

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 (<http://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A52007DCo686>)

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