# Implementation and follow-up of EU SD instruments Country cases: Bulgaria

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#### A New Start for Social Dialogue

- Social dialogue relaunch
  - Genuine fresh start of social dialogue
  - Positive affect on the capacity of national social partners
  - Possibility for a rapid implementation of the four main European framework agreements on:
    - Stress
    - Violence and harassment in the workplace
    - Inclusive labour market
    - Telework

# Social dialogue in Bulgaria and the 4 EFAs

#### 1. EFA on Telework:

- Implemented in Bulgaria in 2010
- The first independently concluded bilateral agreement of the national social partners on telework
- Text implemented in the Labour Code, introducing provisions on governing telework
  - amended 1 October 2010
  - valid from 2011
- Impacts all sectors and workers
- Current problems
  - no statistics to which extend telework is used in Bulgaria
  - no real control of implementation in the companies

## Social dialogue in Bulgaria and the 4 EFAs

#### 2. EFA on Stress:

- Not been implemented so far in Bulgaria
- Unofficial translation in Bulgarian language

#### 3. EFA on Violence and harassment:

- Not been implemented so far in Bulgaria
- Official translation available (<a href="http://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A52007DCo686">http://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A52007DCo686</a>)

# State of play of NA on Stress and Violence

- National Agreements for joint action in relation to the application of the European framework agreements on stress and on violence in the workplace - drafted in 2013 by CITUB and BIA
- The drafts are based on the experience of the European and Bulgarian social partners
- Negotiations have not progressed
- European social partners' expert teams met in Bulgaria to discuss the state of application of the EPC in Bulgaria - 27 June 2016
- CITUB, Podkrepa and BIA decided to resume the process of concluding the drafted agreements
- CITUB proposed to implement the three EFAs on stress, on violence and on inclusive labour market as an integral part of the National Council for Tripartite Cooperation's Action Plan for 2016-2017

#### Draft NA on Stress and Violence - content

- The drafts contain specific guidelines and tools for common actions at all applicable levels of social dialogue and collective bargaining
- The guidelines and tools:
  - in line with the main recommendations of the European autonomous framework agreements
  - in the context of the good practices of European social partners in their implementation
  - in compliance with the experience and best practices of key CITUB members

#### Draft NA on Stress and Violence - aims

- Analysis of the key factors causing stress
- Investigation of symptoms cognitive, behavioral, emotional, etc.
- Identifying and determining the level of stress and forms of harassment and violence at work
- Conducting national and sectoral studies and analyzes of harassment and violence at work
- Discussion of the studies' results in NCTC and NCWC, tripartite and bipartite councils on occupational health and safety
- Diagnostics of violence acts

## Future actions to implement the EFAs

- Effective, intense and responsible social dialogue
- Engagement of Government
- Involvement of NCTC and Economic and Social Council
- Use of the potential, traditions and experience of the bipartite social dialogue and collective bargaining
- Implementation of the Labour Code provisions for bilateral negotiations between businesses and unions
- Urge NCTC to set up a working group that includes representatives of relevant ministries
- Proposals for legislative changes on criminalization of workplace violence in all its forms, its classification as a crime and bind to specific sanctions

# FTTUB on prevention of Violence

- Chapter "Prevention of workplace violence" in SCBA /2010/
  - Effective measures to prevent workers from all forms of physical and psychological abuse
  - Working conditions that prevent workers from chronic work related stress, physical and mental disabilities.
  - Policy of zero tolerance against workplace violence in its various manifestations - physical, mental and sexual.
  - Trainings to raise awareness of managers and employees in order to identify signs of workplace violence and to initiate preventive or corrective actions.

#### Prevention of violence in the SCBA

- Procedures to be followed in case of violence, which include at least:
  - Immediate and fair internal investigation
  - Statistics
  - Follow-up
  - Adequate disciplinary measures against the perpetrators in case they are employees in the same establishment
  - Aftercare
- Same clauses in 8 company CBA

# Conclusion

 Only joint efforts and dedication can lead to positive results on implementation of the ESD outcomes

The benefits are both for workers and for business