.

In the GINOP-6.1.1-15 interface created on the BM intranet page, Frequently Asked Questions menu point, answers to questions and requests from consortium members, key information, lectures at professional meetings are available to project implementers and mentors working in Government Offices, which facilitate the smooth implementation of the priority project, thus helping to make their work more efficient.

It also facilitates the realisation of the priority project by organising and holding BM professional events (e.g., case discussions for implementers, supervisors' sessions, as well as professional trainings and workshops), which has been held 27 times since the start of the priority project.

- **Employment in public employment - beneficiaries and extent and condition of partial preferences**

Pursuant to Section 8/A (1) of Act CXXIII of 2004 on the Promotion of Employment of Young Entrants to Labour Market, Unemployed Persons Over the Age of Fifty, Job Seekers After Child Care and Family Care, and Scholarship Employment (hereinafter referred to by the Hungarian abbreviation as "Pftv.") the public employer listed in Section 1 (3) of the Közftv. shall be entitled to a partial relief from the social contribution tax in the case of employment in a public employment relationship.

The partial relief is equal to 13.5% of the public employment wage due to the public employee for the tax assessment period, taken into account in determining the tax base, not deducted from public charges and other deductions for the public employee, but up to 130% of the guaranteed wage for the public employment.

Partial relief of social contribution tax and other statutory employment tax reliefs may not be granted concurrently to the same person. In the case of public employment, the employer can only claim tax relief under the Pftv.

<b>Average number of persons involved in different types of public employment between 2015 – 2018</b>				
<b>Years</b>	<b>2015</b>	<b>2016</b>	<b>2017</b>	<b>2018</b>
<b>Longer-term public employment</b>	74,903	95,661	78,169	59,706
<b>National public employment programme</b>	41,429	42,854	34,041	22,774
<b>District "start-job (startmunka)" model programme</b>	91,795	84,953	67,281	53,140
Agricultural programmes therefrom	37,183	33,611	26,147	20,117

Source: NISZ Database

### **Measures for the employment of disadvantaged and Roma people**

*The ECSR requested information on measures to support specific groups or communities, including disadvantaged and Roma communities, and their impact.*



## **Situation**

Low income: The relative income poverty rate, according to the figures of Eurostat, reduced from 13.4% in 2017 to 12.8% in 2018. Within the Roma population, the rate of change over the last year (from 48.4% to 40.9%) represents a very significant 7.5 percentage points improvement.

Work poverty: The share of people living in households with very low work intensity (in the period 2009-2018) was also the lowest in 2018 (3.7%).

Scarcity of material assets: According to Eurostat data, the proportion of people living in severe material deprivation was 10.2% in 2018, which is the lowest value of the examined period (2009-2018), like other poverty indicators. For 2018, both Roma and non-Roma populations have the lowest values.

The number and proportion of those at risk of poverty or social exclusion have decreased significantly and have been on a downward trend in recent years. According to Eurostat data, from the low point of 2013, which affected 34.8% of society, their share dropped to 19.6% by 2018. In Hungary, the employment rate of the population aged 15-64 has improved definitely since 2010. It increased from 54.9% in 2010 to 69.2% in 2018.

Simultaneously, unemployment is declining. In 2018, the unemployment rate was 3.7%, compared to 11.2% in 2010 for the total population (aged 15-74). The Roma population also has the trend (reduced from 39.5% to 18.5%).

The employment rate of the Roma population was 43.6% in 2018, which is also a significant improvement compared to 25.9% in 2013 (33.4% in 2014, 39.3% in 2015, 44.5% in 2016 and 45% in 2017).

## **Currently running programmes**

A key objective is to increase the employability and employment of disadvantaged and Roma people, for which a number of active employment policy instruments and related programmes will be implemented:

- **Social land programme**

The social land programme is a traditional instrument of creating opportunities for disadvantaged people in an environment suitable for agricultural production, including for large numbers of Roma families.

From 2012, an important element of social land programmes was the link with public employment, cooperation with Roma minority self-governments, and opening up to social cooperatives. Between 2013 and 2016, we supported market access for organisations engaged in agricultural production by providing access to equipment.

In contrast to the 3,500-4,000 supported families of previous years, more than 7,800 families have been involved in small-scale farming since 2015. In 2017, a social land programme for domestic gardening and small domestic animal farming was announced. The number of winning organisations is 152. The number of disadvantaged families reached is close to 8,000. In 2018, a social land programme for domestic gardening and small domestic animal farming was started.

- **Better chance programme - aiming to address gender inequalities in employment.**

In the framework of the programme for the education and employment of Roma women, completed in 2015, 1,012 Roma women received vocational training in one of the following fields: kindergarten nurse, childcare provider, child and youth supervisor, social worker and nurse, social assistant. As a result of the programme, 499 of the qualified persons were employed in the social and child welfare system.

From 2016, the programme will continue with the support of EU funds. The involvement of those involved from the very first moment gives them the opportunity to be integrated into the employing institution earlier, so that they know the colleagues and the environment, where they will be in full-time employment once the training has been completed.

The programme is implemented through two projects, one priority project and a standard support scheme. These projects are expected to provide 1,100 (900 people + 200 people) Roma women with training integrated into employment. In the framework of the programme, 24 months of supported employment is followed by 12 months of compulsory further employment.

- **Activity and empowerment assistant programmes**

Building on the experience of the pre-project in the 2014-2020 funding period, the programme will continue. Its aim is to improve the position and employability of people with disadvantages in the labour market, in particular those with low or no education, through programmes to support the completion of primary school, to develop their basic skills and competences, to provide work practices, and programmes to reduce functional illiteracy and support vocational training.

The programme will involve at least 25,000 people with a total budget of 6.3 billion HUF, with at least 12,000 people receiving training and a living allowance during the training period. In addition, a minimum of 500 people will take part in an internship programme, which allows work trial. The programme puts a special emphasis on the organisation and provision of services that help to stay in training and work practice.

- **EFOP-1.3.2-16 Developing a mentoring network for catching up**

A special scheme was announced with a budget of 2 billion HUF, within the framework of which a Roma mentoring network was created, which aims to reach the most disadvantaged - primarily Roma - people through social inclusion programmes with the help of nearly 100 Roma mentors. Therefore, 'booster mechanisms' and process support should be used to help reach out to Roma opportunity-creating, disadvantage alleviating programmes, and to inform and activate Roma communities to participate in the programmes. The beneficiary of this priority project is Directorate-General for Social Opportunity

- **Complex site programmes**

In the context of complex site programmes, the Government placed great emphasis on making employable and employment of disadvantaged people, including Roma.

Using the 2011 census data, a national segregated database and map were completed. According to the database, there are 1,384 sites in 709 settlements in the country, mainly inhabited by Roma, and underdeveloped part of the settlement embedded in settlement tissue.

The most urgent problem facing Roma living conditions is improving the situation of segregated people. This requires the elimination of disadvantages (employment, education, health, community, housing and access to services) deepening over generations. Developments are based on continuous professional presence in the target area (settlement-type social work).

Between 2012 and 2015/16 in the framework of TÁMOP support (8.04 billion HUF), 66 segregated programmes were implemented in 55 settlements (including 25 towns and 30 non town status settlements), which were realised with the involvement of more than 5,000 people and participation of more than 3,000 people.

In the EU programming period 2014-2020, three operational programmes will aim to integrate people living in segregated areas:

- TOP: towns with county rights and segregates of towns; Budget: 48.796 billion HUF, expected to be approx. 200 applications
  - VEKOP: the segregates of Budapest and Pest County; Budget: 13.802 billion HUF, expected to be approx. 20 applications.
  - EFOP: not urban segregates; Budget: 42.35 billion HUF, approximately 100 applications. The programmes reach over 30,000 people.
- **Pilot programmes to strengthen the social economy and employ the most deprived groups through the cooperation of non-profit organisations and businesses (EFOP-1.11.1-17)**

The standard project with a budget of 778.1 million HUF aims to strengthen the employment potential of local organisations that combine business and social aspects by encouraging and supporting social enterprises. By promoting and strengthening cooperation between the not-profit and for-profit sectors, the main goal is to develop business models that are sustainable in the long term that support the above goals. By spreading the social entrepreneurship model at the local level, the employment rates of disadvantaged employees and people with reduced ability to work can gradually increase.

- **‘Útravaló’ Scholarship Programme**

The main goal is to successfully integrate disadvantaged and Roma students and young people into the world of work, to increase their employability and employment. Therefore, the ‘Útravaló’ Scholarship Programme was launched. The 'Road to Vocation' sub-programme of the ‘Útravaló’ Scholarship Programmes has placed a strong emphasis on making disadvantaged students, including Roma students, employable, and on their effective, long-term integration into the world of work.

The Equal Opportunities sub-programmes of the ‘Útravaló’ Scholarship Programme are aimed at supporting disadvantaged/cumulative disadvantaged students entry in secondary school, secondary school success, access to the profession, and admission to and stay in a higher education institution. Under the programme, students receive mentoring assistance and scholarship support from the 7<sup>th</sup> grade of primary school until entering higher education. The operation of the Scholarship Programme is governed by Government Decree 152/2005 (2 August) on the ‘Útravaló’ Scholarship Programme. The ‘Road to Vocation’ sub-programme of the ‘Útravaló’ Scholarship Programme are aimed to facilitate the successful learning of participating vocational school students, to overcome their learning difficulties, and thus to gain access to the profession in order to become more competitive in the labour market.

Students enter the programme primarily on the basis of social entitlement, but the rate of scholarship in sub-programmes within the public education system depends on the academic achievement at the end of the previous year.

In order to compensate for the disadvantages of Roma students, as stated in the above-mentioned Government Decree, the support decision must be made each year with at least 50% participation of Roma students in the programme.

The ‘Road to Vocation’ sub-programme is funded by Hungarian state budget with the assistance of Human Resources Support Manager. The sub-programme supports the vocational training of vocational school students with the help of scholarships and mentoring. The amount of student scholarships in recent years has been in the range of 7,000-13,000 HUF, depending on academic achievement.

In addition to the scholarship, the student also receives mentoring support. The purpose of the mentor is to assist the student in their learning and career choices. The mentor is responsible, among others, for developing a personal development plan for the student and evaluating the student's progress, development, and the reasons hindering them at least every three months, and maintaining regular and personal contact with the mentored student, within this, at least 2 hours a week preparing the mentored student, and have regular in-person contact with the head teacher and, if necessary, the specialist teachers, and visiting the student’s family.

'Road to Vocation' sub-programme	Number of students in every sub-programmes
school years 2016/2017	3,162
school years 2017/2018	3,546
school years 2018/2019	3,725

## **Measures concerning immigrants and refugees**

*The ECSR requested information on measures to support specific groups or communities, including immigrants and refugee, and their impact.*

- **Labour market policy measures**

Between 2015 and 2018, measures aimed at integrating refugees and immigrants into the labour market were implemented with support from the Asylum, Migration and Integration Fund.

An important objective of the National Programme of Hungary is to support the integration of third-country nationals into the labour market, which is addressed by the four measures of the National Programme.

By the end of 2018, 10 projects were funded under the measures, with a total eligible cost of 253,471,223 HUF (approximately 811,581 EUR), of which 75% - 190,103,417 HUF (608,686 EUR) - EU and 25% - 63,367,806 HUF (202 896 EUR) is a domestic source.

- **Development and operation of training programmes and services for third-country nationals reflecting labour market needs**

The objective of the measure is to facilitate the integration of third-country nationals into the labour market and thereby their social integration by providing training and services that reflect their needs.

In order to achieve these objectives, the Responsible Authority shall, in particular, support the following activities:

- collecting and analysing information, drawing up needs assessments and, on that basis, formulating policy proposals on the impact of migration of third-country nationals on employment;
- development, certification and implementation of primary training programmes for adult third-country nationals with no basic education qualification;
- development, certification and implementation of baccalaureate training programmes for adult third-country nationals with no secondary education qualification;
- development and implementation of programmes to identify, acquire or further develop knowledge, skills and competences required for entry into the labour market and to facilitate labour market integration;
- preparation and operation of services to facilitate entry and integration into the labour market - provision of labour market and employment information, job, career, job search, rehabilitation, local (regional) employment counselling, job placement services;

- development and implementation of work experience gaining programmes - e.g., internship programmes, volunteering, etc.;
- support for appropriate mechanisms for the recognition of third-country immigrants' professional qualifications outside the EU;
- the provision of additional services to help vulnerable groups to participate, with special regard to the participation of women with childcare;
- provision of interpretation and translation for training and service activities.

In the framework of this measure, the Responsible Authority supported the implementation of the following 5 projects.

<b>Beneficiary organisation</b>	<b>'Artemisszió' Foundation</b>
<b>Project title</b>	<b>Skills On!</b>
<b>Planned duration of the project</b>	<b>1 May 2016 - 30 June 2018</b>
<b>The total support amount for the project</b>	<b>HUF 50,045,154</b>
<b>Brief summary of the content of the project</b>	
Purpose of the project: to help integrate migrants into the labour market by developing and operating a complex programme in which migrants, with the help of a social worker, select the most suitable labour market services for their needs.	
Main activities performed: individual skills and needs assessment, personalised labour market counselling, individual competence development and individual case management for 121 people, group labour market training for 76 people, providing internship with 51 people, language catching-up, psychological assistance and legal counselling.	
Target group: members of the groups defined in Article 9 (1) of Regulation (EU) No 516/2014 of the European Parliament and of the Council.	

<b>Beneficiary organisation</b>	<b>Máltai Gondoskodás Nonprofit Kft.</b>
<b>Project title</b>	<b>'Munkát neked!' (Work for you!)</b>
<b>Planned duration of the project</b>	<b>1 January 2016 – 31 March 2018</b>
<b>The total support amount for the project</b>	<b>HUF 49,351,900</b>
<b>Brief summary of the content of the project</b>	
The aim of the project is to develop a complex labour market service for third-country nationals legally residing in Hungary.	
Main activities performed: the Beneficiary provided its services throughout the duration of the project: an interpretation service customised to the needs of the target group, which was used by 74 people; job placement service, informing employers about the programme; operating a job placement service. In total 32 people gained work experience in the project.	
The direct target group of the project shall include all groups defined in Article 9 (1) of Regulation (EU) No 516/2014 of the European Parliament and of the Council.	

<b>Beneficiary organisation</b>	<b>Migrants' Help Association of Hungary</b>
<b>Project title</b>	<b>MigHelp's labour market competence training and migrant career-centre</b>
<b>Planned duration of the project</b>	<b>1 June 2016 - 31 October 2017</b>
<b>The total support amount for the project</b>	<b>HUF 33,964,628</b>
<b>Brief summary of the content of the project</b>	

The aim of the project is to provide 3 types of training (ECDL, kindergarten nurse, car driver), with its own innovative module, provide intensive mentoring, career guidance, and outsource work/internships to the target group.

Main activities performed: developed and accredited an intercultural, innovative and interactive training module in the framework of the Beneficiary's project and continued its training based on its curriculum. In total 58 people participated in the training. 10 people participated in the internship programme.

The direct target group of the project shall include all groups defined in Article 9 (1) of Regulation (EU) No 516/2014 of the European Parliament and of the Council.

<b>Beneficiary organisation</b>	<b>Foundation for Africa, Hungary</b>
<b>Project title</b>	<b>AfroMag - Supporting the labour market integration of Africans in Hungary</b>
<b>Planned duration of the project</b>	<b>1 January 2017 - 30 June 2018</b>
<b>The total support amount for the project</b>	<b>HUF 23,604,451</b>
<b>Brief summary of the content of the project</b>	
Purpose of the project: to help integrate Africans in Hungary into the labour market through multilingual information services.	
Main activities performed: organisation of club events, where the professionals involved provide the labour market knowledge in a structured way - 40 third-country nationals involved, mentoring, legal and coaching assistance, implementation of an internship programme with 42 participants, organised voluntary training, and volunteering providing work opportunities for target group members, translation, developing and operating a multilingual website containing job information and other project-related information, conducting studies and formulating policy proposals.	
Target group: African nationals from among the groups defined by Article 9 (1) of Regulation (EU) No 516/2014 of the European Parliament and of the Council.	

<b>Beneficiary organisation</b>	<b>Migrants' Help Association of Hungary</b>
<b>Project title</b>	<b>'KAPTÁR': Training Alternatives In The Hope For Marketable Knowledge And Jobs</b>
<b>Planned duration of the project</b>	<b>1 May 2017 - 30 June 2018</b>
<b>The total support amount for the project</b>	<b>HUF 34,273,904</b>
<b>Brief summary of the content of the project</b>	
The purpose of the project is to provide third-country nationals with training to meet the needs of the labour market, with the qualifications acquired they can enter the labour market as a potential job seeker.	
Main activities performed: the Beneficiary provided training in IT, driving, Craft and Elderly Care projects, in total 70 participants. Parents taking part in the training will be provided with childcare.	
The direct target group of the project shall include all groups defined in Article 9 (1) of Regulation (EU) No 516/2014 of the European Parliament and of the Council.	

- **Developing specific developing tools to increase employability for vulnerable groups, in particular beneficiaries of international protection**

The objective of the measure is to increase the employability of vulnerable persons, in particular beneficiaries of international protection, and to help them remain stable on the labour market through their psychosocial care, employer incentives and targeted employment programmes.

In order to achieve these objectives, the Responsible Authority shall, in particular, support the following activities:

- providing additional health, mental health and social care to those in need;
- promoting employability of vulnerable persons of active age by incentives to employers (in particular job placement, information activities for general and specific employees, other forms of employment promotion);
- development of programmes for the employment of beneficiaries of international protection in the field of public employment and the participation of such persons in existing public employment programmes;
- development and implementation of work experience gaining programmes - e.g., internship programmes, volunteering, etc.;
- provision of interpretation and translation for training and service activities.

In the framework of this measure, the Responsible Authority supported the implementation of 1 project.

<b>Beneficiary organisation</b>	<b>‘Menedék’ Hungarian Association for Migrants</b>
<b>Project title</b>	<b>Mentor-Job</b>
<b>Planned duration of the project</b>	<b>1 July 2016 - 30 June 2018</b>
<b>The total support amount for the project</b>	<b>HUF 52,285,772</b>
<b>Brief summary of the content of the project</b>	
<p>The objective of the project is to increase the employability of vulnerable, disadvantaged third-country nationals and to help them remain stable on the labour market by providing them with psycho-social services, competence development and employer-targeted campaigns and services.</p> <p>Main activities performed: the Beneficiary continuously provided social counselling, mentoring and legal advice throughout the project implementation period; additional psychiatric and psychological care; job seeking club; operated occupational therapy groups; provided Hungarian language competence development and the opportunity to gain work experience with social support. In total 86 people benefited from psychological care, 24 people gained work experience and 455 people received social assistance.</p> <p>The direct target group of the project is vulnerable persons - including all beneficiaries of international protection - as defined in Article 9 of Regulation (EU) No 516/2014 of the European Parliament and of the Council (1).</p>	

- **Developing and operating programmes to support migrants' business activities**

The objective of the measure is to facilitate the entry of third-country nationals into the labour market by developing their entrepreneurial skills and providing start-up services for their businesses.

In order to achieve these objectives, the Responsible Authority shall, in particular, support the following activities:

- collecting and analysing information, drawing up needs assessments and, on that basis, formulating policy proposals in relation to the business activities of third-country nationals;
- development, certification and operation of training programmes for the development of entrepreneurial skills;
- providing start-up services - e.g., legal advice, image building, business consultancy, etc.;
- establishing and operating a migrant entrepreneur network;
- the provision of additional services to help vulnerable groups to participate, with special regard to the participation of women with childcare;
- provision of interpretation and translation for training and service activities.

In relation to this measure, the Responsible Authority supported the following 2 projects.

<b>Beneficiary organisation</b>	<b>Subjective Values Foundation</b>
<b>Project title</b>	<b>'Saját Erőből 3.0' ('from my Own Power')- Service Centre for Migrant Entrepreneurs</b>
<b>Planned duration of the project</b>	<b>1 September 2016 - 30 November 2017</b>
<b>The total support amount for the project</b>	<b>HUF 23,609,795</b>
<b>Brief summary of the content of the project</b>	
<p>Purpose of the project: to facilitate the entry into the labour market of third-country nationals legally residing in Hungary or receiving international protection, by developing their entrepreneurial skills.</p> <p>Main activities performed: conducting entrepreneurship awareness workshops and professional events for legal migrants assisting them to start their own businesses, mentoring, and providing individual business/legal/marketing consulting, marketing support. In total 49 people used the services of the project.</p> <p>Target group: members of the groups defined in Article 9 (1) of Regulation (EU) No 516/2014 of the European Parliament and of the Council.</p>	

<b>Beneficiary organisation</b>	<b>Wheel of Future Public Benefit Foundation</b>
<b>Project title</b>	<b>Helping migrants to become entrepreneurs</b>
<b>Planned duration of the project</b>	<b>1 June 2017 - 30 June 2018</b>
<b>The total support amount for the project</b>	<b>HUF 15,940,015</b>
<b>Brief summary of the content of the project</b>	
<p>The objective of the project is to develop the entrepreneurial skills and competences of third-country nationals, thereby strengthening their position in the labour market and encouraging the start-up of their small businesses through a practice-oriented methodology.</p> <p>Main activities performed: developing entrepreneurial knowledge, holding workshops, providing free start-up services (e.g., legal), providing internships for successful businesses with similar profiles, entrepreneurship forum, childcare. In total 117 people used the services of the project.</p> <p>Target group: members of the groups defined in Article 9 (1) of Regulation (EU) No 516/2014</p>	



- **Hungarian language and intercultural training of third-country nationals studying in Hungarian higher education; development and operation of programmes to facilitate their integration into the labour market**

The direct objective of the measure is to support the integration of third-country nationals entering and staying in Hungary for the purpose of pursuing higher education, and to facilitate their entry into the labour market. The measure indirectly serves the development of knowledge-based migration and the improvement of the reputation of higher education institutions.

In order to achieve these objectives, the Responsible Authority shall, in particular, support the following activities:

- collecting and analysing information, preparing needs assessments and formulating policy proposals on the basis of these in relation with the integration of third-country nationals studying in Hungarian higher education;
- development, pre-qualification and implementation of general Hungarian language training programmes for third-country nationals studying in Hungarian higher education;
- development, application, further development and dissemination of curricula and educational materials related to Hungarian language training;
- development and implementation of work experience gaining programmes - e.g., internship programmes, volunteering, etc.;
- preparation and operation of services to facilitate entry and integration into the labour market - provision of labour market and employment information, job, career, job search, rehabilitation, local (regional) employment counselling, job placement services;
- provision of special counselling and personal counselling (mentoring) services facilitating integration into the higher education institution;
- development, pre-qualification and implementation of migrant-specific intercultural training programmes;
- provision of interpretation and translation for training and service activities.

In the framework of this measure, the Responsible Authority supported the following 2 projects.

<b>Beneficiary organisation</b>	<b>Wheel of Future Public Benefit Foundation</b>
<b>Project title</b>	<b>Labour market and integration services for migrants studying in higher education</b>
<b>Planned duration of the project</b>	<b>01 August 2016 - 28 February 2018</b>
<b>The total support amount for the project</b>	<b>HUF 38,925,471</b>
<b>Brief summary of the content of the project</b>	
Purpose of the project: to assist the integration of third-country nationals studying at a Hungarian higher education institution in the labour market and in society through skills development and counselling.	
Main activities performed: providing labour market services to 134 third-country students - preparing needs assessment, individual job seeking counselling and competence assessment,	

providing job seeking club and skills development team, providing mentoring and organising community programmes (67 migrant participants), and operation of an integrated portal.

Target group: third-country nationals legally staying in Hungary for the purpose of pursuing higher education, including students enjoying international protection, as defined in Article 9 (1) of Regulation (EU) No 516/2014 of the European Parliament and of the Council.

<b>Beneficiary organisation</b>	<b>Subjective Values Foundation</b>
<b>Project title</b>	<b>Training and Internship Programme to Support Knowledge-based Migration</b>
<b>Planned duration of the project</b>	<b>01 May 2016 - 28 February 2018</b>
<b>The total support amount for the project</b>	<b>HUF 33,825,407</b>
<b>Brief summary of the content of the project</b>	
Purpose of the project: to facilitate the integration of third-country nationals studying in higher education by supporting access to the labour market.	
Main activities performed: training for 109 people to develop employability competences - self-knowledge, career planning ability, knowledge of the Hungarian labour market, provision of individual counselling for 79 people, operation of internship programmes for 66 people, development and operation of social media platforms, organisation of university experience-sharing events, organisation of meetings for potential employers, mentoring, organisation of intercultural and community programmes (135 migrant participants), publication of an English-language online publication to present the participating higher education institutions and their cities.	
Target group: third-country nationals legally staying in Hungary for the purpose of pursuing higher education, including students enjoying international protection, as defined in Article 9 (1) of Regulation (EU) No 516/2014 of the European Parliament and of the Council.	

#### 4) RELEVANT DATA, STATISTICS

##### Statistical data to support the information given in paragraph 3)

<b>Period</b>	<b>Employed (thousand person)</b>	<b>Employment rate (%)</b>	<b>Unemployed (thousand person)</b>	<b>Unemployment rate (%)</b>
2010	3,732,4	54,9	469,4	11,2
2011	3,759,0	55,4	466,0	11,0
2012	3,827,2	56,7	473,2	11,0
2013	3,892,8	58,1	441,0	10,2
2014	4,100,8	61,8	343,3	7,7
2015	4,210,5	63,9	307,8	6,8
2016	4,351,6	66,5	234,6	5,1
2017	4,421,4	68,2	191,7	4,2
2018	4,469,5	69,2	172,1	3,7

Source: KSH Workforce survey

Period	Employment rate (%)		Unemployment rate (%)	
	Men	Women	Men	Women
2010	59,9	50,2	11,6	10,7
2011	60,7	50,3	11,1	11,0
2012	61,6	51,9	11,3	10,6
2013	63,7	52,6	10,2	10,1
2014	67,8	55,9	7,6	7,9
2015	70,3	57,8	6,6	7,0
2016	73,0	60,2	5,1	5,1
2017	75,2	61,3	3,8	4,6
2018	76,3	62,3	3,5	4,0

Source: KSH Workforce survey

Period	Youth (age 15-24) rates (%)		Long-time unemployment rate (%)	
	Employment	Unemployment	Men	Women
2010	18,3	26,4	45,2	44,6
2011	18,0	26,0	44,8	44,6
2012	18,4	28,2	42,1	41,0
2013	20,1	26,6	43,5	43,5
2014	23,5	20,4	43,8	41,8
2015	25,7	17,3	41,9	38,4
2016	28,1	12,9	40,6	42,7
2017	29,0	10,7	36,3	35,5
2018	29,0	10,2	34,7	31,5

Source: KSH Workforce survey, long-time unemployed: a person who is seeking job longer than a year

Perios	Unemployment rates per age groups (%)							
	age 25–29	age 30–34	age 35–39	age 40–44	age 45–49	age 50–54	age 55–59	age 60–64
2010	14,2	10,5	9,7	9,6	9,7	9,1	8,6	4,3
2011	12,6	9,2	9,9	9,9	10,3	9,6	10,0	5,4
2012	13,8	10,0	9,8	8,5	9,1	9,5	8,8	6,3
2013	11,9	9,6	8,1	8,9	8,6	8,1	8,4	6,6
2014	9,4	7,5	6,4	6,4	5,8	5,8	6,0	7,6
2015	8,4	6,5	5,8	5,2	5,2	5,8	5,1	7,4
2016	6,3	4,8	4,6	3,8	3,7	4,5	3,8	5,6
2017	4,8	4,1	3,9	3,2	2,8	3,7	3,0	4,5
2018	4,4	3,9	3,7	3,1	2,6	3,0	2,4	2,9

Source: KSH Workforce survey

**Active tools 2015.:**

Educational attainment/Age group	Number of participants in active tools (person)							Rate of participants in active tools (%)						
	Salary allowance for the period of participation in the job-seekers' club	Grants to help jobseekers become entrepreneurs	Wage cost allowance	Wage subsidies	Educational allowance to foster employment	Inter-urban travel allowance	Allowance for employers' training	Salary allowance for the period of participation in the job-seekers' club	Grants to help jobseekers become entrepreneurs	Wage cost allowance	Wage subsidies	Educational allowance to foster employment	Inter-urban travel allowance	Allowance for employers' training
<b>MEN</b>														
primary school	8	191	12,322	1,374	17,083	19	263	36,4%	8,1%	45,7%	24,5%	45,0%	23,2%	22,7%
without primary school attainment	0	5	341	81	1,864	3	1	0,0%	0,2%	1,3%	1,4%	4,9%	3,7%	0,1%
<b>Elementary education</b>	<b>8</b>	<b>196</b>	<b>12,663</b>	<b>1,455</b>	<b>18,947</b>	<b>22</b>	<b>264</b>	<b>36,4%</b>	<b>8,4%</b>	<b>47,0%</b>	<b>25,9%</b>	<b>49,9%</b>	<b>26,8%</b>	<b>22,8%</b>
Vocational school, vocational training	6	841	5,251	2,094	10,211	19	580	27,3%	35,4%	19,1%	36,9%	25,6%	23,2%	50,0%
Secondary school, secondary vocational school	4	681	4,464	1,229	5,109	30	221	18,2%	29,0%	16,6%	21,9%	13,4%	34,1%	19,1%
high school	3	303	3,811	594	2,914	6	64	13,6%	12,9%	14,1%	10,6%	7,7%	7,3%	5,5%
<b>Secondary education</b>	<b>13</b>	<b>1,825</b>	<b>13,526</b>	<b>3,917</b>	<b>18,234</b>	<b>55</b>	<b>865</b>	<b>59,1%</b>	<b>77,4%</b>	<b>49,8%</b>	<b>69,4%</b>	<b>46,8%</b>	<b>64,6%</b>	<b>74,6%</b>
college	0	181	438	140	551	3	19	0,0%	7,7%	1,6%	2,5%	1,5%	3,7%	1,6%
university	1	143	336	96	268	2	11	4,5%	6,1%	1,2%	1,7%	0,7%	2,4%	0,9%
<b>Higher education</b>	<b>1</b>	<b>324</b>	<b>774</b>	<b>236</b>	<b>819</b>	<b>5</b>	<b>30</b>	<b>4,5%</b>	<b>13,8%</b>	<b>2,9%</b>	<b>4,2%</b>	<b>2,2%</b>	<b>6,1%</b>	<b>2,6%</b>
below 20 years	1	23	11,829	306	2,974	6	14	4,5%	1,0%	43,9%	5,5%	7,8%	7,3%	1,2%
20 - 24 years	13	242	7,897	1,943	9,070	44	92	59,1%	10,3%	29,3%	34,6%	23,9%	53,7%	7,9%
<b>below 25 years</b>	<b>14</b>	<b>265</b>	<b>19,726</b>	<b>2,249</b>	<b>12,044</b>	<b>50</b>	<b>106</b>	<b>63,6%</b>	<b>11,3%</b>	<b>73,2%</b>	<b>40,1%</b>	<b>31,7%</b>	<b>61,0%</b>	<b>9,1%</b>
25-44 years	4	1,518	4,296	2,330	16,354	25	606	18,2%	64,7%	15,9%	41,5%	43,0%	30,5%	52,3%
45 - 49 years	1	237	701	401	3,289	2	161	4,5%	10,1%	2,6%	7,2%	8,7%	2,4%	13,9%

50 - 54 years	2	174	984	285	3,118	2	122	9,1%	7,4%	3,6%	5,1%	8,2%	2,4%	10,5%
<b>55 years and above</b>	<b>1</b>	<b>151</b>	<b>1,256</b>	<b>343</b>	<b>3,195</b>	<b>3</b>	<b>164</b>	<b>4,5%</b>	<b>6,4%</b>	<b>4,7%</b>	<b>6,1%</b>	<b>8,4%</b>	<b>3,7%</b>	<b>14,2%</b>
<b>Altogether</b>	<b>22</b>	<b>2,345</b>	<b>26,963</b>	<b>5,608</b>	<b>38,000</b>	<b>82</b>	<b>1,159</b>	<b>100,0%</b>	<b>100,0%</b>	<b>100,0%</b>	<b>100,0%</b>	<b>100,0%</b>	<b>100,0%</b>	<b>100,0%</b>

Educational attainment/Age group	Number of participants in active tools (person)							Rate of participants in active tools (%)						
	Salary allowance for the period of participation in the job-seekers' club	Grants to help jobseekers become entrepreneurs	Wage cost allowance	Wage subsidies	Educational allowance to foster employment	Inter-urban travel allowance	Allowance for employers' training	Salary allowance for the period of participation in the job-seekers' club	Grants to help jobseekers become entrepreneurs	Wage cost allowance	Wage sub-sidies	Educational allowance to foster employment	Inter-urban travel allowance	Allowance for employers' training
	<b>Women</b>													
primary school	16	172	13,394	899	15,326	34	51	37,2%	6,8%	41,1%	15,2%	40,1%	18,3%	13,1%
without primary school attainment	0	0	194	19	2,178	1	3	0,0%	0,0%	0,6%	0,3%	5,8%	0,5%	0,8%
<b>Elementary education</b>	<b>16</b>	<b>172</b>	<b>13,588</b>	<b>918</b>	<b>17,504</b>	<b>35</b>	<b>54</b>	<b>37,2%</b>	<b>6,8%</b>	<b>41,7%</b>	<b>15,5%</b>	<b>45,9%</b>	<b>18,8%</b>	<b>13,9%</b>
Vocational school, vocational training	5	533	3,730	1,355	6,292	38	87	11,6%	20,5%	11,1%	22,2%	16,8%	20,4%	22,4%
Secondary school, secondary vocational school	10	803	5,932	1,728	6,570	63	156	23,3%	31,7%	18,2%	29,1%	17,5%	32,3%	40,2%
high school	9	571	7,788	1,403	5,701	36	46	20,9%	22,5%	23,9%	23,7%	15,2%	19,4%	11,9%
<b>Secondary education</b>	<b>24</b>	<b>1,907</b>	<b>17,450</b>	<b>4,486</b>	<b>18,563</b>	<b>137</b>	<b>289</b>	<b>55,8%</b>	<b>74,7%</b>	<b>53,2%</b>	<b>75,0%</b>	<b>49,5%</b>	<b>72,0%</b>	<b>74,5%</b>
college	3	316	967	323	1,059	7	33	7,0%	12,5%	3,0%	5,4%	2,8%	3,8%	8,5%
university	0	142	595	203	412	7	12	0,0%	5,6%	1,8%	3,4%	1,1%	3,8%	3,1%
<b>Higher education</b>	<b>3</b>	<b>458</b>	<b>1,562</b>	<b>526</b>	<b>1,471</b>	<b>14</b>	<b>45</b>	<b>7,0%</b>	<b>18,1%</b>	<b>4,8%</b>	<b>8,9%</b>	<b>3,9%</b>	<b>7,5%</b>	<b>11,6%</b>
below 20 years	2	25	14,262	181	1,860	5	3	4,7%	1,0%	43,7%	3,1%	5,0%	2,7%	0,8%
20 - 24 years	13	339	9,881	1,964	7,246	88	13	30,2%	13,4%	30,3%	33,1%	19,3%	47,3%	3,4%

<b>below 25 years</b>	<b>15</b>	<b>364</b>	<b>24,143</b>	<b>2,145</b>	<b>9,106</b>	<b>93</b>	<b>16</b>	<b>34,9%</b>	<b>14,3%</b>	<b>74,1%</b>	<b>36,2%</b>	<b>24,3%</b>	<b>50,0%</b>	<b>4,1%</b>
25-44 years	18	1,535	4,580	2,719	18,332	56	228	41,9%	60,5%	14,0%	45,9%	48,8%	30,1%	58,8%
45 - 49 years	6	313	911	458	3,945	16	66	14,0%	12,3%	2,8%	7,7%	10,5%	8,6%	17,0%
50 - 54 years	2	194	1,042	305	3,332	10	42	4,7%	7,6%	3,2%	5,1%	8,9%	5,4%	10,8%
<b>55 years and above</b>	<b>2</b>	<b>131</b>	<b>1,924</b>	<b>303</b>	<b>2,823</b>	<b>11</b>	<b>36</b>	<b>4,7%</b>	<b>5,2%</b>	<b>5,9%</b>	<b>5,1%</b>	<b>7,5%</b>	<b>5,9%</b>	<b>9,3%</b>
<b>Altogether</b>	<b>43</b>	<b>2,537</b>	<b>32,600</b>	<b>5,930</b>	<b>37,538</b>	<b>186</b>	<b>388</b>	<b>100,0%</b>	<b>100,0%</b>	<b>100,0%</b>	<b>100,0%</b>	<b>100,0%</b>	<b>100,0%</b>	<b>100,0%</b>
<b>Number of participants in active tools (person)</b>								<b>Rate of participants in active tools (%)</b>						
<b>Educational attainment/Age group</b>	Salary allowance for the period of participation in the job-seekers' club	Grants to help jobseekers become entrepreneurs	Wage cost allowance	Wage subsidies	Educational allowance to foster employment	Inter-urban travel allowance	Allow-ance for employ-ers' tarining	Salary allow-ance for the period of partici-pation in the job-seekers' club	Grants to help jobseekers become entrep-reneurs	Wage cost allow-ance	Wage sub-sidies	Educatio-nal allow-ance to foster employ-ment	Inter-urban travel allow-ance	Allow-ance for emp-loyers' tarining
	<b>Altogether</b>													
primary school	24	363	25,716	2,273	32,409	53	314	36,9%	7,4%	43,2%	19,7%	42,9%	19,8%	20,3%
without primary school attainment	0	5	535	100	4,042	4	4	0,0%	0,1%	0,9%	0,9%	5,4%	1,5%	0,3%
<b>Elementary education</b>	<b>24</b>	<b>368</b>	<b>26,251</b>	<b>2,373</b>	<b>36,451</b>	<b>57</b>	<b>318</b>	<b>36,9%</b>	<b>7,5%</b>	<b>44,1%</b>	<b>20,6%</b>	<b>48,3%</b>	<b>21,3%</b>	<b>20,6%</b>
Vocational school, vocational training	11	1,374	8,981	3,449	16,503	57	667	16,9%	28,1%	15,1%	29,9%	21,8%	21,3%	43,1%
Secondary school, secondary vocational school	14	1,484	10,396	2,957	11,679	93	377	21,5%	30,4%	17,5%	25,6%	15,5%	34,7%	24,4%
high school	12	874	11,599	1,997	8,615	42	110	18,5%	17,9%	19,5%	17,3%	11,4%	15,7%	7,1%
<b>Secondary education</b>	<b>37</b>	<b>3,732</b>	<b>30,976</b>	<b>8,403</b>	<b>36,797</b>	<b>192</b>	<b>1,154</b>	<b>56,9%</b>	<b>76,4%</b>	<b>52,0%</b>	<b>72,8%</b>	<b>48,7%</b>	<b>71,6%</b>	<b>74,6%</b>
college	3	497	1,405	463	1,610	10	52	4,6%	10,2%	2,4%	4,0%	2,1%	3,7%	3,4%
university	1	285	931	299	680	9	23	1,5%	5,8%	1,6%	2,6%	0,9%	3,4%	1,5%
<b>Higher education</b>	<b>4</b>	<b>782</b>	<b>2,336</b>	<b>762</b>	<b>2,290</b>	<b>19</b>	<b>75</b>	<b>6,2%</b>	<b>16,0%</b>	<b>3,9%</b>	<b>6,6%</b>	<b>3,0%</b>	<b>7,1%</b>	<b>4,8%</b>

below 20 years	3	48	26,091	487	4,834	11	17	4,6%	1,0%	43,8%	4,2%	6,4%	4,1%	1,1%
20 - 24 years	26	581	17,778	3,907	16,316	132	105	40,0%	11,9%	29,8%	33,9%	21,6%	49,3%	6,8%
<b>below 25 years</b>	<b>29</b>	<b>629</b>	<b>43,869</b>	<b>4,394</b>	<b>21,150</b>	<b>143</b>	<b>122</b>	<b>44,6%</b>	<b>12,9%</b>	<b>73,7%</b>	<b>38,1%</b>	<b>28,0%</b>	<b>53,4%</b>	<b>7,9%</b>
25-44 years	22	3,053	8,876	5,049	34,686	81	834	33,8%	62,5%	14,9%	43,8%	45,9%	30,2%	53,9%
45 - 49 years	7	550	1,612	859	7,234	18	227	10,8%	11,3%	2,7%	7,4%	9,6%	6,7%	14,7%
50 - 54 years	4	368	2,026	590	6,450	12	164	6,2%	7,5%	3,4%	5,1%	8,5%	4,5%	10,6%
<b>55 years and above</b>	<b>3</b>	<b>282</b>	<b>3,180</b>	<b>646</b>	<b>6,018</b>	<b>14</b>	<b>200</b>	<b>4,6%</b>	<b>5,8%</b>	<b>5,3%</b>	<b>5,6%</b>	<b>8,0%</b>	<b>5,2%</b>	<b>12,9%</b>
<b>Altogether</b>	<b>65</b>	<b>4,882</b>	<b>59,563</b>	<b>11,538</b>	<b>75,538</b>	<b>268</b>	<b>1,547</b>	<b>100,0%</b>	<b>100,0%</b>	<b>100,0%</b>	<b>100,0%</b>	<b>100,0%</b>	<b>100,0%</b>	<b>100,0%</b>

### Active tools 2016.:

Educational attainment/Age group	Number of participants in active tools (person)							Rate of participants in active tools (%)						
	Salary allowance for the period of participation in the job-seekers' club	Grants to help jobseekers become entrepreneurs	Wage cost allowance	Wage subsidies	Educational allowance to foster employment	Inter-urban travel allowance	Allowance for employers' training	Salary allowance for the period of participation in the job-seekers' club	Grants to help jobseekers become entrepreneurs	Wage cost allowance	Wage sub-sidies	Educational allowance to foster employment	Inter-urban travel allowance	Allowance for employers' training
	<b>Men</b>													
primary school	0	242	8,276	966	8,495	11	313	0,0%	8,6%	30,2%	22,3%	54,8%	14,1%	22,7%
without primary school attainment	0	12	384	82	1,035	2	1	0,0%	0,4%	1,4%	1,9%	6,8%	2,6%	0,1%
<b>Elementary education</b>	<b>0</b>	<b>254</b>	<b>8,660</b>	<b>1,048</b>	<b>9,530</b>	<b>13</b>	<b>314</b>	<b>0,0%</b>	<b>9,1%</b>	<b>31,7%</b>	<b>24,2%</b>	<b>61,6%</b>	<b>16,7%</b>	<b>22,8%</b>
Vocational school, vocational training	0	1,066	6,891	1,623	2,386	36	697	0,0%	37,4%	25,5%	36,9%	15,6%	44,9%	50,5%
Secondary school, secondary vocational school	1	746	5,675	1,000	1,920	17	261	33,3%	26,6%	21,0%	23,1%	12,6%	21,8%	18,9%
high school	1	349	4,458	473	1,148	5	75	33,3%	12,5%	16,5%	10,9%	7,5%	6,4%	5,4%

<b>Secondary education</b>	<b>2</b>	<b>2,161</b>	<b>17,024</b>	<b>3,096</b>	<b>5,454</b>	<b>58</b>	<b>1,033</b>	<b>66,7%</b>	<b>76,5%</b>	<b>63,0%</b>	<b>70,9%</b>	<b>35,7%</b>	<b>73,1%</b>	<b>74,9%</b>
college	0	233	614	113	207	4	20	0,0%	8,3%	2,3%	2,6%	1,4%	5,1%	1,4%
university	1	155	740	81	78	3	13	33,3%	5,5%	2,7%	1,9%	0,5%	3,8%	0,9%
<b>Higher education</b>	<b>1</b>	<b>388</b>	<b>1,354</b>	<b>194</b>	<b>285</b>	<b>7</b>	<b>33</b>	<b>33,3%</b>	<b>13,8%</b>	<b>5,0%</b>	<b>4,5%</b>	<b>1,9%</b>	<b>9,0%</b>	<b>2,4%</b>
below 20 years	0	27	9,119	294	1,572	8	16	0,0%	1,0%	33,7%	6,8%	10,3%	10,3%	1,2%
20 - 24 years	2	245	8,153	1,761	3,946	41	124	66,7%	8,7%	30,2%	40,6%	25,8%	52,6%	9,0%
<b>below 25 years</b>	<b>2</b>	<b>272</b>	<b>17,272</b>	<b>2,055</b>	<b>5,518</b>	<b>49</b>	<b>140</b>	<b>66,7%</b>	<b>9,7%</b>	<b>63,9%</b>	<b>47,4%</b>	<b>36,1%</b>	<b>62,8%</b>	<b>10,1%</b>
25-44 years	0	1,914	5,824	1,467	6,384	18	724	0,0%	68,3%	21,5%	33,8%	41,8%	23,1%	52,5%
45 - 49 years	0	310	978	248	1,259	1	184	0,0%	11,1%	3,6%	5,7%	8,2%	1,3%	13,3%
50 - 54 years	1	185	1,214	251	1,049	2	139	33,3%	6,6%	4,5%	5,8%	6,9%	2,6%	10,1%
<b>55 years and above</b>	<b>0</b>	<b>122</b>	<b>1,750</b>	<b>317</b>	<b>1,059</b>	<b>8</b>	<b>193</b>	<b>0,0%</b>	<b>4,4%</b>	<b>6,5%</b>	<b>7,3%</b>	<b>6,9%</b>	<b>10,3%</b>	<b>14,0%</b>
<b>Altogether</b>	<b>3</b>	<b>2,803</b>	<b>27,038</b>	<b>4,338</b>	<b>15,269</b>	<b>78</b>	<b>1,380</b>	<b>100,0%</b>	<b>100,0%</b>	<b>100,0%</b>	<b>100,0%</b>	<b>100,0%</b>	<b>100,0%</b>	<b>100,0%</b>



Number of participants in active tools (person)								Rate of participants in active tools (%)						
Educational attainment/Age group	Salary allowance for the period of participation in the job-seekers' club	Grants to help jobseekers become entrepreneurs	Wage cost allowance	Wage subsidies	Educational allowance to foster employment	Inter-urban travel allowance	Allowance for employers' training	Salary allowance for the period of participation in the job-seekers' club	Grants to help jobseekers become entrepreneurs	Wage cost allowance	Wage sub-sidies	Educational allowance to foster employment	Inter-urban travel allowance	Allowance for employers' training
	<b>Women</b>													
primary school	0	199	8,312	598	10,523	30	62	0,0%	6,6%	25,0%	13,9%	55,1%	19,6%	13,2%
without primary school attainment	0	2	207	23	1,728	0	2	0,0%	0,1%	0,6%	0,5%	9,1%	0,0%	0,4%
<b>Elementary education</b>	<b>0</b>	<b>201</b>	<b>8,519</b>	<b>621</b>	<b>12,251</b>	<b>30</b>	<b>64</b>	<b>0,0%</b>	<b>6,7%</b>	<b>25,7%</b>	<b>14,4%</b>	<b>64,2%</b>	<b>19,6%</b>	<b>13,6%</b>
Vocational school, vocational training	0	609	4,613	976	1,731	32	113	0,0%	20,2%	14,2%	22,7%	9,2%	20,9%	24,0%
Secondary school, secondary vocational school	2	938	7,448	1,272	2,421	53	172	100,0%	30,1%	22,9%	29,0%	12,8%	33,3%	36,6%
high school	0	657	9,210	1,010	2,053	27	65	0,0%	21,8%	28,3%	23,5%	10,9%	17,6%	13,8%
<b>Secondary education</b>	<b>2</b>	<b>2,204</b>	<b>21,271</b>	<b>3,258</b>	<b>6,205</b>	<b>112</b>	<b>350</b>	<b>100,0%</b>	<b>72,1%</b>	<b>65,4%</b>	<b>75,2%</b>	<b>32,8%</b>	<b>71,9%</b>	<b>74,5%</b>
college	0	396	1,378	269	315	7	43	0,0%	13,1%	4,2%	6,3%	1,7%	4,6%	9,1%
university	0	213	1,375	151	138	4	13	0,0%	7,1%	4,2%	3,5%	0,7%	2,6%	2,8%
<b>Higher education</b>	<b>0</b>	<b>609</b>	<b>2,753</b>	<b>420</b>	<b>453</b>	<b>11</b>	<b>56</b>	<b>0,0%</b>	<b>20,2%</b>	<b>8,5%</b>	<b>9,8%</b>	<b>2,4%</b>	<b>7,2%</b>	<b>11,9%</b>
below 20 years	0	22	11,848	191	1,202	9	3	0,0%	0,7%	36,4%	4,4%	6,4%	5,9%	0,6%
20 - 24 years	0	329	9,848	1,687	3,357	74	16	0,0%	10,9%	30,3%	39,2%	17,8%	48,4%	3,4%
<b>below 25 years</b>	<b>0</b>	<b>351</b>	<b>21,696</b>	<b>1,878</b>	<b>4,559</b>	<b>83</b>	<b>19</b>	<b>0,0%</b>	<b>11,6%</b>	<b>66,7%</b>	<b>43,7%</b>	<b>24,1%</b>	<b>54,2%</b>	<b>4,0%</b>
25-44 years	1	1,962	6,171	1,688	9,030	45	270	50,0%	65,1%	19,0%	39,3%	47,8%	29,4%	57,4%
45 - 49 years	1	376	1,198	290	2,115	7	82	50,0%	12,5%	3,7%	6,7%	11,2%	4,6%	17,4%
50 - 54 years	0	200	1,291	204	1,658	10	52	0,0%	6,6%	4,0%	4,7%	8,8%	6,5%	11,1%
<b>55 years and above</b>	<b>0</b>	<b>125</b>	<b>2,187</b>	<b>239</b>	<b>1,547</b>	<b>8</b>	<b>47</b>	<b>0,0%</b>	<b>4,1%</b>	<b>6,7%</b>	<b>5,6%</b>	<b>8,2%</b>	<b>5,2%</b>	<b>10,0%</b>

<b>Altogether</b>	<b>2</b>	<b>3,014</b>	<b>32,543</b>	<b>4,299</b>	<b>18,909</b>	<b>153</b>	<b>470</b>	<b>100,0%</b>	<b>100,0%</b>	<b>100,0%</b>	<b>100,0%</b>	<b>100,0%</b>	<b>100,0%</b>	<b>100,0%</b>
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Number of participants in active tools (person)								Rate of participants in active tools (%)						
Educational attainment/Age group	Salary allowance for the period of participation in the job-seekers' club	Grants to help jobseekers become entrepreneurs	Wage cost allowance	Wage subsidies	Educational allowance to foster employment	Inter-urban travel allowance	Allowance for employers' training	Salary allowance for the period of participation in the job-seekers' club	Grants to help jobseekers become entrepreneurs	Wage cost allowance	Wage sub-sidies	Educational allowance to foster employment	Inter-urban travel allowance	Allowance for employers' training
	<b>Altogether</b>													
primary school	0	441	16,588	1,564	19,018	41	375	0,0%	7,6%	27,8%	18,1%	55,6%	17,7%	20,3%
without primary school attainment	0	14	591	105	2,763	2	3	0,0%	0,2%	1,0%	1,2%	8,1%	0,9%	0,2%
<b>Elementary education</b>	<b>0</b>	<b>455</b>	<b>17,179</b>	<b>1,669</b>	<b>21,781</b>	<b>43</b>	<b>378</b>	<b>0,0%</b>	<b>7,8%</b>	<b>28,8%</b>	<b>19,3%</b>	<b>63,7%</b>	<b>18,6%</b>	<b>20,4%</b>
Vocational school, vocational training	0	1,675	11,504	2,599	4,117	68	810	0,0%	28,8%	19,3%	30,1%	12,0%	29,4%	43,8%
Secondary school, secondary vocational school	3	1,684	13,123	2,272	4,341	70	433	60,0%	28,9%	22,0%	26,3%	12,7%	30,3%	23,4%
high school	1	1,006	13,668	1,483	3,201	32	140	20,0%	17,3%	22,9%	17,2%	9,4%	13,9%	7,6%
<b>Secondary education</b>	<b>4</b>	<b>4,365</b>	<b>38,295</b>	<b>6,354</b>	<b>11,659</b>	<b>170</b>	<b>1,383</b>	<b>80,0%</b>	<b>75,0%</b>	<b>64,3%</b>	<b>73,6%</b>	<b>34,1%</b>	<b>73,6%</b>	<b>74,8%</b>
college	0	629	1,992	382	522	11	63	0,0%	10,8%	3,3%	4,4%	1,5%	4,8%	3,4%
university	1	368	2,115	232	216	7	26	20,0%	6,3%	3,5%	2,7%	0,6%	3,0%	1,4%
<b>Higher education</b>	<b>1</b>	<b>997</b>	<b>4,107</b>	<b>614</b>	<b>738</b>	<b>18</b>	<b>89</b>	<b>20,0%</b>	<b>17,1%</b>	<b>6,9%</b>	<b>7,1%</b>	<b>2,2%</b>	<b>7,8%</b>	<b>4,8%</b>
below 20 years	0	49	20,967	485	2,774	17	19	0,0%	0,8%	35,2%	5,6%	8,1%	7,4%	1,0%
20 - 24 years	2	574	18,001	3,448	7,303	115	140	40,0%	9,9%	30,2%	39,9%	21,4%	49,8%	7,6%
<b>below 25 years</b>	<b>2</b>	<b>623</b>	<b>38,968</b>	<b>3,933</b>	<b>10,077</b>	<b>132</b>	<b>159</b>	<b>40,0%</b>	<b>10,7%</b>	<b>65,4%</b>	<b>45,5%</b>	<b>29,5%</b>	<b>57,1%</b>	<b>8,6%</b>
25-44 years	1	3,876	11,995	3,155	15,414	63	994	20,0%	66,6%	20,1%	36,5%	45,1%	27,3%	53,7%
45 - 49 years	1	686	2,176	538	3,374	8	266	20,0%	11,8%	3,7%	6,2%	9,9%	3,5%	14,4%
50 - 54 years	1	385	2,505	455	2,707	12	191	20,0%	6,6%	4,2%	5,3%	7,9%	5,2%	10,3%
<b>55 years and above</b>	<b>0</b>	<b>247</b>	<b>3,937</b>	<b>556</b>	<b>2,606</b>	<b>16</b>	<b>240</b>	<b>0,0%</b>	<b>4,2%</b>	<b>6,6%</b>	<b>6,4%</b>	<b>7,6%</b>	<b>6,9%</b>	<b>13,0%</b>

<b>Altogether</b>	<b>5</b>	<b>5,817</b>	<b>59,581</b>	<b>8,637</b>	<b>34,178</b>	<b>231</b>	<b>1,850</b>	<b>100,0%</b>	<b>100,0%</b>	<b>100,0%</b>	<b>100,0%</b>	<b>100,0%</b>	<b>100,0%</b>	<b>100,0%</b>
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**Active tools 2017.:**

Educational attainment/Age group	Number of participants in active tools (person)							Rate of participants in active tools (%)						
	Salary allowance for the period of participation in the job-seekers' club	Grants to help jobseekers become entrepreneurs	Wage cost allowance	Wage subsidies	Educational allowance to foster employment	Inter-urban travel allowance	Allowance for employers' training	Salary allowance for the period of participation in the job-seekers' club	Grants to help jobseekers become entrepreneurs	Wage cost allowance	Wage subsidies	Educational allowance to foster employment	Inter-urban travel allowance	Allowance for employers' training
	<b>Men</b>													
primary school	20	414	12,926	1,729	20,108	10	445	56,3%	8,1%	31,7%	26,1%	62,0%	15,9%	18,8%
without primary school attainment	0	8	697	110	2,981	0	7	0,0%	0,2%	1,7%	1,7%	9,3%	0,0%	0,3%
<b>Elementary education</b>	<b>20</b>	<b>422</b>	<b>13,623</b>	<b>1,839</b>	<b>23,089</b>	<b>10</b>	<b>452</b>	<b>56,3%</b>	<b>8,2%</b>	<b>33,5%</b>	<b>27,7%</b>	<b>71,3%</b>	<b>15,9%</b>	<b>19,1%</b>
Vocational school, vocational training	4	2,148	10,842	2,426	4,146	28	1,135	12,5%	41,0%	27,0%	36,0%	12,9%	44,4%	47,9%
Secondary school, secondary vocational school	5	1,314	8,003	1,412	2,705	16	540	15,6%	25,6%	19,9%	21,3%	8,4%	25,4%	22,8%
high school	1	617	5,948	675	1,685	6	174	3,1%	12,0%	14,8%	10,2%	5,3%	9,5%	7,4%
<b>Secondary education</b>	<b>10</b>	<b>4,079</b>	<b>24,793</b>	<b>4,513</b>	<b>8,536</b>	<b>50</b>	<b>1,849</b>	<b>31,3%</b>	<b>78,6%</b>	<b>61,8%</b>	<b>67,5%</b>	<b>26,6%</b>	<b>79,4%</b>	<b>78,1%</b>
college	1	346	755	157	292	1	43	3,1%	6,7%	1,9%	2,4%	0,9%	1,6%	1,8%
university	1	288	976	121	160	2	21	3,1%	5,6%	2,4%	1,8%	0,5%	3,2%	0,9%
<b>Higher education</b>	<b>2</b>	<b>634</b>	<b>1,731</b>	<b>278</b>	<b>452</b>	<b>3</b>	<b>64</b>	<b>6,3%</b>	<b>12,3%</b>	<b>4,3%</b>	<b>4,2%</b>	<b>1,4%</b>	<b>4,8%</b>	<b>2,7%</b>
below 20 years	1	41	11,171	535	2,836	9	13	3,1%	0,8%	27,8%	8,1%	8,8%	14,3%	0,5%
20 - 24 years	3	322	10,641	2,251	5,179	29	206	9,4%	6,3%	26,5%	34,0%	16,1%	46,0%	8,7%
<b>below 25 years</b>	<b>4</b>	<b>363</b>	<b>21,812</b>	<b>2,786</b>	<b>8,015</b>	<b>38</b>	<b>219</b>	<b>12,5%</b>	<b>7,1%</b>	<b>54,3%</b>	<b>42,0%</b>	<b>25,0%</b>	<b>60,3%</b>	<b>9,3%</b>
25-44 years	18	3,587	11,219	2,347	14,911	16	1,257	56,3%	69,9%	27,9%	35,4%	46,5%	25,4%	53,2%
45 - 49 years	4	594	1,939	474	3,296	0	346	12,5%	11,6%	4,8%	7,1%	10,3%	0,0%	14,6%
50 - 54 years	3	368	2,114	440	2,767	2	264	9,4%	7,2%	5,3%	6,6%	8,6%	3,2%	11,2%
<b>55 years and above</b>	<b>3</b>	<b>223</b>	<b>3,063</b>	<b>583</b>	<b>3,088</b>	<b>7</b>	<b>279</b>	<b>9,4%</b>	<b>4,3%</b>	<b>7,6%</b>	<b>8,8%</b>	<b>9,6%</b>	<b>11,1%</b>	<b>11,8%</b>
<b>Altogether</b>	<b>32</b>	<b>5,135</b>	<b>40,147</b>	<b>6,630</b>	<b>32,077</b>	<b>63</b>	<b>2,365</b>	<b>100,0%</b>	<b>100,0%</b>	<b>100,0%</b>	<b>100,0%</b>	<b>100,0%</b>	<b>100,0%</b>	<b>100,0%</b>

Educational attainment/Age group	Number of participants in active tools (person)							Rate of participants in active tools (%)						
	Salary allowance for the period of participation in the job-seekers' club	Grants to help jobseekers become entrepreneurs	Wage cost allowance	Wage subsidies	Educational allowance to foster employment	Inter-urban travel allowance	Allowance for employers' training	Salary allowance for the period of participation in the job-seekers' club	Grants to help jobseekers become entrepreneurs	Wage cost allowance	Wage subsidies	Educational allowance to foster employment	Inter-urban travel allowance	Allowance for employers' training
	<b>Women</b>													
primary school	10	410	12,406	1,018	24,697	45	120	24,4%	7,6%	26,8%	15,5%	57,5%	23,6%	15,2%
without primary school attainment	0	5	364	46	4,290	1	2	0,0%	0,1%	0,8%	0,7%	10,1%	0,5%	0,3%
<b>Elementary education</b>	<b>10</b>	<b>415</b>	<b>12,770</b>	<b>1,064</b>	<b>28,987</b>	<b>46</b>	<b>122</b>	<b>24,4%</b>	<b>7,7%</b>	<b>27,6%</b>	<b>16,2%</b>	<b>67,5%</b>	<b>24,1%</b>	<b>15,5%</b>
Vocational school, vocational training	6	1,024	6,953	1,435	4,404	50	210	14,6%	19,0%	15,3%	21,8%	10,4%	26,2%	26,6%
Secondary school, secondary vocational school	14	1,575	10,287	1,960	4,356	54	246	31,7%	28,3%	22,7%	29,0%	10,2%	27,2%	31,1%
high school	4	1,191	11,738	1,474	3,906	34	119	9,8%	22,1%	25,9%	22,4%	9,2%	17,8%	15,1%
<b>Secondary education</b>	<b>24</b>	<b>3,790</b>	<b>28,978</b>	<b>4,869</b>	<b>12,666</b>	<b>138</b>	<b>575</b>	<b>56,1%</b>	<b>69,4%</b>	<b>63,9%</b>	<b>73,2%</b>	<b>29,8%</b>	<b>71,2%</b>	<b>72,8%</b>
college	2	729	1,836	406	603	5	75	4,9%	13,5%	4,0%	6,2%	1,4%	2,6%	9,5%
university	5	452	1,772	244	249	2	17	12,2%	8,4%	3,9%	3,7%	0,6%	1,0%	2,2%
<b>Higher education</b>	<b>7</b>	<b>1,181</b>	<b>3,608</b>	<b>650</b>	<b>852</b>	<b>7</b>	<b>92</b>	<b>17,1%</b>	<b>21,9%</b>	<b>8,0%</b>	<b>9,9%</b>	<b>2,0%</b>	<b>3,7%</b>	<b>11,7%</b>
below 20 years	4	22	14,267	274	2,392	17	3	9,8%	0,4%	31,5%	4,2%	5,6%	8,9%	0,4%
20 - 24 years	6	471	12,126	2,132	5,030	87	36	14,6%	8,7%	26,7%	32,4%	11,8%	45,5%	4,6%
<b>below 25 years</b>	<b>10</b>	<b>493</b>	<b>26,393</b>	<b>2,406</b>	<b>7,422</b>	<b>104</b>	<b>39</b>	<b>24,4%</b>	<b>9,2%</b>	<b>58,2%</b>	<b>36,5%</b>	<b>17,5%</b>	<b>54,5%</b>	<b>4,9%</b>
25-44 years	15	3,669	11,441	2,898	22,162	51	453	36,6%	68,1%	25,2%	44,0%	52,1%	26,7%	57,4%
45 - 49 years	10	687	2,243	499	5,352	13	145	24,4%	12,8%	4,9%	7,6%	12,6%	6,8%	18,4%
50 - 54 years	3	349	2,328	378	3,978	11	85	7,3%	6,5%	5,1%	5,7%	9,4%	5,8%	10,8%

55 years and above	3	188	2,951	402	3,591	12	67	7,3%	3,5%	6,5%	6,1%	8,4%	6,3%	8,5%
<b>Altogether</b>	<b>41</b>	<b>5,386</b>	<b>45,356</b>	<b>6,583</b>	<b>42,505</b>	<b>191</b>	<b>789</b>	<b>100,0%</b>	<b>100,0%</b>	<b>100,0%</b>	<b>100,0%</b>	<b>100,0%</b>	<b>100,0%</b>	<b>100,0%</b>

Educational attainment/Age group	Number of participants in active tools (person)					Rate of participants in active tools (%)								
	Salary allowance for the period of participation in the job-seekers' club	Grants to help jobseekers become entrepreneurs	Wage cost allowance	Wage subsidies	Educational allowance to foster employment	Inter-urban travel allowance	Allowance for employers' training	Salary allowance for the period of participation in the job-seekers' club	Grants to help jobseekers become entrepreneurs	Wage cost allowance	Wage subsidies	Educational allowance to foster employment	Inter-urban travel allowance	Allowance for employers' training
	<b>Altogether</b>													
primary school	30	824	25,332	2,747	44,805	55	565	41,1%	7,8%	29,6%	20,8%	60,1%	21,7%	17,9%
without primary school attainment	0	13	1,061	156	7,271	1	9	0,0%	0,1%	1,2%	1,2%	9,7%	0,4%	0,3%
<b>Elementary education</b>	<b>30</b>	<b>837</b>	<b>26,393</b>	<b>2,903</b>	<b>52,076</b>	<b>56</b>	<b>574</b>	<b>41,1%</b>	<b>8,0%</b>	<b>30,9%</b>	<b>22,0%</b>	<b>69,8%</b>	<b>22,0%</b>	<b>18,2%</b>
Vocational school, vocational training	10	3,172	17,795	3,861	8,550	78	1,345	13,7%	30,1%	20,8%	29,2%	11,5%	30,7%	42,6%
Secondary school, secondary vocational school	19	2,889	18,290	3,372	7,061	70	786	26,0%	27,5%	21,4%	25,5%	9,5%	27,6%	24,9%
high school	5	1,808	17,686	2,149	5,591	40	293	6,8%	17,2%	20,7%	16,3%	7,5%	15,7%	9,3%
<b>Secondary education</b>	<b>34</b>	<b>7,869</b>	<b>53,771</b>	<b>9,382</b>	<b>21,202</b>	<b>188</b>	<b>2,424</b>	<b>46,6%</b>	<b>74,8%</b>	<b>62,9%</b>	<b>71,0%</b>	<b>28,4%</b>	<b>74,0%</b>	<b>76,9%</b>
college	3	1,075	2,591	563	895	6	118	4,1%	10,2%	3,0%	4,3%	1,2%	2,4%	3,7%
university	6	740	2,748	365	409	4	38	8,2%	7,0%	3,2%	2,8%	0,5%	1,6%	1,2%
<b>Higher education</b>	<b>9</b>	<b>1,815</b>	<b>5,339</b>	<b>928</b>	<b>1,304</b>	<b>10</b>	<b>156</b>	<b>12,3%</b>	<b>17,3%</b>	<b>6,2%</b>	<b>7,0%</b>	<b>1,7%</b>	<b>3,9%</b>	<b>4,9%</b>
below 20 years	5	63	25,438	809	5,228	26	16	6,8%	0,6%	29,8%	6,1%	7,0%	10,2%	0,5%
20 - 24 years	9	793	22,767	4,383	10,209	116	242	12,3%	7,5%	26,6%	33,2%	13,7%	45,7%	7,7%
<b>below 25 years</b>	<b>14</b>	<b>856</b>	<b>48,205</b>	<b>5,192</b>	<b>15,437</b>	<b>142</b>	<b>258</b>	<b>19,2%</b>	<b>8,1%</b>	<b>56,4%</b>	<b>39,3%</b>	<b>20,7%</b>	<b>55,9%</b>	<b>8,2%</b>
25-44 years	33	7,256	22,660	5,245	37,073	67	1,710	45,2%	69,0%	26,5%	39,7%	49,7%	26,4%	54,2%

45 - 49 years	14	1,281	4,182	973	8,648	13	491	19,2%	12,2%	4,9%	7,4%	11,6%	5,1%	15,6%
50 - 54 years	6	717	4,442	818	6,745	13	349	8,2%	6,8%	5,2%	6,2%	9,0%	5,1%	11,1%
<b>55 years and above</b>	<b>6</b>	<b>411</b>	<b>6,014</b>	<b>985</b>	<b>6,679</b>	<b>19</b>	<b>346</b>	<b>8,2%</b>	<b>3,9%</b>	<b>7,0%</b>	<b>7,5%</b>	<b>9,0%</b>	<b>7,5%</b>	<b>11,0%</b>
<b>Altogether</b>	<b>73</b>	<b>10,521</b>	<b>85,503</b>	<b>13,213</b>	<b>74,582</b>	<b>254</b>	<b>3,154</b>	<b>100,0%</b>	<b>100,0%</b>	<b>100,0%</b>	<b>100,0%</b>	<b>100,0%</b>	<b>100,0%</b>	<b>100,0%</b>

#### Active tools 2018:

Educational attainment/Age group	Number of participants in active tools (person)							Rate of participants in active tools (%)						
	Salary allowance for the period of participation in the job-seekers' club	Grants to help jobseekers become entrepreneurs	Wage cost allowance	Wage subsidies	Educational allowance to foster employment	Inter-urban travel allowance	Allowance for employers' training	Salary allowance for the period of participation in the job-seekers' club	Grants to help jobseekers become entrepreneurs	Wage cost allowance	Wage subsidies	Educational allowance to foster employment	Inter-urban travel allowance	Allowance for employers' training
	<b>Men</b>													
primary school	21	660	16,871	2,056	14,061	17	307	43,2%	9,4%	32,9%	28,8%	56,0%	29,8%	14,5%
without primary school attainment	0	11	1,000	148	2,152	0	7	0,0%	0,2%	2,0%	2,1%	8,7%	0,0%	0,3%
<b>Elementary education</b>	<b>21</b>	<b>671</b>	<b>17,871</b>	<b>2,204</b>	<b>16,213</b>	<b>17</b>	<b>314</b>	<b>43,2%</b>	<b>9,6%</b>	<b>34,9%</b>	<b>30,9%</b>	<b>64,6%</b>	<b>29,8%</b>	<b>14,9%</b>
Vocational school, vocational training	12	3,012	13,582	2,505	4,099	13	887	27,3%	42,2%	26,9%	34,4%	16,5%	22,8%	42,0%
Secondary school, secondary vocational school	7	1,717	9,851	1,487	2,476	17	566	15,9%	24,5%	19,5%	20,9%	10,0%	29,8%	26,8%
high school	2	869	7,252	706	1,586	8	258	4,5%	12,4%	14,3%	9,9%	6,4%	14,0%	12,2%
<b>Secondary education</b>	<b>21</b>	<b>5,598</b>	<b>30,685</b>	<b>4,698</b>	<b>8,161</b>	<b>38</b>	<b>1,711</b>	<b>47,7%</b>	<b>79,1%</b>	<b>60,7%</b>	<b>65,1%</b>	<b>32,9%</b>	<b>66,7%</b>	<b>81,0%</b>
college	2	383	913	121	257	1	55	4,5%	5,5%	1,8%	1,7%	1,0%	1,8%	2,6%
university	0	355	1,105	108	163	1	30	0,0%	5,1%	2,2%	1,5%	0,7%	1,8%	1,4%
<b>Higher education</b>	<b>2</b>	<b>738</b>	<b>2,018</b>	<b>229</b>	<b>420</b>	<b>2</b>	<b>85</b>	<b>4,5%</b>	<b>10,5%</b>	<b>4,0%</b>	<b>3,2%</b>	<b>1,7%</b>	<b>3,5%</b>	<b>4,0%</b>
below 20 years	0	66	13,795	601	2,023	8	9	0,0%	0,9%	27,3%	8,4%	8,2%	14,0%	0,4%
20 - 24 years	0	525	12,579	2,444	3,759	25	173	0,0%	7,5%	24,9%	34,3%	15,2%	43,9%	8,2%
<b>below 25 years</b>	<b>0</b>	<b>591</b>	<b>26,374</b>	<b>3,045</b>	<b>5,782</b>	<b>33</b>	<b>182</b>	<b>0,0%</b>	<b>8,4%</b>	<b>52,1%</b>	<b>42,7%</b>	<b>23,3%</b>	<b>57,9%</b>	<b>8,6%</b>
25-44 years	22	4,818	14,605	2,401	11,407	16	1,206	50,0%	68,8%	28,9%	33,7%	46,0%	28,1%	57,2%
45 - 49 years	7	845	2,727	485	2,711	0	292	15,9%	12,1%	5,4%	6,8%	10,9%	0,0%	13,8%



50 - 54 years	9	474	2,850	527	2,309	4	226	20,5%	6,8%	5,6%	7,4%	9,3%	7,0%	10,7%
<b>55 years and above</b>	<b>6</b>	<b>279</b>	<b>4,018</b>	<b>673</b>	<b>2,585</b>	<b>4</b>	<b>204</b>	<b>13,6%</b>	<b>4,0%</b>	<b>7,9%</b>	<b>9,4%</b>	<b>10,4%</b>	<b>7,0%</b>	<b>9,7%</b>
<b>Altogether</b>	<b>44</b>	<b>7,007</b>	<b>50,574</b>	<b>7,131</b>	<b>24,794</b>	<b>57</b>	<b>2,110</b>	<b>100,0%</b>	<b>100,0%</b>	<b>100,0%</b>	<b>100,0%</b>	<b>100,0%</b>	<b>100,0%</b>	<b>100,0%</b>

Number of participants in active tools (person)								Rate of participants in active tools (%)						
Educational attainment/Age group	Salary allowance for the period of participation in the job-seekers' club	Grants to help jobseekers become entrepreneurs	Wage cost allowance	Wage subsidies	Educational allowance to foster employment	Inter-urban travel allowance	Allowance for employers' training	Salary allowance for the period of participation in the job-seekers' club	Grants to help jobseekers become entrepreneurs	Wage cost allowance	Wage subsidies	Educational allowance to foster employment	Inter-urban travel allowance	Allowance for employers' training
	Women													
primary school	35	581	16,176	1,228	20,465	40	170	34,4%	8,3%	27,9%	19,0%	54,8%	26,0%	15,5%
without primary school attainment	0	13	435	47	3,881	2	0	0,0%	0,2%	0,8%	0,7%	10,5%	1,3%	0,0%
<b>Elementary education</b>	<b>35</b>	<b>594</b>	<b>16,611</b>	<b>1,275</b>	<b>24,346</b>	<b>42</b>	<b>170</b>	<b>34,4%</b>	<b>8,5%</b>	<b>28,6%</b>	<b>19,7%</b>	<b>65,3%</b>	<b>27,3%</b>	<b>15,5%</b>
Vocational school, vocational training	13	1,214	8,476	1,356	4,171	29	309	13,5%	17,4%	14,9%	20,9%	11,3%	18,8%	28,1%
Secondary school, secondary vocational school	18	2,109	12,683	1,864	3,937	40	316	18,8%	29,4%	22,3%	27,7%	10,7%	26,0%	28,8%
high school	16	1,589	14,752	1,457	3,636	42	207	16,7%	22,8%	26,0%	22,5%	9,9%	26,6%	18,8%
<b>Secondary education</b>	<b>47</b>	<b>4,912</b>	<b>35,911</b>	<b>4,677</b>	<b>11,744</b>	<b>111</b>	<b>832</b>	<b>49,0%</b>	<b>69,6%</b>	<b>63,2%</b>	<b>71,1%</b>	<b>31,8%</b>	<b>71,4%</b>	<b>75,7%</b>
college	8	869	2,217	311	582	0	87	8,3%	12,5%	3,9%	4,8%	1,6%	0,0%	7,9%
university	6	591	2,106	217	226	1	10	6,3%	8,5%	3,7%	3,3%	0,6%	0,6%	0,9%
<b>Higher education</b>	<b>14</b>	<b>1,460</b>	<b>4,323</b>	<b>528</b>	<b>808</b>	<b>1</b>	<b>97</b>	<b>14,6%</b>	<b>21,0%</b>	<b>7,6%</b>	<b>8,1%</b>	<b>2,2%</b>	<b>0,6%</b>	<b>8,8%</b>
below 20 years	2	41	18,066	303	2,134	16	9	2,1%	0,6%	31,8%	4,7%	5,8%	10,4%	0,8%
20 - 24 years	4	674	14,320	2,198	4,256	80	55	4,2%	9,7%	25,2%	33,9%	11,5%	51,9%	5,0%
<b>below 25 years</b>	<b>6</b>	<b>715</b>	<b>32,386</b>	<b>2,501</b>	<b>6,390</b>	<b>96</b>	<b>64</b>	<b>6,3%</b>	<b>10,3%</b>	<b>57,0%</b>	<b>38,6%</b>	<b>17,3%</b>	<b>62,3%</b>	<b>5,8%</b>
25-44 years	51	4,619	15,035	2,633	19,286	31	523	53,1%	66,3%	26,4%	40,6%	52,3%	20,1%	47,6%
45 - 49 years	16	877	3,085	467	4,532	10	237	16,7%	12,6%	5,4%	7,2%	12,3%	6,5%	21,6%
50 - 54 years	15	509	2,991	439	3,414	9	169	15,6%	7,3%	5,3%	6,8%	9,3%	5,8%	15,4%
<b>55 years and above</b>	<b>8</b>	<b>246</b>	<b>3,348</b>	<b>440</b>	<b>3,276</b>	<b>8</b>	<b>106</b>	<b>8,3%</b>	<b>3,5%</b>	<b>5,9%</b>	<b>6,8%</b>	<b>8,9%</b>	<b>5,2%</b>	<b>9,6%</b>
<b>Altogether</b>	<b>96</b>	<b>6,966</b>	<b>56,845</b>	<b>6,480</b>	<b>36,898</b>	<b>154</b>	<b>1,099</b>	<b>100,0%</b>	<b>100,0%</b>	<b>100,0%</b>	<b>100,0%</b>	<b>100,0%</b>	<b>100,0%</b>	<b>100,0%</b>



Number of participants in active tools (person)								Rate of participants in active tools (%)						
Educational attainment/Age group	Salary allowance for the period of participation in the job-seekers' club	Grants to help jobseekers become entrepreneurs	Wage cost allowance	Wage subsidies	Educational allowance to foster employment	Inter-urban travel allowance	Allowance for employers' training	Salary allowance for the period of participation in the job-seekers' club	Grants to help jobseekers become entrepreneurs	Wage cost allowance	Wage subsidies	Educational allowance to foster employment	Inter-urban travel allowance	Munkaadós képzés támogatása
	Altogether													
primary school	56	1,241	33,047	3,284	34,526	57	477	40,0%	8,9%	30,8%	24,1%	56,0%	27,0%	14,9%
without primary school attainment	0	24	1,435	195	6,033	2	7	0,0%	0,2%	1,3%	1,4%	9,8%	0,9%	0,2%
<b>Elementary education</b>	<b>56</b>	<b>1,265</b>	<b>34,482</b>	<b>3,479</b>	<b>40,559</b>	<b>59</b>	<b>484</b>	<b>40,0%</b>	<b>9,1%</b>	<b>32,1%</b>	<b>25,6%</b>	<b>65,7%</b>	<b>28,0%</b>	<b>15,1%</b>
Vocational school, vocational training	25	4,226	22,058	3,861	8,270	42	1,196	17,9%	30,2%	20,5%	28,4%	13,4%	19,9%	37,3%
Secondary school, secondary vocational school	25	3,826	22,534	3,351	6,413	57	882	17,9%	27,4%	21,0%	24,6%	10,4%	27,0%	27,5%
high school	18	2,458	22,004	2,163	5,222	50	465	12,9%	17,6%	20,5%	15,9%	8,5%	23,7%	14,5%
<b>Secondary education</b>	<b>68</b>	<b>10,510</b>	<b>66,596</b>	<b>9,375</b>	<b>19,905</b>	<b>149</b>	<b>2,543</b>	<b>48,6%</b>	<b>75,2%</b>	<b>62,0%</b>	<b>68,9%</b>	<b>32,3%</b>	<b>70,6%</b>	<b>79,2%</b>
college	10	1,252	3,130	432	839	1	142	7,1%	9,0%	2,9%	3,2%	1,4%	0,5%	4,4%
university	6	946	3,211	325	389	2	40	4,3%	6,8%	3,0%	2,4%	0,6%	0,9%	1,2%
<b>Higher education</b>	<b>16</b>	<b>2,198</b>	<b>6,341</b>	<b>757</b>	<b>1,228</b>	<b>3</b>	<b>182</b>	<b>11,4%</b>	<b>15,7%</b>	<b>5,9%</b>	<b>5,6%</b>	<b>2,0%</b>	<b>1,4%</b>	<b>5,7%</b>
below 20 years	2	107	31,861	904	4,157	24	18	1,4%	0,8%	29,7%	6,6%	6,7%	11,4%	0,6%
20 - 24 years	4	1,199	26,899	4,642	8,015	105	228	2,9%	8,6%	25,0%	34,1%	13,0%	49,8%	7,1%
<b>below 25 years</b>	<b>6</b>	<b>1,306</b>	<b>58,760</b>	<b>5,546</b>	<b>12,172</b>	<b>129</b>	<b>246</b>	<b>4,3%</b>	<b>9,3%</b>	<b>54,7%</b>	<b>40,7%</b>	<b>19,7%</b>	<b>61,1%</b>	<b>7,7%</b>
25-44 years	73	9,437	29,640	5,034	30,693	47	1,729	52,1%	67,5%	27,6%	37,0%	49,8%	22,3%	53,9%
45 - 49 years	23	1,722	5,812	952	7,243	10	529	16,4%	12,3%	5,4%	7,0%	11,7%	4,7%	16,5%
50 - 54 years	24	983	5,841	966	5,723	13	395	17,1%	7,0%	5,4%	7,1%	9,3%	6,2%	12,3%
<b>55 years and above</b>	<b>14</b>	<b>525</b>	<b>7,366</b>	<b>1,113</b>	<b>5,861</b>	<b>12</b>	<b>310</b>	<b>10,0%</b>	<b>3,8%</b>	<b>6,9%</b>	<b>8,2%</b>	<b>9,5%</b>	<b>5,7%</b>	<b>9,7%</b>

<b>Altogether</b>	<b>140</b>	<b>13,973</b>	<b>107,419</b>	<b>13,611</b>	<b>61,692</b>	<b>211</b>	<b>3,209</b>	<b>100,0%</b>	<b>100,0%</b>	<b>100,0%</b>	<b>100,0%</b>	<b>100,0%</b>	<b>100,0%</b>	<b>100,0%</b>
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Source: National Employment Service

<b>Number of persons affected by the active employment policy tools 2015, 2016, 2017, 2018</b>				
	<b>2015</b>	<b>2016</b>	<b>2017</b>	<b>2018</b>
Job-seekers' training	75,582	34,178	74,592	61,692
<i>therefrom: persons participated in trainings related to wintertime public employment</i>	53,347	18,100	42,403	32,716
Training allowance for the employed	1,547	1,850	3,160	3,214
Salary allowance for the period of participation in the job-seekers' club	65	5	73	140
Wage subsidies	11,538	8,637	13,215	13,611
Interurban travel allowance	269	231	254	211
Wage cost allowance	59,583	59,582	85,517	107,422
Grants to help jobseekers become entrepreneurs	4,882	5,817	10,524	13,973
Support for group passenger transport	18	46	68	641
Workplace preservation	8,500	4,600	3,400	12,372
Support for workplace creation	10,700	9,600	5,300	24,749
Accommodation allowance	1,422	1,719	1,587	1,597
Support for longer time public employment	199,110	193,229	167,963	122,500
<i>therefrom: wintertime temporarily public employment</i>	29,124	0	0	0
Support for small settlement 'Startmunka' model programme	154,092	152,130	117,142	90,588
<b>Altogether</b>	<b>508,090</b>	<b>457,378</b>	<b>474,027</b>	<b>414,948</b>

Source: National Employment Service

**Average number of registered job-seekers in 2015**

<b>County</b>	<b>Non-entrants</b>	<b>Entrants</b>	<b>Altogether</b>	<b>Entrants (%)</b>
01 Capital	31,302	1,895	<b>33,197</b>	<b>5,7%</b>
02 Baranya	16,077	2,399	<b>18,476</b>	<b>13,0%</b>
03 Bács-Kiskun	19,282	2,889	<b>22,171</b>	<b>13,0%</b>
04 Békés	12,377	1,985	<b>14,362</b>	<b>13,8%</b>
05 Borsod-Abaúj-Zemplén	39,122	6,340	<b>45,462</b>	<b>13,9%</b>
06 Csongrád	11,522	1,642	<b>13,164</b>	<b>12,5%</b>
07 Fejér	11,538	1,458	<b>12,996</b>	<b>11,2%</b>
08 Győr-Moson-Sopron	4,749	387	<b>5,136</b>	<b>7,5%</b>
09 Hajdú-Bihar	28,672	4,876	<b>33,548</b>	<b>14,5%</b>
10 Heves	12,904	1,815	<b>14,719</b>	<b>12,3%</b>
16 Jász-Nagykun-Szolnok	17,888	2,547	<b>20,435</b>	<b>12,5%</b>
11 Komárom-Esztergom	7,153	693	<b>7,846</b>	<b>8,8%</b>
12 Nógrád	12,379	1,840	<b>14,219</b>	<b>12,9%</b>
13 Pest	28,393	2,754	<b>31,146</b>	<b>8,8%</b>
14 Somogy	15,648	2,454	<b>18,102</b>	<b>13,6%</b>
15 Szabolcs-Szatmár-Bereg	32,121	7,069	<b>39,190</b>	<b>18,0%</b>
17 Tolna	7,975	1,337	<b>9,312</b>	<b>14,4%</b>
18 Vas	4,666	523	<b>5,189</b>	<b>10,1%</b>
19 Veszprém	8,509	961	<b>9,470</b>	<b>10,2%</b>
20 Zala	8,921	1,120	<b>10,041</b>	<b>11,2%</b>
<b>Counties altogether</b>	<b>331,198</b>	<b>46,984</b>	<b>378,181</b>	<b>12,4%</b>
Elementary education	139,920	20,602	<b>160,522</b>	<b>12,8%</b>
Secondary school	7,682	2,035	<b>9,717</b>	<b>20,9%</b>
Vocational school	87,015	5,899	<b>92,914</b>	<b>6,3%</b>
high school	31,128	6,893	<b>38,021</b>	<b>18,1%</b>
Vocational high school	39,573	8,380	<b>47,953</b>	<b>17,5%</b>
Secondary vocational school	7,739	908	<b>8,647</b>	<b>10,5%</b>
Higher education	18,140	2,268	<b>20,407</b>	<b>11,1%</b>
<b>Educational attainments összesen</b>	<b>331,198</b>	<b>46,984</b>	<b>378,181</b>	<b>12,4%</b>
below 25 years	16,766	43,131	<b>59,897</b>	<b>72,0%</b>
25 - 54 years	239,073	3,853	<b>242,926</b>	<b>1,6%</b>
55 years and above	75,359		<b>75,359</b>	<b>0,0%</b>
<b>KSH age groups altogether</b>	<b>331,198</b>	<b>46,984</b>	<b>378,181</b>	<b>12,4%</b>

**Average number of registered job-seekers in 2016**

<b>County</b>	<b>Non-entrants</b>	<b>Entrants</b>	<b>Altogether</b>	<b>Entrants (%)</b>
01 Capital	24,267	1,276	<b>25,543</b>	<b>5,0%</b>
02 Baranya	13,853	1,925	<b>15,778</b>	<b>12,2%</b>
03 Bács-Kiskun	14,973	2,002	<b>16,975</b>	<b>11,8%</b>
04 Békés	10,897	1,534	<b>12,431</b>	<b>12,3%</b>
05 Borsod-Abaúj-Zemplén	34,332	5,226	<b>39,557</b>	<b>13,2%</b>
06 Csongrád	9,046	1,244	<b>10,289</b>	<b>12,1%</b>
07 Fejér	9,452	972	<b>10,423</b>	<b>9,3%</b>
08 Győr-Moson-Sopron	3,924	286	<b>4,209</b>	<b>6,8%</b>
09 Hajdú-Bihar	24,114	3,607	<b>27,721</b>	<b>13,0%</b>
10 Heves	11,312	1,396	<b>12,708</b>	<b>11,0%</b>
16 Jász-Nagykun-Szolnok	15,481	1,893	<b>17,374</b>	<b>10,9%</b>
11 Komárom-Esztergom	5,495	466	<b>5,961</b>	<b>7,8%</b>
12 Nógrád	11,140	1,520	<b>12,660</b>	<b>12,0%</b>
13 Pest	24,702	2,114	<b>26,816</b>	<b>7,9%</b>
14 Somogy	13,150	1,853	<b>15,004</b>	<b>12,4%</b>
15 Szabolcs-Szatmár-Bereg	26,983	5,731	<b>32,714</b>	<b>17,5%</b>
17 Tolna	6,798	975	<b>7,773</b>	<b>12,5%</b>
18 Vas	4,078	360	<b>4,439</b>	<b>8,1%</b>
19 Veszprém	6,788	636	<b>7,424</b>	<b>8,6%</b>
20 Zala	7,183	800	<b>7,983</b>	<b>10,0%</b>
<b>Counties altogether</b>	<b>277,967</b>	<b>35,815</b>	<b>313,782</b>	<b>11,4%</b>
Elementary education	116,327	16,089	<b>132,410</b>	<b>12,2%</b>
Secondary school	6,620	1,562	<b>8,183</b>	<b>19,1%</b>
Vocational school	72,099	4,378	<b>76,477</b>	<b>5,7%</b>
high school	26,501	5,215	<b>31,716</b>	<b>16,4%</b>
Vocational high school	33,480	6,130	<b>39,611</b>	<b>15,5%</b>
Secondary vocational school	6,586	635	<b>7,221</b>	<b>8,8%</b>
Higher education	16,353	1,806	<b>18,159</b>	<b>9,9%</b>
<b>Educational attainments összesen</b>	<b>277,967</b>	<b>35,815</b>	<b>313,782</b>	<b>11,4%</b>
below 25 years	15,849	32,909	<b>48,758</b>	<b>67,5%</b>
25 - 54 years	192,708	2,906	<b>195,614</b>	<b>1,5%</b>
55 years and above	69,410		<b>69,410</b>	<b>0,0%</b>
<b>KSH age groups altogether</b>	<b>277,967</b>	<b>35,815</b>	<b>313,782</b>	<b>11,4%</b>

**Average number of registered job-seekers in 2017**

<b>County</b>	<b>Non-entrants</b>	<b>Entrants</b>	<b>Altogether</b>	<b>Entrants (%)</b>
01 Capital	18,934	822	<b>19,755</b>	<b>4,2%</b>
02 Baranya	12,684	1,613	<b>14,296</b>	<b>11,3%</b>
03 Bács-Kiskun	13,432	1,579	<b>15,011</b>	<b>10,5%</b>
04 Békés	10,446	1,281	<b>11,727</b>	<b>10,9%</b>
05 Borsod-Abaúj-Zemplén	32,755	4,665	<b>37,420</b>	<b>12,5%</b>
06 Csongrád	7,806	945	<b>8,751</b>	<b>10,8%</b>
07 Fejér	8,283	695	<b>8,977</b>	<b>7,7%</b>
08 Győr-Moson-Sopron	3,196	214	<b>3,410</b>	<b>6,3%</b>
09 Hajdú-Bihar	22,284	3,022	<b>25,305</b>	<b>11,9%</b>
10 Heves	10,589	1,149	<b>11,739</b>	<b>9,8%</b>
16 Jász-Nagykun-Szolnok	13,998	1,695	<b>15,693</b>	<b>10,8%</b>
11 Komárom-Esztergom	4,942	361	<b>5,303</b>	<b>6,8%</b>
12 Nógrád	10,309	1,225	<b>11,534</b>	<b>10,6%</b>
13 Pest	21,375	1,566	<b>22,941</b>	<b>6,8%</b>
14 Somogy	13,118	1,720	<b>14,838</b>	<b>11,6%</b>
15 Szabolcs-Szatmár-Bereg	26,390	4,897	<b>31,287</b>	<b>15,7%</b>
17 Tolna	6,046	807	<b>6,853</b>	<b>11,8%</b>
18 Vas	4,001	338	<b>4,339</b>	<b>7,8%</b>
19 Veszprém	5,993	427	<b>6,420</b>	<b>6,7%</b>
20 Zala	6,779	592	<b>7,371</b>	<b>8,0%</b>
<b>Counties altogether</b>	<b>253,359</b>	<b>29,611</b>	<b>282,970</b>	<b>10,5%</b>
Elementary education	109,247	13,572	<b>122,819</b>	<b>11,1%</b>
Secondary school	5,979	1,326	<b>7,305</b>	<b>18,2%</b>
Vocational school	63,387	3,527	<b>66,915</b>	<b>5,3%</b>
high school	24,025	4,439	<b>28,464</b>	<b>15,6%</b>
Vocational high school	30,245	4,898	<b>35,143</b>	<b>13,9%</b>
Secondary vocational school	5,670	507	<b>6,177</b>	<b>8,2%</b>
Higher education	14,807	1,341	<b>16,148</b>	<b>8,3%</b>
<b>Educational attainments összesen</b>	<b>253,359</b>	<b>29,611</b>	<b>282,970</b>	<b>10,5%</b>
below 25 years	16,029	27,501	<b>43,530</b>	<b>63,2%</b>
25 - 54 years	171,152	2,111	<b>173,263</b>	<b>1,2%</b>
55 years and above	<b>66,177</b>		<b>66,177</b>	<b>0,0%</b>
<b>KSH age groups altogether</b>	<b>253,359</b>	<b>29,611</b>	<b>282,970</b>	<b>10,5%</b>



**Average number of registered job-seekers in 2018**

<b>County</b>	<b>Non-entrants</b>	<b>Entrants</b>	<b>Altogether</b>	<b>Entrants (%)</b>
01 Capital	14.987	567	<b>15,554</b>	<b>3,6%</b>
02 Baranya	12.401	1.468	<b>13,869</b>	<b>10,6%</b>
03 Bács-Kiskun	11.804	1.142	<b>12,945</b>	<b>8,8%</b>
04 Békés	9.967	1.156	<b>11,123</b>	<b>10,4%</b>
05 Borsod-Abaúj-Zemplén	31.050	3.996	<b>35,046</b>	<b>11,4%</b>
06 Csongrád	6.457	750	<b>7,207</b>	<b>10,4%</b>
07 Fejér	7.418	641	<b>8,059</b>	<b>8,0%</b>
08 Győr-Moson-Sopron	2.885	167	<b>3,052</b>	<b>5,5%</b>
09 Hajdú-Bihar	20.628	2.640	<b>23,269</b>	<b>11,3%</b>
10 Heves	9.460	952	<b>10,412</b>	<b>9,1%</b>
16 Jász-Nagykun-Szolnok	12.355	1.401	<b>13,756</b>	<b>10,2%</b>
11 Komárom-Esztergom	4.538	328	<b>4,866</b>	<b>6,7%</b>
12 Nógrád	9.775	1.157	<b>10,932</b>	<b>10,6%</b>
13 Pest	18.562	1.180	<b>19,742</b>	<b>6,0%</b>
14 Somogy	11.847	1.413	<b>13,260</b>	<b>10,7%</b>
15 Szabolcs-Szatmár-Bereg	25.453	4.054	<b>29,506</b>	<b>13,7%</b>
17 Tolna	5.160	642	<b>5,802</b>	<b>11,1%</b>
18 Vas	3.906	327	<b>4,233</b>	<b>7,7%</b>
19 Veszprém	5.469	360	<b>5,829</b>	<b>6,2%</b>
20 Zala	6.370	479	<b>6,849</b>	<b>7,0%</b>
<b>Counties altogether</b>	<b>230,490</b>	<b>24,819</b>	<b>255,310</b>	<b>9,7%</b>
Elementary education	100.375	11.204	<b>111,579</b>	<b>10,0%</b>
Secondary school	5.448	1.056	<b>6,503</b>	<b>16,2%</b>
Vocational school	56.071	2.833	<b>58,904</b>	<b>4,8%</b>
high school	22.222	3.961	<b>26,183</b>	<b>15,1%</b>
Vocational high school	27.746	4.282	<b>32,028</b>	<b>13,4%</b>
Secondary vocational school	4.968	437	<b>5,405</b>	<b>8,1%</b>
Higher education	13.661	1.047	<b>14,707</b>	<b>7,1%</b>
<b>Educational attainments összesen</b>	<b>230,490</b>	<b>24,819</b>	<b>255,310</b>	<b>9,7%</b>
below 25 years	15.187	23.134	<b>38,321</b>	<b>60,4%</b>
25 - 54 years	<b>153,187</b>	<b>1,685</b>	<b>154,872</b>	<b>1,1%</b>
55 years and above	<b>62,117</b>		<b>62,117</b>	<b>0,0%</b>
<b>KSH age groups altogether</b>	<b>230,490</b>	<b>24,819</b>	<b>255,310</b>	<b>9,7%</b>

**Average number of registered entrant job-seekers between 2015-2018.:**

**Number of registered entrant job-seekers on the closing day of 2015**

<b>Region</b>	elementary	vocational school	vocational high school	high school	secondary school	secondary vocational school	higher education	<b>Altogether</b>
1 Middle Hungary	1,781	205	439	767	1,027	68	363	<b>4,649</b>
2 Middle Transdanubia	1,242	139	411	429	649	64	180	<b>3,113</b>
3 Western Transdanubia	714	100	321	234	445	71	144	<b>2,029</b>
4 Southern Transdanubia	2,778	198	989	845	1,007	133	240	<b>6,190</b>
5 Northern Hungary	5,045	474	1,043	1,120	1,781	155	378	<b>9,995</b>
6 Northern Great Plain	6,762	671	1,733	2,432	2,029	259	606	<b>14,492</b>
7 Southern Great Plain	2,281	248	964	1,067	1,441	158	357	<b>6,516</b>
<b>Altogether</b>	<b>20,602</b>	<b>2,035</b>	<b>5,899</b>	<b>6,893</b>	<b>8,380</b>	<b>908</b>	<b>2,268</b>	<b>46,984</b>

**Number of registered entrant job-seekers on the closing day of 2016**

<b>Region</b>	elementary	vocational school	vocational high school	high school	secondary school	secondary vocational school	higher education	<b>Altogether</b>
1 Middle Hungary	1,317	139	301	583	726	33	292	<b>3,390</b>
2 Middle Transdanubia	808	86	273	306	429	53	120	<b>2,074</b>
3 Western Transdanubia	536	67	205	164	317	53	106	<b>1,446</b>
4 Southern Transdanubia	2,188	146	740	661	731	90	198	<b>4,753</b>
5 Northern Hungary	4,233	410	857	899	1,350	96	297	<b>8,142</b>
6 Northern Great Plain	5,325	559	1,307	1,829	1,511	193	506	<b>11,231</b>

7 Southern Great Plain	1,683	157	696	774	1,067	116	287	<b>4,779</b>
<b>Altogether</b>	<b>16,089</b>	<b>1,562</b>	<b>4,378</b>	<b>5,215</b>	<b>6,130</b>	<b>635</b>	<b>1,806</b>	<b>35,815</b>

**Number of registered entrant job-seekers on the closing day of 2017**

<b>Region</b>	elementary	vocational school	vocational high school	high school	secondary school	secondary vocational school	higher education	<b>Altogether</b>
1 Middle Hungary	930	91	214	423	517	25	187	<b>2,387</b>
2 Middle Transdanubia	565	60	187	243	313	32	84	<b>1,483</b>
3 Western Transdanubia	422	43	154	143	265	37	81	<b>1,144</b>
4 Southern Transdanubia	1,942	136	635	577	622	75	154	<b>4,140</b>
5 Northern Hungary	3,646	393	776	810	1,117	75	221	<b>7,039</b>
6 Northern Great Plain	4,666	484	1,049	1,605	1,232	174	403	<b>9,614</b>
7 Southern Great Plain	1,401	121	512	637	832	90	212	<b>3,805</b>
<b>Altogether</b>	<b>13,572</b>	<b>1,326</b>	<b>3,527</b>	<b>4,439</b>	<b>4,898</b>	<b>507</b>	<b>1,341</b>	<b>29,611</b>

**Number of registered entrant job-seekers on the closing day of 2018**

<b>Region</b>	elementary	vocational school	vocational high school	high school	secondary school	secondary vocational school	higher education	<b>Altogether</b>
1 Middle Hungary	721	66	138	336	340	19	127	<b>1,747</b>

2 Middle Transdanubia	498	50	157	219	313	29	62	<b>1,329</b>
3 Western Transdanubia	319	28	125	129	272	33	67	<b>973</b>
4 Southern Transdanubia	1,649	102	514	523	543	68	125	<b>3,523</b>
5 Northern Hungary	3,105	307	664	763	1,027	69	171	<b>6,105</b>
6 Northern Great Plain	3,880	393	846	1,411	1,088	140	339	<b>8,095</b>
7 Southern Great Plain	1,031	110	389	581	700	80	156	<b>3,047</b>
<b>Altogether</b>	<b>11,204</b>	<b>1,056</b>	<b>2,833</b>	<b>3,961</b>	<b>4,282</b>	<b>437</b>	<b>1,047</b>	<b>24,819</b>

Source: National Educational Service

***The ECSR requested further statistical data on the overall effects of employment policy over the reference period, such as: economic growth indicators, unemployment rates broken down by gender, age and duration, public expenditure on GDP as a proportion of passive and active labour market measures, number of people participating in active measures (training), participation rate (ratio of participants/unemployed).***

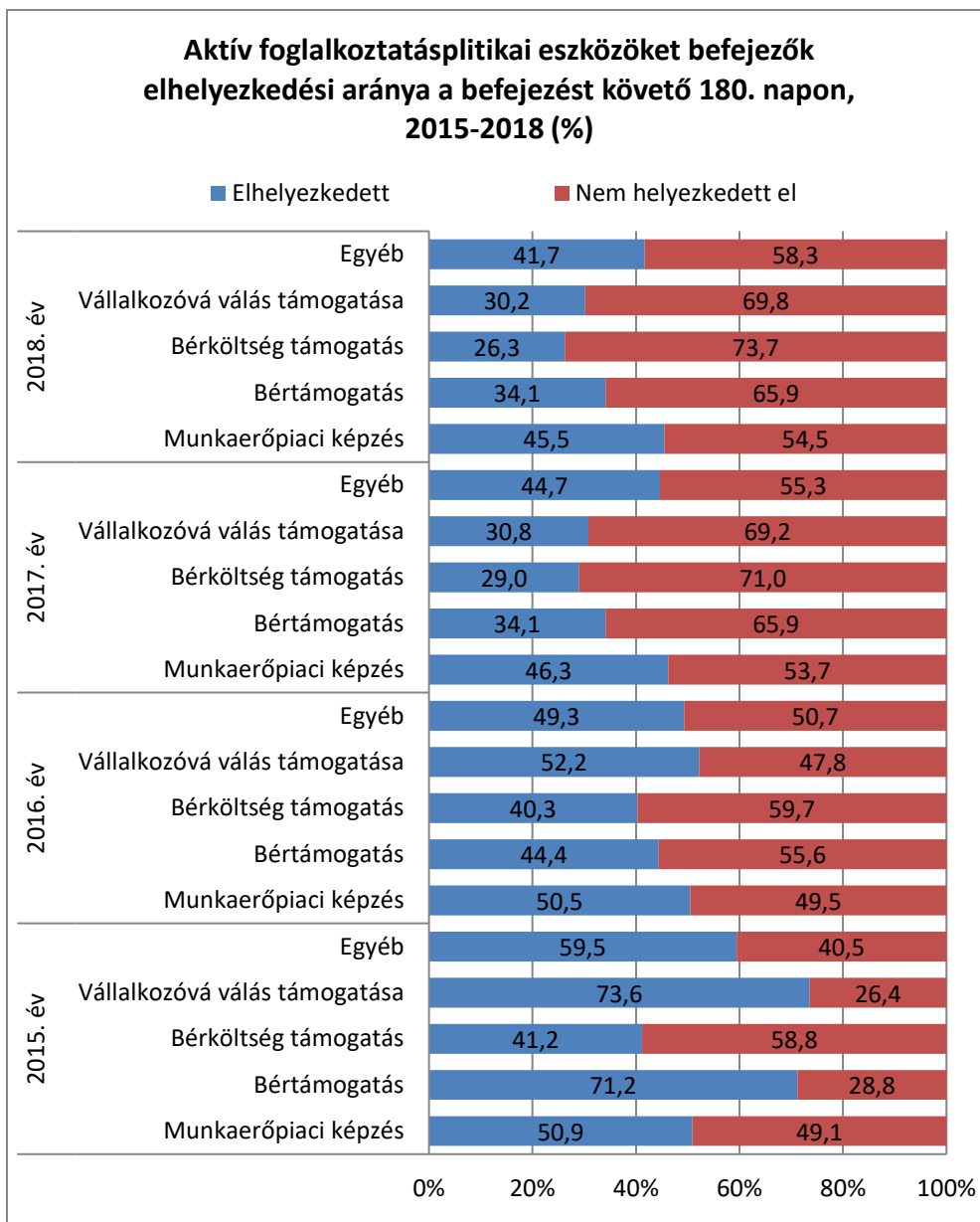
The NFSZ also examined the direction and effectiveness of the employments gained during the reporting period. Wage cost subsidy proved to be the most effective instrument in terms of employment in the investigation period, with employment rates ranging from 73.7% to 58.8% in the four years examined. The employment rate gradually decreased during the investigation period.

The effectiveness of wage subsidies is less good, the employment rate of those receiving wage subsidies was still 65.9% in 2015 and 2016, then dropped to 28.8% over the next two years.

The results of the monitoring of the support of becoming an entrepreneur show that the employment rates after the support have gradually decreased during the four years examined. The 69.8% employment rate in 2015 decreased to 30.3% by 2018.

The employment rate of those completing labour market training on the 180<sup>th</sup> day after graduation shows a slight decrease between 2015 and 2018, from 54.5% in 2015 to 49.1% in 2018.

The employment rate of those completing public employment was around 30% in the four years under review. In 2016 it was the lowest, 23.9%. Within all employment, the proportion of primary labour market increased from 12.1% to 19.3% in the four years under review. A post-public employment position is typically characterised by the fact that those completing the support are working again in the public employment 180 days after completion.



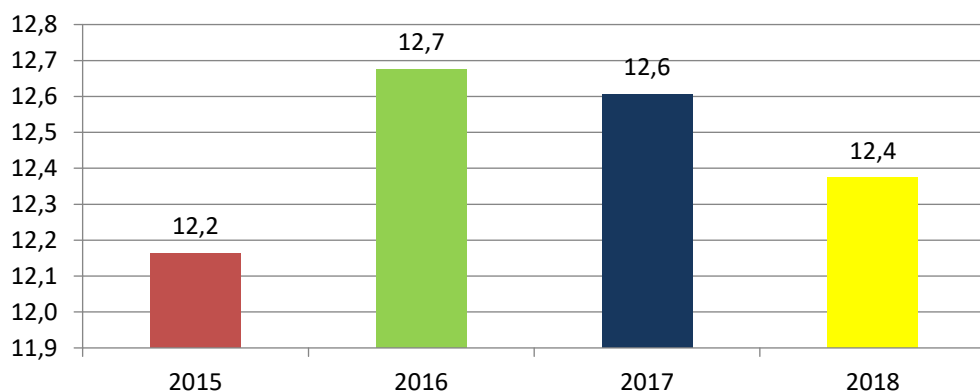
Source: National Employment Service

### **Average time to fill the position**

The NFSZ examines the registration time of job seekers, i.e., the number of months from the beginning of registration to the end of registration.

During the reporting period, the average time spent by job seekers in the register exceeded one year each year. The average registration time in the investigation period is very steady. Minimum growth was observed in 2016, but since then, the duration has been declining.

## Álláskeresők átlagos regisztrációban töltött időtartama (hónap/fő)



Source: National Employment Service

## Number of long-term unemployed

### Average monthly number and rate of long-term job seekers between 2015-2018

Age group/ Educational attainment	2015.		2016.		2017.		2018.	
	Person	%	Person	%	Person	%	Person	%
<b>KSH age group</b>	<b>101,903</b>	<b>26,9%</b>	<b>89377</b>	<b>28,5%</b>	<b>76,727</b>	<b>27,1%</b>	<b>68,666</b>	<b>26,9%</b>
below 25 years of age	6,288	10,5%	4,536	9,3%	3,882	8,9%	3,493	9,1%
25 - 54 years of age	61,234	25,2%	48,362	24,7%	38,262	22,1%	33,058	21,3%
above 55 years of age	34,381	45,6%	36,479	52,6%	34,583	52,3%	32,115	51,7%
<b>Educational attainment</b>	<b>101,903</b>	<b>26,9%</b>	<b>89,377</b>	<b>28,5%</b>	<b>76,727</b>	<b>27,1%</b>	<b>68,666</b>	<b>26,9%</b>
basic level	42,059	26,2%	37,239	28,1%	31,652	25,8%	30,355	27,2%
középfokú	54,572	27,7%	47,255	29,0%	40,797	28,3%	34,760	26,9%
felsőfokú	5,272	25,8%	4,883	26,9%	4,278	26,5%	3,551	24,1%

Source: National Employment Service

The share of long-term job seekers among job seekers ranged from 26.9% to 28.5% between 2015 and 2018, the lowest in 2015 and 2018, the highest in 2016.

Looking at long-term job seekers by age group, we can see that the proportion of long-term job seekers over the age of 55 is outstanding: it was above 45% in all four years surveyed. In 2016, it was the highest at 52.6%. Among young job seekers under the age of 25, the share of long-term job seekers was the highest in 2015, at 10.5%, while in 2017, it dropped to 8.9%.

According to education, long-term job search is the most common among those with secondary education. In 2015, 27.7% of those with secondary education were long-term job seekers, compared to only 26.9% in 2014.

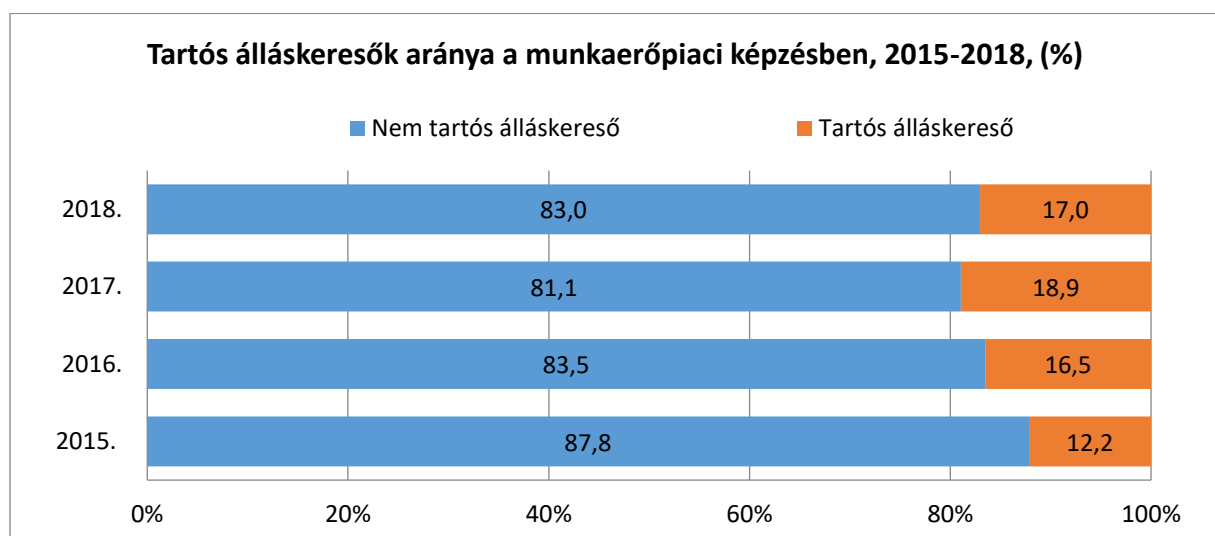
During the reporting period, the share of long-term job seekers with tertiary education decreased from 25.8% in 2015 to 24.1% in 2018.

**Number of long-term unemployed participating in training programmes and employment rate of those completing training programmes**

**Number of job seekers participated in courses in 2015-2018.**

	2015.	2016.	2017.	2018.
Non long-term job seekers	67,756	59,694	63,029	53,844
Long-term job seekers	9,373	11,817	14,723	11,062
Altogether	77,129	71,511	77,752	64,906

Source: National Employment Service



Source: National Employment Service

Among those involved in labour market training, the proportion of long-term job seekers increased in the four years surveyed. In 2015, 17.0% of those involved in training were long-term job seekers, while in 2018 their share dropped to 12.2%.

Since 1994, the labour market organisation has been examining the efficiency and effectiveness of major active labour market programmes aimed at preventing and reducing unemployment.

The study provided information on the gross effects of completed labour market programmes using a monitoring system developed for this purpose, that is, how many people participated in these programs, and, among them, 180 days after completing the program, the rate at which they were able to find employment, self-employment or to avoid unemployment.



*With a view to ensuring the effective exercise of the right to work, the Parties undertake:*

*2. to protect effectively the right of the worker to earn a living in an occupation freely entered upon;*

## **1) THE GENERAL LEGAL FRAMEWORK, THE NATURE, CAUSES AND SCOPE OF REFORMS**

### **1. Rules applicable to employees**

The following provisions of Act I of 2012 on the Labour Code (hereinafter: Labour Code) were first amended in 2016 during the reporting period. With the adoption of Act LXVII of 2016 on Establishing the Central Budget of Hungary for 2017 the rules to strengthen the protection of pregnant mothers against termination came into force. The legislative changes introduced to protect pregnant women, mothers who have recently given birth, mothers with small children are described in the remainder of this report, in the parts related to Article 20 and the Additional Protocol of 1988. With regard to the importance of family responsibilities, it has been stated that the employment contract of senior employees may not derogate from the generally applicable provisions on maternity leave and unpaid leave. [Section 209 (2) d) of the Labour Code].

In order to ensure proper organisation of working time and daily rest periods, the equivalent compensatory rest period, the rule for the compensation of shorter rest periods, was also introduced by Act LXVII of 2016. At least eleven consecutive hours of daily rest period between the end of daily work and the commencement of the following working day shall be provided for the employees, but if the rest period of the working day is less than the minimum specified, it shall be issued during the following daily rest period, supplemented by the hours lost, i.e., compensated. [Section 104 (1) and (4) of the Labour Code].

As of January 1, 2018, the concept of ‘workers’ representative’ has been introduced in the Labour Code by Act CLIX of 2017 on the Amendment of the Acts Linked to the Entry into Force of the Act on General Public Administration Proceedings and Certain Other Acts, hereby ensuring consistency with ILO Convention No. 135 on the protection and benefits of workers’ representatives. The definition of an employee representative is important in the sense that, in the event of an unlawful termination of employment as an employee representative, they may request reinstatement to the original job. [Section 294 (1) e) of the Labour Code].

### **2. Rules applicable to members of the professional staff of law enforcement agencies**

At the beginning of the reporting period, on 1 July 2015, Act XLII of 2015 on the Service Status of the Professional Members of Law Enforcement Agencies, replacing the previous regulation, entered into force (hereinafter referred to by the Hungarian abbreviation as "Hszt.") The Hszt. has not altered the principle in previous legislation that professional careers are chosen voluntarily by the staff concerned, thus, Section 33 (1) of the Hszt. states that it is possible to establish a professional service relationship with volunteers. Section 13 (2) of the Hszt. states that a member of the professional staff perform their duties under the employment relationship (in order to execute the tasks assigned to the law enforcement agency) on a voluntary basis, as a life vocation, under strict dependency, even risking their life and physical safety and accepting certain restrictions on their fundamental rights.

With regard to the free choice of work and occupation, Section 29 of the Hszt. states that a member of the professional staff

- a) in the course of their duties, they may practice their civilian qualification in accordance with the rules applicable to the service,
- b) may engage in other gainful employment subject to Sections 108-110 of this Act, regarding conflicts of interest.

Remuneration for duty, health duty and standby duty of persons engaged in health care activities shall be governed by the provisions Section 13/B of Act LXXXI of 2003 on Certain Issues of Health Activities.

### **3. Rules for the soldiers**

Pursuant to Section 6 of Act CCV of 2012 on the Legal Status of Soldiers (hereinafter referred to by the Hungarian abbreviation as "Hjt.") the state and those exercising employer right are obliged to maintain the requirement of equal treatment in the service relationship.

### **4. Changes to the rules on simplified employment**

As of 1 August 2010, Act LXXV of 2010 on Simplified Employment (hereinafter referred to by the Hungarian abbreviation as "Efo.tv.") introduced the rules of the simplified employment contract and the electronic notification of employment by the employer to the state tax authority.

The rules for agricultural seasonal work, tourist seasonal work and occasional work changed during the investigation period as follows.

#### **Tax payment related to simplified employment**

The employment relationship for simplified employment shall be the subject of an agreement between the parties and, the fulfilment of the employer's notification obligation. The employment contract shall only be entered into in writing (at the latest before the commencement of work) if requested by the employee or, if the employer is not required to file an electronic declaration, then, at the choice them, a simplified employment will be established by concluding an employment contract in accordance with the annex of the Efo.tv.

The amendment introduced by Act CXXI of 2016 on the Amendment of Certain Acts Necessary for the Establishment of a Unified Electronic Administration System was intended for flexible application of the employment form, effective from 26 September 2016.

According to the amendment, in the case of simplified employment, the employer is required to report certain employment-related information specified by law to the competent first-instance state tax authority before commencing employment. Under the provisions of the Act, notifying is subject to registration with the client portal and is either via the client portal or by phone. However, following the amendment, which entered into force on 1 January 2017, the Government will provide not only a client portal but also other electronic identification services:

- a) electronic identification service provided by means of an identity card containing a storage element,
- b) customer portal, and

c) partial code telephone identification.

Identification services are connected to secure delivery service and storage. Accordingly, the Act has introduced terminological clarifications in this respect. [Section 11 of Efo.tv.]

The amendment also repealed the fact that the employer can fulfill their simplified employment declaration obligation only electronically and not on paper. [Section 12 (2) of Efo.tv.]

The amendment, effective from 24 November 2017, was designed to meet the seasonally high workforce demand for agricultural seasonal work as flexibly and fully as possible, and the rules on tax payment related to such employment have been amended. According to the amendment, the tax-free daily income from simplified employment increased from the previous amount of 5,870 HUF to 8,000 HUF, significantly increasing the exempted budget for simplified employment. The amendment was based on the experience of the Hungarian Chamber of Agriculture. [Section 9 (2) of the Efo.tv.]

## **5. Changes in the rules of working in a cooperative system**

### **The school cooperative**

The amendment of Act X of 2006 on Cooperatives (hereinafter referred to by the Hungarian abbreviation as "Sztv."), facilitates the employment of young students with a school obligation having a student-learner status, through the regulation of employment in a school cooperative.

Full-time students, learners do not perform their duties in the context of employment, but in the context of a specific legal relationship to provide external services. The students' 'full-time job' is the school, they may undertake tasks through a school cooperative only in their free time while fulfilling their school obligations. [Section 10/B of Sztv.]

The range of persons concerned in school cooperative activities, particularly their young age, enjoys special protection. School cooperatives are required to pay remuneration for the duration of the leave providing the guarantee of protection. However, the fee stipulated in the Government Decree 199/2015 (23 August) on the minimum service fee to be paid to school cooperatives did not cover the additional costs incurred. In order to ensure that employees can continue to receive wages corresponding to the minimum wage, the multiplier determined by the amount of the minimum hourly service fee has been increased by amending the Government Decree.

From October 2017, the minimum service fee has been included in Government Decree 274/2017 (21 September) on the minimum service fee payable to school cooperatives and pensioners' cooperatives of public interest.

### **Pensioners' cooperatives of public interest**

On 1 July 2017, the Act LXXXIX of 2017 on the Amendment of Certain Acts in Connection with the Establishment of Pensioners' Cooperatives of Public Interest amending the Sztv. set up pensioner's cooperatives of public interest.

The purpose of the pensioners' cooperative of public interest is to provide employment, labour market reactivation for the still active elderly people, to promote the economic and social

position of retired cooperative members, and to transfer the knowledge, professional and life experience accumulated by retired members to future generations. The pensioners' cooperative also serves the public interest by pursuing its objectives. [Section 25 of the Sztv.]

A member of the pensioners' cooperative must be a natural person, at least 90% of which must be a natural person receiving an old-age pension, and, in accordance with applicable regulations, the cooperative must not have a natural person member who does not undertake any personal involvement. The member shall make a financial contribution upon foundation or entry, the provisions of which shall be laid down in the articles of association concerning the manner, time and extent of the performance thereof. [Section 26 of the Sztv.]

Persons applying for membership of a pensioners' cooperative must, in their application for membership, declare, among others, whether they will receive an old-age pension or a temporary mining allowance, they wish to make use of the services provided to members in order to undertake the personal involvement in the activities of the pensioners' cooperative and to make a financial contribution as laid down in its articles of association. [Section 27 of the Sztv.]

A member of a pensioners' cooperative shall enter into a membership agreement with the pensioners' cooperative regarding the specific content, manner and compensation of the personal involvement, which shall include the responsibilities assumed by the member. [Section 28 of the Sztv.]

A member of a pensioners' cooperative receiving an old-age pension may also perform their personal involvements in the service provided by the pensioners' cooperative to a third party (external service). An external service relationship is a special relationship under an external service membership agreement between a pensioners' cooperative and a member receiving an old-age pension, in which the retired member of the pensioners' cooperative fulfils their personal contribution. [Section 29 of the Sztv.]

Minimum amount of fees associated with each task and other fees associated with the task for the duration of the member's performance at the external service provider, and the manner in which the pensioners' cooperative and the member remain in contact for the duration does not involve task completion. [Section 29 (6) of the Sztv.]

The outsourced service agreement must specify the operational details and circumstances of the activity (the identity of the recipient of the service, the specific tasks to be performed, the amount of the member's fee and other related benefits and the date of payment, the place where the task is performed and the duration of the task). [Section 29 (7) of the Sztv.]

### **Social cooperatives**

The Government has set as an objective that one of the possible ways of entering the primary labour market, based on the value-creating foundations of the public employment micro-regional (district) start-up programme, may be the establishment of social cooperatives, mainly in disadvantaged regions of the country. The Ministry of Interior (hereinafter referred to by the Hungarian abbreviation as "BM"), in accordance with the Government's objectives, has taken

measures to encourage the establishment of social cooperatives and to help them operate economically. As of 2013, 290 socially disadvantaged settlements with public employment programmes have been established, typically operating in food processing, industrial activities and services. In the case of the 290 social cooperatives, there are about 2 100 members, 90% of whom are natural persons who personally participate in the activities of the social cooperative. Approximately 1 400 persons also have a working relationship in social cooperatives: 90% of them are employed, 5% are in the framework of member work and 5% other employment.

## **6. Changes in the rules on labour market services, job seekers' supports and benefits during the reporting period**

During the reporting period a number of acts (including Act CL of 2016 on General Public Administration Proceedings, Act CLIII of 2017 on the Enforcement Proceedings to be Implemented by the Tax Authority, Act CCXXII of 2015 on General Rules for Trust Services for Electronic Transactions and Act CCXL of 2013 on the Execution of Punishments, Measures Certain Coercive Measures and Custodial Arrest for Offences) were adopted or amended which were also associated with legal acts on employment. In order to ensure the coherence of the legislation and to adapt to the changed legal environment, as well as the creation of a uniform application of the law and the transfer of legal-technical clarifications, it has become necessary to amend several employment laws. In terms of the implementation of Article 1 of the Amended European Social Charter the amendments to Act IV of 1991 on Promotion of Employment and Unemployment Benefits (hereinafter referred to by the Hungarian abbreviation as "Flt.") are relevant.

The following legal amendments were made to the 'Labour market services and employment support' and 'Job seeker assistance' chapters of the Flt:

### **Labour market services and employment support**

- **Promotion of training**

As of 1 January 2016, from among the family support allowances of Act LXXXIV of 1998 on Family Support, child-care allowance was replaced by child-care support [Section 58 b) of Act CCXXIII of 2015 on the Amendment of Certain Social, Child Protection, Family Subsidies and Other Related Laws]. Following the changes in the law, the rules of the Flt. governing training support have also been amended. As a result, the range of eligible persons was extended to include those receiving child-care support. [Section 14 (1) c) of the Flt.]

The adoption of Act XCIV of 2018 to Amend Certain Employment Laws on 25 December 2018 also amended the training provisions in several other respects. The Flt. previously prevented a parent who is receiving child-care assistance or child-care allowance and is not a job seeker from attending a training consisting of more than 30 hours - this amendment removes the 30-hour limit per week for training for the affected group [Section 14 (2) of the Flt.].

In order to ensure uniform application of the law, the provisions on training support have been clarified in the light of practical experience. The reimbursement of the training costs of all subjects has become eligible for support. The amendment also clarified the definition of the scope of subjects who may receive, in addition to the reimbursement of training costs, an income benefit or income supplement. [Section 14 (4) of the Flt.]

In order to facilitate the employment of carers and women with small children, regulations on the use of wage subsidies have also been supplemented. During the duration of the support, at the request of the subsidised worker, the legitimate costs incurred in connection with the nursing and care of the dependent relative and the care of the child is reimbursed. [Section 16 (5) of the Flt.]

The importance of trainings has increased as a result of the increasing demand for workforce. In order to address labour market challenges effectively, it has become necessary to make trainings more attractive to job seekers. Linking the amount of the benefit to the minimum wages may promote this effort, thus, based on the law changes of December 2018, the lowest minimum wage forms the basis for the calculation of the income benefit. [Section 14 (6) of the Flt.]

It is also a new provision that the language training essential for the employer to carry out the tasks in question has become eligible for training support. [Section 14/A (1) of the Flt.]

In order to improve the efficiency of employment support, the amendment of the law makes it possible to increase the support at the request of the employer in addition to the mandatory minimum wage even if the guaranteed minimum wage increases. [Section 20 (6) of the Flt.]

- **Job seeker assistance**

#### Unemployment benefit

Following the introduction of the aforementioned new form of family support allowance, the statutory rules on job seeker's support defined in the Flt. have also been amended. The scope of unpaid leave included in the eligibility period for unemployment benefit has been supplemented by the fact that the employee is entitled to child-care assistance for leave of more than thirty days while caring for a child under three years of age. [Section 25 (4) a) of the Flt.]

The duration of the unemployment benefit has also been changed, so that the five-year period taken into account previously for determining the unemployment benefit is extended by the period of child-care support. [Section 27 (1) d) of the Flt.]

Similarly to the above, the rules on interrupting job-seeker's support have been supplemented with the new form of family support allowance. [Section 29 (1) a) of the Flt.]

As of 1 July 2017, the period of active service of a volunteer reserve soldier pursuant to Act CCV of 2012 on the Legal Status of Soldiers, even if the volunteer reserve soldier is not employed during this period, is considered eligible. [new Section 27 (5a) of the Flt.]

As a technical clarification, Section 27 (1) a) of the Flt. with regard to the termination of service forms (military conscription, reservist military service and civil service) was repealed on 1 January 2018. Act CXC VII of 2017 on the Amendment of Certain Laws Relating to the Entry into Force of Act XC of 2017 on Criminal Procedure sets out, within the system of the Flt., the rules relating to the job seeking of persons serving a sentence of imprisonment, in reintegration custody, as a new item.

During the period of imprisonment, a prisoner in reintegrational custody may be employed. In order to achieve the goals of reintegrational custody and the successful reintegration of the

involved prisoner in society, and to effectively engage in job-seeking activities, it has become necessary for them to be able to enter the labour market as a job seeker. Pursuant to the amendment of the Flt., a prisoner who is in reintegrational custody does not cease their active job seeking activity and can be registered as a job seeker. [Section 54 (14a) f)]

In the system of rules on reintegrational custody, it was justified that persons in such custody could also be registered as first-time job seekers. According to the Flt., a prisoner who is in reintegrational custody, and the additional conditions also prevail, is to be considered as first-time job seekers. [Section 58 (5) k) 2 of the Flt.]

As a prisoner may be registered as a job seeker during their reintegrational custody, disbursement of the unemployment benefit is not interrupted during their period of their imprisonment, if the prisoner is in reintegrational custody, or if they are in reintegrational custody and conducts the search activity for a period not exceeding 120 days. [Section 29 (1) b) of the Flt.]

#### Pre-retirement job seeker's allowance

The scope of persons eligible for pre-retirement job seeker's allowance has been modified for the sake of legislative consistency in accordance with the provisions of Act CLXIV of 2016 on the Amendment of Certain Laws Relating to the Introduction of Dance Annuity. [Section 30 (1) e) of the Flt.]

#### Other changes

During the period under review, the definitions for people with disabilities and persons with a reduced ability to work were clarified in order to ensure legal consistency. [Section 57/B (4) 3 and 4 of the Flt.]

As of 1 January 2018, a new rule was introduced that public employees should be reimbursed for justified interurban travel costs using public transport, which relate to a journey initiated by the public employment agency, including travel from their place of residence to the public employment agency, and to and from the employer. [Section 33 of the Flt.]

In the context of reimbursement of benefits, reimbursement of expenses was added to the benefits exempted from the payment of default interest. [Section 37 (8) of the Flt.]

The amendment to the law, adopted in December 2018, established the possibility of a legal remedy against an order for payment. [Section 45 (3) of the Flt.]

## **2) RESPONSES GIVEN TO THE QUESTIONS OF THE ECSR RELATING TO THIS PARAGRAPH**

*The ECSR requested information on measures, which protect and prevent the abuse of workers in a 'gig economy' and platform economy, often working in precarious employment conditions.*

On 2 June 2016, the European Commission (hereinafter: 'Commission') published its communication<sup>1</sup> 'European Agenda for the Collaborative Economy', which defined the nature of the economic area and set out guidelines for a dynamic and fast-growing sector.

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<sup>1</sup> COM(2016)376

For the purposes of this Communication, the term collaborative economy (often referred to in the literature as ‘gig economy’ or ‘platform economy’) refers to a business model where activities are facilitated by collaboration platforms: creating an open access marketplace for the temporary use of goods and services often provided by private individuals. The collaborative economy is also referred to as the sharing economy.

The participants in the collaborative economy fall into three categories:

- a) equipment, resource, time and/or skill sharing service providers
- b) their users, and
- c) intermediaries who establish and facilitate transactions between providers and users through online 'collaboration platforms'.

Collaboration platforms enable private individuals to provide services, thus promoting new employment opportunities, flexible working conditions and new sources of income. However, this may pose a challenge for traditionally existing labour market practices and market actors.

In the collaborative economy, working conditions are often characterised by performing certain tasks on a case-by-case basis rather than by performing regular tasks in a predetermined environment and time frame. Employment opportunities and more flexible working conditions in the collaborative economy are generally less systematic and stable compared to traditional employment relationships, which makes the applicable laws and regulations on social protection different from the employment relationship regulations. In practice, borders are increasingly blurred between private entrepreneurs and employees.

Following the guidance of the Commission Communication, Member States should therefore design their respective legislation in such a way that economic opportunities are accessible to all, while ensuring decent working conditions and social protection. In order to ensure the smooth functioning of the labour market, it is necessary to define the terms and conditions of employment and the way in which the distinction between self-employed people and employees is to be applied in the context of the collaborative economy.

This is guided by the criteria<sup>2</sup> established by the case law of the Court of Justice of the European Union (hereinafter: ‘EUC’), which states that “the essential feature of an employment relationship is that a person performs services of some economic value for and under the direction of another person in return for which he receives remuneration”. The existence of an employment relationship should therefore be determined on a case-by-case basis by considering the facts and the performance of the relationship between the platform and the underlying service providers, and in particular, by taking into account the following three main criteria: a) existence of subordination, b) the nature of the work, and c) the remuneration.

The definition of the EUC and the EU labour law criteria used in examining the existence of an employment relationship are also in line with Hungarian labour law, whereby one of the parties (employee) in the employment relationship undertakes to perform work for the other party (employer) under their direction on a regular basis and for remuneration.

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<sup>2</sup> Judgment of the Court of 3 July 1986: Deborah Lawrie-Blum v Land Baden-Württemberg. Reference for a preliminary ruling: Bundesverwaltungsgericht - Germany. Case no. 66/85



In Hungarian labour law, the rules set out in Chapters 7 (Commencement of an Employment Relationship) and 8 (Performance of Employment Contracts) of the Labour Code are the basis for determining whether the legal relationship in question is an employment relationship. In addition to the above-mentioned three conditions of the EUC, Hungarian labour law requires further consideration and (as a rule) the existence of further criteria, in particular:

- performing tasks related to the job;
- permanent and regular work;
- personal work obligation: the employee is obliged to perform work in person, with the level of professional expertise and workmanship that can be reasonably expected, in accordance with the relevant regulations, requirements, instructions and customs, to exhibit the attitude necessary for the fulfilment of their job, and to cooperate with their co-workers;
- the employee is obliged to be at the disposal of the employer for the purpose of performing work, in a condition fit for work during their working time;
- the employer has the right to issue a wide range of instructions regarding the place, time and manner of work;
- the costs of the work are borne by the employer;
- the work is performed with the employer's equipment.

Chapter 15 of the Labour Code (Special Provisions Relating to Employment Relationships According to Type) also provides for a number of atypical forms of employment that can be applied between a collaboration platform and a private individual wishing to provide a service. However, if the employment relationship between the platform and the private individual wishing to provide the underlying service is fulfilled, the service provider (due to the collaboration platform's control over the providers of the services in question and the service provided) will no longer be the private individual, but the platform.

In the case of a private individual, the division of their ability/workforce may give rise to the applicability of known and practiced labour law rules on temporary agency work. In addition, the new business model is also very similar to private-sector recruitment under Hungarian law. Identifying and distinguishing between collaboration platforms and mediators is extremely important, since the private-sector recruiter not charge a job-seeker (workforce sharer) for its activities, however, collaboration platforms usually provide a service in return for payment.

In the current Hungarian legal environment, the activities of the collaborative economy as a business model can be carried out independently, primarily in the form of a self-employment relationship, or possibly as a private individual with a tax number. In these cases, the parties enter into a civil law contract for the performance of the activity. When considering the distinction between civil law and labour law contracts, it is of paramount importance that they are judged not by their title but by their actual content. If the parties to the employment contract conclude a civil law contract for essentially the same task as the content of the employment contract, their legal relationship shall continue to be classified as an employment relationship.

It is considered an artificial agreement if the parties establish a civil law relationship, but their real will is to fulfil the employment relationship. Under the provisions of the law, an artificial agreement shall be null and void, and if such agreement is intended to disguise another agreement, it is judged on the basis of the disguised agreement. That is, an employment contract is a contract or agreement for civil, simplified or cooperative employment that essentially establishes an employment relationship and the new legal relationship serves to conceal it. [Section 27 of the Labour Code]

The investigation of various legal relationships and the remedying of practices arising out of improper exercise of rights are part of the supervisory activity of the employment authority, and the relevant regulation is contained in Act LXXV of 1996 on Labour Inspection (hereinafter referred to by the Hungarian abbreviation as "Met."). Whether an existing legal relationship is an employment relationship must always be determined on a case-by-case basis by considering the facts of the relationship between the parties and the performance of their respective tasks, taking into account the criteria mentioned above. Accordingly, Section 1 (5) of the Met. assigns to the employment authority the task of classifying the legal relationship between the employer and the person performing the work on the basis of the facts established in the course of its control activities, as well as the relationship established on the basis of actual employment. According to the system of criteria established by law, if the characteristics of the individual case warrant it, the employment inspector is entitled to reclassify the legal relationship based on the civil law contract as an employment relationship. In the case of actual employment, the artificial contract is null and void and instead the rules applicable to the employment relationship prevail.

***The ECSR requested information on anti-discrimination legislation and its reform. It also requested information on the operation of the Equal Treatment Authority, its procedures and fines during the reference period and its programmes for equal opportunities.***

Article 15 (2) of the Fundamental Law is specified in Act CXXV of 2003 on Equal Treatment and Promotion of Equal Opportunities (hereinafter referred to by the Hungarian abbreviation as "Ebkvt."), thus defining the personal and material scope of the requirement of equal treatment. The Ebkvt. defines in detail the conduct which is in breach of the principle of equal treatment (direct or indirect discrimination, harassment, unlawful segregation, retaliation) and defines the concepts of direct and indirect discrimination, thereby ensuring the coherence of anti-discrimination legislation so that the rules on equal treatment in sectoral legislation are to be interpreted in accordance with the provisions of this Act. Accordingly, the content of the requirement of equal treatment may not be determined by a separate legal act differently from that provided for by law, but it is possible for separate legislation to determine the scope of the obligation of equal treatment more extensively than the law, and to impose a specific sanction for violation of the principle of equal treatment with regard to the legal relationships governed by the relevant sectoral legislation.

In order to enforce the provisions of the Ebkvt, the law established the Equal Treatment Authority (hereinafter referred to by the Hungarian abbreviation as: "EBH"), which is independent within the meaning of Section 33 (3) of the Ebkvt., is subordinate to the law only, cannot be instructed within its scope, and performs its task independently from other bodies, without any interference. Furthermore, the task of the authority can only be determined by law.

Opportunities for claim enforcement of an injured person are set out in Chapter 2 of the Ebkvt. and in separate legislation. It is left to the injured party to choose whether to apply to the EBH or to initiate other legal proceedings (e.g.: litigation for the enforcement of privacy rights, employment lawsuits, public service lawsuits, or consumer protection, employment, or infringement authority proceedings). An EBH investigation of a breach of the principle of equal treatment may be initiated ex officio or upon request in the cases specified in the Ebkvt. Pursuant to Section 14 (1) a) of the Ebkvt, EBH adopts a decision on the basis of the investigation. Where the authority has established a breach of the principle of equal treatment, it may order the cessation of the infringement; prohibit future certification of unlawful conduct;

order the public disclosure of its final decision in the public interest, except for the public information of the offender in the public interest, in a manner unsuitable for identification; impose a fine or a legal penalty specified in separate legislation.

There is no appeal against the decision of the EBH, however a judicial review of the decision can be initiated. The appeal against the decision of the EBH was terminated before 1 January 2018 by Section 17/B (1) of the Ebktv., the provisions of which were repealed by Act L of 2017 on the Amendment of Certain Laws Relating to the Entry into Force of the Act on General Public Administration Proceedings and the Act on the Code of Administrative Litigation, considering, pursuant to the general rules of Act CL of 2016 on General Public Administration Proceedings, that there is no option for appeal in the proceedings of the EBH. This is also highlighted in the reasoning provided for the amendment. Pursuant to Section 12 (2) a) of Act I of 2017 on the Code of Administrative Litigation (hereinafter referred to by the Hungarian abbreviation as: "Kp."), with the exception of a public service relationship case, unless otherwise provided by law, the court has jurisdiction over litigation concerning the administrative activities of an autonomous public administration, and the EBH, pursuant to Section 33 (2) of the Ebktv. is an autonomous public administration. Under Section 13 (11) of the Kp., the Budapest-Capital Regional Court has exclusive jurisdiction in such cases.

The EBH investigated cases and ruled on infringements during the reporting period where the employer violated the principle of equal treatment for applicants on the grounds of policy opinion, Roma origin, female sex, maternity, pregnancy, health, sexual orientation, male gender (establishment and termination of employment, job interview, non-provision of benefits (e.g.: cafeteria)).

From among the provisions of the Ebktv. cited in the report for the previous reporting period, Act L of 2017 on the Amendment of Certain Laws Relating to the Entry into Force of the Act on General Public Administration Proceedings and the Act on the Code of Administrative Litigation amended Sections 15, 17/A, 17/B and 22 of the Ebktv. The amendment was necessitated by the terminology of the General Public Administration Proceedings Act and the Administrative Litigation Act.

***The ECSR requested the presentation of measures aimed at detecting and eliminating the exploitation of disadvantage, forced labour and modern slavery.***

The criminality of forced labour is ensured in Hungary, as it is included as a constituent element in Section 193 of Act C of 2012 on the Criminal Code (hereinafter: Criminal Code).

The Criminal Code also penalises the illegal employment of third-country nationals. It is a qualified case, if the offender employs a third-country national without authorisation to undertake gainful employment under particularly exploitative working conditions or, if they employed a third-country national who is not authorised to undertake gainful employment, to the detriment of whom human trafficking has been committed.

In order to implement the measures set out in Government Resolution 1125/2019 (13 March) on the Necessary Measures Needed to Increase the Effectiveness of the Fight Against Trafficking in Human Beings (hereinafter: 'Government Resolution'), which falls within the competence of the National Police Headquarters, the Chief Commissioner of the Hungarian National Police approved an Action Plan, which is being implemented continuously. During this process an e-learning curriculum is being established; a play will be presented and adapted

for children in public care and their educators, and the national awareness campaign 'Be aware!' will continue. The key objectives of the Action Plan are to identify the victim and to fully enforce the victim's criminal, personal and data protection rights from the time of filing the complaint to the completion of the investigation.

The victims were informed, both verbally and in writing (information from the victim support service), both in terms of the procedure and of the availability and accessibility of the state victim support service. Caution is exercised during the private processing of data. Particular care is taken in the investigation of crimes against sexual freedom and sexual morality, crimes against the interests of a child and against a family, as well as during the investigation of violent crimes against property, in order to prevent any further trauma to the victim and to protect them from becoming a secondary victim.

In 2016, the focus of victim protection activities was the implementation of tasks related to victims who require special treatment. With effect from 1 November 2015, Section 62/C (1) of Act XIX of 1998 on Criminal Proceedings introduced the concept of a victim who requires special treatment, in response to which the investigating authority has continuously investigated whether a victim is an individual requiring special treatment, who is found to have special needs in criminal proceedings, by considering the facts and circumstances of their personality and living conditions, the nature of the crime and the circumstances of the offence.

Pursuant to the Decree of the Minister of Interior 64/2015 (12 December) BM on the Tasks of the Police Related to Victim Support (which was revoked on 1 July 2018), individual assessment became mandatory for all victims. In 2016, 4,974 people were classified as victims requiring special treatment, while in 2017, this number rose to 7,583.

With the entry into force of Act XC of 2017 on Criminal Procedure on 1 July 2018, special attention must be paid to the rights and obligations of victims specified under the Act. The circumstances in which special treatment is granted have changed, with particular regard to qualification without a separate decision.

Pursuant to Section 8 (1) of Decree of the Minister of Justice 12/2018 (12 June) IM on the Persons Involved in Each Criminal Procedure Act and Criminal Proceeding, the investigative authorities carried out the individual assessments using the data sheet set out in Annex 1, specified in Section 9 (4).

The National Directorate-General for Aliens Policing (hereinafter: Directorate-General), formerly known as the Immigration and Citizenship Office or the Immigration and Asylum Office, contributed to the fight against labour exploitation by providing theoretical training to its employees. 120 people underwent further training under the project 'Successful Identification of Victims of Trafficking in BÁH Proceedings', co-funded by the Internal Security Fund and the Ministry of Interior (hereinafter referred to by the Hungarian abbreviation as: "BM") and realised between 1 January 2017 and 31 January 2018, the target group of which consisted of administrative staff (asylum, alien policing and social workers) who regularly come into contact with third-country nationals who may have been trafficked.

Further guidance is provided in the handbook titled 'Guide to identifying foreign victims of trafficking in human beings'. In its support agreement for the above project, the Directorate-General undertook to maintain the training programme, and in the second half of 2018, an additional 37 staff members were trained in trafficking.

***The ECSR requested the presentation of measures to combat discrimination in the employment of immigrants and refugees.***

The provisions relating to employment in Hungary and indirectly to gainful employment within the field of alien policing are contained in Act II of 2007 on the Admission and Right of Residence of Third-Country Nationals (hereinafter referred to by the Hungarian abbreviation as "Harmtv.") and Government Decree 114/2007 (24 May) (hereinafter referred to by the Hungarian abbreviation as "Harmvhr.") published for its implementation, and Act I of 2007 on the Entry and Residence of Persons with the Right of Free Movement and Residence (hereinafter referred to by the Hungarian abbreviation as "Szmtv.") and Government Decree 113/2007 (24 May) published for its implementation.

Section 13 (1) of the Harmtv. lays down the general conditions for staying longer than ninety days, but not exceeding one hundred and eighty days. However, Section 13 (2) of the Harmtv. allows the alien policing authority to grant entry and stay in the absence of the conditions specified in Section 13 (1), but only exceptionally, for the purpose of fulfilling an international obligation, for urgent humanitarian reasons or out of national interest.

Pursuant to Section 20 (1) of the Harmtv., a third-country national may obtain a residence permit for income generation purposes, if their residence serves the purpose of pursuing activities for their own account, in accordance with the law, for remuneration, or, in cases not covered by point a), the purpose of managing a business association, cooperative or other legal entity, established for a profit generating purpose.

Pursuant to Section 59 (1) of the Harmvhr., where the purpose of entry and stay is income generation, the condition laid down in Section 13 (1) d) of the Harmtv. may be proved, in particular, by the following: a private entrepreneurial certificate or, in the absence thereof, with a private entrepreneurial registration number, a certificate of agricultural primary production, a business plan regarding the economic activity, an assignment contract, an agreement for professional services or a user agreement concluded as private individual, or by other credible means.

Income generation as a purpose of entry and stay can be considered justified if

- a) the business association, cooperative or other legal person established for income generation (collectively referred to for the purposes of this paragraph as business association) has been legally employed, full time, for at least three months without interruption by at least three Hungarian nationals or persons enjoying freedom of movement and residence, or
- b) the applicant third-country national's stay in the territory of Hungary is essential for the operation of the business association and, it is probable, based on the business plan attached to the application, that the business association will generate income for the applicant.

The business plan must also be credibly substantiated, in particular by attaching an agreement for professional services, an assignment contract or agreement, or a sales and purchase contract.

Pursuant to Paragraph 20 (2) of the Harmtv., a residence permit for the purpose of employment may be obtained by a third-country national, if their residence serves the purpose of performing

actual work for or under the direction of another person in accordance with their employment relationship, or, as an owner or manager of a business association, cooperative or other legal entity established for income generation, the purpose of carrying out actual work in addition to their activity in this field.

According to Section 59 (4) of the Harmvhr., if the purpose of the entry and stay is to work, the condition laid down in Section 13 (1) d) of the Harmtv. may be proved by a preliminary agreement to establish an employment relationship or by a document certifying employment.

The third-country national must notify their intention to enter into employment with a particular employer if they are employed by a different employer or under different conditions, immediately after termination of their previous employment or change of working conditions, but not later than within five days, or, if they are in possession of the authorisations specified in Section 29/A (3) of the Harmtv., immediately following the conclusion of the preliminary agreement as defined by law, but no later than within five days. Considering the above, in the event of a change in their purpose of stay (e.g.: new employer due to the termination of an employment relationship), the third-country national has the possibility to submit a notification of the change within a specified period of time, in the framework of a repeated application.

The Szmtv. specifies the following conditions for the stay of EEA citizens exceeding 90 days. An EEA citizen, who intends to engage in some form of gainful employment; who has sufficient resources for themselves and their family members not to become a burden on the social assistance system of Hungary during their period of stay, and have comprehensive sickness insurance cover for health-care services as prescribed in specific other legislation, or if they assure that they have sufficient resources for themselves and their family for such services as required by statutory provisions; who are enrolled at an educational institution governed by Act CXC of 2011 on Public Education or Act CCIV of 2011 on National Higher Education, for the principal purpose of following a course of study, including vocational training and adult education if offering an accredited curriculum, and they have sufficient resources for themselves and their family members not to become a burden on the social assistance system of Hungary during their entire period of stay, and have comprehensive sickness insurance cover for health-care services as prescribed in specific other legislation, or if they assure that they have sufficient resources for themselves and their family members for such services as required by statutory provisions; is entitled to a stay exceeding ninety days, but not longer than 180 days [Section 6 of the Szmtv.].

*With a view to ensuring the effective exercise of the right to work, the Parties undertake:*

*3. to establish or maintain free employment services for all workers;*

**1) PRESENTATION OF THE GENERAL LEGAL FRAMEWORK, NATURE, CAUSES AND SCOPE OF THE REFORMS**

During the reporting period, the structure of the Hungarian public administration, including the public employment organisation, remained unchanged. However, with regard to labour market services, the following changes can be reported.

A significant part of the amendments to Act IV of 1991 on Promotion of Employment and Unemployment Benefits (hereinafter referred to by the Hungarian abbreviation as "Flt."), effective from 1 January 2018, served to comply with the procedural provisions related to the entry into force of Act CL of 2016 on General Public Administration Proceedings. At the same time, Act CLIX of 2017 on the Amendment of the Acts Linked to the Entry into Force of the Act on General Public Administration Proceedings and Certain Other Acts also provided that the 'Labour Market Services' subtitle of the Flt. defines the tasks of establishing the rules governing organisational and partner accession and related cooperation with EURES.

The cooperation network of the European Employment Service (hereinafter: EURES) aims to promote the free movement of workers within the 28 countries of the European Union, as well as in Switzerland, Iceland and Norway. The members of the network are the European Coordination Office, the National Coordination Offices, the EURES Partners and the Associated EURES Partners, and the network partners may include public employment services, private-sector recruiters, trade unions, employers' organisations and other relevant actors in the labour market.

The Flt. authorised the Government to regulate the functions of the public employment body at a regulatory level. To that end, it shall lay down in regulation

- the labour market services provided by public employment services and other organisations in the framework of their participation in EURES;
- the tasks of the public employment body with regard to its activities under EURES;
- the conditions and modalities for the participation by non-governmental organisations in EURES activities. [Section 13/B of the Flt.]

This authorisation has been fulfilled by Government Decree 130/2018 (23 July) on the Functions of the Public Employment Service and the Conditions for the Participation of Other Organisations in that Activity, participating in the activities of the European Employment Service.

**2) RESPONSES GIVEN TO THE QUESTIONS OF THE ECSR RELATING TO THIS PARAGRAPH**

*The ECSR requested information on the number of job seekers per employment officer.*

In 2015, the Hungarian State-run job-seeking organisation, the National Employment Service<sup>3</sup> (hereinafter referred to by the Hungarian abbreviation as "NFSZ"), had 4,333 employees, of whom 3,082 dealt directly with job seekers. In December 2015, the closing monthly headcount included 337,500 registered job seekers. The officer to client ratio is approximately 1:109, which signified a cumulative ratio of 1:389 (based on returning client traffic). The proportion of successful mediation in categories 1 and 2 based on profiling introduced in January 2016 is 46.9%; 76.7% in public employment category 3, and 69.3% in all categories combined.

***The ECSR requested comprehensive information on the organisation and operation of domestic employment services, in particular on the employment rate of job seekers and their share in the public and private sectors.***

According to recruitment data, 66% of job seekers (which category is not the same as the registered job seekers under the Ft.) contacted the NFSZ, while only 35% contacted private-sector recruiters. According to the MEF data, the NFSZ executed 21% of all placements.

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<sup>3</sup> The organisational structure of the NFSZ is defined by: Section 1 (3) of Government Decree 320/2014 (13 December) on the Designation of Public Employment Services and employment authorityr Authorities and on the Exercise of their Official Authority and the Performance of their Other Duties



*With a view to ensuring the effective exercise of the right to work, the Parties undertake:*

*4. to provide or promote appropriate vocational guidance, training and rehabilitation.*

**Hungary has ratified Articles 9, 10 and 15 of the Revised European Social Charter, so the questions herein are answered under the relevant articles in the report.**

We answered the ECSR's questions on long-term unemployment under Article 1 (1) and the questions on the rights of persons with disabilities to participate in the regular school system under Article 15 (1).

## ARTICLE 9 - THE RIGHT TO VOCATIONAL GUIDANCE

*With a view to ensuring the effective exercise of the right to vocational guidance, the Parties undertake to provide or promote, as necessary, a service which will assist all persons, including the handicapped, to solve problems related to occupational choice and progress, with due regard to the individual's characteristics and their relation to occupational opportunity: this assistance should be available free of charge, both to young persons, including schoolchildren, and to adults.*

*The ECSR requested information on the budget, staffing levels and number of beneficiaries of the career guidance system.*

The career orientation activities operating within the public education system are present on two levels:

- at the level of educational institutions (mainly through direct activities, embedded in school processes);
- and under the title of further education and career guidance counselling (contact – status assessment, career aptitude diagnostic, motivational mapping – and coordinating tasks) at the level of pedagogical service institutions.

**Academic career orientation** is a process whereby students learn about themselves during lessons, activities and programmes, and learn about different careers, professions and their labour market conditions. Thus, the academic career orientation activity provides a basis and prepares students for further education and career guidance. The career orientation principle is also reflected in the National Core Curriculum. The school should provide a comprehensive view of the world of work, adapted to the age of the pupils and their potential. According to the regulations of the respective school year, during the school year – in addition to school days –, the educational institution may use six to eight working days – depending on the type of institution – as a non-teaching working day, from which the school student council is entitled to decide on a programme for one of the non-teaching working days – seeking the opinion of the teaching staff –, while one non-teaching working day from the 2017/2018 school year onwards can only be used for career orientation purposes. A non-teaching workday provides both primary and secondary schools with the opportunity to design and implement more informal non-teaching activities with a career orientation focus. Its purpose is to enable schools to deal more effectively with their students' career orientation and to provide students and parents with current and relevant information. Diverse activities, colourful programme offerings, taking into account local conditions and the interest of students can effectively contribute to increasing students' knowledge of the labour market, broadening their perspectives on further education and preparing them for an informed career guidance. Programs can be implemented either inside the school walls or outside the school with the help of local, external partners.

To support student participation in extra-curricular career guidance programmes during school hours, the amendment on the operation of educational institutions and the use of names in public educational establishments includes the provision that 2 teaching days per school year must be provided for 7th and 8th grade and 11<sup>th</sup> and 12<sup>th</sup> grade students, in order for them to participate in extra-curricular activities and events for career guidance and further education. [Section 51 (1) e) of the Decree of the Minister of Human Capacities 20/2012 (31 August) EMMI]

The Educational Authority is preparing a complex programme package, which will be developed in 2019, in order to successfully organise a non-teaching career guidance working day.

**In the field of pedagogical services:** With some of the students it can be observed that the knowledge and information acquired through the above paths are not integrated and that they are unable to process such a large amount of information (the student cannot relate it to themselves, or use it properly in the decision-making process). This is why they require the help of the further education and career guidance counsellors of specialist institutions. If the student has realistic self-awareness or sufficient career knowledge, and is aware of the secondary and higher education opportunities and labour market expectations, counselling should help the student to make an informed decision.

Therefore, help is required in

- aligning their interests, abilities, values, working methods with the expectations of different careers and professions;
- developing the path to their goals;
- developing an appropriate recruitment strategy.

The method used for this is mainly individual and personalised counselling, in which, depending on the student's age, the parents may also be involved. In these cases, the counselling specialist psychologist and the career guidance counsellor colleague try to help with individual or group counselling.

	2015/2016.	2016/2017.	2017/2018.
Number of recipients (individual further educational, career choice guidance service)	12,456	13,669	15,768
Number of experts	82	68	72

*Source: public educational statistical data collection 2015/2016-2017/2018.*

The number of staff employed in pedagogical services is governed by Annex 6 of the Decree of the Minister of Human Capacities 15/2013 (26 February) EMMI. School district centres maintaining state-owned county (capital) pedagogical services operate with a budget received from the central budget, with each school district centre determining the annual budget of the institutions it maintains, taking into account actual local needs and the requirements of applicable legislation (see, for example, legislation on pedagogical services). In the case of non-state-run institutions, the maintainers may claim wage subsidies as defined in the current Budget Act, depending on the number of children and students provided for.

Career orientation activities in public education, whether at the level of educational institutions or pedagogical services, also build on the experience and achievements of the Graduate Career Tracking System (hereinafter referred to by the Hungarian abbreviation as DPR). One of the most important prerequisites for the quality development of Hungarian higher education is for the training to meet the requirements of the labour market as much as possible. This requires improved links and information flow between higher education and the labour market. One of the tools of this – already proven internationally – is the tracking of the careers of university and college graduates, both at institutional and central level. The DPR serves these purposes,

and its introduction has made it possible to measure and compare the impact of higher education institutions on the labour market.

Both the EFOP, the Europe 2020 Strategy, the various national strategies affecting public education and the National Disability Programme have identified as a priority the development of different types of career orientation activities. In addition to the above, the Parliament Resolution 15/2015 (7 April) OGY on the National Disability Program (2015-2025) emphasises the following:

- In the case of parents raising children with special educational needs, the provision of adequate quality support by the pedagogical service institutions is of special importance, especially with regard to educational activities as well as further education and career guidance counselling services, therefore it is important to expand access to them.
- In order to prepare for successful employment in the labour market, it is necessary to improve access to further education and career guidance counselling provided in the service system.

Several EFOP projects have been developed to improve career orientation activities:

- EFOP-3.2.5-17 Career orientation, in particular the development of MTMI (mathematics, science, technical and information technology) skills and competences in the public education system;
- EFOP-3.2.13-17 Establishing and developing a comprehensive career guidance methodology to support the career orientation activities of primary and secondary schools, in particular MTMI skills and competences;
- EFOP-3.4.4-16 Career orientation and the promotion of mathematics, science, information technology and technical faculties in higher education.

The EFOP-3.2.13-17 project is to be highlighted from the public education side, due to its structured effects, in which the main activities are as follows:

- development and implementation of awareness-raising further teacher training to help recognise the role and importance of career orientation;
- development of a tool for measuring the career orientation of primary and secondary school students and a methodology for its use;
- development of a tool for career orientation assessment of MTMI skills and competences;
- development of a software system enabling the use of the measuring tool online;
- presentation of career orientation development at information events for public education leaders, teachers and affected students;
- development and implementation of awareness-raising further teacher training for methodologically sound application of career orientation;
- establishment and operation of a professional forum linking different career orientation developments, involving the representatives of the labour market and higher education.

## ARTICLE 10 - THE RIGHT TO VOCATIONAL TRAINING

*With a view to ensuring the effective exercise of the right to vocational training, the Parties undertake:*

*1. to provide or promote, as necessary, the technical and vocational training of all persons, including the handicapped, in consultation with employers' and workers' organisations, and to grant facilities for access to higher technical and university education, based solely on individual aptitude;*

### 1) PRESENTATION OF THE GENERAL LEGAL FRAMEWORK, NATURE, CAUSES AND SCOPE OF THE REFORMS

#### 1. Vocational training regulations

*The ECSR requested confirmation of the fact that the nationals of the parties to the Charter who are legally resident in Hungary are entitled to secondary and higher education vocational training under the same rights as Hungarian nationals.*

The issue of access to vocational training is addressed in Act CCIV of 2011 on National Higher Education as follows.

*“Section 39 (1) Every Hungarian citizen shall have the right to undertake studies in programmes fully or partially financed through scholarships granted by the Hungarian state [hereinafter jointly referred to full or partial state scholarships] or pay full tuition. In addition, this right shall extend to*

- a) persons enjoying the right to freedom of movement and stay specified in separate legislation;*
- b) refugees, asylum seekers, persons admitted, immigrants and settled persons not falling under the scope of paragraph a);*
- c) foreign nationals treated identically to Hungarian citizens on the grounds of international treaties and conventions;*
- d) citizens of countries in which Hungarian citizens are entitled to use state higher education services based on the principle of reciprocity;*
- e) persons living in neighbouring countries falling under the scope of the Act on Hungarians Living in Neighbouring Countries (hereinafter: Preferential Act), however, not possessing Hungarian citizenship or enjoying the right to freedom of movement and stay;*
- f) citizens of third countries identifying themselves as a Hungarian national in accordance with the Act on the Entry and Stay of Nationals of Third Countries, on condition that the individual does not fall under the scope of the Preferential Act and does not possess Hungarian citizenship;*
- g) citizens of third countries issued a permit (EU Blue Card) authorising stay and employment in areas in which high-level qualifications are required.*
- h) citizens of third countries who are in possession of a single permit.*

*(2) Individuals not specified above under Paragraph (1) shall be required to pay the full tuition fee.”*

These provisions apply to all levels of training (higher education vocational training, basic training, masters, undivided and doctoral training).

Act CLXXXVII of 2011 on Vocational Education (hereinafter: Vocational Education Act) states that “In Hungary, the first and second state-recognised vocational qualifications are provided free of charge to vocational school students within the framework of school-based vocational training under the conditions set out in this Act.

The requirement of equal treatment must be enforced throughout the vocational training process. An organisation falling within the scope of this Act, which violates the requirement of equal treatment may – pursuant to the provisions of Section 61 (3) – be prohibited from participating in vocational training.” [Section 1 (1)-(2) of the Vocational Education Act]

## **2. Rules applicable to members of the professional staff of law enforcement agencies**

Pursuant to the provisions of Act XLII of 2015 on the Service Status of the Professional Members of Law Enforcement Agencies (hereinafter referred to by the Hungarian abbreviation as Hszt.), members of the professional staff are provided with statutory training or retraining in order to improve their professional skills. The law enforcement agency, to ensure the planned advancement based on talent and performance, supports – taking into consideration the service interest – the participation of members of the professional staff in school or extra-curricular training in order to obtain a higher education or managerial position.

## **3. Management of the health care vocational training system**

In addition to the above, changes have been made to the regulation of the vocational training system since the submission of the 2014 report, as follows.

The management of vocational training within the government division of labour is currently divided between the minister responsible for vocational training (Minister for Innovation and Technology) and the minister responsible for vocational qualifications (Minister of Human Capacities). In addition to general regulation, the Minister for Innovation and Technology performs institution maintenance tasks, while the Minister of Human Capacities performs regulatory and development tasks on profession-specific issues and the definition of professional content. In addition to developments, the minister responsible for vocational qualifications has authority over a number of issues, such as the provision of textbook supplies, recommendation for the list of exam presidents, determination of exam dates, and determination of oral and written content of vocational examinations.

Section 4/A (2) of the Vocational Education Act places the minister responsible for health, as the minister responsible for vocational qualifications, in charge of the professional supervision of health care vocational training. In addition to content developments, supervision also implies the exercise of maintainer rights.

The system of health care vocational training is based on the guidelines of Act CXC of 2011 on Public Education (hereinafter referred to by the Hungarian abbreviation as "Nktv.") and the guidelines of the Vocational Education Act. Government Decree 150/2012 (VII. 6) on the National Qualifications Register and on the Procedure of Amending the National Qualifications Register (hereinafter referred to by the Hungarian abbreviation as "OKJ Korm. rend.") contains the state-recognised vocational qualifications. This list currently includes 63 health care

qualifications and 3 health care sub-qualifications. Of these, 26 can be launched within the framework of a school-based vocational training, the enrolment thresholds of which are determined by the decision on the structure of professions, published annually within the legal framework.

It is the task of the minister responsible for vocational qualifications to determine the vocational examination requirements for the trainings. Accordingly, the Decree of the Minister of Human Capacities 27/2016 (16 September) EMMI on Professional and Examination Requirements of Qualifications of the Sector was issued. [hereinafter: Decree of the Minister of Human Capacities 27/2016 (16 September) EMMI].

Vocational qualifications consist of modules and subjects. Vocational requirement modules are contained in the vocational and examination requirements for vocational qualifications, while subjects taught in the context of school-based vocational training for the acquisition of vocational qualifications are included in the vocational training framework curricula. The content of the requirement modules is contained in Government Decree 217/2012 (9 August) on the Competences Required for State-Accredited Vocational Qualifications, while the subjects are described in the framework curricula of each vocational training. The issuing of framework curricula is the responsibility of the minister responsible for vocational training. The current framework curricula are contained in the Decree of the Minister of National Economy 30/2016 (31 August) NGM on Vocational Training Frameworks.

The nationally recognised health care qualifications are included in Annex 1 of the OKJ Government Decree. There are currently 63 health care qualifications and 3 health care sub-qualifications in the National Qualifications Register (hereinafter referred to by the Hungarian abbreviation as "OKJ"), of which 4 can be started exclusively in the school system, 25 in and outside the school system and 37 only in the extra-curricular training system. In the school system, institutions with an OM (Ministry of Education) identifier that meet the conditions set out in the Nktv. can start the training with state support. The training of health care professionals outside of the school system is carried out in adult education institutions with the licence specified in Act LXXVII of 2013 on Adult Education.

### **Definition of prior qualification:**

The entry requirements for vocational qualification are regulated by the Decree of the Minister of Human Capacities 27/2016 (16 September) EMMI on Professional and Examination Requirements of Qualifications of the Sector, which provides for the possibility of accreditation of previously acquired vocational qualifications.

The admission requirements for the training of a given vocational qualification are listed in Section 2.2. on the entry requirements of vocational qualifications and exams. For some vocational qualifications, Section '7. Other' of the requirements may also provide the conditions for admission to the acceptable training (e.g.: qualifications obtained in higher education).

If the applicant for the training does not have the prior qualification specified in the decree, then the compliance and entry rules set out in Annex 7 apply to the qualifications listed in the OKJ, while to the qualifications not listed in the OKJ, those specified in Section 2 shall apply.

According to Section 2 of the decree, the procedure for accepting prior OKJ vocational qualifications as a prior qualification is as follows:

“In addition to the professional qualifications listed in the professional and examination requirements published in Annexes 2 to 5,

- a) qualifications, vocational qualifications and technician qualifications recognised by previous legislation and recognised by the State under the same title,
- b) other qualifications issued on the basis of previous legislation and qualifying for a job role corresponding to vocational qualifications listed in Annexes 2 to 5, and
- c) for qualifications belonging to the health profession group, qualifications other than those referred to in paragraphs a) and b) which are recognised by an institution under the supervision of the minister responsible for health with a knowledge level testing, shall be considered prior professional qualifications.”

In the course of accepting prior qualifications, prior studies and the equivalent requirements shall be taken into account pursuant to Section 27 (1) (2) of the Vocational Education Act. An application for accreditation must be submitted to the head of the vocational training school. The head of the vocational training school decides on the accreditation of prior studies and fulfilled requirements.

The specialised practical training time spent in an employment relationship (entrepreneurial relationship, other legal relationship related to work) prior to the commencement of the vocational training may be included in the period of the vocational practical training, as defined in the previous paragraph, based on the individual decision of the head of the vocational training school.

### **Practical training:**

In healthcare training, in addition to training in a demonstration classroom, dual vocational training is provided under clinical conditions.

From 2016 onwards, the Vocational Education Act allows hospitals to enter into apprenticeship agreements, as a result of which hospital have access to significant additional resources for the financing of practical trainings, with the students also receiving regular support. Pursuant to Government Decree 280/2011 (20 December) on the Amount of Vocational Education Contribution Allocated to Practical Training (hereinafter: Government Decree 280/2011 (20 December)), health care institutions, e.g.: for students attending Nursing Training number 55,723,01 (taking into account the weighting factor of 1.3915), can draw down a practical training cost of 630000/person/year HUF. After the payment of the compulsory costs (student allowances, work clothes, liability insurance, etc.), more than half of the amount available for drawdown remains with the institutions. These revenues can be used by the health care providers themselves. This amount can be used to compensate for the additional work of practical training instructors, the purchase of teaching equipment, etc.

### **Vocational health care institutions:**

Vocational health education is provided in the framework of school-based (full-time and evening) and extra-curricular vocational training.



Based on the data of the Educational Authority of 1 October 2017 and pursuant to Government Decree 317/2016 (25 October) on the Professional structure decision for the 2017/2018 academic year and the Qualifications Qualifying for the Adolf Szabóky Vocational Training Scholarship in the 2017/2018 academic year, school-based vocational training takes place in 50 state- and church-run institutions, under the supervision of 5 state and 9 ecclesiastic maintainers.

141 adult education institutions have the right to organise extra-curricular health care trainings.<sup>4</sup>

As of September 2016, vocational health care training institutions have been organised into vocational training centres in accordance with the Vocational Education Act.

### **Nurse Training:**

In Hungary, vocational health care training, including nurse training, is currently taking place at secondary and higher education level. Vocational qualifications are contained in the OKJ, the structure and content of which are regularly updated to adapt to the needs of the labour market. Based on the current OKJ, there are four different levels of child and adult nurse training:

- General nursing and health care assistant – Training of two years, upper intermediate vocational qualification, subject to a secondary education certificate.
- Nurse practitioner – Advanced vocational qualification, subject to a secondary education degree, and can only be obtained through school-based vocational training. Training period of 2 years.
- Nurse – additional advanced vocational qualification, acquired only through school-based vocational training and based on practitioner-level vocational training. Training period of 1 year.
- Group of specialist nursing qualifications, based on a nursing qualification, offering 15 specialisations.

## **2) RESPONSES GIVEN TO THE QUESTIONS OF THE ECSR RELATING TO THIS PARAGRAPH**

*In relation to the objectives of the restructuring of the vocational training system (concurrent support for school-based vocational training and extra curricular adult education), the ECSR requested information on:*

- *the simplification of the vocational training system;*
- *making the system cost effective;*
- *the increasing of the proportion of time on practical training and the simplification of its support within dual training;*
- *ensuring that the vocational training meets economic needs, both in terms of qualifications and the number of participating students;*
- *the salary increase of special needs teachers.*

### **1. Simplification of the vocational training system, and making it cost-effective**

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<sup>4</sup> Source: PM Government Office 2018.06.06 FINY

As of 1 September 2013, the vocational training system based on the Vocational Education Act was fully implemented.

Following the establishment of the legal background, with the entry into force of Government Decree 150/2012 (6 July) in 2013 in the new OKJ, the number of vocational qualifications available decreased by about half (from 1 303 to 632), and professions covering a wider area were established in the school system.

In order to expand dual training and to simplify administration, profession-specific norms were introduced in practical training within the framework of school-based vocational trainings, which resulted in an increase in the norms of professions by 20-25% on average, encouraging more and more businesses to participate in practical training. [Government Decree 280/2011 (20 December)]

As of 1 July 2015, the Ministry of National Economy (from 2018, the Ministry of Innovation and Technology) maintained the majority of vocational training institutions – approx. 340 institutions –, which were then organised into 44 vocational training centres operating as budgetary institutions. The member institution model integrated into the vocational training centres has reduced the time required for the implementation of direct interventions based on the needs of the economy (introduction of new professions, establishment of regional relations with the economic actors). Vocational training centres are able to perform their tasks in a more self-sufficient, independent, responsible and efficient manner.

Between 2015 and 2018, the following specific actions were taken to facilitate the obtaining of vocational qualifications that are competitive in the labour market:

Measures taken to facilitate (widen) access to vocational training:

- Raising the age limit for full-time training: with the amendment to the Nktv., the upper age limit for participation in full-time school education (and thus school-based vocational training) has been increased from the previous age limit of 21 to 25 years of age, to enable more people to participate in full-time education. [Section 60 (2) of the Nktv.]
- Second free vocational qualification: as a result of the amendment to the Vocational Education Act, in addition to obtaining the first state-funded vocational qualification, the second state-funded vocational qualification is free, but can only be obtained through adult education, as it is not intended to exclude workers from the labour market. This amendment provides an opportunity for further funded education for those who are unable or do not wish to pursue a higher education, but who, in order to strengthen their professional occupation and careers, may need to acquire an additional marketable vocational qualification, through which they are able find a job that suits their abilities and interests, and helps improve their chances of getting a job.
- Expanding adult education in schools: In September 2015, within the framework of a second state-funded vocational qualification training programme, approx. 5,600 individuals, and in February 2016 – on cross-semester courses – 3,200 individuals started their studies (in order to obtain primarily Nurse practitioner, Financial accounting assistant, Chef, Logistics manager, Confectioner and Welder vocational qualifications).

[Section 1 (1) of the Vocational Education Act' Sections 2, 6 and 24 of the Vocational Education Act.; and Section 29 (1) of the Vocational Education Act]

From the academic year 2016/2017, vocational secondary schools were transformed into vocational grammar schools, while vocational technical schools were transformed into vocational secondary schools. In addition to the matriculation exam for 12th grade students, the vocational grammar school also offers a certificate of proficiency. After that, the technician qualification can be obtained during the subsequent year. In the case of vocational secondary schools, secondary education degrees may be obtained within the 2 years following the 3 years of vocational training.

Measures taken in 2015-2016 to track and serve the needs of the labour market:

- Reinstating of the practical training leadership position: In order to achieve high-quality, coordinated practical training, the state-run vocational education schools have reinstated the practical training leadership position. The task of the practical training leader is to maintain closer contact with the companies providing practical training, which ensures more effective cooperation between the school and the economic actors. In this way, closer, more direct contact can be established between the school and the economic operator providing the practical training, which improves the efficiency of the training and raises its quality (more direct information flow between the training participants, thus the trainings can be better coordinated). [Section 25 (7) of the Vocational Education Act; Annex 5 Table 2 of the Nkt. (specification of the obligatory weekly classes)]
- Expanding the scholarship scheme supporting the obtaining of vocational qualifications in shortage: The scholarship system for students attending training courses for the obtaining of vocational qualifications in shortage has been restructured (from 2016 onwards, the Adolf Szabóky Vocational Training Scholarship) and the number of vocational qualifications in shortage qualifying for scholarships has been increased (from 10 to 12 in September 2015, and from 12 to 20 in September 2016). The county development and training committees, which were chaired by the regional economic chambers, played a role in shaping the regional needs of the training and enrolment structure. On the basis of the recommendations of the committee, a list of local shortage occupations is defined annually and published in a government decree. The established system helped meet the needs of the local economy in the training structure. From the 2016/2017 academic year onwards, not only vocational technical school vocational qualifications, but also (technician) trainings based on a secondary school degree (on average five in each county and in the capital) were made available according to the needs. [Section 84 (5)-(5d) of the Vocational Education Act.]

From the start of the 2016 school year, there were 20 scholarships available respectively for vocational qualifications in shortage, including in technician training. The scholarship amount for vocational trainings ranges from HUF 10,000 to HUF 35,000. In the case of technicians, the monthly scholarship amount is between HUF 20,000 and HUF 50,000. [Section 82 b) of the Vocational Education Act; Government Decree 252/2016 (24 August) on the Adolf Szabóky Vocational Training Scholarship]

Measures taken between 2015 and 2018 to facilitate the obtaining of competitive skills:

- Dual training: those studying in school-based adult education have the opportunity to participate in dual training, which gives them the opportunity to enter into an apprenticeship agreement and to participate in the practical training courses running at the economic organisations within the context thereof. The measure provides an option for those returning to the world of education as adults to participate in high-quality vocational trainings and practice-oriented practical trainings. [Section 34 (1) of the Vocational Education Act].
- In the case of corporate dual training, the potential amount of student allowance provided in connection with the apprenticeship agreement has been constantly increasing in line with the current minimum wage, thus exceeding the 2014 average allowance by 36% by 2018 (by 2018 the allowance was between 14,490 HUF and 26,910 HUF/month depending on the practical training content of the vocational qualification).
- The institution of the chamber guarantee was introduced. The introduction of the chamber guarantee reinforced the primacy of practical training at economic operators and thereby broadened dual training. With the chamber guarantee, the student can participate in a school workshop as part of their practical training only if the Chamber of Commerce is unable to secure the placement with the given economic operator through an apprenticeship agreement and the Chamber issues a certificate thereof. [Section 46 (1a) of the Vocational Education Act]
- Revision and extension of the National Qualifications Register: The amendment of the Vocational Education Act made it possible and necessary to revise and amend Government Decree 150/2012 (6 July) on the National Qualifications Register and on the Procedure of Amending the National Qualifications Register containing the vocational qualifications recognised by the state. Almost 80 economic organisations (e.g.: Audi, MÁV, Siemens, TVK) and economic interest organisations (e.g.: ÉVOSZ, KISOSZ, MEE, Hungarian Coordination Association for Building Engineering, Hungarian Gastronomic Association, Hungarian Chemical Industry Association) participated in the review, together with many vocational schools. According to the incoming proposals, it was necessary to modernise the vocational structure affecting their sector, to transform vocational qualifications and to introduce new vocational qualifications. [Government Decree 150/2012 (6 July) on the National Qualifications Register and on the Procedure of Amending the National Qualifications Register]
- Apprenticeship agreements for 11th and 12th grade students of vocational grammar schools: In order to obtain a more thorough practical preparation and a deeper professional knowledge it is also possible for 11th and 12th grade students of vocational grammar schools to enter into apprenticeship agreements. Starting from 1 September 2018, technician trainings provide the opportunity to participate in dual practical trainings subject to an apprenticeship agreement from 11th grade onwards - instead of the previous 13th grade -, which allows for a more thorough, deeper practical training tailored to the specific business environment, and the development of a closer relationship with the prospective employer. [amended Section 42 (2) of the Vocational Education Act]
- Introduction of new corporate vocational training opportunities: In order to increase the number of dual practical training locations, a new kind of training has been introduced for the professionals involved in apprenticeship training at economic organisations.

Introduced in autumn 2018, the new training provides professionals, who do not have a master's degree but practice their work daily, with the teaching knowledge elements necessary for the proper preparation of students within the framework of a short, targeted pedagogical-methodological training, simplifying the personal conditions for involving professionals involved in corporate practical training, as educators. [Section 20 (2) and Section 31 (1) b) of the Vocational Education Act.]

- Sectoral Skills Councils: The Government is launching a Sectoral Skills Councils system, following the European models, in order to ensure that the educational content required for cutting-edge technologies are continuously reflected in vocational training and adult education. In accordance with the December 2017 modifications of the Vocational Education Act, as of 1 July 2018, economic operators and companies delegated to sectoral skills councils are required to determine the competency map of the jobs required in 3-5 years and to ensure that the necessary new content is incorporated into the training. The establishment of sectoral skills councils enables the increasingly dynamic demands of employers and the specific needs of each sector to be applied more directly to vocational training decisions. Their responsibilities include reducing skills shortages in the sector, strengthening and improving the skills of the workforce, and, in the case of OKJ vocational qualifications, proposing changes to the OKJ, modernising training content and operating a school-based vocational training system. The sectoral skills councils operate according to their own rules of procedure, and the Chamber of Commerce - the Hungarian Chamber of Commerce and Industry with the involvement of the Hungarian Chamber of Agriculture - assists their work by ensuring the conditions of operation and coordination. [Section 80 of the Vocational Education Act.; Government Decree 213/2018 (22 November) on Sector Skill Councils]

## **2. Vocational health care qualification measures**

### Vocational grammar school:

Starting from September 2016, a new type of school, the vocational grammar school, has been introduced, which, in addition to a secondary education degree, also offers a state-recognised vocational health care qualification listed in the OKJ (General nursing and health care assistant) within an optional framework. During the development of the training, the developers took into consideration the provisions of Section 4 of Government Decree 100/1997 (13 June) on the Issuance of the Upper Secondary School Leaving Examination Rules, according to which, in addition to the sectoral and non-sectoral vocational exam subjects, it must be possible to take an advanced level matriculation exam in at least one other exam subject at the vocational grammar school. In the health sector, this subject is biology, which students prepare for with an increased number of classes during the course of their training. The complex science subject covers physics and chemistry. The internal proportions of the two subjects are regulated by the local curriculum of the school, depending on the vocational qualification based on the course of the vocational grammar school. Accordingly, physics is predominant in the areas of imaging and the chemistry in the area of laboratory diagnostics. During the grammar school training, the secondary vocational qualification examination, which is obtained in addition to the secondary education degree, precedes the vocational matriculation exam. At the same time, the result of the written vocational matriculation exam counts towards the final assessment of the secondary vocational qualification.

### Projects supporting vocational health care training:

Between 2015 and 2018, the government provided 26.6 billion HUF in human resources support for six schemes in connection with EU and domestic projects (Table 1). The grants focused on vocational health care training participants (e.g.: career guidance scholarship programme for nursing students) and on improving educational conditions (e.g.: developing skill labs). The grants concern priority areas of the health care system.

<i>Identification no.</i>	<i>Name of project</i>	<i>Source (HUF)</i>
EFOP-1.10.1-VEKOP-16	Career choice scholarship program for nursing students	4,400,000,000
EFOP-1.10.2-17	Human resources development in healthcare	6,002,660,166
EFOP-1.10.3-17	Training programmes for developing the services of healthcare sector	4,400,275,327
EFOP-4.2.2-16	Development of skill labours	8,000,000,000
EFOP-3.8.1-14	Vocational training programs for catching up nurses	1,842,835,499
National resource	Michalicza-scholarship	1,800,000,000
<b>Altogether:</b>		<b>26,445,770,992</b>

table no. 1.: Vocational healthcare education support programs between 2015-2018

- **Career guidance scholarship programme for nursing students (EFOP-1.10.1-VEKOP-16)**

In order to ensure the supply of human resources within health care, a career guidance scholarship programme has been established to support the scholarships of students enrolled in full-time and evening training in health care qualifications. The grant amount was 4.4 billion HUF.

- **Development of human resources in health care (EFOP-1.10.2-17)**

The Government has announced a grant for public-funded health institutions to alleviate their human resource shortfall, amounting to 6.01 billion HUF. The aim of the tender is the quantitative development of human resources in health care, through which working conditions can be improved and a good organisational culture created. The project includes a number of vocational training support elements.

- **Training programs to improve services in the health care sector (EFOP-1.10.3-17)**

Patient safety requires well-trained health care professionals to help patients recover. The development of health care sector services EU programme provides support of 4.41 billion HUF in the six intervention areas in order to ensure the quality human resources necessary for the efficient operation of the health care system.

- **Development of skill labs (EFOP-4.2.2-16)**

The continuous development of secondary and higher education vocational health care training has made it necessary to further improve the quality of practical health care training through the development of university and teaching hospital skill labs. The project is being implemented at three universities and sixteen hospitals with a grant of 8 billion HUF.

- **Bridging health care nurse vocational training programmes EFOP-3.8.1-14**

The Government is announcing a 1.85 billion HUF bridging programme for former graduates to keep the knowledge of nurses up to date. Within the framework of the programme, the participants of the training can obtain a 5.5 level EU-conform nursing qualification.

- **Michalicza scholarship programme**

With the Decree of the Minister of Human Capacities 18/2016 (5 August) EMMI on the Amendment of the Decree of the Minister of Human Capacities 8/2013 (30 January) EMMI on the Common Requirements of Initial Teacher Education and the Learning Outcomes of Each Initial Teacher Education Programme, it supports the students attending the new type of MSc Nursing Training that has been introduced in Hungary. The annual budget of the programme supported by the central budget is 1.8 billion HUF.

### **3. Promoting the participation of disadvantaged people in vocational training**

The National Social Inclusion Strategy was announced with Government Resolution 1430/2011 (13 December), together with the government action plan for its implementation between 2012 and 2014. In view of the decision, Hungary has implemented reforms for the expansion of the training of prisons officials and for the support of students participating in the training. Firstly, in 2012, a call for applications was announced to help young people of Roma origin to become prison officials [OP Measure 1-1/47/2012 (16 July) OP on the Establishment of the Support System Provided by the Prison Service to Facilitate Young People of Roma Origin Becoming Prison Officials], and thereafter the support system was announced annually by all law enforcement bodies through the website of the National Roma Self-Government and the Hungarian Prison Service Headquarters (hereinafter referred to by the Hungarian abbreviation as: "BVOP"), with the involvement of regional Roma officials.

In view of the provisions of Government Resolution 1672/2015 (22 September) on the Governmental Implementation Plan for the Implementation of the 'Hungarian National Social Inclusion Strategy II' for the 2015-2017 Period, BVOP Instruction 9/2014 (15 September) on the Establishment of the Support System Provided by the Prison Service to Facilitate Young People of Roma Origin Becoming Prison Officials, and the related tasks of the BVOP, and later BVOP Instruction 2/2017 (15 June) on the Establishment of the Support System Provided by the Prison Service to Facilitate Young People of Roma Origin Becoming Prison Officials, and the related tasks of the BVOP, have also made it possible to announce an invitation to tender for the encouragement of choosing a prison service career on the forums listed above.

On the basis of the application, in order to facilitate the successful completion of the studies of young people of Roma origin studying in the first, second or third grades of full-time secondary education (grammar school, vocational grammar school, vocational secondary school) or in full-time or correspondence courses of higher education institutions, in the legal, administrative, socio-economic, technical, IT or medical fields, and to encourage them to choose a prison service career, BVOP provides supports for 3 people in the case of secondary school students and for 1 person in the case of higher education. It currently has a support agreement with 1 secondary school student who is in the process of being recruited.

In 2012, within the framework of enhancing equal opportunities, the National Directorate for Disaster Management of the Ministry of Interior (hereinafter referred to by the Hungarian abbreviation as "BM") set up a scholarship scheme to encourage the Roma youth to choose a disaster management career path. The support system of the instruction [Instruction of the

National Directorate for Disaster Management of the Ministry of Interior 9/2012 (30 July) BM OKF on the Establishment of the Support System Provided by the National Disaster Protection Directorate General of the Ministry of Interior and related tasks], which entered into effect on 30 July 2012, extends to young people of Roma origin studying on the undergraduate or postgraduate course of the National University of Public Service Disaster Management Institute, either full-time or on a correspondent schedule, and on the fire-fighting law enforcement modular vocational training of the Disaster Management Training Centre.

In secondary vocational training, from 2016 onwards, the two-year Vocational Training Bridge Programme provides an alternative learning opportunity for young drop outs by ensuring that they obtain vocational qualifications. Students participating in the Vocational Training Bridge Programme also receive a monthly scholarship of 8-10,000 HUF.

***The ECSR requested the presentation of strategies and measures to compare the skills obtained in each vocational training with the needs of the labour market - with special regard to the needs created by globalisation and technological development - and thus bridge the gap between education and work.***

The training and output requirements of higher education courses were renewed in 2016 with the involvement of professional bodies, employers and many non-governmental organisations. The development of training content that is linked as much as possible to the labour market was a key consideration during the development. As a result of more than a year of work, the Decree of the Minister of Human Capacities 18/2016 (5 August) EMMI on the Amendment of the Decree of the Minister of Human Capacities 8/2013 (30 January) EMMI on the Common Requirements of Initial Teacher Education and the Learning Outcomes of Each Initial Teacher Education Programme was published.



***With a view to ensuring the effective exercise of the right to vocational training, the Parties undertake:***

***2. to provide or promote a system of apprenticeship and other systematic arrangements for training young boys and girls in their various employments;***

***The ECSR requested information on the total number of students involved in secondary vocational trainings, and on how many of them entered into an apprenticeship agreement and how many had an employment relationship with the company concerned.***

According to the Hungarian Central Statistical Office, on average 304,000 students (min. 298,000, max. 311,000) in vocational grammar schools and vocational secondary schools between 2015 and 2018. Of these, according to data from the Chamber of Commerce overseeing dual training, an average of 100,000 students were involved in dual training each year (showing and upward trend, from 85,000 to 106,000). None of the students in full-time education are employed by the company with which they have an apprenticeship agreement. This is possible among adult education participants, but the related statistics are not available.

***Students in vocational training institutions\****

School year	Secondary school **	Vocational school, skill development school	Vocational high school ***
2015/2016	90,178	7,149	213,771
2016/2017	105,742	7,109	205,062
2017/2018	101,688	7,187	196,564

*Source: Public educational statistical data provision*

*\* Full time and adult education together*

*\*\* before 2016: vocational school*

*\*\*\* before 2016: secondary school*

*With a view to ensuring the effective exercise of the right to vocational training, the Parties undertake:*

*3. to provide or promote, as necessary:*

*a) adequate and readily available training facilities for adult workers;*

*b) special facilities for the retraining of adult workers needed as a result of technological development or new trends in employment;*

**1) PRESENTATION OF THE GENERAL LEGAL FRAMEWORK, NATURE, CAUSES AND SCOPE OF THE REFORMS**

**Rules applicable to public servants and government officials**

Act CXXV of 2018 on the Governmental Administration (hereinafter referred to by the Hungarian abbreviation as "Kit.") provides that a government official seeking to undergo education and training may be restricted by the government administration bodies only if it would cause disproportionate harm to the interests of the governmental. The trainees are provided with the leisure time necessary to continue their studies as a study time benefit. A government official is entitled to a remuneration for the duration of the study leave, however they must work off the duration of the leave. [Section 151 (14) of the Kit.]

The Kit. provides for the possibility of providing study grants. Such grants include:

- a) the scholarship,
- b) the training and further training support; and
- c) the language learning support.

A government official is also entitled to the above benefits during maternity leave, as well as during the period of unpaid leave, taken in order to look after the child. [Sections 148, 152 (1) and 153 (1) of the Kit.]

Section 152 of Act CXCIX of 2011 on Public Servants (hereinafter referred to by the Hungarian abbreviation as: "Kttv.") governs other grants that may be awarded to a government official. These grants also include study scholarships, training, further training and language study grants within the system of the Kttv.

The Kit. allows for the conclusion of a study contract between a government official and the government administration body. Under this contract, the government administration body undertakes to provide grants during the studies, and the government official undertakes to continue their studies as agreed and to refrain from terminating their government service by way of notice following the obtaining of their qualification for a period equal to the grant, or for a maximum of five years. This period does not include any interruption of government service during which a government official is not entitled to leave. [Section 151 (3) of the Kit.]

In all cases, the study contract must be concluded in writing. The Kit. stipulates that a study contract may not be concluded to secure benefits under the law or public service regulations, or if a government official has been ordered by the government administration body to complete the studies. [Section 151 (4) of the Kit.]

Pursuant to Section 82 of the Kttv., a study contract may also be concluded, in which the rules pursuant to the Kttv. match the content of the Kit. provisions.

## **2) RESPONSES GIVEN TO THE ADDITIONAL QUESTION OF ECSR**

*The ECSR requested the presentation of strategies and measures (legal, regulatory and administrative frameworks; remuneration and enforcement agreements) implemented to acquire and develop the full range of skills needed to ensure the competitiveness of workers.*

### **Joint projects co-finances with the European Union**

#### **a) Reducing the digital divide (GINOP-6.1.2-15):**

The trainings under the priority project already mentioned in the part discussing Paragraph (1) also contribute to the development of the skills expected in the labour market.

#### **b) Development of labour market competences in convergence regions (GINOP-6.1.4-16)**

The project, which took place on 1 May 2017, aimed to increase the participation of the working-age population in training to improve labour market competences and to develop the Open Learning Centre Network as a unique model for innovative adult education activities.

The project contributes to the realisation of the objectives set out in the documents of the Lifelong Learning Policy Framework Strategy for 2014-2020 and to the core objective of the 2016 Council Recommendation titled Skills Guarantee/Core Skills Development System. The overall objective of the programme is thus to increase employability by developing key competences and transversal skills required by the labour market for those of working age, on the basis of a documented competency assessment and the resulting documented learning offer. Combining the needs of adults, the needs of the labour market and the supply of adult learning opportunities contributes to a better match between workforce supply and demand.

The programme is aimed at people of active age (16-64 years), in particular those with a low level of education who have outdated vocational qualifications:

- who, due to limitations in their experience or key competences, find it difficult to plan and implement their own learning or do not attach importance to learning;
- who have low levels of key competences or transversal skills, which impede their ability to find or retain a job, be promoted or enter a workplace;
- applicants and participants in digital industry short cycle training programs, including the IT Career Start Programme;
- who are open to self-employment but whose knowledge does not allow them that option;
- who are self-employed or SME owners, and are not able to take advantage of the opportunities offered by new technologies due to the limitations of their employee and key competences, and especially digital competences.

The indirect target group of the project are professionals participating in the programme (e.g.: learning advisers, teachers) and members of the local community and cooperating organisations involved during partnership building.

The project covers the Northern Hungary, Northern Great Plain, Southern Great Plain, Central Transdanubia, Western Transdanubia, Southern Transdanubia regions of the country and its impact can be measured within them.

By 31 December 2018, 4,856 people had participated in the development of labour market competences in the Open Learning Centres. The data was calculated based on the documented competence survey provided by the Open Learning Centres Network (Hungarian abbreviation: "NYITOK"), as well as the number of members of the target group receiving the resulting documented learning offer, the number of members of the target group benefiting from any of the training programmes, and the number of users of the specific service or consultancy within the programme (target: 29,000 people). 3,354 people took part in the training (target: 29,000 people) and 2,271 received certification (target: 24,000 people).

This project is in progress, with completion scheduled for 30 April 2021.

**c) Supporting on-the-job training for the employees of large companies (GINOP-6.1.5-17)**

Launched in April 2018, the project aims to increase the competitiveness of businesses by improving employee employability, skills and competences at work, further improving access to training for large companies, and providing incentives for employers to continuously improve their employees' skills. A further objective is for companies to supplement their own resources by ensuring that as many of their employees are involved in training as possible, and also consider training as an investment in their own business.

The scheme is linked to key strategies for domestic employment policy, adult education and innovative industrial development. Promoting on-the-job training is also one of the priorities of the policy strategy to underpin the development of employment policies for the period 2014-2020, as well as of the framework strategy for lifelong learning, including priorities and targets for intervention in adult education. Supporting the trainings aimed at the employees of large companies contributes, by improving the employability of employees, to the fulfilment of national commitments in line with EU objectives, according to which the government will increase the employment rate among employees aged 20-64 to 75% by 2020. Given that one of the most characteristic areas of adult learning is the workplace, the scheme also helps 15% of the population aged 25-64 in Hungary participate in adult learning activities by 2020, in line with EU targets.

The scheme aims to promote the implementation of its domestic innovative industrial development objectives and, accordingly, the application of Industry 4.0 solutions. The call for the project supports the development and implementation of non-trade related trainings for employees to develop business functions and processes related to the Industry 4.0 concept.

The call supports the development of employee competencies needed to implement and develop industry 4.0 specific applications and solutions, and the process-based industry 4.0 organisational philosophy.

In order to carry out targeted training for low-income employees, only individuals whose gross monthly salary did not exceed 405,459 HUF on average over the six months preceding the training may be recruited under the call, with the proviso that, up to 10% of the own employees

involved in the training can be included in the supported training, whose gross salary does not exceed 600,000 HUF.

As part of the call, applicants for support must involve external persons in the training not employed at the time of recruitment through their own recruitment, up to at least 10% of their own employees involved in the training, from the following target groups:

- individuals employed in the public sector during the 12 months prior to the recruitment, or
- individuals registered as job seekers for at least 3 months, or
- other inactive individuals of working age (including young people not in education, training, employment).

Within the project, large companies with headquarters and sites in the counties with a large labour reserve (Bács-Kiskun, Baranya, Békés, Borsod-Abaúj-Zemplén, Hajdú-Bihar, Jász-Nagykun-Szolnok, Nógrád, Somogy and Szabolcs-Szatmár-Bereg counties) have a further 10% additional resource compared to the population ratio.

Distribution of the available resources (HUF)		
Priority counties (9)	5,002,534,966	66,46%
Non-priority counties	2,524,465,034	33,54%
Altogether	7,527,000,000	100%

A grant amount of 7,290,684,871 HUF was committed from the available resources.

180 large companies are implementing on-the-job training programs for 51,304 people using a grant of 7,290,684,871 HUF.

**d) Supporting on-the-job training for employees of micro, small and medium-sized enterprises (GINOP 6.1.6-17)**

Launched in April 2018, the project aims to improve the employability, workplace skills and competences of employees and thereby increase the competitiveness of small and medium-sized enterprises. The programme provides training for low-income employees. As part of the call for projects, applicants may involve external persons not employed at the time of recruitment in the training.

Applications may only be submitted for projects planned to be implemented in the Northern Hungary, Northern Great Plain, Southern Great Plain, Southern Transdanubia, Western Transdanubia, Central Transdanubia regions. The following trainings can be implemented within the program:

- Preparatory trainings for vocational qualifications according to the National Qualifications Register (hereinafter referred to by the Hungarian abbreviation as "OKJ") pursuant to Section 1 (2) a) of Act LXXVII of 2013 on Adult Education (hereinafter: Adult Education Act).
- combined language training as defined in Section 2 (19a) of the Adult Education Act and other language trainings as defined in Section 2 (5a) of the Adult Education Act;
- other vocational training courses as defined in Section 2 (6) of the Adult Education Act;

- other trainings listed in Section 2 (5) of the Adult Education Act;
- training not covered by the Adult Education Act, in accordance with Section 1 (5) h) and m) of the Adult Education Act.

From the available resources, micro, small and medium-sized enterprises with headquarters or sites in the counties with a large labour reserve (Bács-Kiskun, Baranya, Békés, Borsod-Abaúj-Zemplén, Hajdú-Bihar, Jász-Nagykun-Szolnok, Nógrád, Somogy and Szabolcs-Szatmár-Bereg counties) have a further 10% additional resource compared to the population ratio.

Distribution of the available resources (HUF)		
Priority counties (9)	8,666,541,246	66,46%
Non-priority counties	4,373,458,754	33,54%
Altogether	13,040,000,000	100%

814 companies undertook to train 103,072 people out of the available funds from a grant amount of 12,946,362,649 HUF, with a total cost of 13,348,007,346 HUF. The project is being implemented.

***The ECSR requested the disclosure of the total number of persons undergoing training, employed and unemployed.***

According to the National Statistical Data Collection Program, between 2015 and 2018, an average of 1.5 million people participated in adult education each year. This includes OKJ vocational trainings, non-OKJ vocational trainings, language trainings, other corporate trainings and other official trainings required for the job or activity.

*With a view to ensuring the effective exercise of the right to vocational training, the Parties undertake:*

*4. to provide or promote, as necessary, special measures for the retraining and reintegration of the long-term unemployed;*

*The ECSR requested information on ensuring equal treatment for non-Hungarian nationals in accessing training for the long-term unemployed. The information requested is contained in the section dealing with Article 10 (1).*

***With a view to ensuring the effective exercise of the right to vocational training, the Parties undertake:***

***5. to encourage the full utilisation of the facilities provided by appropriate measures such as:***

***a) reducing or abolishing any fees or charges;***

***b) granting financial assistance in appropriate cases;***

***c) including in the normal working hours time spent on supplementary training taken by the worker, at the request of his employer, during employment;***

***d) ensuring, through adequate supervision, in consultation with the employers' and workers' organisations, the efficiency of apprenticeship and other training arrangements for young workers, and the adequate protection of young workers generally.***

***The ECSR requested information on the availability and financing of adult education vocational trainings.***

With the introduction of the second free (state-funded) state-recognised vocational qualification, which is one of the above-mentioned general vocational education reforms, the number of participants in adult education in vocational education schools has increased significantly since 2016. Thus, the number of adults attended trainings in school year 2017/2018 was 61,932 and in school year 2018/2019 was 56,782, for which the Government allocated 12 billion HUF.

In Hungarian higher education, students can study under two forms of financing. According to Article 3 and Annex 1 of Government Decree 389/2016 (2 December) on Funding the Basic Tasks of Higher Education Institutions, in the case of Hungarian state scholarship training, the higher education institutions receive the training costs from the state budget. The funding is based on student numbers and is independent of nationality. Students participating in self-financed trainings, regardless of their nationality, finance their training costs from their own resources.



## **ARTICLE 15 – THE RIGHT OF PERSONS WITH DISABILITIES TO INDEPENDENCE, SOCIAL INTEGRATION AND PARTICIPATION IN THE LIFE OF THE COMMUNITY**

*With a view to ensuring to persons with disabilities, irrespective of age and the nature and origin of their disabilities, the effective exercise of the right to independence, social integration and participation in the life of the community, the Parties undertake, in particular:*

*1. to take the necessary measures to provide persons with disabilities with guidance, education and vocational training in the framework of general schemes wherever possible or, where this is not possible, through specialised bodies, public or private;*

### **1) PRESENTATION OF THE GENERAL LEGAL FRAMEWORK, NATURE, CAUSES AND SCOPE OF THE REFORMS**

*The ECSR requested information on the legal grounds for identifying and placing children with special educational needs into education institutions and on the available legal remedies. The information requested is contained in this section of the report.*

The special educational needs of children are determined by the task-performing sites of the county (capital) pedagogical service institutions acting as county expert committees, on the basis of their complex pedagogical-special educational, psychological, medical examination. The operation of pedagogical service institutions (including the activities of the expert committee) is governed by a separate legal act, the Decree of the Minister of Human Capacities 15/2013 (26 February) EMMI on the Operation of Institutions Providing Pedagogical Services (hereinafter: Decree of the Minister of Human Capacities 15/2013 (26 February) EMMI). The expert opinion should include, inter alia

- a brief description of the expert examination, a statement on the special educational need or its exclusion, and the facts supporting it;
- the finding of whether the child or student with special educational needs can attend a kindergarten, receive a school education or college education in an appropriate education institution, class, group, division (special education) suitable for their type of disability, or together with other children or students (inclusive education);
- the proposal for the kindergarten, group, school, division or college appropriate for the special educational needs of the child or student and the name of the selected educational institution;
- the date of the ex officio review;
- the specific requirements related to the education of the child or student, the development tasks, the proposed time frame for the performance of the development tasks, the proposal for exemption from evaluation and grading of individual subjects and parts of subjects;
- the proposal for the necessary specialist;
- the notification of the parent of the available legal remedies.

The institution providing for the student is selected by the parent from among the institutions proposed by the expert committee (hereinafter: institution directory), after which the institution is designated by the expert committee in its expert opinion.

The expert committee may propose and designate only an institution which has the necessary rights and conditions to provide for the student with special educational needs, in a manner (inclusive or separated education) in line with the content of the expert opinion. The school's deed of foundation must state that it provides for students with special educational needs (and in what way) and, in addition, the following conditions are required for the education of a child or student with special educational needs pursuant to Act CXC of 2011 on Public Education (hereinafter referred to by the Hungarian abbreviation as: "Nktv."):

- employment of a special education teacher or conductor, special curriculum, textbook and other aids for the special education of the child or student appropriate for the developmental education and the type and severity of special educational need;
- employment of a special education teacher or conductor, special curriculum, textbook and special medical and technical equipment appropriate for the type and severity of the special educational need, for individual progress education, integrated kindergarten education, school education, and for the occupation as defined by the competent expert committee;
- definition of development areas by the expert committee.

The law also stipulates that a specialist with special qualifications for the education of children or students with special educational needs may also be provided through a travelling special education teacher or a travelling conductor network.

If kindergarten education or school education cannot be organised with other children or students in a shared kindergarten group or school class (i.e. inclusive education) because there is no suitable kindergarten or school in the institution directory, the expert committee sends the expert opinion – regarding the kindergarten – to the competent notary based on the permanent residence of the child or, in the absence thereof, their temporary residence, or – regarding the school – to the competent school district director based on the permanent residence of the student or, in the absence thereof, their temporary residence. The notary or the school district director – in the case of a student undergoing vocational training or applying for vocational training, with the consent of the head of the vocational training centre – arranges for the designation of an educational institution providing compulsory enrolment of the child or student. The notary or the school district director informs the expert committee of their action within fifteen days.

The child or student may be provided for according to the expert opinion only if, in the case of a minor, the parent and, in the case of an adult student, the student agrees to its content. In the event that the parent or student does not agree to the content of the expert opinion, the expert committee informs the district office deemed competent based on the child's permanent residence or, in the absence thereof, their temporary residence. The parent or, in the case of an adult student, the student may directly institute proceedings with the district office deemed competent based on the child's or student's permanent residence or, in the absence thereof, their temporary residence, for the review of the expert opinion. In this case, the competent district office shall adopt a decision within the framework of an administrative procedure in connection with the determination of the special education need and the expert opinion.

In addition to the indicated legal remedies, the expert committee also reviews its own expert opinion periodically, i.e. performs a 'control review' (one year after the first test and then every two years, over the age of 12 every three years, the last compulsory review is at the age of 16, thereafter, upon request or upon the request of the authorities).

The education of kindergarten children is defined at legislative level by the ‘Core Programme for Kindergartens’ [Government Decree 363/2012 (17 December) on the Core Programme for Kindergartens], with the education of school pupils also defined at a legislative level by the ‘National Core Curriculum’ [Government Decree 110/2012 (4 June) on the Issuance, Introduction and Implementation of the National Core Curriculum] as well as the framework curricula prepared on the basis thereof. Specific curricular frameworks for special educational needs were prepared only for mild to moderate intellectual disabilities; for other areas of special educational needs, deviations from the National Core Curriculum and ‘majority’ curricula, as well as methodological guidelines and guides, are provided in the form of a Regulation (broken down into separate areas of special educational needs) (Decree of the Minister of Human Capacities 32/2012 (8 October) EMMI on the Principles of the Kindergarten and School Education of Children with Special Educational Needs). In vocational training, vocational qualifications and partial qualifications are contained in the National Qualifications Register (hereinafter referred to by the Hungarian abbreviation as "OKJ"). Vocational qualifications and partial vocational qualifications are made available to students with special educational needs by the development of vocational training frameworks based on their educational needs.

Some additional rules appear at legislative or implementing regulation level.

Students with special educational needs may receive additional benefits during their education. Based on the legislation in force, the expert committee may recommend to students with special educational needs the following benefits and exemptions, which may be used during their studies:

- extending the time available for answering written questions,
- in the case of an oral examination, to increase the period of reflection available to the candidate,
- use of aids,
- replacement of the written test with an oral test, or the oral test with a written test,
- exemption from evaluation and grading with marks and grades or, in the case of certain subjects or parts of subjects, exemption from all evaluation and grading, and
- individual progress education and training.

The benefits shall be granted by the head of the school on the basis of the expert opinion of the expert committee. Individual progress education that is tailored to the student's individual aptitude and level of development may also be permitted, with the permission specifying which subject the student is required to meet the learning requirements for, and by the last school day of which grade. Individual progress education – for all or individual subjects – may be implemented up to different grades, but until the end of fourth grade at the latest.

Children or students with special educational needs taught in inclusive education (depending on the type and severity of the special education need) have to be considered as two or three individuals when calculating the class size, which guarantees lower numbers in integrated classes.

Pupils with special educational needs are entitled to the necessary textbooks free of charge during the entire period of education. Act LXXVI of 1999 on Copyright continues to classify as fee use, if the use of a particular work is solely to meet the needs of disabled persons – directly related to their disability – and does not go beyond what is necessary for the purpose.

***The ECSR requested information on whether the legal definition of disability and disabled persons is close to the wording of the CRPD Convention and whether it includes psycho-social disability.***

The amendment of Act XXVI of 1998 on the Rights and Equal Opportunities of Persons with Disabilities (hereinafter referred to by the Hungarian abbreviation as: "Fot.") was adopted by Parliament on 13 May 2013, which also affected the legal definition of a disabled person. The main reason for the amendment is to modernise the approach of the law and to bring it in line with Act XCII of 2007 on the Promulgation of the UN Convention on the Rights of Persons with Disabilities and the Additional Protocol.

New legal definition for a disabled person:

The new concept contains a more general wording than before, thus including new social groups in the disability category at legislative level. For example, groups of people with psycho-social disabilities (former psychiatric patients), people with speech disabilities, etc. The statutory definition is as follows:

“a disabled person is a person who, durably or permanently, suffers from sensory, communication, physical, mental, psycho-social impairment, or any combination thereof which, in interaction with environmental, social and other significant barriers, restricts or prevents their effective and equal participation in society;” [Section 4 a) of the Fot.]

***The ECSR requested information on improving access to and participation in traditional institutions for children with disabilities, and regarding the trends in this area. It also requested information on the impact of legal reforms during the previous and current reporting periods.***

Section 24 (1) b) of Government Decree 423/2012 (29 December) on the Admission to Higher Educational Institutions states that every applicant with a disability is entitled to 40 extra points at each place of application. In addition, paragraph (3) states that the Office and the higher educational institutions are required to provide the disabled applicant with the conditions required for participation in the admission process. Section 20 (3) states that an individual with a state-recognised intermediate (B2) written or oral type or advanced (C1) written or oral type or equivalent language exam is eligible for 28 and 40 extra points, respectively, if they are unable to pass the complex language exam due to their special educational needs.

Section 16 of Government Decree 51/2007 (26 March) on Grants Available for Higher Education Students and Fees Paid by them, stipulates that in the awarding of regular and extraordinary social scholarships to students with disabilities, the monthly grant awarded shall not be less than 20% of the annual student norm (10% by default).

In 2015, 245 disabled applicants and in 2016, 271 disabled applicants were admitted due to these extra points.

The first Scholarship Programme related to the aforementioned government decrees was first implemented in 2014 following the entry into force of Government Decree 555/2013 (31 December) on the Establishment of the Public Administration Scholarship Programme for Higher Education Students with Disabilities. Starting from 2015, the Programme was announced twice a year in accordance with the higher education semesters.

The number of participants were as follows:

<b>Scholarship period</b>	<b>Number of participants</b>
2014/spring	20
2015/spring	19
2015/fall	11
2016/spring	12
2016/fall	18
2017/spring	14
<i><b>Altogether</b></i>	94

The Scholarship Programme provided professional work experience with a scholarship grant for dedicated, inexperienced students committed to the national administration, with some scholarship holders becoming public service employees after graduation.

### **National network of disability coordinators**

Pursuant to Section 3.10 of Government Resolution 1653/2015 (14 September) on the Action Plan for the Implementation of the National Disability Programme for the 2015-2018 Period (hereinafter: Action Plan), a national network of disability coordinators shall be established and their activities shall be supported by recommendations and the presentation of good practices.

The financial basis for supporting students with disabilities is the supplementary norm. The disability coordinators available in each faculty of higher education provide support and coordination for the needs of students with disabilities and special needs. This includes the assessment of special needs, certification, provision of alternative examinations, various forms of support, purchase of special equipment, and individual counselling.

In accordance with the Action Plan, an invitation to tender was announced for the domestic higher education institutions for the performance of the professional coordination tasks.

The winning higher education institution make the current administrative information and relevant legislation available to the coordinators on a single web interface. In addition, the tender aims to produce standardised protocols or recommendations for identifiable 'case types' and to provide a point of contact for coordinators. The task is ongoing and three national network meetings have taken place.

### **Trends in the area**

As indicated above, there has been an increase in the number of children and students with special educational needs due to differentiating and improving diagnostics and new screenings, and due to the fact that students with special educational needs no longer drop out of school, but continue their public education studies.

In 2015, interdisciplinary cooperation was initiated for the early identification of problems and to harmonise early childhood intervention activities in each sector. Its public education branch is an early development (officially: special education counselling, early development and care). The most important measures implemented over the past period for the effectiveness of early development are as follows:

- Development of the project EFOP-1.9.5-VEKOP-16 ‘Intersectoral development of early childhood intervention’.
- Promotion of the effectiveness of early development through methodological and professional cooperation between the State Secretariats for Family and Youth, Social Affairs, Healthcare and Public Education, and through the coordination of actions and the interoperability and interconnection of specific professional processes.
- Separation of special educational needs and eligibility for early development (previously published jointly but not professionally justified; some early problems, despite their severity, are not yet identifiable as ‘classic’ disabilities).
- Acceleration of the expert committee procedure for access to care.
- Intensive care, a special form of early development, is to be introduced.
- The order of early development related reviews is regulated.
- Increase of the number of professionals required to be employed in early development.

The Hungarian standardisation of the WPPSI-IV test (Wechsler Preschool and Primary Scale of Intelligence – Fourth Edition) was completed in 2015 (and from 2016, it was implemented more widely), the development of which sought to minimise the cultural impacts. When evaluating its results a Nonverbal Index can also be obtained. The age range for the test is between 2 years 6 months and 7 years 7 months. Owing to the developments of the last 12 years, the following state-of-the-art intelligence tests are currently in use: WISC, WAIS, WPPSI-IV, UNIT2.

Compulsory kindergarten from the age of three was introduced in 2015, followed by a new screening test. Until 31 August 2017, only children over the age of five were required to undergo speech therapy screening, which included a baseline assessment of the children's speech and language development. As of 1 September 2017, this part of the care has become differentiated, and according to the current regulations, the speech and language development screening of children aged between three and five must be performed as part of speech therapy. The speech therapy screening of three year olds focuses on language development (receptive and expressive language), while the screening of five year olds focuses on speech articulation and written language (reading and writing) proficiency. In this way, problems can be detected and the development of the children can be initiated earlier.

As a result of more modern procedures and earlier screenings, the number of kindergarteners with special educational needs increased from 8,052 to 9,863 between 2015 and 2018, with the ratio of integrated education being 82%.

Although the number of students with special educational needs in primary education increased from 53,577 to 55,322 between 2015 and 2018, higher numbers have been observed previously (e.g.: 60,651 in 2005), therefore, this increase is not considered significant. However, the proportion of integrated education in their case increased from 69% to 71% (to 71% compared to 49% in 2005).

At the other end of the spectrum of public education, there have also been changes in upper secondary education in recent years. It can be said that the number of students with special educational needs in secondary education has increased, which does not mean an objective increase, but that student do not drop out of school, and continue their education.

There has been an increase in the inclusive education secondary schools for students with special educational needs (typically with non-mental disabilities) between 2015 and 2018 and, over a longer period (from 2005), a very significant increase in the number of students with special educational needs can be observed:

- grammar school: 2005: 777 students, 2015: 2,431 students, 2018: 2,967 students.
- vocational grammar school: 2005: 954 students, 2015: 5,345 students, 2018: 5,858 students.
- vocational secondary school: 2005: 2,188 students, 2015: 7,043 students, 2018: 7,594 students.

The highest ratio of integrated education can be observed in the case of students receiving grammar school, vocational grammar school and vocational secondary school educations: 99%.

There was no significant change in the special education secondary schools (vocational schools or skills development schools) for students with special educational needs (typically including those with mental disabilities) between 2015 and 2018 (7,159 in 2018, 7,146 in 2015), a change can be observed over a longer period of time, in 2005 the number of students studying at vocational schools and skills development schools was still 8,797.

The government pays special attention to the developmental education of students with severe and multiple disabilities, as a result of which the number of students provided for increased significantly between 2010 and 2015, and has since stabilized (there were 1,975 students in 2010, 2,488 in 2015 and 2,478 in 2018). Developmental education for students with severe and multiple disabilities is a form of special education.

From 2015, the proportion of mild mental disability without associated disability continued to decline from 21,084 to 18,717. In the last four years, the proportion of mild mental disability in public education has thus stabilised at 1.4% (compared to 2.1% in 2003/2004).

As indicated above, in the cases specified by law, the educational institution employs a special education teacher or conductor, according to the type and severity of the special educational need. At the same time, 'traditional' teacher training also pays special attention to ensuring that all teachers have the basic knowledge needed to educate children and students with special educational needs and multiple disabilities. In the case of teacher and kindergarten teacher courses, content that includes knowledge of special education, inclusive education, or other forms of development appear in the curriculum network as a mandatory or optional element. In the case of teacher training, there are specific provisions on training and output requirements (including current and preventive legislation), and provisions have been provided for special educational needs. It is a general requirement for a graduate/qualified teacher to have basic knowledge of, inter alia, personality traits and developmental views, personality development disorders, causes of behavioural problems, and the ability to identify students with special educational needs and multiple disabilities effectively, to educate them, and to provide them with differentiated treatment.

	2015/2016	2016/2017	2017/2018
Number of students with special educational needs participating in secondary education	21,965	22,015	22,712

## **Providing new foundations for the operation of the institutional system of pedagogical service**

Since 2013, all tasks of the pedagogical service have been reorganised. Prior to this, the distribution of tasks was geographically uneven and unprofessionally controlled. With the reorganisation, a single county pedagogical service institution was established in each county to provide care, and a member institution thereof was established in each district; even in locations where none existed previously. The purpose of the concept was to perform tasks as fully as possible, under uniform management, with uniform procedures and professional protocols, and with a single IT tracking system. Decree of the Minister of Human Capacities 15/2013 (26 February) EMMI also determined the minimum number of specialists assigned to the tasks per county and service task, which was already an improvement on the practice of previous years, and which represents an extension of status compared to the previous situation. Pedagogical service activities are special services that support, supplement or precede educational work:

- special education counselling, early development and care (early development),
- expert committee activities,
- educational consultancy,
- speech therapy,
- further education, career guidance counselling,
- conductive pedagogical care,
- physiotherapy,
- school psychology, kindergarten psychology (coordination),
- care of excessively talented children and students.

Currently, there are more than 300 educational pedagogical services. The number of children and students provided for by pedagogical service institutions has increased by nearly 90,000 since 2015 (494,311 children and students according to the latest data). Within this, the number of children involved in early development has been continuously rising, more than doubling in recent years. According to the latest data supply, 5,636 children are participating in early development.

## **Re-regulation of the travelling special education teacher and travelling conductor activity**

In order to educate children and students with special educational needs, in the cases specified by law, the employment of a special education teacher or conductor corresponding to the type and severity of special educational needs is necessary. This can be done either by a particular educational institution or through a travelling special education teacher or travelling conductor network. The preparation of the regulation of the travelling special education teacher and travelling conductor networks started in the autumn of 2014. The first step was to clarify the relevant Nktv. framework, which came into force in January 2015. Subsequently, a working group of representatives of the professional and governmental sides began to work on the development of the detailed rules. The working group made a number of codification proposals and most of the drafted rules entered into force on 1 September 2017. As a result, the rules include, inter alia:

- travelling special education, travelling conducting as a basic public education task;



- the definition and tasks of the travelling special education teacher, travelling conductor and the travelling special education teacher and travelling conductor network;
- clarification of the required vocational qualification;
- the taxonomic location of the travelling special education teacher and travelling conductor network;
- the creation of working communities for professional unity, operated by travelling special education teachers and travelling conductor networks.

### **Transforming skills development in school education**

In November 2013, the content renewal of special vocational training schools (under their new name: ‘skills development schools’) providing secondary practical training for students with moderate mental disabilities began. As a result of the work of a working group of dedicated professional and governmental members, the new concept and its 18 new practical framework curricula were developed and entered into force on 1 September 2017. Based on the changed concept and new framework curricula, the skills development school prepares students with moderate mental disabilities for starting their lives, providing them with an opportunity to master work processes that require simple training, enabling them to enter into employment, and the knowledge needed for students with mild mental disabilities, who are unable to attend vocational training, to enter into employment and to start their lives. The skill development school has four grades, of which

- two are general education grades;
- two are practical grades (hereinafter: practical grade) aimed at preparing the students for the starting of their lives and at mastering work processes that require simple training, enabling entry into employment.

Each skill development school compiles its own training structure from the 18 new practical framework curricula (which have replaced the previous existing 2). Successfully completed practical grades can be repeated by the student with other practical framework curricula, i.e. they can acquire new practical skills.

### **Working groups**

In recent years, several professional working groups have been/are operating with professional and government representatives:

- speech therapy working group,
- traveling special education teacher, travelling conductor working group,
- special physical education working group,
- working group for the care of pupils with severe and multiple disabilities,
- skill development school working group.

These working groups prepare(d) proposals for professional development and codification.

### **Professional development projects**

Children and students with special educational needs and using individual pedagogical services are entitled to the reimbursement of their travel expenses incurred in connection with the use of the institution providing the care. Two projects (EFOP-3.1.6. and EFOP-4.1.6.) serve the

development of special educational and professional service institutions and the professional institution system, with a total budget of 13 billion HUF. Activities listed in project applications: infrastructure development, procurement of diagnostic and development tools, IT development, development of methodological materials, training support, organization of obstetric and sensitisation programmes.

***The ECSR requested information on proceedings filed to the Equal Treatment Authority (hereinafter referred to by the Hungarian abbreviation as "EBH") by parents of children with special educational needs.***

In 2017, the EBH issued EBH Booklet No. 4, entitled "The experience of the Equal Treatment Authority with discrimination in the area of education". In the publication, the authority discussed in detail the cases it investigated where children in an educational establishment (kindergarten, school) were treated less favourably or detrimentally, or were directly discriminated against, in the form of harassment or segregation due to a protected feature compared to the other children involved in the education. In these cases, the authority usually received a complaint from the parent, legal representative or, rarely, a non-governmental organisation representing public interest, or the minor was represented by a non-governmental organisation towards the authority (AOSZ, MEOSZ, ÉFOÉSZ, etc.).

The EBH booklet 4 is available on the Authority's website at [www.egylobanasmod.hu](http://www.egylobanasmod.hu) in both Hungarian and English.

The publication describes in detail a number of cases where the subject matter of the application was the lack of provision of dietary food in an educational institution, the lack of provision of special care for children with chronic illnesses (e.g., blood glucose measurement, special nappy changing place, etc.).

A separate chapter is devoted to describing the requests received in relation to the care and development of children with special needs and the results of the inquiry conducted by the authority. The publication details the institutions which may be responsible for pre-school and school care, the problems occurred with the transportation of SEN children to educational-training institutions and whether the children have received the development prescribed by the Committee of Experts in their opinion, who is responsible for the failure to designate a school/kindergarten, etc.. A number of specific cases are presented for each topic stated above.

In addition, the EBH has issued a separate publication (EBH Booklets 2) on harassment in the area of education, which can also be downloaded from the above website in Hungarian and English.

In the first quarter of 2019, the EBH organised an experience-sharing meeting relating to its Booklet No.4 for the staff of the Pedagogical Assistance Services and the Educational Districts at the headquarters of the Authority, with approximately 80 participants.

## **2) RELEVANT DATA, STATISTICS**

***The ECSR requested data on the total number of adults and children with disabilities, including those in social institutions, the number of children with disabilities, taking part and not taking part in education, the rate of success in training and the participation rate of these students later in higher education or other further education.***

### Number of persons received social care on a given day

type of care	16 December 2015		19 December 2018	
	below 18 years	altogether	above 18 years	altogether
Nursing home for people with disabilities	2	1,190	3	1,169
Disability care home	9	229	4	205
Daytime care for people with disabilities	260	6,376	192	5,957
Home for people with disabilities	780	13,153	742	12,165
Rehabilitation home for people with disabilities	0	377	1	322
Rehabilitation Institution for people with disabilities	8	657	10	679
Supported housing for disabled persons	0	194	3	984

Source: Records of Users

### Statistics on improving access

The special education teacher qualification is a wide ranging interdisciplinary professional qualification, which can be applied well in many fields. Special education teacher training has been provided in Hungary for 119 years, currently in eight special programmes. In 2012 – first in Europe – an Autism Spectrum Pedagogy Programme was launched in Hungary as an independent programme within the special education training. The biggest "market" for special education teachers is education, especially public education. Today, the vast majority of graduate special education teachers work in public education. Currently more than 9,500 professionals are employed in special education (and conducting) positions in education, training and pedagogical service institutions (as opposed to 5,700 in 2010, 7,000 in 2015). Over the past decades, the differentiated educational-teaching and pedagogical service system, the spread of integrated, inclusive education has created new demands beyond the existing professional staff, to which the academic and governing bodies had to respond. While only one institution trained special education teachers before the Bologna Transition (2006), this number has been steadily increasing since then and in September 2018 special education teacher training programmes opened at seven universities and a conductor training programme is available at Semmelweis University, András Pető Faculty. Additionally, these days there are independent MA trainings for special education and conductive pedagogy. In addition to the increase in the number of training institutions, the number of students enrolled in basic special education teacher training programmes has increased significantly, more than doubling from 833 to 1,858 between 2015 and 2018. To support student training and placement, the Klebelsberg Training Scholarship was extended to special education trainee students in 2017, and additional resources have been transferred to the Klebelsberg Centre.

### Statistics on children with special educational needs

The number of children and students with special educational needs is 91,241 (86,082 in 2015 and 81,610 in 2010). There has been a rising trend, due to differentiating, improving diagnostics, and further to the fact that pupils with special educational needs do not drop out and continue their education further than before. Of the pupils with special educational needs, 63,681 take part in integrated care, so the ratio of integrated care increased to 70% by 2018 (67% in 2015 and 59% in 2010). Simultaneously with an increase in the number of students with special educational needs, the number of institutions providing care for them is also increasing. At present, 4,283 institutions care for students with special educational needs, (of

the total of 5,478). In 2015 the respective number was only 4,050 (in 2010 just 3,239), so there has been a significant increase.

The most vulnerable group of children with special educational needs are students with severe and multiple disabilities. In 2018, the number of institutions providing public education services tasks was 131 (compared to 114 in 2010 and 109 in 2015).

*of their disabilities, the effective exercise of the right to independence, social integration and participation in the life of the community, the Parties undertake, in particular:*

*2. to promote their access to employment through all measures tending to encourage employers to hire and keep in employment persons with disabilities in the ordinary working environment and to adjust the working conditions to the needs of the disabled or, where this is not possible by reason of the disability, by arranging for or creating sheltered employment according to the level of disability. In certain cases, such measures may require recourse to specialised placement and support services;*

## 1) THE GENERAL LEGAL FRAMEWORK, THE NATURE, CAUSES AND SCOPE OF REFORMS

### 1. Rules applicable to civil servants, civil servants and government officials

#### In relation to those falling within the scope of Act CXCIX of 2011 on Public Servants

The Equal Opportunities Plan, which is annexed to 29/2017 (20 February) OP Special Instructions on the issue of the Equal Opportunities Plan of the National Headquarters of the Prison Service (hereinafter referred to by the Hungarian abbreviation as "BVOP"), lays down provisions for civil servants working for the BVOP. According to paragraphs 2 and 21 of the Equal Opportunities Plan:

2. *"In order to respect the principle of equal treatment and to promote equal opportunities, the employer undertakes not to differentiate between employees in terms of the start of the employment relationship, remuneration, career advancement, training opportunities, working conditions, benefits available under the employer's internal regulations and allowances relating to child raising and parental roles. Exceptions to this shall be cases of necessary discrimination resulting from the type or nature of the employment."*
21. *"The employer shall grant working time reduction of 4 hours a month to employees with reduced ability to work and employees with disabilities. The use of the working time reduction shall not impede the performance of the worker's duties. The working time reduction may be granted in several instalments a month, but may not be aggregated for two or more months."*

### 2. Rules applicable to members of the professional staff of law enforcement agencies

#### In relation to those falling within the scope of Act XLII of 2015 on the Service Status of the Professional Members of Law Enforcement Agencies (hereinafter referred to by the Hungarian abbreviation as "Hszt.")

As of 1 January 2017, the law enforcement health care system was introduced as a new legal body for the official staff of the law enforcement. The new legal body is assisting in the continuation of the employment in service positions suitable for their condition or in non-professional jobs of members of the professional staff who became unfit for professional service in the event of some degree of health impairment (at least 20%) or, when the total health damage exceeds 50%, in their exemption from work with a ministerial permission, with the payment of benefits, in order to maintain their existential situation and circumstances. The

implementation provisions of this legal body are partly included in the Decree of the Minister of Interior (BM) 54/2016 (22 December) on Law Enforcement Health Benefits Applicable to Bodies Performing Law Enforcement Activities Under the Control of the Minister of Interior.

Pursuant to Section 82/A of the Hszt.:

*“(1) A member or former member of a professional staff shall be entitled to a law enforcement health impairment income supplement or a law enforcement health impairment annuity (hereinafter jointly: health impairment benefit) in order to compensate for the loss of income previously earned if*

- a) they are incapacitated for professional service or to work in their service position to a medical condition,*
- b) the conditions set out in paragraph (2) or (3) may be established in relation to them,*
- c) they are not entitled to pension on their own right pursuant to Act LXXXI of 1997 on Social Security Pensions or to service benefits pursuant to Act CLXXXI of 2007 on the Transparency of State Aid provided from Public Funds,*
- d) the reasons of exclusions stated in paragraphs (4) and (5) and Section 82/B (6) do not prevail, and*
- e) their employment is continued pursuant to 82/B. (1) - (5), or they are exempted from the obligation to continue working pursuant to Section 82/C.”*

## **2) RESPONSES TO THE ECSR QUESTIONS CONCERNING THIS PARAGRAPH**

***The ECSR requested information on the impact of programmes for the employment of people with reduced ability to work, the legal background to the remuneration of workers in specialized employment facilities, the rate of entry of people working in such institutions into the open labour market and the ways in which trade unions are involved in the operation of such institutions.***

There are three forms of employment for workers with reduced ability to work (developing employment, employment by an accredited employer and open labour market employment):

### **Developing employment:**

As of 2017, there are 200 developer-employment organizations, 25% of which are funded by the state, 75% are financed by churches, municipals and non-governmental service providers. The latter are eligible for grants based on applications.

Persons with disabilities engaged in developing employment receive remuneration for their activities, depending on the legal relationship in which they are employed.

People with severe disabilities who suffer from multiple disadvantages are employed based on a development relationship when they are unable to work. These persons receive a development benefit of not less than 30% of the minimum hourly wage. By contrast, employers tend to set higher rates and may also differentiate according to the individual's actual performance.

Persons with disabilities suitable for work are employed on an employment contract and are subject to the Labour Code and the general rules on minimum wages. Compliance with these requirements is regularly monitored by the body involved in professional control and by the competent authority.

### **Rehabilitation employment at an accredited employer:**

There are two types of employment available, based on the individual's complex classification and health condition. Transit employment means preparing a worker eligible for rehabilitation for employment in an open labour market where they will be able to work in an integrated environment. In long-term employment the aim is to preserve and develop and improve the working skills, health and intellectual abilities of workers with reduced ability to work. Persons with reduced ability to work are employed on a permanent or transit basis by accredited employers. The aim is to provide the individual with the opportunity to work in a sheltered environment, i.e. to facilitate occupational rehabilitation and to prepare the person for work in the open labour market. It is the duty of the accredited employer to mentor and assist the person with reduced ability to work to integrate and work.

Persons with reduced ability to work who work for accredited employers on employment contracts under the Act I of 2012 on the Labour Code (hereinafter: Labour Code) and are subject to the rules of general labour law and minimum wage.

Budget funding for developing employment and rehabilitation employment:

	<b>Appropriation (million HUF)</b>	<b>2015.</b>	<b>2016.</b>	<b>2017.</b>	<b>2018.</b>
Support for developmental employment provided to non-state maintainers		2,144,4	2,162,1	2,322,2	2,543,1
Supporting the employment of disabled workers		35,110,9	34,391,2	37,378,8	40,246,5

*Source: Acts on the implementation of the central budget of Hungary*

### **Employment in the open labor market:**

Disabled persons and persons with reduced ability to work can be placed on the open labour market through sheltered employment, i.e., through both developing employment and rehabilitation employment at accredited employers. Given that essentially people in worse health condition are involved in these forms of sheltered employment (in total 35,600 persons per year), it is therefore more difficult to place them on the open labour market.

Entry into open labour market is mainly facilitated by labour market services and wage subsidies to employers, which have been successfully supported by various EU programmes.

Between 2016 and 31 December 2018, more than 13,000 people with reduced ability to work were involved in programmes, where they had access to rehabilitation services, counselling, training and wage support. Approximately 10,000 of them found a job. In total 14 billion HUF was available for the implementation of the programmes.

Accredited employers receive 1.2 billion HUF in EU support to develop the skills and to train their long-term or transit workers with reduced ability to work, in order to prepare their employees for open labour market integration. The programme is still ongoing.

Active trade union participation is not typical in employment for development and rehabilitation in a sheltered environment, and we are not aware of such activity.

***The ECSR requested information on measures to reduce the disparity in the unemployment rates of disabled and healthy persons and related statistics, such as the total number of people with disabilities, including the number of people of working age and, among them the number of job seekers and unemployed.***

Before presenting data on the employment of disabled people, it should be noted that in Hungarian law two definitions have been created for the term of disabled person:

- a) on the one hand, there is the definition of 'person with disabilities', which differentiates according to the existence and type of disability;
- b) on the other hand, there is the definition of 'person with reduced ability to work', which differentiates on the basis of the degree of health impairment, according to the complex classification.

In case a), Section 4 of Act XXVI of 1998 on the Rights and Equal Opportunities of Persons with Disabilities lays down who qualifies as a disabled person. Accordingly, a disabled person is a person who, durably or permanently, suffers from sensory, communication, physical, mental, psycho-social impairment, or any combination thereof which, in interaction with environmental, social and other significant barriers, restricts or prevents their effective and equal participation in society.

In case (b), Section 22 of Act CXCI of 2011 on Benefits for Persons with Reduced Ability to Work and Amendments to Certain Laws defines in detail – in the context of the payment of the rehabilitation contribution – who qualifies as a person with reduced ability to work. Accordingly, a person with reduced ability to work is a person whose health status is 60% or less according to the complex classification of the rehabilitation authority,

- who has at least 40% health impairment during the period of validity of the relevant professional opinion, authority position statement, official certificate, certification,
- whose incapacity for work is between 50% and 100% during the period covered by the respective opinion, or
- who receive disability allowance or personal benefit for the blind.

It is important to note that in connection with employment, we will below provide data on persons with reduced ability to work whose medical condition has been assessed by a physician. This is a significantly smaller group of people than officially reported in many statistics, where the respondents report on their health condition themselves without any real medical diagnosis behind it.

Number of certified people with reduced ability to work and their employment rate in 2018:

Number employment rate of people qualified as persons with disabilities and with reduced ability to work			
Number (person)		Rate of persons engaged in gainful employment (%)	
Persons in working age	Persons in retirement age	Persons in working age	Persons in retirement age
370,098	85,211	41,6%	6,7%

Source: Hungarian State Treasury

Number of people entitled to benefits for persons with reduced ability to work – whose health status is 60% or lower – in 2019:



Number of persons with reduced ability to work who are entitled for rehabilitational or disability benefit		
Jobseekers among persons receiving rehabilitational benefit and obliged to cooperate with the rehabilitation authority (person)	Jobseekers among persons receiving disability benefit and seeking service from the rehabilitation authority (person)	Altogether
5,191	7,160	12,351

Source: EMMI

We do not have detailed information on jobseekers.

***The ECSR requested information on the extent to which the data of jobs given to people with reduced ability to work presented in the previous report related to specific jobs designed for people with reduced ability to work and to jobs available on the open labour market.***

Below we present employment data both in a sheltered environment (at accredited employers and providers of developing employment) and in the open labour market.

#### **Employment in a sheltered environment**

Out of the budget, 365 accredited employers provide sheltered jobs to appr. 30,000 people with reduced ability to work and with disabilities every year (2015-2018).

The development, maintenance and preparation of work skills and abilities of persons with disabilities, psychiatric problems, addicts and homeless persons takes place in developing employment.

This new form of employment was introduced on 1 April 2017 following the termination of social employment. Employment can take place in two types of legal relationship: in a development relationship based on a development contract; people with better abilities are employed on an employment contract. The ability to develop and work is examined by work and organizational psychologists. There are 200 developing employers nationwide, who involve on average 5,600 people in development each year.

#### **Employment in the open labour market**

From 2015, the demand for employing people with reduced ability to work has been steadily increasing, and integration into the open labour market has been successful. This was partly influenced by the economic recovery, increased labour demand and, secondly, by the indirect impact of the employment incentives (in the form of contribution relief) and wage subsidies in the open labour market as well as the obligation to pay the rehabilitation contribution (detailed information about these measures is provided in the next paragraph).

***The ECSR requested information on the progress made in improving the employment of people with disabilities in the open labour market, including new anti-discrimination and employment promotion measures. It also requested information on the legislation requiring reasonable adjustments in the working conditions in the interests of people with disabilities, on the possibilities of compensation for material and non-material damage suffered and on related legal cases.***

In addition to sheltered employment, it is of utmost importance to support and encourage the employment of persons with disabilities and persons with reduced ability to work in the open labour market. The following measures should be highlighted in this respect.

### **Enforcement of social contribution tax relief**

Employers employing people with reduced ability to work may benefit from a social contribution tax deduction of up to twice the minimum wage.

Employment with a Rehabilitation card, introduced in 2012, has significantly increased the need for employment of people with reduced ability to work. Individuals classified as ‘eligible for rehabilitation’ during the complex assessment, i.e., people with B1, C1 rating could apply for the card to the tax authority. In turn, the employer was able to claim the contribution relief on the basis of the card provided by the employee (the employer did not have to pay 22% (in 2019, 17.5%) social contribution tax). In 2016, 7,500 employers employing on average 26,000 people claimed appr. 5.5 billion HUF tax relief under this title. As a result, in December 2018, contribution relief was claimed for 37,164 persons with reduced ability to work.

As of 1 January 2017, the number of persons eligible for the Rehabilitation Card has also been extended by a group of people on disability benefits (B2, C2 rating) in order to expand employment in the open labour market, As a result, in December 2018, contribution relief was claimed for 37,164 persons with reduced ability to work.

In December 2018, 8,953 employers claimed 797,584,000 HUF tax relief for 37,164 people with reduced ability to work. (In July 2012, 3,217 employers claimed tax relief for 5,574 people with reduced ability to work).

### **Rehabilitation contribution**

The obligation for employers to pay the rehabilitation contribution is an indirect incentive to increase the employment of people with reduced ability to work.

Rehabilitation contribution is payable by the employer if the number of employees exceeds 25 and the number of employees with reduced ability to work is less than 5%.

In order to preserve values and encourage employment, as of 1 January 2017, the amount of the rehabilitation contribution changed from the previous fixed 964,500 HUF /person/year to nine times the minimum wage effective on the first day of the reference year (minimum wage in 2017: 127,500 HUF; in 2018: 138,000 HUF; in 2019: 149,000 HUF), i.e., the tax liability was 1,147,500 HUF/person/year in 2017, 1,242,000 HUF/person/year in 2018 and 1,341,000 HUF/person/year in 2019.

### **Personal Income Tax Credit**

In addition to measures to increase the intentions of employers to employ more people, it is important to encourage workers with reduced ability to work. One way to do this is through a personal income tax credit, which allows some workers with a long-standing health problem to qualify for a tax deduction of 5% of the minimum wage from their personal income tax monthly (in 2019 7,450 HUF/month).

### **Legislation requiring a reasonable adjustment of working conditions**

Act XXVI of 1998 on the Rights and Equal Opportunities of Persons with Disabilities contains, inter alia, provisions intended to facilitate the creation of an accessible workplace.

Section 22 of Government Decree 327/2012 (16 November) on the accreditation of employers employing people with reduced ability to work and the budget support available for the employment of people with reduced ability to work regulates, in accordance with Commission Regulation (EU) 651/2014 (General Block Exemption Regulation) the subsidy that can be granted to compensate the additional costs of employing workers with reduced ability to work.

***The ECSR requested data on the extent to which employers comply with the mandatory employment level required under Act CXCI 2011 on Benefits for Persons with Reduced Ability to Work and Amendments to Certain Laws.***

We do not have detailed data on the number of people replaced.

*With a view to ensuring to persons with disabilities, irrespective of age and the nature and origin of their disabilities, the effective exercise of the right to independence, social integration and participation in the life of the community, the Parties undertake, in particular:*

*3. to promote their full social integration and participation in the life of the community in particular through measures, including technical aids, aiming to overcome barriers to communication and mobility and enabling access to transport, housing, cultural activities and leisure.*

#### 1) THE GENERAL LEGAL FRAMEWORK, THE NATURE, CAUSES AND SCOPE OF REFORMS

*The ECSR requests information on the judicial and non-judicial legal remedy for discrimination and details of the relevant case law. It also requests information on whether the authorities involved in the implementation of disability policies aim to ensure the relative integration of their activities.*

Pursuant to Article XV of the Fundamental Law of Hungary our country guarantees fundamental rights to everyone without discrimination and in particular without discrimination on the grounds of race, colour, sex, disability, language, religion, political or other opinion, national or social origin, property, birth or any other status.

Act CXXV of 2003 on Equal Treatment and Promotion of Equal Opportunities (hereinafter referred to by the Hungarian abbreviation as "Ebkvtv.") regulates, in general terms, the prohibition of discrimination in respect of all protected features and all forms of discriminatory behaviour and contains the provisions necessary for the implementation of equal treatment. It also identifies disability as a protected feature. It defines direct and indirect discrimination as well as harassment, unlawful segregation and retaliation as a forms of discrimination and also refers to any instruction given in that respect as prohibited discrimination.

Under Ebkvtv. positive discrimination is an exception to prohibited behaviour. For the purposes of these rules, a provision aimed at eliminating inequality of opportunity, based on objective assessment, of a specifically identified social group, in particular persons with disabilities, for a limited period of time or until a specific condition occurs, does not constitute a breach of the principle of equal treatment if it takes place in the legal form defined in the law.

In the violation of the provisions of the Ebkvtv. is established, the Equal Treatment Authority (hereinafter referred to by the Hungarian abbreviation as "EBH") may order the termination of the violation, prohibit future exhibition of the infringing conduct, order the publication of its final decision, impose a fine from 50,000 HUF to six million HUF, and may apply any other legal consequences specified in the sectoral laws. The EBH may also act ex officio against the state, local governments, bodies exercising public authority, the Hungarian Army and law enforcement agencies.

Although Ebkvtv. contains no explicit provision for reasonable accommodation, the EBH has consistently applied this concept in its established practice in the field of discrimination based on disability. In cases alleging a lack of reasonable accommodation, the EBH applies the provisions of Act I of 2012 on the Labour Code and Act CXCV of 2011 on Public Servants laying down the rules of reasonable accommodation and the employment of disabled persons and applies the CRPD concept in the investigation of cases pursuant to Act XCII of 2007 on

the Promulgation of the Convention on the Rights of Persons with Disabilities and the Optional Protocol thereto, which is the legal norm integrating the CRPD into the Hungarian legislation.

The Office of the Commissioner for Fundamental Rights (hereinafter referred to by the Hungarian abbreviation as "AJB") is a UN National Human Rights Institute (NHRI). In line with the Fundamental Law, the Act on AJB was also established, creating a new unified ombudsman system. The Ombudsman's main task is to investigate violations of fundamental rights and to take general or specific action to remedy them. Under Act CXI of 2011 on the Commissioner for Fundamental Rights anyone may apply to the AJB if they consider that an act or omission of an authority violates or directly threatens the fundamental right of the petitioner, provided that the available administrative remedies, including judicial review of the administrative decision, have already been exhausted or no legal remedy is available.

Based on Act LXV of 2013 on Complaints and Notices of Public Interest, from 1 January 2014 a public interest notice may also be submitted in a protected electronic system operated by the AJB. A public interest notice draws attention to a circumstance whose remedy or elimination is in the interest of the community or society as a whole.

Act XXXI of 1997 on Child Protection and Guardian Administration (hereinafter referred to by the Hungarian abbreviation as "Gyvt.") stipulates that the requirement of equal treatment shall be observed in the protection of children raised in the family and raised for any reason outside the family.

## **2) MEASURES TAKEN TO IMPLEMENT THE LEGAL FRAMEWORK AND KEY DATA, STATISTICS**

*The ECSR requested information on the implementation of the National Disability Programme for 2007-2013 and a new Programme for the period after 2013 developed in cooperation with the National Disability Council. It also requested information about the Action Plan to be developed under Act XXVI of 1998 on the Rights and Equal Opportunities of People with Disabilities for 2015-2018*

Article 26 (1) of Act XXVI of 1998 on the Rights and Equal Opportunities of People with Disabilities (hereinafter referred to by the Hungarian abbreviation as "Fot.") states that the National Assembly shall establish a National Disability Programme (hereinafter referred to as the Programme) to develop the measures necessary to achieve equal opportunities for persons with disabilities. The Hungarian Parliament adopted the new Programme in the form of a resolution. Based on this resolution, the Parliament has requested the Government to elaborate a medium-term action plan for the implementation of the Programme, in cooperation with national organizations for the protection of disabled persons and the National Disability Council (hereinafter referred to by the Hungarian abbreviation as "OFT") identifying the tasks, responsible parties and resources needed.

The measures of the medium-term action plan for 2007-2010 are in line with the objectives stated in Parliament Resolution 10/2006 (16 February) on the new National Disability Programme:

1. tasks to change social attitudes towards people with disabilities in a positive way;
2. improving the quality of life of people with disabilities and their families;
3. promoting the active participation of persons with disabilities in society; as well as
4. rehabilitation goals.

The mid-term implementation plan of the Programme for 2007-2010 was approved with Government Resolution 1062/2007 (7 August) on the mid-term action plan for the implementation of the National Disability Programme for the years 2007-2010 (hereinafter: Action Plan), the annex of which contains the specific tasks and deadlines that form the basis of actions to ensure equal opportunities for disabled persons and thereby also for the implementation of general principles and objectives laid down in the Programme.

The measures contained in the Action Plan have been compiled on the basis of proposals from the ministries, adapted to the programmes of the New Hungary Development Plan and other synergies identified by the ministries. In addition, the draft also contains the unfinished actions of Government Resolution 2062/2000 (24 March) on the medium-term action plan for the implementation of the National Disability Programme, relating to the implementation of the former programme.

For the period 2012-2013, the Action Plan was prepared in a new structure according to the intervention points:

- I. Support for persons with disabilities, social services, child protection, health policy
- II. Accessibility, equal access
- III. Education
- IV. Sport, leisure
- V. Vocational training, employment

The main measures taken until 31 December 2013 following the period covered in the former Parliament Report prepared on the subject and approved in Parliament Resolution 70/2012. (16 October) OGY on the pro-rata implementation of the National Disability Programme and the tasks included in the mid-term Action Plan (2007-2010) are presented in a separate report based on the new National Disability Programme approved with Parliament Resolution 10/2006. (16 February) and the action plan for the implementation of the new National Disability Programme in 2012-2013, approved with Government Resolution 1056/2012 (9 March). Each Report was consulted with the OFT.

Parliament approved the National Disability Programme with Parliament Resolution 15/2015 (7 April) OGY. Subsequently, the Government approved Government Resolution 1653/2015 (14 September) on the action plan for the implementation of the National Disability Programme in 2015-2018. The Action Plan for 2015-18 was prepared in a new structure following the structure of the Programme and identified 80 government tasks for the following 12 areas.

Data collection and research in support of the social inclusion of people with disabilities;

- Health;
- Early development, education, training;
- Employment;
- Social services and benefits;
- Complex rehabilitation;
- Self-determination, independent living;
- Disabled persons and their families;
- Transport;
- Sport, culture, tourism;
- Multiply vulnerable groups;
- Accessibility.

Pursuant to paragraph 1c) of the Action Plan, biennial reports must be prepared for the Government on the implementation of the tasks set out in the Action Plan. In addition, pursuant to Section 26(4) of the Fot. and paragraph 3 of the Resolution, the Government is obliged to report to Parliament on the implementation of the Programme every two years. A report on the implementation of the Action Plan in 2015-2018 is being submitted to the Government.

***Referring to the findings of the United Nations Commission on the Rights of Persons with Disabilities, the ECSR requested information on persons with disabilities and their representative organizations involved in the development and evaluation of disability legislation and policies.***

Act CXXXI of 2010 on Social Participation in the Drafting of Legislation defines the right of the societal organisations and interest representation bodies concerning in relation to draft legislation. The forms of social consultation are also defined in this Act. In addition, the participation of people with disabilities in the decision-making processes affecting them is ensured through several forums.

In order to monitor the enforcement of human rights, the Government established the Human Rights Working Group in 2012, with the main task of consulting with non-governmental organizations, advocacy and professional organizations and constitutional bodies, and to make recommendations regarding the activities and tasks of the working group. The Working Group operates the Human Rights Round Table (hereinafter: the Round Table), which currently has 68 non-governmental organisation members and 51 other organisations attend its meetings as invited guests. The Office of the Commissioner for Fundamental Rights, EBH, the National Data Protection and Freedom of Information Authority, and representatives of each of the ministries also attend its meetings as permanent guests. The members of the Round Table discuss current issues relating to human rights issues and make recommendations to decision-makers in the framework of Thematic Working Groups. The Round Table consists of 11 thematic working groups, each of which is dedicated to addressing the legal, practical problems and policy proposals of vulnerable social groups.

The Thematic Working Group for the Rights of Persons with Disabilities is composed of 22 NGOs and 3 invited experts.

From 2015, new mechanisms have been built into the consultation and decision-making processes. In addition to the OFT, the Social Policy Council (hereinafter referred to as the Council), the Board, the Interministerial Committee on Disability (hereinafter referred to by the Hungarian abbreviation as "FTB") have been established and the National Coordination Board of Replacement of Institutional Places (hereinafter referred to by the Hungarian abbreviation as "IFKKOT") has been renewed.

In order to coordinate the activities of the ministries concerning people with disabilities, Government established FTB with Government Resolution 1432/2015 (30 April), whose main task is to facilitate the implementation of the Programme and related action plans, and to perform governmental coordination functions under Article 33 of the CRPD. The respective co-chair of the OFT is a permanent guest of FTB, so members of the OFT are also informed about the tasks on the agenda and current issues regarding the implementation of the Programme, and may propose items for the agenda.

### **Members, Experts and Invited Guests of the Human Rights Round Table**

'Union for Romanians in Hungary' Association; Addetur Foundation; Center for Fundamental Rights; National Association of Autists; Hungarian Baptist Aid; Gypsy Science and Art Society; Social and Cultural Association for Gypsies; Civil Unity Forum; Czinka Panna Roma Cultural Association; Family, Child, Youth Association; 'Csodacsalád' (Miracle Family) Association; De Jure Foundation; Association of Democratic Roma Leaders; 'For the Rise of the Transdanubian Gypsies' Public Benefit Association; Ebony African Cultural, Artistic and Human Rights Association; 'ÉFOÉSZ' Hungarian Association for Persons with Intellectual Disability; 'ÉFOÉSZ-KEM' Komárom-Esztergom County Association for Persons with Intellectual Disability and Their Helpers; Eötvös Loránd University Bárczi Gusztáv Faculty of Special Needs Education; Association of Hungarians of Transylvania; ERGO-European Regional Organisation; Union of German Municipalities in Northern Hungary Association; EU-Roma National Association; Fáy Károly Association for the Hearing Impaired and Disabled; White Cross Child Protection Foundation; 'For a Responsible Society' Public Benefit Foundation; Council of Disabled People's Organisations (FESZT); Council of Geopolitics Public Benefit Foundation; 'Háttér' Society; Helidonaki Greek Traditional Association; Kilikia Cultural Association; Friends of Látiv Foundation for the Jewish Renaissance in Hungary; 'Lungo Drom' National Roma Advocacy and Civic Association; Hungarian Society of Gerontology and Geriatrics; Hungarian Christian Mission Foundation; Hungarian LGBT Alliance; 'Hungarian Women's Lobby' Association; Hungarian Catholic Association of the Press; Community of Hungarian Journalists; National Association of Hungarian Journalists; Hungarian Federation of the Blind and Partially Sighted; Hungarian Red Cross; Bem József Polish Cultural Association of Hungary; Association of Bulgarians in Hungary; Association of Croatian Nationality in Hungary; Pécs-Baranya Ethnic Circle of Germans in Hungary; National Association of Rusins /Ruthenians/ in Hungary; Slovakian Association of Hungary Non-Profit Organisation; Slovenian Association of Hungary; Ukrainian Cultural Association of Hungary; MONA – Foundation for the Women of Hungary; MTA (Hungarian Academy of Sciences) Institute for Minority Studies; BROTHER SUN, SISTER MOON – Public Benefit Association; Educators' Centre Association; Hungarian National League of Child Protection; PATENT – Law Enforcement Association; Reformed Church in Hungary, Mission Office; Reformed Rehabilitation Foundation; Roma Flame Association; Roma Woman Protection, Non-profit Organisation; Saxlehner András Association; Hungarian Associations of the Deaf and Hard of Hearing (SINOSZ); Srpski Forum Association; 'Századvég' Political School Foundation; Colourful Beads, Association for Roma Women in the South; Subjective Values Foundation; 'Születésház' Public Benefit Association; Action and Protection Foundation; National Association of Railway Retirement Clubs

Gusztáv Bárczi Faculty of Special Education of ELTE and the National Center of Patients' Rights and Medical Documentation (OBDK) participate in the work of certain thematic working groups as an expert.

The following organisations are permanently invited to the meetings of the thematic working groups:

Office of the Commissioner for Fundamental Rights, Equal Treatment Authority, National Authority for Data Protection and Freedom of Information, representatives of each ministry

### **Members of the National Disability Council:**

- The chairman of the Council is the Minister of State for Social Affairs and Social Inclusion (from 1 May 2019: Minister of State for Social Affairs)
- delegate of the Heves County Parent Association of Multiple Injured People
- delegate of the Council of Associations of Persons with Disabilities (FESZT)



- Delegate of the Hungarian Association for Persons with Intellectual Disability and their Helpers (ÉFOÉSZ)
- delegated by the Hungarian Deafblind Association (SVOE)
- delegate of the National Federation of Disabled Persons' Associations (MEOSZ)
- delegate of the Hungarian Autistic Society (AOSZ)
- delegate of the National Association of the Hungarian Blind and Visually Impaired (MVGYOSZ)
- Delegate of the National Association of the Deaf and Hard of Hearing (SINOSZ)
- delegate of the Motivation Foundation
- Delegate of the National Association of Social Organisations and Foundations for Serving the Mentally Handicapped (ÉTA)
- delegate of the Psychiatry Interest Forum (PÉF)
- Joint delegate of the Aphasia Association and the Demosthenes National Association for the Speech Impaired and their Helpers
- delegate of the Hungarian Paralympic Committee
- delegate of the National Association of Students and Leisure Sports for People with Disabilities (FODISZ)

**Members of the Social Policy Council:**

- The Chairman of the Social Policy Council is the Minister of State for Social Affairs and Social Inclusion (from 1 May 2019: Minister of State for Social Affairs)
- The deputy chairman of the Social Policy Council is the Deputy Minister of State for Social Policy (from 1 May 2019: Deputy Minister of State for Social Affairs)
- Chairman of the National Professional Board for Elderly Care
- Chairman of the National Professional Board for Child Welfare and Child Protection Services
- Chairman of the National Professional Board on Disability
- Chairman of the National Professional Board of Social and Guardianship Administration
- Chairman of the National Professional Board of Addiction
- Chairman of the National Professional Board of Homelessness and Housing
- Chairman of the National Professional Board for Rehabilitation and Developing Employment
- one expert in the field of social policy research and analysis
- one expert in the field of social higher education
- one of the market players active in the field of CSR
- one person delegated by the Charity Council on the recommendation of the member organizations of the Charity Council

**Members of the National Professional Board on Disability:** representatives of the higher education sciences, organizations that provide services to persons with disabilities, and experts representing maintainers of state, societal, and religious institutions.

**Members of the Interministerial Committee on Disability (hereinafter: Committee):**

The chairman of the Committee is a State Official appointed by the Minister responsible for social and pension policy. The Committee consists of permanent and ad hoc members with voting rights and invited members with a consultation rights.

Permanent members of the Committee:

- the chairman of the Committee and
- one representing each of the following fields:

- health,
- social and pension policy,
- social inclusion,
- family policy,
- child and youth policy,
- culture,
- strategic control of the implementation of the Government's general policy,
- employment policy,
- public employment,
- vocational training and adult education, and
- one person representing the ministry led by the minister responsible for public finances,
- one person for public and higher education on behalf of the ministry led by the minister responsible for education and
- the ministerial commissioner responsible for the social integration of people with disabilities.

Ad hoc members of the Committee - one person on behalf of the following ministries led by the minister responsible for:

- justice,
- public administration development,
- absorption of European Union funds,
- fiscal policy,
- coordination of government activities,
- development of social and civil relations,
- information technology,
- transport, and

one representative from each of the following organisations:

- Central Statistics Office of Hungary,
- the Office of the Government of Budapest, acting as a rehabilitation and social authority,
- Directorate-General for Social Affairs and Child Protection,
- National Healthcare Services Center,
- Integrated Right Protection Service,
- National Health Insurance Fund Manager,
- Educational Authority,
- Klebelsberg Center,
- National Office of Vocational Education and Training and Adult Learning

Permanent guests of the Commission:

- one representative of the Equal Treatment Authority,
- the Office of the Commissioner for Fundamental Rights,
- the Equal Opportunities of Persons with Disabilities Non-profit Ltd. (Fogyatékos Személyek Esélyegyenlőségéért Közhasznú Nonprofit Kft.),
- and the National Council for Communications and Information Technology.

**IFKKOT members:**

- 1 person from the Council of Disabled People's Organizations
- 2 persons from the National Disability Council
- 1 person from the UN National Human Rights Institution

- 1 person from the Replacement Coordination Office of the Equal Opportunities of Persons with Disabilities Non-profit Ltd.
- 1 person from Directorate-General for Social Affairs and Child Protection
- 2 persons from church and municipal maintainers
- 1 person – chairman of the National Social Policy Council, National Professional Board on Disability
- 1 person from EU planning
- 1 person from training institutes
- 3 persons from the professional departments of the Ministry of Human Capacities

#### **IFKKOT Subcommittee**

- 1 delegate from the Hungarian Deafblind Association (SVOE)
- 1 delegate from the Council of Associations of Persons with Disabilities (FESZT)
- 1 delegate from the Psychiatry Interest Forum (PÉF)
- 1 invited expert
- 1 delegate from the Professional Board
- 2 persons from the professional departments of the Ministry of Human Capacities

*The ECSR requested information on measurable progress in increasing accessibility for people with disabilities to communication and information technologies and services, supported with indicators.*

#### **EFOP-1.9.2-VEKOP-16. "Developing and improving accessibility to professional and public services for persons with disabilities"**

The scheme supports disabled people living in their families with 3,299,685,000 HUF.

The objective of the scheme is to improve public services responsive to disability needs by improving access to public services by developing a counselling network, providing information, developing new services, developing existing services, and developing tasks currently in progress in family and child welfare centres.

The project aims to provide people with disabilities with quality services. Therefore, the project aims to improve the efficiency of the currently available institutional system (education, employment, health, social, public services, etc.) by coordinating the activities of the sectors concerned, developing capacity, and developing a monitoring, evaluation and feedback system for professional activities.

The target group of the project is people with disabilities and their families, family members and relatives living with them.

As part of the development, a single, transparent client pathway for people with disabilities has been designed and set up, providing feedback and follow-up and, where necessary, intervention. The task of the project is to assess and provide the appropriate tools for that (legislative change, methodology, etc.).

In total 21 (2 Budapest, 19 counties) Information and Coordination Points have been established at the Family and Child Welfare Centre.

On 15 November 2016, Directive (EU) 2016/2102 of the European Parliament and of the Council (hereinafter: the Directive) on the accessibility of the websites and mobile applications

of public sector bodies was published, imposing an obligation on Hungary to implement the provisions of the Directive.

At the beginning of 2017, a working group was set up with the coordination of the e-Administration Department of the Ministry of Interior to identify the pieces of legislation on accessibility of public sector websites that need to be reviewed for compliance with the Directive, and to include relevant experts and persons with disabilities themselves into the implementation process. The tasks related to the implementation of the Directive were the tasks of 2018.

**EFOP 1.1.5-17. "Developing an Infocommunication-Based Teleservice assisting the everyday life of people with disabilities"**

In order to improve the access of persons with disabilities to public services and to strengthen the process of social inclusion, a call for proposals was launched in April 2017 to support persons with disabilities in achieving their independent living and self-determination through the infocommunication services implemented within the framework of the project. The total budget of the project is 4 billion HUF.

**Winning organisations:**

- National Association of the Deaf and Hard of Hearing: Development of an accessibility platform for infocommunication services for persons with impaired hearing and vision – 1,392,122,298 HUF.
- National Federation of Disabled Persons' Associations – No Limitations – Infocommunication accessibility for disabled people 728,237,520 HUF.
- National Association of the Hungarian Blind and Visually Impaired – Remote Assistance for Visually Impaired People TávSzem 469,370,589 HUF.
- Hungarian Association for Persons with Intellectual Disability and their Helpers – Development of Infocommunication Based Teleservice at ÉFOESZ 851,175,523 HUF.
- Hungarian Autistic Society - DATA: Digital Autonomy Support for the Autism Spectrum 450,788,352 HUF.
- AFAZIA - Association of Re-talkers - Establishment of an infocommunication teleservice assisting the everyday life of people with Aphasia 84,368,738 HUF.

***The ECSR has requested information on the operation of the residential accommodation system for people with disabilities (including those with psychiatric problems, addictions) operating since 1 January 2013, and state assistance for the conversion of homes for people with disabilities.***

In July 2011, the Government adopted a Government Resolution on a strategy for replacing social institutional care facilities for people with disabilities and on governmental tasks related to its implementation. With this, in 2011, the focus of social policy was put on personality and human dignity. Persons with disabilities need personalized circumstances and services, not peripheral locations or standardized care.

Initially, the strategy covered 30 years. Based on the strategy, in the first three years the transformation was carried out within the framework of the Social Infrastructure Operational Program – Replacement of Residential Institutions – Modernization of Social Institutions (hereinafter: TIOP-3.4.1.) call. In the TIOP-3.4.1 call for the implementation of the first stage of transformation 7 billion HUF was available. The aim of the project was to replace residential

care facilities with a capacity of 50 people or more, nursing and caring for of people with disabilities, psychiatric patients or addicts, according to the principles defined by the strategy.

In the framework of TIOP-3.4.1.A-11/1 'Replacement of Residential Institutions', 672 subsidized residential places were created from the total assistance of 5.8 billion HUF with the transformation of the following institutions: St. Luke's Greek Catholic Charity Nursing and Care Home, Szakoly; Golden Island Home, Szentes; Bélapátfalva Home and Methodological Institute of Seniors and Disabled, Bélapátfalva; Somogy County Love Social Care Home, Berzence; Municipality of Kalocsa, Kalocsa; Mérki Nursing and Care Home, Mérk.

In line with the principles of the strategy, subsidized housing as a new type of service was introduced as of 1 January 2013, as a major shift towards community-based services. Subsidized housing is based on a complex needs assessment of the users, which enables the provision of care tailored to individual needs. With support tailored to individual needs, the recipient is able to become an active part of everyday life. The aim is for the individual to receive support that is fully tailored to their needs and expectations. Under the current rules, the creation of new nursing care facilities for disabled, psychiatric and addict persons is only possible through assisted living. Subsidized housing creates appropriate conditions for persons with disabilities, psychiatric patients and addicts to receive housing and social services appropriate to their age, health and self-sufficiency. The basic principle is that housing and social services should be separate. No other social service may be provided on the site of the housing service, which may be provided in a house/apartment for up to 6 persons, a house/apartment for 7 to 12 persons or a combination of apartments or buildings for up to fifty persons. Instead of providing the residents with a ready-made "package" of residential care, subsidized housing uses a flexible combination of different forms of housing services and care services, with separate locations. The separation of the day-care facilities from the place of residence reinforces and encourages independent participation in local community life. The service is based on the complex needs assessment of the users, the implementation of which enables the provision of services tailored to individual needs.

From 2015, new nursing care facilities for disabled, psychiatric and addict target groups can only be created through subsidized housing, as in the case of replacement, and, simultaneously, existing nursing care facilities can be expanded to a maximum of 50 places.

As of 1 January 2017, a system of service elements for subsidized housing has been introduced, to be provided alongside housing services, case management and other social inclusion services. The individual service elements to be provided to the user are selected on the basis of the complex needs assessment. Nine service elements – supervision, meals, care, skills development, counselling, pedagogical assistance, special education assistance, transportation and household or household supplementing assistance – are listed and cover a broad range of possible activities. It is worth providing the service elements through the basic services in the residential environment, so the basic services that can be provided for each service element are also defined in the law.

Continuing the replacement of social institutions was also a priority during the planning and implementation of the EFOP 2014-2020 project. On 1 April 2016, the EFOP 1.9.1.-VEKOP-15-2016-00001 TÁRS project was launched, to ensure the professional coordination of the replacement of places in institutions and to provide methodological support for the process.

In January 2017, the EFOP-2.2.2-17 call was launched under the title of Development of the Transition from Institutional Care to Community-Based Services, with a budget of 25.27 billion HUF. The aim of the project is to fully replace institutional care in facilities caring for more than 50 people with disabilities, psychiatric patients and addicts, and to develop high quality, accessible community-based care that reflects the needs of residents.

In March 2017, the call for proposals of the VEKOP-6.3.2 scheme 'Development of the Transition from Institutional Care to Community-Based Services - replacement of institutional capacities' was launched, which allows the implementation of the process also in the Central Hungary region with a budget of 730 million HUF.

*The ECSR requested information on the cost reimbursement options available for personal and home assistance under Act III of 1993 on Social Administration and Social Benefits (hereinafter referred to by the Hungarian abbreviation as "Szt.")*

State aid for social services is contained in the current budget law.

The government is committed to providing all people with disabilities and their caring families all the help and assistance they need to "not get locked up" in their homes and to get all the help they need close to home.

### **Support service**

Support service is a social service for the care of disabled people in their home environment. This should include the provision of personal assistance as a special form of assistance in the recipient's dwelling and living environment and transport services to facilitate access to public services. Support service tasks:

- meeting the basic needs of the individual;
- promoting access to health and social care and development activities appropriate to the nature of the disability; as well as
- promoting the contribution to the social integration, work and employment of people with disabilities.

The Government considered it of great significance to strengthen support services, an important element of which was the increase in funding already launched in 2015, which, together with the increase in January 2016, represents about 400 million HUF for support services.

It is also confirmed that as of January 2016, the inflexible and unpredictable application system was terminated in the field of operation. It has been replaced by normative funding, which stabilizes support services in a sustainable, predictable way.

In 2016, the total amount spent on support services and community services increased by 1.2 billion HUF. The Hungarian Government wants to reach as many people as possible, one of the tools of which is a call for applications for the development of the conditions of the accepted service providers operating the support service.

In 2016, 200 million HUF was also allocated to improve the quality of certain social and child protection services. This appropriation was intended to assist to purchase support services and equipment (in particular motor vehicles) for the provision of community services. The tender provided 142,814,000 HUF for a vehicle purchase component (up to a maximum of 9 million HUF per application), which resulted in the transfer of 18 new support service minibuses.

In 2016 an opportunity arose to develop the capacity of the already accepted service providers, as well as to improve the coverage of the supply by recruiting new service providers. In 2016, the support service received a 339.9 million HUF to improve the indicators of the task.

In 2017 181,500,000 HUF and in 2018,140 million HUF calls were issued for vehicle development of the support services. Under the scheme maximum of 9 million HUF was made available for the replacement of motor vehicles of the existing support services.

**Obligation to pay a fee for social services:**

Some social services are provided free of charge, while others are subject to the payment of a fee. The services available for a fee and the rules of the fee payment are laid down in the Szt. and in Government Decree No. 29/1993. (17 February) on the Fees of Social Services Providing Personal Care, issued for the implementation of the act. Unless otherwise provided by the Act on Social Services, social services and benefits providing personal care are subject to payment of a fee.

There are services that are, by law, free for everyone. These include forms of personal care where, due to the characteristics of the target group of the users, no contribution to the cost of providing the service may be expected, or where setting a fee for a potential group of users in need would be counterproductive to the social objective pursued (e.g., family assistance). This also means that the use of these services does not give rise to any payment obligation, irrespective of the financial or income situation of those using them. Therefore, these forms of personal care do not require income testing.

The other category of exemption from payment is based on the income or financial situation of the individual using the service. The Szt. stipulates that persons without income but in need of personal care should be provided with free care.

The payable allowance may not exceed the following percentages of the income of the recipient:

- 30% (in the case of meals),
- 25% (in the case of home assistance),
- 30% if not only home assistance but also meals are provided, or when
- 20% of the support service is for minors,
- 2% in the case of signal-based home assistance
- 15% in the case of day care,
- 30% when the recipient uses day care and meals at the care facility,
- 60% in the case temporary accommodation
- 50% in the case of the housing for rehabilitation purposes,
- 80% in the case of other long-term care (e.g. nursing homes, homes for the disabled, homes for psychiatric patients, assisted living, etc.).

## ARTICLE 20 – THE RIGHT TO EQUAL OPPORTUNITIES AND EQUAL TREATMENT IN MATTERS OF EMPLOYMENT AND OCCUPATION WITHOUT DISCRIMINATION ON THE GROUNDS OF GENDER

*With a view to ensuring the effective enforcement of the right to equal opportunities and equal treatment in matters of employment and occupation without discrimination on the grounds of sex, the Parties undertake to recognise that right and to take appropriate measures to ensure or promote its application in the following fields:*

- a) access to employment, protection against dismissal and occupational reintegration;*
- b) vocational guidance, training, retraining and rehabilitation;*
- c) terms of employment and working conditions, including remuneration;*
- d) career development, including promotion.*

*The ECSR asked for examples of compensation paid for gender discrimination. The information requested is contained in the chapter on the 1988 Additional Protocol.*

### 1) THE GENERAL LEGAL FRAMEWORK, THE NATURE, CAUSES AND SCOPE OF REFORMS

*In its conclusions of 2016, the ECSR requested the presentation of measures aimed at reconciling work and family responsibilities, such as measures to eliminate stereotypes and to strengthen the role of men and women in the family. It also requested information on the elimination of gender segregation in employment, measures to ensure the widest possible choice of jobs, education and training for women, and the implementation of the National Strategy for the Promotion of Gender Equality. The information requested is contained in this section of the report and in the section on the 1988 Additional Protocol.*

#### 1. Rules pertaining to Public Employees, Public Servants, Government Officials

**In relation to those falling within the scope of Act CXCV of 2011 on Public Servants (hereinafter referred to by the Hungarian abbreviation as "Kttv.")**

Pursuant to Section 13 (1) of the Kttv., the requirement of equal treatment must be maintained with regard to public service, in particular remuneration. Remedy to the violation of that requirement cannot entail the infringement or violation of the right of any other public servant.

Pursuant to Section 13 (2) of the Kttv., remuneration is any benefit, whether in cash or in kind, received directly or indirectly on the basis of the public service, and paragraph (3), determines the criteria for determining the equality of work. Accordingly, the equal value of work for the purposes of the principle of equal treatment must be determined – in particular – based on the nature of the work performed, its quality and quantity, working conditions, the required vocational training, physical or intellectual efforts expended, experience, responsibilities and labour market conditions.

According to paragraph 5 of the Equal Opportunity Plan of the Hungarian Prison Service Headquarters: “The employer shall undertake to prevent discrimination against employees. Within this framework, the employer will primarily employ preventive measures, including the establishment of employment relationships, the definition of salaries, allowances, training, further training and other incentives during the term of the employment relationship and methods, relocation, other employment related matters and termination of employment.”



## **2. Rules applicable to members of the professional staff of law enforcement agencies**

### ***In the case of those falling within the scope of Act XLII of 2015 on the Service Status of the Professional Members of Law Enforcement Agencies (Hszt.)***

The Hszt. established a predictable, fixed and transparent remuneration system for professional service, based on job evaluation, professional experience and individual performance. The closed promotion system ensures both vertical and horizontal promotion by recognizing and matching, in the case of promotion within the system, professional experience gained so far within the system, thereby guaranteeing an increase in remuneration in line with the promotion. On the contrary, a newly appointed person from outside will be classified in the lowest remuneration grade relating to the relevant job (position). Instead of an automatic promotion system, there is a conditional promotion system (that is, all promotion steps are linked to conditions, such as qualifications, waiting time, performance evaluation). The rank is based on the service position and remuneration grade. The law defines both the lowest and the highest rank by grade.

In order to protect the employees of the professional service, the Hszt. contains many provisions incorporating employment guarantee rules and regulations. Section 5 of the Hszt. states, among others, the requirement of equal treatment which must be respected in relation to the professional service relationship. It also states that the law enforcement agency shall grant to members of the professional staff, without discrimination, promotion within the meaning of the Act, solely on the basis of their professional ability, qualifications, experience and performance, as well as their length of service.

Pursuant to Section 120 of the Hszt, a member of the professional staff must be provided reasonable and predictable prospects of advancement in his/her career in the remuneration grade and rank assigned to their category and for promotion to a higher grade in service. The general conditions for promotion are: fulfilment of the prescribed training and further training obligations, statutory required performance levels, health, mental and physical fitness, completion of the required salary waiting period, practical experience and skills and competences required for the higher service position, as well as submission of an application for a position which may be filled through a tender.

Pursuant to Section 131 of the Hszt., the school or professional qualification of a member of the professional staff required for a higher service position shall be provided in the form of school or non-formal education, taking into account the interest of the service, in order to ensure predictable and planned promotion. Members of the official staff must take part in professional further training or re-training as defined by law in order to develop their professional knowledge. Pursuant to Section 132 of the Hszt., the executive officer exercising the employer's rights may enter into a study contract with a member of the professional staff or an individual undertaking to join a professional service for an educational programme or training conducted in a civilian training institution or outside the schooling system. In addition, in 2014 a four-year further training system was introduced, the completion of which is a prerequisite of promotion. The successful completion of the law enforcement officer or master leader course is a prerequisite in any executive officer's position.

### **Additional Protocol to the European Social Charter**

#### **Article 1**

## **Right to equal opportunities and equal treatment in matters of employment and occupation without discrimination on the grounds of sex**

- 1. With a view to ensuring the effective exercise of the right to equal opportunities and equal treatment in matters of employment and occupation without discrimination on the grounds of sex, the Parties undertake to recognise that right and to take appropriate measures to ensure or promote its application in the following fields:  
access to employment, protection against dismissal and occupational resettlement;  
- vocational guidance, training, retraining and rehabilitation;  
- terms of employment and working conditions including remuneration;  
- career development including promotion.*
- 2. Provisions concerning the protection of women, particularly as regards pregnancy, confinement and the post-natal period, shall not be deemed to be discrimination as referred to in paragraph 1 of this article.*
- 3. Paragraph 1 of this article shall not prevent the adoption of specific measures aimed at removing de facto inequalities.*
- 4. Occupational activities which, by reason of their nature or the context in which they are carried out, can be entrusted only to persons of a particular sex may be excluded from the scope of this article or some of its provisions.*

### **1) THE GENERAL LEGAL FRAMEWORK, THE NATURE, CAUSES AND SCOPE OF REFORMS**

Article XV of the Fundamental Law of Hungary provides for a general prohibition of discrimination and the promotion of equal opportunities. Article XV (2) of the Fundamental Law prohibits discrimination on the basis in general, with an open list and expressly mentions the prohibition of discrimination on ground of sex. Paragraph (3) of the same article states that men and women are equal, while paragraph (5) provides for the protection of women in cases of positive discrimination. Consequently, Article XV (2) of the Fundamental Law applies an open taxative list by defining the 'other' category in relation to protected features, thus allowing the legislator to define new grounds for protection. These grounds of protection are, in accordance with the Fundamental Law, listed in detail in Section 8 of Act CXXV of 2003 on Equal Treatment and Promotion of Equal Opportunities (Ebkvtv.), practically covering all possible features. Section 8 (a) of the Act on Equal Treatment and Promotion of Equal Opportunities defines gender and paragraph 1) defines maternity (pregnancy) as a protected feature.

The cited provisions of the Fundamental Law and the Ebkvtv. contain comprehensive rules on the legal protection of disadvantaged groups, covering the entire Hungarian legal system. On the obligor side the scope of Ebkvtv. extends to the public sector and to private law relations made available to the public. Pursuant to the Ebkvtv., the requirement of equal treatment of men and women should also apply to employment, social security and health care, housing, education and training, and access to and supply of goods. Pursuant to Section 65 of the Ebkvtv, the Act also implements the European Union Directives for the establishment of a general framework for equal treatment between men and women. Therefore, the provisions of the Fundamental Law and the Ebkvtv. must also apply in all sectoral legal acts.

As previously reported, the rules of the general requirement of equal treatment in the world of employment are laid down in Act I of 2012 on the Labour Code (hereinafter referred to as the Labor Code), while the detailed rules are included in Ebkvtv.

During the period under review, the rules of the Labour Code changed at several points to facilitate the return of parents with young children to the world of work and to reconcile work and private life, thus protecting, among other things, working mothers.

Under the Labour Code, the employer is obliged to employ the employee in accordance with the employment contract and the rules governing the employment relationship and, unless otherwise agreed by the parties, to provide the conditions necessary for the work. An employee may be employed only for work which, having regard to their physical state or development, does not adversely affect them. [Section 51 (1) and (3) of the Labour Code]

In order to avoid exposing pregnant workers and their children to workplace risks, the Labour Code requires the employer to adapt the working conditions and / or working hours of the employee concerned and, if there are objective obstacles to this, to offer a job that suits the expecting mother's health needs. Sections 51 (3) and 60 (1) of the Labour Code]

Employers must amend the employment contract based on the employee's proposition to part-time work covering half of the regular daily working time until the child reaches the age of three, or the age of five in the case of parents with three or more children. [Section 61 (3) of the Labour Code]

The group with family responsibilities is also protected in the event of termination. The employer may not terminate the employment relationship during pregnancy, maternity leave, unpaid leave to take care of the child, and the woman's statutory treatment in connection with the human reproduction procedure, or for a maximum period of six months from the beginning of the treatment. The employee may refer to pregnancy and reproductive treatment if she has informed the employer about it. The employer may withdraw the notice in writing within fifteen days of notification of the dismissal to the employee.

If the termination notice is withdrawn, with regard to entitlements arising after the employment relationship was reinstated in connection with the duration of employment, the time between the termination (cessation) of the employment relationship and the day of reinstatement must be regarded as time spent in employment. The employee must be compensated for any lost wages, other benefits and for damages in excess thereof. The employee's absentee pay must be taken into consideration as lost wages. [Section 65 (3)-(6) of the Labour Code]

During the period under review, Act L of 2017 on the Amendment of Certain Laws Relating to the Entry into Force of the Act on General Public Administration Proceedings and the Act on the Code of Administrative Litigation promulgated on 25 May 2017 amended the provision of Ebktv. which allows for derogations from the requirement of equal treatment in special working conditions. The amended text, aimed at uniform interpretation and better enforcement, states that discrimination based on a legitimate aim and proportionate to it, justified by the nature of the work or working conditions and stemming from actual and determining professional conditions is not a breach of the principle of equal treatment. [Section 22(1) a) of the Ebktv.]

## **2) MEASURES TAKEN TO IMPLEMENT THE LEGISLATION**

As a result of the job placement programmes for the public employees, presented in the section dedicated to Article 1 (1), the employment situation of the most disadvantaged target groups has improved in recent years. According to the data for the first 10 months of 2018, the average number of public employees is roughly the same as in 2013, while the composition of

individuals involved in the programme has changed. The proportion of women in public employment increased from 38% to 56% between 2013 and 2018. The programme also focuses more and more on promoting the employment of disadvantaged women. While approximately 26,000 unskilled women (who completed no more than 8 years in primary school) were involved in public employment every month in 2013, their number rose to 45,000 in the first 10 months of 2018. Although the ethnicity of individuals involved in public employment programs is not known, it can be concluded that such employment is of particular benefit to the Roma population. The number of women working in public employment is the highest in the two counties where the Roma population is the most over-represented. The number of women enrolled in programmes in Borsod-Abaúj-Zemplén County increased by 73% and in Szabolcs-Szatmár-Bereg County almost doubled between 2013 and 2018.

Owing to the Action Plan for Employment Protection, also presented above, it helps employers employ mothers with young children, women beginning their careers and long-term job seekers. Between 2013 and 2018, the number of women raising small children receiving employment assistance under the scheme increased by 30%. In the first three quarters of 2018, companies benefited from an average of 31,000 women on tax breaks.

Between January 2013 and December 2018, on average of 9.8 billion HUF per month was provided to help the employment of 769,000 workers per month.

As of January 1, 2019, the benefit scheme of the Action Plan for Employment Protection has been significantly changed. Employers are still entitled to contribution relief for employees joining the labour market, applicable to those returning to work after child care, long-term job seekers, career starters as well as the previously inactive. The maximum limit for benefits has been changed positively under the new rules, as they are based on the current minimum wage instead of the previous 100,000 HUF (gross 149,000 HUF in 2019).

### **GYED Extra**

The introduction of Child Care Benefit (hereinafter referred to by the Hungarian abbreviation as "GYED") Extra in 2014 aims to ensure that having children is not an obstacle to work and that mothers with children do not have to choose between child-raising and career. From 2014, after the age of one of the child, and from 2016, after the child has reached six months of age, mothers can work without losing the benefits (GYES, GYED). The package also supports families with low age differences between their children (sibling GYED) and this benefit can also be requested after two semesters of higher education (student GYED). From 1 January 2018, the duration of student GYED has been extended by one year, until two years of age of the child, i.e., it was practically doubled. In 2018, 103,819 parents received some kind of benefit (58,503 parents were able to go to work once their child has reached 1 year of age, 44,464 received multiple child care benefit simultaneously, and 852 received student GYED).

### **Development of nursery care**

Reconciliation of work and family life and care for children during the day are key to women's employment. The restructuring of nursery care and a significant increase in nursery capacity has taken place over the past 9 years, facilitating the employment of parents with children under the age of three. Significant improvements have been made both in terms of legislation, funding and operational support.

As of 1 January 2017, the system of day care for children has been transformed. The aim is to eliminate current territorial disparities and create a flexible, multi-tiered, multi-player system

that, beyond institutional frameworks, can provide family-friendly, small-scale childcare, whether in private homes or at workplaces, responding to local needs, and providing daytime care, adjusted to the working hours of the parents too.

The new system of day care for children aims to help families and communities by providing more flexible, differentiated and demand-driven forms of care (2 institutional care: nursery, mini nursery; 2 service type care: work nursery, family nursery), by establishing institutional and service forms that are adapted to the needs and expectations of local families with young children and that remain functional and sustainable in the long term.

From 2018, municipalities must organize the provision of nurseries (nurseries, mini-nurseries, or family nurseries) if the number of children under 3 years of age in the community exceeds 40 or if applications are submitted for care for at least 5 small children. The municipalities will be able to fulfil their obligation to provide nursery care by 31 December 2020 at the latest.

The current normative financing of nurseries and mini nurseries has been replaced by task-based financing in January 2018, whereby the central budget provides wage subsidies (average wage subsidies for statutory staff) and operating subsidies for all institutions (taking into account the taxing capacity of the given settlement), helping local governments to perform their duties effectively and in the long term.

According to the 2018 data of the Central Statistics Office of Hungary, the total number of places for children under 3 years of age exceeds 47,000, which means that the number of nursery places has increased by approximately 47% compared to 2010. In 2018, approximately 19% of the 0-2 year olds had access to nursery care, which is the highest rate ever in the nursery history in Hungary. This number will increase to 70,000 by 2022. In Hungary, free meals are provided for 67% of children in nurseries.

From domestic sources 1.1 billion HUF was allocated in 2017 and 10 billion HUF in 2018 for nursery development. In 2019, approximately 104 billion HUF is available for nursery development (from EU and domestic sources).

### **Family and Career POINTS to promote women's employment**

Launched in February 2017, the EFOP-1.2.9-17, “Women in the Family and at Work” scheme, aims to improve the labour market situation of women and the compatibility of family and work, for which the Government has provided 14 billion HUF. Local governments, NGOs and church organizations were eligible to apply. Projects that promote flexible employment and reconciliation of family and work have been granted assistance. 71 Family and Career POINTs have been opened nationwide for women with young children wishing to return to work, assisting them with training, coaching and mentoring to support their personal development, improve their entrepreneurial skills, and put in place the conditions of supportive services for reconciling work and private life through the cooperation of local communities. There are generally 4 Family and Career POINTs per county, where women workers of active age are assisted. They also support activities related to rural development, local traditions and the provision of childcare and household related services are also important elements of the project. Awareness-raising and the empowerment of women in society and the economy is also an important goal of the Family and Career POINTs.

### **Extending flexible and atypical forms of employment**

Increasing part-time opportunities is a very important step in women's politics. It was the Labour Code that introduced the concept of atypical employment, but the employment culture in Hungary still has to change in this respect. The legislative conditions have been put in place by the government, but it is also important that employers are willing to cooperate as partners, recognising that promoting atypical forms of employment would greatly help them to have a motivated female workforce. If a mother with a small child requires part-time employment, the employer is obliged to provide it until her child reaches the age of 3 or, in the case of a mother with a large family, until the youngest child reaches the age of 5.

### **Preferential Retirement for Women (Women 40 Programme)**

As of January 1, 2011, an old-age pension is available for women, regardless of age, based on 40 years of eligibility period. The measure aims to recognize the multiple burdens of women and to promote the employment of young women through the involvement of grandmothers in childcare. Between 2011 and 2018, the Women 40 programme allowed 242 800 women to retire early.

### **Compulsory kindergarten education**

On 1 September 2015 compulsory kindergarten education was introduced pursuant to Act CXC of 2011 on National Public Education. In addition to offsetting early childhood disadvantages, the measure will significantly help women return to the labour market.

### **Family tax benefit**

With the family tax and contribution benefit introduced in 2011, the family tax benefit can be shared between mother and father, and in most cases is used by women. It also contributes significantly to the economic independence of women, mothers, and indeed serves the purpose of enabling mothers to preserve the income earned by them as much as possible and to spend it on their children.

It reduces the payable tax by 10,000 HUF per child per month, and by 20,000 HUF for 2 children currently (from 1 January 2019) and by 33,000 HUF for 3 or more children. As of 2014, family allowances can be applied not only against personal income tax but also against pension and health insurance contributions, so those who are unable to claim the full family income tax allowance from personal income tax due to their low income can apply this benefit against the contributions.

### **Tax relief for the first married**

In 2015, the tax relief for first-time couples deductible from the tax base was introduced (a couple can apply for 5,000 HUF monthly tax relief). From 2017 onwards, every newlywed couple are eligible for the relief, including those who have children in the meantime.

### **Family Housing Support**

As of 1 July 2015, the Family Housing Support (hereinafter referred to by the Hungarian abbreviation as "CSOK") was introduced, which has become available to families with one child either for buying a used home or for extending an existing home. As of 1 January 2016, the terms and conditions of CSOK became even more favourable: the assistance amounts increased significantly (e.g., the 10 million HUF assistance for large families for the purchase or construction of new homes) and the eligibility conditions were simplified as well. As an additional advantage, the possibility of a VAT refund for construction costs of up to 5 million HUF relating to the construction of a new property, 5% preferential VAT rate on purchases and 10 million HUF loans with a preferential interest rate (3%) form families with three or more

children were introduced. The 5% preferential VAT rate does not apply to all new real property purchases, but only to new residential properties, and only those that satisfy the requirement of total useful floor area (up to 150/300 m<sup>2</sup>) defined in Annex 3, Part I paragraphs 50-51 of the VAT Act.

### **Mortgage relief**

As of 1 January 2018, families agreeing to have three or more children can reduce their mortgage debt by 1-1 million HUF per child.

### **Suspension of student loan repayment**

The repayment of the student loan may be suspended and the debt may be reduced in case of having a child. After 1 January 2018, for pregnant women, student loan repayment is automatically suspended from the third month to three years. After the birth of the second child, half of the debt is cancelled, while at the birth of the third child the mother is exempt from paying the total debt. Currently, there are almost 116,000 young women with student loans.

### **"Women 40+" programme**

The Women 40 + programme was launched in 2013 to promote the employment of women registered as job seekers and with lower employment opportunities, mainly due to their age. A further aim of the measure was to ensure that women have the necessary qualifying periods for retirement. Owing to the support, around 1,300 women over the age of 55 were able to find a job. The programme restarted in 2016, providing employment support to a further 700 women. Under the scheme, employers are reimbursed 100% of the combined wage and social security contributions for the employment of women included in the target group. The duration of the assistance was limited to a maximum of 8 months per person, while employment could not exceed the number of months needed to qualify for the 40 years of eligibility period. The employer had to take on the obligation to continue employment for half the duration of the assistance, i.e., on average 4 months.

### **Better chance programme**

The programme is described in detail in the section dealing with Article 1 (1) of the Charter of this report.

### **Measures to assist women in the public sector**

The measures under Act CXXV of 2018 on the Government Administration (hereinafter referred to by the Hungarian abbreviation as "Kit.") promoting the employment of women were described in relation to Article 1. paragraph 1 of the Charter.

### **Training of women for public life**

The Women's Public Life Leadership Training Program was launched in 2018 as a free-of-charge training programme for young women aged 18-36 with Hungarian and English language skills who are ambitious to take up a role in public life. The aim of the training is to equip participants with practical leadership skills and to create a community that will help female managers trained in Hungary to use their knowledge and skills in Hungary, especially in domestic or regional institutions or companies, in the long-term.

The programme also highlights the importance of female leaders and their impact on the economy, society and public life.

The training includes four weekends, during which participants attend lectures and skills training sessions. In addition, preparing assignments and e-learning curricula help them to acquire the knowledge.

The explicit aim of the programme is to provide hands-on experience in addition to classroom education, so that participants are engaged in small-group project work and meet with domestic and foreign professionals, leaders and politicians. By inviting foreign experts, they wish to provide training that is internationally recognized, and meeting with domestic lecturers allows for reflection on local public life.

### **Reducing the pay gap between women and men**

The goal of catching up with the wages of the developed Western European countries is a long-term goal of the Hungarian Government. At the same time, there have been impressive results in wage convergence over the last 5 years. In addition to employment, the purchasing power of wages continues to rise. In the first nine months of 2018, real earnings increased by around 9%, which is increasingly helping household income growth, further improving the financial position of Hungarian families. Real incomes, taking family benefits into account, have increased by more than 40% since the change of government in 2010, with real wage increases in families of 3 and more than 70% thanks to the government's family-friendly policy.

The Hungarian Government is committed to ensuring that workers receive equal pay for equal work, regardless of gender. The Ebtv. prohibits any discrimination, with particular reference to discriminatory practices in relation to employment. It is the duty of the Equal Treatment Authority (hereinafter referred to by the Hungarian abbreviation as "EBH") to investigate complaints submitted for breach of the principle of equal treatment and to enforce equal treatment aspects. The authority proceeds for clients who are discriminated against.

Significant progress has been made in reducing the pay gap between women and men in Hungary. The catching up of women's wages also has a positive effect on families, but it makes life easier for single women, in particular. According to Eurostat data, the gender pay gap in Hungary was on average 17.6% in 2010 and 14.0% in 2016, representing a decrease of 20.45%. The pay gap is 14% in business, 22% in manufacturing, 15.8% in electricity, gas, electricity and air conditioning, 34.2% in finance and insurance, and 20.6% in the information and communication sectors. In summary, these differences are lower than in other EU Member States.

The significant increase in wages in the public education, health and social sectors, which represent a high female employment rate, played a significant role in this. These sectors also include the regional administration, where more women than men are employed. In 2016, the government settled wages for district offices and in 2017 for county government offices. In 2016 and 2017, above-average wage increases were implemented in the health and social sectors.

### **Education without gender based stereotypes**

The National Core Curriculum, introduced in 2013 and still in force, requires full respect for human rights throughout the education process, including equality between women and men, democracy, religious and ethnic diversity, and knowledge of the basic concepts of non-discrimination. Overcoming personal prejudices is an important part of the attitude to be developed.



During the 9-12 years of the subject of history, the lifestyles, social status of women and men and the issues of equality and emancipation are included in the classes as a longitudinal theme in all public education institutions. This means that these topics do not appear once in these grades, but permeate the entire four-year learning-teaching process.

An important goal of civic education is to enable students to understand and identify fundamental human rights, to understand the importance and enforcement of equal opportunities, the essence of social justice and the prohibition of discrimination, and to recognize negative, stereotypical and effects, social dangers.

The OECD research on the process of equality between women and men reviewed the content of classroom textbooks used in 1-8 classes concluded the extent to which students are exposed to stereotypes and how the awareness of equal opportunities between men and women was developing. Examples include the introduction of female scientists in biology textbooks, the portrayal of successful women in their physics textbooks, and the historical presentation of changes in the traditional role of women in history textbooks.<sup>5</sup>

### **Women's Policy Strategy Action Plan 2021-2030**

In the context of the National Strategy for Gender Equality 2010-2021, comprehensive and empowering measures to promote the advancement of women's social groups have been carried out and are briefly outlined above. Increasing female employment, promoting flexible forms of employment, and dismantling barriers to women's economic, scientific and political life will all be important aspects of the next Strategic Action Plan on Women's Policy which will be prepared in 2020.

### **3) RELEVANT DATA, STATISTICS, AND ANSWERS TO ECSR'S QUESTIONS ABOUT THIS PARAGRAPH**

*The ECSR requested statistical data on the gender pay gap (adjusted and unadjusted) for each year of the reference period.*

#### **The situation of women in the labour market**

An important result of the Hungarian economy's return to sustainable growth is the significant improvement in the employment of women. Between 2013 and 2018, approximately 100,000 more women participated in the labour market. The activity rate of women aged 15-64 improved by 6.6 percentage points, while the employment rate improved even faster, by 9.7 percentage points. The 62.5% employment rate is just a few tenths of a percentage point below the EU average. In terms of female employment, Hungary ranks second among the Visegrád countries, behind the Czech Republic (67.5%), and is ahead of Poland (61.4%) and Slovakia (60.5%).

It is a significant achievement that the employment rate of women raising small children has also greatly increased. The employment rate for women aged 25-49 with children under 3 years of age improved from 11.9% to 15.3%, and for women with children under 6 years increased from 36% to 42.8% in this age group between 2013 and 2018. The activity rate of women is

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<sup>5</sup> Report on the Implementation of the OECD Gender Recommendations – Some Progress on Gender Equality But Much Left To Do, ELSA Committee, 10-11 April 2017

also constantly approaching the average of the 28 Member States, and in the third quarter of 2018 it was already 65.4% in Hungary.

Alongside improving employment data, female unemployment also followed the general trend, i.e. it has fallen significantly. According to the latest data, the female unemployment rate dropped to 4.1%, while in the same period of 2013, the Central Statistics Office of Hungary measured the female unemployment rate at around 10%.

### **Statistics on the pay gap**

The Hungarian Government is committed to women's rights. Doing this not by emphasizing the differences between the genders, instead, by focusing on creating and strengthening the conditions for balanced cooperation between them. The political thinking regarding women focuses on achieving a harmonious balance between women and men in the areas of family life, employment, social protection, participation in decision-making, dignity and integrity, and education. The Government ensures true equal opportunities and does its utmost to reduce the pay gap between women and men.

There is a gender pay gap in all countries. This is not a particularly Hungarian phenomenon. However, the gender pay gap in Hungary is smaller than the average of the 28 EU Member States.

According to Eurostat's data for the period up to 2017, the gender pay gap has decreased in Hungary after 2012, thus reducing the earnings disadvantage of women. A significant contributor to this was the significant increase in wages in recent years in sectors with high female employment rates, such as public education, health and social services.

**Gender pay gap in unadjusted form by NACE Rev. 2 activity - structure of earnings survey methodology**

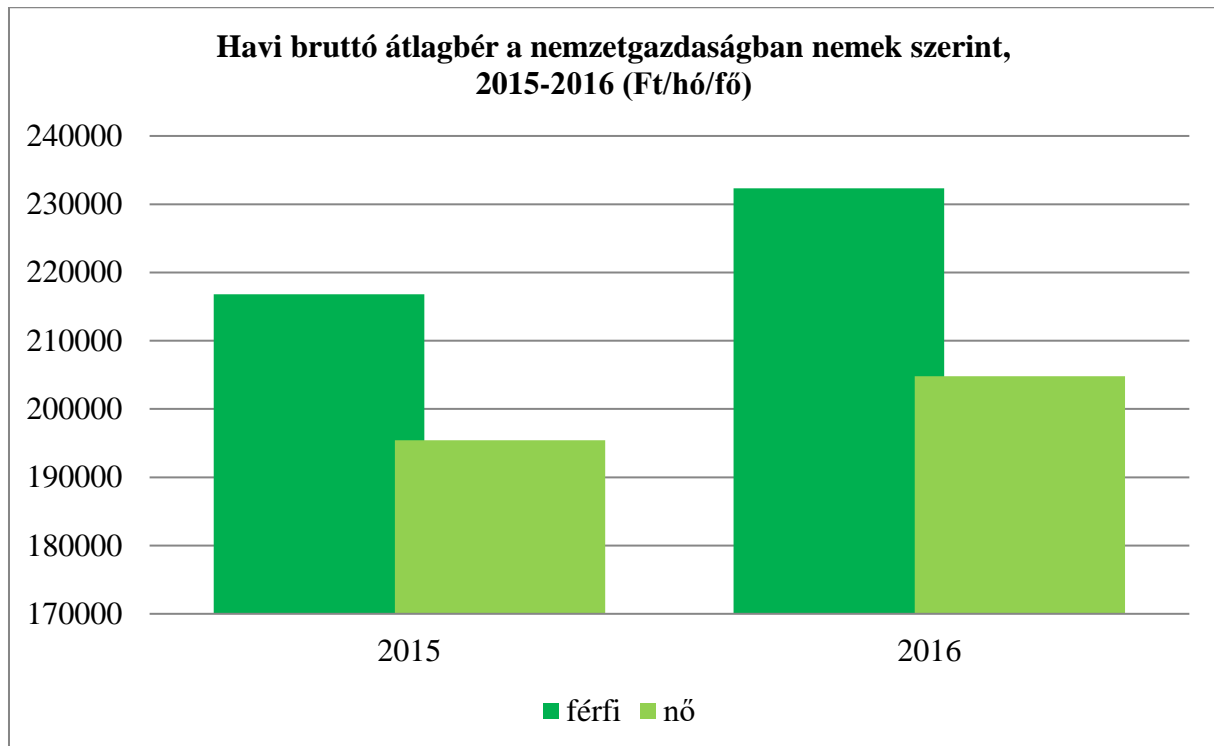
Last update: 17-07-2019

GEO	2010	2011	2012	2013	2014	2015	2016	2017
European Union - 28 countries	17.1	17.1	17.4	16.8	16.6	16.5 <sup>(a)</sup>	16.3 <sup>(a)</sup>	16.0 <sup>(a)</sup>
Belgium	10.2	9.4	8.3	7.5	6.6	6.5	6.1	6.0
Bulgaria	13.0	13.2	15.1	14.1	14.2	15.4	14.4	13.6
Czechia	21.6	22.6	22.5	22.3	22.5	22.5	21.5	21.1
Denmark	17.1	16.4	16.8	16.5	16.0	15.1	15.0	14.7
Germany (until 1990 former territories)	22.3	22.4	22.7	22.1	22.3	22 <sup>(a)</sup>	21.5 <sup>(a)</sup>	21 <sup>(a)</sup>
Estonia	27.7	27.3	29.9	29.8	28.1	26.9	25.3	25.6
Ireland	13.9	12.7	12.2	12.9	13.9	:	:	:
Greece	15.0	:	:	:	12.5	:	:	:
Spain	16.2	17.6	18.7	17.8	14.9	14.2	15.1	15.1 <sup>(a)</sup>
France	15.6	15.7	15.6	15.5	15.5	15.3	15.3 <sup>(a)</sup>	15.4 <sup>(a)</sup>
Croatia	5.7	:	:	7.7	8.7	:	11.1	11.6
Italy	5.3	5.7	6.5	7.0	6.1	5.5	5.3	5 <sup>(a)</sup>
Cyprus	16.8	16.1	15.6	14.9	14.2	14.0	13.9	13.7
Latvia	15.5	14.1	14.9	16.0	17.3	17.0	17.0	15.7
Lithuania	11.9 <sup>(a)</sup>	11.5	11.9	12.2	13.3	14.2	14.4	15.2
Luxembourg	8.7	7.9	7.0	6.2	5.4	5.5	5.5	5.0
Hungary	17.6	18.0	20.1	18.4	15.1	14.0	14.0	14.2 <sup>(a)</sup>
Malta	7.2	7.7	9.5	9.7	10.6	10.4	11.0	12.2
Netherlands	17.8	18.6	17.6	16.6	16.2	16.1	15.6	15.2
Austria	24.0	23.5	22.9	22.3	22.2	21.7	20.1	19.9
Poland	4.5	5.5	6.4	7.1	7.7	7.4	7.2	7.2 <sup>(a)</sup>
Portugal	12.8	12.9	15.0	13.3	14.9	17.8	17.5	16.3
Romania	8.8	9.6	6.9	4.9	4.5	5.8 <sup>(a)</sup>	5.2 <sup>(a)</sup>	3.5 <sup>(a)</sup>
Slovenia	0.9	3.3	4.5	6.3	7.0	8.1	7.8	8.0
Slovakia	19.6	20.1	20.8	18.8	19.7	19.6	19.0	19.8
Finland	20.3	19.1	19.2	18.8	18.4	17.6	17.4	16.7 <sup>(a)</sup>
Sweden	15.4	15.6	15.5	14.6	13.8	14.0	13.3	12.6
United Kingdom	23.3 <sup>(a)</sup>	21.8	22.6	21.0	20.9	21.0	20.7	20.8 <sup>(a)</sup>

According to Eurostat, while in the 28 Member States of the European Union, women's hourly earnings were on average 16.0% lower than men's in 2017, in Hungary, the average hourly earnings of women were only 14.2% lower than men's in 2017. In EU comparison, Hungary is in the middle, with a higher than average ranking. Most countries are in worse positions than Hungary in terms of gender pay gap, with Austria, Germany or the United Kingdom among the latter.

It should be noted that certain objective reasons, such as the greater participation of women in the education of their children, in some cases their absence from the world of work during that

period, the early retirement available after 40 years of employment, may also result in some generally measurable wage differences.



Source: National Employment Service

***The ECSR requested the presentation of the current job classification and promotion system, as well as strategies and measures to promote wage transparency, with specific timelines and measurable criteria. The information requested is contained in this paragraph.***

### **Grades and promotion system for government officials**

The Kit. provides for the classification and promotion of government officials as follows:

#### ***Section 57 [Classification of jobs]***

##### ***1) Job categories:***

- a) administrator, including:***
  - aa) government councillor,***
  - ab) senior government councillor,***
  - ac) chief government councillor,***
  - ad) chief executive officer,***
- b) professional manager,***
- c) senior professional, manager***
- d) commissioner,***
- e) counsel***
- f) political senior executive.***

- 2) For the main and central government office the categories listed in Annex 1. Table II. 1-5 shall be applied instead of the job categories falling within the scope of paragraph (1) a).***

- 3) *A position included in the core staff of the administration body shall be classified in one of the categories referred to in paragraphs 1 and 2 in the decision establishing the core staff of the government administration body.*
- 4) *A position in a centralized staff shall be classified in one of the categories referred to in paragraph 1 or 2 in the decision authorizing it.*
- 5) *The classification of a position established in accordance with paragraphs 2-4 may not be changed by a government administration body.*
- 6) *Changes in the classification of jobs/positions established in accordance with paragraphs 2 to 4 may be initiated by the Minister controlling, directing or supervising the government administration body, as specified in the Government Decree, at the body designated for government personnel administration.*
- 7) *The Government shall amend the classification of a position held by a government official who is permanently absent upon the proposal of the Minister, if necessary for the performance of the duties of the position. On the day following the end of the absence of the Government official, the position shall, unless otherwise decided by the Government, be restored to its original grade*
- 8) *The classification of a position, as determined in accordance with paragraphs 2 - 4, may be amended by a decision of the Government.*
- 9) *With regard to the proposal under paragraph (6), Section 51 (4) and (5) shall apply mutatis mutandis.*
- 10) *Paragraphs (1)-(9) shall not apply to government offices.*

**Section 271 [Classification and Promotion]**

- 1) *A government official shall be classified in the appropriate career development grade defined in Annex 2 on the basis of the length of period in the government service and school qualifications.*
- 2) *A career starter government official with a higher education degree must be classified as a general administration department government draftsman I., a government official with a baccalaureate certificate shall be graded as a general administration department government draftsman II.*
- 3) *A non-career starter government official shall be classified at the time of their appointment or transfer in accordance with the provisions of paragraphs (4)-(6).*
- 4) *A government official with a higher education degree, graded in the general administration staff shall be classified into the following promotion grades:*
  - a) *Government Office Adviser I. after three years in government service,*
  - b) *Government Office Senior Adviser I. after eleven years in government service,*
  - c) *Government Office Chief Senior Adviser I. after twenty-five years in government service.*

- 5) *A government official with a baccalaureate certificate graded in the general administration staff shall be classified into the following promotion grades:*
  - a) *Government Office Adviser II. after three years in government service,*
  - b) *Government Office Senior Adviser II. after eleven years in government service,*
  - c) *Government Office Chief Senior Adviser II. after twenty-five years in government service.*
  
- 6) *A government official shall, after they have completed the period of government service as defined in paragraphs 4 and 5, be upgraded if:*
  - a) *they are awarded at least an appropriate level of performance in the performance evaluation process and*
  - b) *have fulfilled the following requirements for the next promotion grade:*
    - ba) *required by law, and*
    - bb) *laid down in writing by the executive of the individual exercising employer rights .*
  
- 7) *The conditions referred to in paragraph 6 (b) may relate to the acquisition of knowledge, in the form of training, further training and retraining, necessary for the performance of the duties of a government official.*
  
- 8) *If the conditions set out in paragraph 6 (b) are not met by the government official within the prescribed period, the period between the prescribed deadline and the condition shall not be taken into account for the purposes of the promotion.*
  
- 9) *If a government official with a baccalaureate certificate in a general administration grade obtains a higher education degree, relevant for government officials, they shall be classified in the promotion grade reflecting the period spent in government service in accordance with paragraph 4 above.*
  
- 10) *If a government official has a fixed-term government service of more than one year, the provisions of this Act shall apply to their promotion. If a government official re-establishes a fixed-term government service relationship, the duration of the fixed-term employment relationship shall be aggregated for the purpose of calculating the one-year period.*
  
- 11) *Unless otherwise provided in a government decree, a government official may be classified as a government office adviser I, a government office senior advisor I, a government office chief senior adviser II, a government expert councillor, or government expert chief councillor, if they have completed a postgraduate course in economic studies or have undertaken to obtain this qualification within three years.*
  
- 12) *The period laid down in paragraph (11) shall not include unpaid leave of more than thirty days, incapacity for work, nor any period of official posting exceeding thirty days.*
  
- 13) *As a result of a failure by a government official to obtain professional qualifications within the time limits set out in paragraphs (11) and (15) the government official may*

*not be classified in a higher promotion grade and shall be remunerated with the lowest amount applicable in their actual promotion grade from the first day of the month following the date on which the grade expires.*

- 14) Once qualified, a government official shall be classified in accordance with paragraph (11) and their remuneration shall be determined in accordance with the provisions of Section 273 (5).*
- 15) If, upon appointment, a government official has undertaken to attend training under section 267 (1) and to obtain the qualification within the period determined by the executive exercising employer rights, the government official may be classified into the promotion grades defined in paragraph (11) without commencing training for the qualification under section (11) above. In this case, they must acquire the qualifications referred to in paragraph (11) within three years of fulfilling the obligation under Section 266 (1).*
- 16) The obligation under paragraph 11 shall be waived for masters in political science, bachelor or master's degree holders in public administration, or for those who have passed an administrative exam or another examination or obtained a scientific degree recognized by law as equivalent.*
- 17) The executive exercising employer rights may classify a government official to senior government administration office expert, a government office expert adviser or government office chief expert adviser promotion grade instead of the general administration department for the current year, until 31 December, based on their performance and the provisions of paragraph (19) if the funding is available with the established staff remuneration appropriation.*
- 18) The classification into the senior administration staff may be decided upon by the executive exercising employer rights at the time of appointment, transfer from an executive to non-executive post, or until 31 January each year. A government official in the senior administration staff may be downgraded to the general administration staff once in the current year, six months after being classified in the senior administration staff based on performance evaluation. Government officials with a baccalaureate certificate or a higher education degree may also be included in the senior administration staff.*
- 19) In addition to performance evaluation and certification, the executive exercising employer rights shall take into account, in addition to performance evaluation and certification, the following criteria for the promotion of a government official to a promotion grade under paragraph (17):*
  - a) Time spent in government service,*
  - b) Experience obtained at the administration body,*
  - c) Significant experience with other employers not qualified as public administration bodies,*
  - d) Education, other qualifications, language skills acquired by the government official,*
  - e) The duties of the government official,*

- f) *The physical, psychological and work environment load associated with the task, and*
  - g) *Responsibility for performing the task.*
- 20) *The detailed rules for the classification into senior administration staff shall be determined by the Minister in a Degree. If the Minister defines the performance of a particular task as a task of the senior administration staff, the executive exercising employer rights is not required to classify all government officials employed performing the task into senior administration staff.*
- 21) *A government official classified in the senior administration staff in the year preceding the year under review shall, with effect from 1 January, be classified in the relevant promotion grade in the general administration department and shall be remunerated at least at the lower limit of their grade, but not exceeding its upper limit.*
- 22) *A government official classified in general administration staff in accordance with paragraph (21) above may be repeatedly classified in the senior administration staff for the current year in accordance with paragraph (17.)*
- 23) *If the employer measures referred to in paragraph (21) are not taken by 31 January of the year in question, it shall be construed that the executive exercising employer rights intends to employ a government official in the senior administration staff as in the previous year. In this case, the government official is entitled to the same remuneration as at 31 December of the year preceding the year in question. If a government official is classified in a higher promotion grade on the basis of his seniority, based on the duration of their government service, than the grade at 31 December of the preceding year, their remuneration shall be either the same as that applicable on 31 December of the year preceding the year in question or the remuneration equivalent to the lower of the higher promotion grade, whichever is higher.*
- 24) *A government official subject to disciplinary punishment shall not be classified in the senior administration staff.*
- 25) *If, at the time of the imposition of a disciplinary penalty, a government official is classified in the senior administration staff, they may be reclassified in the general administration staff only if the disciplinary penalty has been imposed under Section 275 (1) (b). "*

Section 273 and Annexes 1 and 2 of the Kit. provide for the remuneration of government officials by position. Section 134 (5) states that the remuneration of a government official may be adjusted once per calendar year on the basis of performance.

### **Grading and promotion system for public servants**

Act CXCIX of 2011 on Public Servants (hereinafter referred to by the Hungarian abbreviation as "Kktv.") provides the public servants with a regulated career path based on the principle of seniority. Pursuant to Section 116, a government official is generally classified on the basis of their education and the period served in the legal relationship. Section 117 (2) defines the grades of public servants with a higher education degree or a baccalaureate certificate and the length of time spent in the legal relationship required for the grades. Annex 1 of the Kttv. assigns

remuneration limits to each grade based on the period spent in the legal relationship. The times spent in the legal relationship shall be calculated in accordance with the times set forth in Section 8 (5) - (9) of the Kttv., as those provisions shall list in a taxative manner all employment, civil, self-employment legal statuses or public-service assignments and, in some cases, require the inclusion of some eligibility period irrespective of the grade even if no work was performed in the given period.

The Kttv. regulates the minimum amount of the remuneration of a public servant as follows:

Section 131 (1) - (4) states that a public servant is entitled to a monthly salary on the basis of their government or public service status. The remuneration consists of the basic salary determined in accordance with Section 133 (1) of the Kttv., and, in the case provided for in this Act, the supplement and other allowances. The monthly remuneration of the individuals falling within the scope Kttv. consists of the following components:

- Basic salary: according to Kttv. is the result of the salary in the remuneration grade defined in Kttv. multiplied by the remuneration base defined in the Budget Act. The remuneration grade depends on the education and training of the public servant (higher education or secondary education) and the length of the legal relationship(s) taken into account for the grade and, in the case of public servant, the level of senior management. The basic salary may be increased by + 50% and reduced by - 20% for the calendar year concerned on the basis of the preceding year's performance evaluation.
- Remuneration supplement: the percentage of basic salary determined in the Kttv, which depends on the place of the employing administration body within the organizational hierarchy (national, regional competence) and the education (secondary or higher) of the public servant.
- Executive supplement: the amount is based on the percentage of basic salary set out in the Kttv., depending on the level of management (unit manager, deputy head of department, head of department) and the position of the administration body within the organizational hierarchy (national, regional).

The Kttv. also provides for additional salary supplements so that, under the conditions laid down in the Kttv., public servants may be entitled to a foreign language allowance, a driving allowance, a night allowance, qualifications allowance, a job allowance and an allowance for work performed in the event of health risks.

The total of the basic salary and the supplements must be at least equal to the guaranteed minimum wage. The amount and scope of the guaranteed minimum wage are determined by the Government.

The scope of Government Decree 374/2014 (29 December) on the establishment of mandatory minimum wage (minimum wage) also extends to employers and employees falling within the scope of Kttv. This Decree lays down the mandatory minimum wage (minimum wage) fixed for a full-time public servant. As of 1 January 2015, the monthly minimum wage is HUF 105,000.



The guaranteed minimum wage for a public servant in a position requiring at least a secondary education or a secondary vocational qualification is HUF 122,000 for full-time employment as of 1 January 2015.

Pursuant to Section 132 of the Kttv, the amount of the salary base is determined annually by the State Budget Act, which may not be lower than the salary base of the previous year.

### **Grade and Promotion System for military personnel**

The principle of 'equal pay for equal work', as well as the transparency of the pay, job classification and promotion system in the case of the military, is guaranteed by law as follows.

The remuneration items of the military are covered by Sections 122-127 the Act CCV of 2012 on the Legal Status of Soldiers (hereinafter referred to by the Hungarian abbreviation as "Hjt."), other benefits and cost reimbursements are included in Sections 132-140 of the Hjt, while the detailed rules are laid down in the implementation decrees<sup>6</sup>. The components of the remuneration are: basic salary, military service benefit, salary supplement, and supplementary remuneration. In addition, the overtime allowance is also a salary allowance [Section 247/H (3) (5)-(7) of the Hjt.]

Service positions are classified into seven grades based on position responsibility, organizational affiliation, and leadership [Section 123 of the Hjt. and Section 69/A Decree of the Minister of Defence 9/2013 (12 August) HM on the implementation of certain provisions of Act CCV of 2012 on the Legal Status of Soldiers (hereinafter: Implementation Decree)] Based on the grade category and the rank assigned to the position, the key factors of the basic remuneration are described in Annex 5, the senior management multipliers are listed in Annex 6, the multipliers applicable to the military service listed in Annex 7 of the Hjt.

The general conditions for the advancement of the military staff are the availability of a suitable higher position, the mandatory waiting period for the rank held, the education, professional qualifications, professional qualifications and other job requirements (specified in Annex 2 of the Implementation Decree) specified for the higher position and related rank, health, mental, physical<sup>7</sup> and national security aptitude, ability to hold a senior position on theoretical and practical merits, and, in the cases specified in the Ministerial Decree, managerial practical experience, promotional rank of the member of the staff and the level of performance evaluation defined in the Ministerial Decree. Advancement is in accordance with the general or special rules applicable to each position. The detailed rules are laid down in Sections 83-87 as well as Annex 4 of the Hjt. and Sections 37-38 and 78-107 of the Implementation Decree.

### ***The ECSR requested information on the implementation of Commission Recommendation 2014/124/EU on the strengthening of the principle of equal pay for men and women by means***

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<sup>6</sup> Decree of the Minister of Defence 7/2015. (22 June) HM On The Salaries And Emoluments of the Military, Decree of the Minister of Defence 12/2013. (15 August.) HM on the provision of certain cash, in-kind and social benefits, Decree of the Minister of Defence 19/2013. (6 September) HM on certain cost reimbursements, Decree of the Minister of Defence 22/2016 (21 December) on the provision of cash allowance and Széchenyi Rest Card allowance, on individual reimbursements, Decree of the Minister of Defence 7/2013. (25 July) HM on the provision of grace and related social tasks, Decree of the Minister of Defence 19/2009. (29 December) HM on housing subsidies granted by the Ministry of Defence, Decree of the Minister of Defence 10/2014. (25 July) HM on the introduction of housing money and lump sum support

<sup>7</sup> Decree of the Minister of Defence 10/2015 (30 July) on Health, Mental and Physical Fitness for Military Service and Review Procedures

***of transparency, including the functioning of the consultation mechanism aimed specifically at wage transparency and closing the pay gap.***

Directive 2006/54/EC on the implementation of the principle of equal opportunities and equal treatment of men and women in matters of employment and occupation lays down the elements of the rules on injunctions and appropriate remedies applicable in the Member States. The directive was transposed in 2008, the required provisions are included in the Labour Code and in Ebktv,

Commission Recommendation 2014/124/EU on the strengthening of the principle of equal pay for men and women by means of transparency recommends the introduction of a consultation-information mechanism into the legal systems of the Member States in the context of increasing wage transparency. The issue of the adoption of the Recommendation has been examined in recent years with the involvement of the social partners but it has not yet been transposed.

Hungary is co-authoring the draft resolution of the UN Human Rights Council on "Equal Pay". The draft resolution seeks to reaffirm the commitment of the Community of Nations to the principle of equal pay, to declare that all forms of discrimination are contrary to the United Nations Charter, to reinforce its commitment to gender equality, and to draw attention to the different treatment of women and men at work and to consider it a task to improve this issue.

Certain laws regulate the requirement of equal treatment in accordance with international standards, and in the event of any violation of the law, there are remedies available in Hungary.

It is a violation of the principle of equal treatment to discriminate directly between men and women in the same workplace and in the same occupation in relation to remuneration.

In Hungary, the amounts of the national minimum wage – the lowest wage can be paid – and the guaranteed minimum wage are set by the Government after negotiations and agreement between the social partners in a decree that does not discriminate.

The government has neither the right nor the intention to intervene directly in the competitive multi-level wage bargaining by the social partners in the market sector. In the market sector, where a company decides who it employs and for how much, it is primarily the efforts of the social partners that can lead to the elimination of unjustified wage differences between workers with the same qualifications and positions.

In the public sector, salary systems do not contain any gender discrimination. In some parts of the public sector, it is possible to classify an employee into a pay grades – and within them pay levels – based on the jobs held and the time spent by them in the legal relationship, on an entirely objective basis.

***The ECSR requested information on the regulatory framework for equal pay for equal work and work of equal value, with particular reference to the following aspects:***

- ***a reversal of the burden of proof in cases where pay discrimination based on sex is likely;***
- ***compensation arrangements in cases where pay discrimination is likely to be based on sex (whether a cap is applied);***
- ***Do national laws and practices provide monetary compensation beyond the company directly affected by the discrimination?***

## **Legislation on reversing the burden of proof and proceedings before the EBH**

Pursuant to Section 21 f) of Act CXXV of 2003 Equal Treatment and Promotion of Equal Opportunities, the EBH may investigate, upon an application and with regard to bodies defined in Section 4 a)-d) of Ebktv, it may also, ex officio, review the principle of equal pay for work of equal value with regard to the protected features defined in Section 8. Pursuant to Section 19 (1) of the Ebktv, the applicant for a proceeding needs only to indicate that they have suffered a disadvantage because of a protected feature. Paragraph (2) obliges the employer to prove that the requirement of equal treatment was not violated.

The EBH found in two cases between 1 January and 31 December 2015, that employers violated the principle of equal pay for equal work. In one case, the applicant was a temporary worker and the infringement was committed by both the lender and the borrowing company. In another case, the applicant suffered injury because of her gender. The respondents were actors operating in the private sector.

Between 1 January and 31 December 2016, the EBH did not take a decision concluding an infringement of the principle of equal pay for work of equal value.

Between 1 January and 31 December 2017, the EBH found the violation of Section 21 f) of Ebktv. in three cases wages and salaries payable in an employment relationship or under other contracts involving work, particularly the establishment and provisions of wages stipulated in Section 12(2) of Act I of 2012 on Labour Code). In one case, the protected feature was the maternity of the applicant, who was directly discriminated against because, because of her maternity, the employer did not provide her with a cafeteria benefit during her maternity leave. EBH fined the employer (a business association) for 500,000 HUF, ordered it to terminate the infringement, including the removal from the cafeteria policy in force of the provisions excluding maternity leave from the cafeteria allowance and to confirm that to the authority within 60 days. In another case, the applicant's protected feature was motherhood and female gender. In this case, the EBH found indirect discrimination, as women / mothers were discriminated by the employer in relation to the establishment of the 13th month. The EBH ordered the termination of the unlawful conduct and prohibited the employer (business association) from pursuing the unlawful conduct in the future. No fine was applied as the applicants' complaint was less founded. In the third case, the applicant's protected feature was the applicant's age. The employer did not grant a salary increase because the applicant was due to retire the following year. The EBH ordered the employer to pay a fine of 300,000 HUF, as well as to put an end to the infringement and to certify its termination and prohibited the continuation of the infringement in the future.

In 2018 the EBH concluded the violation of Section 21 f) of Ebktv. in one case where the applicant's protected feature was being female. The EBH ordered the employer (health care provider) to terminate the infringement, pay the applicant's outstanding remuneration, adjust her salary to that of her male colleagues in a comparable situation and imposed a fine of 200,000 HUF. In the case, the court of first instance dismissed the employer's claim, and the case is now being dealt with by the Curia.