What outcome of the labour law reforms in Bulgaria

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Main changes / new provisions in the Bulgarian labour law in 2011-2012

• Amendments of the Labour code, concerning the telework, domestic work and temporary work;
• Transpositions of some new provisions of the Directive for parental leave;
• Amendments of the Law for protection against discrimination, concerning the employees in the state and local administration;
• Changes in the main criteria for the representativeness of the social partners at the national level;
• Implementation of provisions for the I & C for the agencies for temporary work and for the enterprises, employed temporary workers and employees;
• Transposition of the Recast Directive for the EWC-s;
• Amendments of the Labour and Social insurance codes, concerning the retirement age
Amendments of the Labour code concerning the telework, domestic work and temporary work

- Some social partners put the issues of the telework and domestic work in their programs in 2009-2010;
- In 2010 a survey, concerning the conditions of work of the domestic workers was made by the team of the Association of the domestic workers, an associate member of the CITUB;
- In 2010 also an agreement for telework and domestic work was prepared and signed in 2010 between the social partners and the government;
- In 2010-2011 also debates regarding agencies for temporary work were hold on between the social partners;
- Implementation of provisions for telework, domestic work and for the agency for temporary work in the Labour Code-2011-2012
- The practices of the telework and domestic work are still not as much often used; the temporary work is used sometimes in cases where permanent jobs should exist.
Transposition of some new provisions of the Directive for parental leave

- Some surveys, concerning the work-life balance were made in 2010-2012. In 2011-2012 a research team of the ISTUR collected information for the practices of work-life balance in companies and sectors;
- In 2012 also conference for presentation of the results was organized;
- In 2012 the Economic and Social Council of Bulgaria prepared opinion for the implementation of work-life balance;
- In 2012 amendments of the Labour Code, concerning the work-life balance were made;
- The work-life balance is welcomed by the employers from the companies, which have good market positions and which are profitable; at the same time also the organizational industrial relations culture makes sense.
Amendments of the Law for protection against discrimination, concerning the employees in the state and local administration

• In 2011-2012 new regulations, concerning the job evaluation, payment systems, and performance appraisal of the employees in the state/local administration were prepared.

• In 2012 some amendments of the Law for protection against discrimination, concerning the equality of the criteria for job evaluation, compensations and performance appraisal of the employees in the state/local administration were made.
Changes in the main criteria for the representativeness of the social partners at the national level

• In 2012 the regular census of trade unions and employers’ associations was organized;
• Before that, some changes in the criteria for representativeness at the national level were implemented with amendments of the labour code. They concern much more employers’ associations;
• Trade unions already should have more members, to be represented at the national level;
• Employers associations should unite members from more sectors and branches; in cases of membership of more then one association every company should delegate to one sectoral/national association to represent it and every sectoral association should delegate to one national to represent it
• The number of the nationally represented employers’ association was reduced from 6 to 4, one of the other 2 joined one of the nationally representative
Implementation of provisions for the I & C for the agencies for temporary work and for the enterprises, employed temporary workers and employees

- Provisions for the enterprises, using temporary workers and employees with 50 and more employees and for the agencies for temporary work, where 50 and more employees are employed were put into the Labour Code in 2012;
- The new provisions concern also subsidiaries with 20 and more workers/employees;
- The provisions concern the rights for information and consultations, which already are the same like in all the other enterprises/organizations with 50 and more workers/employees;
- The number of the employed persons is based on the average number for the previous year, as the term of the contract doesn’t matter
Transposition of the Recast Directive for the EWC-s

- Two projects of the CITUB together with BIA and including partners from several member-states and candidate countries, concerning the information and consultations in general and the EWC-s were implemented in 2009-2010 and in 2011-2012;
- In 2011 amendments of the Law for information and consultations of the workers and employees from the multi-national companies, groups of companies and European societies, concerning the new directive were made;
- However, the amendments are practically repeating the provisions from the directive, there is nothing new and the national peculiarities were not taken into account;
- The number of the companies, where EWC members were elected and the number of members increased, there is some improvement of their participation, but the progress is still slow.
Amendments of the Labour code and Social insurance code, concerning the retirement age

- In course of the needs of the pension reform, in 2011 amendments of the labour code, concerning the dismissals of the persons, who already have obtained right to be retired were made;
- According to the changes, the obtaining the right for retirement (length of service and age) by the employee already does not give the right to the employer to dismiss him/her;
- In 2011 amendments in the Social insurance law, concerning the increasing the retirement age and required length of service both for men and women were made;
- The number of employees at age 60 and more increased; however this only reduced to some extend the unemployment level among the work-force from this generation, but not the unemployment level in a whole