

Labour laws and regulations governing student jobs through the eyes of employers (Part One)

Although general labour rules essentially apply to student jobs, the special elements set out in the legislation trigger the need for future employers to be familiar with the regulatory environment at any event. You read the first part of the two-part summary written by a legal expert of Kovács Réti Szegheő Law Firm, dr. Balázs Korim.

In school holidays and in particular during the summer months, a large number of students enter the labour market – the legal expert of Kovács Réti Szegheő Law Firm points out firstly.

Although the legal relationship whose aim is to establish employment to be concluded with them is fundamentally governed by general labour rules, the special elements set out in the legislation trigger the need for future employers to be familiar with the regulatory environment at any event.

With whom can a legal relationship be established for employment?

Within the meaning of the general rules of the Labour Code, any person may be employed who has turned 16. However, any student having turned 15 and studying in full-time education may be employed during school holidays.

Upon the permission of the guardianship authority, any person under the age of 16 may also be employed within the framework of cultural, artistic, sporting and advertising activities specified by legislation – dr. Balázs Korim notes.

Therefore, it is important to determine as to who is considered a student within the meaning of the Hungarian legislation. Under Government Decree No 321/2013 (VIII. 28.) regulating this issue, a person studying in full-time education in a student status at any institution of public or higher-education falls within this scope.

Under the government decree, if the legal relationship is terminated, the student status subsists until the expiry of the student certificate, for the purposes of the applicable rules of law.

In the contract of employment, the parties must agree on a base salary and the position of the employee. The duration of the employment relationship must be also provided which in respect of a student will apparently be a fixed term. The workplace of the employee must be specified and it must also be determined whether the legal relationship will be established for full time or part time working hours (less than eight hours a day). This latter aspect is of paramount importance also because it has a fundamental impact on the salary of the employee.

Rules governing young workers

Special rules applicable to young workers (under the age of 18) are laid down in the Labour Code. These rules are of outmost importance also because the provisions applicable to young workers must be applied to the engagement of a person under the age of 18 in a relationship other than employment.



However, student jobs can also be carried out under agency or service contract or within the framework of simplified employment relationship, in addition to employment – the legal expert of Kovács Réti Szegheő Law Firm emphasizes.

In respect of young workers, the consent of the statutory representative, mostly the parents is required for the validity of a legal statement of a young worker aimed at entering into, amending or terminating the contract of employment, or at assuming commitments.

It is a consideration to be taken into account during the organisation of work that young workers are not allowed to work at night or extra hours. Their daily working time is up to 8 hours and the working hours spent in more than one employment must be totalled.

In addition, a maximum of one-week working time frame can be stipulated for young workers. If a daily working time of over four and a half hour is scheduled, at least thirty minutes, while if a daily working time of over six hours is scheduled, at least forty-five minutes' break must be provided. Likewise, a daily rest time of at least twelve hours must be provided for them.