

Financing adult learning database

Name of the instrument - Local language	Visszafizetési kötelelem
Name of the instrument - English translation	Payback clause
Scheme ID	108
Country	 Hungary
Reporting year	2015
Type of instrument	Payback clause
Type of entry	Single instrument
Short description	Employers and employees can agree on a payback clause in connection with a learning contract. In a learning contract, the employee agrees to complete the studies and to refrain from terminating his employment by way of notice following graduation for a period of time commensurate for the amount of support, not exceeding five years.
Short description of the related instruments	nap
Level of operation	National
Name of a part of the country	nap
Name of the region (for regional instruments)	nap
Name of the sector (for sectoral instruments)	nap
Relevance	Key scheme
Legal basis	Act I of 2012 on the Labor Code 229§, sections 110-116
Objective(s) and target(s)	To support company investment in training and guarantee that the employees' skills in which the employer has invested will remain available to the company
Year of implementation	2012

Year of latest amendment	2012
Operation/management	Employers and employees can agree on a payback clause in connection with a learning contract. In a learning contract, the employee agrees to complete the studies and to refrain from terminating his employment by way of notice following graduation for a period of time commensurate for the amount of support, not exceeding five years.
Eligible group(s)	Employers, employees
Group(s) with preferential treatment	None
Education and training eligible	No regulations on types of education and training in the Labour Code; it is laid down in the learning contract.
Source of financing and collection mechanism	Employer, employee
Financing formula and allocation mechanisms	<p>In study contracts, the employer agrees to support the employee financially during the study period while the employee agrees to work for the employer for a fixed period of time after graduation. This period may not be longer than 5 years. The employer is entitled to claim a refund of the expenses incurred for the studies if the employee does not complete the studies, does not begin to work after graduation or interrupts the employment before the end of the agreed binding period. In the last case, the amount to be reimbursed is calculated according to the remaining period of validity of the clause.</p> <p>Reasons for payback clause to become effective: voluntary resignation within binding period; dismissal due to a serious contract break; on-termination of the training.</p>
Volumes of funding	na
Beneficiaries/take up	na
Organisation responsible for monitoring/evaluation	Company-level: trade unions carry out the eligibility checks; no institution responsible for regular monitoring activities.
Monitoring/evaluation reports available	na
Most relevant webpage - in English	http://www.cedefop.europa.eu/files/5528_en.pdf
Most relevant webpage - local language	na
Sources	Act I of 2012 on the Labor Code https://www.ilo.org/dyn/natlex/docs/MONOGRAPH/89886/103369/F-622727815/...

The New Hungarian Labour Code - Background, Conflicts, Compromises

http://www.fesbp.hu/common/pdf/Nachrichten_aus_Ungarn_june_2012.pdf

Cedefop (2012): Payback clauses in Europe: supporting company investment in training

<http://www.cedefop.europa.eu/de/publications-and-resources/publications...>

Cedefop/Refernet (2012): Hungary VET in Europe -

Country report http://www.observatory.org.hu/wp-content/uploads/2013/04/HU_2012_CR_EN...

Cedefop: Financing Adult Learning. Hungary

<http://www.cedefop.europa.eu/FinancingAdultLearning/DisplayInstrumentNa...>