



[Login](#)

EMCC

European Monitoring Centre on Change

Bulgaria: Selection of employees for (collective) dismissals

[Go to list page](#)

Bulgaria

Phase:

Management

Type:

Selection of employees for (collective) dismissals

Last modified: 17 June, 2021

Native name:	Кодекс на труда, Закон за здравословни и безопасни условия на труд
English name:	Labour Code; Law for Health and Safety Working Conditions

Article

Article 333 (Labour Code); Article 30 (Law for Health and Safety Working Conditions)

Description

In accordance with provisions of the Labour Code, in the framework of collective dismissals (within 30 days, at least 10 dismissals in companies with 20-99 workers, at least 10% in companies with 100-299 workers, at least 30 dismissals in companies with 300 or more workers) an employer may dismiss only with the prior consent of the labour inspectorate:

- employees who are mothers of children younger than three years old;
- employees who have been reassigned for health reasons (where the opinion of a commission of medical experts is delivered);
- employees suffering from certain diseases listed in a Ministry of Health regulation (certification from commission of health experts necessary);
- employees who have commenced a period of authorised leave;
- employees who are elected employees' representatives on information and consultation and members of committees on health and safety/working conditions;
- members of the European Work Councils.

In cases of the partial closure of an enterprise, as well as of staff cuts or reductions in the volume of the work, the employer is allowed, in the interest of production or business, to dismiss selected employees whose positions have not been made redundant, in order to retain employees of higher qualifications and better performance. However, the employer could dismiss an employee, member of the leadership of the enterprise trade union (territorial, industrial or national elected trade union body) during the period the trade union position is held and no earlier than six months after, only with preliminary agreement of the trade union's central management.

While planning to make such structural changes, the employer must make efforts to reach an agreement with the representatives of the trade unions and that of employees regarding the consequences of possible collective dismissals.

Comments

Art. 333 of the Labour Code establishes the so-called 'Prior protection' upon dismissal. The protection is preliminary because it precedes the dismissal. Its purpose is to make dismissal subject to prior authorisation of a state or trade union body, and only upon receipt of that authorisation the dismissal may be carried out. This permission is requested in writing by the employer and must be received in writing by the competent state or trade union body. If such an authorisation is not requested or when been requested, it has not been given before the dismissal, the dismissal made on that ground alone is unlawful.

Cost covered by

Not applicable

Involved actors other than national government

Trade union

Thresholds


Company size by number of employees:

20

Number of affected employees:

10

Sources

 Kirov, V., 2010, National background paper Bulgaria, Anticipating and managing restructuring in enterprises: 27 national seminars, ARENAS Report, Brussels, European Commission.

 [Labour Code](#)

 [Bill amending and supplementing the Law on Safety and Healthy Working Conditions](#)

 [General Labour Inspectorate, What is the protection under art.333 of the Labour Code](#)

Useful? Interesting? Tell us what you think. 

Eurofound welcomes feedback and updates on this regulation

Your name *

E-mail *

More information?

Homepage

Subject

Comment *

Save

Preview

European Monitoring Centre on Change - EMCC

About EMCC

European Restructuring Monitor

-  [About the European Restructuring Monitor](#)
-  [Restructuring events database](#)
-  [Restructuring support instruments](#)
-  [Restructuring related legislation](#)
-  [Restructuring case studies](#)
-  [ERM publications](#)

[European Jobs Monitor](#)

[Labour market research](#)

[Case studies](#)

[Future of Manufacturing in Europe \(FOME\)](#)

[European Observatory on Quality of Life - EurLIFE](#)

[European Observatory of Working Life - EurWORK](#)

Quick links

- [Legal information](#)
- [Data protection](#)
- [Environmental policy](#)
- [Cookies](#)
- [Subscriptions](#)
- [Multilingualism](#)
- [Templates for Eurofound reports](#)
- [Eurofound style guide](#)
- [Management Board extranet](#)
- [Map - how to get to Eurofound](#)
- [FAQ](#)
- [Sitemap](#)



Contact us

Eurofound, Wyattville Road, Loughlinstown, Co. Dublin, D18 KP65, Ireland

Phone: (00) 353 1 2043100

E-Mail: information@eurofound.europa.eu

Press: media@eurofound.europa.eu



MEMBER OF THE NETWORK OF EU AGENCIES



EUROFOUND ACHIEVES EMAS REGISTRATION



EUROFOUND IS AN AGENCY OF THE EUROPEAN UNION



[Access to internal documents](#) | [Financial information](#) | [Archives](#) | [Information centre](#) | [RSS feeds](#)

© EUROFOUND 2023