



# **Challenges for Organising and Collective Bargaining in Care, Administration and Waste collection sectors in Central and Eastern European Countries**

**Hungary: Central Public Administration**

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## 1. Methodological preface

This report is based on desk research that utilizes relevant documents and literary sources related to Central Public Administration in Hungary. The research findings were further enhanced by two interviews conducted with an expert and a trade union representative involved in public administration. The report is grounded in comprehensive desk research that examines a wide range of relevant documents and literature pertaining to Central Public Administration in Hungary. The research process involved an in-depth review of academic articles, governmental reports, and policy papers to gather a thorough understanding of the subject matter. To enrich the findings, two interviews were conducted with key individuals in the field: one with a recognized expert in public administration and another with a trade union representative who is actively engaged in advocating for public sector workers. These interviews provided valuable insights and perspectives that complement the existing literature and contribute to a more nuanced understanding of the current state of public administration in Hungary.

## 2. Sketching the context

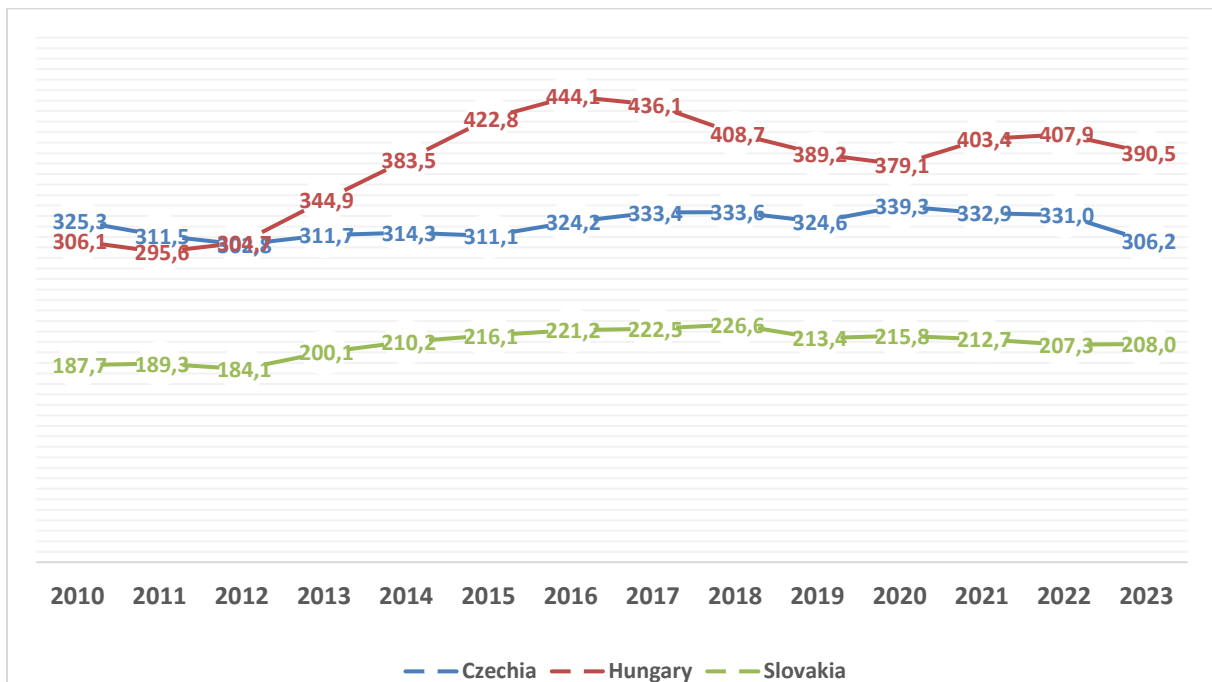
The Central Public Administration (CPA) in Hungary encompasses a broad range of governmental activities, typically carried out by administrative bodies. These activities include legislation, legal interpretation and compliance, programme administration based on laws, lawmaking, taxation, defence, public order and safety, immigration, foreign affairs, and the management of government programmes. The classification into this sector is determined by the specific characteristics of the activities rather than merely by legal or institutional status. Consequently, activities classified under other sectors of the TEÁOR (the Hungarian NACE classification) are not included in this sector, even if performed by public administration bodies. For instance, while the administration of the school system (regulation, supervision, curriculum) falls within this sector, education itself does not (see P - Education). Similarly, prison or military hospitals belong to the healthcare sector (see Q - Human Health and Social Work Activities). Conversely, some activities in this sector can be performed by non-governmental organisations. The Hungarian TEÁOR classification copies the NACE classification system, including Public Administration, Defence and Compulsory Social Security areas (teaorszamok.hu, 2024)

The main legal framework dealing with the definition and competencies of the CPA is the Constitution (Fundamental Law of Hungary), with which we will deal in more detail in the next chapter of the report.

### 3. General characteristics of the sector

Regarding the concrete number of employees and their status in the CPA, it is hard to find any relevant and updated information. The only publicly available data is possible to earn from the statistical databases of Eurostat and of the Hungarian Central Statistical Office (KSH). However, it is important to note that the Eurostat data show a lower number in the case of the NACE O 84 category (Public administration and defence, compulsory social security) than the Hungarian datasets. According to the Eurostat, in 2023, 390,500 people were employed in the Hungarian Public administration sector; from this number, approximately 220,000 were women, and 170,300 were men (Eurostat, 2024 – visualised in Figure 1).

**Figure 1: Total employment in NACE group O84 – Public administration and defence; compulsory social security**



**Source:** Eurostat, 2024 (lfsa\_egan22d)

The KSH shows higher numbers (total of 412,600 in 2023), probably because the NACE/TEÁOR O 84 category also includes other publicly provided services, for example, healthcare, education, cultural and social care services, but also includes workforce dealing with business regulation (KSH, 2024a). Despite the presence of inconsistent datasets, it is evident that the Hungarian public sector **employed approximately 10% of the total Hungarian labour force**. Information on the age structure and employment background of the workers employed in the CPA is not officially available. The

last officially available data on concrete numbers and professional positions of civil servants is from 2018; since then, the KSH has not published detailed numbers about it. Between 2014 and 2018, in the "közigazgatás, védelem; kötelező társadalombiztosítás" (public administration, defence, and compulsory social security) category, the employment figures remained relatively stable with minor fluctuations. This indicates that these essential sectors were less affected by broader reductions seen elsewhere in the public workforce, such as in education or healthcare. While other areas saw workforce reductions, particularly through reductions in public workers, this category maintained a more consistent level of employment, probably due to its critical role in public services (KSH, 2018).

#### 4. Major problems and challenges in the sector

The CPA sector faces both **structural and legislative challenges**. The structural is related to the introduction of the civil servant status into the labour law in 1992, which was later reformulated several times. According to Horváth and Kártyás (2021), the Hungarian **civil servant status is relatively unique** when we compare it with the situation and structure present in other countries, because it not only differentiates between the employment status of private and public sector employees, but also further divides the public sector into two major areas: those working in the public administration (civil servants and government officials) and those involved in providing public services, but without exercising public authority (so-called public employees). This separation, according to the authors, is theoretically unstable. For instance, many officials in public administration do not exercise any direct public authority (such as those in functional areas), while some public employees can make decisions affecting citizens that resemble administrative acts (e.g., a teaching staff promoting a student to a higher grade). The distinction between civil servants and public employees has led to an increasing gap between the two statuses over the years, resulting in numerous unjustified differences in regulations, especially concerning salaries (Horváth & Kártyás, 2021).

From the legislative point of view, it is important to know that public sector employee wages are regulated according to the annual Civil Servants Pay Scales (Közalkalmazotti bértábla). The most important legislation for the employment of civil servants is Act No. XXXIII of 1992 on the Legal Status of Civil Servants, but the Act itself also refers to the Labour Code from 2012, where it mentions, that the rules of the Labour Code should be applied to the public sector employees with the exceptions provided in the Civil Servants Act (netjogtar.hu, 2024b). Chapter V of the Act deals with the promotion and

salary system for workers and divides them into 10 salary groups and 17 salary levels based on education (from basic education to university degree) and duration of working life. The lowest salary level is for those with 0-3 years of experience, while the highest is for those with 49-51 years. This system aims to reflect the worker's education and experience based on years worked, allowing for potential wage increases both horizontally (based on education) and vertically (based on work experience – in years) (Szakszervezetek.hu, 2021; Wolters Kluwer, 2022b; Meleg, 2021a). The Pay Scales are inflexible and do not follow the rising trend neither of the minimum nor of the guaranteed minimum wages in Hungary. This salary fixation limits wage increases for many public service employees, resulting in slight differences between the wages defined for specific salary groups and levels. Although yearly wage corrections were implemented into legislation, actual wage increases have not occurred since 2008. As a result, in 2021, **84.7% of the actual values in the Pay Scales were covered by the minimum and guaranteed minimum wages, compared to just 22.4% in 2011**. To address this issue, wage bonuses have been implemented in the civil servant' sector (Meleg, 2021). According to the actual 2024 Pay Scales, the lowest monthly wage was 232,000 HUF (ca. 610 EUR), while the highest was 321,746 HUF (ca. 850 EUR) (Pénzcentrum.hu, 2023). That is relatively low compared to the gross average wage, which since February 2024 is 605,400 HUF (1,525.97 EUR) (KSH, 2024b). The bonuses, together *“with the cafeteria, are stated in municipal decrees, and which is planned annually in its own budget for the employees employed by the municipality”* (HU\_INT\_1).

In context of **digitalisation and the establishment of the e-governance**, Hungary improved its position on the EU-scale in the last two decades. The regulatory framework has been shaped by both domestic needs, as well as by the impact of EU directives. Despite making considerable progress, Hungary is still lagging behind the EU average regarding the adoption and effectiveness of e-public services, according to the Digital Economy and Society Index (DESI). The stable legal framework provides a foundation for further development, but **significant challenges remain**, including infrastructure improvements and addressing societal digital readiness (Czékman & Cseh-Zelina, 2023). The National Digitalization Strategy (2022-2030) aims to enhance Hungary's global competitiveness by improving digital infrastructure, expanding digital competencies, fostering a digital economy, and advancing e-governance. It emphasizes the importance of providing efficient, citizen-friendly digital public services and integrating automation and data-driven processes in public administration. The strategy highlights the need for public sector **employees to enhance their digital skills and adapt to new technologies**, including automation and remote work opportunities.

Hungary seeks to improve its position in the EU's Digital Economy and Society Index, aiming to be among the top 10 by 2030. The document includes some numbers about the actual employment share in ICT<sup>1</sup> and digital economy, but it is not mentioned in the context of the impact on the CPA itself on the working condition and employment trends (Kormány.hu, 2022).

## 5. Characteristics of social dialogue organisations in the sector

According to the OECD report from 2017, approximately **10-15% of the civil servants were members of trade unions** active in the public administration (OECD, 2017: 41). The level of **collective bargaining coverage shows a decreasing trend** over the years. Data from KSH shows that between 2004 and 2015, the share of employees with information about the presence of collective agreements on their workforce in the NACE O category decreased from 32.7 to 26.9 per cent. In 2015 this share represented approximately one-fourth of the total workforce (KSH, 2015; Berki, Gyulavári & Kártyás, 2024: 11 in Gyulavári & Kártyás, 2024).

Based on the statement of the trade union representative, the trade unions tried to negotiate about the *„possibility of creating a sectoral level collective bargaining, but every single attempt failed”* (HU\_INT\_1), meaning that the collective agreements are company or institution-based on the CPA sector.

The Eurofound report from 2021 states, that in the Hungarian Central Government Administration are present two large trade unions, the KSZSZ (Federation of Hungarian Public Service Employees Unions) and the MKKSZ (Trade Union of Hungarian Civil Servants and Public Employees) (Pavlovaite & Kerckhofs, 2021). KSZSZ is formed in 1990 and has 28 member unions. The KSZSZ is responsible for the representation of civil servants, employees employed in the public administration, or of employees in service (including judges, prosecutors, police officers, firefighters, or members of the National Security Service). According to the webpage of the union, the KSZSZ is responsible for the representation of approximately 12,000 members (KSZSZ, n.a.). MKKSZ is responsible for the employees of state administrative organs, local governments, budgetary institutions, and economic and social organisations. MKKSZ was established in 1990, and on the national level is a member of two forums, the SZEŦ (Forum for the Cooperation of Trade Unions) and SZÁÉŦ (Reconciliation Forum of Social Services Sector) (MKKSZ, 2018; Bors & Kahancová, 2023).

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<sup>1</sup> Information and communications technology

## 5.1. Challenges for organising employees

Looking at the barriers and challenges for organising employees we could define as the primary and the most problematic the **presence of legal restrictions**, which is not only typical for the CPA at all, but generally for the entire public service area. This is present especially in the context of collective bargaining rights in the public sector, which are heavily restricted. Although the country has ratified the ILO Convention No. 151, which permits **collective bargaining in public services, its implementation is basically impossible**. Official statements say about legal incoherence, due to a fact that the collective bargaining is banned in the CPA, but the Labour Code says that the employees in this sector are eligible to be covered by CBAs. From the CPA, collective bargaining is enabled only for administrative employees employed in municipal administration, in bodies responsible for the maintenance of institutions, in governmental administrative bodies and public administration bodies with special status, and for regular employees employed by the National Tax and Customs Administration (Kártyás, 2024: 24-28 in Gyulavári & Kártyás, 2024; Gyulavári & Kártyás, 2023: 27-28). This situation has also negative impact on the employer-employee relations, where the legislations basically grant almost unlimited power to the employers, which could unilaterally modify the employment conditions – including role/position of the employee, workplace, working hours, as well as the salaries of the employees (Kártyás, 2015: 51; Kártyás, 2024: 29 in Gyulavári & Kártyás, 2024).

Another crucial challenge is the **fragmented structure of the workforce** in the CPA. The public sector employment system is complex, with distinct categories like civil servants, state officials, and government employees, each governed by different legal frameworks. As it was already mentioned, since 1992, the implementation of numerous regulatory changes has separated public employees into distinct career paths, with further distinctions introduced in 2016 for government workers at various levels. Public administration employees are categorized into groups of civil servants, clerks, and physical workers. While clerks support civil servants, physical workers fall under private labour laws due to the non-public nature of their tasks. Additionally, state power organs and central bodies follow laws like those for civil servants, while armed forces and law enforcement have stricter rules, particularly around political neutrality. Public-sector employees are paid from central or municipal budgets, while private-sector workers depend on company revenues. Public employment is defined by stricter hierarchies, legal responsibilities, and political neutrality, offering privileges and job security, unlike the private sector, where employees enjoy more political freedom and fewer hierarchical constraints (György & Hazafi, 2018: 20-22). This



fragmentation and different roles and classifications of the employees have also impacted the organisation through trade unions.

The trade union interviewee also stated that in some cases, there is a bad relationship between concrete trade unions, which also causes them to not cooperate in crucial and important questions. Stated: *"I don't know how to stop it, but the problem is that the unions are 'spitting' on each other, ..., they are taking personal unrest into union work, ..., the union culture is not established, ..., and there are too many unions [in some cases]"* (HU\_INT\_1).

## 5.2. Good practices for organising employees

The fragmentation and different roles and classifications of the employees have also impacted the organisation through trade unions. Trade unions face challenges in proposing initiatives to improve working conditions, wages, and workplace quality. **Strikes** have been used in the last years as a pressure tool, with several strike committees formed over the past decade in several sub-sectors of the public service sector, notably the 2016 Social Sector Strike Committee aimed at improving working conditions (Szakszervezetek.hu, 2016), or the online organised strike of the MKKSZ and SZÁD in 2020. The legislative changes have increasingly restricted strike activities in essential service sectors. The National Strike Law (Act VII of 1989) mandates that employers ensure strikes do not impede service provision but lacks clarity on what constitutes "sufficient provision of services." In response, the trade unions organized the already mentioned online strikes and brought legal action, culminating in a 2020 Curia decision in their favour. However, no concrete actions followed, prompting trade unions to escalate the matter to the European Court of Human Rights. Currently, restrictions on strike activities in the public sectors remain in effect (Wolters Kluwer, 2022c; Fazekas Lázár, 2021; Bogatin, 2021).

## 5.3. Characteristics of employer representation

In the public sector, state authorities play a dual role, both as employers and legislators. This creates a unique challenge where the employer (e.g., state institutions) negotiates within the confines of predetermined public budgets. The position of the employer and employee is strongly dependent on the public interest and demand towards public services. State institutions are not subject to market competition, causing the focus to shift to what services the community requires, and the taxes people are willing to pay. Thus, while private-sector bargaining is an economic process, in the public sector, it is shaped by political forces. This has also impacted the bargaining position of the employees (Kártyás, 2024: 29 in

Gyulavári & Kártyás, 2024). Employment organisation and the employer-employee relation could be easily and clearly explained by the application of the following statement, according to which „**a professional public service (or servant), loyal to the actual government, can only be regulated by legislation. In addition to the publicly funded salaries there can be no room for bargaining on working conditions**” (Gyulavári & Kártyás, 2023: 27). The scope of negotiations is limited also by the budgetary decisions, made by government bodies, further constraining the capacity of public employers to engage in collective bargaining freely (Kártyás, 2024: 25 in Gyulavári & Kártyás, 2024).

## 6. Collective bargaining and other forms of social dialogue in the sector - characteristics

The 2012 Labour Code in Hungary introduced significant changes to the collective bargaining rules, including a requirement for trade unions to achieve a **10% membership threshold** to participate in it. Public sector employees lost the ability to negotiate sectoral-level agreements and now must meet the same 10% threshold to negotiate single-employer or multi-employer agreements (SzMDSz, 2015). While Chapter XXII of the Labour Code outlines general rules and principles for the private sector, it lacks sector-specific regulations applicable to the public sector or its sub-sectors (Wolters Kluwer, 2022a).

The **trade unions in the public sector face limitations due to the government's centralized control**, which complicates the current understanding of employment relations. Despite minor reconciliation efforts around wages and financial support, generally the **social partners have limited input into legislative or strategic planning** (Bors & Kahancová, 2023). As it was already mentioned, in the public administration (közigazgatás), collective bargaining is not allowed, although the country has ratified ILO Convention No. 151. Inconsistency is detectable also on legislative side, because the current regulations are inconsistent. The laws do not clearly define which positions can be filled under labour contracts, leading to collective agreements being possible for both lower-level and higher-qualified positions, such as in IT or finance. The Hungarian situation is copying the general situation in the CEE countries, where is constantly visible the decrease in the number of the trade unions membership both in the public service sector, as well as in the CPA. The CPA in the country is strongly fragmented, causing a limited possibility for the social partners, especially of

the trade unions to increase the membership as well as the bargaining power (Kártyás, 2024: 26-29 in Gyulavári & Kártyás, 2024).

Contrary to that, the employment relations system in Hungary is strongly decentralized and marked by limited cooperation between social partners, including trade unions, which is further exacerbated by the government's centralized decision-making system, controlling both budgetary and legislative measures. Primarily we could make a statement, that the public sector employees, particularly those in CPA, do not enjoy equal collective bargaining rights compared to their private-sector counterparts. Their right to strike is also limited. Coverage of collective agreements in Hungary is uneven, with most bargaining occurring at the regional or local levels rather than at the sectoral level. Recent trends indicate a struggle for trade unions to assert influence and secure improvements in working conditions and wages amidst the centralized control of the government.

Regarding collective bargaining, coverage is available in a limited set of data, but according to the available data, the coverage of employees by single-employer collective agreements in the entire NACE O 84 classification had an unstable tendency. The KSH database shows, that between 2014 and 2018 the coverage rate decreased from 15.55 to 12.62%, however, these two numbers show relatively high shares, especially when we consider, that for example in 2017 employee coverage was only at the level of 3.82% (Berki, Gyulavári & Kártyás, 2023:16).

### **6.1. Content analysis of collective agreements**

Relevant, signed, and valid collective agreements in the CPA sector were not detected. Collective bargaining agreements (CBAs) are much easier to find in the case of state-owned or publicly owned companies, e.g. postal services or the national railway company MÁV. However, the MKKSZ, as one of the relevant and key trade unions in the CPA, uploaded a sample of CBA on its website. This CBA sample is structured to cover all employees of a specific institution, excluding management, and including also part-time workers, though contract-based employees are excluded (Chapter I). It grants union rights, ensuring regular consultations with management and union participation in key meetings (Chapter II). Employment is primarily on an indefinite basis, with clear procedures for temporary appointments, probation, and internships (Chapter III). Working hours, overtime, and shift work are regulated, with specific compensation methods for extra hours (Chapter V). Termination procedures, including notice periods and severance pay, are detailed, with additional benefits for long-serving employees

(Chapter III). Employees receive benefits such as meal and travel allowances, clothing provisions, and training support, while both employees and the employer are liable for damages caused by negligence, with the employer providing insurance for certain risks (Chapters IV, VI, and VII) (MKKSZ, n.a.).

## 6.2. Other forms of social dialogue

The CPA is a relevant social dialogue body, the OKÉT (Országos Közzolgálati Érdekegyeztető Tanács – National Public Service Interest Reconciliation Council), a tripartite body established in 2002, dealing with public service employee wage and labour policies. It operates based on Act No. XXXIII from 1992 and includes governmental members, public servant trade unions, and local government representatives (Parlament.hu, 2021: 4). However, its activities have been criticized for being inconsequential and the OKÉT has been active only de jure in the last decade (LIGAnet, 2020; Borbély & Neumann, 2019: 297). The KÉF (Közzolgálati Érdekegyeztető Fórum - Public Service Stakeholder Forum) has similar competencies as the OKÉT, which focuses on the employees and employers active in the public administration (netjogtar.hu, 2024c).

Workers' councils are also relevant actors in the CPA. MOSZ, the National Federation of Workers' Councils, established in 1990 is active in several economic sectors, including the CPA, where the VPDSZ (Customs and Financial Workers' Union) is an active member of this organization (MOSZ, 2024). MOSZ members are also active in the KVKF (Consultation Forum of Public Service Enterprises), a tripartite body, which is the newest tripartite consultative body in Hungary and its competence is focused on state-owned public service companies (Parlament.hu, 2021: 3; Bors & Kahancová, 2023: 36).

## 6.3. Impact of European sectoral social dialogue

Despite the limited competency and position of the trade unions and social partners active in the CPA, these actors have a wide range of international partnerships. Both the KSZSZ and MKKSZ are members of international institutions. KSZSZ is the member of the ILO, Eurofedop, while MKKSZ is a member of CESI (European Confederation of Independent Trade Unions) (KSZSZ, 2021; MKKSZ, 2024). MOSZ as a workers' council is an active member of the EUCDW (European Union of Christian Democratic Workers), ETUC, ETUI-REHS research group, EZA (Europäisches Zentrum für Arbeitnehmerfragen - European Centre for Workers' Questions) and ILO (MOSZ, 2024).

## 7. Conclusions and recommendations

The current situation in Hungary shows that the relevant actors, especially on the side of the government, must provide enormous and structural changes with the aim of increasing and improving the position and bargaining power of the social partners, especially of the trade unions. There is a relevant number of legislations and regulations which limit the role and legal competence of the trade unions and provide little room for negotiation, causing the public employees in the CPA to be disadvantaged compared to their private-sector counterparts. Furthermore, similar restrictions are present in the context of the strike activity, which could be used as one of the relevant bargaining tools. On the other hand, there is the possibility to improve cooperation and collective action on the union side.

Besides these points is also relevant to support activities of the academic and trade union organisations, focusing on the challenges and situation of the workers generally. The report used as one of the main literature sources a report published by the Hungarian office of the Friedrich Ebert Stiftung (Gyulavári & Kártyás, 2024), published this year, and dealing with the challenges of the current employment relations in the form of shadow report. The report has a deep focus also on the CPA and includes relevant suggestions, according to which is possible to improve the position and bargaining status of the employees in this sector.

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