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Economic and legal background of untypical employment forms in Hungary

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Contents

- Research topic: untypical (that is different from typical) forms of employment in economic and legal respects in case of Hungary.
- Actual question: they have been more and more used in the economy.
- The appearance of the main types of untypical employment in Hungary.
- Legal background
- Conclusion

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The conceptual problem of untypical employment

- Different areas of science define untypical employment in different ways.
- Lawyers of labour define it as working in a not typical way.
- Statisticians define it as concrete ratios.
- Sociologists refer to each form different from traditional under this concept.
- A further problem of the definition is that innovative and flexible categories have been started merging with the category of untypical employment.
- ILO (International Labour Organisation) defines untypical employment as the employment that differs from the usual and in most of the cases has been concluded with a contract so far and protected strongly with social rights.

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The rate of the part-time and full-time employed in 1998, 2008

2008		EU-27	Hungary
part-time	male	7.9	3.3
	female	31.1	6.2
	total	18.2	4.6
full-time	male	13.3	8.7
	female	14.9	7.0
	total	14.0	7.9
1998		EU-27	Hungary
part-time	male	6.3	2.3
	female	28.7	5.5
	total	15.9	3.8
full-time	male	11.1	7.1
	female	12.2	5.8
	total	11.5	6.5

Source: Employment in Europe 2009

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The rate of the part-time and full-time employed, 2008

Source: Employment in Europe 2009

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European trend of untypical forms of employment

$$y = 0{,}2782x + 15{,}276$$
$$R^2 = 0{,}9126$$

Source: own compilation based on Employment in Europe 2009

The main types of untypical employment in Hungary

- Teleworking
- Part-time working
- Temporary employment
- Work at home

The legal condition of untypical employment

- Some literatures give different view about the challenges in the law of labour in the 21th century.
- Many studies deal with the crisis of this field of law and with the end of the classical institutional system of the law of labour.
- Legal environment is also affected by the decrease of the national states "borders". Law of labours is made up of regulations effective within the country in its traditional sense and it has more and more disappeared in the past decades.

Legal sources of the European Union

- Directives have recently been created on part-time and fixed-duration employment (Directive 97/81/EC on part-time work and Directive 99/70/EC on fix-term work).
- Some questions about temporary employment are included in the Directives 91/383/EEC and 96/71/EC, while the category of self-employment has been regulated in respect of egalitarianism between men and women (Directive 86/613/EEC).

Legal sources in Hungary – Regulation places of untypical forms of employment (chaotic situation?!)

Untypical form of employment	Regulation place
Telework	Act XXVIII of 1994 embodied to the Labour Code
Temporary employment	Act XXII of 1992 (Labour Code)
	Act IV of 1959 (Civil Code)
Part-time employment	Ministry of Labour Affairs decree 6/1996. (VII. 16.)
Employment with temporary employment book	Act LXXIV of 1997 on Employment with a Temporary Employment Book and on the Simplified Procedures for Payment of Associated Public Rules
Home working	Convention of 1996 on Home Work (international convention 177)
Self-employment	Act LV of 1994 on Arable Land

Source: own compilation

Conclusion

- Untypical employment is still in its infancy in Hungary. At the same time, I think this will be the future.
- Legal conditions have to be elaborated and adaption to economic and international trends is also necessary.
- I think that untypical forms should be interpreted and regulated in one legal source as it would make the interpretation of the legal source easier.
- Presence of untypical forms of employment at the Hungarian labour market has advantages and disadvantages for the employee, but I think that the turn of the balance is with disadvantages. A partial solution can be a better considered and unified legal material.

Thank you for your attention!

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