

EFFECTS OF NEW EMPLOYMENT FORMS AND SOCIAL INNOVATION ON SOCIAL SECURITY IN HUNGARY¹

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Abstract:

The transformation of the labor market also brings with it changes in the forms of employment. Digitization will have an impact on employment relationships. Digitization is a multi-layered phenomenon that involves the use of gig economy and artificial intelligence as robots. They are all part of social innovation. In this study, I would like to focus on the impact of social innovation on employment. Following the general introduction, I would like to introduce the Hungarian rules and opportunities. Hungary is a typical Central and Eastern European country with problems similar to its neighbors, such as well-modeled problems, which can help us to think together and find solutions.

Keywords: social innovation, employment law, new forms of employment, Hungarian legal system, gig economy

1. Introduction

The issue of social security has become more important recently. Primarily, social security means stability. It means such kind of stability in which a citizen of a certain state can count on the state's support in the case of a crisis in the person's life. This right also occurs in our prevailing regulation in Article XIX of the Hungarian Fundamental Law. According to the cited article, Hungary strives for providing social security in certain life situations for every citizen.

If we investigate this statement more precisely, the use of the term of "strives" for providing social security for the citizens is

important from the viewpoint of social security. The question is what this governmental endeavour is enough for and what it will be enough for in the continuously changing social conditions. In connection with social security the endeavour of the state has become a weakened phrase. It is a weakened phrase in the sense that, according to the relating part of the earlier Constitution (Article 70/E), the state provides proper social security. Compared to the earlier version, this means a step back.¹ But it is necessary to add fast that numerous international commitments provide the persistency of the principle of social security. The protection level does not decrease drastically, however, it loosens the system of obligations binding the state. The

¹ The described study was carried out as part of the EFOP-3.6.1-16-2016-00011 "Younger and Renewing University – Innovative Knowledge City – institutional development of the University of Miskolc aiming at intelligent specialisation" project implemented in the framework of the Széchenyi 2020 program. The realization of this project is supported by the European Union, co-financed by the European Social Fund."

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¹ Téglási András : "Eroding" or rescuing the social state? – or social security in the new Fundamental Law, , "Law Theory Review" 4/2011, <http://jesz.ajk.elte.hu/teglasi48.html>, (Downloaded: 2018. 09. 15.)

state provides social security based on its measures and institutional system. The latter is called social care system. Social care system means all the activities organized within the framework of the society with the aim to support the members of the society who are unable to take care of their livelihood beyond their own fault or undertake additional burdens from the fund formed by withdrawing some of the financial goods produced by all the members of the society. . Different fields of the social care system are responsible for the support in different life situations. Social insurance, aid services, family allowances and the means of employment policy are the parts of the social care system.

The Fundamental Law lists the life situations in which, according to it, the social care system shall be activated. Pursuant to the text of the law, every Hungarian citizen is entitled to an aid defined by the law in cases of motherhood, illness, disability, widowhood, orphanage or unemployment happened beyond the person's fault. These rights, that is which kind of social care is needed in a certain life situation, are described by the legislator in more details in the different social laws.. .

However, in my opinion, to understand social security, it is necessary to mention the right to work and free business. This right can be interpreted as an additional condition in this context. Article M of the Fundamental Law even states that the economy of Hungary is based on work creating value and the freedom of business. In my view, however, the interpretation of this right regarding the individual person is important. One of the bases of ensuring a certain person's living is free work and the freedom of business. A citizen is free to choose his job to ensure his and his family's financial welfare. Though, work as a factor should be understood indirectly, since in the Hungarian social care system allowances of

insurance type are dominant. The primary condition of using these allowances is the prior insurance time which can originate from employment and other legal relationships of work. The amount of the allowances is based on the income acquired during the prior insurance time.

Based on these facts, creating social security is the task of the state, but to ensure his own welfare by acquiring the legitimacy for certain allowances within the state provided framework is the responsibility of the citizen . We must see, however, that the relations in this state framework are dynamic. In its present state only the framework system is constant. Change is the part of our every-day life, therefore the interpretation of social security is also changing continuously. In our present situation, creating social security is the citizen's ability to ensure his own and his family's living and acquire eligibility for certain allowances in the state's framework system thus he is a member of the risk community. If we translate it all into everyday language, , it means that the citizen has a job which brings enough income and makes it possible for him to make use of a wide range of social benefits. From the viewpoint of employment, the citizen has an 8-hour employment relationship with indefinite duration. According to the common Hungarian social opinion, this is the only solution to guarantee secure livelihood in Hungary. This opinion is partly based on traditions, partly on the reluctance from new employment forms and partly on real experience. But the employment relationships and the changes of the labour market do not proceed to the same direction. New, more flexible employment relationships are coming into view. These are the so-called atypical work forms. Flexibility is only one characteristic of atypical work forms. It is also necessary to fulfil the requirements of security for these

forms to be an alternative for the employees. In the Hungarian context, flexicurity means a particular, country-specific social and labour market model and strategy. One of the elements of this is the nature of the labour law regulation in which reaching the balance of flexibility and security is the most important issue. The balance is such an intensive legal guarantee in the relationship that is still motivating for the employer, who requires flexibility, to keep the certain legal relationship within the frames of labour law regulation.² This fragmentation strengthened when that legal institutions not regulated by the Labour Act started to play a more and more significant role.

The change of these contractual relations also influences the changes of the labour market. There is a tendency that the new working forms make their own ways without obstacles as a part of our everyday legal relations. The constant change forms those frame systems which are finally adopted. The changes of labour markets are also influenced by economic processes which are involved in social innovation. In the following, I would like to examine the definition of social innovation in the context of new employment forms and I would like to show their common effect in the topic of social security.

The centre of the research is the changes of the labour market. Labour market is a continuously changing milieu, which always has to adjust its tools to some kind of new life situations. Two labour market changes were examined in the research. One of the examined phenomena was digitalization, the other was

robotization. Both changes create such new situations when the traditional labour market and labour law tools will not be effective. Digitalization and robotization are the two newest challenges of the world of labour. However, these two challenges partly cohere. Digitalization primarily means work on on-line surfaces, platform work and work-on-demand via apps. Robotization means that some parts of the human work can be substituted by robots. We are talking about two different ways of labour law and employment, which can meet even where the employee who lost his job because of robots will or must occur as a character of gig economy. Both topics have a significant role regarding the future. These factors will determine the labour market of the present and the future, as well. These labour market changes will influence the financing and the use of supplies of the social care system.

2. Social innovation and labour market changes

The term innovation is usually interpreted primarily in economic, technical, technological, organizational, etc. fields. Innovation is primarily associated with its economic effects.³ The characteristics determining innovation are also primarily connected to these fields:

- Novelty, relative novelty, original or originated solution, recognition, elaboration and formulation of new combination of factors,
- Utilization of recognitions,
- As a result of these, improving result, efficiency, welfare or other measurable,

² Jakab Nóra: Gondolatok a rugalmasság és biztonság egyensúlyáról Prugberger Tamás 80. születésnapja alkalmából, "Miskolci Jogi Szemle" 2017 2. special issue (különszám), 217; D. A. MÁTÉ : A munkaidő szervezése és a munkamorál összefüggései, "Miskolc Jogtudó" 1/2018, 3.;

Jakab Nóra – Tóth Hilda: *Flexicurity in Hungary from the more Vulnerable Party's Point of View* In: 5th International Multidisciplinary Scientific Conference on Social Sciences and Arts SGEM 2018. STEF92 Technology Ltd., 2018 Issue 1.1., Modern Science, Political Sciences, Law, Finance, International Relations, 153-160.

³ Angyal Ádám: Az innováció társadalmi kockázatai, in: *Mérleg és kihívások* 136.

evaluatable and sustainable favourable effects, namely development.⁴

However, the definition of innovation can be expanded for those life situations which happen in the everyday society. Research for innovations or new and effective solutions is not only the characteristic of technical sciences, but it is also a demand on social levels. Social innovation does not have a unified definition. The differences among the interpretation frames can be found in the interpretation of welfare and the novel solutions given for social problems.⁵ Most of the theories agree, however, that the aims are the reform of the operation and existence of the society and the improvement of the welfare of the affected people in certain social conditions.⁶

Based on the above, according to one of the most generally accepted definition, social innovation gives new or novel answers for a community's problems with the aim of increasing the welfare of the community.⁷ Therefore, social innovation can be approached from the side of individuals and groups to be supported. On the one hand, social innovation is searching solutions for people's old and continuously upcoming problems, on the other hand, it tries to find solutions for the new life situations. New life situations never occur as lacking any basis, but they always develop from a classical life situation.

3. Effects of digitalization - employment forms of gig economy

The on-line space provides numerous opportunities for the users. It has become such a platform where a wide range of services changes hands. Labour force also belongs to these services. Changed social and consumer demands have created such working processes which can primarily be found in the digital world. For now, mainly classical employment forms are dominating across Europe, although, not as significantly as earlier. The reason is that these employment forms have not spread in the East-European states significantly.⁸ Parallely, it can be stated that a continuous increase can be experienced in those labour segments which are related to digitalization. Conditions of classic work cannot be enforced in this changed environment. The so-called "gig economy" differs from the classical labour market solutions in its most important characteristics. Differences can be recognized mostly in the applied tools, the working hours and the regularity. Based on these, labour relationships of gig economy mean several single (casual) jobs to maintain himself. Here we can primarily talk about self-employers and freelancers who make a contract for a certain task. In a lot of cases, specialists or people working in the creative sector accept jobs in these ways.⁹ If we start from the definition of social innovation, the employment form created by gig economy can be considered to be such a solution

⁴ idem

⁵ Kocziszky György – Veresné Somos Mariann – Balaton Károly: A társadalmi innováció vizsgálatának tapasztalatai és fejlesztési lehetőségei, "Vezetéstudomány" 6-7/2017, 16.

⁶ ANGYAL: Az innováció társadalmi kockázatai op. cit. 137.

⁷ Kocziszky- Veresné- Balaton: A társadalmi innováció vizsgálatának tapasztalatai és fejlesztési lehetőségei op cit. 16.

⁸Tóth Hilda: A munkajog új kihívásai:A "GIG" gazdaság munkavállalói csoportjai, In: Szikora Veronika (editor), Török Éva (editor): *Ünnepi tanulmányok Csécsy György 65. születésnapja tiszteletére* II. kötet, Debreceni Egyetem Állam- és Jogtudományi Kar, Debrecen, 2017. 381.

⁹ Malcoln Sargeant: The Gig Economy and the Future of Work, in: *E-Journal of International and Comparative Labour Studies* 2/2017, 2.

which gives novel answers for the challenges of the labour market. These employment forms can become (are becoming) quite popular primarily in the case of the Y generation, since they spend a significant part of their every-days on on-line surfaces. One key moment of gig economy is sharing.¹⁰ The essence of this is that unutilized resources should be used in a new way. This new way materializes by providing services which are sold on the on-line market. One part of the services is the so-called crowd work, the other is the work-on-demand via apps.

3.1. Crowd work

Crowd work means work done in the framework of crowdsourcing. Crowdsourcing means the activity when a company or organization outsources a function having previously been done by its employees to a not precisely defined (usually big) group in the form of an open appeal.¹¹ Personal work is of course possible in this form, as well, however, group work is more common. In this solution, working processes take place totally in the on-line space, including the transfer of the outcome, too. In this case, sharing means dividing working processes among people with whom the customer will never meet, though the established contact system does not require it, either.¹² The aim is to complete the jobs fast and effectively. Moreover, the parties leave their own local zone and enter the virtual space, thus the labour market becomes wider for them and it is necessary that they shall exceed the local level.

3.2. Work-on-demand via apps

Work-on-demand via apps is another significant employment platform of gig economy. Usually work in its traditional sense takes place in this case. The digital market has a significant role in transacting business between the customer and the service provider. The interpretation of sharing mentioned above, which is based on the optimal utilization of the tools, comes into view in this regard. Numerous services can be ordered via applications, from taxi to food delivery. The innovation in this is that on-line platforms connect the demands with the offers via applications.. The market participants are brought closer to each other. A lot of big companies are built on this basis with thousands or millions of users.¹³

Work-on-demand via apps also means a significant amount of freedom for working people, since it helps connect people who could not be its members otherwise to the labour market. In addition to the fact that it is capable of involving inactive layers of workers, it is also necessary to highlight its flexibility. Contacting via applications supposes a new kind of communication practice, as well. Thus, work-on-demand via apps uses new solutions not only in the field of employment, but also in the field of communication. The new solutions have, of course, advantages and disadvantages, too.

One of the advantages is the flexibility which is excessively important in the present situation of the labour market. It should be added that flexibility itself is not enough. Innovation will only be complete in these legal relations if security also gets a role in them. Here, security primarily means the

¹⁰ Rác Ildikó: Munkavállaló vagy nem munkavállaló? A gig-economy főbb munkajogi dilemmái, "Pécsi Munkajogi Közlemények" 1/2017, 82.

¹¹ Tóth: A munkajog új kihívásai op cit. 386.

¹² Tóth Hilda: A változó munkajogi környezet hatása az innovációra. „Miskolci Jogi Szemle”, 2/2018

¹³The most famous global company is the group of UBER which deals with passenger transport in an organized way. All so that the officially registered activity of the company is IT service provider. The company tries to open this contradiction with the general argument that it only provides the surface for the parties to find each other.

security of the employee. Namely, the new solutions in labour law mean cases moved toward civil law. Hereby I am referring to it since it will be explained in detail later that all innovations have losers who are needed at least to be compensated. In the case of new flexible employment forms, it should always be considered in the background of the innovation that the employee should always be able to exercise his rights properly, so the person can enforce the security rules as well.¹⁴ In certain cases, work like this can provide higher earnings opportunities for the service provider party. Although some fortune is also needed and it is the privilege of only a few. These working forms are characterised by very low wages.. Financially, the so-called digital nomads working in this field are extremely vulnerable.¹⁵ Digital platforms often function as online candy shops since they keep the wages of workers so low that such wages do not reach the minimum wage in most cases, either. This latter is in connection with the fact that the operator can count on low costs.

Some negative effects have been examined in the context of advantages, but far not all of them. Another further issue is the examination of responsibility. Similarly to self-employed people, bearing damages remains totally on the side of the employee. The service provider will bear its damages itself.

3.3. The connection between social security and gig economy

Another important issue of our study is that the expenditures in connection with social security are borne exclusively by the

employees when the employee is not able to work due to a disturbance or change in his life situation. This partly answers the question how the service provider will be entitled to certain social or social insurance benefits in the case of the new employment forms. This issue arises because employment in the framework of gig economy is not of labour law nature. The origin of this point of view is that according to the statements of the companies operating the applications, they just provide the platform where the two parties can meet, moreover, they are all registered as IT service provider companies. If we add the access to social benefits to the nature of the gig economy that typically only casual work takes place, it can raise concerns. Based on this concept, there may be numerous employees in the future whose social insurance status will be uncertain, and lots of people cannot become entitled to social benefits. Although the new employment form having been analysed so far means social innovation in the labour market, it will have negative effects regarding social security. The social insurance rules will be unable to follow the changes at the same pace as the changes of employment conditions occur. And besides, as it has already been mentioned, the service provider bears all the risks alone. The state will not give help in such a form as it would in the case of an employee.

There is another problem as far as casual work is concerned. Irregular income makes it hard to become a member of full value of the risk community from which the benefits and different health care benefits are given. When we analyse the situation of

¹⁴ Jakab: op cit. 214.; Jakab Nóra: Systematic thinking on employee status, *Lex et Scientia* 2/2018; a the changing of the protection level see more: Jakab Nóra – Szekeres Bernadett: A személyi és/vagy gazdasági függésben munkavégzőkre vonatkozó felelősségi szabályok a német és magyar jogban, *“Publicationes Universitatis Miskolciensis Series Juridica et Politica”* XXXV/2017. 266-284.

¹⁵ See it in more details through case studies in: B. Y. THOMPSON: Digital Nomads: Employment in the online gig economy, in: *GLOCALISM – “Journal of the culture, politics and innovations”*, 1/2018/ 13.

these employees not only in the short, but also in the long run, it does not promise too much, either. It is because even life-end benefits are supply forms bound to prior insurance time. Although, as an entrepreneur or a self-employed person, the persons analysed belong to the category of the insured, due to the irregularity of the income and the sequential casual jobs it seems to be impossible to gain entitlement to such benefits as pension. It is more possible to become entitled to benefits bound to shorter prior term of insurance. If social security systems do not follow the changes of the labour market, it will cause enormous gaps between employees in the classical sense and workers choosing the new employment forms.

The problem is perceived, even if only indirectly, by the legislator, as well. Namely, the examined new employment forms raise several questions. One of these questions is whether work-on-demands via apps can only be imagined as being self-employed. Does the provider company really give only the platform? The answer for this is quite complex. On the one hand, it is worth examining the requirement system of service providers from the aspect that who they would like to work with. In her thorough study cited earlier, Hilda Toth introduces some companies operating such applications which define precisely (like an employer) their employing conditions.¹⁶ In these cases the question may arise by rights that what kind of legal relationship is between the application operating company and the service provider employee. The answer for this question has serious effects on how the employee can exercise his right

to social security. Namely, if the application provider company is considered to be an employer, the contact system between the employee and the operator of the on-line platform should be interpreted differently. To clear the situation, the case No C-434/15. of the Court of the European Union, named *Asociación Profesional Elite Taxi kontra Uber Systems Spain SL* helps us.¹⁷ In the examined case the legal issue was that whether the services provided by the Uber can be regarded as transport services, services connected to the IT society or the combination of these two service types. “What is Uber in fact? A taxi company? Or an electronic platform that can make it possible to find, book and pay for a transport service provided by someone else?” According to the Court Uber is not just a simple mediator between drivers ready to provide casual transport services and passengers looking for such services. On the contrary, Uber is the real organizer and operator of urban transport services in those cities where it is present. So, the service of connecting passengers and drivers is neither independent nor of primary nature as compared to transport services, and therefore it cannot be considered as a “service in association with the IT society”.¹⁸ The decision’s effect on the labour law is that if the work relations of Uber drivers are regarded as employment, people employed in the form of work-on-demand via apps have more chances to reach a similar protection level as normal employees have. The decision may be a reference in all similar cases of course without the modification of labour law regulations.

¹⁶ Tóth Hilda: A munkajog új kihívásai op cit 386.

¹⁷ Az ügy teljes elemzését lásd: Gyulavári Tamás: Az Európai Bíróság és a gordiuszi csomó: az Uber applikáció vagy taxitársaság?, “*Munkajog*” 3/2018 8-12.; Jeremias Prassl: Uber: the Future of Work... Or Just Another Taxi Company?, in: <https://www.law.ox.ac.uk/business-law-blog/blog/2017/05/uber-future-work...-or-just-another-taxi-company>, (2018. 09. 23.)

¹⁸ Opinion of the Advocate General 71.

4. Robotization as social innovation in employment

The idea of using robots for work is not a new thing. In the beginnings, it was common only in sci-fi novels, but it has become more and more real in practice. Mass use of robots is not far. Robot labour force has been working at the production lines of certain factories. The fact that it is a part of our every-days is well-shown by the news informing us that one of the restaurants in Győr has set a robot waiter about work. The owner invested in such a tool because of the lack of labour, though he is planning to set more robots into service.¹⁹ Despite the fact that the idea of using robots is not new, it falls within the range of social innovation. It means a new phase in substituting manpower by machines. The aim of using robots is not just their support of human work or simply their function to take over humans' tasks. According to Jozsef Hajdu, the new element of using robotics is the substitution of labour shortage occurring in certain sectors.²⁰ Moreover, using robots means a cheaper alternative for the loss of workforces.²¹ The question is not the use of robots in the future, but the extent of their use. According to surveys, robots could substitute for 12% of the Hungarian employees even at the moment.²² Some news say that there is a Chinese company that has substituted for the workplaces of 650 employees by 60 robots.²³

In the earlier chapter, in the case of gig economy, it was also necessary to examine

the background of the social innovation. In the case of the analysis performed within the range of the social innovation, it was necessary to examine its negative effects and its connection with the right to social security, too. The advantage and disadvantage of robotization are the same: it liberates human manpower. It can be regarded as an advantage, because its aim is not only the general liberation of men, but also the substitution for labour shortage. Robotization, however, by becoming common, will affect the labour market. The costs of maintaining and operating robots are lower than the costs of an average worker. Robots can primarily take over the labour at the production lines.²⁴ The professional debate is not about whether the human labour force will be substituted for or not, but about its extent. This professional discussion is influenced by the recommendation of the European Parliament to the Committee concerning civil law regulations on robotics I, J and K points of the introduction to the recommendation deal with the effects on the labour market. Similarly to the above mentioned, the cited document also acknowledges that though robotics offers indisputable advantages, its use may transform the labour market and can make it necessary to think over the future of educational, employment and social policies appropriately. The advantages and disadvantages of the labour market, which will probably occur or have already occurred, are connected to this idea. According to the document, it is an

¹⁹ Robotpincér viszi ki az ételt egy győri káinban, in: https://hvg.hu/kkv/20180912_Robotpincer_viszi_ki_az_etelt_egy_gyori_kinaiban, (2018. 09. 23.)

²⁰ Hajdu József: A munkavégzés jövője: A robotika forradalmának hatása a munkaerőpiacra, in: Gellén Klára (editor): *Jog, innováció, versenyképesség*, Wolters Kluwer, Budapest, 51.

²¹ Kis Miklós: A jövő osztályharca, in: <http://ujjegylenloseg.hu/a-jovo-osztalyharca/>, (2018. 09. 23.)

²² Hajdu József: *A munkavégzés jövője* op. cit.52.

²³ Meixner Zoltán: *Digitális hejehuja! És az állásunkkal mi lesz?*, in: <http://ujjegylenloseg.hu/digitalis-hejehuja-es-az-allasunkkal-mi-lesz-2/>, (2018. 09. 23.)

²⁴ *Retteghetnek a szalag mellett dolgozó munkások az Epson új robotjától*, in: <https://sg.hu/cikkek/itech/131928/retteghetnek-a-szalag-mellett-dolgozo-munkasok-az-epson-uj-robotjatol>, (2018. 09. 24.)

advantage that employees will even be able to work in more creative fields in the future instead of doing their monotone jobs. By the recommendation, the widely spread use of robots does not lead automatically to the substitution of manpower, but jobs requiring lower education in labour-intensive sectors will probably be more exposed to the danger of automation, since this trend can bring production processes back to the Union. Research has indicated that employment grows significantly faster in jobs using more computers, since the automation of work creates opportunities for people doing monotone work to change to more creative and meaningful tasks. The proper implementation of this can happen if the state invests in it in an appropriate way. Automation requires governmental investments in education and other reforms in order to foster the development of those capabilities which the employees of the future will need.

Of course, the recommendation has realized its dangers, as well. Since robotics and the development of artificial intelligence can result in robots" taking over the work presently performed by humans. Meanwhile lost workplaces are not substituted totally, which can raise concerns about the future of employment, the viability of social welfare and security systems and the continuous differences in pension contributions. If taxation continues to operate on the current basis and the inequality in the distribution of goods and influence may be increasing, in order to retain social cohesion and welfare, the possibility whether a tax shall be levied on work performed by robots or the use and maintenance of the robots shall be bound to

payment should be examined in connection with the support and the funding of retraining the employees whose employment has decreased or been terminated.

4.1. The relationship between robotization and social security

As the text of the recommendation cited above shows, setting masses of robots about work will have significant effects on the maintenance of social security systems. According to the data cited earlier in this study, robots could substitute for 12% of the Hungarian labour force at the moment. Primarily, the work of employees of the assembly industry is in danger. If we look at this tendency in general, it can be said that the change of the labour market will be realized not only in the disappearing occupations and cessation of workplaces, but new occupations and jobs will also be created. The basic question is, however, that how the right to social security will be realized in the cases of the employees in the transitional periods. How will the worker be entitled to benefits whose legal relationship terminates because of setting a machine about work? The dismissed worker has to acquire new knowledge to become an active participant of the labour market again. In the possession of this new knowledge, he can be able to get a new job and participate in the state's risk community system. Of course, working-out of the solution is not only the state's, but also the concerned parties", that is the employer's and the employee's task. Such legal institutions and solutions as outplacement²⁵ and CSR²⁶ will be appreciated more at this point.

²⁵Henczi Lajos: Outplacement, mint szociális gyakorlóterep, „*Munkaügyi Szemle*“ 5/2002, pp. 21-25.; Hiezl Tamás: Az outplacement mint humánpolitikai eszköz, „*Munkaügyi Szemle*“ 6/2000, pp. 14-17.

²⁶ Horváth Dóra Diána: The Connection Between Innovation and Corporate Social Responsibility
In: Gazdócziné Fekete Éva (editor) *Doktoranduszok Fóruma: Gazdaságtudományi Kar szekciókiadványa*. 2016., 18-23.; Szegedi Krisztina – Mélypataki Gábor: A vállalati társadalmi felelősségvállalás (CSR) és a jog kapcsolata, „*Miskolci Jogi*” 2016/1, pp. 51-70.

Social measures realizing in the framework of outplacement and CSR should be primarily done by the employers. But the state cannot stay passive, since it will be necessary to rethink its social care system. Simplifying the processes, in the current system one part of the social care system is financed by the employees and the employers and the state adds to this. Employees who lose their jobs because of robotization fall out of the financing of the system, since it is them who need support in some ways. The employer does not pay salary to the worker dismissed, so these contributions will also fall out, and the state would remain the only funding party of the system. This would mean a significant decrease of the protection level. The demand of the employers' contribution to the maintenance of the system in case of employing robots is defined in the recommendation of the European Parliament cited earlier. The consequences cannot be defined clearly at this moment. One endpoint of the scale is that it will be better for everyone, the other is massive unemployment.²⁷ It will happen in any forms, it will affect the employee's destiny. In connection with this, the idea of compensating²⁸ the negative social political effects of robotization by introducing basic income²⁹ has come up in scientific and business circles, too. Most generally, basic income occurs as a particular benefit form from which everybody can receive automatically. Basic income is the topic of continuous debates. Basic income means a regular income for individuals jointly and

severally, without conditions, independently from other ones. It is such an income resource that seems to be a simple idea to create social security. It does not have a unified definition; certain definitions of it are usually collections of different ideas with contradictory goals. The sum (total or partial) of the basic income, the tax model established for its funding (budget neutral vs re-distributional) and the exchangeable social insurance regulations by the new social rules define its effects.³⁰ Supporters of the idea define the regular monthly sum received in the form of basic income not only as a simple wage, but also as a social benefit. This element of it makes it more attractive. This perception is well-illustrated by a Hungarian experiment in which the group called LÉT defined how basic income could be adapted to the Hungarian conditions. Creators of the conception started from the hypothesis that in the Hungarian system a significant part of aid items and social benefits would become unnecessary upon introducing basic income. In the study the authors explicitly state that family allowance, family tax benefit and several other child supports would be ceased because of the basic income, which would be higher than family allowance. Pregnant women would get an allowance which is one and a half times more than the basic income, and as a result benefits, which are lower than this amount would also be ceased. Just a few targeted financial benefits would remain in the system., The system would primarily keep the benefits which are for solving

²⁷ Ville Veikko Pulkka: A free lunch with robots – can a basic income stabilise the digital economy?, *“Transfer”* 3/2017, p. 296.

²⁸ Benjamin Kentish: Richard Branson calls for universal basic income because robots are taking people's jobs, in: <https://www.independent.co.uk/news/business/news/richard-branson-universal-basic-income-robots-taking-jobs-automation-threat-a7993006.html>, (2018. 09. 24.)

²⁹ Basic income: “Basic income is such an income which is provided by a political community for all of its members on personal basis, independently from financial situation and without work obligations.” See it in details: PARI’S: Alapjövdelem: egy egyszerű és érthető gondolat a huszonegyedik század számára, *“Esély”* 5/2010

³⁰ Pulkka: A free lunch with robots – can a basic income stabilise the digital economy?, op cit. p. 301.

crises or relieving unique problems.³¹ In the latter cases, analysing tests would be introduced, which would bind payments above the basic income to conditions. If we relate these ideas to the topic of robotization, it can be seen that the formation of a new type of social protection net is planned by this income. Employees dismissed because of robots should not worry about their livelihood, since they would have income during the transitional periods, as well, until they can become active participants of the labour market again.

5. Summary in the mirror of life-long learning

It is sure that the meaning and the content of the right to social security will change. The way of it cannot be explained exactly since it will be the result of such a process the end of which cannot be seen yet. It is not sure whether basic income will be the future or not. There is some micro-researches in connection with basic income, but the results of them cannot be adapted to social conditions yet.³² Social security is a complex legal institution, which is influenced by the changes of the society and particularly those of the labour market. Accordingly, social innovation occurring in the employment sector will also have an influence on the changes of the labour market. New employment forms set up different challenges for individuals and the society. Gig economy and robotization will affect the social care system and will force it to transform at the same time. Life-long

learning means the continuity in the maintenance of the right to social security. The people who continuously adapt to the situation and own proper knowledge and competences will be able to remain active in the labour market and ensure social security for themselves continuously.³³ Highlighting this is important because besides the guidelines analysed above it should be mentioned that human capital gets a central role in today's labour law thinking. Therefore it is worth paying attention to one of its main pillar, that is life-long learning. Supporting life-long learning is one of the key factors for employees to be able to keep their right to social security, while the definition of which is continuously changing. The employer and the state should be supporting as far as the support of learning is concerned, and the employee should be receptive. The continuous up-to-date knowledge is what - although will never solve the outlined problems - will ease to bridge over them and may have a significant role in minimalizing losses.

The aim of the study was to outline what kind of tendencies can be expected in the labour market and how they will influence social security. The right to social security is a right that we must protect in the changes of the labour market since it was not easy to acquire it. This helped the employees to act as independent participants against the employer and, if it is necessary, the state, as well. This right should be protected in the on-line space and against robots in the future. Continuous learning, development and the employees' adaptation to the new situation will have a significant role in this.

³¹ "LÉT" 17. old.

³² Pulkka: A free lunch with robots – can a basic income stabilise the digital economy?, op cit. p. 303.

³³ Kun Attila: Élethosszig tartó tanulást támogató nemzetközi munkajogi szabályozási tapasztalatok. A munkahelyi képzés szerepe az élethosszig tartó tanulásban, in: A. KUN (editor): *Az egész életen át tartó tanulás (lifelong learning) jogi keretei a munka világában, különös tekintettel a munkaviszonyra*, Károli Gáspár Református Egyetem Állam- és Jogtudományi Kar, Budapest, 2017, p. 17.

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