

Viktor Orbán
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cc:

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Brussels, 29 April 2020

IndustriAll European Trade Union calls on the government of Hungary to ensure respect of fundamental workers' rights and return to social dialogue

Dear Prime Minister Viktor Orbán,

I am writing to you on behalf of industriAll European Trade Union, representing 7 million workers in manufacturing, mining and energy industries in Europe, including in Hungary.

With this letter, I would like to express deep concerns about the Hungarian governmental decree 47/2020. (III. 18.) and 104/2020. (IV.10.) only announced to the social partners at the Permanent Consultation Forum of the Private Sector and Government (VKF) on 15 April 2020.

We are particularly concerned about §1 (1) of the governmental decree (104/2020.) that offers employers the opportunity to unilaterally extend the previously agreed working time frame up to 24 months and to by-pass provisions laid down previously in collective agreements.

We fully understand and agree, that all governments in Europe need to take extraordinary measures to fight the corona virus, to protect the health and safety of their citizens and to sustain their economies.

We emphasize however, that such measures must be temporary, proportionate, and not go beyond what is necessary. Once we have overcome the crisis, existing standards and rights must be reinstated. What is more, any new regulations on working time and rest periods must be negotiated between social partners.

Our specific concerns regarding the Hungarian governmental decrees are the following:

1. The governmental decree 104/2020. (IV.10.) leads to an intolerable burden on workers and is likely to provoke negative effects on their health. The decree introduces a 24-month

working time frame. This means that workers can be required to work up to 60 hours a week with only 1 (one!) day off each month. This is against the working time Directive of the European Union 2003/88/EC. This governmental decree in this regard overwrites collective agreements of trade unions and employers. This is an annulment of the freedom of contract of independent economic partners.

2. The governmental decree 47/2020th (III. 18.) and 104/2020. (IV.10.) violates the ILO core Convention 98 on the right to organise and collective bargaining, which Hungary has ratified.
3. The governmental decree 47/2020th (III. 18.) and 104/2020. (IV.10.) did not consider the European social model because the social partners were not consulted. We have been informed by our affiliates, that the trade union confederations were merely notified about the changes in labour law rules and not consulted. Social dialogue is a major pillar of the European social model and as a member of the European Union, the Hungarian Government should consult social partners prior to adopting such far-reaching measures.

We are thus highly alarmed by the attacks on fundamental labour rights and rights to workers' health and safety that the governmental decrees represent.

As a member of the European Union, Hungary must ensure that its government and all public institutions are accountable under the rule of law and that laws effectively protect fundamental rights.

We therefore call on you to ensure that fundamental labour rights, as well as workers' health and safety rights are upheld in conformity with Hungary's international commitments. Most importantly, we urge you to reinstall social dialogue and clear the path for genuine collective bargaining to take place.

Yours sincerely,

Luc Triangle
General Secretary