

Social Dialogue mapping

Description scheme for country overviews

BULGARIA

Sources:

1/ Eurofound Working Life Profiles <https://www.eurofound.europa.eu/country/bulgaria#actors-and-institutions>

2/OSH WIKI https://oshwiki.eu/wiki/OSH_system_at_national_level_-_Bulgaria

3/ ESENER-2 <https://osha.europa.eu/en/surveys-and-statistics-osh/esener/2014>

Introduction on Social Dialogue in MS (1)

The general rules of representativeness described in the Labour Code (Articles 34–35) were changed in 2012. (These changes were strongly questioned by institutions, employer organisations and trade unions. The President vetoed the initial proposal. Some of the suggested changes were rejected because of a ruling from the Constitutional Court.) In 2016, the Labour Code requirements for social partners' representativeness have been reduced, making the eligibility easier to achieve.

After the Census of the criterion for representativeness in 2012, the Ministry Council recognised as representative two trade union confederations: Confederation of independent trade unions in Bulgaria (CITUB), Confederation of labour Podkrepa, and four employers' organisations: Confederation of employers and industrialists in Bulgaria (KRIB), Bulgarian Chamber of Commerce and Industry (BCCI), Bulgarian Industrial Association (BIA), and Bulgarian Industrial Capital Association. The Union for Private Economic Enterprise (UPEE) and the Union of Private Bulgarian Entrepreneurs, 'Vazrazhdane' (UPBE) were not approved as representative in 2012. UPBE joined BICA.

A decision by the Council of Ministers from 10 August 2016, based on a census on the representativeness of the social partners in Bulgaria, formally recognised five nationally representative employer organisations and two trade unions: Association of Industrial Capital in Bulgaria (BICA); Bulgarian Industrial Association (BIA); Confederation of Employers and Industrialists in Bulgaria (KRIB); Bulgarian Chamber of Commerce and Industry (BCCI); Union for Private Economic Enterprise (UPEE); Confederation of Independent Trade Unions in Bulgaria (CITUB); Confederation of Labour Podkrepa (CL Podkrepa).

Trade Unions (1)

- About trade union representation**

The Labour Code (Articles 4 and 5) says that employees/employers have the right, without prior authorisation, to freely form trade unions /organisations, voluntarily join or leave them, taking into account their statutes only. No exclusion of employees or sectors is regulated in the Labour Code. Civil servants can also form and be members of trade unions (Law for Civil Servants). Freedom of association is also defined in the Constitution Act (Article 49).

Some limitations are settled by other legislative documents, such as the Law for Ministry of Interior. The employees of the system 'Security' have the right to join trade unions for the Ministry of Interior only (none of the nationally representative social partners).

The Confederation of Independent Trade Unions of Bulgaria (CITUB) is the largest trade union in Bulgaria. CITUB was established in 1990, on the basis of the old unique trade union during the communist period (*Balgarski Profesionalni Sauzi - BPS*). The Confederation of Labour Podkrepa was formed on 8 February 1989 by a small group of dissidents. During the first years of its existence (up to 1991), CL Podkrepa combined trade union and political activities. However, CL Podkrepa rapidly became the second largest trade union confederation in Bulgaria covering all economic sectors and regions.

- Main trade union confederations and federations**

The most important trade union confederations in Bulgaria, nationally representative, are the Confederation of Independent Trade unions in Bulgaria (CITUB) and the Confederation of Labour Podkrepa.

Long name	Abbreviation	Members	Year	Involved in collective bargaining (*)
Confederation of Independent Trade Unions in Bulgaria/Конфедерация на независимите синдикати в България	CITUB	275,762	2012	Yes
Confederation of Labour Podkrepa/Конфедерация на труда „Подкрепа“	CL Podkrepa	88,329	2012	Yes

Employers' organisations (1)

- **About Employers' organisations**

All employers have the right to join employer organisations (Labour Code, Article 5). One company can be a member of more than one employer organization

After the legislative change on representativeness in 2012, the representative employer organisations decreased from six to four. In 2016, with the new change of the legal requirements, five employer organisations are considered as nationally representative.

There are five nationally representative employers' organisations in Bulgaria in 2016: the Bulgarian Industrial Association (BIA), Confederation of Employers and Industrialists in Bulgaria (CEIBG), the Bulgarian Chamber of Commerce and Industry (BCCI), the Bulgarian Industrial Capital Association (BICA), and the Union for Private Economic Enterprise (UPEE). The employer organisations publicly protested against the 2012 criteria (BIA, BCCI), calling them 'discriminative', and contradictory to the main principle of the international legislation. As a result of the 2012 census, the Council of Ministers disapproved the representativeness of the Union for Private Economic Enterprise (UPEE) and the Union of Private Bulgarian Entrepreneurs, 'Vazrazhdane' (UPBE). The Bulgarian Chamber of Commerce and Industry asked the President of the Republic to veto the legislative changes. BCCI turned to the Constitutional Court of the Republic of Bulgaria and after its supportive decision, BCCI obtained an approval for national representation in 2012. In late January 2016, the new census of the membership of employer representatives and trade unions involved in NCTC was organised. Through amendments of the Labour Code, the Parliament adopted lower criteria (50,000 members as it was between 1992–2012 instead of 75,000 members) for the national representativeness of the social partners, and in August 2016 five representative employer organisations received a mandate to operate until 2020.

The employer organisations have been very active in public discussions about labour legislation changes – for instance, on the raising of the minimum wage in 2015–2016, pension reform and social security issues – and often oppose the trade unions.

Up to 2000, the number of employer organisations increased. However, since 2012 there have been just four nationally representative employer organisations, compared to six before the official census.

- **Main Employers' organisations**

According to the last census in 2016, the recent change in the legislative requirements (lowering the criteria for representation – returning the level of 50,000 members as it was in 1992–2012 instead of 75,000 members, and the decision of the Council of Ministers, there are five nationally representative employer organisations: the Bulgarian Industrial Association (BIA), the Confederation of Employers and Industrialists in Bulgaria (CEIBG), the Bulgarian Industrial Capital Association (BICA), the Bulgarian Chamber of Commerce and Industry (BCCI) and the Union for Private Economic Enterprise (UPEE).

The employer organisation with the largest number of employees with labour contracts and the largest number of employer members is BCCI, according to the last official data from 2012. BICA covers the largest number of economic sectors (46). BIA has the most local structures. Only CEIBG is not member of global and European social dialogue employers' structures. The sectoral employers' federations are part of collective bargaining through the branch councils for cooperation. However, not all the branches and economic activities having collective agreements signed. UPEE is nongovernmental employers' organisation of companies in the micro, small and medium businesses, founded in 1989 by the first entrepreneurs in Bulgaria in order to promote economic initiative and representation of collective interests of employers in the labour market and industrial relations. UPEE is a member of UEAPME and IOE.

The Association of the Organizations of Bulgarian Employers (AOBE), registered in 1995, is a free union of the former (before 2017) nationally representative employer organisations (BIA, BICA, BCCI and CEIBG) and is a collective member of the International Organization of Employers.

Long name	Abbreviation	Members	Year	Involved in collective bargaining (*)
Bulgarian Industrial Association /Българска стопанска камара	BIA/БСК	3,217	2012	Yes
Confederation of Employers and Industrialists in Bulgaria (Конфедерация на работодателите и индустриалците в България)	CEIBG/КРИБ	5,636	2012	Yes
Bulgarian Industrial Capital Association (Асоциация на индустриалния капитал в България)	BICA/АИКБ	6,614	2012	yes
Bulgarian Chamber of Commerce and Industry (Българска Търговско-промишлена палата)	BCCI/БТПП	21,977	2012	yes
Union for Private Economic Enterprise (Съюз за стопанска инициатива)	ССИ/UPEE	No data	No data	No data

Social Dialogue on OSH (2)

• National level

Social dialogue is the basis for consultations on OSH policy development and implementation in Bulgaria.

The National Council for Tripartite Cooperation (Национален съвет за тристранно трудничество)^[20], set up in 1993, brings together the government with the two main trade union confederations and a number of employer organisations that varied along time, according to their representativeness. Social dialogue on occupational safety and health is coordinated by the National Council on Working Conditions- NCWC (Националният съвет по условия на труд), organised by the Ministry of Labour and Social Policy.

The social partners involved in this Council are:

Confederation of Labour Podkrepa (Конфедерация на труда “Подкрепа”)^[21] was established in 1988, during the communist regime, as an independent union. Podkrepa is the first trade union in Bulgaria adhering to the International Confederation of Free Trade Unions. It covers about 24% of the employees and has 143 municipal structures, constituting 54% of the municipalities^[22].

Confederation of Independent Trade Unions of Bulgaria - CITUB (Конфедерацията на независимите синдикати в България-КНСБ)^[23] brings together 35 federations, trade unions and associations and has several associate members also. It is the biggest confederation in Bulgaria covering about 60% of employees and has 243 municipal structures, representing 92% of all the municipalities^[23].

Bulgarian Industrial Association- Union of the Bulgarian Business- BIA (Българска стопанска камара – съюз на българския бизнес -БСК)^[24] is an umbrella organization with a structure representing the branch organizations covering the whole spectrum of economy and the regional structures that correspond to the administrative division of the country.

Bulgarian Chamber of Commerce and Industry- BCCI (Българската търговско промишлена палата)^[25] – is a successor of the Bulgarian Chamber of Commerce established in 1895. BCCI is made up of member companies, sectoral organisations and municipal structures. It has been recognised as representative since 1993.

Confederation of Employers and Industrialists in Bulgaria – The Voice of the Bulgarian Business - CEIBG(Конфедерация на работодателите и индустриалците в България- Гласът на българския бизнес)^[26] represents large and medium-sized Bulgarian private companies and multinationals.

Bulgarian Industrial Capital Association -BICA (Асоциация на индустриалния капитал в България)^[27] membership includes more than 50 holding and investment companies, over 38 branch chambers, 2000 industrial enterprises. It employs over 200,000 people and has a network of regional chambers covering 75 municipalities.

Union for Private Economic Enterprise (UPEE) (Съюз за стопанска инициатива)^[56](as from 2016)

• Sectoral level

There are 25 branch councils covering industry, energy, construction, transport, leather industry, railroad transport. Some trade unions are not affiliated to any branch or national trade union organisation. These include, for example, the Bank Trade Union or the Academic Union the Free Aviation Trade Union, which mainly organises land aviation workers. Some unions are not allowed to

affiliate, such as the National Police Trade Union and the Union of Firefighters. There is little information on their activity^[22].

- **Enterprise level**

According to Bulgarian law on health and safety at work (HSWL)^[21] the employer must consult with employees or their representatives and organizations, enabling them to participate in matters that may affect their health and safety. HSWL provides the frame for social dialogue at enterprise level as well as for the case of cooperation between enterprises for work purposes.

In enterprises with 50 or more employees Working Conditions Committees (WCC) should be established^[21], while smaller companies (5 to 50 employees) should set up Working Conditions Groups (WCG).

While the functions of WCC and WCG are similar, there are differences in their composition. WCCs include employer representatives and an equal number of workers representatives for health and safety at work. In the work of the Committee representatives of the supervisory authorities (labour inspectorate) or the occupational health service and outside experts can be invited. The WCC Chairman is the employer or his representative and the deputy is a workers' representative. WCGs consist of the employer or the manager of the respective unit and of one employees' representative. WCC/WCG and trade union representatives are entitled to take part in the investigation of work accidents and occupational diseases.