



16th January, 2023.

Providing information on the new Hungarian anti-strike legislation

Dear Esther,

We are writing to you to inform the ETUC about the latest anti-worker legislative move of the Hungarian Government. As we have seen the press release of the ETUC on a new anti-strike law of the UK, we believe that anti-strike legislations are becoming a common practice in Europe against trade union actions realized in the current cost of living crisis.

The right to strike in the public education sector has already been heavily restricted by the Government as a response to the increasing dissatisfaction of teachers. Firstly, a temporary Government decree in February 2022 declared that during the strike, the supervision of children has to be fully maintained even by the workers participating in the strike. Moreover, 50% of the lessons of all subjects and 100% of graduation subjects (e. g., maths, literature, history in graduating classes) are required to be conducted as normally. In practice, these provisions mean that workers who go on strike actually have to work: they have to either supervise the students or teach them as usual, even though they lose their wages because of the strike. Since May 2022, legislation has made these temporary provisions permanent by the force of law. In reality, this means that no efficient strikes can be organised in the public education, therefore workers are deprived of the right to strike. As going on an efficient and lawful strike became impossible, thousands of teachers continue the fight by organising civil disobedience actions, during which they do not provide this so-called ‘minimum service’.

The latest anti-worker Government decree which was proclaimed on the 12th January 2023 is aimed to punish those workers who participate in the civil disobedience actions. In general, the employer can only terminate the employment without notice and severance pay within a period of fifteen days of gaining knowledge about the circumstances of a violation committed by the employee. The decree extends this period until the 1st of August which means the employees have to work under the threat of losing their jobs without notice and severance pay. There is no need to explain how this extension opens the door to abuse, extortion, and other forms of oppressive behaviour on the employer side. There is no reason to doubt the anti-strike intent behind the decree, as it is explicitly acknowledged in the justificatory part of the legal text.

We hope this information will help raise awareness of the ongoing attacks on the right to strike and other forms of collective action.

As Hungarian affiliates of the ETUC:

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