**ANED 2016-17 -Task Social Pillar (focus topics)**

**Country report**

Country: Hungary

Author(s): Tamás Gyulavári, Szilvia Halmos

**Contents**

[1 Skills in transition to the labour market 1](#_Toc500858519)

[2 Access to the open labour market 1](#_Toc500858520)

[3 Benefit caps and transitions 1](#_Toc500858521)

[4 Accessible housing 1](#_Toc500858522)

# Skills in transition to the labour market

## Main policy reforms or measures in education and training

*What are the main legal and policy frameworks providing for equality of learning opportunity for young people in your country, and have they changed since ANED reported on these issues in 2010? For example:*

* *What significant reforms or policy measures have been introduced in vocational education and training and how are young disabled persons affected by them?*
* *Are young disabled people in vocational skills programmes covered by disability discrimination legislation beyond compulsory school age?*

In 2011 new acts were adopted on public education[[1]](#footnote-1) and the vocational training.[[2]](#footnote-2) According to these laws the vocational training and education of young disabled persons had been performed by the following types of educational institutions from 2012to 2016 (Table 1):

Table 1: Institutions and programmes in vocational training (2012-2016)[[3]](#footnote-3)

|  |  |  |  |
| --- | --- | --- | --- |
| *Denomination of the institution/programme* | *ISCED-level[[4]](#footnote-4)* | *Functions* | *Reference* |
| Secondary vocational school (programme) | ISCED 3, ISCED 4 | Secondary vocational programmes comprised general, pre-vocational, and vocational subjects and prepared for the secondary school leaving (maturity) examination. After the maturity exam, in the vocational training year(s) they preparedfor the post-secondary Vocational Qualification Examination. | NPE Act, sec. 11; VT Act, VT Act sec.23-24 |
| Vocational school (programme) | ISCED 3 | Vocational programmes comprised development of general knowledge and foundation skills, career orientation activities, pre-vocational and vocational training and preparation for the Vocational Qualification Examination in trades where maturity examination was not an entry requirement. | NPE Act, sec. 13, VT Act, sec. 21-22 |
| Special vocational school (programme) and skill-developing special vocational school | ISCED 3 | Vocational programmes specifically designed for students with special educational needs (hereinafter: students with SEN).  | NPE Act, sec. 13(5) |
| Accredited post-secondary vocational programme | ISCED 5B | Vocational programmes requiring maturity examination certificate as an entry condition and accredited by the Hungarian Accreditation Committee. Until 2014, such programmes could be offered both by secondary vocational schools and higher education institutions, recently only these latter provide them. | Act CCIV of 2011 on the national higher education (hereinafter: NHE Act),[[5]](#footnote-5) sec. 15(2) |
| Public education “Bridge” programmes | ISCED 2,ISCED 3 | Programmes helping low achieving students to get access to secondary education or vocational training. | NPE Act, sec. 14 |

In 2014/2015, 102 482 students studied in vocational schools, 7 496 students studied in special vocational schools (i.e. vocational schools specifically designed for students with SEN), and 221 144 students studied in secondary vocational schools. 179 045 students were studying in the secondary and post-secondary vocational training grades (full-time and part time together).[[6]](#footnote-6)

SEN are established by so called professional diagnostically committee duties (hereinafter: expert committee).[[7]](#footnote-7) These committees consisting of physicians, psychologists, and special education experts issue expert opinions on questions of special education and rehabilitation needs at the request of educational institutions or parents.[[8]](#footnote-8)

Children receiving SEN qualification have significantly less chance to participate in mainstream education both in general educational institutions and in vocational training. Table 2 includes figures on special and integrated education of students with SEN in the schools offering vocational training programmes.

Table 2: Participation of children with SEN in special and integrated vocational training institutions[[9]](#footnote-9)



Special vocational schools are specifically designed to students with SEN. The figures below evidence the fact that most students with disabilities find the opportunity to attend vocational training programmes under segregated circumstances. In 2014/2015 the vocational training programmes prepared the students for 584 different vocational qualifications: of these 310 were available in vocational schools, 87 is special vocational schools, and 295 vocational secondary schools.[[10]](#footnote-10) However, in some other aspects, special vocational schools were in a preferential situation compared to other institutions. In 2014/2015, the student/teacher ratio was lower in special vocational schools compared to secondary general schools, secondary vocational schools and vocational schools. The average class size was also lower in special vocational schools than in the other three types of schools mentioned above.[[11]](#footnote-11)

In 2015 the Government announced a new strategy on vocational training.[[12]](#footnote-12) The goal of the reform package was to make vocational school programmes more attractive, more accessible for young people, and to provide them more practice-oriented knowledge to increase their chances in the labour market. The emigration of skilled manpower from Hungary resulted in a severe lack of labour force in several branches. Involving of young people with social disadvantages, including young people with SEN, in vocational training programmes in these branches, could presumably effectively increase their employability. The most important elements of the reform are the followings.

* A new institutional structure has been introduced re-nominating and reorganising the types of institutions and programmes in vocational training.
* The vocational programmes become more practice-oriented. The compulsory school material includes a lower proportion of general knowledge, while professional content and apprenticeship will be more dominant. The number of “apprentice agreements” providing apprenticeship for students in vocational training at companies are expected to rise from 50.000 to 70.000 by 2018.
* The Bridge-programmes are divided into two branches: Public Educational Bridge and Vocational Training Bridge.The goal of the division was to help low achieving pupils with poor perspectives to future participation in tertiary education to complete at least a vocational training programme.
* Multifaceted incentives motivate companies to employ students of vocational training programmes as apprentices.
* An unlimited number of vocational training programmes can be attended free of charge by students with SEN. This benefit covers all stately funded or co-funded vocational school programmes governed by the VT Act.[[13]](#footnote-13)

A predominant body of the relevant legislation implementing this strategy took effect in the beginning of the school year 2016/2017. So the practical impacts of the reforms are not measurable yet.

The scope of the Act CXXV of 2012 on Equal Treatment and the Enhancing of Equal Opportunities (hereinafter: ETA Act) covers all educational institutions and service providers providing vocational training programmes, irrespective of the public or the private status of the operating entity. Disability and health condition count as protected characteristics under the act. So children with SEN attending vocational training programmes are protected against discrimination during the whole period of the education, beyond the compulsory school age as well. Specific adaptive measures are provided for students with SEN in the course of the education, training and examination (e.g. exemption from specific subjects, extra time for the exams, use of technical or personal assistance or during the exams etc.), according to the opinion of the established by the expert committee.[[14]](#footnote-14) However neither the ETA Act, nor the VT Act, nor the NPE Act enshrines a general reasonable accommodation duty.[[15]](#footnote-15)

## Relevance of the National Youth Guarantee Implementation Plan and assessment report (for EU Member States)

*Are the policy measures described above all covered by the reforms outlined in the national Youth Guarantee Implementation Plan, or the Commission assessment of it? (EU Member States only)*

* *Are the needs of young disabled persons addressed in those documents, what is missing?*

Hungary presented a Youth Guarantee (hereinafter: YG) Implementation Plan on 6 December 2013, updated in April 2014. The YG is foreseen to be fully operational by 2018. Hungary is eligible for the Youth Employment Initiative: it has an allocation of 49.77million euros (in prices current in March 2016) with the Dél-Alföld, Dél-Dunántúl, Észak-Alföld, Észak-Magyarország regions being eligible.[[16]](#footnote-16)

The Youth Guarantee Action Plan of Hungary sets out all relevant national programmes foreseen in 2013.[[17]](#footnote-17) Only one programme is especially relevant for young people with disabilities. The strategy on prevention early school leaving of the Government focuses, among other vulnerable groups of children, children with SEN.[[18]](#footnote-18)

The Action plan also includes the implementation of public education Bridge-programmes, labour market activation programmes for young people, a “second chance” programme for early school leavers above the mandatory age of education, and apprenticeship programmes for young persons on completion vocational training qualification.[[19]](#footnote-19) These programmes may be of relevance for students with SEN and young people with disabilities completed vocational training programmes (however, no figures are available on their actual participation).

Currently two operational programmes are of the highest importance in terms of implementation of YG in Hungary: VEKOP-8.2.1-15-2015-00001 (in the Central Hungarian region) and GINOP-5.1.1-15-2015-00001 (in other regions). Main objective of the operational programmes is to assist young people (age of 15 to 24) in NEET status by means of personalised labour market services to access education or work within a reasonable time (this is currently 4 months). However, these programmes do not focus on young people with disabilities.[[20]](#footnote-20)

A central website of the Hungarian YG is maintained by the Government in order to display the recent news and opportunities offered by the programme.[[21]](#footnote-21) The website has no accessible version.

The Commission assessed the implementation of the YG in its Country Report 2016 as follows:

"Youth unemployment has decreased but the rate of youth not in education, employment or training (NEET) remains high. (…) the youth unemployment rate has improved at a fast pace, approximating pre-crisis levels, and falling below the EU average for the first time in 2014 (20.4 % vs. EU average 22.2 %), reaching 16.7% in2015. The NEET rate has decreased to 13.6 % in 2014, but it remains somewhat above pre-crisis level and the EU average (12.5 %). It stands at 12.1 % for men and15.3 % for women. The majority of Hungary's total NEET population consists of inactive NEETs, including a large share of young people with family responsibility and discouraged workers, mostly women. [...] The above-average share of disengaged young people indicates the continued difficulty of policy measures to effectively reach a sizeable part of their target population."[[22]](#footnote-22)

Neither the cited documents of the Employment Committee (hereinafter: EMCO) and the Commission, nor the Commission’s recommendation for Council Recommendation on the 2016 national reform programme of Hungary[[23]](#footnote-23) refer specifically to the situation of young persons with disabilities in the labour market. Among the disadvantaged groups the documents focus primarily on Roma people.

## Availability and effectiveness of apprenticeship schemes

*Specifically, and in more detail, what is the current availability of apprenticeship schemes in your country and how beneficial are they for young disabled people? For example:*

* *What training schemes are available, how are they funded, and who is eligible for them?*
* *Are young disability people a target group for recruitment and what provisions exist to ensure that apprentices get reasonable adjustment, accessibility and appropriate support during their training?*
* *What evidence is there of take-up, or positive job outcomes, among young disabled people on such schemes?*

The structure of vocational training schools and programmes was described in detail at section 1.1.

According to long-term figures (from 2001/2002), the proportion of the stately operated vocational school institutions and school-sites considerably decreased, while the churches and the private entities operated such institutions and school-sites in an increasing number.[[24]](#footnote-24) The trend was very similar in terms of the secondary vocational schools. Special vocational schools were predominantly operated by the state, the number of the institutions maintained by churches and the private entities was less than 10 in every year since 2001.[[25]](#footnote-25)

Figures on the participation of students with SEN were referred under section 1.1.

Stately operated institutions are funded by primarily budgetary resources. Private and church entities may operate vocational training institutes based on specific agreements concluded with the metropolitan or county government office, providing for the conditions of the financial contribution of the state to the operation of the concerned institutions.[[26]](#footnote-26)

Employers are obliged either to pay a so called “vocational training contribution” to a specific public fund designed to support the development of vocational training institutions and programmes, or directly organise apprenticeship programmes.[[27]](#footnote-27)

There are more EU-funded or co-funded tenders for the development of vocational training programmes, e.g. the operational programmes referred under 1.2.[[28]](#footnote-28)

Some specific laws and programmes were dedicated to mitigate the disadvantages of young persons with disabilities in the field of vocational training.

* Attending a single vocational training programme was available for students with SEN free of charge. For students with mild intellectual disability or psychical disorders, the attention of the second vocational training programme was also free of charge.[[29]](#footnote-29)
* Accommodation was (and still is) provided for students with SEN in the course of the education, training and examination. Eligibility for the accommodation is established by the expert committee. The expert committee may oblige the educational institution to ensure of one or more accommodating services listed in the VT Act, such as exemption from specific subjects, extra time for the exams, use of technical or personal assistance or during the exams etc.[[30]](#footnote-30) However, students with SEN are not entitled to any steps of accommodation other than specified in the list of the VT Act, so the accommodation duty of the educational institutions is not formulated in a sufficiently generic way.
* Students with SEN could (and still can) be eligible to personalised habilitation and rehabilitation services specified by the opinion of the expert committee.[[31]](#footnote-31)
* Specific vocational training programmes were adjusted to the special needs of students with SEN in the special vocational schools. These programmes ensure an increased number of hours for learning compared to the general programmes. The programmes are elaborated in more versions accommodating he communication and learning needs of persons with specific types of disabilities, such as for persons with hearing, visual, motor and learning disabilities.[[32]](#footnote-32)

In spite of these positive steps, there are several evidences demonstrating that students with SEN and other pupils with poor social background (in particular: Roma’s) suffer severe disadvantages in terms of the perspectives of future employment. The above cited Country Report 2016 summarize the situation and the ongoing activity of the Hungarian government in this field, including the vocational training reform referred under section 1.1., as follows.

“The government's new concept paper of March 2015 on initial vocational education and training aims at further increasing the number of students graduating in vocational education and improving dual education. […] The general knowledge content of the upper secondary vocational schools are planned to be reduced and professional content strengthened, which may hinder access to tertiary education. In 2013/2014 only 22% of students in special vocational schools and 9% of students in postsecondary VET schools participated in apprenticeship schemes. The number of apprentices has increased significantly, but according to the Hungarian Chamber of Commerce the number of students undergoing work-based training at firms did not increase between 2010 and 2014. Companies’ willingness to provide training is increasing only slowly despite financial and organisational incentives. There is a lack of qualified employees willing to train students. […]”[[33]](#footnote-33)

“Current admission measures can narrow access to higher education and limit the pool of future innovators and researchers. […] The higher education strategy has been approved and an action plan adopted. The strategy aims to achieve a 35% tertiary attainment rate by 2023. At the same time, national studies suggest that the annually increasing admission requirements to higher education risk further narrowing the chances of upper secondary vocational graduates and disadvantaged pupils to access higher education.”[[34]](#footnote-34)

Further major elements of the reform have been described at section 1. As referred above, the practical impacts of the reform cannot be measured yet.

## Example of good practice to achieve Youth Guarantee objectives

*Can you identify an example of promising policy/practice in your country that might help other countries to achieve the goals of the Youth Guarantee for young disabled persons?*

* *i.e. a policy or practice that might ensure more young disabled people receive a good-quality offer of employment, a continued education, or an apprenticeship or a traineeship.*

The central Hungarian website of YG ([www.ifjusagigarancia.hu](http://www.ifjusagigarancia.hu)) reports on an already completed project helping young people to start their own enterprise. 347 out of the 3500 applicants were admitted to a specific training programme, and about 200 start-ups have been granted subsidies in the Central Hungary region. The programme is continued (“Enterprise in Hungary, youth!”), with a capacity to fund the participation of 500 applicants in training programmes and support 330 applicants to found their own enterprise.[[35]](#footnote-35) This initiative is not specially targeted to young persons with disabilities, however it may provide them assistance to start enterprises as well. No data is available on the number of the young persons with disabilities among the winners.

Some NGOs implement vocational training programmes for adults with disabilities. A good practice has been developed by the “Hand-in-Hand Foundation”. The “Active Workshop Toolkit for Develop Employment” offers different vocational training programmes designed to accommodate the special needs and hindrances of persons with disabilities, including the organisation of pre-work trainings, transit-type, 6 months long employment and escorting the clients after the emplacement. The foundation also provides special services and methodologies for enterprises in order to enable them to hire persons with disabilities, such as offering sensibilisation trainings, organisational development programmes, giving marketing and business advices.[[36]](#footnote-36)

Another NGO, the Salva Vita Foundation was established in 1993 with the mission of contributing to the creation of social equality for people with intellectual disabilities and building a multicoloured, inclusive society. The foundation provides multifaceted services assisting the employment of persons with intellectual disabilities in the integrated labour market. These services include different forms of work experience and workplace training programmes for students of special vocational schools and inactive adults with intellectual disabilities living in families or in institutions. Further they offer services also for employers or potential employers of persons with intellectual disabilities (e. g. providing special labour market services, job analysis, organising employer’s forums, implementing workplace analysis, granting disability-friendly workplace awards).[[37]](#footnote-37)

# Access to the open labour market

## Relevant active labour market schemes

*What are the main policies or schemes that exist to support people with disabilities in employment and what policy changes have occurred in recent years? This question relates to pillar theme 4. For example:*

* *What measures exist to support people with disabilities to take up employment?*
* *Who is responsible for helping them and what help is available?*
* *Are these mainstream or disability specific schemes?*
1. Activation and benefits of persons with reduced working abilities

The Act CXCI of 2011 on allowances of persons with limited working ability (hereinafter: APLWA Act)[[38]](#footnote-38) completely changed the former system of disability pensions from 1 January 2012. According to temporary regulations of the APLWA Act,[[39]](#footnote-39) the status of the earlier invalidity pensioners has gradually been revised: they can be judged to be entitled to one of the new benefits or remain without this type of regular income. There are two kinds of social benefits payable for persons with reduced working ability since this date: rehabilitation allowance and invalidity allowance, the main characteristics of which are described in Table 3.

Table 3: The main characteristics of rehabilitation allowance and invalidity allowance

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| Name |  Purpose | Means-testing requirement | Social insurance character | Eligibility |
| Rehabilitation allowance[[40]](#footnote-40) | Temporary financial support for persons with reduced working ability supplemented by diverse rehabilitation services in kind in order to help reintegration into the labour market | no | yes[[41]](#footnote-41) | 3 joint criteria:* a certain period of prior employment
* min. 40 % health impairment
* the complex assessment process establishes that the rehabilitation of the working ability is possible and recommended
 |
| Invalidity allowance[[42]](#footnote-42) | Lasting income support for persons with reduced working ability not supposed to be reintegrated to employment even by means of rehabilitation | no | yes | 3 joint criteria:* a certain period of prior employment
* min. 40 % health impairment
* the complex assessment process establishes that the rehabilitation of the working ability is not recommended
 |

Eligibility is established by means of a complex assessment process, carried out by medical, social and employment experts.[[43]](#footnote-43)

In 2012, about 440,000 persons, which is 4.5 % of the total population, qualified for reduced working ability. 40 % of them received rehabilitation allowance, 47 % of them invalidity allowance.[[44]](#footnote-44)

Rehabilitation allowance may be provided for up to 3 years. During the eligibility period the client has a cooperation duty with the rehabilitation authority. A tailor-made individual rehabilitation plan is issued for all clients, including the personal rehabilitation needs and the necessary rehabilitation services respectively. This plan forms the framework of the cooperation between the client and the rehabilitation authority. The clients are supposed to strive for active job-seeking and to accept any appropriate job offer. (The criteria for appropriateness are determined in the section 1(2)(5) of the APLWA Act.) Further he/she is required to use the rehabilitation services provided by the rehabilitation authority or an accredited rehabilitation service provider, including e.g. advisory, training, health care services. Since 2016 clients receiving rehabilitation services may be granted extra training allowance as well. Costs of living of unemployed clients attending trainings over 20 hours a week can be also supported. Training allowance may be granted on the grounds of a specific agreement between the client and the authority responsible for social and child protection affairs.

A repeated, attributable breach of the cooperation duty is sanctioned by termination of the provision of rehabilitation allowance. Declining an appropriate job offer is considered as such a breach of duty. The main objective of rehabilitation allowance is to enable the client to carry out work in the open labour market. Provided that the recipient works in an employment relationship, including public employment relationship, over 20 hours a week, for over 3 months, the granting of this benefit shall be terminated.[[45]](#footnote-45)

Clients receiving invalidity benefit are not expected to take rehabilitation services and seek job. Although invalidity allowance is a passive, permanent, income substituting benefit, it cannot be deemed to be a retirement benefit. Eligibility is reassessed, and if it is necessary based on the outcome of the new assessment, revised on a regular basis, so the claimant cannot be sure of the granting of the benefit for life. Unlike in the case of retirement benefits, the principle of protection of acquired rights shall not apply. However, it shall be noted that the regular increase and linking of the amount of the benefit to inflation is guaranteed, as in the case of retirement benefits.[[46]](#footnote-46)

1. Public Works Scheme (hereinafter: PWS)

A new PWS was introduced in Hungary in 2011.[[47]](#footnote-47) Initially the members of two target groups may be eligible for participation in the schemes: registered job seekers and persons receiving rehabilitation allowance (see section a)). From 2015 asylum-seekers may also be involved in the programme.[[48]](#footnote-48) Employees in the PWS are entitled to a public works wage according to a binding wage scheme.[[49]](#footnote-49) The costs of the employment, including the wages, the related duties and other costs (e.g. transport, accommodation) are reimbursed for the employer up to 100 %. The grant agreement, concluded by the employer and the district office,[[50]](#footnote-50) provides for the conditions of the reimbursement.[[51]](#footnote-51) The resource of the reimbursement is the National Employment Fund functioning as a separate fund of the national budget.[[52]](#footnote-52) Employers are under certain circumstances also obliged to provide training programmes for the clients.

The client is obliged to cooperate with the district office. Certain breaches of law or the cooperation duty may lead to the exclusion from the PWS (e.g. unjustified absence of the client’s child from compulsory public education, perpetration of specific offences, declination of an appropriate job offer, declination of a training service offered by the district office, sanctioning termination of the public employment relationship without notice by the employer).[[53]](#footnote-53) Such an exclusion may result in the exclusion of passive income substituting benefits as well.[[54]](#footnote-54)

The primary purpose of PWS is to form a bridge for disadvantaged groups to the open labour market. The employer is obliged to grant a leave for the client for the purpose of job interviews. Once the client establishes a fixed-term “normal” employment relationship for a duration of 3 to 120 days, the public works employer has to ensure an unpaid leave for him/her.[[55]](#footnote-55)

The outcomes of the Hungarian PWS are controversially assessed by different analyses.

The Hungarian government considers that PWS is generally speaking successful. A study conducted by the Ministry of National Economy in 2015 suggested that, although PWS has no impact on most of the companies (86,7%), the rest of the companies (13,3 %)increasingly experiences either the negative or the positive effects of the PWS. Among the negative effects, the interviewed companies referred to the fact that the PWS drains labour force from and produces higher wage costs on the open labour market in the branches primarily affected by PWS. (On the side of employees higher level of wages can be considered as a positive outcome of the system.) In terms of the positive effects, some companies reported that they have good experiences about the working skills of workers previously participated in public works. Some companies indicated that the increased income of persons working in PWS has a stimulating impact on their turnover.[[56]](#footnote-56)

On the contrary, the European Commission highlighted rather the negative impacts of the Hungarian PWS. The Country Report 2016 establishes the following facts concerning PWS.

“The public works scheme does not sufficiently support the reintegration of participants into the open labour market. These risks locking participants into the scheme. According to the Hungarian authorities, the rate of successful exit from the scheme was 12.6% in 2014 and 13.1% in the first half of 2015. 60.5% of individuals who left the scheme during the first half of 2015 were again in public works after 180 days. Other ALMP [active labour market policies – Sz.H. and T.Gy.] measures appear to be more effective in Hungary. In addition to measures adopted last year to facilitate successful exit from the scheme, the government has recently introduced financial incentives for public workers who accept job offers in the open labour market. Training is provided to participants, but it is usually limited to basic technical skills development required for the public works job. Even though public workers are not covered by the Labour Code[[57]](#footnote-57) and their monthly compensation is about 25 % below the minimum wage the scheme may appear more attractive than training for some participants as the income support available during trainings is much lower than the public works wage.”[[58]](#footnote-58)

“The public works scheme is not adequately targeted. The main target population for the scheme is the long-term unemployed, the unemployed living in disadvantaged areas and the low-skilled. However according to the authorities 47 % of participants had secondary or tertiary education in 2014 and 2015. While a large share of PWS participants come from disadvantaged regions, the share of unemployed involved in public works is still significant in counties with well-performing labour markets, such as Győr-Moson-Sopron or Vas. The profiling system of jobseekers was launched in January 2016, but the recommendations by the local PES [public employment service – Sz.H and T.Gy] to the individual jobseekers still depend, to a large extent, on the capacity of available ALMPs, and the PWS remains the dominant program. Municipalities can also influence the selection of participants. Substitution (the replacement of employees with public workers) is illegal as public workers cannot undertake any tasks related to the core functions of a municipality. However a comprehensive monitoring and evaluation system is not yet in place.”[[59]](#footnote-59)

1. Accredited employment

Employers offering rehabilitation-targeted employment opportunities may apply for a specific accreditation process.[[60]](#footnote-60) Once the employer attests that it provides the required facilities, personnel and rehabilitation plans to conduct rehabilitation-targeted employment, it is granted an accreditation certification. Accredited employers are obliged to provide employment opportunity for persons with reduced working ability, and to assist the rehabilitation of them through the implementation of their personal rehabilitation plans and by the provision of specific rehabilitation services.

There are two types of rehabilitation-targeted employment. (1) Lasting employment is designed for clients/employees permanently requiring the conditions of sheltered employment. (2) Transit employment is designed for those ones having good perspectives for transition to the open labour market. Rehabilitation-targeted employment improves their working skills in order to enable them to carry out work in the open labour market.

The costs of rehabilitation employment, including wage costs, related duties and other costs (costs of employment of special personal assistance, investments to accessibility and accommodation of disability-related needs, training costs etc.) are reimbursed up to 100 %.[[61]](#footnote-61)

1. Supported employment funded by EU operational programmes

Specific EU operational programmes serve the implementation of activating labour market policies concerning persons with disabilities.

TÁMOP 1.1.1 project was envisaged for the assistance of the transition of specific groups of persons with reduced working abilities to fixed-term work in the open labour market. The project lasted from 2008 to 2015, and was coordinated by the National Employment Service, later by the National Rehabilitation and Social Office. The project embraced multifaceted services for both the individual clients (including training aids, reimbursement of travel costs, supporting of self-employment, provision of advisory services etc.) and employers (reimbursement of wage costs, training costs, transportation costs etc.). Table 4 shows the main results of the programme achieved until 28 February 2013.[[62]](#footnote-62)

Table 4: main outcomes of TAMOP 1.1.1 operational programme (1st March 2008 – 28th February 2013)[[63]](#footnote-63)

|  |  |
| --- | --- |
| **Denomination of indicators** | **Total** |
|
| Number of persons involved (capita) | **14 839** |
|
| Number of persons involved in trainings (capita) | **6 639** |
|
| Number of persons completing a training programme (capita) | **6 591** |
|
| Number of persons completing a programme (capita) | **12 416** |
|
|
|
| Number of persons in employment 180 days after the completion of the programme (fő) | **3 718** |
|
|

After the expiration of TAMOP 1.1.1, a new operational programme (EFOP-1.1.1-15) was introduced in 2016 with approximately the same profile as the precedent operational programme. The coordination was initially performed by the National Rehabilitation and Social Office, from 1st January 2017 by the metropolitan and county government offices.[[64]](#footnote-64)

1. Rehabilitation card

Specific groups of persons with reduced working abilities are eligible for “rehabilitation card”. The card owner employee can deposit her/his card at the employer, which, with reference to the card, can claim relieves from the employment-related taxes. Although the card owner person has no direct benefit from the card, the claimable tax relief may have an incentive impact on the employers to hire card owner persons, so these latter may gain an advantage in a recruitment process compared to persons having no rehabilitation card. Rehabilitation card can be claimed also by persons with disabilities already having a job, if they meet the eligibility criteria. So they can save wage costs for their employer, which improves their chances to retain their job.[[65]](#footnote-65)

1. Quota/levy system

All employers hiring more than 20 persons are expected to fill 5 % of the staff with persons with reduced working abilities. In failure of meeting this requirement the employer is obliged to pay levy per missing capita.[[66]](#footnote-66)

1. Supporting non-accredited employers hiring persons with reduced working abilities

Non-accredited employers may also be granted subsidies related to the employment of persons with reduced working abilities, if this employment contributes to the expansion of employment. 60 % of the wage costs and the related duties can be reimbursed in the framework of this scheme. No other costs are covered.[[67]](#footnote-67)

## Support for flexible working arrangements

*What measures exist to permit or support flexible working arrangements for persons with disabilities? This question relates to pillar theme 2. For example measures that support:*

* *Working at non-standard times or non-standard hours, working from home etc.*
* *Please identify any examples of promising practice*

The Act I of 2012 on the Labour Code (hereinafter: LC)[[68]](#footnote-68) stipulates that the employer is obliged to meet the reasonable accommodation requirement in the course of the employment of persons with disabilities.[[69]](#footnote-69) Employment laws concerning the public sphere also enshrine parallel provisions.[[70]](#footnote-70) On the grounds of these provisions, employers should make any steps to accommodate the special disability-related needs, including ensuring flexible working hours, telework, homework, part-time work, unpaid/paid leave etc. However, the awareness of the existence, the meaning and the actual content of this provision is very low among persons with disabilities, employers, even HR-specialists and lawyers. Thus, there is no judicial case law on this issue, and the degree of practical implementation is very low.

However, the occupational medical service attesting the suitability of the employees for the job may prescribe specific employment restrictions (e.g. extra pauses during the working time, part-time employment, ban on posting etc.).[[71]](#footnote-71) Employers are required to respect these restrictions. This results in a kind of accommodation of some health-related working limitations of persons with disabilities, by ensuring them non-typical working conditions.

Besides, there is no legislation on any specific flexible working arrangement for persons with disabilities.

## Support for workplace adaptions

*What support is available for workplace adaptions for workers with disabilities? This question relates to pillar theme 9. For example:*

* *What are the eligibility conditions? What level of funding is provided and who receives it?*
* *What is the employer’s responsibility or liability? Does this depend on the size of the business?*

Support for workplace adaptions is currently granted exclusively for accredited employers (see below in detail). Regarding the fact that every employer is required to meet the reasonable accommodation duty, it is a rather unfair restriction of the eligibility criteria. So non-accredited employers are expected to carry out the necessary adjustments out of own resources.

Accredited employers may claim the reimbursement of 100 % of the workplace adaption costs.[[72]](#footnote-72) Using of all supports for accredited employers are controlled by the government office.[[73]](#footnote-73) Any infringements may lead to losing the accreditation status and refunding of the support.[[74]](#footnote-74)

Supports are funded by the budget of the Ministry of Human Resources.[[75]](#footnote-75) It should be noted that the central budget receives the levies payable by employers not complying with the quota duty (see above).[[76]](#footnote-76) So there is no separate public fund for subsidies and investments in the field of supporting the employment of persons with disabilities or reduced working ability.

## Evidence on non-standard wages

*How are wages set for workers with disabilities outside the open labour market? This question relates to pillar theme 8. For example:*

* *What provisions regulate the wages of people with disabilities employed in sheltered workshops or forms of adapted employment (alternative / segregated / supported …)?*
* *Are there groups of workers who do not receive the minimum wage?*

A binding wage scheme is attached to the PWS.[[77]](#footnote-77) In Table 5 the current minimum wages in the PWS and in open labour market employment are compared.

Table 5: Comparison of minimum wages in PWS and in open labour market employment in 2017[[78]](#footnote-78)

|  |  |
| --- | --- |
|  | Gross monthly wage (HUF) |
| General minimum wage | 127.500 |
| General guaranteed minimum wage[[79]](#footnote-79) | 161.000 |
| Minimum wage in PWS | 81.530 |
| Guaranteed minimum wage in PWS[[80]](#footnote-80) | 106.555 |
| Minimum wage in PWS for managers | 89.705 |
| Guaranteed minimum wage in PWS for managers | 117.245 |

In Hungary, the net sum of the general minimum wage has been lower than the poverty line in every year since 1992.[[81]](#footnote-81) So minimum wage in PWS cannot cover the expenses of an individual or a family.

In other programmes described under section 2.1. the general minimum wage and guaranteed minimum wage is applied.

## Employment conditions in sheltered workshops

*What conditions of employment exist for workers in sheltered workshops and how are these regulated? This question relates to pillar theme 7. For example:*

* *Describe the system of sheltered workshops generally: do sheltered workshops exist? Who is eligible to be employed in such workshops? Please indicate if there are different kinds of workshops and eligibility conditions.*
* *Does standard labour law apply to those employed in sheltered workshops? If not, what justification is given for differences in treatment? Including:*
* *Protection from dismissal*
* *Right to join a trade union and take industrial action*
* *Health and Safety legislation*
* *Right to be consulted and receive information from the employer*
* *Protection from discrimination*

*If protection for workers employed in sheltered workshops is the same as for all other workers, you only need to indicate this, and not discuss level of protection as such. If workers employed in sheltered workshops have a different level of protection, please indicate this and indicate how this level of protection differs from that available to workers in general.*

Accredited employment can be considered as a semi-sheltered form of employment. The legal framework of employment is governed by the LC.

A sheltered employment scheme, nominated as social employment is regulated by the Act III of 1993 on social administration and social benefits (hereinafter: SASB Act). Social employment is available exclusively for inhabitants of social institutions[[82]](#footnote-82) and can be provided exclusively by that institution.[[83]](#footnote-83)

There are two types of social employment.

* „Developing and preparing employment” (hereinafter: DPE).

 The purpose of this form of employment is to develop and rehabilitate the autonomous working ability of the employee through training and working in order to enable him/her to work in the open labour market. DPE can take place on the basis of a fixed-term labour contract concluded by the inhabitant (or his/her legal representative on behalf of him/her if he/she is under guardianship) and the director of the institution. So the legal relationship is governed by the LC, with some specific regulations under the SASB Act, especially in terms of the organisation of working time. Regulations of labour law concerning the protection from dismissals, the right to join trade unions and take industrial actions, health and safety legislation, right to be consulted and receive information from the employer and protection from discrimination equally apply for employees in DPE.[[84]](#footnote-84)

* „Work rehabilitation” (hereinafter: WR).

The purpose of WR is the preservation and the development of the health and mental condition and the working ability of the client, further the preparation for DPE. WR takes place based on a specific agreement the concluded by the inhabitant (or his/her legal representative if he/she is under guardianship) and the director of the institution. So the legal framework of WR is not an employment relationship governed by the LC, but it is an element of the agreement on the reception of the services of the social institution. The SASB Act provides some regulations on the conditions of the WR: limitations on working time, threshold of the wage (amounting to the 30 % of the general minimum wage). The director of the institution is entitled to terminate the WR provided that the WR endangers the client’s own or others’ health and safety, or is the safety of employment cannot be guaranteed because of the client’s conduct. Besides, the rules on the protection of workers under labour law do not apply to the WR.[[85]](#footnote-85)

Eligibility for either DPE or WR is established by the official expertise of the health condition and working ability of the employee.[[86]](#footnote-86)

The structure of social employment is expectably going to be amended from 1 April 2017.[[87]](#footnote-87) The denomination of „social employment” will be replaced by „developing employment” (hereinafter: DE). The most important new feature of the new model is that the inhabitant status is no more required to the participation in DE. DE is considered as a „social service” that can be provided by a wide range of social service providers. The two types of DE and their characteristics are substantially very similar to the previous types (DPE and WR).

# Benefit caps and transitions

## Recent law and policy reforms

*How has the legal and policy framework changed for disability benefits for people of working age since the onset of the economic crisis. Have there been changes in the eligibility criteria (making them more difficult to claim or easier to claim)? This question relates to pillar theme 16.*

The most significant reform concerning disability benefits has been indicated above at section 2.1. a). Invalidity pension have been replaced by benefits of persons with reduced working abilities, such as rehabilitation allowance and invalidity allowance. Previously, for many decades the invalidity pension had been the most important passive benefit for persons with disabilities. As a retirement benefit it had been a permanent, lifelong receivable income. Earning activity above a specific income threshold excluded the eligibility for invalidity pension, so this benefit had functioned as a disincentive in terms of returning to the labour market.[[88]](#footnote-88)

The main principle of the new model was that all persons with disabilities, who is able to work or whose working ability can be rehabilitated, are expected to work. These persons may be eligible for rehabilitation allowance, which provides them a cash benefit combined with benefits in kind (rehabilitation services). The client is supposed to cooperate with the rehabilitation authority by actual using of these services. A passive benefit (invalidity allowance) is only guaranteed for those ones whose rehabilitation is impossible. Invalidity allowance is no retirement benefit, because the eligibility criteria are regularly revised, and the principle of protection of acquired rights shall not apply.

Another important shift in the disability benefit system is that it is increasingly focused on in kind benefits. Increased application of in kind benefits instead of cash subsidies reflects that social policy intends to restrict the autonomy of choice of the recipients in terms of the use of the benefit, so that it may be used only for the specific purpose to which it is assigned. As described in the previous paragraph, in kind benefits play an eminent role at the benefits for persons with reduced working ability. Some amendments of the SASB Act also resulted that specific social benefits (e.g. free medication card) are provided at least partly in kind.[[89]](#footnote-89)

## Key changes in eligibility criteria for disability benefits

*What major policy reforms or developments have occurred in relation to out-of-work disability benefits, implemented or now proposed? This question relates to pillar theme 14*

* *Is there evidence of the number of people affected by these changes or the extent of their impact?*

Some of the main reforms have been described at the previous section.

Other new developments and the effects of these reforms are analysed in detail by the Commission in its Country Report 2015 as follows.

“Recent tax and benefit measures affecting the low-skilled persons.

* A flat personal income tax of 16% was introduced in steps between 2011 and 2013. This significantly reduced the effective tax rate of high income earners. Low income earners were affected negatively by the elimination of the employee tax credit. At the same time the family tax credit (dependent on the number of children) was significantly extended especially for those with at least three children and a high enough taxable income to take advantage of the full tax credit. Starting from 2014, the family tax credit was further extended, by allowing it to be credited against employee social security contributions. This benefited low and middle-income families who previously could not use the full amount family tax credit.
* The adverse effect on low income earners has been partly counterbalanced by the introduction of targeted cuts in the employer's social security contributions in the framework of the Job Protection Act, from January 2013 […]. The measure targeted groups whose activity rate has indeed been low. The measure has also counterbalanced a significant increase in the minimum wage in 2013.
* Benefit-related reforms that had an effect on the labour market include the reduction of the duration and generosity of the unemployment benefit, and reforms to welfare benefits, including related reforms to the public works program. The duration of the unemployment benefit was reduced to maximum of 90 days in September 2011. This is the lowest benefit period of the jobseekers’ allowance in the EU, and does not correspond to the average time needed to find a job in Hungary which is above 1 year. In parallel, the maximum amount of unemployment benefits was also reduced to the minimum wage. Before, the maximum duration of unemployment benefits was altogether 9 months, their generosity reducing after 3 months and again after 6 months.
* Welfare benefits, i.e., benefits for the unemployed who are not eligible for other benefits, have been also reformed. Between 2006 and 2008, the “regular social benefit”[[90]](#footnote-90) was determined as a function of total family income, and was capped at the minimum wage. Since 2009, the welfare benefit is lump-sum and is currently equal to 80% of the minimum old-age pension, currently HUF 22,800 (about EUR 70 per month; the benefit is currently named “foglalkoztatást helyettesítő támogatás”). Eligibility to the welfare benefit is conditional on 30 days of activity per year which can be public work, earning activity on the primary labour market (including household work and simplified employment), participation in labour market programme, training advertised for a period of at least six months or voluntary activity of public interest. […]”[[91]](#footnote-91)

“Recent tax and benefits reforms have had both positive and negative effects on overall employment. While reforms to early retirement and disability benefits aimed at increasing labour market participation are expected to have positive effects in the long run, cuts in benefits may have had a contractionary effect in the short run. While the tax reform has eased the tax burden on high-income earners, the overall effect of the measures introduced on low-income and low-skilled workers, the part of the labour force most likely to move in and out of employment as a result of changes in incentives and the overall economic environment, has been mixed. The Job Protection Act introduced targeted reductions in the social contributions paid by employers for certain groups. This increased demand for labour and counterbalanced the effect of increases to the minimum wage and the removing of the employee tax credit [...]. The reforms have, however, overall not had a clear favourable effect on employment.”[[92]](#footnote-92)

## Conditionality of out-of-work benefits

*To what extent is eligibility for out-of-work benefits conditional on active participation in job search or work-related activities? This question relates to pillar theme 14*

* *e.g. obligation of to apply for jobs, try out work, attend rehabilitation or training programmes, accept less suitable job offers, etc.)?*
* *Is there any reasonable accommodation or support for disabled job seekers in these obligatory activities?*

Most of out-of-work benefits, as already described in the previous sections, are conditional on active job-seeking, taking skill-developing or rehabilitation services and the duty to accept an appropriate job offer, including a job offer in PWS.

Especially the following benefits and programmes can be referred.

* Conditions of eligibility for rehabilitation allowance (see in detail at section 2.1. and 2.6.).
* Conditions of participation in PWS (see in detail at section 2.1.). Consequence of exclusion from PWS can be that the individual is not able to attest 30 days earning activity, which can lead to the termination of granting employment substituting allowance (see at section 2.7.).
* Conditions of unemployment benefit are very similar to the conditions of rehabilitation allowance: duty to active job-seeking, using of labour market services offered by the employment authority, a duty to accept an appropriate job offer, including jobs in PWS.[[93]](#footnote-93)

## Flexibility of financial support during transition into work

*Is there any financial system of allowance to support transitions from benefits into work for unemployed disabled persons? This question relates to pillar theme 14 and 16:*

* *e.g. financial support to try out work for a trial period without losing benefit entitlements?*
* *to subsidise wages, to avoid ‘benefit traps’ or to ‘make work pay’? How does this work?*

Some specific rules of the referred benefits are designed to ensure a smooth transition to employment in the open labour market.

* Granting of rehabilitation allowance or invalidity allowance has to be terminated no sooner than 3 subsequent months of earning activity, provided that the client earns more than the 150 % of the minimum wage in each month. In other cases the client receives the full sum of the allowance in parallel with the income from work.[[94]](#footnote-94) Earlier (until 30th April 2016) the granting of rehabilitation allowance had been suspended, provided that the client worked over 20 hours a week. This limitation had not served the transition to the open labour market, so it had been cancelled.[[95]](#footnote-95)
* In PWS the employer is obliged to grant a leave for the client for the purpose of job interviews. Once the client establishes a fixed-term “normal” employment relationship for a duration of 3 to 120 days, the public works employer has to ensure an unpaid leave for him/her.[[96]](#footnote-96)
* According to the general rule, unemployment benefit has to be terminated provided that the client continues an earning activity. As an exception, granting of unemployment benefit can be further granted, if the client participates in “occasional employment” or is employed for no longer than 90 days. In the latter case the granting is only suspended.[[97]](#footnote-97)
* According to the general rule, allowance for persons of active age has to be terminated provided that the client continues an earning activity. As an exception, granting of the unemployment benefit can be granted until the 120th day of the earning activity. During this period the allowance is only suspended. Occasional or seasonal employment is permitted without restriction.[[98]](#footnote-98)
* A specific monthly allowance is designed for starting work in the open labour market after a longer participation in PWS. An employee is eligible for it, provided that he/she concludes an unfixed-term or a for at least 1 year fixed-term employment relationship with an employer in the open labour market, and in the previous 2 years he/she had spent at least 180 days in PWS relationship. (There are some further conditions as well.)[[99]](#footnote-99) So the purpose of this benefit is to assist the transition to open labour market for workers employed in PWS.
* In the framework of accredited employment the employer may agree with another employer in the open labour market (“recipient employer”) that a client in transit employment scheme is posted to a probation period to the recipient employer (“work probation”). Work probation can take place more times, however the total duration may not exceed 4 months. Employment subsidies, with some specific exceptions, are granted for the employer during the working probation as well.[[100]](#footnote-100)
* Wage cost subsidies are available for employers in various employment incentive schemes, such as the PWS, the accredited employment, the supported employment funded by EU operational programmes, the rehabilitation card and the supporting of non-accredited employers hiring persons with reduced working abilities. These schemes are described in detail under section 2.1.

## Example of good practice (avoiding ‘benefit traps’ or ‘making work pay’)

*Can you identify an example of promising practice in your country that might help other countries to ease the transition from benefits to work for persons with disabilities, and to avoid benefit traps?*

All examples listed at section 2.9. can be referred here as well.

# Accessible housing

## Relevant law and policy

*Is there any definition of ‘accessible housing’ in national law or policy?*

* *If so, what is that? It is not necessary to provide us with detailed technical information about the accessibility standards.*
* *Are there any rules / requirements regarding the accessibility of newly built houses?*
* *Are there any rules / requirements regarding newly refurbished houses?*
* *Do these rules / requirements apply to the private sector, to social housing, or both?*

Act LXXVIII of 1997 on the formation and the protection of built environment (hereinafter: FPBE Act)[[101]](#footnote-101) defines the concept of accessibility: “the built environment shall be considered accessible if convenient, safe and independent use of such areas is ensured for all persons, including handicapped persons or groups for whom special equipment or technical solutions are required”.[[102]](#footnote-102) So there is a definition of 'accessibility', but 'accessible housing' as a term is not defined. The material scope of this act includes the architectural and engineering planning and construction of structures.[[103]](#footnote-103) However, the FPBE Act lays down the requirement of accessibility exclusively in terms of public buildings.[[104]](#footnote-104) So the planning and construction of private buildings are not subject to the requirement of accessibility.

Residents with disabilities of specific social institutions are in a better situation in this aspect than other persons with disabilities. A fundamental precondition of issuing or approval of the operating licence of any social institution is the guaranteeing of the accessibility of the building. Both outdated, large residential institutions and modern, community-based forms of supported living are covered by these provisions.[[105]](#footnote-105)

## Housing in multiple occupation (communal areas)

*In multi-occupied housing (e.g. apartment buildings) is there an obligation to make accessible the communal part of buildings (e.g. entrances and other communal areas)?*

* *Who does this obligation fall on? How is it triggered? Is there funding to support such adaptions?*

As referred in the previous section, the planning and the construction of private buildings are not subject to the requirement of accessibility.

A prominent Hungarian NGO highlights to the following problem. “In Hungary, especially in urban regions, a considerable proportion of the population lives in relatively cheap apartments in blocks of flats built in 20 to 40 years ago. The apartments are predominantly exclusively owned by the residing persons or families, and the parts of the buildings besides the apartments are in the common property of these owners, or in the ownership of a housing cooperative with a separate legal personality consisting of these owners. These old buildings often fail to meet the requirements of accessibility, therefore many persons with disability have no chance to find an appropriate flat in these housing areas with much lower purchase prices than in more modern, accessible buildings. This results in a structural discrimination in the field of housing. However, with respect to the special structure of ownership in these blocks of flats, no one can be obliged to create the conditions of accessibility. In our opinion the state or the local communities should be more proactive in order to make these blocks of flats accessible. They should elaborate and implement publicly financed programmes for this purpose.”[[106]](#footnote-106) The government has not addressed this programme so far.

## Example of promising practice in making accessible housing available

Can you identify one or more examples of promising practice in your country that might help other countries to increase the accessibility of housing stock to persons with disabilities?

No.

1. Act CXC of 2011 on national public education (hereinafter: NPE Act); see: <http://njt.hu/cgi_bin/njt_doc.cgi?docid=139880.293985> (in Hungarian). [↑](#footnote-ref-1)
2. Act CLXXXVII of 2011 on vocational training (hereinafter: VT Act), see: <http://njt.hu/cgi_bin/njt_doc.cgi?docid=139866.323411> (in Hungarian). [↑](#footnote-ref-2)
3. Source: Central Statistical Office (Hungary; hereinafter: CSO), *Statistical Yearbook of Public Education 2014/2015*, CSO, Budapest 2016, 8, 149-150 (available partly in English: [www.kormany.hu/download/3/28/a0000/Kozneveles\_statisztikai\_evkonyv\_2014.pdf](http://www.kormany.hu/download/3/28/a0000/Kozneveles_statisztikai_evkonyv_2014.pdf)). [↑](#footnote-ref-3)
4. International Standard Classification of Education, see: <https://en.wikipedia.org/wiki/International_Standard_Classification_of_Education#ISCED_1997_levels_of_education>. [↑](#footnote-ref-4)
5. See: <http://njt.hu/cgi_bin/njt_doc.cgi?docid=142941.329859> (in Hungarian). [↑](#footnote-ref-5)
6. CSO 2016 op. cit., 11. [↑](#footnote-ref-6)
7. NPE Act, sec. 47(1)(6). [↑](#footnote-ref-7)
8. CSO 2016 op. cit., 150. [↑](#footnote-ref-8)
9. Source: CSO 2016 op. cit., 37. [↑](#footnote-ref-9)
10. CSO 2016 op. cit., 14. [↑](#footnote-ref-10)
11. Ibid. (with reference to accurate figures). [↑](#footnote-ref-11)
12. Government Decision No. 1040/2015 (II.10.) on the conception “Vocational training in service of economy”, see: <http://njt.hu/cgi_bin/njt_doc.cgi?docid=174102.289078> (in Hungarian) (The government decision does not include the full text of the conception). [↑](#footnote-ref-12)
13. About the reform in detail: <http://observatory.org.hu/igy-valtozott-a-szakkepzes-a-2015-majusi-torvenymodositasok-nyoman/>; <http://csmkik.hu/hu/szakkepzes/cikkek/megjelentek-a-szakkepzes-egeszet-erinto-jogszabalymodositasok-83581> (in Hungarian); VT Act, sec. 29; NPE Act, sec. 12-14. [↑](#footnote-ref-13)
14. VT Act, sec. 11. [↑](#footnote-ref-14)
15. About the accommodation duties of the educational institutions in more detail see section 1.3. [↑](#footnote-ref-15)
16. Employment, Social Affairs & Inclusion, *The Youth Guarantee country by country - Hungary*, European Commission, 2016, 3. [↑](#footnote-ref-16)
17. Magyarország Ifjúsági Garancia Akcióterve (2013; hereinafter: YG Action Plan), available: <http://www.kormany.hu/download/f/10/10000/Ifj%C3%BAs%C3%A1gi%20Garancia%20Akci%C3%B3terv_HU_20140411.pdf#%21DocumentBrowse>. [↑](#footnote-ref-17)
18. YG Action Plan 2013 op. cit., 27 (The strategy is available in Hungarian: <http://www.kormany.hu/download/7/6a/e0000/ESL-Cselekv%C3%A9si-terv_20161109.pdf>). [↑](#footnote-ref-18)
19. YG Action Plan 2013 op. cit., 16, 17, 27, 29, [↑](#footnote-ref-19)
20. Details: <http://nfsz.munka.hu/engine.aspx?page=VEKOP_V821> and <http://nfsz.munka.hu/engine.aspx?page=GINOP_G521>. [↑](#footnote-ref-20)
21. [www.ifjusagigarancia.hu](http://www.ifjusagigarancia.hu). [↑](#footnote-ref-21)
22. European Commission, *Country Report Hungary 2016 – Including an In-Depth Review on the prevention and correction of macroeconomic imbalances*, Commission Staff Working Document, SWD(2016) 85 final, Brussels, 26.2.2016 [hereinafter: Country Report 2016], 45. [↑](#footnote-ref-22)
23. European Commission, *Recommendation for a Council Recommendation on the 2016 national reform programme of Hungary and delivering a Council opinion on the 2016 convergence programme of Hungary*, COM(2016) 337 final, Brussels, 18.5.2016. [↑](#footnote-ref-23)
24. NPE Act, sec. 2(3); CSO 2016 op. cit., 43. [↑](#footnote-ref-24)
25. CSO 2016 op. cit., 44. [↑](#footnote-ref-25)
26. VT Act, sec. 84(8); NPE Act, sec. 74. [↑](#footnote-ref-26)
27. Act CLV of 2011 on the vocational training contribution and the supporting of the development of training; see: <http://njt.hu/cgi_bin/njt_doc.cgi?docid=139651.323135> (in Hungarian). [↑](#footnote-ref-27)
28. In detail: Nemzeti Munkaügyi Hivatal, *A szakképzés szabályozása – Tájékoztató a szakképzési szakértők szakképzési változásokra való felkészítéséhez*, Budapest, 2014, 12 (available in Hungarian: <http://www.nive.hu/Downloads/Szakkepzesi_dokumentumok/NFA_KA_fejlesztesi_projektek/A_szakkepzes_szabalyozasa_tajekoztato_fuzet.pdf>). [↑](#footnote-ref-28)
29. VT Act, sec. 29. [↑](#footnote-ref-29)
30. VT Act, sec. 11. [↑](#footnote-ref-30)
31. EMMI Decree No. 20/2012,sec. 138 (see: <http://njt.hu/cgi_bin/njt_doc.cgi?docid=154155.333318>; in Hungarian);

EMMI Decree No. 32/2012. Appendix 2 (see: <http://njt.hu/cgi_bin/njt_doc.cgi?docid=154929.229239>; in Hungarian). [↑](#footnote-ref-31)
32. In detail: NemzetiMunkaügyiHivatal 2014 op. cit. 33-37;

EMMI Decree No. 51/2012., sec. 2/B., Appendix 8 and 11 (see: <http://njt.hu/cgi_bin/njt_doc.cgi?docid=157752.332959>; in Hungarian). [↑](#footnote-ref-32)
33. Ibid. [↑](#footnote-ref-33)
34. Ibid. 50. [↑](#footnote-ref-34)
35. [www.ifjusagigarancia.hu](http://www.ifjusagigarancia.hu)(in Hungarian). [↑](#footnote-ref-35)
36. <http://dolgoz6ok.hu/english>. [↑](#footnote-ref-36)
37. See in detail: <http://salvavita.hu/en/>. [↑](#footnote-ref-37)
38. <http://njt.hu/cgi_bin/njt_doc.cgi?docid=139884.314726> (in Hungarian). [↑](#footnote-ref-38)
39. APLWA Act, sec. 30-38. [↑](#footnote-ref-39)
40. APLWA Act, sec. 6-10. [↑](#footnote-ref-40)
41. APLWA Act, sec. 2. [↑](#footnote-ref-41)
42. APLWA Act, sec. 11-12. [↑](#footnote-ref-42)
43. NEFMI Decree No. 7/2012. (II.14.); see: <http://njt.hu/cgi_bin/njt_doc.cgi?docid=143912.332807> (in Hungarian). [↑](#footnote-ref-43)
44. CSO, *Szociális ellátások, szociális helyzetkép a megyékben*, CSO, Budapest, April 2014, 21-22, <https://www.ksh.hu/docs/hun/xftp/idoszaki/regiok/debrecenmiskolcszocialis.pdf>. [↑](#footnote-ref-44)
45. See: APLWA Act, sec. 6-10, Gov. Decree No. 327/2011. (XII.29.), sec. 16-21/A., 21/F. (see: <http://njt.hu/cgi_bin/njt_doc.cgi?docid=140329.334950>; in Hungarian). [↑](#footnote-ref-45)
46. APLWA Act, sec. 9(3), 11-13. [↑](#footnote-ref-46)
47. Act CVI of 2011 on public works scheme and the amendment of specific laws (hereinafter: PWS Act); see: <http://njt.hu/cgi_bin/njt_doc.cgi?docid=139197.328165> (in Hungarian). [↑](#footnote-ref-47)
48. PWS Act, sec. 1(4)(b). [↑](#footnote-ref-48)
49. PWS Act, sec. 1(2c), Gov. Decree No. 170/2011. (VIII.24.) (see: <http://njt.hu/cgi_bin/njt_doc.cgi?docid=139759.332630>; in Hungarian). In more details: Table 5 under section 2.4. [↑](#footnote-ref-49)
50. District offices are the local units of the metropolitan or county government offices. [↑](#footnote-ref-50)
51. Gov. Decree No. 375/2010. (III.31.); see: <http://njt.hu/cgi_bin/njt_doc.cgi?docid=133934.325257> (in Hungarian). [↑](#footnote-ref-51)
52. Gov. Decree No. 36/2015 (XII.28); see: <https://net.jogtar.hu/jr/gen/hjegy_doc.cgi?docid=a1500036.ngm> (in Hungarian). [↑](#footnote-ref-52)
53. PWS Act, sec. 2(1)(4a). [↑](#footnote-ref-53)
54. Act III of 1993 on social administration and social benefits (hereinafter: SASB Act), sec. 36(2)(ea); see: <http://njt.hu/cgi_bin/njt_doc.cgi?docid=18618.316656> (in Hungarian). [↑](#footnote-ref-54)
55. PWS Act, sec. 2(3a)(3c). [↑](#footnote-ref-55)
56. Ministry of Interior, *A közfoglalkoztatás megítélése a vállalatok körében a rövidtávú munkaerő-piaci prognosis adatfelvétel alapján*, BM, Budapest, 2016; available: <http://kozfoglalkoztatas.kormany.hu/download/8/91/51000/K%C3%B6zfoglalkoztat%C3%A1s%20meg%C3%ADt%C3%A9l%C3%A9se%20a%20r%C3%B6vidt%C3%A1v%C3%BA%20munkaer%C5%91-piaci%20progn%C3%B3zis%20alapj%C3%A1n.pdf> (in Hungarian). [↑](#footnote-ref-56)
57. It should be noted that most of the provisions of the Labour Code apply also for public employment relationships. [↑](#footnote-ref-57)
58. County Report 2016 op. cit., 42. [↑](#footnote-ref-58)
59. Ibid, 43. [↑](#footnote-ref-59)
60. APLWA Act, sec. 25. [↑](#footnote-ref-60)
61. On the accreditation process in more detail: Gov. Decree No. 327/2012. (XI.16.) (see: <http://njt.hu/cgi_bin/njt_doc.cgi?docid=155832.330613>; in Hungarian). [↑](#footnote-ref-61)
62. Document on the outcomes of the OP is available: <http://nfsz.munka.hu/engine.aspx?page=full_tamop_tamop111> (In Hungarian). [↑](#footnote-ref-62)
63. Resource: ibid. [↑](#footnote-ref-63)
64. About EFOP 1.1.1: <http://www.kormanyhivatal.hu/download/4/fc/d2000/EFOP%20111%20t%C3%A1j%C3%A9koztat%C3%B3_20160725.docx> (in Hungarian). [↑](#footnote-ref-64)
65. Act CXXIII of 2004, sec. 16/A-B (see: <http://njt.hu/cgi_bin/njt_doc.cgi?docid=85785.331905>; in Hungarian). [↑](#footnote-ref-65)
66. APLWA Act, sec. 22-26/A. [↑](#footnote-ref-66)
67. Act IV of 1991 on supporting of employment and benefits for the unemployment (hereinafter: SEBU Act), sec. 16; see: <http://njt.hu/cgi_bin/njt_doc.cgi?docid=14929.328102>; in Hungarian. [↑](#footnote-ref-67)
68. See: <http://njt.hu/cgi_bin/njt_doc.cgi?docid=143164.323148>; in Hungarian. [↑](#footnote-ref-68)
69. LC sec. 51(5). [↑](#footnote-ref-69)
70. E.g. Act CXCIX of 2011 on Civil Servants of Public Services (hereinafter: CSPS Act), sec. 75 (see: <http://njt.hu/cgi_bin/njt_doc.cgi?docid=142936.322316>; in Hungarian).

Act XXXIII of 1992 on the Legal Status of the Public Employees (hereinafter: LSPE Act), sec. 2(3) (see: <http://njt.hu/cgi_bin/njt_doc.cgi?docid=17120.222321>; in Hungarian). [↑](#footnote-ref-70)
71. NM Decree No. 33/1998, sec.13(2) (see: <http://njt.hu/cgi_bin/njt_doc.cgi?docid=34692.333426>; in Hungarian). [↑](#footnote-ref-71)
72. Gov. Decree 327/2012. (XI.16.), sec. 17-22. [↑](#footnote-ref-72)
73. Ibid, sec.41. [↑](#footnote-ref-73)
74. Ibid, sec. 8, 16. [↑](#footnote-ref-74)
75. Act XC of 2016 on the central budget law of Hungary in 2017, Chapter XX, Title 20, Subtitle 47; see: <http://njt.hu/cgi_bin/njt_doc.cgi?docid=196082.323548>; in Hungarian. [↑](#footnote-ref-75)
76. Ibid, Chapter XLII. [↑](#footnote-ref-76)
77. Gov. Decree No. 170/2011. (VIII.24.); see: <http://njt.hu/cgi_bin/njt_doc.cgi?docid=139759.332630>; in Hungarian. [↑](#footnote-ref-77)
78. Source: <http://www.kormanyhivatal.hu/download/4/da/43000/Mi%20mennyi%202017.pdf> (in Hungarian). [↑](#footnote-ref-78)
79. Employees working in jobs with at least secondary school or secondary vocational school qualification requirement are entitled to guaranteed minimum wage. [↑](#footnote-ref-79)
80. Employees in PWS working in jobs with at least secondary school or secondary vocational school qualification requirement are entitled to guaranteed minimum wage in PWS. [↑](#footnote-ref-80)
81. See: <http://www.liganet.hu/news/9240/httranyag_a_2017-vre_szl_brtrgyalsokhoz.pdf>; <http://www.ksh.hu/docs/hun/xstadat/xstadat_eves/i_qli041.html>; <http://www.ksh.hu/docs/hun/xstadat/xstadat_eves/i_zhc011.html>. [↑](#footnote-ref-81)
82. The category of social institution covers different types of dwellings functioning as homes or day care service provides for persons with disabilities or with other social disadvantages, from the outdated, large care institutions through specific rehabilitation institutions for persons with disabilities to the more modern forms of community living. (See in detail: SASB Act, sec. 4(1)(h), 66-85/B). [↑](#footnote-ref-82)
83. SASB Act, sec. 99/B-E. [↑](#footnote-ref-83)
84. SASB Act, sec. 99/E. [↑](#footnote-ref-84)
85. SASB Act, sec. 99/D. [↑](#footnote-ref-85)
86. SASB Act, sec. 99/B(3)(4)(5); Gov. Decree No. 92/2008. (IV.23.); see: <http://njt.hu/cgi_bin/njt_doc.cgi?docid=118625.330304>; in Hungarian. [↑](#footnote-ref-86)
87. Amended by the Act CLXVI of 2016, sec. 13; see: <http://njt.hu/cgi_bin/njt_doc.cgi?docid=199327.334605>; in Hungarian. [↑](#footnote-ref-87)
88. See in detail: Fazekas, K. – Scharle, Á., Pensions, aids, public works: Hungarian employment policy’s two decades from 1990 to 2010, OFA, 2012, 14. [↑](#footnote-ref-88)
89. APLWA Act, sec. 131(1), SASB Act, 47(1), 50(1). [↑](#footnote-ref-89)
90. The correct denomination of the benefit was: “allowance for persons of active age”, the two type of which had been the regular social benefit (designed for those ones, who were unable to work out of health or family reasons) and employment substituting allowance (“foglalkoztatásthelyettesítőtámogatás”, designed for other ones besides the first category). Since 1st March 2015 the denomination of regular social benefit had been changed for “health impairment and child care allowance”. See: SASB Act, sec. 33-39. [↑](#footnote-ref-90)
91. European Commission, *Country Report Hungary 2015 – Including an In-Depth Review on the prevention and correction of macroeconomic imbalances*, Commission Staff Working Document, SWD(2015) 35 final/2, Brussels, 18.3.2015 [hereinafter: Country Report 2015], 37. [↑](#footnote-ref-91)
92. Ibid, 36. [↑](#footnote-ref-92)
93. SEBU Act, sec. 58(5)(d)(5), 54(9)(10b). [↑](#footnote-ref-93)
94. APLWA Act, sec. 7(4). [↑](#footnote-ref-94)
95. APLWA Act sec. 7(4) was amended by the section 29 of the Act XXVI of 2016. [↑](#footnote-ref-95)
96. PWS Act, sec. 2(3a)(3c). [↑](#footnote-ref-96)
97. SEBU Act, sec. 28(3), 29(1)(d). [↑](#footnote-ref-97)
98. SASB Act, sec. 34(2)(c), 36(1). [↑](#footnote-ref-98)
99. Rules in detail: Gov. Decree No. 328/2015. (XI.10.) (see: <http://njt.hu/cgi_bin/njt_doc.cgi?docid=192083.328943>; in Hungarian) , SEBU Act, sec. 40(4). [↑](#footnote-ref-99)
100. Gov. Decree 327/2012. (XI. 16.), sec.(42). [↑](#footnote-ref-100)
101. See: <http://njt.hu/cgi_bin/njt_doc.cgi?docid=30337.329291>; in Hungarian. [↑](#footnote-ref-101)
102. FPBE Act, sec. 2(1). [↑](#footnote-ref-102)
103. FPBE Act, sec. 1(1)(d)(e). [↑](#footnote-ref-103)
104. FPBE Act, sec. 31(1)(e), 31(4)(c). [↑](#footnote-ref-104)
105. SASB Act, sec. 4(1)(f); SZCSM Decree No. 1/2000. (I.7.), sec. 2(f), 4(1)(b) (see: <http://njt.hu/cgi_bin/njt_doc.cgi?docid=47767.335410>; in Hungary). [↑](#footnote-ref-105)
106. Submission of the Hand in Hand Foundation to the Draft General Comment on the Article 9 of the CRPD; available: <http://www.ohchr.org/EN/HRBodies/CRPD/Pages/DGCArticles12And9.aspx>. [↑](#footnote-ref-106)