## Mohamad Alkhaled

# From Stability to Flexibility: The Evolution of Employment Relationships in the 21st Century

#### 1. Introduction

The nature of work and employment relations has undergone significant transformations over the past few decades, driven by globalization, technological advances, and shifts in labour market dynamics. Traditionally, the standard employment model, characterized by permanent and full-time contracts, has provided workers with stability, predictable income, and comprehensive social protection. However, the rise of neoliberal economic policies has led to an increasing prevalence of atypical employment arrangements, including part-time, temporary, and temporary work. Once considered exceptions to the norm, these non-standard forms of employment have become an integral part of the labour market, raising critical questions about their implications for workers' rights and social security systems. In many jurisdictions, including Hungary, labour laws have begun to adapt to these changes, introducing different forms of atypical employment to meet the demands of a dynamic workforce. Despite these legislative efforts, significant challenges remain in ensuring that social security systems adequately protect workers in non-standard jobs. Traditional frameworks, often based on the assumption of stable, long-term employment, struggle to accommodate the irregular working patterns that characterize the modern labour landscape. This study explores the complexities surrounding atypical employment relationships and their impact on social security provisions. By analyzing the current state of Hungarian labour law and recent legislative updates, the study seeks to identify gaps in the protection of informal workers and propose potential reforms to create a more inclusive and equal labour market. Ultimately, the study underscores the urgent need for policymakers, employers, and workers' organizations to engage in constructive dialogue to address the evolving realities of work in the 21st century and ensure that all workers, regardless of their employment status, have access to basic protections and benefits.

## 2. Typical Employment Relationships

In most countries, there is a standard (or core) model of the employment relationship that receives the most significant labour and social security protection. In contrast, divergent work arrangements receive less protection compared to the magnitude of their differences with this model.<sup>1</sup>.

During the Fordist period, the full-time permanent employment relationship emerged as the dominant model for regulating the male labour market. This model was attractive to middle-skilled workers due to the associated benefits, such as stable income

<sup>&</sup>lt;sup>1</sup> Linda Dickens, 'Changing Contours of the Employment Relationship and New Modes of Labour Regulation. Rapporteur Paper' [2003] International Industrial Relations Association 13th Conference 1 <a href="https://ilo-ilera.org/wp-content/uploads/2020/04/track\_2\_dickens.pdf">https://ilo-ilera.org/wp-content/uploads/2020/04/track\_2\_dickens.pdf</a>.

and employment and comprehensive labour and social security protections. <sup>2</sup> These incentives encouraged workers to pursue and retain such employment while ensuring that companies had a reliable consumer base. The term "standard" reflects its role as a regulatory framework and implies that this model is expected to be the norm, with non-standard forms of work considered atypical. <sup>3</sup> Notably, this standard employment relationship remains prevalent today, as evidenced by that 58% of individuals in employment across the EU28 are engaged under full-time permanent contracts.<sup>4</sup>

## 2.1. The Key Elements of the Typical Standard Employment Relationship

To gain a deeper understanding of the concept of the typical employment relationship, it is necessary to identify the core critical elements of it, which are represented by the following points:

## 2.1.1. Employment Relationship

The International Labour Conference issued Recommendation 198 during its 95th session in 2006 to establish a more stable definition of the employment relationship and ensure its protection. This section will reference this instrument and the work of authors such as Freedland to outline the initial features defining a standard employment relationship.<sup>5</sup>

The primary element defining the standard (typical) employment relationship is the personal subordination of the employee to the employer. Traditionally, subordination is understood as the employer's control and direction over the worker. This "hierarchical power" allows the employer to issue orders, monitor compliance, and impose sanctions for failing to adhere to those orders.<sup>6</sup>

However, it is essential to recognise that the degree of autonomy experienced by workers can vary significantly based on the nature of their work. For instance, blue-collar workers typically have limited control over their work environment, whereas more skilled workers enjoy greater autonomy in determining the pace and organisation of their tasks. <sup>7</sup> This shift in autonomy is particularly evident as technological advancements and increased specialisation have made it more challenging for employers

<sup>&</sup>lt;sup>2</sup> Adrián Goldin, Labour Subordination and the Subjective Weakening of Labour Law' [2006] Boundaries and Frontiers of Labour Law: Goals and Means in the Regulation of Work 109 <a href="http://www.relats.org/documentos/EATP.TA.Goldin2.pdf">http://www.relats.org/documentos/EATP.TA.Goldin2.pdf</a>>.

<sup>&</sup>lt;sup>3</sup> Jean-Claude Barbier, 'A Conceptual Approach of the Destandardization of Employment in Europe since the 1970s', *Non-Standard Employment in Europe* (Palgrave Macmillan UK 2013).

<sup>&</sup>lt;sup>4</sup> Eurostat, *Quality* Report of the European Union Labour Force Survey (2015) <a href="https://ec.europa.eu/eurostat/documents/3888793/7018036/KS-TC-15-004-EN-N.pdf/6775b2b5-4ec9-4e4e-b6a0-f618f4ddf73e">https://ec.europa.eu/eurostat/documents/3888793/7018036/KS-TC-15-004-EN-N.pdf/6775b2b5-4ec9-4e4e-b6a0-f618f4ddf73e</a>.

<sup>&</sup>lt;sup>5</sup> ILO, 'Employment Relationship Recommendation' (2006) 2006 No. 198 1 <a href="https://webapps.ilo.org/static/english/inwork/cb-policy-guide/employmentrelationshiprecommendationno198.pdf">https://webapps.ilo.org/static/english/inwork/cb-policy-guide/employmentrelationshiprecommendationno198.pdf</a>.

<sup>&</sup>lt;sup>6</sup> Bruno Veneziani Bob Hepple, *The Transformation of Labour Law in Europe* (1st edn, Bloomsbury Publishing 2009).

<sup>&</sup>lt;sup>7</sup> Eurofund, "TIME CONSTRAINTS AND AUTONOMY AT WORK IN THE EUROPEAN UNION" (2001) <a href="https://www.eurofound.europa.eu/system/files/2020-08/ef9743en\_0.pdf">https://www.eurofound.europa.eu/system/files/2020-08/ef9743en\_0.pdf</a>.

to closely supervise skilled workers' performance. In such cases, subordination is viewed more as a functional coordination than a strict command. Factors such as the employee's integration into the employer's organisational structure and whether the employer provides the necessary tools also play a role in this understanding.8

Another critical feature of the employment relationship is its bilateral character, which stems from its contractual nature. Freedland and Countouris argue that unequal bargaining power, a traditional foundation of labour law, is inherently linked to the standard employment relationship's subordinate, bilateral, and contractual nature.9

Additionally, some countries recognise an extra feature in the employeremployee relationship known as mutuality of obligations. This concept is generally understood as the employee's obligation to be available for work and the employer's corresponding duty to provide work.<sup>10</sup>

Furthermore, employees receive a salary in exchange for their work, which benefits the employer. Essentially, the employee is leasing their working capacity for a specified period and, in return, receives remuneration for the services rendered. 11

This arrangement leads to another defining characteristic: the economic dependency of the employee on the employer. The employment relationship typically serves as the primary source of income for the worker, limiting their ability to spread financial risks.12

Lastly, work is usually performed on the employer's premises, a characteristic rooted in the Fordist industrial model that underpins the standard employment relationship. However, this aspect is contested in various jurisdictions. For example, in countries like France and Belgium, performing work outside the employer's premises does not automatically alter the employment status. However, it may lead to greater protections for the worker.<sup>13</sup>

### 2.1.2. Income Security

Income security refers to the assurance that individuals receive a salary sufficient to meet their basic living needs and the expectation of adequate social insurance. These elements are closely tied to labour stability and full-time employment in standard employment relationships.<sup>14</sup>

This sense of income security plays a crucial role in the broader social function of standard employment. It allows individuals to not only meet their immediate needs but also to plan for the future. With a stable income, people can make long-term

<sup>8</sup> ibid.

<sup>&</sup>lt;sup>9</sup> Leah F Vosko, Managing the Margins: Gender, Citizenship, and the International Regulation of Precarious Employment (Oxford University Press 2010).

<sup>10 (</sup>ILO 2006)

<sup>&</sup>lt;sup>11</sup> Social Europe, 'UvA-DARE ( Digital Academic Repository ) The Employment Contract as an Exclusionary Device' [2008] University Amsterdam <a href="https://pure.uva.nl/ws/files/4151356/58591\_286406.pdf">https://pure.uva.nl/ws/files/4151356/58591\_286406.pdf</a>.

<sup>12 (</sup>ILO 2006)

<sup>&</sup>lt;sup>13</sup> Bob Hepple (n 6).

<sup>&</sup>lt;sup>14</sup> Gerhard Bosch, 'Towards a New Standard Employment Relationship in Western Europe', British Journal of Industrial Relations (Blackwell Publishing Ltd 2004).

investments, stimulating economic growth. This stability has been a fundamental component of the post-war monetary system.<sup>15</sup>

Moreover, income security contributes to government revenues through taxation, essential for building and maintaining the welfare state. Governments can provide necessary services and support systems that benefit society by ensuring workers have a reliable income.<sup>16</sup>

## 2.1.3. Job Stability

Job stability is a fundamental aspect of the standard employment relationship. It provides a reliable framework that allows companies to depend on their employees for cooperation in exchange for job security.<sup>17</sup>

This concept consists of two main elements:

Firstly, the employment relationship is typically characterised by an indefinite duration, meaning it can only be terminated under specific conditions, such as incompetence, misconduct, or economic necessity. This long-term commitment fosters a sense of security for both the employee and the employer, often reflected in the investment in employee training and the increased autonomy granted to workers within the organisation.<sup>18</sup>

Secondly, employees usually work full-time within a defined schedule, often called "standardised working time." This arrangement includes provisions for statutory holidays and leave, further contributing to the stability and predictability of the work environment. Together, these elements of job stability create a solid foundation for both employee satisfaction and organisational effectiveness.<sup>19</sup>

## 2.1.4. Legal Protections for Standard Workers (Legislations and Collectives Agreements)

When all necessary criteria are met, statutory law and collective agreements protect an employment relationship. Standard workers typically benefit the most from the protections offered by trade unions, which help enforce legislative standards through various means, including providing information and legal representation. <sup>20</sup> In addition to labour law protections, standard workers enjoy extensive coverage under social security systems. The standard worker has historically been a benchmark for work-related social insurance schemes in many Western countries. This comprehensive

<sup>16</sup> Katherine Stone and Harry Arthurs, 'The Transformation of Employment Regimes: A Worldwide Challenge' (2013) 9781610448 1.

Pécsi Munkajogi Közlemények

<sup>15</sup> ibid.

<sup>17</sup> Bosch (n 14).

<sup>&</sup>lt;sup>18</sup> Nuna Zekic, Job Security or Employment Security: What's in a Name?' (2016) 7 European Labour Law Journal 548.

<sup>19</sup> ibid.

<sup>&</sup>lt;sup>20</sup> Katherine V Stone Harry Arthurs &, 'RethinkingEmplRegulation' (York University, 2013) <a href="https://www.researchgate.net/publication/293116423\_Rethinking\_workplace\_regulation\_Beyond\_the\_standard\_contract\_of\_employment">https://www.researchgate.net/publication/293116423\_Rethinking\_workplace\_regulation\_Beyond\_the\_standard\_contract\_of\_employment</a>.

protection ensures that standard workers have access to the support and benefits they need, reinforcing their rights and security in the workplace.<sup>21</sup>

In conclusion, typical work refers to the standard or core employment model characterised by a full-time, permanent employment relationship under an open-ended contract. This work generally provides the most significant labour and social security protection. Typical work is often associated with stable income, job security, and a comprehensive range of benefits, such as health insurance, retirement plans, and unemployment benefits. It contrasts with atypical work, which includes non-standard forms of employment such as part-time work, temporary contracts, freelance work, and gig economy jobs, which may offer less stability and fewer protections.<sup>22</sup>

**Employment** Relationship Legal Protections The hierarchical Protections structure and through laws and subordination in collective the workplace agreements **Income Security** Job Stability Long-term Assurance of a commitment and stable salary and full-time work social insurance arrangements

Figure 1. Anatomy of a Standard Employment Relationship

## 2.2. Internal Challenges to the Essential Features of the Typical (Standard) Employment Relationship

Traditionally characterised by stable, full-time, and indefinite contracts, the standard employment relationship is increasingly confronted with internal challenges that undermine its foundational features. These challenges arise from shifts in labour market dynamics, evolving worker expectations, and changes in organisational practices. One prominent internal challenge is the gradual erosion of job security. In response to economic pressures and the need for operational flexibility, many employers are transitioning from permanent, full-time positions to temporary, part-time, or contract-based employment arrangements. This trend diminishes the stability of standard employment and exposes workers to heightened vulnerability in economic fluctuations, compromising their job security.<sup>23</sup>

Additionally, the nature of work itself is undergoing significant transformation. The advent of technology and the proliferation of the gig economy have led to an increase in non-standard forms of employment, which, while offering greater flexibility, often lack the security and benefits inherent in traditional jobs. This evolution has

PMJK 2024/1-2. 131

<sup>21</sup> Bosch (n 14).

<sup>&</sup>lt;sup>22</sup> Simon Deakin, 'Addressing Labour Market Segmentation: The Role of Labour Law' [2013] Corporate Governance 1689.

<sup>&</sup>lt;sup>23</sup> Harry Arthurs and Katherine V Stone, 'The Transformation of Employment Regimes: A Worldwide Challenge' [2013] Russel sage foundation.

resulted in a blurring of distinctions between standard and non-standard work, as employees increasingly prioritise autonomy and work-life balance over the conventional advantages associated with standard employment. Consequently, worker expectations are shifting, leading to a demand for more diverse and adaptable employment arrangements.<sup>24</sup>

Moreover, the traditional employer-employee relationship is being redefined. Many workers are classified as independent or working throw-out mediators (for example, the agency work in most European member states), diminishing the mutual obligations characterising standard employment. This reclassification can result in a lack of access to essential benefits such as health insurance, retirement plans, and paid leave, typically afforded to standard employees under labour law.<sup>25</sup>

The rise of telework further complicates the standard employment relationship. While remote work can enhance flexibility, it challenges the conventional notions of supervision and control that underpin the employer-employee dynamic. Employers may encounter difficulties maintaining oversight and ensuring productivity, leading to potential performance expectations and accountability disputes.<sup>26</sup>

Finally, the increasing reliance on technology in the workplace can create disparities within the employment relationship. Workers who lack technological proficiency may be disadvantaged, resulting in a divide between those who can adapt to new tools and those who cannot. This technological gap can exacerbate job insecurity and limit opportunities for advancement within the standard employment framework.

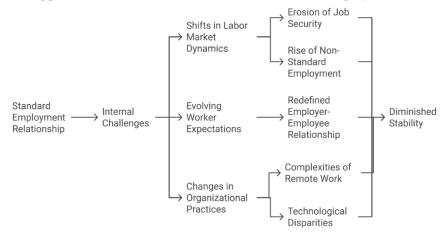


Figure 2. The Internal Challenges of Standard Employment Relationship

<sup>&</sup>lt;sup>24</sup> M Gunderson, 'Gunderson, M. (2013), 'Changes in the Labour Market and the Nature of Employment in Western Countries'

 $<sup>&</sup>lt;https://www.researchgate.net/publication/290947666\_Changes\_in\_the\_labor\_market\_and\_the\_nature\_of\_employment\_in\_Western\_countries>.$ 

<sup>&</sup>lt;sup>25</sup> OECD, 'Non-Regular Employment , Job Security' (2014) <a href="https://www.oecd-ilibrary.org/docserver/empl\_outlook-2014-7-en.pdf?expires=1729123730&id=id&accname=guest&checksum=E6C59AA27AB4BDF496B3856131F">https://www.oecd-ilibrary.org/docserver/empl\_outlook-2014-7-en.pdf?expires=1729123730&id=id&accname=guest&checksum=E6C59AA27AB4BDF496B3856131F</a>

en.pdf?expires=1729123730&id=id&accname=guest&checksum=E6C59AA27AB4BDF496B3856131F E54ED>.

<sup>&</sup>lt;sup>26</sup> Gunderson (n 24).

## 2.3. External Challenges to the Essential Features of the Standard Employment Relationship

The standard employment relationship, characterised by full-time, permanent positions with a single employer, has long been the cornerstone of labour markets in many developed economies. However, this model is increasingly facing external challenges that threaten its predominance.

These challenges arise from various socio-economic factors, including globalisation, technological advancements, and shifts in labour market dynamics. As these forces reshape the work landscape, they compel a reevaluation of the traditional employment framework and its associated protections. <sup>27</sup>

Globalisation has significantly altered the nature of work, leading to a rise in non-standard employment arrangements. The standard employment relationship continues to be the most common form of work, and significant evidence shows a decrease in its prevalence. <sup>28</sup> Temporary work, part-time work, and self-employment represent a third of all employment in OECD countries and half of the new jobs created since the 1990s have been in one of these modes. <sup>29</sup> To this end, in the Netherlands, part-time employment represented 48% of its labour force in 2021. <sup>30</sup>

The integration of global markets has facilitated labour outsourcing to countries with lower labour costs, resulting in a decline in stable, full-time jobs in developed nations. This trend is particularly evident in industries such as manufacturing and services, where companies seek to maximise profits by reducing labour costs.<sup>31</sup> As a result, workers increasingly find themselves in precarious positions, often employed on a temporary or part-time basis or engaged in freelance work. This shift undermines the stability of the standard employment relationship and raises concerns about job security and workers' rights. Scholars have noted that the rise of non-standard employment is a direct consequence of globalisation, which has led to a more fragmented labour market and a decline in workers' bargaining power.<sup>32</sup>

Another factor related to technological advancements further exacerbate the challenges to the standard employment relationship. The rise of digital platforms and the gig economy has transformed how work is organised and performed. Workers can now offer their services through online platforms, often without the protections

32 Bosch (n 14).

PMJK 2024/1-2. 133

<sup>&</sup>lt;sup>27</sup> Barbier (n 3).

<sup>&</sup>lt;sup>28</sup> ILO, 'Non-Standard Employment around the World: Understanding Challenges, Shaping Prospects' (2016) <a href="https://www.ilo.org/publications/major-publications/non-standard-employment-around-world-understanding-challenges-shaping">https://www.ilo.org/publications/major-publications/non-standard-employment-around-world-understanding-challenges-shaping</a>>.

<sup>&</sup>lt;sup>29</sup> OECD, 'In It Together: Why Less Inequality Benefits All' (2015) <a href="https://www.oecd.org/en/publications/in-it-together-why-less-inequality-benefits-all\_9789264235120-en.html">https://www.oecd.org/en/publications/in-it-together-why-less-inequality-benefits-all\_9789264235120-en.html</a>.

<sup>&</sup>lt;sup>30</sup> NL Times, 'About Half of the Dutch Workforce Is Employed Part-Time, Including 70% of Women' (2022) <a href="https://nltimes.nl/2022/09/12/half-dutch-workforce-employed-part-time-including-70-women#:~:text=2022 - 17%3A45-,About half of the Dutch workforce is employed part-time,time more often than men.">accessed 17 October 2024.

<sup>&</sup>lt;sup>31</sup> OECD, 'Protecting Jobs, Enhancing Flexibility: A New Look at Employment Protection Legislation' (2013) <a href="https://www.oecd-ilibrary.org/employment/oecd-employment-outlook-2013/protecting-jobs-enhancing-flexibility-a-new-look-at-employment-protection-legislation\_empl\_outlook-2013-6-en>.

afforded by traditional employment contracts. This shift has given rise to a new class of workers who operate in a legal grey area, usually classified as independent contractors rather than employees. As a result, they are frequently denied access to essential benefits such as health insurance, retirement plans, and unemployment compensation. The legal classification of gig workers has become a contentious issue, with courts and legislatures grappling with applying existing labour laws to this new form of work. The lack of clear legal frameworks to address the rights and protections of gig workers poses significant challenges to the standard employment relationship, as it blurs the lines between employment and self-employment. <sup>33</sup>

Moreover, the increasing flexibilisation of labour markets has led to a decline in the features that traditionally define the standard employment relationship. The concept of job security, once a hallmark of stable employment, is now being eroded as employers adopt more flexible hiring practices. Temporary, part-time, and zero-hour contracts have become more prevalent, allowing employers to adjust their workforce in response to fluctuating demand. In Germany, workers in mini-jobs (who make up two-fifths of the labour force in the domestic sector) must be covered by statutory insurance against labour accidents. However, they may choose whether or not to be covered by health insurance.  $^{34}$ In the UK, employees earning above the lower earnings limit (£123 per week or £533 per month for 2024/25) but below the primary threshold (£242 per week or £1,048 per month for 2024/25) are treated as having paid NICs without actually having to make a payment (nor do their employers). However, their entitlement to benefits increases as though they were paying contributions (through the so-called National Insurance credits).  $^{35}$  These different flexible forms of work may disadvantage workers in acquiring entitlement to social insurance benefits.

The rise of non-standard employment also raises significant questions about the adequacy of existing social security systems. Traditional social security frameworks have been designed with the standard employment relationship in mind, providing benefits and protections based on the assumption of stable, long-term employment. However, as non-standard work becomes more prevalent, these systems are increasingly ill-equipped to address the needs of workers in precarious positions. For instance, gig workers often lack access to unemployment benefits, health insurance, and retirement savings plans, leaving them vulnerable to economic shocks. This social protection gap affects individual workers and has broader implications for public policy and financial stability. Policymakers are now faced with the challenge of adapting social security systems to accommodate the realities of non-standard work, ensuring that all workers, regardless of their employment status, have access to essential protections.

In addition to these economic and legal challenges, the changing nature of work has also prompted a reevaluation of the social contract between employers and employees. The traditional employment model was built on mutual obligations, where

Pécsi Munkajogi Közlemények

134

<sup>&</sup>lt;sup>33</sup> ILO, 'Non-Standard Employment around the World: Understanding Challenges, Shaping Prospects' (n 28).

<sup>&</sup>lt;sup>34</sup> Werner Eichhorst and Verena Tobsch, 'Has Atypical Work Become Typical in Germany? Country Case Study on Labour Market Segmentation' [2013] ILO Employment Working Paper.

<sup>35</sup> Low income tax reform Group, 'NIC for Employees' (2024) <a href="https://www.litrg.org.uk/working/employment/nic-employees#:~:text=Earnings">https://www.litrg.org.uk/working/employment/nic-employees#:~:text=Earnings</a> below the weekly%2Fmonthly thresholds,-If you earn&text=If you have earnings above, having to make a payment.>.

employers provided job security and benefits in exchange for workers' loyalty and productivity. However, as the standard employment relationship becomes less common, this social contract is being undermined. Workers in non-standard positions often experience a lack of connection to their employers, leading to diminished job satisfaction and engagement. This disconnection can significantly affect workplace culture and productivity, as employees who feel undervalued or insecure are less likely to invest in their work. The erosion of the social contract highlights the need for new models of employment that prioritise worker well-being and engagement, even in the absence of traditional employment arrangements.<sup>36</sup>

The legal landscape surrounding employment also evolves in response to these external challenges. Courts and legislatures increasingly recognise the need to adapt existing labour laws to protect workers in non-standard positions better. For example, some jurisdictions have begun to extend certain rights and benefits to gig workers, acknowledging that their work resembles traditional employment in many respects. This shift reflects a growing recognition of the need to protect all workers, regardless of their employment status, and to ensure that labour laws keep pace with the changing nature of work. In this regard, a recent study for the European Commission noted that at least half of all temporary workers in ten Member States of the EU risk not being entitled to unemployment insurance benefits, a percentage which rises to over 70% in the case of the UK, Slovakia, Estonia and Latvia.<sup>37</sup> Even if they are entitled to a particular benefit, a person who has not been in full-time employment almost uninterruptedly will struggle to draw a full pension in certain EU countries. Furthermore, temporary workers not only experience earning instability but also lower and slower-growing wages, 38 which in turn may reflect in the level of their benefits (the increasing correlation between benefit levels - particularly concerning pensions - and contributions have exacerbated this problem). <sup>39</sup> As a way to combat the adverse effects of labour market fragmentation, it is interesting to note measures introduced by certain countries to take into account periods outside employment for accessing social security benefits. In this regard, The Dutch social security system accounts for the country's high rate of part-time and flexible employment by extending unemployment benefits to flex workers, such as temporary, part-time, and on-call workers, provided they meet contribution requirements. Workers in these categories must have been employed for at least 26 weeks in the 36 weeks prior to unemployment to be eligible for benefits. <sup>40</sup> These provisions ensure that individuals with fragmented work histories maintain access to social protection.

In Hungary, the Simplified Employment Act (LXXV of 2010) provides a framework for casual and seasonal workers to enter into employment through simplified contracts. This system is designed to support workers in sectors like agriculture and tourism, allowing them to benefit from formal employment relationships while reducing the administrative burden for employers. The contracts

<sup>&</sup>lt;sup>36</sup> Stone and Arthurs (n 16).

<sup>&</sup>lt;sup>37</sup> Manos Matsaganis and others, 'Non-Standard Employment and Access to Social Security Benefits' [2016] Research note 8/2015 43 <a href="http://ec.europa.eu/social/BlobServlet?docId=15687&langId=en">http://ec.europa.eu/social/BlobServlet?docId=15687&langId=en</a>.

<sup>&</sup>lt;sup>38</sup> OECD, 'In It Together: Why Less Inequality Benefits All' (n 29).

<sup>&</sup>lt;sup>39</sup> Arne Heise and Hanna Lierse, 'The Effects of European Austerity Programmes on Social Security Systems' [2011] Modern Economy.

<sup>&</sup>lt;sup>40</sup> Claiming unemployment benefit (WW-uitkering) 2024.

under this scheme are registered electronically, facilitating easier monitoring and reporting by employers while decreasing undeclared work. Casual workers under this system are typically limited to working five consecutive days, 15 days per month, or a maximum of 90 days per year with the same employer. However, specific seasonal work arrangements may sometimes last longer, up to 120 days <sup>41</sup>.

As the standard (typical) employment relationship continues to face external challenges, it is essential for stakeholders—including policymakers, employers, and labour organisations—to engage in a constructive dialogue about the future of work. This dialogue should focus on developing innovative solutions that address the needs of workers in non-standard positions while also considering the economic realities employers face. Potential solutions may include establishing portable benefits systems that allow workers to retain access to essential protections regardless of their employment status and implementing policies that promote fair wages and working conditions in the gig economy. By fostering collaboration among stakeholders, creating a more equitable labour market that recognises the diverse realities of work in the 21st century is possible.

In sum, the external challenges to the standard employment relationship are multifaceted and complex, driven by globalisation, technological advancements, and shifts in labour market dynamics. As non-standard forms of work become increasingly prevalent, it is crucial to reevaluate the traditional employment framework and its associated protections. This reevaluation must consider the needs of all workers, regardless of their employment status, and seek to establish a more inclusive and equitable labour market. By addressing these challenges head-on, stakeholders can work towards a future of work that prioritises worker rights, economic stability, and social protection for all.

## 3. Atypical Employment Relationships

Several significant trends and changes have influenced the evolution of typical work in the labour market.

Many researchers have discussed the historical emergence of the term "atypical employment," noting that it first gained prominence in the 1970s and 1980s. This period saw significant changes in European labour markets, driven by economic restructuring and globalisation. More flexible forms of work increasingly challenged the traditional full-time, permanent employment model. As a result, new terms like "atypical employment" were introduced to describe non-standard working arrangements such as part-time, temporary, and fixed-term contracts. <sup>42</sup>

The term "atypical job" has arguably been used in the general labour law literature since the 1980s. The first review of labour law using this term was in a special issue of Droit Social written on the subject. This publication achieved international notoriety and was translated into several languages. After the problem appeared on the agenda of the 11th Congress of the International Association of Labour Law and Social

Pécsi Munkajogi Közlemények

<sup>&</sup>lt;sup>41</sup> New forms of employment Casual work, Hungary.

<sup>&</sup>lt;sup>42</sup> Maria Jepsen Amparo Serrano-Pascual, *The Deconstruction of Employment as a Political Question* (Springer International Publishing 2018).

Security, several country reports were published containing detailed data and descriptions of the situations in the country concerned. The most widely used term was atypical employment, and a wide range of applications for the topic emerged.<sup>43</sup>

These atypical forms of employment initially emerged as exceptions to the standard employment relationship, characterised by stability and long-term security. However, these non-standard forms became more common over time, raising questions about what should be considered "typical" employment. This shift reflected broader economic changes, particularly the rise of neoliberal policies prioritising labour market flexibility and deregulation. 44

The rise of atypical employment is closely linked to the spread of neoliberal economic policies, which have emphasised labour market flexibility, deregulation, and the reduction of labour protections. These policies have encouraged employers to adopt more flexible employment practices, leading to the growth of temporary, part-time, and freelance work. The traditional employment model, characterised by stability and long-term job security, has been replaced by more precarious forms of employment, reflecting broader economic shifts.<sup>45</sup>

As we mentioned, Fordism established a framework for stable employment. However, its decline has contributed to the emergence of atypical work arrangements that pose new challenges for labour rights and social security systems.<sup>46</sup>

Over the past few decades, there has been a notable shift towards the flexibilisation of labour markets. This has weakened the features associated with typical work as employers increasingly seek more adaptable labour arrangements to respond to economic changes.<sup>47</sup>

The prevalence of non-standard forms of work, such as part-time, temporary, and self-employment, has increased significantly. In many OECD countries, these forms of employment now represent a substantial portion of the labour market, with a notable rise in the number of new jobs created in these modalities since the 1990s. 48 There has been a shift in worker preferences, with some individuals opting for more flexible work arrangements that allow for better work-life balance, even if it means sacrificing some job security and benefits associated with typical work. 49

Technological advances and the rise of the digital economy have transformed the nature of work. Remote, gig and platform-based employment have become more common, further blurring the lines between typical and atypical work.<sup>50</sup>

As the nature of work has evolved, there has been a growing recognition of the need to adapt labour laws and social security systems to address the challenges faced by

<sup>&</sup>lt;sup>43</sup> Zoltan Banko& Gerke Gyula, Hungarian Labour Law (University of Pecs Faculty of Law 2020).

<sup>&</sup>lt;sup>44</sup> Amparo Serrano-Pascual (n 42).

<sup>&</sup>lt;sup>45</sup> International Labour Office, 'Conclusions of the Meeting of Experts on Non-Standard Forms of Employment' [2015] Gb.323/Pol/3 62.

<sup>&</sup>lt;sup>46</sup> Max Koch, Employment Standards in Transition: From Fordism to Finance-Driven Capitalism', *Non-Standard Employment in Europe* (2013).

<sup>47</sup> Goldin (n 2).

<sup>&</sup>lt;sup>48</sup> OECD, 'In It Together: Why Less Inequality Benefits All' (n 29).

<sup>&</sup>lt;sup>49</sup> Gunderson (n 24).

<sup>50</sup> ibid.

non-standard workers. This includes discussions on providing adequate protections and benefits for those engaged in atypical work.

## 3.1. Atypical Employment Relationship Challenges

As was mentioned before, the (typical) standard full-time employment relationship contract has acted as the primary model for regulating work. In contrast, non-standard forms of work have been dealt with as exceptions, and, as such, they often have received different treatment. This has also been reflected in the term of social security, which has grown dependent on certain factors of standard employment. Consequently, when non-standard forms of work have grown in relevance, they have started to clash with the fundamental building blocks of social security systems. Some of these challenges are merely of a technical nature, while others demand a more profound policy response.

The first challenge is determining what is considered 'work', an issue fundamental for social security purposes, for two reasons. Many social security systems are composed of income replacement schemes constructed under the presumption that 'standard' work is the primary source of income.

The schemes are designed to generate income replacement in case the worker cannot continue to perform his traditional work activities. In these work-related schemes, workers are insured against the risk of income loss due to the ceasing of labour activities. Similarly, the financial basis for these schemes is traditional work, from which employee and employer contributions are withheld.

The evolution towards non-standard work forms generates some challenges. We name four: When does an activity become a labour activity, and when can it be considered traditional work? Which of the generated income is work-related, and from what moment is the work activity significant enough to be taken into account for social security purposes?

The first question relates to the nature of work. When exactly does an activity turn into a work activity? The question becomes more difficult to answer with a growing number of non-standard forms of work. About apprentices, trainees, prosumers, and groups alike, systems face many qualification problems. Can these activities be considered for applying our (work-related) social security schemes? A popular policy is to answer positively regarding the benefits side, especially when the activities come close to traditional work activities (such as the apprentices' case).

Another challenge related to the relationship between work and income: what should we do when income is not related to work per se but to capital? Should social security consider work income only marginal income (the income threshold issue)? Most work-related schemes still start from work-related income only. Additional sources of income (e.g. income by nature, income related to capital) do not qualify as a source (of income) for social security purposes. However, we note that in many non-standard forms of work, the distinction between work-related income and other sources of income has become blurred (especially in the case of productive consumers, employee shareholders, and self-employed shareholders who also perform professional activities within the scope of the company in which they are shareholders, etc.). In the

design of modern social security schemes, we can no longer ignore this situation, as it has become difficult to draw a dividing line between traditional work and economic risk. The focus should shift more towards income derived from the work situation in general and less towards income in terms of units (hours) of work performed. This calls for a rethinking of many social security financing systems. Similarly, the process of calculating benefits will need careful review.

Moreover, some work arrangements are (in most cases) excluded from social security systems because they are considered too marginal. This is usually the case with self-employed workers who do not have employees, whether they are economically dependent on one or several employers for a small income. <sup>51</sup>

The second challenge is identifying the employer. Identifying the employer is a fundamental aspect of social security, which determines who is responsible for paying contributions (financing), deciding on layoffs (unemployment), and granting income substitution (incapacity to work). However, doing so is not always straightforward in many atypical forms of work. Temporary agency work is an area where a great deal of effort has been made to overcome this problem, primarily by ensuring that agency companies remain responsible for meeting the employer's obligations regarding contributions. <sup>52</sup> However, this challenge has not yet been overcome. It has resurfaced with tremendous force about the status of platform workers (such as Uber drivers), an ongoing debate (about whether they work for platform users or the platform itself) that will undoubtedly have complex consequences, not to mention that sometimes flexible work across platforms, the same person is often active on several platforms almost simultaneously (while at the same time the person is not necessarily active on all the platforms on which they are registered), <sup>53</sup> and these platforms may be located in different countries, making it very difficult to track employers and work done.

The third challenge is the (work instability) that characterises most atypical forms of work. <sup>54</sup> As a result, people in atypical forms of work are pushed outside social security systems, even though they may, over time, accumulate a large number of fixed/part-time work assignments, each of which is too small to be taken into account for social security purposes. Temporary agency work regulations have attempted to address this issue, and in some European countries (e.g. the Netherlands, France and Belgium), employers, agencies and trade unions have collaborated to create special provisions to compensate for some of the periods of inactivity that characterise the fragmented careers of temporary agency workers. <sup>55</sup> Relatedly, digital platforms offering work have the potential to further increase this instability by deviating from regular

55 IDEA Consult (n 52).

PMJK 2024/1-2. 139

<sup>&</sup>lt;sup>51</sup> Ulrike Muehlberger and Silvia Pasqua, 'Workers on the Border between Employment and Self-Employment' (2009) 67 Review of Social Economy.

<sup>&</sup>lt;sup>52</sup> IDEA Consult, 'How Temporary Agency Work Compares with Other Forms of Work' (2015).

<sup>&</sup>lt;sup>53</sup> Gérard Valenduc, 'Work in the Digital Economy: Sorting the Old from the New' (2016).

<sup>&</sup>lt;sup>54</sup> European Comission, 'Access to Social Protection for People Working on Non-Standard Contracts and as Self-Employed in Europe' (2017) <a href="https://op.europa.eu/en/publication-detail/-publication/fb235634-e3a7-11e7-9749-01aa75ed71a1/language-en">https://op.europa.eu/en/publication-detail/-publication/fb235634-e3a7-11e7-9749-01aa75ed71a1/language-en</a>.

working hours. <sup>56</sup> (workers may thus face situations where they may work many hours in some periods and remain inactive in others, while social security systems are often only equipped to consider regular working hours). Social security systems should be redesigned to accommodate these irregular work patterns where periods of activity are followed by periods of inactivity. If this does not happen, systems may lose an extensive range of work activities that do not conform to the traditional (fixed period) work organisation.

## 3.2. Atypical employment in Hungarian legislation

Hungarian labour law includes various forms of atypical employment to meet the needs of the dynamic labour market and comply with EU directives. These forms naturally deviate from standard full-time and indefinite-term employment relationships, providing flexibility for employers and employees. Below is an overview of these types of employment and their regulatory framework, with reference to recent legislative updates.

## 3.2.1. Fixed-term employment

Fixed-term contracts are widely used to meet specific work requirements, such as seasonal or project-specific tasks. Under Section 192 of the Hungarian Labour Code (Act I of 2012), these contracts are limited to a maximum of five years, including extensions. This ensures that fixed-term employment remains temporary while providing legal certainty for both parties.<sup>57</sup>.

According to a study by researchers, employees working on fixed-term contracts are generally more efficient at performing basic or unskilled tasks within the company. One explanation may be that these workers are more motivated than their colleagues working on permanent contracts, as they view their fixed-term jobs as an opportunity rather than a constraint. They are willing to sign such agreements since they have no other viable option to remain active in the labour market. If a fixed-term arrangement provides an employment relationship that helps an individual avoid a worse alternative (unemployment), it may be an effective form of short-term employment.<sup>58</sup>.

#### 3.2.2. Part-time work

The Labour Code (Law I of 2012) governs part-time work in Hungary. According to Section 92 of the Labour Code, parties may agree on part-time work, defined as working hours shorter than the standard full-time work schedule of eight

58 ibid.

Pécsi Munkajogi Közlemények

<sup>&</sup>lt;sup>56</sup> Christophe Degryse, 'Digitalisation of the Economy and Its Impact on Labour Markets' [2016] etui <a href="https://www.etui.org/publications/working-papers/digitalisation-of-the-economy-and-its-impact-on-labour-markets">https://www.etui.org/publications/working-papers/digitalisation-of-the-economy-and-its-impact-on-labour-markets</a>.

<sup>&</sup>lt;sup>57</sup> Máté Vörös, Zsófia Ásványi and Diána Ivett Fűrész, 'The Hard Truth on Fixed-Term Employment and Organizational Performance – Survey-Based Evidence from Hungary' (2022) 25 Zagreb International Review of Economics and Business 165.

hours a day. The exact duration of part-time work must be specified in the employment contract. Recent legislative changes have further supported part-time work. As of July 2020, employers are obliged to accommodate an employee's request for part-time work – defined as 50% of the standard daily working time – until a child reaches the age of four. This provision is intended to help employees balance work and family responsibilities.<sup>59</sup>.

#### 3.2.3. Telework

The Hungarian Labour Code defines telework as regular activities performed away from the employer's premises using information technology devices, the results of which are transmitted electronically.

The Labour Code states the unique contents of a work contract aimed at telework: the contract should contain the parties' agreement that the employee is employed via telework.

The employer – in addition to the items listed in Section 46 informs the employee

- about the rules of supervision by the employer,
- about the rules restricting the use of information technology or electronic devices and
- about the organisational unit the employee belongs to and their work.<sup>60</sup>.

According to the definition given in the Framework Agreement on Telework, telework is a form of organising and/or performing work using information technology in the context of an employment contract/relationship, where work, which could also be performed at the employer premises, is carried out away from those premises regularly.<sup>61</sup>.

The Hungarian government has introduced measures to facilitate remote working in response to the pandemic. Government Decree No. 47/2020 allowed employees and employers to freely derogate from specific provisions of the Labour Code, enabling more flexible remote working arrangements during the state of emergency. This decree aimed to accommodate the sudden shift to remote working imposed by the pandemic. In addition, the pandemic has prompted discussions about the need for more comprehensive remote working regulations in Hungary. While temporary measures have been implemented, there is ongoing discussion about creating permanent legislative frameworks to address the legal, health and safety aspects of remote working. <sup>62</sup>.

PMJK 2024/1-2. 141

.

<sup>&</sup>lt;sup>59</sup> Pablo Sanz De Miguel, Maria Caprile and Juan Arasanz, 'Regulating Telework in a Post-COVID-19 Europe: Recent Developments' 1 <a href="https://osha.europa.eu/en/publications/regulating-telework-post-covid-19-europe">https://osha.europa.eu/en/publications/regulating-telework-post-covid-19-europe</a>.

<sup>&</sup>lt;sup>60</sup> Zoltán Bankó, 'Telework in Hungary – Legislative, Jurisdictionary and Labour Market Policy Experiences' [2016] HUNGARIAN LABOUR LAW E-Journal 91 <a href="http://hllj.hu/letolt/2016\_2\_a/A\_06\_Banko\_hllj\_2016\_2.pdf">http://hllj.hu/letolt/2016\_2\_a/A\_06\_Banko\_hllj\_2016\_2.pdf</a>.

<sup>61</sup> Zoltan Banko& Gerke Gyula (n 43).

 $<sup>^{62}</sup>$  Rsai Congress, 'Changes in the World of Work since the COVID- 19 Epidemic in Rural Areas in Hungary' 259.

## 3.2.4. Simplified Employment

Simplified recruitment is designed for temporary and seasonal roles, particularly in agriculture and tourism, and is governed by Act No. LXXV of 2010. The Act aims to facilitate seasonal and casual employment notifications, reports, and payments. It reduces administrative burdens while ensuring essential protection for employees. The law allows up to 90 days of temporary work per year with a single employer, providing a straightforward solution to short-term work requirements. <sup>63</sup>.

## 3.2.5. Temporary agency work

In 2001, the Hungarian legislator decided to regulate temporary agency work. The codification was realised in the spirit of flexibility, and the nature of Agency work requires a more flexible set of rules. These rules reflected much lower employee protection to better conform to market demand.<sup>64</sup>.

Later, Act I of 2012 (the new labour code) enabled the application of temporary agency work within a flexible framework, considering the possibilities of derogation allowed by EU regulations. The new labour code adopted a different method for terminating the employment relationship: the general rules in sections 63-85 of the Labour Code, besides the unique set of provisions in section 220, reflected the flexibility in the practice of temporary agency work. <sup>65</sup>.

## 3.2.6. Employment relationships by multiple employers

Based on section 195, point 1 of the Hungarian Labour Code, several employers and one employee may agree about performing tasks related to a job in a work contract. In this case, there must be one job contract. In most cases, the employers are members of the same groups of companies and connected by a business relationship, which means that the employment relationship with several employers is specific and requires strict conditions to be met, which justifies why the Hungarian legislator did not wish to provide a detailed regulation for this employment relationship, but only regulated the main features of this employment relationship.<sup>66</sup>.

## 3.2.7. Job sharing

Job sharing is an atypical form of employment in which two or more employees share the responsibilities, workload, and remuneration of a single full-time job. This flexible working arrangement is regulated in Hungary by the First Act of 2012 on the Labour Code. Section 193/a specifically allows for job sharing, emphasising the voluntary agreement between employees and the employer.

<sup>63</sup> Simplified Employment Act (Act LXXV/2010). 2010.

<sup>64</sup> Zoltan Banko& Gerke Gyula (n 43).

<sup>65</sup> ibid.

<sup>66</sup> ibid.

Job-sharing workers are generally entitled to the same social protection benefits as parttime workers.

Hungarian legislation also specifies notice periods and severance payments if the employment relationship ends, consistent with other types of employment contracts.

A research report on job-sharing among older people shows other positive aspects, such as making part-time work possible in roles with high responsibilities and potential career advancement, with the potential for job satisfaction, and the advantage of being able to "turn off" the knowledge that someone else is doing the job during periods of off-duty8. <sup>67</sup>

#### 3.2.8. On-call work

On-call work: Under EU law and Hungarian regulations, when an employee must be at the workplace or another place specified by the employer, this period is considered working time. It must be fully counted as part of the employee's working hours.

In Hungary, "on-call work" is regulated by the Labour Code (Act I of 2012), which aligns with the EU Working Time Directive. On-call work refers to periods during which employees must be available to perform work if necessary, either by remaining at the workplace or by being available outside regular working hours.

On-call work ("standby duty" or "standby duty") in Hungary is mainly regulated by Section 110 and relevant provisions of the Hungarian Labour Code (Act I of 2012). These sections govern working time rules, rest periods and standby duty, ensuring compliance with national and EU directives.<sup>68</sup>.

## 3.2.9. Student Employment

The Hungarian Labour Code (Law I of 2012) regulates student employment in Hungary, which contains specific provisions addressing minors and students. Section 34 states that all employment contracts, including student contracts, must be in writing and specify basic terms such as the nature of the work and wages. Section 114 governs the working time of employees under 18, restricts their working hours and prohibits overtime and night shifts. Section 294(1) defines young workers as those aged between 15 and 18, giving them additional legal protection. Section 119(2) sets out rest period requirements for minors, ensuring that their working day does not exceed eight hours and that sufficient rest periods are provided to protect their education and health. In addition, student internships are affected by higher education laws in Hungary, particularly the 2011 CCIV Act on National Higher Education, which sets out

PMJK 2024/1-2. 143

<sup>&</sup>lt;sup>67</sup> Eurofound, 'New Forms of Employment' [2015] Publications Office of the European Union, Luxembourg 168.

<sup>&</sup>lt;sup>68</sup> CMS, 'Labour Law in Hungary' (2023) <a href="https://cms.law/en/int/expert-guides/cms-expert-guide-to-labour-law-in-central-eastern-europe/hungary?utm\_source=chatgpt.com">https://cms.law/en/int/expert-guides/cms-expert-guide-to-labour-law-in-central-eastern-europe/hungary?utm\_source=chatgpt.com</a>>.

internship frameworks governed by agreements between employers and educational institutions. <sup>69</sup>

## 3.2.10. Self-employment

Self-employment in Hungary is primarily governed by the Hungarian Civil Code (Act V of 2013), which sets out the legal framework for independent contractors and self-employed workers. This classification distinguishes self-employed individuals from traditional employees, regulated under the Hungarian Labour Code (Act I of 2012).

Self-employed individuals in Hungary are subject to specific tax regimes. One notable regime is the KATA (Small Taxpayers' Detailed Tax), which offers a simplified tax method with a flat monthly tax rate. However, recent legislative changes have imposed restrictions on this regime, particularly concerning business-to-business (B2B) services, limiting its applicability and raising concerns among self-employed workers.

A significant issue with self-employment as an atypical form of employment is the possibility of "pseudo-self-employment," where individuals are classified as self-employed to avoid employment protection. This misclassification can lead to a lack of legal rights and social security coverage. <sup>70</sup>.

#### 3.2.11. Platform work

Platform work, or gig economy jobs, involve tasks performed via digital platforms, such as transportation services or food delivery. While not yet fully incorporated into Hungarian labour law, ongoing discussions and EU directives aim to clarify the legal status of platform workers and ensure fair treatment and basic protections.<sup>71</sup>

In this context, on December 13, 2023, the Hungarian Supreme Court ruled on the classification of employment relations between a food delivery platform and a driver. The decision was based on Hungarian labour law and jurisprudence on the concept of work. It is the first ruling on platform work in Hungary and the Central and Eastern European region. The court stated that the worker is self-employed. Researchers believe the argument on which the decision is based deserves a comprehensive critique. <sup>72</sup>

#### 3.2.12. Casual work

Act 85 of 2010 on simplified employment entered into force in Hungary on 1 August 2010. The law's main aim was to provide a flexible and cheap way to employ

<sup>69</sup> Part One and General Provisions, 'Act I of 2012 on the Labor Code' <a href="https://mta-pte.ajk.pte.hu/downloads/12-01.tv-en.pdf">https://mta-pte.ajk.pte.hu/downloads/12-01.tv-en.pdf</a>.

<sup>70</sup> Gyulavári Tamás, 'SELF-EMPLOYMENT IN HUNGARIAN LAW' [2023] ACTA UNIVERSITATIS LODZIENSIS 203 <a href="https://czasopisma.uni.lodz.pl/Iuridica/article/view/21359/21930">https://czasopisma.uni.lodz.pl/Iuridica/article/view/21359/21930</a>.

<sup>71</sup> Tamás Gyulavári, 'The First Platform Work Judgment in Central and Eastern Europe' [2024] European Labour Law Journal.

<sup>72</sup> ibid.

workers for short—and fixed-term periods. Its predecessor was the Temporary Employees Handbook, which proved very popular despite being widely misused. Simplified employment is widespread in practice. The Tax Authority estimated that this law affected more than 600,000 workers in 2013. <sup>73</sup>

#### Conclusion

As we consider the evolving landscape of employment relations, it becomes clear that the traditional full-time, permanent employment model is no longer the only narrative in the labour market. The rise of atypical work arrangements—part-time, temporary, and gig work—tells a story of adaptation and resilience in the face of rapid economic and technological change. This shift has transformed how work is organised and reshaped the fabric of workers' rights and protections.

In Hungary, as in many other countries, the legal framework has had to respond to these changes, introducing new forms of work that recognize the realities of a diverse workforce. Yet this narrative is not without its challenges. Existing social security systems, built on stable, long-term employment foundations, struggle to accommodate the fluidity and unpredictability of non-standard work. This disconnect creates a precarious situation for many workers navigating a complex landscape without the safety nets they once took for granted.

The stories of these workers – those in temporary, part-time, or temporary contracts - reveal a common thread of vulnerability. They often lack access to essential benefits like health insurance, retirement plans, and unemployment compensation, leaving them vulnerable to economic uncertainty. As we listen to their experiences, it becomes clear that the need for reform is not just a legal obligation but a moral imperative. To achieve this, stakeholders must come together to envision a future where all workers, regardless of their employment status, have the protections and benefits they deserve. This collaborative effort could lead to portable benefits systems beyond traditional employment boundaries, ensuring that workers can take their rights and protections with them, no matter where their work takes them. In addition, policies that promote fair wages and working conditions in the gig economy can help restore dignity and security to those who the current system has marginalised. Ultimately, the work story in the 21st century is one of transformation and challenge. As we navigate this new terrain, we must recognise the diverse realities of employment and fight for a labour market that prioritises equity and inclusion. By embracing this narrative of change, we can work toward a future where every worker is recognised, valued, and protected, ultimately fostering a more just and equitable society for all.

#### References

- Amparo Serrano-Pascual MJ, The Deconstruction of Employment as a Political Question (Springer International Publishing 2018)
- Bankó Z, Telework in Hungary Legislative, Jurisdictionary and Labour

<sup>&</sup>lt;sup>73</sup> New forms of employment Casual work , Hungary (n 41).

- Market Policy Experiences' [2016] HUNGARIAN LABOUR LAW E-Journal 91 <a href="http://hllj.hu/letolt/2016\_2\_a/A\_06\_Banko\_hllj\_2016\_2.pdf">http://hllj.hu/letolt/2016\_2\_a/A\_06\_Banko\_hllj\_2016\_2.pdf</a>
- Barbier J-C, 'A Conceptual Approach of the Destandardization of Employment in Europe since the 1970s', Non-Standard Employment in Europe (Palgrave Macmillan UK 2013)
- Bob Hepple BV, The Transformation of Labour Law in Europe (1st edn, Bloomsbury Publishing 2009)
- Bosch G, 'Towards a New Standard Employment Relationship in Western Europe', British Journal of Industrial Relations (Blackwell Publishing Ltd 2004)
- CMS, 'Labour Law in Hungary' (2023) <a href="https://cms.law/en/int/expert-guides/cms-expert-guide-to-labour-law-in-central-eastern-europe/hungary?utm\_source=chatgpt.com">https://cms.law/en/int/expert-guides/cms-law-in-central-eastern-europe/hungary?utm\_source=chatgpt.com</a>
- Congress R, 'Changes in the World of Work since the COVID- 19 Epidemic in Rural Areas in Hungary' 259
- Deakin S, 'Addressing Labour Market Segmentation: The Role of Labour Law' [2013] Corporate Governance 1689
- Degryse C, 'Digitalisation of the Economy and Its Impact on Labour Markets' [2016] etui <a href="https://www.etui.org/publications/working-papers/digitalisation-of-the-economy-and-its-impact-on-labour-markets">https://www.etui.org/publications/working-papers/digitalisation-of-the-economy-and-its-impact-on-labour-markets</a>
- Dickens L, 'Changing Contours of the Employment Relationship and New Modes of Labour Regulation. Rapporteur Paper' [2003] International Industrial Relations Association 13th Conference 1 <a href="https://ilo-ilera.org/wp-content/uploads/2020/04/track\_2\_dickens.pdf">https://ilo-ilera.org/wp-content/uploads/2020/04/track\_2\_dickens.pdf</a>
- Eichhorst W and Tobsch V, 'Has Atypical Work Become Typical in Germany? Country Case Study on Labour Market Segmentation' [2013] ILO Employment Working Paper
- Eurofound, 'New Forms of Employment' [2015] Publications Office of the European Union, Luxembourg 168
- Eurofund, 'TIME CONSTRAINTS AND AUTONOMY AT WORK IN THE EUROPEAN UNION' (2001)
   <a href="https://www.eurofound.europa.eu/system/files/2020-08/ef9743en\_0.pdf">https://www.eurofound.europa.eu/system/files/2020-08/ef9743en\_0.pdf</a>
- Europe S, 'UvA-DARE (Digital Academic Repository) The Employment Contract as an Exclusionary Device' [2008] University of Amsterdam 0
   https://pure.uva.nl/ws/files/4151356/58591\_286406.pdf>
- European Comission, 'Access to Social Protection for People Working on Non-Standard Contracts and as Self-Employed in Europe' (2017)
   <a href="https://op.europa.eu/en/publication-detail/-/publication/fb235634-e3a7-11e7-9749-01aa75ed71a1/language-en">https://op.europa.eu/en/publication-detail/-/publication/fb235634-e3a7-11e7-9749-01aa75ed71a1/language-en</a>
- Eurostat, Quality Report of the European Union Labour Force Survey (2015)
  <a href="https://ec.europa.eu/eurostat/documents/3888793/7018036/KS-TC-15-004-EN-N.pdf/6775b2b5-4ec9-4e4e-b6a0-f618f4ddf73e">https://ec.europa.eu/eurostat/documents/3888793/7018036/KS-TC-15-004-EN-N.pdf/6775b2b5-4ec9-4e4e-b6a0-f618f4ddf73e</a>
- Goldin A, 'Labour Subordination and the Subjective Weakening of Labour Law' [2006] Boundaries and Frontiers of Labour Law: Goals and Means in

- the Regulation of Work 109 <a href="http://www.relats.org/documentos/EATP.TA.Goldin2.pdf">http://www.relats.org/documentos/EATP.TA.Goldin2.pdf</a>>
- Gunderson M, 'Gunderson, M. (2013), 'Changes in the Labour Market and the Nature of Employment in Western Countries'
   <a href="https://www.researchgate.net/publication/290947666\_Changes\_in\_the\_labor\_market\_and\_the\_nature\_of\_employment\_in\_Western\_countries">https://www.researchgate.net/publication/290947666\_Changes\_in\_the\_labor\_market\_and\_the\_nature\_of\_employment\_in\_Western\_countries</a>>
- Gyulavári T, 'The First Platform Work Judgment in Central and Eastern Europe' [2024] European Labour Law Journal
- Harry Arthurs & KVS, 'RethinkingEmplRegulation' (York University, 2013)
  https://www.researchgate.net/publication/293116423\_Rethinking\_workplace\_regulation\_Beyond\_the\_standard\_contract\_of\_employment>
- Harry Arthurs and Katherine V Stone, 'The Transformation of Employment Regimes: A Worldwide Challenge' [2013] Russel sage foundation
- Heise A and Lierse H, 'The Effects of European Austerity Programmes on Social Security Systems' [2011] Modern Economy
- IDEA Consult, 'How Temporary Agency Work Compares with Other Forms of Work' (2015)
- ILO, 'Employment Relationship Recommendation' (2006) 2006 No. 198 1 <a href="https://webapps.ilo.org/static/english/inwork/cb-policy-guide/employmentrelationshiprecommendationno198.pdf">https://webapps.ilo.org/static/english/inwork/cb-policy-guide/employmentrelationshiprecommendationno198.pdf</a>
- —, Regulating the Employment Relationship in Europe: A Guide to Recommendation No. 198 (2006)
- —, 'Non-Standard Employment around the World: Understanding Challenges, Shaping Prospects' (2016)
   <a href="https://www.ilo.org/publications/major-publications/non-standard-employment-around-world-understanding-challenges-shaping">https://www.ilo.org/publications/major-publications/non-standard-employment-around-world-understanding-challenges-shaping</a>
- International Labour Office, 'Conclusions of the Meeting of Experts on Non-Standard Forms of Employment' [2015] Gb.323/Pol/3 62
- Koch M, 'Employment Standards in Transition: From Fordism to Finance-Driven Capitalism', Non-Standard Employment in Europe (2013)
- Low income tax reform Group, 'NIC for Employees' (2024) <a href="https://www.litrg.org.uk/working/employment/nic-employees#:~:text=Earnings">https://www.litrg.org.uk/working/employment/nic-employees#:~:text=Earnings</a> below the weekly%2Fmonthly thresholds,-If you earn&text=If you have earnings above, having to make a payment.>
- Matsaganis M and others, 'Non-Standard Employment and Access to Social Security Benefits' [2016] Research note 8/2015 43
   <a href="http://ec.europa.eu/social/BlobServlet?docId=15687&langId=en">http://ec.europa.eu/social/BlobServlet?docId=15687&langId=en</a>
- OECD, 'Protecting Jobs, Enhancing Flexibility: A New Look at Employment Protection Legislation' (2013) <a href="https://www.oecd-ilibrary.org/employment/oecd-employment-outlook-2013/protecting-jobs-enhancing-flexibility-a-new-look-at-employment-protection-legislation\_empl\_outlook-2013-6-en">https://www.oecd-ilibrary.org/employment/oecd-employment-outlook-2013/protecting-jobs-enhancing-flexibility-a-new-look-at-employment-protection-legislation\_empl\_outlook-2013-6-en</a>
- \_\_\_\_\_, 'Non-Regular Employment , Job Security' (2014) <a href="https://www.oecd-">https://www.oecd-</a>

- ilibrary.org/docserver/empl\_outlook-2014-7-en.pdf?expires=1729123730&id=id&accname=guest&checksum=E6C59AA 27AB4BDF496B3856131FE54ED>
- —, 'In It Together: Why Less Inequality Benefits All' (2015) <a href="https://www.oecd.org/en/publications/in-it-together-why-less-inequality-benefits-all\_9789264235120-en.html">https://www.oecd.org/en/publications/in-it-together-why-less-inequality-benefits-all\_9789264235120-en.html</a>
- One P and Provisions G, 'Act I of 2012 on the Labor Code' <a href="https://mta-pte.ajk.pte.hu/downloads/12-01.tv-en.pdf">https://mta-pte.ajk.pte.hu/downloads/12-01.tv-en.pdf</a>
- Pasqua UM and S, 'Workers on the Border between Employment and Self-Employment' (2009) 67 Review of Social Economy
- Sanz De Miguel P, Caprile M and Arasanz J, 'Regulating Telework in a Post-COVID-19 Europe: Recent Developments' 1
  <a href="https://osha.europa.eu/en/publications/regulating-telework-post-covid-19-europe">https://osha.europa.eu/en/publications/regulating-telework-post-covid-19-europe</a>
- Stone K and Arthurs H, 'The Transformation of Employment Regimes: A Worldwide Challenge' (2013) 9781610448 1
- Tamás G, 'SELF-EMPLOYMENT IN HUNGARIAN LAW' [2023] ACTA UNIVERSITATIS LODZIENSIS 203
   <a href="https://czasopisma.uni.lodz.pl/Iuridica/article/view/21359/21930">https://czasopisma.uni.lodz.pl/Iuridica/article/view/21359/21930</a>
- Valenduc G, 'Work in the Digital Economy: Sorting the Old from the New' (2016)
- Vörös M, Ásványi Z and Fűrész DI, 'The Hard Truth on Fixed-Term Employment and Organizational Performance – Survey-Based Evidence from Hungary' (2022) 25 Zagreb International Review of Economics and Business 165
- Vosko LF, Managing the Margins: Gender, Citizenship, and the International Regulation of Precarious Employment (Oxford University Press 2010)
- Zekic N, 'Job Security or Employment Security: What's in a Name?' (2016) 7
  European Labour Law Journal 548
- Zoltan Banko& Gerke Gyula, *Hungarian Labour Law* (University of Pecs Faculty of Law 2020)
- New forms of employment Casual work, Hungary
- Claiming unemployment benefit (WW-uitkering) 2024
- Simplified Employment Act (Act LXXV/2010). 2010