Public sector in Hungary

FMOW conference
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Public sector in Hungary

➢ Equal treatment for all in working conditions (remuneration, removal etc.) by the Labour Code as subsidiary rules to the specific public sector acts
➢ Nationality conditions
  ▪ exclusion of EEA nationals and family members by law (selected positions, public officials, administration of justice, officer in defence and law enforcement) and some confidential or leading positions of public servants as determined in ministerial decrees — 250 000
  ▪ inclusion of non-nationals (public servants, typist, file administrator in administration of justice, public officials) — 600 000
  ▪ ministerial exemption (dual nationality...)

Public sector in Hungary

➢ Recognition of professional experience in accession of posts
  ▪ No specific rules
  ▪ in practice refused recognition of experiences obtained in public sector in another state (restrictive even for nationals moving inside the public sector)
➢ Recognition of diplomas/qualifications
  ▪ no specific rules in public sector with exception of language exam (bilingual)
  ▪ no specific rules but general ones (transposition of Dir. on regulated professions)

Public sector in Hungary

➢ Language requirement
  ▪ required sufficient language knowledge to the job of inclusion of EEA nationals and family members — without regulated or standard testing method (testing by employer or professional body)
  ▪ language requirements at a sufficient level and ethical knowledge and rules on professional entitlements — without regulated or standard testing method by professional bodies
  ▪ not specific requirements in Labour Code

Public sector in Hungary

➢ Entry/admission examination for public officials introduced (1 November 2009)
  ▪ Act on Public Officials, Government Decree, Examination management in government agency Central Recruitment Service, regional exam bodies
  ▪ Pre-condition of entry and keeping up the employment of public officials without five years practice
  ▪ Examination shall be/or may be taken only by Hungarian nationals — non-national applicants are exempted by the Act and Decree, its fees covered by the applicant
  ▪ Obligatory advertisement and recruitment process by the network of the CRS — in practice advertisements without reference on EEA nationals and family members

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Conclusions

➢ Position as public servant (public service supplier) is opened for all
➢ The circle of exclusion for non-nationals has remained wide and not necessarily based on genuine practice of public power of all jobs (legally labeled working organisations)
➢ Certain inclusive changes were made in favour of persons entitled the right to free movement in marginal positions (fie administrator, typists)
➢ Language requirements are not standardized and tested in a regulated way
➢ No efforts to specify
  ▪ sui generis conditions in recognition of qualification in public sector
  ▪ labour experiences out of Hungary/the given public sector
  ▪ standardized language knowledge
➢ Reverse discrimination in entry examination