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NEWS REPORT

Country:	Hungary
Title:	Discrimination of a pregnant employee
Date:	27 June 2018
Expert:	Beata Nacsa
<u>Context</u>	
Issue at stake:	Equal treatment in employment training
Ground of discrimination:	Sex
Source:	Case law of equality body
Field:	Employment
Applicable law:	Act I of the Labour Code of 1 July 2012

Content

Case development: An employer refused to pay for a pregnant employee's training fees and subsequent examination after learning that the employee was pregnant, despite the fact that a contract concluded between the parties obliged the employer to pay for the expenses of the training.

During the settlement of the case, the employee provided proof of her pregnancy, disclosed the content of her employment and training contract and the amount of training bills which remained unpaid by the employer. The employer was not able to prove that his action was not discriminatory. In his defence, the employer stated that they believed that attending the training, and especially taking the exams, would be more difficult for the employee than going to work. Therefore they suspended the payment of the training expenses temporarily, until the parties would discuss the issue.

Agreement concluded by the parties: The parties agreed on 17 December 2017¹ that the employer will pay for the training fees.

Key points of analysis: The Equal Treatment Authority (ETA) encouraged the parties to come to an agreement and helped the parties in finding a solution which redresses the harm suffered by the employee.

Without an agreement, the ETA could have applied sanctions such as a fine or publication of the decision, which does not provide any redress to the claimant but only punishes the employer.

On the other hand, however, by concluding the agreement, the employee got only what she was entitled to without initiating a legal procedure in front of ETA. The agreement did

¹ The decision was published in May 2018 by the ETA.

not redress that she suffered a discriminatory action, and she had to start a legal procedure to enforce her equal treatment rights.

Internet link source: EBH/392/2017 <http://www.egyenlobanasmod.hu/article/view/ebh-392-2017>.