

Injuries incurred at team building events – do these qualify as occupational accidents?

The premises: an employee gets injured in a team building event. The fundamental question arises: does it or not qualify as an occupational accident? Dr Mónika Kapetz legal expert of Kovács Réti Szegheő Attorneys at Law underlined that the domestic legal practice had to take a stand regarding this particular situation and indeed it adopted a position, based on which employers must assume that injuries incurred in team building events are occupational accidents and their liability does extend to those.

The end of the business year is approaching, allowing companies to assess the profitability of their businesses, which provides an opportunity for many employers to invest a part of their available budget in organising team building activities for their employees. On one hand this is a way for employers to say thank you to their employees, but on the other, they also see it as a way of enhancing work efficiency in the period following the summertime and before the closing of the business year – said the expert of Kovács Réti Szegheő Attorneys at Law.

Why team building events are gaining increasing popularity these days? Studies have shown that besides the professional competence of individual employees, the success of the enterprise largely depends on converting individual workers in a successful team, in which the employees develop an attitude of helping their colleagues and perform their work in a more creative atmosphere to the benefit of the employer.

The activities or ‘tests’ in which employees participate on these occasions give them a chance to build closer relationships and discover personal qualities in their colleagues which might be overlooked during their everyday routine.

Relevant labour and health insurance law provisions

The relevant Labour Code provisions establish that employees in their free time may not be obliged to perform activities that are not closely work-related; therefore employers must act in compliance with the regular working hours and inform employees at least one week in advance before the planned event.

The question arises whether injuries incurred at team building events qualify as occupational accidents or not? – pointed out Dr Mónika Kapetz.

Compliant to the Act on the Services of the Compulsory Health Insurance System, an ‘accident at work’ means any accident sustained by the insured person at his or her workplace while performing work or in connection with his or her occupation.

The judiciary was faced with the question whether team building activities qualify as work-related.

It falls within employers’ scope of operation

A Supreme Court ruling states that sporting activities organised by the employer during time which qualifies as working time, where the costs of such activity are borne by the employer, qualify as activities falling within the employer’s scope of operation, and are activities related to the employers’ operations.



Therefore, compliant to the Labour Code provisions on liability for damages, the damages are caused by reasons within the employer's scope of operation and thus the employer's liability subsists even if there had been no way for preventing the cause.

In the motivation of another ruling the Supreme Court states that for determining the nature of the accident it is irrelevant whether the employees participated in the team building activity on a mandatory or voluntary basis.

The emphasis lays on the fact that the accident was incurred as a consequence of a work-related activity, and since the employer participated in an activity organised by the employer, the accident qualifies as work-related.

Employers' liability extends to these events

Based on the aforementioned facts employers need to understand that injuries incurred at team building events qualify as occupational accidents and as such their liability extends to these events.

It follows that employers must make increased efforts and take all the necessary steps to ensure that the tasks are performed in a safe fashion and the hazards of injury are minimised as much as possible, to make sure that the event reaches the desirable results – concluded the expert of Kovács Réti Szegheő Attorneys at Law.