



Hustle Culture and Quiet Quitting – Trends Between Young Workers in the Era of Digital Work

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Abstract

This paper examines hustle culture's development, especially among younger generations, its harmful long-term effects, and the emergence of quiet quitting as a counter-response. It further explores quiet quitting within the context of Hungarian labor law, considering its implications for employment dynamics and its potential as either a detrimental or beneficial trend. Quiet quitting, where employees meet only the minimum job requirements, poses challenges under labor law, especially regarding employer responses. Analyzing Hungarian Labour Code provisions and case law, this study finds that while quiet quitting can fall within legal performance standards, it complicates grounds for termination unless consistent underperformance is documented. Addressing quiet quitting effectively involves HR strategies over punitive actions, such as fostering work-life balance. Additionally, trade unions may play a role in advocating for improved conditions to reduce quiet quitting. This approach highlights the importance of empathetic management and sustainable workplace practices in addressing this trend.

Keywords: quiet quitting, principles, employment law, obligations

1. Introduction

The digital-based work represents the contemporary equivalent of the industrial revolution, ushering in new forms of employment daily, like platform work, where rapidity holds paramount importance; the more tasks a worker undertakes, the greater the influx of assignments dispatched by algorithms. The

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pervasive nature of speed within the workplace places significant pressure on workers, encapsulated by the prevalent concept of hustle culture. This mindset, characterized by an incessant drive for productivity, exacts a toll on the mental and physical well-being of individuals. This harmful mentality has triggered a reaction on the part of workers, especially young workers, which is nothing less than a process of quiet quitting. Although the literature calls it as quiet quitting, in my view it is more material to describe it as quiet distancing, given that it is not a process of resignation.¹

In the following, we will go around the question of what hustle culture is and how the quiet quitting trend has evolved. We will then examine how quiet quitting can be understood through the lens of Hungarian labour law. It will be examined whether it is a harmful or a beneficial social trend in terms of the dynamics of the employment relationship, whether it is worthwhile for employers to take action against it and, if so, what employers can do to address the problem rather than sanctioning the employee.

2. In the background: the hustle culture

The importance of work has been a dominant narrative in human society for thousands of years, as work is the most important source of livelihood. At the same time, technological advances, continuous development and revolutions in industry and technology have rewritten the work process and redefined the role of man in work. With the spread of automation and robotisation,² jobs have become redundant, making the previously stable source of a worker's livelihood precarious.³ In addition, economic crises⁴ also put the labour market in a difficult situation.⁵ Increasing pressure on the part of the worker has led to workers increasingly prioritising work at the expense of their private lives,⁶ to such an extent that it has become a factor in employee attitudes⁷ in general. The external, or even internal, compulsion

¹ There is a debate, if quiet quitting is the right term for this phenomena. Jim DETERT: Let's Call Quiet Quitting What It Often Is: Calibrated Contributing. *MIT Sloan Management Review*, vol. 64., no. 2. (2023) 1–3.

² About the robotisation see: Nóra JAKAB – Hilda TÓTH: Robotics and law: The links between robotics and labor law, in particular the legal personality of employees (II). *Lex et Scientia*, vol. 28., no. 4. (2021) 60–75.; Gábor MÉLYPATAKI: Labour Law and Employment Policy Challenges of Robotization. In Vassil KIROV – Bagryan MALAMIN (eds.) *Inclusive Futures for Europe: Addressing the Digitalisation Challenges: BEYOND4.0 Scientific Conference Sofia 2021 Proceedings*. Sofia, Prof. Marin Drinov Publishing House of Bulgarian Academy of Sciences, 2022. 171–184.

³ The role of retraining in this process is important to save workers, as the digital workforce will take decades to replace the entire workforce. HORVÁTH, István – PETROVICS, Zoltán: Digitalizáció a munkában: táguló horizontok joghézagokkal. *Pro Futuro*, 2021/2. 65., 79.

⁴ The 2008 global economic crisis also fostered the spread of this culture, which also intensified during the pandemic. KAMYA PANDEY: The Pitfalls of Hustle Culture at the Workplace. *Jumpstart*, 20. sep. 2022. <https://tinyurl.com/2x2kmdmk>

⁵ On the development of culture in the West, see: Isabella ROSARIO: When The 'Hustle' Isn't Enough. *npr.org*, April 2020. <https://tinyurl.com/4f3mx8u6>

⁶ For the history of this and workplace alcoholism, see: BORBÉLY, Tibor Bors – PECZE, Mariann: Munkafüggőség – a tiszteletben álló addikció elméleti háttere és attitűdvizsgálata. *Addiktológia*, vol. 5., no. 4. (2006) 359–381.

⁷ When examining employee attitudes, work values is an important related concept, as it describes what is important and valuable for a person within a specific culture and context. Work values are closely related to the phenomena of job burnout and work engagement. Beata A. BASINKA – Anna M. DÄDERMAN: Work Values of Police Officers and Their Relationship With Job Burnout and Work Engagement. *Frontiers in Psychology*, 2019/10. <https://doi.org/10.3389/fpsyg.2019.00442>

to work constantly is still being experienced by an increasing number of workers around the world, and so science has begun to study this phenomenon, the so-called hustle culture. The hustle culture is becoming the model for more and more people in the workforce,⁸ whatever the profession in which the person works.⁹ Hustle culture is essentially about continuous work: devoting as much of your day as possible working.¹⁰ Also known as burnout culture,¹¹ hustle culture refers to the mentality that the person must work all day every day in pursuit of their professional goals.¹² This involves working well beyond the contractual working hours.¹³ The worker practically does not take the rest time guaranteed by the contract and the law, with the mentality that taking a break is for the weak. The place of work is then not only the contractual place of work, the employer's office, but can be any other place where the employees would spend their time off,¹⁴ hustle culture is therefore intrinsically linked to teleworking and the digital workplace that enables it.¹⁵ It is no overstatement to say that the precondition for working according to the hustle culture was technological progress.¹⁶

However, continuous work and availability does not only affect the conditions of work. The lack of separation of work from private life means that the right to disconnect cannot be exercised, the boundaries between work and private life become blurred and fused.¹⁷ Hustle culture is seen by some as affecting younger generations in particular, given its digitalisation context.¹⁸ Carvalhono believes

⁸ Felipe CALVARHONO: Hustle Culture: More Harmful Than Helpful. *For-managers*, (without appointment). <https://for-managers.com/hustle-culture/>

⁹ The academy is also affected, and the risk of burnout is higher among young researchers. Anke BOONE – Tinne Vander ELST – Sofie VANDENBROECK – Loda GODDERIS: Burnout Profiles Among Young Researchers: A Latent Profile Analysis. *Frontiers in Psychology*, 2022/13. <https://doi.org/10.3389/fpsyg.2022.839728>; Natalia Ingebretsen KUCIRKOVA: Academia's culture of overwork almost broke me, so I'm working to undo it. *Nature*, 31 January 2023. <https://go.nature.com/42U1BvM>

¹⁰ CALVARHONO op. cit.

¹¹ The importance of burnout is recognised by the WHO, which in 2019 has recognized burnout as an occupational phenomenon. Burn-out an "occupational phenomenon": International Classification of Diseases. *World Health Organisation News*, 28 May 2019. <https://tinyurl.com/mr3z3bwc>

¹² Jam BUENAVISTA: Let's Talk About Hustle Culture. Is It Toxic? How Does It Affect Our Productivity? <https://tinyurl.com/pf4jpbjz>

¹³ In a survey of 1,000 people, 58% of respondents felt that working overtime every day was an unspoken expectation. HAUFE ONLINE REDAKTION: Tipp der Woche: Überflüssige Meetings streichen. *Business Trends*, October 24, 2022. <https://bit.ly/3ZxnKNI>

¹⁴ CALVARHONO op. cit.

¹⁵ This work culture is not only reflected in the fact that employees work in a single job with almost no rest, as many spend their free time doing side hustle jobs. For statistics on this, see: Brian MEIGGS: 2021 Side Hustle Statistics: Trends and Data. *Smarts*, (updated) September 30, 2024. <https://bit.ly/3IQjjzT>

¹⁶ Yuningsih YUNINGSIH – M. Derry PRASETYA: Technology Makes Hustle Culture Still Happened in Pandemic Covid 19. In: Darmawan NAPITUPULU – Tata SUTABRI – Dahlan ABDULLAH (eds.): *ICEBE 2021: Proceedings of the 4th International Conference of Economics, Business, and Entrepreneurship, ICEBE 2021, 7 October 2021, Lampung, Indonesia*. Lampung, European Alliance for Innovation, 2022. 475–482.

¹⁷ Phill BROWN: Managing ambition in a right way. Robert Walters Group Company, (without appointment) 5. <https://tinyurl.com/mt4bt2m4>

¹⁸ The gig economy, gig-based work, with its continuity and the fact that it has escaped the protective net of labour law, creates the right conditions for permanent work, for the spread of hustle culture. Emily ABSHER: What You Love Is Killing You: Stopping Hustle Culture in the Performing Arts. Honors Thesis, Texas State University. May 2020. 13. <https://bit.ly/40pNUTO>

that it is mainly the millennials,¹⁹ including, in particular, young people starting their careers²⁰ are concerned with workaholism, which is a pillar of hustle culture.²¹

This culture has spread rapidly with the help of technology and even social media, as employees can initially experience the positive effects of it. The employees who consistently perform at a high level are likely to receive more recognition for their work performance, move up the ladder faster, and be valued by their employer for their achievements. Therefore, in some respects, this culture is not harmful, since it inspires the worker to be passionate about the work.²² Yet, while this good effect of the hustle work-culture²³ can be seen in the short term, it has many negative consequences in the long term: this fast work, and its effect, like burnout are influencing the mental health and wellbeing in a negative way. The hustle culture upsets the work-life balance, because it is a masochistic work-ethic way of life.²⁴ Indeed, it may lead directly to increased psychological risks at work.²⁵

Against this imbalance, we can observe a trend among young workers: the trend of quiet quitting. It is throwing new light on the world of work for the younger generations²⁶ and has opened up a completely new debate about how they relate to their jobs.

3. Responses to the hustle culture: exploring the quiet quitting phenomenon

Researchers have highlighted the harmful effects of hustle culture. Within the realm of labour law scholarship, numerous initiatives are discernible, including the development of concepts such as the right to disconnect and the proposition of a four-day working week.²⁷ which are already reflected in EU secondary law sources. In addition, workers, especially Generation Z employees²⁸ respond individually

¹⁹ Millennials are born between 1981 and 1996. Generation Z members were born between 1997 and 2012. Michael DIMOCK: Defining generations: Where Millennials end and Generation Z begins. *Pew Research Center*, January 17, 2019. <https://pewrsr.ch/2szqtJz>

²⁰ (Admin BFI): Let's Get to Know Hustle Culture and How To Deal With It. BFI Finance, 9 August 2022. <https://tinyurl.com/bdd3ujt2> (Hereinafter: BFI Finance)

²¹ CALVARHONO op. cit.

²² Heather NG: What is the Hustle Culture and Why is it Glorified? *Circle DNA*, June 13, 2022. <https://tinyurl.com/mt59mf6j>

²³ According to the Oxford Learner's Dictionary, hustle culture means a culture that makes the worker move more quickly, so this is a matter of work culture. See Hustle Culture: Definition, Impact and How to Overcome It. Sampoerna University, 23 Jul. 2022. <https://tinyurl.com/54s4b3j9>

²⁴ Elyn CASALI: *Disrupting Hustle Culture An explorative research project addressing the question, "what does it mean to be productive?"* Linnaeus University, Sweden. Independent project: Final Written Report, 2022. 3. <https://tinyurl.com/yz5xxn9w>

²⁵ Kateryna YARMOLYUK-KRÖCK: A case for an EU directive addressing work-related psychological risks. *ETUI*, 2022. 05. <https://tinyurl.com/3zf6z5ea> . One in three cases of workplace burnout is caused by continuous overtime during free time and weekends, according to statistics, and this type of workplace stress cannot be offset by employee motivation and commitment. Jen FISHER: Workplace Burnout Survey. *Deloitte*, 2015. <https://tinyurl.com/mrk68nyd>

²⁶ Young people have different demands on employers than previous generations, with an increased need for work-life balance. VARGA, Dóra: Generációk munkajogi igényei a munkáltatókkal szemben. *Jog-Állam-Politika*, 2022/4. 137.

²⁷ It is called break culture, and it promotes regular work breaks and work-life balance. Artis ROZENTALS: The Hustle Culture Has No Future – Enter The Break Culture. *Forbes*, Apr. 29, 2022. <https://bit.ly/3zgUzUj>

²⁸ Jim HARTER: Is Quiet Quitting Real? *Gallup Workplace*, September 6, 2022. <https://tinyurl.com/3a3847d7>

to the continuous hustle at work, with quiet quitting.²⁹ Researches show that this phenomenon is on the increase,³⁰ and can manifest itself in a number of ways, highlighted in the following lines.

Quiet quitting is a concept aimed at upholding the dignity of the worker and fostering a healthy work-life balance. It does not entail actual resignation from employment. While commonly referred to as quiet quitting in literature, a more apt interpretation would be quiet distancing, as it does not constitute a formal process of resignation. During the quiet quitting, the worker is still performing the person's duties but is no longer subscribing to the hustle culture mentality.³¹ In doing so, the employee performs the minimum level of job duties expected,³² does not work overtime voluntarily,³³ does not look for extra opportunities to work, and the employer or even the employee may feel that they have lost their engagement in work. This is a kind of distancing from the employer (owner) mentality. While it is easy to pin this trend on the pandemic,³⁴ research indicates that it was building up much before Covid struck, catalysing long-forming movements towards Gig Work.³⁵

Quiet quitting generally serves two objectives. Firstly, it aims to reinstate a healthier work-life balance, a facet often disregarded by the preceding hustle culture, and primarily opposes an employer's maximalist approach, not the obligation to work in general. A less noble goal of the quiet quitting trend is when an employee, for example in a work environment that favours the hustle culture, engages in this behaviour because the employee wants to end the employment relationship,³⁶ however, it is preferable for them to be dismissed by the employer because of access to various benefits, such as severance pay.³⁷ The trend as a whole, regardless of its purpose, can be harmful to the employer's organisation, as it can affect the individual performance of the employee and the performance of the workforce as a whole, increasing turnover.³⁸ So we need to think about how to respond to the quiet quitting trend in the right way.

The hustle culture is so strongly present in the labour market that it is not enough to think only in terms of regulatory options open to the legislator to protect work-life balance and the dignity of the worker, but also to allow room for grassroots efforts on the part of individual workers. Yet, as

²⁹ See more about quiet quitting at: Anna SCHEYETT: Quiet Quitting. *Social Work*, vol. 68., no. 1. (2023) 5–7.

³⁰ According to the literature, quiet quitters make up more than 50% of the U.S. workforce. HARTER op. cit.

³¹ Victoria MASTERSON? What is quiet quitting? *World Economic Forum*, Sep. 2, 2022. <https://tinyurl.com/yn4a7z9s>

³² HARTER op. cit.

³³ Stacy POLLACK: Antiwork and the Rejection of Hustle Culture: A Guide for HR Leaders. Nov. 12, 2022. <https://tinyurl.com/34tmk2eh>

³⁴ At the same time, the pandemic has worsened the well-being and job satisfaction of Generation Z workers, according to a US survey. HARTER op. cit.

³⁵ Ram Mohan SUSARLA: What's With The Millennials? Quiet Quitting, The Great Resignation, And Now, Moonlighting! Slackers Or Pioneers Of A New Era Of Work And Life? *LinkedIn*, Sep. 24, 2022. <https://bit.ly/3TRVvYb>

³⁶ POLLACK op. cit.

³⁷ In a survey, Ring Central came to the shocking conclusion that 34% of workers in Germany are choosing to follow the trend of quiet quitting rather than quitting. Uwe P. KANNING: Quiet Quitting ist keine innere Kündigung. *Haufe News*, 14.03.2023. <https://bit.ly/3ZldB0Z>

³⁸ POLLACK op. cit. About the connection between the labour market, labour force participation and quiet quitting, see: Dain LEE – Jinhyeok PARK – Yongseok SHIN: Where Are the Workers? From Great Resignation to Quiet Quitting. *NBER Working Paper*, January 2023. <https://www.nber.org/papers/w30833>

there may be several negative consequences of this behaviour, it is also worth examining how it can be assessed through the lens of labour law. Accordingly, the next research question is whether the employee is acting unlawfully by engaging in quiet quitting behaviour and whether the employer has the possibility to take action against this. This is particularly pertinent when an employer becomes aware of the emergence of quiet quitting among employees. In such instances, the employer ought to investigate the facts and circumstances surrounding this trend and determine whether the employee's conduct breaches the terms of the employment relationship, as this may warrant dismissal if the conditions are met.

4. Evaluating the quiet quitting phenomenon from the perspective of labour law

The employee is mandated to work continuously. Nevertheless, in quiet quitting, workers exhibit reduced performance levels compared to their previous standards due to this trend.³⁹ During this trend, the level of performance reaches the mandatory minimum, i.e. the employee fulfils the contractual obligations,⁴⁰ and therefore it is not certain that the employee's conduct is unlawful at all. This question must be examined through the filter of national regulations, so in the following the quiet quitting behaviour will be assessed through the Hungarian legal system.

The Hungarian Labour Code (hereinafter: the Labour Code) implements the precise regulation of the employee's obligation to work in two places: the naming of the employee's obligations and the common rules of conduct. The main obligations of the employee are set out in the Article 52 (1) of the Labour Code. Under this paragraph, the legislator expects the employee to work with due care and diligence, with the level of workmanship that can be reasonably, normally expected. It is important to see here what is meant by 'reasonable care' in labour law, a yardstick that is also the basis of the civil liability system.⁴¹ Case law is quite consistent in differentiating between categories of employees, and in setting out accordingly the requirements of what is generally expected in each job in relation to the performance that can be expected in a given situation.⁴² In my opinion, the employee does not breach this obligation during quiet quitting, since the essence of quiet quitting is that the employee performs

³⁹ According to Hungarian case-law, the employee is obliged to perform effectively and to a sufficient level of work, regardless of the fact that the employee is informed that his employment will be terminated if he does not do so. (BH 2015. 334.) However, quiet quitting also involves a phenomenon where the minimum requirements are met by the employee.

⁴⁰ When implementing quiet quitting, it is important that the employee is aware of the exact requirements that apply to their employment. If these are not clear for the employee or are not clear in themselves, the employees may easily find themselves in a situation where they are found to be in breach of their obligations. See the Athabasca University study on this. Alyson HOUSE: Quiet quitting, quiet managing, and quiet firing: the good, the bad, and the ugly. *Athabasca University, Faculty of Business, Faculty of Humanities and Social Sciences*, September 15, 2022. <https://bit.ly/40M6CVr>

⁴¹ BANKÓ, Zoltán – BERKE, Gyula – KISS, György – SZŐKE, Gergely László: *Nagykommentár a munka törvénykönyvéről szóló 2012. évi I. törvényhez*. Budapest, Wolters Kluwer, 2019. 6. §.

⁴² *Ibid.* 6. § (1).

the tasks at the lowest level of the expected intensity of performance, i.e. the lowest level of care that can be expected in the given situation.

However, it should be remembered that the performance of the obligation to work is determined not by the obliged person but by the recipient of the service, the employer. The question is whether such an instruction, which is a unilateral power of the employer, can impose on the employee an expectation to perform to the highest possible standard, with constant progressivity, which necessarily implies that the employee seeks to perform tasks on his own, even putting work ahead of private life, for example by working overtime or at home. Of course, the answer to this question must be in the negative, since the unilateral determination of the method of performance must be based on the principle of equitable assessment, meaning that the unilateral act must be done so, as not to cause the employee unreasonable disadvantage to the employee affected. As a standard of conduct, equitable assessment is a stricter principle than the standard of conduct with reasonable care.⁴³ Hence it can be seen that the employer's expectation of maximum performance, which is part of the hustle culture, cannot constitute a legitimate framework for unilateral demands for performance, if its enforceability goes beyond contractual obligations, in view of the limitation inherent in the equitable assessment.

Mutual cooperation is also essential in the employment relationship, and requires the parties to behave in such a way as to actively facilitate the exercise of the rights and fulfilment of the obligations of one party, while taking into account the interests of the other party. Based on this interpretation, the principle could even be breached by quiet quitting, but it should be noted that the breach of the duty to cooperate is always manifested in a concrete specific breach of obligations.⁴⁴ Given that quiet quitting means that the employer is experiencing the lowest level of the expected performance, no specific failure to fulfil the obligations on the part of the employee can be found, so quiet quitting cannot be considered a violation of this principle.

Among the common standards of conduct, the principles of good faith and fairness are worth highlighting. Based on this general fundamental principle, the parties to an employment relationship are expected to act in the exercise of their rights in such a way as not to cause unjustified disadvantage to the other party and to take the interests of the other party into account. At the same time, it is important to examine the named elements of the principle, as a mere reference to conduct contrary to the principle would be a poor basis for assessing quiet quitting. This is because the principles are generic and the practice in applying them is also limited, as they do not necessarily create an independently enforceable individual right or obligation.⁴⁵ The principle of the requirement of good faith and fair dealing is given concrete expression by the rule that the employee must not, during the employment relationship, engage in conduct that would jeopardise the employer's legitimate economic interests.

⁴³ Ibid. 6. § (2).

⁴⁴ BANKÓ–BERKE–KISS–SZÓKE op. cit. 6. § (2).

⁴⁵ LESZKOVEN, László: Becsülettel, emberséggel... A jóhiszeműség és tisztesség elve és annak „elágazásai” a kötelemszerű magatartás körében. *Gazdaság és Jog*, 2022/9–10. 5–10.

The question arises as to whether quiet quitting might not be considered an act against the legitimate economic interests of the employer. This requirement relates first and foremost to employment in a competitive company, and the establishment of a further legal relationship may typically fall into this category, according to the Commentary.⁴⁶ However, I do not consider it impossible that, if the employer cannot find any other recourse, it may invoke this principle in its action against the employee, given the general nature of the statutory prohibition, no specific examples can be found in the legislation, so the related case law may give substance to this principle. It is of course possible to decide this question only in the light of all the circumstances of the case, but the case law should be cautious in developing an interpretation like this of the principle. Indeed, if it can be established that the employment relationship of an employee who has not reached the threshold for termination, i.e. who is still performing in accordance with the contract, may be terminated on the ground of a threat to the employer's legitimate economic interest merely because the employee is not performing to the highest possible standard.⁴⁷ It would push the balance of power between the parties towards an even greater divergence, leaving the employee in an even more vulnerable position as regards the stability of the legal relationship, not to mention the fact that it would run completely contrary to the legislative developments in labour law that are striving for a work-life balance.

The employment relationship, by its very nature, is strongly linked to the existence of trust between the parties. The loss of trust in the employee can be a proper ground for termination of the employment relationship, which can arise from a wide variety of employee conduct under case law. However, apart from the varied and more ethical content of loss of confidence as a reason for termination,⁴⁸ termination on this basis may be exercised only until a date close to the time when the relevant conduct was brought to the notice of the employer. In Szabó's view, in the case of a longer period of continued employment, the termination can no longer be justified by loss of confidence.⁴⁹ Given that quiet quitting is essentially a prolonged process, a permanent change of attitude on the part of the employee, therefore, if the employer is aware of this behaviour on a permanent basis, loss of confidence would not be a legitimate reason. In a termination claiming loss of confidence, it is important that the employer properly supports its arguments, including by warnings and written documentation. For a dismissal based on loss of confidence, the employer's subjective opinion is not sufficient as a reason,

⁴⁶ BANKÓ–BERKE–KISS–SZÓKE op. cit. 8. §.

⁴⁷ What is considered a maximum performance level is another question. The court decision referred to below links the reasonableness of dismissal to the failure to achieve an adequate level of performance.

⁴⁸ Employer terminations related to loss of trust are usually based on an employee's breach of the code of ethics. HONTI, Bettina: *A munkaviszony megszüntetése: a felmondás szabályai, az azonnali hatályú felmondás, a végkielégítés és a jogellenes felmondás.* Független Szakszervezetek Demokratikus Ligája (LIGA Szakszervezetek), 2021. 14. <https://tinyurl.com/bde5zkt2>

⁴⁹ BANKÓ–BERKE–KISS–SZÓKE op. cit. 8. §. Loss of confidence is not a specifically named group of reasons for dismissal, as it belongs to the group of reasons for dismissal related to the employee's conduct. SZABÓ, Gergely: *Bizalomvesztés miatti munkáltatói felmondás.* *Kocsis és Szabó Ügyvédi Iroda*, 2021. június 24. <https://tinyurl.com/y5jfmtb2>

but it is important that the conduct is also disapproved by the general social assessment,⁵⁰ which, in my view, is not the case for quiet distancing.

Based on this analysis, there is a high degree of uncertainty in the assessment of quiet quitting behaviour. This employee attitude can probably be captured at most in the light of general principles of conduct:⁵¹ within the framework of the principles of good faith and fairness, especially if the employee joins the quiet quitting trend in order to be dismissed by the employer. The principles set out specific additional requirements, as it is not always enough to comply with the explicitly laid down standards of the law.⁵² In my view, therefore, the requirement of good faith and fairness may at a most only be breached by deliberately working at a lower intensity, but this alone is not sufficient to invoke in the notice of termination given the requirement of reasonableness of the termination. The employer must take into account a number of circumstances in any sanctioning or termination, where the level of performance expected by the employer should be highlighted. We have found that the hustle culture, and the maximalist employer attitude that underpins it, can conflict with the equitable assessment general rule when the unilateral performance determination is effectively at the expense of private life. However, an inadequate level of performance may be a legitimate basis for termination under Hungarian case law. In the precedent of this decision, the employer based its termination on a reason related to the employee's ability, as the result of the employee's performance evaluation did not reach the level determined by the employer's management.⁵³ This requires, however, the employee's significantly inferior performance compared to other employees and the objective facts to support it, such as continuous performance reviews and demonstrable underperformance in these reviews. It is another question whether performance below a certain level of performance within the organisation does not go beyond a reduction in performance due to quiet distancing, quiet quitting, especially if the employer cannot provide concrete evidence of the employee's less effective performance, for example by means of a performance review carried out by the employer, as in the case cited.

5. Possible solutions to quiet quitting

Sanctioning quiet quitting poses challenges for the employer, as the employee remains compliant with contractual obligations. Legal termination of the employment relationship on these grounds may not

⁵⁰ BARNÁ, Eszter: Ki lehet-e rúgni valakit bizalomvesztésre hivatkozva? *HR Portál*, 2019. <https://tinyurl.com/y669wr4j>

⁵¹ Principles of labour law, general standards of conduct, are rules of principle to which judicial practice can refer when there is no specific legal norm on a given issue, such as in the case of quiet quitting. KÁRTYÁS, Gábor: Pontosodnak a munkajogi alapelvek. *Adó Online*, 2014. március 4. <https://ado.hu/munkaugyek/pontosodnak-a-munkajogi-alapelvek/>

⁵² HAJDU-DUDÁS, Mária: Alapelvek funkciói a munkajogban. *Adózóna*, 2021. 04. 19. <https://tinyurl.com/2p98unkh>

⁵³ BH2015. 334.

be feasible for the employer, and their intent to terminate employment may also remain uncertain.⁵⁴ Therefore, instead of penalising, it is also important to think about how to solve it, which is no longer a labour law issue but a human resource management issue.⁵⁵ The pivotal role of employer management must be acknowledged, as the organizational structure and culture significantly influence the work-life balance of employees.⁵⁶ Changing employer attitudes can be an important tool to deal with this phenomenon,⁵⁷ which should extend to the different levels of management, enhancing the empathy of employers in the exercise of management.⁵⁸ Discontinuing the hustle culture can represent a significant advancement for the employer, as its perpetuation detrimentally impacts employee satisfaction to a considerable extent.⁵⁹ The employer can do this, for example, by limiting the time of the employee's right to give instructions and control, for example by not informing the employee of the next instructions beyond working hours. In addition to setting an example as an employer, it is important to develop employee recognition, including through regular personal communication,⁶⁰ because one of the toxic beliefs instilled in employees by the hustle culture is that they're never doing enough.⁶¹ Moreover, the sustainability of the employer's organization can also shape employee attitudes. When employees align with the employer's objectives, they are more likely to engage meaningfully in the organization's activities. It should be stressed that the individual relationship between the employer and the employee is a particularly important factor.⁶² Employers can also use additional tools that can enhance the social sustainability of the company, such as providing various mental health tools, programmes and benefits for employees.⁶³ However, these tools need to be carefully considered,⁶⁴ because many measures may seem useful at first, but after considering them from an organisational psychology perspective, they are more likely to be harmful. For instance, an action undertaken by an employer, perhaps even in collaboration with a trade union, to establish an onsite gym or arrange

⁵⁴ Among the sanctions, we can also mention the employer's behaviour of quiet firing. In this case, the employer does not want to bear the burden of the dismissal, but instead creates the conditions for the employee to want to resign. Ben WIGERT: Quiet Firing: What It Is and How to Stop Doing It. *Gallup Workplace*, November 18, 2022. <https://tinyurl.com/23vdnh6t> ; Ayalla RUVIO –Forrest V. MORGESON: Are You Being Quiet Fired? *Harvard Business Review*, November 7, 2022. <https://tinyurl.com/5n7y2zr>. This conduct is, however, more susceptible to the principles of labour law and the specific obligations of the employer, given the expectations placed on the employer by the hierarchy of subordination, but this is not the subject of this research.

⁵⁵ Sandro FORMICA – Fabiola SFODERA: The Great Resignation and Quiet Quitting paradigm shifts: An overview of current situation and future research directions. *Journal of Hospitality Marketing & Management*, vol. 31., no. 8. (2022) 899–907.

⁵⁶ Katrina BALMACEDA: Hustle Culture: Are individuals or companies responsible for preventing burnout? *Intellect* September 13, 2022. <https://intellect.co/read/hustle-culture-burnout/>

⁵⁷ This may also mean setting an example to employees, i.e. that the employer does not carry out work according to the principles of the hustle culture. BALMACEDA op. cit.

⁵⁸ POLLACK op. cit.

⁵⁹ BFI Finance op. cit.

⁶⁰ HARTER op. cit.

⁶¹ ROZENTALS op. cit.

⁶² HARTER op. cit.

⁶³ POLLACK op. cit.

⁶⁴ The managers have to recognize, that there is an informal contract between the employer and the employee. Reginald L. BELL – Daniel KENNEBREW: What Does Jean-Jacques Rousseau and Chester I. Barnard Have to Do With Quiet Quitting? *American Journal of Management*, vol. 23., no. 1. (2023) 7.

post-work recreational activities for employees, commonly known as "after work parties", may inadvertently disrupt the work-life balance by encroaching upon employees' available free time.⁶⁵ The employer's response therefore needs to be considered in a number of ways, including listening to the needs of employees.

We should not forget the actors of collective labour law in the field of quiet quitting. Quiet quitting is a behavioural trend on the part of individual workers, which may be aimed at exerting pressure, as described above, to have the employer terminate the employment relationship for reasons that are accompanied by the payment of severance pay, or at changing working conditions, since the underlying reason for quiet quitting is often that working conditions are not conducive to achieving a work-life balance for the employee. Both the pressure,⁶⁶ and the desire to change working conditions are objectives that are less feasible at the level of individual representation than when collective labour rights actors enter into negotiations. Hence, the action of more strongly organised trade unions can also have a positive impact on the latent tensions between the parties to the employment relationship that can arise from quiet quitting.⁶⁷ However, this process at the collective level requires thoughtful action by employee representatives in how they address the employees concerned, who, as the above findings have shown, are often members of Generation Z.⁶⁸ In addition, a trade union can also help to reduce quiet quitting with good intentions by focusing its activities on fair working conditions for the employees it represents, and on promoting work-life balance.

6. Summary

The paper showed how a culture of constant high expectations, i.e. the hustle culture, has triggered a response from mainly young employees. This reaction, the quiet quitting, was analysed, mainly from the employer's perspective, in particular how the employer can assess the quiet quitting behaviour. The related principles and obligations of labour law were examined. The assessment of quiet quitting behavior under Hungarian labor law presents numerous complexities. While the principles of good faith and fairness provide a framework for evaluating employee conduct, quiet quitting may not necessarily breach these principles on its own. Termination based on loss of confidence due to prolonged quiet quitting may lack justification, particularly if the employer cannot provide sufficient evidence of

⁶⁵ KANNING op. cit.

⁶⁶ Generation Z's pressure is less solidarity-based, and therefore the workers involved do not seek to organise. In the UK, for example, unionisation of workers aged 20-29 in the competitive sector has fallen to 7.5%. Jonathan LORD: Quiet Quitting is a new name for an old method of industrial action. *The Conversation*, September 9, 2022. <https://tinyurl.com/bdbjsbkb>

⁶⁷ This is particularly true in light of the fact that unionisation also has a positive impact on workplace safety, according to research by Australian trade unions.: The verdict is in: Safe workplaces are union workplaces. *Australian Unions*, 17. 11. 2021. <https://tinyurl.com/tkbn69ey> ; Work Shouldn't Hurt. Australian Unions, 2022. <https://tinyurl.com/msd2ke66>

⁶⁸ There are already efforts to do this online, see the General Union's call in connection with quiet quitting: Fredrick HENLEY: A Unionist's Qualms with Quiet Quitting. General Union, Dec. 21, 2022. <https://tinyurl.com/bdhjrh4y>

performance deficiencies. Moreover, the hustle culture's influence on employer expectations must be tempered by equitable assessments to safeguard employees' work-life balance. Ultimately, discerning between genuine performance issues and those arising from quiet quitting necessitates meticulous consideration of objective evidence and adherence to legal principles. Although quiet quitting is a popular and widespread response, it is not without risk. Though we cannot necessarily understand quiet quitting as unlawful conduct from the explanation of the basic principles and rules of Hungarian labour law, the above-mentioned case clearly demonstrates that an employer may terminate an employment relationship for a deterioration in performance that does not contravene a previous contractual clause or employer's written expectations – and this is what quiet quitting effectively does. Quiet quitting is therefore a risky activity on the part of the employee, even if it is aimed at achieving a work-life balance, as the employer's unlawfully high level of expectation is difficult to prove in a potential dispute. It should also be stressed here that this example shows that, although there are numerous regulations in the employment relationship to protect the subordinate position of the employee, the employment relationship is based on dependent work, and this dependency simply cannot be compensated for by regulation. After all, the employer's freedom of discretion, in terms of expected performance, cannot be restricted beyond a certain level.

We have stressed that, while employers can sanction quiet quitting, in the long term, and given that it is a social phenomenon, sanctions may not be the most effective tool for employers. It is more important to think outside the field of labour law to address the issue of quiet quitting, if it is not to be sanctioned but actually eliminated by the employer, thus focusing on human resources management tools. In addition, the research has also shown that, in addition to the employer, trade unions can also play a key role through collective bargaining and by increasing employee satisfaction. Both the employer's search for solutions and the role of trade unions point to the need for a sustainable corporate culture. It is high time to put the focus back on real values. Apparent benefits do not help to stop employees from changing or to bind them to the company. Each employee must actually be seen as an individual. Digital Age needs us to rethink traditional models of work and life, on both the employee's side and the employer's side, in which the role of collective partners is inescapable.