

Changes to Hungarian employment law in 2024

16 January 2024

This year several employment law rules of practical relevance will change in Hungary. These changes will have different entry into force dates, and are all briefly summarised below.

Child and parental leave allocation

As of 1 January 2024, the conditions for granting child and parental leave under the Labour Code have changed. The 44 working days of parental leave to which an employee is entitled (for children up to the age of three) must continue to be granted at the time requested by the employee, with the clarification that, in the future, said request will have to be sent to the employer 15 days before the start of the leave period. Henceforth, employees will be entitled to make use of child leave in addition to parental leave. The only limitation is that requests for leave must be submitted at least 15 days prior to the start of the planned leave.

On the one hand, this means that additional days off, beyond the 7 working days, must be granted at the time requested by the employee (as long as they have made a proper request), which could be an important change for employers from a work organisation point of view.

Issue of a new type of certificate upon termination of employment

At the beginning of the year, Act IV of 1991 on the Promotion of Employment and Unemployment Benefits changed the type of certificate that is to be issued upon termination of employment. According to the explanatory memorandum, the aim is to ensure that employees receive a single, uniform document. Said document will contain all the necessary information in electronic form or, if the employee expressly requests it, on paper. This is meant to avoid the need to issue six different documents when an employment relationship is terminated. The electronic format will therefore become the main rule for the new certificate.

Changes to working conditions in front of a screen

The previous 6-hour daily limit for working in front of a screen has been abolished as of 1 January, as well as the restriction of actual working time in front of a screen not being allowed to exceed 75% of the daily working time. Consequently, there will be no basis for employees to argue that the employer does not organise daily work in accordance with these provisions.

Narrowing the scope of the occupational health check

From 1 September 2024, the rules on occupational health checks will also change. Cases in which a preliminary or periodic occupational health check is compulsory will be limited. According to the amendment to Act XCIII of 1993 on Occupational Health and Safety, an occupational health examination will only be required in cases specified by

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law or by decision of the employer, unless the legislation governing the relationship provides for a specific requirement of health fitness for the employee(s) concerned.

This means that a separate ministerial decree will specify the job positions and tasks (occupations) for which a medical examination by an occupational physician will continue to be compulsory. However, employers may unilaterally (at their discretion) determine the job positions and tasks for which they still consider it necessary.

Occupational health examinations are therefore not completely abolished by the amendment, but rather mandatory cases are narrowed down. From an employment law point of view, even in the absence of a sectoral provision, it is worth considering maintaining these examinations as it is still the employer who must ensure that safe and healthy working conditions are maintained. In the event of a dispute, documents attesting to such an examination can prove that the employer has acted with due care in terms of employment or the termination of employment.

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