

Tightening labour and labour safety inspections in 2016

The aim of labour inspection is to define whether the employer complies with the basic rules and principles of labour legislation. The subject of the inspection is compliance with the provisions regarding to women, young employees, employees with changed working abilities, to the records of working and resting time, to enforcement of the provisions on protection of wage, to the performance of certificates and of settlements issued related to termination of employment, legality of performance requirements or normality of temporary employment.

The aim of the labour safety inspection is to state whether the employer fulfils the requirements on conditions of occupational health and safety. The results of last year's inspections show that a majority of domestic employers inspected do not comply with the provisions of statutory instruments. During labour safety inspections approximately a fine of 116,000,000 HUF, whereas labour inspections a fine of 222,000,000 HUF were imposed.

Regarding the unchanged situation for years the Hungarian Government decided to strengthen the inspections. According to the inspection plan approved by the Minister of National Economy, in labour safety a higher attention is to be devoted to legal protection of the employers using dangerous technologies or work equipments as well as of vulnerable employee groups (young employees, women, employees with changed working abilities) in 2016.

In addition, the following sectors were generally appointed for inspection: constructions, agriculture, manufacturing, mining and health care. This year the focus is on metalworking within the framework of targeted inspection. Due to the fact that 10% of the accidents at work occurred in this industry strict supervision is highly justified. Authorities will hold targeted inspections according to their own concepts considering the local economic situation of their area of jurisdiction and their inspection experiences. Furthermore, other inspection activity will naturally be implemented according to which in the event of infringement a fine of 50,000 -10,000,000 HUF can be imposed.

Within the framework of labour inspections in 2016 the main target is to disclose employment without contract or undeclared labour, which give most of the infringements. This type of infringements particularly violates not only the interest of employees and competitors but also the state's with the loss of tax revenues. In this regard the authorities must hold post-inspections relating to detected infringements. Furthermore, it is essential to enforce the regulation of employee allowances as well as working and resting time.

Based on the experiences of last year metalworking industry and security service have been also appointed sectors for inspections.

Initially in spring targeted inspections related to the regulation of wages can be expected. In summer, subsequent in-depth inspections can be expected on the implementation of employment rules in favour of the regular legal status of the employees. In autumn, as targeted inspections, keeping the regulation on working and resting time and on reporting of working hours will be investigated.

KRS Law Firm organizes a business breakfast in April in order to ensure better understanding of the regulation, as well as an employment event which will take place in the Glass Hall of MÜPA Budapest on 24th of May 2016, on latter occasion the results of the inspections will separately presented.