

PESSIS 3 “PROMOTING EMPLOYERS’ SOCIAL  
SERVICES ORGANISATIONS IN SOCIAL DIALOGUE”  
«COUNTRY-CASE STUDY: *HUNGARY*»

Szilvia Borbély

«h10095bor@ella.hu»

**PESSIS 3 – Case study of social dialogue in the social services sector in Hungary  
2016**

Table of contents

Executive summary.....	3
Introduction.....	6
1. The Social Services Sector in Hungary.....	6
1.1. Definitions, elements, scope and challenges.....	6
1.2. Legal and institutional background .....	9
1.3. Relevant researches .....	13
1.4. Statistical profile .....	15
2. Collective agreements in social service sector in Hungary .....	21
2.1. Laws regulating collective institutions - collective agreements.....	21
2.2. How well represented is the sector in terms of number of employers and workers covered by collective agreements? .....	24
2.3. The type of issues covered by the agreements .....	26
3. Social dialogue in social service sector in Hungary.....	32
3.1. Social dialogue bodies at macro level in Hungary – NGTT and VKF .....	32
3.2. Social dialogue in the public sector – OKÉT, KOMT and KÉF .....	33
3.3. (Sectoral) social dialogue in social service sector in Hungary.....	35
3.4. Social dialogue at local level in the social service sector .....	41
3.5. (Brand new) Social Policy Council .....	42
3.6. Main labour issues facing the social service sector .....	42
4. Future prospects for Social Dialogue in social service sector.....	44
5. The case for EU level Social dialogue in the social services sector .....	47
6. Conclusions and recommendations .....	48
7. References.....	51
Annexes.....	54
Interviews .....	54
Abbreviations .....	55



## ***Executive summary***

The social service sector in Hungary is highly fragmented. It is characterised by a complex system of relationships. It is vastly regulated by laws and decrees. The sector is greatly underfinanced, extremely lowly paid and struggling with labour shortage. The sphere and scope of offered services, the quality and quantity of services and also the social needs and demographic conditions are territorially highly uneven. There is a growing demand for services (the number of users in 2015 was 682 124, 20% more than 3 years before.). There is a vast demand for more places in old age care, first of all for patients with dementia and psychiatric problems. The employers who are the providers or maintainers – independently of that they are public, ecclesiastical, civil non-profit or profit oriented - are under tight control and have to be licensed. Recently, an integration process of services is going on with the aim of a better distribution of resources: the family support service can only be run together with the children welfare service. According to the new regulation, the local government of municipalities (LAU2) has the duty to provide minimum services at local level and the local governments of the seats of districts (LAU 1) are obliged to guarantee the specialised services and children’s protection services.

In the social service sector, 93 174 people are working (December 2014 NRSZH). 80% of them perform professional jobs and 20% technical ones. The typical employee in the sector is a middle aged woman with qualification. 1/3 of the staff - in non-profit or ecclesiastical workplaces - is covered by the Labour Code and 2/3 of the staff working in the public social service is covered by Act on the Legal Status of Public Servants. There are several job vacancies. Labour shortage, overloaded, stressed and aging workforce, high fluctuation and massive leave of the sector are the major problems. It is no wonder, if we consider the dramatically low wages in the social service sector. A physical worker’s gross average wage (EUR 284 (2015)) and a qualified worker’s gross average wage (EUR 574 (January 2016)) is much lower than the same in health, education or the public sector.

In the social service sector, it is a common practice that we speak about the ‘maintainers’ of organisations or the ‘providers’ of services as employers. Independently of the type, every service provider has to acquire a licence from the National Rehabilitation and Social Office (NRSZH). The number of ‘employers’ (providers with licence) is approximately 4000. The major employers in the social service sector are the local governments which employ 45,7% of the staff, the General Directorate of Social Affairs and Child Protection, SZGYF which employs 22%, the ecclesiastical institutions with 17,8% and the civil organisations employing 14,5% of the workforce. Since 1990, some profit-oriented caring service providers (mainly in in the long-term residential elderly care) are also in the market. The local governments employ the vast majority of staff in primary child welfare care service (which includes also the nurseries) and the SZGYF employs the staff in specialised child protection service (including also the children’s homes). Most of the ecclesiastical staff is employed in the specialised social care, including the residential homes for elderly. The size of providers is varying: we can find small as well as middle size institutions with several hundred employees. The absolutely main source of funding social services is the government budget even in the case of local governments, charity or ecclesiastical organisations or non-profit organisations.

In Hungary, labour regulations are essential as the trade unionisation rate is low and trade unions are weak to negotiate collective agreements. As an important change, the collective agreement can diverge from the Labour Code in a way which is not necessarily advantageous but disadvantageous to the employees.



## «Country-Case Study: Hungary»

Project PESSIS 2 “Promoting Employers’ Social Services Organisations in Social Dialogue”  
Agreement number: VS/2015/0339

The ban of divergence is indicated separately in every case. It also means that if there is no such regulation it is possible to regulate the concerned concrete issue in the collective agreement for the employees’ benefit or detriment as well. According the OECD ICTWSS database, at national level, the trade union density in Hungary is 10,5% (2013), the employers’ organisation density is 40% and the coverage by collective agreement is 33,5%. The collective negotiation in Hungary is characterised by low coordination and it is decentralised; the main level is company (micro) level. The vast majority of the collective agreements are signed by a single employer. According to the Collective Agreement Registry, their number was stable between 2008 and 2013, around 2700 (in 2013 it was 2683) and the number of multi-employer collective agreements was 80.

In the social service sector collective agreements have been negotiated only at workplace level. The major number of collective agreement has been negotiated by SZTDSZ (18, covering around 2600 employees) and BDDSZ (9 agreements covering around 1270 employees). MKIR (Information System of Industrial Relations) in 2004 in the social service sector registered 134 collective agreements covering 14 361 employees. On 10 May 2016, 119 collective agreements cover 15 567 employees. The vast majority (83) are signed in companies with a staff of 50-300 persons. The collective agreement coverage rate in the social service sector is near to 12 %, which is much lower than the national average. (Note: this calculation is based on the number of employees working in sector used by MKIR).

The trade unions in the social service sector are divided if there is a need and possibility of a sectoral collective agreement. There are opinions that a sectoral collective agreement is not highly urgent because of the comprehensive legal regulation and also there are no suitable partners with the right to conclude it. But other unions think that a sectoral collective agreement would be highly welcome due to the obstacles in the way of negotiating a proper agreement at local level.

There were several attempts to set up social dialogue arrangements in the social service sector. In the present events of social service sector plays important role the (bipartite) Strike Committee set up in 2013 by the participants of Demonstration Committee of Social Sector to negotiate with the government on certain demands. The Strike Committee has continued to operate even after the establishment of Interest Reconciliation Forum in the Social Sector (SZÁÉF) in December 2015 as its demands were not realised. Despite that both sides of Strike Committee (trade union and government) agree in the importance of the peace in the world of work, trade union side - due to the poor results achieved by the Strike Committee - decided on strike in April 2016. The problem of the social service sector social dialogue is that the participants at employers’ side are not employers in the strict sense, but organisations of ‘maintainers’ and the trade union side is highly fragmented, with some unions being present only in a very few or even one workplace, and sometimes even not being at consensus. The institutional framework of (tripartite) social dialogue in the social service sector does exist. According to the trade union side “it does not mean real interest conciliation” The better use of the existing forums and possibilities given by regulations can strengthen the existing social dialogue. To do it the reinforcement of both employees’ and employers’ sides is needed. The local governments according to the provisions of Act on the Legal Status of Public Servants (Kjt) operate the local (bipartite) interest reconciliation and perform local social dialogue, mainly in case of negotiation on local budget. In general this kind of social dialogue is very formal; the result of social dialogue at local level is dubious.

All interviewed stakeholders think important the relationships with foreign partners and the presence at European level. Trade unions report on the support of European partners which increases their capacity to make pressure during negotiations.



**«Country-Case Study: Hungary»**

Project PESSIS 2 “Promoting Employers’ Social Services Organisations in Social Dialogue”  
Agreement number: VS/2015/0339

There are issues which should be tackled at European level helping the weak or formal Hungarian social dialogue and the agreements negotiated by European social partners could be implemented also in Hungary. Opportunity to learn and personally cooperating at European level would be welcome by all sides.



Supported by: DG Employment, Social Affairs and Inclusion

## **Introduction**

The present research – according to the requirements of PESSIS 3 - will particularly address the size and scope of the social service sector, the quality and quantity of collective agreements, the social dialogue and the social partners’ involvement in it as well as the key labour issues. We tackle as major areas of social service sector the in-kind services for (long-term) care for the elderly; care and rehabilitation for people with disabilities and child care. For this review, we used statistical sources, stakeholders’ information and database, the existing researches and interviews. We have to note that while there are statistical data on the activity and services provided by the social service sector, there are only very few and old data on collective agreements in the sector. Also, we have to mention that the labour market in the sector is in deep crisis. As a result, the sector’s social dialogue is starting to speed up. Consequently, we can state that the present mapping of the Hungarian social service sector happens in a “historical” moment. Thus, the interviews which were carried out within the framework of present project can be considered as highly important and of a unique value. Six face-to-face interviews were conducted: with employers’ organizations MRE-MRSZ, TÖOSZ and SZIOSZ, employees’ organizations BDDSZ, SZMDSZ and with the relevant government organization (EMMI). Furthermore, six telephone interviews were made with the employees’ side (SZTDSZ, FESZ, SZÁD, MKKSZ, EDFSZ, ATSZ and PSZ). The high number of personal addressees was necessary because the trade union side is very fragmented, the roles on the employers’ side are uncertain and there is a lack of fresh data.

## **1. The Social Services Sector in Hungary**

### **1.1. Definitions, elements, scope and challenges**

*In our report as mainstream we take into consideration the social service sector as defined for PESSIS 3 that is the areas of long-term care for the elderly; the care and rehabilitation for people with disabilities and the child care. From statistical point of view the social services in Hungary include activities according to NACE classification (NACE Q87<sup>1</sup>, Residential care activities and NACE Q88<sup>2</sup>, Social work activities without accommodation). The sector covers more than 60*

---

1

Q87.. - Residential care activities

Q87.1. - Residential nursing care activities

Q87.1.0 - Residential nursing care activities

Q87.2. - Residential care activities for mental retardation, mental health and substance abuse

Q87.2.0 - Residential care activities for mental retardation, mental health and substance abuse

Q87.3. - Residential care activities for the elderly and disabled

Q87.3.0 - Residential care activities for the elderly and disabled

Q87.9. - Other residential care activities

Q87.9.0 - Other residential care activities

2

Q88.. - Social work activities without accommodation

Q88.1. - Social work activities without accommodation for the elderly and disabled

Q88.1.0 - Social work activities without accommodation for the elderly and disabled

Q88.9. - Other social work activities without accommodation



*services; it is highly fragmented and characterised by a complex system of relationships and complicated and detailed regulation. The sector is highly underfinanced; extremely lowly paid and struggling with labour shortage. The sphere and scope of offered services, the quality and quantity of services and also the social needs and demographic conditions are territorially highly uneven.*

#### *Identification of services -primary and specialised services*

The services are classified as *primary and specialised services*. *Primary* support services are offered to those socially needy persons - elderly or handicapped people, psychiatric patients and addicts - for whom long-term residential care is not yet required. The primary care include also family assistance services, it is for families with social and mental hygienic problems. Within its own competence it is first of all the local government (“önkormányzat”) who organise the primary care services. *The specialised services include* personal care in residential institutions, nursing homes. It is for individuals who require care because of age, health and social conditions, and who cannot be kept in their own homes.

#### *Long-term care for the elderly, the care and rehabilitation for people with disabilities and the child care*

The main type of services in *social (and long-term) care for elderly* is primary care including home care (like ‘meals on wheels’ services), day care, but also specialised social care (residential care). ‘Universal coverage, based on the principle of social equity, was an expressed policy goal of the Hungarian long-term-care system. Until 2008, age was the only prerequisite for entitlement. Anyone reaching the age of 62, the retirement age, was entitled...As a major change, in 2008 eligibility test was introduced, which evaluates the physical and social conditions of applicants.’ (Czibere&Gal (2010)). *People with disability* are entitled to specialised services like institutional care, institutional rehabilitation care, supported housing. *Child care services* include the primary child services like crèches, child welfare services and specialised children protection services, like shelters for children, foster parents’ service, etc. The obligation to provide care and welfare services for children are included in Act XXXI of 1997 on Children Protection guardianship administration.

#### *Social services targeting homeless and addict people*

There are social services targeting homeless people (street social work, night shelters, temporary shelter for homeless people, homes for homeless people, rehabilitation services for homeless, day shelters for homeless people); services for people with psychiatric illnesses and services for addicts (day care institutions, homes, institutions for rehabilitation, homes with rehabilitation aim, temporary homes, subsidised housing).

#### *Some Hungarian specialities*

The village or farm guardians (‘falugondnok’ or ‘tanyagondnok’) provide primary care services in small settlements for people in needs since 1997. Persons with disabilities can enjoy a special ‘transit job’ where they take part also in tailored made rehabilitation programme. Employers are entitled to be accredited. They get state support if they employ at least 30 persons with disability or at least 25% of staff is people living with disability.

---

Q88.9.1 - Child day-care activities

Q88.9.9 - Other social work activities without accommodation n.e.c



**«Country-Case Study: Hungary»**

Project PESSIS 2 “Promoting Employers’ Social Services Organisations in Social Dialogue”  
Agreement number: VS/2015/0339

Taking into consideration PESSIS3 requirements and the Hungarian practice we map the existing social services in Hungary in the following way:

**Social services in Hungary according to their activities and target groups**

<b>Child care</b>	<b>Primary Child welfare</b>	<b>Specialised children protection services</b>
	Crèche	Shelter for children
	Family day care service	After-care in outside space
	Temporary shelters for children	Foster parents care network
	Child welfare services	Regional child protection service
	Substitute parental care	Aftercare shelter
Mixed child care and family care		
	Temporary shelters for families	
	Family support	

<b>Long-term care for elderly Care for people with disability</b>	<b>Primary social services (community services)</b>	<b>Specialised social care services (Care for elderly people and other people who require care on the basis on health conditions or social situations, and cannot be kept in their own homes.)</b>
	Home care help	Institutional care providing care, nursing
	Home care help using alarm	Institutional care providing temporary accommodation
	<i>Community services</i>	Residential home care
	Day care service (mostly for elderly)	Institutional rehabilitation care
	Social catering – also for unemployed or people in poverty	Supported housing (for people with disability)
	Support service for people with disability	

*Scope of social services from point of view of users*

In May 2015 as a total 682 124 clients used the social services for child care, elderly care and care of people with disability and family support. This figure was 20 % higher than in October 2012 (source: NRSZH). A high expansion is observed in the field of home care help and social catering, not least because of demographic trends. 64 % of the clients enjoy primary social services for long-term care for elderly, people with disability and family support. Most of them use the social catering (34%) and home care help (28%).

**Distribution of number of users according to forms of service, May 2015**

<b>Type of social service</b>	<b>Number of users</b>	<b>%</b>
Child care		
Primary child welfare including crèches	136425	20%
Specialised children protection services	20464	3%



Supported by: DG Employment, Social Affairs and Inclusion

## «Country-Case Study: Hungary»

Project PESSIS 2 “Promoting Employers’ Social Services Organisations in Social Dialogue”  
Agreement number: VS/2015/0339

Long-term care for elderly & people with disability & family support		
Primary social service	436559	64%
Special social care services	88676	13%
Total	682124	100%

Source: NRSZH

From the end of December 2015 to May 2016 there was an increase of 13% in the number of children under specialised children protection service. 3% of them (780 persons) were unaccompanied children arriving to Hungary during the migrant crisis.<sup>3</sup> In September 2015 the number of unaccompanied minors increased to 1700 (Bátori (2016)).

There is a vast demand for more places in old care, first of all for patients with dementia and psychiatric problems. It is also urgent to modernise and increase the capacities of children’s homes and foster parents. (EU sources are used for these purposes (EFOP2.1.1, VEKOP-6.3.1-16)). There are also new problems which the staffs have to control, like the appearance and increasing use of designer drugs (Bátori (2016)).

## 1.2. Legal and institutional background

### 1.2.1. Legal background

The social service sector in Hungary is very regulated by laws and decrees. The providers – independently that they are public, ecclesiastical, civil non-profit or profit oriented - are under tight control and have to have its licences. We mapped the most important legal regulations and laws on social services.

#### *Relevant laws and regulations on social services*

Act III of 1993 on social administration and social services (Szt)

Act XXXI of 1997 on the child protection and guardianship administration (Gyvt)

Act XXVI of 1998 on the equal rights of people with disability

Act LXXXIV of 1998 on the support of families

Act XCL of 2004 on the public administration process and general rules of services (Ket)

Act CLXXI of 2010 on the amendment of certain acts pertaining to legislation concerning social, child protection, family support, and disability and employment matters

Act CXCI of 2011 on the care of persons with disability

Act CCXI of 2011 on the protection of families

Act XXVII of 2013 on the amendment of certain acts on social and child protection matters related to the Magyarly Simplification Programme and on the amendment of other acts

Act CI of 2014 on the amendment of some related acts

<sup>3</sup> Refugee and the asylum seeking children, unaccompanied minors shall be placed in the institutions of the child protection institutional system in accordance with the child protection legislation. The Child Protection Act covers unaccompanied minors seeking recognition, as well as children recognized by the Hungarian authorities as refugees or protected persons. Beginning from 2011, projects implemented with the support of the European Refugee Fund assist the child protection system in providing care for children from a foreign culture who do not speak Hungarian. See more: European Social Charter 5th National Report on the implementation of the European Social Charter submitted by the Government of Hungary, 02/02/2015



Act XCIX of 2014 on the justification of central budget of 2015  
Act CXXXIII of 2015 on the amendment of acts on social and child care protection issues  
Act C of 2015 on the central budget of Hungary  
Decree 133/1997 (29/07) on the fees of primary welfare and specialised services for children  
Decree 149/1997 (10/9) on the guardianship authorities and child protection and guardianship proceeding  
Decree 15/1998. (30/06) NM (Minister of Welfare) on the professional tasks and operating conditions of child welfare and child protection institutions and their staff providing personal care  
Decree 223/1998 (30/12) on the implementation of Act LXXXIV of 1998 on the support of families  
Decree 1/2000 (07/01) SZCSM on professional tasks and conditions of operation of social institutions for personal care  
Decree 302/2006 (23/12) EMMI on registration and control of sheltered workshops: detailed rules on public procurement in case of employers of sheltered workshops  
Government Decree 191/2008 (30/07) on the order of the financing of aid services and community care services  
Government Decree 369/2013(24/10) on the official registration and control of service providers, institutions and networks of social, children welfare and protection services.  
Government decree 489/2013 (18/12) on the support of ecclesiastical and non-state maintained social, children welfare and protection service providers  
Government decree 418/2015 (23/12) on amendment of certain children protection and public education issues

*Relevant laws in concern of employment and labour issues in the social service sector:*

Act I of 2012 on the Labour Code (*Mt*)  
Act XXIII of 1992 on the Legal Status of Civil Servants (*Ktv*) (köztisztviselők)  
Act XXXIII of 1992 on the Legal Status of Public Servants (*Kjt*) (közalkalmazottak)  
Act LVIII of 2010 on the legal status of Government officials (Government Officials Act)  
Act CXCIX of 2011 on Public Officials (*KTTv*) (Közszolgálati köztisztviselők)  
Act CXCIX of 2011 on Civil Service Officers (Civil Service Officers Act)  
Act CVI of 2011 on public employment and on the amendment of legislation related to public employment and other legislation  
Act XCIII of 2011 on the establishment of National Social and Economic Council  
Act CLXXXIV of 2011 aimed at amending Act XLIII of 1996 (*Hszt*), related to the harmonisation of civil service careers and amending certain legislation on labour matters  
Decree of 257/2000 (26/12) of Government on the implementation of Act XXXIII of 1992 on the legal Status of Public servants in the social service sector (*Vhr*)  
Decree 9/2000 (4/08) of SzCsM on further training and the social professional examination of person performing personal care  
Decree 29/2003 (20/05) of ESzCsM on the examination requirements of foster parents, training and examinations of of persons providing home children day care  
Decree 81/2004 (18/09) of ESzCsM on the training and examination requirements of certain social service providers  
Decree of 2/2004 (01/15) of FMM on the registration of collective agreements  
Decree of 1187/2016 (12/04) of government on setting up and operating of the Social Policy Council

## 1.2.2. Institutional background



«Country-Case Study: Hungary»

Project PESSIS 2 “Promoting Employers’ Social Services Organisations in Social Dialogue”  
Agreement number: VS/2015/0339

The main participants of the social service sector in Hungary on the supply-side are the ‘maintainers’ (‘fenntartó’), ‘providers’ (‘szolgáltató’), ‘licensees’ (‘engedélyes’). Only those maintainers and service providers are allowed to supply services who are registered in the national register (official records), otherwise penalties may be imposed. Social ‘provider’ is a person or institution who provides the primary social services included in the Act III of 1993 on social administration and social services. The social institution is an organisation offering day or home care or supported housing. The children welfare or protection institution is an organisation or its professionally independent unit offering services included in the Act XXXI of 1997 on the child protection and guardianship administration and having staff of at least 3 full-time employees. The ‘headquarter’ of provider is the central place of administration, independently from the fact whether it is used also to provide service or not. The ‘site’ of provider differs from headquarter and the provider use it for services like day care or home care, childcare, etc.

The scope of licensees extends to the providers, institutions, headquarters and sites.

The institutional background of the social service sector includes the regulatory, licencing controlling body. It is the **National Rehabilitation and Social Office** (Nemzeti Rehabilitációs és Szociális Hivatal, NRSZH)<sup>4</sup> which gives the license and monitors the providers (called ‘licensees’ (‘engedélyes’)) in the social service sector. It also keeps the records on licensees including the so called accredited employers (running the sheltered working places) for workforce with disabilities. The Office saves the track on the national register of experts on social policy, child protection, and employment rehabilitation. In the website of NRSZH we can find the full list (in a researchable way) of the maintainers, the providers and the list of current licensees.<sup>5</sup>

The **General Directorate of Social Affairs and Child Protection** (Szociális és Gyermekvédelmi Főigazgatóság, SZGYF) is central budget authority established by government regulation 316/23.11.2012. The General Directorate consists of the central office and the offices in the counties and capital. The director general – head of the Central Office - presents for ministerial approval the budget and the number of staff of the maintained institutions; approves and revokes the mandate of their directors. SZGYF has 32557 caring places and 23863 employees. It has 1803 places (1737 clients) for day care, support service, home care help using alarm with (Bátori (2016)). SZGYF covers 66% of the children under specialised protection.

**Number of children receiving specialised children protection service, according to maintainer, 31.12.2015**

Maintainer institution	Number of children
SZGYF - General Directorate of Social Affairs and Child Protection	15352
Ecclesiastical institutions	6526
KLIK - Klebelsberg Institution Maintenance Centre	655
Civil institutions	617
Total	23150

<sup>4</sup> The NRSZH ceased its existence at 31 December 2016. Its legal successor since January 1st, 2017 is the Rehabilitation Department of Budapest Metropolitan Government Office (Budapest Főváros Kormányhivatala Rehabilitációs Ellátási és Szakértői Főosztály)

<sup>5</sup> See them at the link <https://pubregiszter.nrszh.hu/LHatalyosMukodesiEngedelyekListaja.aspx>



Source: Bátori (2016)

### 1.2.3. Recent changes in regulation

Recently an integration process of services is going on with the aim of the better distribution of resources. According to the Act CXXXIII of 2015 from January 1st, 2016 the family support and the children’s welfare service is to be provided within the framework of „family-and children’s welfare service” and the „family-and children’s welfare centre”. It means that family support service should be run only together with children welfare service. This new type of organisation can be created on the basis of the previous service but as a duty of local government and taking care of better distribution of resources. According to the new regulation, the *local government of municipalities* (Local Administrative Units, LAU 2) has the duty to provide minimum services at local level. *The local governments of the seats of districts* (LAU 1) are obliged to guarantee the specialised services and children’s protection services. So, the number of children’s protection centres is to be increased from 48 to 198. (So, paradoxically the integration process of services leads to the increase of number of children’s protection centres in the seats of districts).

#### Organisation of Social services from 2016

<b>Level</b>	Municipalities (LAU 2; previously NUTS 5)	Seats of district (LAU 1, previously NUTS 4)
<b>Type of service provided by local government</b>	Family-and Children’s Welfare Service	Family- and Children’s Welfare Centre
<b>Total number of services and centres</b>	3177 services	193 centres (There are 175 districts + 23 districts in the capital = 198 districts as total)
<b>Tasks</b>	Operating the alarm system Crisis management Social help (classical family care function) Maintaining continuous contact with the Family-and Children’s Welfare Centre in the seat of district	Tasks in context of duties of authority (putting somebody under protection, foster and after care) Preparing social diagnosis (obligatory from 2017) Special services (permanent contact duty – telephone help; Social work in hospital or street (in case of need); Legal and psychological guidance; Family consultation, mediation; Migrants’ help; School and day care centre help (from 2018); Professional support to children’s’ welfare services in the area.
<b>Type of personal which would be needed</b>	Family helper	Case manager, counsellor and social assistant



«Country-Case Study: Hungary»

Project PESSIS 2 “Promoting Employers’ Social Services Organisations in Social Dialogue”  
Agreement number: VS/2015/0339

<b>Minimum of professional staff</b>	1 family helper/4000 inhabitants	1 professional/7000 inhabitants, but at least 3 professionals/centre 1 social assistant/10000 inhabitants
--------------------------------------	----------------------------------	--

Source: Bódy (2016)

An example: The Bischnitz Johanna Integrated Human Service Centre in Budapest 7<sup>th</sup> district (LAU1) employs 340 persons and its Family and Welfare Centre has a staff of 30 persons. As an integrated service centre it provides health service, old care, services to families and persons (also to job seekers, handicapped) and child care. Its maintainer is the local government. Based on the Act CXXXIII of 2015 since 2016 the family care and the child welfare services should have been integrated in one centre, that is in this case the Family and Welfare Centre, but it is separated from the Human Service Centre.

There is a must now to make operate at district level a centre with special plus tasks, for example the social work at hospital, crisis duty (phone call- duty), and street social work and from 2018 also helping day care centres and schools. According to the new set-up the working loads are more evenly distributed and the parallel cares are eliminated (for example previously there were families cared by the child welfare service and also by the family care service). As concerns the local government as maintainer its role could be expanded, the resources can be focused better, their fragmentation can be decreased according to the plans.

In sum, the new structure aims to reach a more rational distribution of tasks and deeper cooperation between the local services in municipalities and centre in seat of districts. *The new organisation also aims to promote the holistic view of care of the family and children.*

### 1.3. Relevant researches

We can affirm that research on the industrial relations, social dialogue or collective bargaining in the social service sector is almost not available. We find reports on the issue of the public sector as a whole or subsector like public administration and civil service. As an exception in concern of social service sector, we could find a survey on the employment situation of crèches .

We can find reports on the state and play of scope, content and legal conditions of social service sector. Most of the mapped papers are plans and/or strategies and mainly on health service sector tackling somehow social service sector too. For example a report was prepared within the framework of Information Strategy Task Force of MoHSFA and MoIC in 2004 with the title '[Health and Social Services](#)' on the information needs and position of the key players of the sector in the era of information society. We can also look at 'Resuscitated Health Care, Recovering Hungary, Semmelweis Plan for the Rescue of Health Care. A professional concept' prepared by Ministry of National resources, State Secretary for Health, 2011 or Rácz and Hajós 'Hungarian results of care work research concerning services for the elderly', in Kapocs, August 2004 which is an analysis on care for elderly in Hungary in international comparison.



This topic is tackled also by the article of Rácz. A. ‘Characteristics of workforce in services for elderly people in Sweden, Great-Britain, Spain and Hungary’, in *Társadalomkutatás*, 24/2, 285-301, (2006). Károly Czibere and Róbert I. Gál’s research report (no 79) on the ‘[Long-term care system for elderly in Hungary](#)’ was prepared for ENEPRI (European Network of Economic Policy Research Institutes) in June 2010; it highlights the *dual structure* of Hungarian long-term care of elders which – as the other social cares – is characterised by a centralised system of institutions and a wide range of household activities by which people adjust to the situation and which bears yet the mark of the previous central planning. Also highlights that ‘long-term care services are administrated in the health care system and the social care system separately. Both systems have their own distinct legislation, financing mechanism and services. The two systems maintain parallel institutional networks. This applies to institutional care as well as home care. There is no cooperation between the two systems and none of them applies, let alone coordinates, a system of case management.

According to a recent report by the State Audit Office (SAO, 2008), the optimal division of labour would be to care for those who need special health services in the health care system, whereas those who do not need such services but whose physical and mental stability depends on special care, would stay in institutional care facilities. The report finds this frequently not to be the case. (Czibere&Gál (2010), p.4). Within the framework of so called operative programmes, financed partly by the European Social Fund and partly by the Hungarian government, analysis and proposals in concern of civil service mainly from point of view of career development were prepared (like Márta Bokodi – Zoltán Hazafi – Attila Kun – Zoltán Petrovics – Gábor Szakács (2014) ÁROP-2.2.17 New civil service career plan and HR management.)

As concerns the subsectors of social service sector we find a detailed survey on the professional and other (blue collar) workers of crèches (Viktoria Szűcs (2012)) according to educational level, service time and wage. The survey emphasizes that since 2008 there has not been wage increase in the wage categories of public servants meanwhile the obligatory minimum wage increase in 63 wage categories has resulted to remove the wage differentiation according age, years of service and level of education. It has created a major wage tension between young and senior staff, and between staff with lower and higher educational level.

As concerns of crèches workers we can find also an earlier survey (Brayfield, A (1996)). We can say, that the main conclusions of it have remained valid and not only for the crèches but also for the whole social service sector. According to it, the crèches workers are older, more educated, taking care of larger groups of children and more likely perform tasks unrelated to the care and education of children than crèches workers in 1984. Also is valid „the persistence of low wages for caregivers, the rising standard of living and an uncertain economic future contribute to a growing dissatisfaction with basic salaries”. Despite of these negative tendencies the vast majority of nursery workers see their work as a permanent career (p.11). Few things have changed since 1984. We can see similar situation in the survey of Central Statistical Office of Hungary (KSH (2014)) according to what it is yet a problem that the workers’ age in nurseries is growing and many of them are near to the pension age or even after. The education level is high, 98% of the nursery workers has the appropriate certificate or diploma meanwhile the wage level follow to be very low and even worse than in the health sector. Meanwhile in the health sector the wages reach the 89% of the average wages in the national economy, the wages of workers in the social service sector reach only 61% of national average and the situation is even worse for the workers in nurseries, their wages are only 53% of the national average! (KSH (2014) p.7).



Korintus’s and Moss’s (2004) research ‘Work with Young Children A Case Study of Denmark, Hungary and Spain’ underlines the fact of decentralisation of services and that main responsibility for services for young children has been passed to regional governments or local authorities and provisions are mainly publicly funded (in front of Spain for example, where provisions rely on parents’ fee). In front of Denmark in Hungary (and also in Spain) there are only very few male workers in the subsector (childcare). “There are considerable variations in salaries. Danish workers, who are strongly unionised, earn substantially more than Spanish workers, while Hungarian workers have very low pay.”

Also this research establishes that “Money was not a motive for entering or remaining in the work” (p.2). As concerns the future according to the conclusions of the report “This complexity needs factoring in to consideration of the future direction of work with young children. It means, for example, that terms such as “childcare services” (routinely used, for example by the European Commission), and indeed “care work” and “care workforce”, are too simple and narrow. They no longer, if they ever did, do justice to the work.” (p. 7).

As we told, we can find some surveys on the social dialogue in Hungary in general which tackles also the social dialogue in the public service sector but without entering into details in concern of the social service sector. Look at Sándor Kisgyörgy’s and András Pásztóy’s survey prepared within the framework of Norwegian grant in 2013/14 (Kisgyörgy Sándor-Pásztóy András (2014) Az országos szintű szociális dialógus Magyarországon és bővítésének lehetőségei, LIGA Szakszervezetek, Norvég projekt, 2013/14). Another report on a special segment of social dialogue and industrial relations is Erzsébet Berki’s report which gives a description and critical opinion on industrial relations in the central public administration, tackling the industrial relations which characterise the civil servants in Hungary. (Erzsébet Berki (2014) Hungary: Industrial relations in central public administration – Recent trends and features, Observatory EurWORK, 29). Also a comprehensive analysis of relations in collective labour law in public services is provided by Erzsébet Berki, Gábor Fodor T., Beáta Nacsa and László Neumann, which gives us a comparative analysis on the collective rights and their application in the case of civil servants and military services prepared for the National ILO Council (Berki, Erzsébet – Fodor, T. Gábor – Nacsa, Beáta – Neumann László (2007) Kollektív jogok és érvényesülésük közszolgálatban. Összehasonlító elemzés a köztisztviselői, a szolgálati és a hivatásos katonai jogviszonyra vonatkozóan, Nemzeti ILO Tanács) We can find some paper in the subject like ILO’s Issues paper for discussion at the Global Dialogue Forum on Challenges to Collective Bargaining in the Public Service (Geneva, 2–3 April 2014) on collective bargaining in the public service like “Collective bargaining in the public service: Bridging gaps for a better future” or “Collective bargaining in the public service: A way forward”, International Labour Conference, 102nd Session, 2013 ILO 2013 which tackle some aspects of social dialogue and collective bargaining of public services but only very few concern Hungarian case and don’t enter into the details of the social service sector at all.

*We can conclude that there are some surveys, reports and researches on social sector and subsectors but there is a lack of research on social dialogue in social service sector.*

#### 1.4. Statistical profile

The main sources of statistical data on the Hungarian social service sector are the National Statistical Office (KSH) OSAP database, the CENSI administration system and the NRSZH (National Rehabilitation and Social Institute).



#### 1.4.1. Size of sector – Staff

According to the data of National Rehabilitation and Social Office (NRSZH) in the social service sector there in December 2014 there were working 93 174 people, 80% of them performed professional and 20% technical jobs (Mester, Dániel (2016), NRSZH 2014).<sup>6</sup>

1/3 of staff in the sector (32 745 persons together in NACE Q87 and Q88) – who works in non-profit or ecclesiastical workplaces - are covered by the Act I of 2012 on the Labour Code (Mt). 2/3 of staff working in the public social service is covered by Act XXXIII of 1992 on the Legal Status of Public Servants (Kjt). (There are 60 444 persons together in NACE Q87 and Q88, 35 313 (NACE Q87) and 25 131 persons (NACE Q88)).

28 % of the total staff in the social service sector is employed by the state employer, the General Directorate of Social Affairs and Child Protection (SZGYF). SZGYF has 25 663 workplaces (of which 23 863 are filled and 1800 (!) are vacant). The vast majority are professional workplaces (19 764 places of which 1444 are vacant) (31.01.2016, Bátori (2016)).

*These figures show well one of the biggest problem of the social service sector, that is the lack of professional workforce.*

The vast majority of the employees in the social service sector (91%) are women. The most men work in the specialised children protection services (18% of the employees in this subsector are men).

The less proportion of the men works in the primary child welfare which includes first of all the crèches ; here 96% of the total workforce is women.

#### Distribution of staff according to the type of service and gender

Type of social service	Men	Women	Total
Primary child welfare including crèches	3,9%	96,1%	100%
Specialised children protection services	18,2%	81,8%	100%
Primary social service	9,8%	90,2%	100%
Special social care services	9%	91%	100%
Total	9%	91%	100%

Source: NRSZH 2014

There are only few young people working in the social service sector, near to 70 % of all staff is over 40 years old and more than one third of them is over 50. Only 8 % of all staff is under 30 years old. *These figures show another big problem of the social service sector, that is the aging of the workforce in the social service sector and the lack of new generation.*

#### Distribution of staff in social service sector according to age

Age group	%
18-29 years old	8%
30-39 years old	24%
40-49 years old	33%
50-59 years old	30%
over 60 years old	5%

<sup>6</sup> In general this figure - 93 174 employees – is used to characterise the volume of the social service sector. It is the data of National Rehabilitation and Social Office. Notwithstanding, the MKIR, the Information System of Industrial Relations, in its database for subsectors Q87 and Q88 is mapping as a total of 131 993 employees.(MKIR, downloaded 10/05/2016)



**«Country-Case Study: Hungary»**

Project PESSIS 2 “Promoting Employers’ Social Services Organisations in Social Dialogue”  
Agreement number: VS/2015/0339

Total	100%
-------	------

Source: NRSZH 2014

95% of professional workers in the social service sector have the qualification required by the job. *We can state that in the social service sector the typical employee is a middle aged woman with qualification.* The highest is the proportion of staff with diploma (85-95%) in case of children welfare services, family support and local children protection professional services. The majority of staff with primary education works in the special social care (mostly in elderly homes) (Source: NRSZH (2014)).

**Distribution of staff according to the type of qualification needed to fill given job**

Qualification	%
Staff with higher education (diploma)	32,52%
Staff with secondary professional education	54,32%
Staff with primary education	13,16%
Total	100%

Source: NRSZH 2014

The labour intensive services – like specialised social care services including institutional care for elderly, institutional rehabilitation care for people with disabilities – employ more staff. The work in children’s welfare sector requires university diploma; in the elderly care you can work also without professional education.

**Distribution of professional staff according to the type of service**

Services	%
Specialised social care service	42%
Primary social care service	31%
Primary child welfare care service	19%
Specialised child protection service	8%
Total	100%

Source: KSH OSAP 2013

The *major employer* in the social service sector are the *local governments*, they employ 45,7% of the staff. The second biggest employer is the General Directorate of Social Affairs and Child Protection, SZGYF (22%), the third bigger are the ecclesiastical institutions (17,8%) and the fourth are the civil (non-profit, non-governmental) organisations, foundations (14,5%).

**Distribution of professional staff according to the type of service and maintainer (provider)**

	Local government	SZGYF	Ecclesiastical	Civil
Specialised social care service	58,7%	0,2%	27,3%	13,8%
Primary social care service	28,7%	35,1%	19%	17,3%
Primary child welfare care service	87,2%	0,3%	7,8%	14,7%
Specialised child protection service	1,9%	85,4%	9,8%	7,9%
Social services	45,7%	22%	17,8%	14,5%

Source: KSH OSAP 2013



Supported by: DG Employment, Social Affairs and Inclusion

We can observe a *clear distribution of work*: the local governments employ the vast majority of staff in primary child welfare care service (which includes also the crèches ) and the SZGYF employs the staff in specialised child protection service (including also the children’s homes). Most of the ecclesiastical staff is employed in the specialised social care, including the residential homes for elderly.

**1.4.2. Size of sector - providers and size of providers**

In the social service sector it is a common practice that instead of employers we speak about ‘maintainers’ of organisations (Nyitrai, EMMI). There are 4 types of maintainers – the local government, the civil (non-profit non state and other non-state), the ecclesiastical and the state (central government). So, the providers include public sector agencies, local government authorities, ecclesiastical, charitable or civil organisation and foundations, and since 1990 also profit-oriented caring service providers (these latest mainly in in the long-term residential elderly care). Independently of type, every service provider has to acquire licence from the National Rehabilitation and Social Office (NRSZH). *The number of so called ‘employers’ (providers with licence) is approximately 4000. (We have to note, that these are the so called ‘employers’ who has the right to sign collective agreement.)* Near half of them is related to the local governments and near one quarter to the ecclesiastical services.

For example the Hungarian Reformed Church Aid maintains 38 institutions or services, caring about 6500-6800 persons and employing 1800 employees. Their services include primary care services and also specialised services with residential homes mainly for elderly and people with disability and in smaller proportion for psychiatric patients. (Beszterczey, Hungarian Reformed Church Aid).

**Social service sector providers (so called employers)**

Type	Number of institutions run by them	%
Ecclesiastical institutions	960	24%
Central government	520	13%
Local government	1880	47%
Other non-state	400	10%
Non-profit non state	240	6%
Total	4000	100%

Source: NRSZH 2015

*We can conclude that the first and most important players in the social service sector are the local government followed by the ecclesiastical institutions. The third most important player is the state. There are also some services run by civil organisations.*

The size of providers is varying; we can find small and middle size institutions with several hundred employees.

**Average size of organisations according to number of places for clients**

Type of provider	Average number of places per organisation
Ecclesiastical	102



**«Country-Case Study: Hungary»**

Project PESSIS 2 “Promoting Employers’ Social Services Organisations in Social Dialogue”  
Agreement number: VS/2015/0339

Central government	101
Local government	104
Other non-state	101
Non-profit non state	99
Total	102

Source: NRSZH

**1.4.3. Finances, funding**

The main source of funding social services is the government budget even in the case of local governments, charity or ecclesiastical organisations, non-profit organisations. In 2016, according to the Act C of 2015 on the central budget of Hungary *2,5% of the government budget is spent for the operational costs of social service sector*.

**Government’s expenditures on social service sector in % of the main sum of the central budget, %**

Maintainers	Expenditure	Support	Income
Local governments	1,98	1,98	
EMMI/System of Social and Child protection institutions	0,67	0,52	0,15
Total	2,65	2,50	0,15

Source: Act C of 2015 on the central budget of Hungary, Annex 1.

Note: the main sum of the central budget for 2016 is HUF 16 561 999 million (Act C of 2015, section 1/b). The expenditure on the operational costs of social services is HUF 438 512 million (EUR 1462 million) which includes HUF 414 617 million (EUR 1382 million) state support.

Other source of founding is the National Health Insurance Fund if health care is tackled. In case of certain services – like social catering or long-term elderly residential care – some contributions are paid by the beneficiaries. Since 2015 the maintainer organisations have more flexibility at the calculation of contributions by clients and they emphasize more the principle of self-care. (Before 2015 the maximum amount of contribution was the difference between the cost of service and the state support. Since 2015 the contribution can be the whole or partial cost of service, depending on the client’s income.

**Number of places according the source of funding and type of maintenance organisation**  
(According to situation at 15/05/2015)

Type of provider organisation	Number of state supported places	Number of non-state supported places	Total number of places
Ecclesiastical	95 452	2 271	97 723
Central government	51 750	588	52 338
Local government	190 081	4 636	194 717
Other non-state	39 008	1 559	40 567
Non-profit non state	23 196	610	23 806
Total	<b>399 487</b>	9 664	<b>409 151</b>

Source: NRSZH 2015

*According to the data at May 2015 only 2,4% of the places in social service sector were financed by another source than the central budget.*



Supported by: DG Employment, Social Affairs and Inclusion

**Percentage of non-state supported places according to maintainer’s type**

Type of provider organisation	%
Ecclesiastical	2,3
Central government	1,1
Local government	2,4
Other non-state	3,8
Non-profit non state	2,6
Total	2,4

Based on NRSZH 2015

**1.4.4. Dramatically low wages**

*The wages in the social service sector are dramatically low.* The physical workers average gross wage in 2015 was 284 EUR, much lower than the wage of physical workers in health sector, education and the public sector in general. The qualified workers earn also much less than those in health sector and in public sector in general.

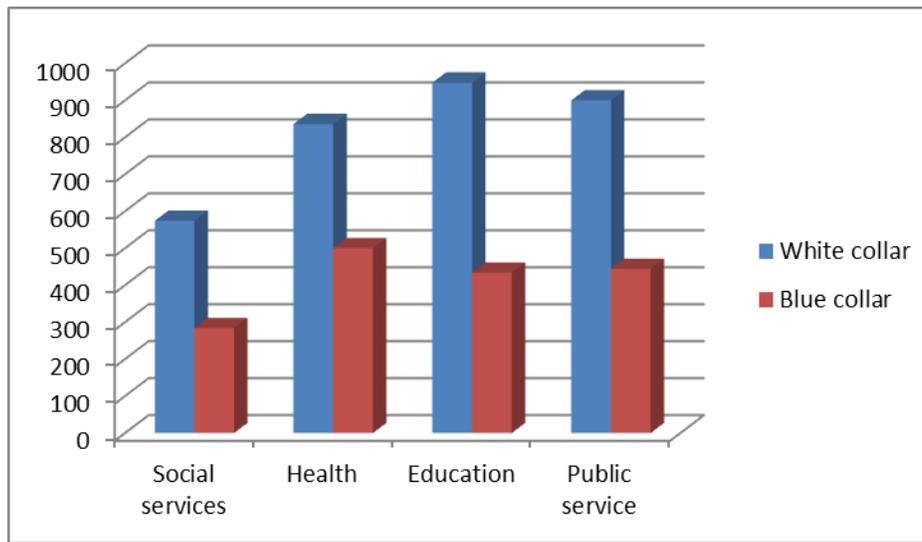
**Average gross wages**

	Social service		Health sector		Education		Public sector	
	HUF	EUR	HUF	EUR	HUF	EUR	HUF	EUR
White collar- 01/2015	157364	525	235105	784	270387	901	252140	840
White collar- 01/2016	172289	574	250767	836	284441	948	269973	900
Blue collar-2015	85091	284	149888	500	130054	434	133316	444

Source: KSH Stadat, [https://www.ksh.hu/docs/hun/xstadat/xstadat\\_evkozi/e\\_qli008c.html](https://www.ksh.hu/docs/hun/xstadat/xstadat_evkozi/e_qli008c.html) and [http://www.ksh.hu/docs/hun/xstadat/xstadat\\_evkozi/e\\_qli009b.html?down=1200](http://www.ksh.hu/docs/hun/xstadat/xstadat_evkozi/e_qli009b.html?down=1200) downloaded at 17/04/2016

**Average gross wages, EUR, 2015**





The government’s recent attempts with introducing wage supplements (see later) do not mean radical change in the income of the staff in social service sector.

## 2. Collective agreements in social service sector in Hungary

### 2.1. Laws regulating collective institutions - collective agreements

In Hungary laws and regulations are important backgrounds for labour conditions of both public and private employees. In Hungary the labour regulations are essential as the trade unionisation rate is low and trade unions are weak to negotiate collective agreements. For example in Hungary it is typical that the European social partners’ framework agreements used to be implemented by laws and regulation and not by the agreements of the social partners. According the OECD ICTWSS database, at national level the trade union density in Hungary is 10,5% (2013)<sup>7</sup>, the employers’ organisation density is 40%<sup>8</sup> and the coverage by collective agreement is 33,5%<sup>9</sup>. The collective negotiation in Hungary is characterised by low coordination and it is decentralised; the main level is company (micro) level. The vast majority of the collective agreements are signed by a single employer. Their number according to the Collective Agreement Registry between 2008 and 2013 was stable, around 2700 (in 2013 it was 2683) and the number of multi-employer collective agreements was 80 (Borbély-Neumann (2015), p.202)). The extension procedure is allowed by law in Hungary. Since 1992 – when the Labour Code first has allowed it - extension was used only in a few sectors (construction, hotel and catering, electricity and bakery). In 2013 a new multi-employer collective agreement was signed in the water service industry. As concerns wage setting we find some elements of government coordination through the setting of statutory minimum wage and (in the previous years) wage

<sup>7</sup> [http://stats.oecd.org/Index.aspx?DataSetCode=UN\\_DEN](http://stats.oecd.org/Index.aspx?DataSetCode=UN_DEN), downloaded 11/04/2016

<sup>8</sup> ICTWSS database version 4.0. (2013), 2011

<sup>9</sup> ICTWSS database Emversion 4.0. (2013), 2011



indexation. The government influences wage bargaining outcomes also through tax measures and patterns setting through public sector wages.<sup>10</sup>

The labour regulations cover several relevant issues of employment, work organisation, working time, etc...The regulation which must to be taken into consideration when negotiating and preparing collective agreement in the social service sector are the Act I of 2012 on the Labour Code (Mt); the Act XXXIII of 1992 on the Legal Status of Public Servants (Kjt), the Decree of 257/2000 (26/12) of Government on the implementation of Act XXXIII of 1992 on the legal Status of Public servants in the social service sector (Vhr) and the Decree of 2/2004 (15/01) of FMM on the registration of collective agreements.

As concerns the social service sector the Act XXXIII of 1992 on the Legal Status of Public Servants (Kjt) covers the employees in education, health care, social and other public service sectors financed by public budget or funds. Employees of private or ecclesiastical institutions in the social sector (including social service sector) are not covered by this law, they are covered by the Act I of 2012 on the Labour Code (Mt).<sup>11</sup> Both Act I of 2012 on the Labour Code and the Act XXXIII of 1992 on Governing the Legal Status of Public Servants (Kjt) regulate collective rights including bargaining in a similar way and with similar objectives (freedom of organisation, rights of trade unions). Apart from the Act I of 2012 on the Labour Code, it is only the Act XXXIII of 1992 on the Legal Status of Public Servants (Kjt) that allows the conclusion of collective agreements, although the scope of such agreements is much more limited in the context of public servants than in the context of employees under the Labour Code (Mt).

In the context of employees in public sector there is a certain differentiation between the state as a regulator and the state as an employer.

As concerns civil service (regulated by Act XXIII of 1992 on the Legal Status of Civil Servants (Ktv)) there are already high deficiencies in concern of collective negotiation. It “motivates trade unions to carry out their interest representation activities towards bodies that are able to directly influence legislation... During the institution-level reconciliation of interests, the partner of the trade union is the “pseudo-employer” (budgetary institution, public institution, public administration body), which, however, does not actually have the right of decision in determining the key elements of employment”. (Márta Bokodi – Zoltán Hazafi – Attila Kun – Zoltán Petrovics – Gábor Szakács (2014), p. 120) In the social service sector at sectoral level the ‘official’ participants of social dialogue on the employer’s side are mainly ‘pseudo-employers’, for example federations of local governments, without any right to conclude collective agreements. At provider level – where the collective agreements in the social service sector used to be bound – the employer (the director or manager of the unit) has the right to conclude the agreement but does not dispose freely of funds. As a consequence, the real decision is taken by the sustainer (like local government).

Act I of 2012 on the Labour Code (Mt.) rules that collective bargaining agreements may be concluded only with trade union who represents at least 10% of the workers. The use of the 10%

---

<sup>10</sup> ICTWSS database version 4.0. (2013), 2011

<sup>11</sup> See on the legal regulation more details in English: József Hajdú (2011) Labour Law in Hungary, ed. Wolters Kluwer, downloadable:

[https://books.google.hu/books?id=L1Ra6WYtqsgC&pg=PA45&lpg=PA45&dq=Act+LVIII+of+2010+on+Legal+Status+of+&source=bl&ots=SUQGVMRPMw&sig=OimoAyfhrnlHiS\\_pzRl4hrQeNhQ&hl=hu&sa=X&ved=0ahUKEwj17bv-vHLAhWFAJ0KHTLzB9kQ6AEIHTAA#v=onepage&q=Act%20LVIII%20of%202010%20on%20Legal%20Status%20of&f=false](https://books.google.hu/books?id=L1Ra6WYtqsgC&pg=PA45&lpg=PA45&dq=Act+LVIII+of+2010+on+Legal+Status+of+&source=bl&ots=SUQGVMRPMw&sig=OimoAyfhrnlHiS_pzRl4hrQeNhQ&hl=hu&sa=X&ved=0ahUKEwj17bv-vHLAhWFAJ0KHTLzB9kQ6AEIHTAA#v=onepage&q=Act%20LVIII%20of%202010%20on%20Legal%20Status%20of&f=false)



membership minimum requirement for trade unions became general in the dialogue between trade unions and employers. This regulation of Labour Code is to be applied also for public servants’ trade unions in the social service sector too, and also in concern of rights to participate in public service consultation forum.

### **2.1.1. Possibility in the collective agreement to diverge from the Labour Code**

As a serious change to the previous Labour Code, the collective agreement can diverge from the Labour Code not only in a positive way for the employees but also in a negative way. The ban of divergence is indicated separately in every case. It also means that where is not such regulation it is possible to regulate the concerned concrete issue in the collective agreement for the employees’ benefit or detriment as well. The collective agreement can diverge from the Labour Code – if there is not any other provision – in the topic of employment relationship (Part I of Labour Code) and industrial relations (Part III of Labour code) with the exception of chapters XIX and XX of Part III, including the general provisions of industrial relations and the regulation of works councils. It is not allowed to diverge from the regulations of sections 271-272 (trade unionist’s rights and that employee should not be discriminated by the employer on the grounds of trade union affiliation or trade union activity). It is not possible to deviate in the collective agreement from rule that a single parent can be posted to another workplace only in case of his/her consent, or it is not possible to redeem holiday for money, or mother is entitled for an uninterrupted 24 weeks maternity leave. There are several regulations from what the collective agreement may diverge on the benefit of the employee (like the collective agreement may extend the circle of those cases when the employee is not obliged be available (on call) and work. *Also collective agreement can include the breaks into the working time.*

There are cases when the collective agreement can be diverge from the law on the benefit and also on the detriment of the employee (for example the length of notice period, dismissal time, the volume of severance pay and the right to it, the length of work time framework, the length of age based additional leaves, the wage supplements, etc.). For example the rate of annual overtime can be increased to 300 hours only in the collective agreement; this is the case with the 6-month probation period as well. In case of employment relationship with public employers the regulations are less flexible than in case of competitive sector as concerns of divergences by the collective agreement. No derogation is allowed in concern of the duration of the notice period, severance pay, the break should not be part of working time or the commuting time, etc. (Section 205, 206, Act I of 2012 on the Labour Code (Mt).

### **2.1.2. Hungarian speciality: public service staff’s ‘outsourcing’ from public to private labour law**

In Hungary the law on public servants created a special situation on concern of certain circle of employees working in public sector, including social service sector. According to the [Act XXXIII of 1992 on the Legal Status of Public Servants \(Kit\)](#) administrators and physical workers are transferred from public service employment to labour employment under the Act I of 2012 on the Labour Code (valid for employees in the competitive sector). The legislators explain this transfer as follows: “The ‘outsourcing’ of this staff from public service employment is motivated by an intention to make their employment more flexible, their organisation of labour and financing more rational, and that they should not be burdened by additional requirements and tasks not justified by their sphere of activities.”



The concerned persons (including their interest representation organisations, trade unions) evaluate so that this ‘outsourcing’ means only the weakening of their position.

## 2.2. How well represented is the sector in terms of number of employers and workers covered by collective agreements?

*In Hungary collective agreements in the social service sector are negotiated at workplace level. There have not ever signed any sectoral collective agreement. The collective agreements are signed by the trade union secretary and director of a given institution which can be a crèche , a residential home care for elderly, a family and children welfare centre, an integrated social service centre, an ecclesiastical institutions, a non-profit foundation, etc., if there is any trade union.*

*As a total MKIR, Information System of Industrial Relations in 2004 registered and mapped 134 collective agreements covering 14 361 employees in the social service sector. On 10 May 2016, MKIR registers 119 collective agreements covering 15 567 employees. The vast majority (83) are signed in companies with a staff of 50-300 persons. It means that the present collective agreement coverage rate in the social service sector is 15,4%.*

### Total number of collective agreements and employees covered (MKIR 2004 and 2016)

	Collective agreements, pieces	Employees covered, persons
2004	134	14361
2016	119	15567

Source: MKIR 2004 and MKIR downloaded on 10/05/2016

The major number of collective agreements was signed in the residential care for elderly and disabled, 55 agreements covering 7126 persons. The big majority of all agreements (near 70%) were concluded in institutions with staff between 50 and 300 persons.

### Number of collective agreements and covered persons by subsectors

	Total number of employees in the subsector (*)	Number of collective agreements	Number of employees covered by collective agreements covered employees	% of covered employees in the total number of employees, %
Q87.1.0 Residential nursing care activities	506	1	515	101,8
Q87.2.0 Residential care activities for mental retardation, mental health and substance abuse	2634	4	492	18,7
Q87.3.0 Residential care activities for the elderly and disabled	20604	55	7126	34,6
Q87.9.0 Other residential care activities	8107	20	2568	31,7
Q88.1.0 Social work activities without accommodation for the elderly and disabled	3987	11	1396	35,0



**«Country-Case Study: Hungary»**

Project PESSIS 2 “Promoting Employers’ Social Services Organisations in Social Dialogue”  
Agreement number: VS/2015/0339

Q88.9.1 Child day-care activities	10484	21	3056	29,1
Q88.9.9 Other social work activities without accommodation n.e.c	85671	7	414	0,5
<b>Total</b>	<b>131993</b>	<b>119</b>	<b>15567</b>	<b>11,8</b>

Source: MKIR, downloaded 10/05/2016

[http://mkir.gov.hu/lista1\\_1\\_3\\_1.php](http://mkir.gov.hu/lista1_1_3_1.php)

[http://mkir.gov.hu/lista2\\_1\\_3\\_1.php](http://mkir.gov.hu/lista2_1_3_1.php)

(\*) the total number of employees in the subsectors are data of KSH (Central Statistical Office) used in MKIR. It is a higher number than the number of employees mentioned by NRSZH, that is 93 174 people (December 2014) (NRSZH 2014).

**Number of collective agreements according the size of institutions**

	<b>Staff under 10</b>	<b>Staff 11-20</b>	<b>Staff 21-50</b>	<b>Staff 51-300</b>	<b>Staff 301-500</b>	<b>Staff 501-1000</b>
Q87.1.0 Residential nursing care activities						1
Q87.2.0 Residential care activities for mental retardation, mental health and substance abuse		1		3		
Q87.3.0 Residential care activities for the elderly and disabled		1	4	45	5	
Q87.9.0 Other residential care activities		1	5	13	1	
Q88.1.0 Social work activities without accommodation for the elderly and disabled	3	0	2	5	1	
Q88.9.1 Child day-care activities	3	1	2	13	2	
Q88.9.9 Other social work activities without accommodation n.e.c			3	4		
<b>Total</b>	<b>6</b>	<b>4</b>	<b>16</b>	<b>83</b>	<b>9</b>	<b>1</b>

Source: MKIR, downloaded 10/05/2016

In addition to look at the data of MKIR we recollected data asking one by one the relevant trade unions as well. According to their answer the major number of collective agreement has been negotiated by SZTDSZ (18 agreements, covering around 2600 employees) and BDDSZ (9 agreements covering around 1270 employees). SZMDSZ and MKKSZ negotiated 5-5 agreements, EDFSZ 6 agreements (covering 11-13 workplaces) and ATSZ 1 agreement. According to the information received until 10/05/2016 the PSZ – Teachers’ union – is also present in some workplaces in the social service sector (4 child-care homes, 3 juvenile correctional facilities and 2 sites maintained by SZGYF). PSZ workplace unions signed 4 collective agreements covering 372 employees. We couldn’t receive answer from MSZ EDDSZ.

**Collective agreements - some unions**

<b>Name of trade union</b>	<b>Number of CAs</b>	<b>Employees covered by CAs (approximately)</b>	<b>Employers covered by CAs</b>
SZTDSZ (MASZSZ)	18	2600	18
MKKSZ (SZEF)	5	100	5
PSZ (SZEF)	4	372	4
EDFSZ (SZEF)	6	800	11-13
SZMDSZ (MASZSZ)	5	400-500	5



Supported by: DG Employment, Social Affairs and Inclusion

### «Country-Case Study: Hungary»

Project PESSIS 2 “Promoting Employers’ Social Services Organisations in Social Dialogue”  
Agreement number: VS/2015/0339

BDDSZ (SZEF)	9	1270	9
ATSZ	1	665	1 integrated institution

Source: Interviews with stakeholders

(\*) despite of our several attempts we couldn’t get any data.

#### 2.2.1. Lacking negotiators

One of the main problems is the frequent absence of trade unions at the workplaces. There are also complications on the employers’ side. According to the law the negotiator should be the workplace manager or director, but the real power and decision making potential is in the maintainer’s hands, for example local authority. *“The problem is that the employer at institutional level has the right to negotiate the collective agreement but has not financial possibilities (power). So for example if in a crèche the local trade union starts to negotiate, the director – despite having right to sign the agreement as it is given in the law – first goes to ask to the local government who is the maintaining/sustaining body of the crèche and who has the financial tools at the hand. Nor the head of local government decides alone (despite that he/she could do it) but presents the issue before the council of representatives of the village or city. So in a paradoxical way a political body decides on the employees’ labour issues of local crèche . Frequently, due to this practice, only minimum allowances included in law for employees in public services (Kjt) remains applied instead of a better (negotiated) version. The employer’s fear and the lack of financial possibilities in hand makes difficult to reach agreement.*

*For this reason we tell that the employer in social service sector – despite having rights – has not real capacity or power” (Szűcs Viktória BDDSZ).* The situation in case of ecclesiastical institutions is to some extent better as the Church (Catholic, Baptist, Reformist, Lutheran and Jewish) can be considered direct employer.

#### 2.3. The type of issues covered by the agreements

The Information System of Industrial Relations (MKIR) run by the labour government mapped the registered collective agreements from the point of view of content. We looked at the results of 2004 and results downloaded at May 2016 and we can state that the frequency of the items and also the number of people covered by collective agreement which includes the given item is very similar. The main items were the most frequent topics tackled by the collective agreements. They are organised in four main chapters. The first chapter includes the procedural rights which concern the conditions of concluding the agreement. The second chapter includes issues in concern of labour relations, like the trade union officers’, shop stewards’ rights, social partners ‘cooperation and the regulation of trade union activity. The third chapter includes conditions of the employment, like the admission and the dismissal, the probation period if other than in the labour code, length of release time, the exemption from work in case of dismissal, the organisation of work (working time), overwork, the wage issues, the training and the social and welfare issues, or the regulation in case of inventory shortage. In the fourth chapter we find issues on labour dispute, like collective debate, legal debate, strike issues (if there is any).



**«Country-Case Study: Hungary»**

Project PESSIS 2 “Promoting Employers’ Social Services Organisations in Social Dialogue”  
Agreement number: VS/2015/0339

**Number of collective agreements (CA) in the social service sector tackling the subjects in concern**

Topic	Number of collective agreements		Topic	Number of employees covered by the topic in CA	
	2004	2016		2004	2016
Strike issues	18	11	Exemption from work	1821	1668
Exemption from work	19	15	Strike issues	1830	1503
Length of release	19	24	Length of release	2212	3987
Shorter probation period	24	15	Shorter probation period	2425	1539
Wage	35	40	Wage	4049	4777
Trade union rights	62	58	Trade union rights	7703	7020
Inventory shortage	68	62	Inventory shortage	7989	7276
Regulation of operation of trade union	75	76	Regulation of trade union functioning	8814	8929
Collective debate	83	78	Regulation of modification of CA	9021	9976
Regulation of modification of CA	86	81	Collective debate	9064	9714
Legal debate	87	83	Deviation from the Labour Code	9399	
Deviation from the Labour Code	92		Legal debate	9905	11241
Regulation of CA termination	94	81	Regulation of CA termination	10178	9838
Training	97	80	Training	10537	10143
Longer probation period	106	69	Social, welfare issues	10582	8289
Social, welfare issues	107	71	Regulation of Cooperation of stakeholders	11457	12936
Regulation of Cooperation of stakeholders	109	101	Overwork	13328	13304
Overwork	123	103	Longer probation period longer	14361	8658

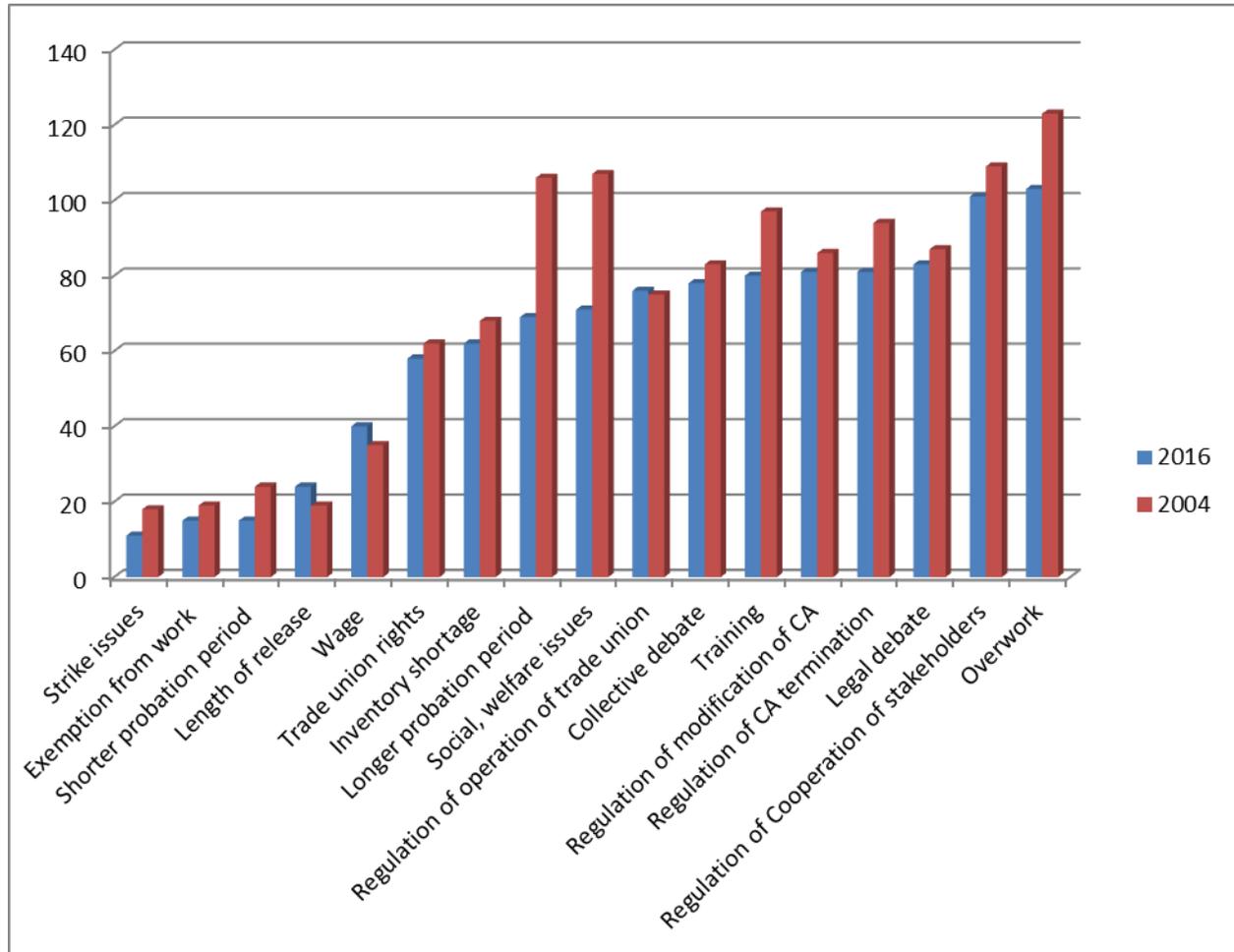
Source: [http://mkir.gov.hu/doksik/kszi/2004/tart\\_int\\_04.pdf](http://mkir.gov.hu/doksik/kszi/2004/tart_int_04.pdf)  
[http://mkir.gov.hu/lista3\\_3\\_3\\_6.php](http://mkir.gov.hu/lista3_3_3_6.php)  
[http://mkir.gov.hu/lista3\\_3\\_3\\_5.php](http://mkir.gov.hu/lista3_3_3_5.php)  
[http://mkir.gov.hu/lista3\\_3\\_3\\_4.php](http://mkir.gov.hu/lista3_3_3_4.php)  
[http://mkir.gov.hu/lista3\\_3\\_3\\_3.php](http://mkir.gov.hu/lista3_3_3_3.php)



Supported by: DG Employment, Social Affairs and Inclusion

[http://mkir.gov.hu/lista3\\_3\\_3\\_2.php](http://mkir.gov.hu/lista3_3_3_2.php)

### Number of collective agreements including the given topic



#### 2.3.1. Topics of a sample collective agreement

Despite that many conditions are covered by the above mentioned legal regulation there are several items for a possible negotiation like special allowances, work cloths, dismissal period, disciplinary regulation, etc... *“The common problem of the collective agreements signed in the sector is that they mostly repeat only the legal regulations without any new achievement.”*(Szűcs, Viktória, BDDSZ). To help the unions BDDSZ prepared a sample collective agreement to be used by the crèches during their local collective bargaining at local level. It is a good source to know the most important items to be dealt with.



***Proposed items for a collective agreement for members of BDDSZ***

***Part I. Introductory chapter***

Parties to sign the collective agreement  
Length of validity of the collective agreement  
Validity of the collective agreement: employees covered by acts Mt, Kjt and Vhr

***Part II. Relationship of the parties. Rights and duties of interest representation***

Informing on the person of (trade union) representative  
Way of confirmation of the number of trade union members  
Informing on trade union representatives with right to labour protection and time off work  
Trade union’s right to use office  
Trade unionists’ right of entrance to the site  
Establishment of permanent interest reconciliation body at the workplace  
Termination or modification of collective agreement

***Part III. Regulation in concern of public employment legal status***

Time of notice in case of termination of employment  
Establishment of legal consequences for the employee’s wrongful breach of duty  
Cases of being exempted from work  
Framework of working time banking  
Length of break-time  
Inclusion (or not) of break-time in the working time  
Different types of wage supplements  
Time-off for overtime work  
Work clothes, uniforms  
Enforcement of labour law claims other than included in the law  
Mediation (in case of legal dispute)

***IV. Part Closing regulations***

Date of entry into force of collective agreement  
Signatures – on behalf of employer, the director of the workplace and on behalf of employees, the trade union secretary of the workplace trade union organisation or the representative of trade union confederation

***2.3.2. Other typical topics in collective agreements in the social service sector***

The Collective Agreement of FESZGYI (Directorate of Social and Children Welfare Institutions of Ferencváros) includes the list of jobs requiring higher or secondary education. It also includes regulations on practitioners; on training (study contract) and retraining; on exemption from work duties; on disobeying instructions (when the public servant has the right to refuse to carry out an instruction and when is entitled to non-appearance fee for this time). FESZGYI’s collective agreement regulates severance pay with better conditions like the Mt.



**Severance pay calculated on the base of monthly absentee pay**

<b>FESZGYI</b>	<b>Labour Code</b>
Severance pay shall be the sum of the absentee pay due for a) one month, for up to three years; b) two months, for up to five years; c) three months, for up to eight years; d) four months, for up to ten years; e) five months, for up to thirteen years; f) six months, for up to sixteen years of employment; e) eight months, for up to twenty years of employment.	Severance pay shall be the sum of the absentee pay due for a) one month, for up to three years; b) two months, for up to five years; c) three months, for up to ten years; d) four months, for up to fifteen years; e) five months, for up to twenty years; f) six months, for up to twenty-five years of employment.

Important part of FESZGYI’s collective agreement is the regulation of work schedule and working time. According to the speciality of FESZGYI the work is scheduled in continuous shifts (24 hours service) with additional payment above the obligatory working time (which is 40 hours/week). Public servants shall be entitled to two rest days in a given week, one of which must be at Sunday. The overtime, stand-by duty and on-call duty is also regulated by the collective agreement. Important (practical) part of the collective agreement is that if employee works also in a rest-day then she/he is entitled to another rest-day and 50% of additional pay or 100% additional pay. The regulation concerns paid annual leave and leave without pay (this latest can be individually evaluated and given (by director of FESZGYI) also in case to got to work abroad provisionally or in case of serious family problems. The collective agreement contains a full chapter on the wage, calculation of absentee pay (although it is the same as in the Labour Code), cases to give absentee pay to the public servants, wage supplements, including the shift supplements, managerial supplement, bonuses, etc. It also includes a full chapter on employees’ social and other support, cafeteria, loan to buy home, etc.. Another chapter tackles the consequences of infringement of obligations in a much more detailed way than the Labour Code does. It includes that the employer shall be liable to provide compensation for damages caused in connection with employment relationship, he shall compensate the employee for all his losses fully. No compensation is required if the employer verifies that the occurrence of loss could not have been anticipated. Moreover, the chapter regulates the employee’s compensation responsibility in case of wrongful conduct.

*According to some unions there is no sense to conclude a collective agreement. Even more, in some cases the employer wants to conclude the agreement because they want to implement a solution which is more unfavourable to the employee than that featured in the labour regulation (Nagy, Ildikó, FESZ).*

**Future expectations: sectoral collective agreement**

There is not and has not been any sectoral level collective agreement or collective agreement signed by multiple-employers covering entirely or partly the social service sector (which is allowed by law). (We do not have to make differentiation between the multi-employer collective agreements and sectoral collective agreements as practically the multi-employer collective agreements can more or less include the same rules as the sectoral collective agreements). As we mentioned, in the Hungarian social service sector we find only collective agreements signed at micro-level.

The trade unions in the social service sector are divided in concern of need and possibility of a sectoral collective agreement. According to some unions it is obvious that there is a need of

sectoral level agreement. Small businesses, in particular, do not have adequate capacity for the proper interpretation of legislation. Sectoral level agreement could reduce burden on micro-level bargaining. There are issues which do not need to be regulated by workplace level collective agreement or they would need only some adjustments to the local circumstances. Sectoral agreement might also reduce conflicts at local level (the negotiating partners haven’t to confront each other at workplace level). In case of a valid sectoral collective agreement, local collective agreements could be simplified and thus become more transparent and better understandable for employees. The simple regulation means also less misinterpretation and abuse, and thereby the number of labour conflicts could be reduced. The sectoral collective agreement would be beneficial for employees in the aspect of collective bargaining coverage too because it would apply to all employees in the sector; *it would help to overcome the difficulties in the collective negotiation which are due to the highly fragmented and weak trade union side and the confusing employer’s side frequently without real powers and real financial possibilities (Boros Péterné, MKKSZ).*

*According to other unions there are obstacles to sign a sectoral collective agreement particularly social service sector. The laws regulate in a very detailed way the majority of the items included in a collective agreement. “The main labour issues of employees in the social service sector are included in the Kjt (Law for Public Servants) and Labour Code” (Migács, Schnider, SZMDSZ). It is also a problem, that there is no partner on the employers’ side with whom to negotiate and sign an agreement. The organisations, for example the federations of the local governments sitting in the newly established interest reconciliation forum of the social service sector have not right to do it.*

As concerns the so called Sectoral Social Dialogue Committees they have been established only for employees under the Labour Code; the vast majority of employees in the social service sector are covered by law for public servants. (We have to note that only the workers with disabilities working in “protected” workplaces are represented in a Sectoral Social Dialogue Committee by the trade union federation, HVDSZ 2000. It is also true, that the activities of Sectoral Social Dialogue Committees have greatly decreased recently.) There are problems also with the representativity of the trade union federations in the social service sector. According to the representativity measures in 2014 in the social service sector (NACE Q87 and Q88) only one federation, that is the BDDSZ, the federation of crèche workers, has resulted to be representative, meanwhile there are several trade unions which representativity could be proved in case of measuring it at lower (subsectoral) level. To do so there would be needed to modify the legal regulation (which probability is low at the moment). Currently, only the Labour Code regulates the conditions to conclude collective agreement. According to it only the so called representative unions (where at least 10 % of employees are members of given union) are entitled to do it.

*In summary, the opinion of trade unions in concern of the need of a potential sectoral collective agreement is divided. There are opinions according to what a sectoral collective agreement is not highly urgent because of the comprehensive legal regulation and there are not suitable partners with right to conclude it. There are also unions who think that a sectoral collective agreement would be highly welcome due to the obstacles to negotiate proper agreement at local level.*



### **3. Social dialogue in social service sector in Hungary**

#### **3.1. Social dialogue bodies at macro level in Hungary – NGTT and VKF**

The bodies of tripartite social dialogue in Hungary – as part of the democratisation process – were created during the transition process at the beginning of the nineties. The institutional framework for tripartite negotiations - the National Council for the Reconciliation of Interests (OÉT ‘Országos Érdekegyeztető Tanács’) – with the participation of main trade union confederations, employers’ federation and government (in tripartite arrangement) was established in 1990. It tackled a wide range of income, labour issues and social policy and macroeconomics and helped to the peaceful transition to market economy. OÉT had also the important role to agree on setting minimum wages and orientation for yearly wage increase. The history of OÉT was linked to the political turns and willingness of governments to make to operate it.

#### **Ups and downs of social dialogue – previous bodies**

- *National Interest Reconciliation Council (OÉT)* - December 1988 – August 1990 - tripartite
- *Interest Reconciliation Council (ÉT)* – August 1990 – April 1999 – tripartite (9 employers’ federation & 6 trade union confederations & government)
- *National Labour Council (OMT)* – April 1999 – July 2002, tripartite – with the same participants as in the ÉT
- *Economic Council (GT)* – April 1999 – August 2004, with extended participation, tripartite & chambers & Hungarian National bank & Council of Stock Exchange & foreigner investors
- *National Interest Reconciliation Council (OÉT)* – July 2002 – July 2011- tripartite, with the same participants as in OMT and not only with consultation right but also with right of consent in case of issues concerning the major groups of employees, like wage issues (minimum wage)
- *Economic and Social Council (GSZT)* – August 2004 – bipartite + with permanent participation of the government + civil side + churches + sciences

Today in Hungary there are two bodies at macro level. *The National Economic and Social Council (NGTT) was established by the ACT XCIII of 2011 on the National Economic and Social Council under the new Orbán government, in July 2011. It has been created as formal successor of OÉT, but in the practice it is more similar to the former GSZT, Economic and Social Council. It is a consulting and advisory body, with the participation of (all) trade union confederations, the employers organisations but also the civil side, churches, representatives of sciences, and recently, of arts. The government is invited permanently.*

*The Consultation Forum of Competitive Sector (VKF) operates since February 2012, it is a tripartite body with reduced trade union & reduced employers’ participation. In the representation of competitive sphere, on the trade union side MASZSZ, MOSZ and Liga<sup>12</sup> and on the employers side, MGYOSZ, VOSZ and ÁFEOSZ<sup>13</sup> are involved. The participants consult and coordinate on the conceptions of government on labour policy, labour market, wages (like minimum wage,*

<sup>12</sup> MASZSZ - Hungarian Trade Union Confederation; MOSZ - National Federation of Workers’ Councils, Liga - Democratic League of Independent Trade Unions

<sup>13</sup> MGYOSZ – Confederation of Hungarian Employers and Industrialists; VOSZ – National Association of Entrepreneurs and Employers; AFEOSZ - National Federation of General Consumer Cooperatives and Business Associations Co-Op Hungary



proposal on yearly wage increase), industrial relations, labour law, etc., but only with right of consultation and without right of consent.

### **Interest reconciliation, Hungary 2016**

Sorry, the boss has not time to come to the interest conciliation forum but he is sending the list of his interests and you can suit yours to it!



Source: <http://nol.hu/velemeney/erdek-erdektelen-1610893>

### **3.2. Social dialogue in the public sector – OKÉT, KOMT and KÉF**

Unions representing the interests of civil and public servants must be consulted regarding base salary, working conditions, employment issues. Consultation with unions is voluntary on bonuses, new management tools and the code of conduct. The negotiation can take place at macro- or micro level. All public service employees are granted the right to unionise. *As concerns the right to strike it is rather limited and the minimum service rules apply (OECD (2012))*. While in the competitive sector we could testify the erosion of social dialogue (as we could see above, the new bodies – NGTT and VKF - could not replace the previous - well functioning - body, the OÉT), in the public sector the tripartite interest reconciliation has continued. The most important forum is the OKÉT which rights and way of operation have remained unchanged even after 2010. True its activity has slowed down significantly; between 2002 and 2008 OKÉT signed five agreements (mainly connected to the change of the salary system). After that there was not concluded any new agreement (OKÉT (March 2016)).



## OKÉT- National Interest Reconciliation Council of the Public Service

OKÉT (‘Országos Közszolgálati Érdekegyeztető Tanács’) – established in 2002, is the highest (national) level forum of interest reconciliation covering all public sector. It covers employees under the law of Act XXIII of 1992 on the Legal Status of Civil Servants (Ktv), Act XXXIII of 1992 on the Legal Status of Public Servants (Kjt) and also Act XLIII of 1996 on the Service Status of the Professional Members of Armed Forces. It provides the framework for national negotiation on issues like labour and organisation of work, employment, income policy. The State is represented by senior civil servants of the various Ministries concerned. The participants are the government, the trade union federations of the sector and the national level federations of local governments (as employers).

*The members of OKÉT are the following organisations:*

Trade union side includes the delegates of SZEF (Cooperation Forum of Trade Unions); Liga (Democratic League of Independent Trade Unions); ÉSZT (Trade Union of Intellectual Workers); MASZSZ (Hungarian Trade Union Confederation) and the MOSZ (National Federation of Workers’ Councils).

*At the local governments’ side are the following organisations:*

MÖSZ (Hungarian Association of Local Governments), TÖOSZ (National Association of Local Governments of Settlements), MÖOSZ (Association of County Level Local Governments), MJVSZ (Association of Towns with County Status), KÖOE (National Association of Small Towns Governments), KÖSZ (National Association of Local Governments of Parishes, Small Settlements and Micro Regions) and MFSZ (Hungarian Village Association).

In 2002 – when the OKÉT has been founded – there were also other national level interest reconciliation forums in the public sector like

- KOMT (‘Közalkalmazottak Országos Munkaügyi Tanácsa’), National Labour Council of Public Servants (covered by Kjt)
- KÉT (‘Köztisztviselői Érdekegyeztető Tanács’) the National Council of Civil Servants (covered by Ktv) and
- OÖKÉT (‘Országos Önkormányzati Köztisztviselői Érdekegyeztető Tanács’), the Interest Reconciliation Council of National Local Governments Public Servants.

In March 2012 the KÉT and the OÖKÉT was replaced by KÉF (‘Közszolgálati Érdekegyeztető Fórum’), the Interest Reconciliation Forum of Public Sector (under the Act CXCIX of 2012 on civil servants). The KOMT has remained to operate unchanged.

## KÉF - Interest Reconciliation Forum of Public Sector

The target of KÉF is to settle any debate in public administration and civil services (under the Act XXIII of 1992 on the Legal Status of Civil Servants) through negotiations, to exchange information, to give opinions in wage, social and labour issues for employees. The Forum includes the government side, the trade union side (1-1 representative of civil servants and public administration officers’ trade unions) and the employers’ side represented by the organisations of local governments. As concerns KÉF and OKÉT “*There has been no formal reform made to this system, however, the government has tended to use OKÉT more for information purposes, while KÉF has barely been operational since 2010.*” (Berki (2014)) The Organisation and Operation Regulation of KÉF – after a long waiting period - was signed by the three sides at 09/10/2015 (KÉF (2015)).



## KOMT – National Labour Council of Public Servants

*KOMT concerns labour issues, employment, wage and wage policy of public servants being under the Act XXXIII of 1992 on the Legal Status of Public Servants (Kjt). The participants are the government; the trade unions who take part also in the NGTT (SZEFE, Liga, MASZSZ and ÉSZT) and the national associations of the local governments included in its statute.*

### 3.3. (Sectoral) social dialogue in social service sector in Hungary

There were several attempts to set up social dialogue arrangement in the social service sector which were sometimes called council, sometimes forum, depending on which government was in power. The socialist governments prefer to call it ‘council’; the Orbán governments prefer to call them ‘forum’.

#### 3.3.1. SZÁÉF and SZÁÉT

In April 2000 (during the first Orbán-government) the SZÁÉF – Interest Reconciliation Forum in the Social Sector – was established as a tripartite social dialogue body in the social service sector. On the government side the Ministry of Social and Family Affairs, on the side of sectoral management the OMMF (Hungarian Labour Inspectorate) were taking part in it. On side of representative trade unions BDDSZ (crèche workers), EDDSZ (health sector workers), MKKSZ (civil and public servants’ union) and SZTDSZ (trade union of workers in social field) took part. The forum had the right to give opinion on draft regulations and laws, give proposals to legislators and organisations of maintenance of social services and also to “promote to conclude sectoral agreements”.

In April 2005 (during the socialist Gyurcsány-government) based on Labour Code (*Mt*) of 1992 and Act XXXIII of 1992 on the Legal Status of Public Servants (Kjt) - the Ministry of Youth, Family, Social Issues and Equal Opportunity, the representative sectoral trade unions and the employers’ organisations agreed to establish the SZÁÉT<sup>14</sup> - Interest Reconciliation Council in the Social Sector - with rights to give opinion on drafts of regulations of social service sector employees’ labour issues; to negotiate on wage policy, employment conditions and other labour issues in the sector. SZÁÉT could also propose and ask information on issues of sectoral workers’ life and labour conditions and to promote sectoral collective agreement. It had also right to conclude agreements, to accept resolutions. At trade union side the participants were BDDSZ (crèche workers), EDDSZ (health sector workers), MKKSZ (civil and public servants’ union), SZTDSZ (trade union of workers in social field) and PSZ (teachers’ union). On the employers’ side there were 6 federations of local governments, federation of villages, federation of towns with county rights and also the National Federation of Social Directors (SZIME) and National Federation of Social Institutions. There were 5 invited organisations (with right of consultation), the Hungarian Crèche Association, The Hungarian Nursing Association, the Chamber of Hungarian Health Professionals (MESZK), the Association of Social Suppliers and Recipients of Social Services and Social Work Professional Federation. In 2011 (second Orbán-government) was accepted a government resolution to reorganise social dialogue within half a year in the social service sector. Despite that a government resolution and the law on public servants (Kjt) specified it the social dialogue was not re-established.

<sup>14</sup> [http://www.mkksz.org.hu/html/04/4\\_4/4\\_4\\_3/4\\_4\\_3\\_1\\_szaet\\_ugyrend.pdf](http://www.mkksz.org.hu/html/04/4_4/4_4_3/4_4_3_1_szaet_ugyrend.pdf)



### 3.3.2. Strike Committee in the social service sector

Despite of two government regulations (1158/2013 (V.23) and 1854/2013 (XI.19) to set up the social dialogue body in the social service sector, it was realised only in December 2015 not at least due to the activity of Strike Committee in Social service sector (‘Szociális Ágazati Sztrájkbizottság’).

The Strike Committee was set up on 21 November 2013 by the participants of Demonstration Committee of Social Sector (Autonomous Territorial Trade Union (ATSZ), the Democratic Union of Crèche Workers (BDDSZ), the Independent Health Trade Union (FESZ), Workers Council of Social Workers, Democratic Trade Union of Social Workers (SZMDSZ) and the Trade Union of Workers in Social Field (SZTDSZ).

Strike Committee called for the set-up of regular social dialogue and interest reconciliation between government and interest representation organisations of the sector. Committee demanded also the expansion of wage supplements and scale applied in health sector both to professional and technical (auxiliary) workers in the social service sector, independently of their legal status (Labour Code or Law on Public Servants) from 1<sup>st</sup> of January 2014. Their third claim was the inclusion of break into the regular work time.<sup>15</sup> (Szűcs, Viktória, BDDSZ). The Strike Committee has continued to operate even after the establishment of – Interest Reconciliation Forum in the Social Sector (SZÁÉF) in December 2015. *On the 22th March 2016 meeting it became obvious the government wanted an independent wage table for the social service sector while the trade union side wanted the implementation of health sector’s wage table.* The Strike Committee - instead of wage increase in every three year (according to the age connected wage table) and wage supplements - would like a guaranteed income for workers in social service sector. The Strike Committee also demands a place for the SZTDSZ (Trade Union of Workers in Social Field) in SZÁÉF, as SZTDSZ is an union representing a major number of employees in the social service sector. The third demand of the Strike Committee – the inclusion of rest-break into the regular working time – first seemed to be accepted by the government although the implementation has been postponed to the next year with reference to obstacles from the maintainers’ side. There is also such view that the government would like to transfer to solve this issue to the OKÉT (National Interest Reconciliation Council of the Public Service). So, this demand still remains at agenda together with the implementation of social life career and the issue of professional caring homes. Despite that both sides of Strike Committee (trade union and government) agree in the importance of the peace in the world of work, trade union side considers so that due to the poor results achieved by the Strike Committee, unions should decide on strike. ([www.bdsz.hu](http://www.bdsz.hu) (2016)) According to the government side *„Strike Committee can be considered as part of the social dialogue in the social service sector. But the Strike Committee has only two sides, the government and trade union side. The efficiency of social dialogue would depend on the participation of maintainers (employers). From now SZGYF – maintainer of state providers - will be invited by the government as a maintainer organisation”* (Nyitrai, Imre, EMMI). Finally, the trade union side of the Strike Committee – SZMDSZ, BDDSZ, SZTDSZ and ATSZ - decided to call to strike the social sector (include the crèches) on 20 April, 2016 as they didn’t get satisfactory answer from the government’s representative to their wage demand on 12 April, 2016.

<sup>15</sup> <http://www.bdsz.hu/sites/default/files/Dr.Orbán%20Viktor%20miniszternek%20irt%20levél.pdf>



**Makk Marci Crèche Dunaújváros, „We are in strike in this way”**



Source: Facebook,

[https://www.facebook.com/hashtag/szociálissztrájk?source=feed\\_text&story\\_id=1097268120343278](https://www.facebook.com/hashtag/szociálissztrájk?source=feed_text&story_id=1097268120343278)

**Family Support and Children Welfare Center, Oroszlány, „We are not strike, we are only solidarising”**



Source: Facebook, <https://www.facebook.com/hashtag/szociálissztrájk>

According to the Communication of the Social Sector Strike Committee on 19 April, 2016 the demands of the social service sector include 1) wage issues: the extension of educators’ life career to the small children’s educators in nurseries with secondary qualifications. Strike Committee demands 20% of increase of income for all other social service sector professional and auxiliary workers too. 2) Systematic interest reconciliation negotiations among the government and the interest representation organisations in the sector. 3) Based on Act XXXIII of 1992 on the Legal Status of Public Servants (Kjt), Section 59 (1) a legal regulation must include the break into the work time (SZMDSZ (2016)).



Supported by: DG Employment, Social Affairs and Inclusion

### 3.3.3. SZÁÉF– the old-new forum since December 2015

The reestablishment of social dialogue in the social service sector with the setting up of SZÁÉF (Interest Reconciliation Forum of Social Sector, 'Szociális Ágazat Érdekegyeztető Fórum') has occurred in December 2015. The activity of the Strike Committee greatly contributed to it. The trade union side includes unions which occurred to be representative according to representativity survey<sup>16</sup> in 2014 in NACE Q87 and Q88. Due to the specificities to calculate representativity (which happens at sectoral and not subsectoral level) and fragmented trade union movement in the sector, there are several unions who were simply left out from SZÁÉF (like SZTDSZ and SZMDSZ), and only one union, BDDSZ (Democratic Union of Crèche Workers) represents in strict sense the sector. The other two unions taking part are not typical representatives of the social service sector (MKKSZ is Trade Union of Hungarian Civil Servants, Public Employees and Public Servants and the PSZ is the teachers’ union). True, also they have employees in social service sector. MSZ EDDSZ – organising first of all workers in health sector, but also workers of social services - has become an observer in the SZÁÉF with reference to its participation in the Strike Committee. *“The government is not against to widen the circle of trade union taking place in the Reconciliation Forum of Social Services Sector”* (Nyitrai, Imre, EMMI)

#### Members of SZÁÉF according to the Regulation of Organisation and Operation

##### *Governmental side*

Ministry of Human Capacities (EMMI)  
Ministry of National Economy (NGM)  
National Rehabilitation and Social Office (NRSZH)  
Other actually concerned ministries

##### *Trade Union side*

Democratic Trade Union of Nursery Workers (BDDSZ)  
Trade Union of Hungarian Civil Servants, Public Employees and Public Servants (MKKSZ)  
Teachers’ Union (PSZ)

##### *Employers’ – maintainers’ side*

Hungarian Association of Local Governments (MÖSZ)  
Association of Towns with County Status (MJVSZ)  
National Association of Local Governments of Settlements (TÖOSZ)  
National Association of Social Institutions (SZIOSZ)  
General Directorate of Social and Child Protection (SZGYF)  
Churches providing social care

### 3.3.4. Employers’ involvement

The big problem of the social service sector social dialogue is that the participants at employers’ side are not employers in the strict sense, but organisations of ‘maintainers’. They were all invited by the government to take part. The maintainer (‘employer’) from the state side is SZGYF. The county level authorities have no right to maintain social institutions, it happens at local (settlement) level, by local governments. So for this reason is TÖOSZ (National Association of Local Governments of Settlements) and also the MJVSZ (Association of Towns with County Status) are invited. But government is open to invite also local governments who are (direct)

<sup>16</sup> [http://mkir.gov.hu/tag2014/dokumentumok/2014\\_tablázat\\_3.pdf](http://mkir.gov.hu/tag2014/dokumentumok/2014_tablázat_3.pdf)



maintainers to take part in the work of the Reconciliation Forum of Social Services Sector. SZIOSZ (National Association of Social Institutions) and also all churches were invited to the Forum. Historical churches (Catholic, Evangelist, Baptist, Reformist, Jewish) having contract with Hungarian state to perform social service sent their representatives to meetings. *“The Hungarian Reformed Church uses to take part in the social dialogue arrangements in formal and/or informal way. Under the present government cycle and governmental management of the social service sector we experience much more willingness to include churches into the social dialogue and the dialogue is much more active, mainly because of the actual governmental participants who think that it is worth to speak with the churches...SZÁÉF is a good initiative and at least the sides could sit at one table to dialogue and conciliate interests. The six month of its existence is not sufficient time to see how it will perform in the future”.* (Beszterczey, András, Hungarian Reformed Church Aid). We have to note that the trade union side is not satisfied at all with SZÁÉF, although it recognizes that real activity has started only at spring 2016.

### 3.3.5. Trade unions in social service sector

In the social service sector we find highly fragmented trade union side, with some unions being present only in a very few or even one workplace. Actually we can identify the following unions representing (partly or wholly) workers in social service sector:

**SZTDSZ** – Trade Union of Workers in Social is member of the Social and Health Sectoral Division of the Hungarian Trade Union Confederation (MASZSZ), the major confederation of competitive sphere. SZTDSZ has 37 local unions, with around 2000 members (400 in competitive sector, the others in the public sector). Near half of workplace unions (18) signed collective agreement, covering around 2600 workers.

**SZMDSZ** – Democratic Union of Social Workers is present in 10 organisations and 40 sites, having 245 members (MKIR 2014) in public sector. It signed 5 collective agreements which covers around 400-500 workers.

**BDDSZ** – Democratic Union of Crèche Workers – is a union with long tradition; in 2016 it was 27 years old. At present the 36% of nursery workers are trade union members. They have members also in the field of elderly care and people with disabilities. BDDSZ is present at 70 workplaces with 48 trade union workplace level organisations, 9 of them signed collective agreement. It has 2607 members (MKIR 2014). BDDSZ is the member of SZEF, the confederation of public sector unions.

**MKKSZ** – Trade Union of Hungarian Civil Servants, Public Employees and Public Servants - has 1500 members in the social service sector (992 of them in the public sector (MKIR 2014)) and 10 000 members as a whole. It was reorganised in March 2015 and within MKKSZ a ‘National Social Professional Council’ has been set up. Under the title of ‘MKKSZ Socials’ they perform information, representation activity and membership recruitment. It is member of SZEF, the confederation of public sector unions. They are present at 50-70 workplaces in the social service sector and signed 5 collective agreement covering around 100 employees in 5 workplaces.

**PSZ Teachers’ Union** - it had 433 trade union members in the social service sector who are public employees (MKIR 2014). It is present in institutions dealing with the children protection. It is member of SZEF, the confederation of public sector unions.

**EDFSZ** – Independent Union of Health Workers – member of SZEF, has 11-13 local unions. It signed 6 collective agreements covering 800 workers. Negotiations are going on also in other workplaces to sign collective agreement.

**MSZ EDDSZ** – Democratic Trade Union of Social and Health Workers – organizes mostly workers in health sector but it has also some



**«Country-Case Study: Hungary»**

Project PESSIS 2 “Promoting Employers’ Social Services Organisations in Social Dialogue”  
Agreement number: VS/2015/0339

1772 trade union members (MKIR 2014) working in public social service sector.

*FESZ* - Independent Health Union – existing since 2011. Now it is FESZ Works Councils. It has 10 workplace unions but also has individual members, so it is present in 45-55 workplaces, having around 200 members. It has not yet signed collective agreement but it is now under negotiation.

*ATSZ* – Autonomous Territorial Union – it was before direct member of Autonomous Trade Union Confederation, now it is member of MASZSZ. Previously it was a local union in a crèche in the town of Miskolc and member of BDDSZ. It is present now in 2 sites of an institution with 180 members (171 in the public sector, MKIR 2014). It signed a collective agreement, covering 665 workers in one integrated institution.

*SZÁD* – Union of Workers in the Social Sector - it has been created by a local union (BMSZKI), formerly member of SZTDSZ. It has around 80-100 members and now it is present in 10-11 workplaces. It has not yet signed any collective agreement but negotiations will be started in June 2016 in the BMSZKI where they hopefully reach the representativity requirement to negotiate.

*PDSZ* – Democratic Union of Teachers – member of Liga (Democratic League of Independent Trade Unions) is a teachers ‘union but has some members - 34 - belonging to the social service sector (MKIR 2014)

*SZDM* - Works Council of Social Workers, *ESZSZ* - Organisation of Employees of Health and Social Areas (member of SZEF), *EDSZ* Independent Territorial Federation of Health Workers (member of ÉSZT) are unions present in one workplace with a few – around 10 – members.

**Trade unions and trade union coverage in the public social service sector, 2014 January**

Name of trade union	Confederation membership	Number of trade union members NACE Q87 - Residential care activities	Trade unionisation rate, %	Number of trade union members NACE Q88 - Social work activities without accommodation	Trade unionisation rate, %
Total number of public employees		35313		25121	
MSZ EDDSZ	-	1554	4,4%	219	0,87
SZTDSZ	MSZOSZ	1478	4,19	151	0,60
MKKSZ	SZEF	676	1,91	316	1,26
PSZ	SZEF	363	1,03	70	0,28
EDFSZ	SZEF	112	0,32	4	0,02
SZMDSZ	ASZSZ	58	0,16	80	0,32
PDSZ	Liga	34	0,10		
BDDSZ	SZEF	23	0,07	2584	10,29
EDSZ Independent Local Union	ÉSZT	11	0,03		
Company trade union direct member of confederation	ÉSZT	15	0,04		
Autonomous Territorial Trade Union	ASZSZ			171	0,68

Source: MKIR



Supported by: DG Employment, Social Affairs and Inclusion

Notes:

- Q87 and Q88 of NACE classification covers approximately well the scope of our research.
- As consequence of the merger of MSZOSZ and ASZSZ in 2015 SZMDSZ, SZTDSZ and Autonomous territorial TU have become members of Social and Health Sectoral Division of the new confederation, MASZSZ.

The representativity of the trade unions in public sector is measured every three years. The latest available figure – as we mentioned above - are from 2014. In concern of social service sector it means that we have exact picture on 2/3 of the employees in social sector and their trade union membership as near 2/3 of all employees in social service sector are employed in the public sector. The total number of employees of public sector in the NACE Q87 and NACE Q88 is 60434 persons. It also means that the number of employees of social service sector – who are not public servants – is 32745. A trade union is considered representative if at least 10% of employees are trade union members in the sector. According to it the only representative trade union in the social service sector is the BDDSZ.

In the meeting of Interest reconciliation forum of social services sector at February 4, which was the first meeting in 2016 the following organisations were present: on behalf of government EMMI and NRSZH with voting right on behalf of the government; on trade union side MKKSZ, BDDSZ and the PSZ with voting right and the MSZ EDDSZ as invited by the MKKSZ on the maintainers side MÖSZ, TÖÖSZ, SZIOSZ with voting right and the MJVSZ and SZGYF with right of representation. There were also present MRE-MRSZ – Hungarian Reformed Church - Hungarian Reformed Church Charity, the MLE – Hungarian Lutheran Church with voting right and MAZSIHISZ - the Hungarian Jewish Community and MBE – National Organization of Disabled with right of representation.

### 3.4. Social dialogue at local level in the social service sector

Public service employees have the right to unionise and most of them have also right to strike, except during defined times and where minimum service rules apply.

The local governments according to the provisions of [Act XXXIII of 1992 on the Legal Status of Public Servants \(Kjt\)](#) make operate the local interest reconciliation and perform local social dialogue, mainly in case of negotiation on local budget. In general this kind of social dialogue is very formal. True, the employees’ side, local trade union representatives, trade union secretaries – belonging to the representative unions in the given sector- are invited, but very often the relevant documents are distributed at place and time of event. These documents should be circulated well before the meeting. Other frequent problem is that the workers’ representatives, the trade unionists are not professionals in the subject to be debated. So, the result of social dialogue at local level is dubious.

*“The actual practice to calculate the representativeness of unions may undermine the social dialogue too. For example since 2014 the day care centres have been maintained by Klebelsberg Institution Maintenance Centre<sup>17</sup> and not by local governments (as before). It also means that day care centres left the local social dialogue. The same happened after the reorganisation of health care; several local institutions left the local social dialogue. Only the representatives of crèche ,*

---

<sup>17</sup> Also some subsectors of NACE 87 became part of KLIK like 879012 Children’ home care 879013 Special children’s home care 879014 Extraordinary children’s home care. Note: the operation and existence of KLIK is questioned not at least because of teachers’, parents’ and students’ demonstrations in spring 2016.



*old-care homes, local libraries (if there were any) remained. For example, there is a place where the trade union delegate of a crèche alone is sitting in front of the notary in social dialogue. The result of the negotiation is highly depends on the qualities, skills and professional knowledge of trade union delegate. There are some success stories, like a good collective agreement negotiated in the Budapest IXth district” (Viktória Szűcs, BDDSZ).*

#### *Lobbying*

Some social partners (like BDDSZ at trade union side and SZIOSZ at employer side) emphasize the importance of *lobbying* which ultimately can be considered as bilateral independent social dialogue with the government. The opinion of the lobbyists is reflected in several laws and regulation. *“The process is that organisation receives the proposals on a new regulation or amendment – within the framework of public consultation - and prepares ready texts to include in the draft. If the issue does not tackle any strategic question then the proposal used to be accepted. An example: the crèche union could prevent the increase of already acceptable number of children in a crèche group” (Szűcs, Viktoria, BDDSZ).*

### **3.5. (Brand new) Social Policy Council**

In April 2016 the Hungarian Official Bulletin presented the government decree 1187/2016 (12/04/2016) on setting up and operating of the Social Policy Council (‘Szociálpolitikai Tanács’). (Previously, in 2005 also the Gyurcsány government established a similar council). The present council is composed by 15 members, delegates of the so called social professional collegiums (‘szociális szakmai kollégiumok’), some professionals and delegates of Interest Reconciliation Forum of Social Services Sector. *“It is the duty and responsibility of the delegates from Interest Reconciliation Forum of Social Services Sector to channel the sectoral issues to the national level Social Policy Council.” (Nyitrai, Imre, EMMI)* The council will give professional and methodological advises on the sector to the government (for example as it planned on the life career, training in the sector). The 7 social professionals Collegium were established in December 2015 to the initiative of Ministry of Human Capacities – State Secretariat Responsible for Social Issues and Integration. Their target is to create permanent forums for scientific and inspirational dialogue to support new methods and the development of profession and give terrain to the cooperation of the representatives of social ministry and the professionals.

### **3.6. Main labour issues facing the social service sector**

*Labour shortage, overloaded and stressed workforce, high fluctuation and massive leave of the sector are major problems of the sector.*

According to all social partners the labour shortage both of professional and non-professional workers is the major challenge in the sector. The professional workforce left the sector and works in health sector or abroad. In Western Hungary there are vacancies not filled from several months. This situation has a lot of other consequences. *“At the workplaces staff frequently has to do not only its own work but also has to replace the missing nurses, auxiliaries and also physiotherapists, psychologists” (Nyitrai, Imre, EMMI).* Hungarian Reformist Church has the major trouble to find labour force in Budapest and big cities. *The Church is highly present in the poorest counties; here they are still able to fill vacancies. (Beszterczey, András, Hungarian Reformist Church Aid).* It is no wonder that employees in the sector suffer from *overload and stress at workplace.* To relieve



psychological burden monthly team supervision is offered. The problem is with the quality, supervision is often formal. It is a vast problem at sectoral level that highly qualified people abandon the profession, many graduates don’t even enter the sector and many don’t stay after doing so.

*Low wages and wrong wage categories not valuating the performance are at the core of the problems. The phenomenon of labour shortage is related to the very low wage level in the sector. “The main labour issue is the lack of professionals. But we cannot wait from the caregiver to live at level of people surviving with social benefits.” (Zongor, Gábor, TÖOSZ). It worth to quote what the representative of the National Association of Local Governments of Settlements sitting at the employers’ side in the sectoral social dialogue committee tells: “We started to support trade unions in their wage demand. There was an internal debate within the TÖOSZ, and the conclusion was that the extremely low income in the sector already endangers the quality of service. If there wouldn’t be the obligatory minimum wages, the majority of the worker would earn less than the minimum wage. If the wages remain in the present level there will not any professional to work here. The responsibility of service lies on local governments but they will not be able to do their job. So, we have started social dialogue with the trade unions even informally. Trade unions also take part in the county forums, together with the local governments.” (Zongor, Gábor, TÖOSZ)*

#### *Questionable quality of professional education*

In the professional education required by the social sector the theoretical knowledge dominates; the university instructors frequently lack practical experiences. In the sector there is a compulsory further training which is a good opportunity to the development of employees (in 6 years they must accumulate 80 credits). The problem is that they are often not taken seriously and there are employers who do not cover even the costs, (low paid) employees have to cover them. (It is not the case for example in institutions run by Reformist Church).

#### *Bound, bureaucratic system and work*

*The system of social service sector is highly bureaucratic and there is no place for flexibility in work (for example in children protection 20 hours must be spent in the site and 20 hours with family visits). (Anonymous interview with staff)*

#### *Disadvantageous legal situation of ecclesiastical workers*

*In Hungary following the local governments and the state the third major social service providers are the churches. In the issues of wage, wage supplements, holiday and promotion they have to apply the Act on Public Servants (Kjt) and in all other issues (like termination of work, etc.) the Labour Code (Mt). This hybrid situation is not advantageous for employees moving to work from ecclesiastical to public institution, her/his years of work will not be taken into consideration at wage calculation (Beszterczey, András, Hungarian Reformed Church Aid).*

#### *How problems are addressed?*

*Attempts to increase the extremely low wages include the implementation of social sector wage supplement and social auxiliary wage supplement, the planning of life career model for the social service sector and the extension of teachers’ model life career to the crèche workers with tertiary education.*

Not at least as the result of activity of Strike Committee, the social service sector now is before the implementation of a ‘life career model’. Two types of wage supplements are under implementation also. According to the government these steps are the solutions for the sector. The social sectoral supplement (‘szociális ágazati pótlék’) (Government Decree 257/2000. (26/12), 15/A section) must be given to all the institutions independently who is the maintainer. The value of social sectoral supplement



varies according to the wage categories, the smallest monthly amount for 2016 is HUF 6000 (EUR20) and the highest is HUF 17200 (EUR 57). It must not be given to those who are employed as teachers in the social service institutions or work in the National Family and Social Policy Institute. The other, the *social sectoral ‘additional’ supplement* (‘szociális ágazati kiegészítő pótlék’) was introduced in the summer of 2015. In its case the number of years spent in public service and the public servants’ wage category is taken into consideration. The smallest monthly amount in 2016 is HUF 2302 (EUR 7,7) and the highest is HUF 68711 (EUR 229). *Also the employees in the ecclesiastical or other non-governmental institutions financed by state are entitled to it. Although 65 000 professional workers in the sector enjoy the supplements, the physical workers are excluded (although we know that their wage is dramatically low). It means that just the less vulnerable group has been left out. “The life career model is welcome in the sector. The only problem is that its implementation is permanently postponed, from 2015 to 2016 and from this year to 2017. When the issue of finances is put on the table, it is taken from the agenda of day” (Migács, Schnider, SZMDSZ).*

Government decree 418/2015 (23/12) extended the teachers’ life career model for crèche workers with tertiary education doing education tasks. Government decree 489/2013 (18/12) on the support of ecclesiastical and non-state maintained social, children welfare and protection service providers entitles the institutions maintained by non-state institutions for state support from the budget to cover the increased burden.

Two days before the strike of social workers including the crèche workers - on 18 April, 2016 – the Government communicated that the central budget of 2017 will include the wage increase of workers with secondary school + tertiary level vocational course in education jobs in the crèche ; the details will be debated later by the stakeholders. The trade unions evaluate the Government’s proclamation as part of its dividing policy. They consider it unacceptable that the Government does not plan to raise the wages of the other more than 80 000 workers in the sector. In their proclamation the trade unions on 19 April, 2016 - an answer also to the Government - regretted that there was not any conciliation with the Social Sector Strike Committee or the Democratic Trade Union of Crèche Employees.

At macro-level to strengthen and reorganise the sector would be helpful. The economic approach should be applied together with the social. In the curriculum of social professionals economic and financial issues should be included. The reform of professional education and the greater inclusion of workplace practices would be highly welcome as well. *“The challenges of social service sector must be addressed among others with continuous training. There is a vast labour force potential in the Roma population. The other issue is to try to increase the retention force of the sector” (Nyitrai, Imre,EMMI).“There is also need to organise professional dialogue, professional forums, and exchange of knowledge, to learn from the other. Covering the expenses of professional further training must be natural.” (Zongor, TÖOSZ)*

#### **4. Future prospects for Social Dialogue in social service sector**

We can admit that there is a progress and move in the social dialogue in the sector. New body like Social Dialogue Forum, SZÁÉF has started to operate, true there are mixed opinions on it. In concern of this trade union side is more critical while employers are more accepting. *“The success will depend on the rights of the*



*Forum. For example if the details of the life career could be debated and decided in SZÁÉF, it would have proper weight. Yet we cannot know how the SZÁÉF will operate and how its weight will be, it is only 6 months old.” (Beszterczey, Hungarian Reformist Church Aid). The efficiency of SZÁÉF presently is questioned by TÖOSZ, sitting at employer’s side.” We receive the papers for debate 2 days before or in the same meeting, so we cannot have any serious conciliation.... we have not yet enough culture to do it.” (Zongor, TÖOSZ).*

We can observe also that the unions in the social service sector are in move. As a positive step, MKKSZ has set up a new professional council, MKKSZ National Social Professional Council (MKKSZ (2015)). There are also new unions in the social service sector. This could be even positive from the point of view of workers’ interest representation. However the problem is that these new unions (SZÁD, FESZ) were not set up in ‘greenfield’ recruiting new members. They only left the existing federations weaker and the trade union movement in the sector more fragmented. *“To have stronger social dialogue, stronger unions are needed. How the unions could be stronger? It is also a question how to increase membership. There are few union members in the sector, unionisation rate is very low”.* (Szűcs, Viktória, BDDSZ).

SZTDSZ reported on financial difficulties; the financial situation of local unions - who takes part in the collective bargaining at workplace level – has worsened. *“The distribution of membership fees has changed. Today the federation is entitled to 60% of membership fees and only 40% remains at local level. There were members who for this left the union. The previously received state source - redistributed by MSZOSZ – lacks too”.* (Kónya Éva, SZTDSZ).

An intense negotiation of social partners is being carried out in the Strike Committee, where a bipartite negotiation is going on between the government and trade unions. The unions being present in the social service sector despite of their fragmentation and low level of membership reached to organise a national wide strike. It is also because the vast majority of the social service sector institutions are financed by the central budget and it is the government which has the right to decide in wage issues.

*What should be done?*

The institutional framework of social dialogue at social service sector exists.

According to the trade union side *“it does not mean real interest conciliation”* (Szűcs, Viktória, BDDSZ, Kónya, Gusztávné, SZTDSZ, Schnider, Marianna, Migács, Tibor, SZMDSZ). The better use of the existing forums and possibilities given by regulations can strengthen the existing social dialogue. The better use means more focusing on content and on real debate. To do it *the reinforcement of both employees’ and employers’ sides* is needed. At trade union side *the decrease of fragmentations and increase of cooperation among the unions*, at employers’ side the increase of employers’ potential and rights – among others - could help. In the social dialogue the problems should be debated in right way. *“We have to consider social dialogue activity as opportunity and not as alibi. It is not enough to receive the topics and reports one day before the meeting.*

*The social dialogue should not been seen by the government as a way to disseminate only information. All the concerned trade unions must be involved independently of their representativeness. The social dialogue has to tackle strategic issues too and not only some details (like the question of transfer of passive beds in elderly care from the health sector to the*



*social care sector*)” (Szűcs Viktória, BDDSZ).

The Act I of 2012 on the Labour Code (*Mt*) introduced significant restrictions on what can be negotiated in state owned (local government owned) companies. In many fields - like working time, severance pay, notice periods, industrial relations including trade union representatives’ rights, protection and time-off – it is not permitted to include in the collective agreements better terms than set out by law. Without *the amendment* of this regulation the scope of negotiation of collective agreements remains rather narrow.

The creation of a *sectoral collective agreement* is at the agenda of the day. There are several obstacles to do it and the unions are not in the same opinion. (For example SZMDSZ highlights the obstacles – including the legal ones - meanwhile MSZ EDDSZ thinks a good idea to start to negotiate, for example a chapter on working time as it happened in health sector. MSZ EDDSZ’s idea is seems to be supported by government.

*The MKKSZ new National Social Professional Council* collected the *main issues* to be tackled in the council, these topics could be also be put on agenda of the sectoral social dialogue forum, the SZÁÉF. They are like wage and income (wage categories and wage system, the revision of the whole system of wage supplements, relevant tax regulations); holiday and free time; overwork; work clothes; staff regulations; investigation of workplace dangers, working environment; limited budget of the maintainers and possibilities to relocate resources for wages; human capital, recreation, health and safety, supervision; pension; training and retraining including training of management; consultation rights (professional councils, social policy roundtable); capacities of sector (churches taking over social tasks; taking over beds for elderly from the health sector). Despite of the establishment of SZÁÉF the *Strike Committee in the Social Sector* has remained active. True, the Strike Committee includes all relevant trade unions in social service sector while the SZÁÉF does not. The Strike Committee demanded that the health sector wage table should be used in the social sector as well; however the government wanted a separate wage table for the social service sector. The starting point for the wage increases in the next year should be the wage categories for public servants; the sectoral supplement and the sectoral auxiliary supplements and the wage increase should come on this tree. . The volume of the increase depends on the next decision of the government.

There are some other attempts also in the social service sector which cannot be considered as part of social dialogue in the strict sense but which should be mentioned as potential new forums for stakeholders to meet. *“In the sector there are some other attempts to dialogue which can be called not social but better professional dialogue. At the end of 2015 the government established colleges, like the college for elderly, for handicapped, for psychiatric patients, for children protection, public administration working in social issues, etc., in a similar way to the colleges in health sector. This process is at the beginning, the kick-off meetings have already been organised”.* (Beszterczey, András, Hungarian Reformed Church Aid). Also the local governments have a new forum; it is the *“National Council of the Local Governments (Önkormányzatok Nemzeti Tanácsa)*.

*The government declared the existence of this forum – it is a forum between the government and local governments. It was promoted by the TÖOSZ – it includes the 8 local government associations and the government side, the minister of internal affairs is now the president of the council.”* (Zongor,Gábor, TÖOSZ).



## 5. The case for EU level Social dialogue in the social services sector

The majority of the participants in the Hungarian social service sector have not any contact with EU level social dialogue body but all interviewed persons consider it of great importance and would like to have international relationships. For those who have already possibility to cooperate with European or foreign organisation, it proves to be highly crucial. BDDSZ, the Union of Crèche Workers evaluates very positively the cooperation with the European Federations in Public Service, the EPSU. BDDSZ applied for membership in November 2015 and the EPSU Executive Committee decided on their membership in April 2016. According to BDDSZ there are a lot of questions which should be tackled at European level. *“As the social partnership in Hungary is weak or formal, it would be useful if we could export the issues to European level. It would be very helpful if the European social partners would tackle these problems, negotiate at European level and later the new directives or European level (even framework) agreements should be implemented also in Hungary.”* (Szűcs, Viktória, BDDSZ)

Another union, EDFSZ also emphasizes the importance of presence at European level. They are connected to it through their confederation, SZEF, who takes part in the activities of the ETUC. Their support, including also the support of ILO proved to be very important on making pressure on the government. (Vizl, Péterné, EDFSZ) In the Hungarian social service sector among others there are very small unions like the Autonomous Territorial Trade Union without any possibility to take part in any kind of EU program or social dialogue. It does not mean that they wouldn't like to do so. In first place the main obstacle is the lack of financial resources and in the second place it is the lack of relationships. (Varga Andrea (ATSZ) SZÁD – another small union – isn't connected with European social dialogue but they already cooperated with Danish trade union. (Köves Ferenc, SZÁD). MKKSZ – the union of public servants - takes part in the work of CESI (European Confederation of Independent Trade Unions) and in November 2012 the general secretary of MKKSZ was elected even as CESI's vice-president. Other important unions in the social service sector like SZMDSZ and SZTDSZ are not involved in any EU level social dialogue or organisation. There are impediments caused by the language and also on lack of adequate staff to deal with international work. SZIOSZ – the national organisation of social institutions – also would like to have opportunity to be involved in European social dialogue. Also the government's side would like to be involved more in European events, true it does not depend on own decision. *“The language inefficiency is obstacle. It could be good to take part in any EU training in concern of issues of social service sector”.* (Nyitrai, EMMI).

TÖOSZ takes part in an umbrella organisation of the Federation of European Local Governments, in the Council of European Municipalities and Regions (CEMR). The problem is that due to lack of financial resources they are not able to take part personally in the events; they are maintaining the relations only by electronic way. *“We receive their documents, drafts, materials and we can express them our opinions but we have not personal relationships and opportunity to take part in the decision-making. The lack of possibility to finance anything from our part is a very serious bottleneck.*

*We are parts of the European Union and it would be needed to cooperate more intensively within the organisation and even to take part in the preparation of regulations to make the European regulation as better as possible. But we are weak to do it... ”* (Zongor, TÖOSZ)

*We can conclude, that all stakeholders think important the relationships with partners and the presence at European level. Trade unions highly evaluate the support of European partners which increase their capacity to put*



*pressure during negotiations.*

*(A recent example is the support letter of EPSU for crèche workers’ strike on 20<sup>th</sup> April 2016 which was translated and published on the Facebook page of organisation of strike). The stakeholders in the sector report on impediments caused by the lack of language knowledge, financial resources, and staff to deal with international work, and absence of relationships with organisations or bodies in Europe.*

How social partners in the social service sector could get more information on European social dialogue or how to get in contact with European or foreign partners? Both in the European level cross-sectoral and sectoral level social dialogue several organisations of different countries take part. The broader dissemination of information on work in these bodies would be a must. Also the channelling the information within the organisation (for example from confederation level to federations) would be useful and channelling their feedback to the European level would be even more wanted. As concerns at least the trade union side, the training services supported by ETUI and EPSU can be evaluated of high importance. The broadening of this activity would help the organisations without financial resources to know and be involved in European issues.

## **6. Conclusions and recommendations**

### *Conclusions*

In Hungary, the social service sector is in trouble. It is highly fragmented (with the nearly 4000 service providers and 60 types of services), and is territorially uneven. Meanwhile, the number of users is raising (more than 680 000 clients) (2015) the sector has to face its major problem that is increasing labour shortage. In the sector, 93 174 people are employed; *typically, a middle aged qualified woman works in an institution run by the local or central government or a church which is financed mainly from the central budget. The sector is highly underfinanced (2,5% of the central budget is spent for the operational costs of the social service sector). No wonder that wages in the social service sector are dramatically low. A physical worker’s gross average wage was EUR 284 (2015) and the same of the white collar workers was EUR 574 (Jan 2016), much lower than the wages in the (also critically paid) health sector, in education and the public sector in general. The government’s recent attempts in the course of which two types of wage supplements have been introduced did not bring a radical change in the income of the staff in the sector and do not stop people escaping from the sector to other sectors – mainly to the health sector - or abroad.*

*The social service sector - including the labour issues - is highly regulated by special laws and regulations. The majority of the workers are not covered by any collective agreement. The very low trade unionisation and collective agreement coverage rate is a general characteristic in Hungary.*

The collective negotiation is decentralised and – with very few exceptions - it happens at company level. In Hungary, every collective agreement in the social service sector was signed at the workplace. According to the latest official data 134 collective agreements were made in the social service sector (MKIR, 2004). There is deterioration in the number of collective agreements, MKIR latest data (2016, May) is about 119 collective agreements covering 15 567 employees. *It means that the present collective*



*agreement coverage rate in the social service sector is 15,4%. The social service sector in Hungary is poorly represented in terms of number and workers covered by collective agreements.*

There is a paradoxical situation from the point of view of collective negotiations in the sector: the stakeholder *who signs the collective agreement* (e.g. the director or manager) *has no power to take financial decisions and the stakeholder who has the power to take financial decisions* (e.g. the local government) *does not conclude collective agreements*. (The situation in case of ecclesiastical institutions is somewhat better as the church can be considered as a direct employer). We can also note that the existing *collective agreements only repeat the legal regulations*.

The idea to conclude sectoral collective agreement has risen. *It would be beneficial in the aspect of collective bargaining coverage too because it would apply to all employees in the sector; it would help also to overcome the difficulties in the collective negotiation which are present due to the highly fragmented and weak trade union side and the confusing employer’s side frequently without real powers*. At the moment there are (among others) obstacles to negotiate a sectoral collective agreement as it is not clear who could have the right to sign it on the employers’ side. The participants at the employers’ side in the forum of sectoral social dialogue are not employers in the strict sense but – with few exceptions – they are organisations of ‘maintainers’ invited by the government. There are also problems as concerns the trade union side as it is highly fragmented (*11 federations and unions deal partly or totally with employees of the social service sector*). *In the actual tripartite social dialogue forum of the social service sector (SZÁÉF) only three of them take part with voting right and some important unions are lacking.*

*We are in such a particular historical period when the employers’ and the trade unions’ interests are common: it is to maintain the workforce in the sector and in the country raising their living income which is among the lowest. The real negotiation now is going on in the Strike Committee. Currently (Spring 2016) an intense bipartite dialogue and negotiation of social partners is carrying out between the government and trade unions. It is also because the vast majority of the social service sector institutions are financed by the central budget and it is the government who has the right to decide on wage issues. The Strike Committee includes all relevant trade unions in social service sector meanwhile the SZÁÉF not. The social service sector unions - despite of their fragmentation and low level of membership – successfully organised a nation-wide strike. The Strike Committee thinks about the implementation of health sector wage table, meanwhile the government would like a wage table elaborated for the social service sector. The future of inclusion of break into the work-day – demanded by the Strike Committee as well - is yet uncertain; the government would like include OKÉT (National Interest Reconciliation Council of Public Service) to the decision making process in this issue.*

### *Recommendations*

#### *Real increase of income*

First of all a real increase of wages is needed to maintain the workforce in the sector. There is a need to revise the wage categories, the whole system of wage supplements and wage systems.



## «Country-Case Study: Hungary»

Project PESSIS 2 “Promoting Employers’ Social Services Organisations in Social Dialogue”  
Agreement number: VS/2015/0339

Trade union side of Strike Committee would welcome guaranteed income and not wage supplements. The planned but all the times postponed life career programme should be implemented as soon as possible. The blue-collar workers’ income also should be increased.

### *Rising professionalism*

*The professionalism in the sector also should be supported and promoted. There would be needed to organise not only social but also professional dialogue, professional forums, and exchange of knowledge, to learn from the each another.* The continuous professional further training – which is otherwise obligatory – should be realised also in the practice and it should be financed by the employer in every workplace. Also the reform of professional education with greater inclusion of workplace practices would be highly welcome.

### *Strengthening social dialogue*

The real use of the existing forums and possibilities given by regulations would be of high importance. To do so *the reinforcement of both employees’ and employers’ sides* – is needed. At one side *the decrease of fragmentations* or at least the increase of cooperation within the trade union side and on the other side the increase of employers’ potential and rights would be needed. The institutional framework of social dialogue in the social service sector - SZÁÉF - exists; its importance would depend on its rights to deal with issues (also strategic), its participants’ rights and representativity.

*MKKSZ National Social Professional Council* and Employees’ side of SZÁÉF collected the *main issues* to be tackled in the council and also to put on the agenda of SZÁÉF. They are issues related to wage and income; work time, overwork, holidays, free time; work clothes; staff regulations; health and safety; the maintainers’ limited budget, the possibilities to relocate resources for wages; supervision; training and retraining in the sector including the training of management; consultation rights; problems of the capacities of the sector, etc..

### *Condition to increase the significance of collective agreements*

The Act I of 2012 on the Labour Code (*Mt*) introduced significant restrictions on what can be negotiated in state and local government owned companies. In case of several issues (like working time, severance pay, notice periods, industrial relations issues like trade union representatives’ rights, protection and time-off) is not permitted for a collective agreement to include terms that improve on the minimum set out by law. Without *the amendment* of this the scope of negotiation of collective agreements is rather narrow.

### *Increasing the participation in the European social dialogue and cooperation*

*All interviewed stakeholders think important the relationships with foreign partners and the presence at European level. Trade unions report on the support of European partners which increases their capacity to make pressure during negotiations.* There are issues which should be tackled at European level helping the weak or formal Hungarian social dialogue and the agreements negotiated by European social partners could be implemented also in Hungary. Opportunity to learn and personally cooperating at European level would be welcome by all sides.



## 7. References

Bátori, Zsolt (2016) Állami fenntartású Szociális és Gyermekvédelmi Intézményrendszer Bemutatása, presentation, SZÁEF, 23 March 2016

BDDSZ (2016) Párhuzamos valóságok,  
<http://www.bddsz.hu/sites/default/files/párhuzamos%20valóságok.pdf>

Berki, Erzsébet (2014) Hungary: Industrial relations in central public administration – Recent trends and features Observatory: EurWORK, 29 June 2014 downloadable:  
<https://www.eurofound.europa.eu/observatories/eurwork/comparative-information/national-contributions/hungary/hungary-industrial-relations-in-central-public-administration-recent-trends-and-features>

Berki, Erzsébet – Fodor, T. Gábor – Nacsa, Beáta – Neumann László (2007) Kollektív jogok és érvényesülésük közszolgáltatásban. Összehasonlító elemzés a köztisztviselői, a szolgálati és a hivatásos katonai jogviszonyra vonatkozóan, Zárótanulmány, Nemzeti ILO Tanács

Bódy, Éva (2016) A családsegítő és a gyermekjóléti szolgáltatásokat érintő változások. A család és gyermekjóléti szolgáltatás. EMMI, 2016  
[www.szgyf.gov.hu/images/eloadasok.../eloadasanyag\\_body\\_eva.pptx](http://www.szgyf.gov.hu/images/eloadasok.../eloadasanyag_body_eva.pptx)

Bokodi, Márta – Hazafi, Zoltán – Kun, Attila – Petrovics, Zoltán – Szakács, Gábor (2014) ÁROP-2.2.17 New civil service career plan and HR management.

Borbély, Szilvia - Neumann, László (2015) Development of wages and collective bargaining in central and eastern European countries, in Wage bargaining under the new European Economic Governance, edited by Guy Van Gyes, Thorsten Schulten, ETUI, 2015

Brayfield, April (1996) The situation of Hungarian Child Care Workers in 1996, Tulane University

Collective bargaining in the public service: Bridging gaps for a better future: Issues paper for discussion at the Global Dialogue Forum on Challenges to Collective Bargaining in the Public Service, Geneva, 2–3 April 2014/International Labour Office, Sectoral Activities Department, Geneva, ILO 2014

Collective bargaining in the public service: A way forward, International Labour Conference, 102nd Session, 2013 ILO 2013

Czibere, Károly-Gál, I. Róbert (2010) [‘Long-term care system for elderly in Hungary’](#), research report no. 79 ENEPRI European Network of Economic Policy Research Institutes

EMMI Tájékoztató füzetek (2016) [Információ időseknek](#); [Megváltozott munkaképességű személyek ellátásai 2016](#); [Családpolitikai szótár 2016](#); [Szociális ellátások összefoglaló táblázata 2016](#); [Tájékoztató a fogyatékosokhoz és egészségkárosodáshoz kötődő ellátásokról és szolgáltatásokról 2016](#)

European Social Charter 5th National Report on the implementation of the European Social Charter submitted by the Government of Hungary, 02/02/2015, RAP/RCha/HUN/5(2015)

<https://rm.coe.int/CoERMPublicCommonSearchServices/DisplayDCTMContent?documentId=0900001680489fe7>



**«Country-Case Study: Hungary»**

Project PESSIS 2 "Promoting Employers' Social Services Organisations in Social Dialogue"  
Agreement number: VS/2015/0339

Jelentés a közalkalmazottak jogállásáról szóló 1992. évi XXXIII. törvény hatálya alá tartozó munkáltatóknál működő szakszervezetek taglétszámán alapuló országos és ágazati reprezentativitásáról.

[http://www.szmm.gov.hu/mkir/tag2011/dokumentumok/ormb\\_jelentes\\_20110722.pdf](http://www.szmm.gov.hu/mkir/tag2011/dokumentumok/ormb_jelentes_20110722.pdf)

KÉF(2015) SZMSZ, <http://www.mkksz.org.hu/html/main/2016/kefszmsz.pdf>

Kisgyörgy, Sándor-Pásztóy, András (2014) Az országos szintű szociális dialógus Magyarországon és bővítésének lehetőségei, LIGA Szakszervezetek, Norvég projekt, 2013/14

Korintus, Márta- Peter, Moss (2004) Work with young children (A case study of Denmark, Hungary and Spain), Care Work in Europe, Workpackage 7

<http://niida.hu/uploads/fajlok/kutatasok/9/Work%20with%20young%20children%20%28A%20case%20study%20of%20Denmark%2C%20Hungary%20and%20Spain%29.pdf>

KSH (2014) Statisztikai Tükör, Helyzetkép a kisgyermek napközbeni ellátásáról, 2013 – Kötelezettségek, lehetőségek, tények, 01/08/2014, number 82 downloadable

<https://www.ksh.hu/docs/hun/xftp/stattukor/kisgyermnapkozbeni/kisgyermnapkozbeni13.pdf>

KSH (2015) Statisztikai Tükör, number 58

Letter of strike committee to Imre Nyitrai, 12 April 2016

<https://drive.google.com/file/d/0B0Dli1jq4VisamdSVnctVGVpVFU/view>

Mester, Dániel, A szociális ágazat helyzete és jövője - szakmai nap (2016. február 17. Budapest) [Praxis konferencia, https://www.youtube.com/watch?v=RfY3zko1Zik&feature=youtu.be](https://www.youtube.com/watch?v=RfY3zko1Zik&feature=youtu.be)

MKIR (2004) [http://mkir.gov.hu/doksik/ksz/2004/tart\\_int\\_04.pdf](http://mkir.gov.hu/doksik/ksz/2004/tart_int_04.pdf)

MKKSZ Hírlevél, 10/03/2016, [www.mkksz.org.hu/html/main/2016/oket0310.pdf](http://www.mkksz.org.hu/html/main/2016/oket0310.pdf)

MKKSZ (2015) Szociálisok, Országos Szakmai Tanács Hírlevele, 20/04/2015, MKKSZ, [http://www.mkksz.org.hu/html/main/2015/mkksz\\_szocialis\\_hirlevel20150427.pdf](http://www.mkksz.org.hu/html/main/2015/mkksz_szocialis_hirlevel20150427.pdf)

MKKSZ Szociálisok Programterv, 15/06/2015,

<http://www.mkksz.org.hu/index.php/component/content/article/2-uncategorised/428-mkksz-szocialisok-hirlevele-ii-szam>

NCSSZI (2011) Gyermekjóléti alapellátások és szociális szolgáltatások - helyzetértékelés - 2011. március, Nemzeti Család-és Szociálpolitikai Intézet Országos Szolgáltatás-módszertani Koordinációs Központ, file:///C:/Users/Hermina/Downloads/gyermekjoleti-alapellatasok-es-szocialis-szolgalattasok.pdf

Nemzeti Rehabilitációs és Szociális Hivatal <http://nrszh.kormany.hu/kozerdeku-adatok>

OECD statistics, Trade Union Density

OECD (2012) HR Management Country Profile, Hungary, 06/12/2012,

<http://www.oecd.org/gov/pem/OECD%20HRM%20Profile%20-%20Hungary.pdf>

OKÉT today (March 2016) <http://www.mkksz.org.hu/html/main/2016/oket0310.pdf>

Pedagógus életpálya kiterjesztésével kapcsolatos számítások (Bruttó/Nettó bérek összehasonlítása a szociális és az oktatási ágazat között 2016.01.01-től)

[http://www.bdds.hu/sites/default/files/ped%20életpálya%20kiterjesztése%202016.01.01-től\\_0.pdf](http://www.bdds.hu/sites/default/files/ped%20életpálya%20kiterjesztése%202016.01.01-től_0.pdf)



Supported by: DG Employment, Social Affairs and Inclusion

**«Country-Case Study: Hungary»**

Project PESSIS 2 “Promoting Employers’ Social Services Organisations in Social Dialogue”  
Agreement number: VS/2015/0339

Rácz. A. and Hajós Z. (2004) Hungarian results of care work research concerning services for the elderly’, Kapocs, August 2004.

Rácz. A. (2011) ‘Characteristics of workforce in services for elderly people in Sweden, Great-Britain, Spain and Hungary’, Társadalomkutatás, 24/2, 285-301, 2006

Resuscitated Health Care. Recovering Hungary. Semmelweis Plan for the Rescue of Health Care, A professional concept, Ministry of National resources, State Secretary for Health, 2011

SZCSM (2004) The social welfare system, 0 4/05/2004, <http://www.eum.hu/english/social-services-system/the-social-welfare>

SZMDSZ (2016) A Szociális Ágazati Sztrájkbizottság közleménye, 19/04/2016, Communication of Social Sector Strike Committee, <https://www.facebook.com/notes/szocialis-munkások-demokratikus-szakszervezete/a-szocialis-ágazati-sztrájkbizottság-közleménye/1104750966239068>

Sztrájkfelhívás, Call to strike, Facebook, <https://www.facebook.com/notes/közösen-a-szociális-területért/sztrájkfelhívás/346247255499249>

Sztrájkon innen sztrájkon túl. A szociális munka napja, 9/12/2015.  
<http://erdekvedelemszad.blogspot.hu/2015/12/koves-ferenc-szad-elnok-is-reszt-vett.html>

[www.szocialisportal.hu/web/szocialis-agazati-portal/4](http://www.szocialisportal.hu/web/szocialis-agazati-portal/4)

[www.szocialisportal.hu/documents/10504/241b08d0-f0a0-4888-8eca-b31803dfbedb](http://www.szocialisportal.hu/documents/10504/241b08d0-f0a0-4888-8eca-b31803dfbedb)

Szűcs, Viktória (2012) Felmérés a bölcsődei szak-és egyéb dolgozókról, 30/11/2012, BDDSZ, manuscript.  
[www.bddsz.hu](http://www.bddsz.hu)



## Annexes

### Interviews

#### *Interviews (face to face)*

Nyitrai, Imre, vice state secretary, EMMI  
 Beszterczey, András, director, MRE-MRSZ – Hungarian Reformed Church - Hungarian Reformed  
 Zongor, Gábor. Secretary General, TÖOSZ  
 Turcsik, László, president, SZIOSZ  
 Church Aid Szűcs, Viktória, president, BDDSZ  
 Migács, Tibor, president, SZMDSZ  
 Dr. Schnider, Marianna, vice-president, SZMDSZ

#### *Interviews (by telephone)*

Kónya, Gusztávné, president, SZTDSZ  
 Nagy, Ildikó, president, FESZ  
 Köves, Ferenc, president, SZÁD  
 Boros, Péterné, president, MKKSZ  
 Vizl, Péterné, president, EDFSZ

#### *Information arrived by e-mail*

Varga, Andrea, president, ATSZ  
 Szabó, Zsuzsa, vice president, PSZ

#### *Timetable of interviews*

	Organisation	Type	Name	Contact	Date
<b>Trade union side</b>					
1	SZMDSZ	TU	Tibor Migács president	Mobil: 06/20-6261176 e- mail: <a href="mailto:szmdsz.info@gmail.com">szmdsz.info@gmail.com</a>	18/03/2016, 11 am
2	SZMDSZ	TU	dr. Marianna Schnider member, vice president	Mobil: 06/20-626 1076 e- mail: <a href="mailto:szmdsz.info@gmail.com">szmdsz.info@gmail.com</a>	18/03/2016, 11 am
3	BDDSZ	TU	Viktória Szűcs, president	1051 Budapest, Nádor u.32. l. 112 <a href="mailto:szucs.viktoria@bdsz.hu">szucs.viktoria@bdsz.hu</a> tel 3110695 06204187203	5/04/2016 , 2 pm



«Country-Case Study: Hungary»

Project PESSIS 2 “Promoting Employers’ Social Services Organisations in Social Dialogue”  
Agreement number: VS/2015/0339

4	SZTDSZ	TU	Gusztávné Kónya president	1051 Budapest, Nádor u.32. Mobil: 06/70/459-2221 e-mail: <a href="mailto:info@sztdsz.hu">info@sztdsz.hu</a> Telefon: 473-0213	telephone
5	FESZ	TU	Ildikó Nagy vice president	1094 Budapest, Viola utca 21. tel. 0670/934-6958	telephone
6	ATSZ	TU	Andrea Varga president	3525 Miskolc, Szentpáli u. 1 Andrea Varga <a href="mailto:atsz.miskolc@gmail.com">atsz.miskolc@gmail.com</a> +36-20-9427-033 +36-70-6112-375	e-mail
7	MKKSZ	TU	Péterné Boros, president	1146 Budapest Abonyi u. 31 tel. +36-1-3384002	telephone
8	SZÁD	TU	Ferenc Köves, president	tel. + 36-70-4103-294	telephone
9	PSZ	TU	Zsuzsa Szabó, vice president	1068 Budapest, Városligeti fasor 10  tel. + 00361 322-2249 <a href="mailto:szabozs@pedagogusok.hu">szabozs@pedagogusok.hu</a> <u>u</u>	e-mail
<b>Employers</b>					
10	TÖOSZ	Employer	Gábor Zongor, secretary general	<a href="mailto:zongor@toosz.hu">zongor@toosz.hu</a> Budapest VII. Damjanich u. 44 tel. 322 38 43 Mobil: 06-30-9148422	19/04/2016 , 3 pm
11	SZIOSZ	Employer	László Turcsik, president	Budapest 1132 Visegrádi utca 39 <a href="http://www.sziosz.hu">http://www.sziosz.hu</a> <a href="mailto:sziosz.e@gmail.com">sziosz.e@gmail.com</a>	13/04/2016, 11 am
12	Hungarian Reformed Church Aid	Employer	András Beszterczey, director	<a href="http://jobbadni.hu">http://jobbadni.hu</a> <a href="mailto:beszterczey.andras@mrsz.hu">beszterczey.andras@mrsz.hu</a> Budapest XIV. Hungária krt 200 tel. 460 0747	19/04/2016, 1 pm.
<b>Government</b>					
13	EMMI (Ministry of Human Resources) State Secretary of Social Issues and Social Integration	Gov.	Imre Nyitrai vice state secretary	Budapest, V. Báthory u. 10, 3d floor 303 door Tel: 795-9588 <a href="mailto:imre.nyitrai@emmi.gov.hu">imre.nyitrai@emmi.gov.hu</a>	7/04/2016 , 1 pm

## Abbreviations



Supported by: DG Employment, Social Affairs and Inclusion

**«Country-Case Study: Hungary»**

Project PESSIS 2 “Promoting Employers’ Social Services Organisations in Social Dialogue”  
Agreement number: VS/2015/0339

KSH National Statistical Office  
MKIR Information System of Industrial Relations  
OÉT National Interest Reconciliation Council  
*NGTT National Economic and Social Council*  
*GSZT Economic and Social Council*  
*VKF Consultation Forum of Competitive Sector*  
OKÉT National Interest Reconciliation Council of the Public Service  
KOMT National Labour Council of Public Servants  
KÉT National Council of Civil Servants  
OÖKÉT Interest Reconciliation Council of National Local Governments Public Servants  
KÉF Interest Reconciliation Forum of Public Sector  
SZÁÉF Interest Reconciliation Forum in the Social Sector  
SZÁÉT Interest Reconciliation Council in the Social Sector

*Employers’ (Maintainers’) organisations*

MGYOSZ Confederation of Hungarian Employers and Industrialists  
VOSZ National Association of Entrepreneurs and Employers  
AFEOSZ National Federation of General Consumer Cooperatives and Business Associations Co-Op Hungary  
MÖSZ Hungarian Association of Local Governments  
TÖOSZ National Association of Local Governments of Settlements  
MÖOSZ Association of County Level Local Governments  
MJVSZ Association of Towns with County Status  
KÖOE National Association of Small Towns Governments  
KÖSZ National Association of Local Governments of Parishes, Small Settlements and Micro Regions  
MFSZ Hungarian Village Association  
SZGYF General Directorate of Social Affairs and Child Protection  
NRSZH National Rehabilitation and Social Institute  
SZIOSZ National Association of Social Institutions  
MRE-MRSZ Hungarian Reformed Church - Hungarian Reformed Church Charity  
MLE Hungarian Lutheran Church  
MAZSIHISZ Hungarian Jewish Community  
MBE National Organization of Disabled

*Trade unions*

MASZSZ Hungarian Trade Union Confederation  
MOSZ National Federation of Workers’ Councils  
Liga Democratic League of Independent Trade Unions  
SZEF Cooperation Forum of Trade Unions  
ÉSZT Trade Union of Intellectual Workers  
MOSZ National Federation of Workers’ Councils  
BDDSZ Democratic Trade Union of Crèche Workers  
EDDSZ Health sector workers Union  
MKKSZ Trade Union of Hungarian Civil Servants, Public Employees and Public Servants  
SZTDSZ Trade Union of Workers in Social Field  
PSZ Teachers’ Union  
ATSZ Autonomous Territorial Trade Union



Supported by: DG Employment, Social Affairs and Inclusion

**«Country-Case Study: Hungary»**

Project PESSIS 2 “Promoting Employers’ Social Services Organisations in Social Dialogue”  
Agreement number: VS/2015/0339

FESZ Independent Health Trade Union  
SZMDSZ Workers Council of Social Workers, Democratic Trade Union of Social Workers  
SZTDSZ Trade Union of Workers in Social Field  
EDFSZ Independent Union of Health Sector Workers  
SZÁD Union of Workers in the Social Sector  
SZDM Works Council of Social Workers  
ESZSZ Organisation of Employees of Health and Social Areas  
EDSZ Independent Territorial Federation of Health Workers



Supported by: DG Employment, Social Affairs and Inclusion