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EMCC

European Monitoring Centre on Change

Bulgaria: Staff information and consultation on restructuring plans

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Bulgaria

Phase:

Anticipation

Type: Staff information and consultation on restructuring plans

Last modified: 14 June, 2019

Native name: **Кодекс на труда**

English name: **Labour Code**

Article

Articles 130b, 130c, 130d

Description

Preparations for restructuring processes have to be done as early as possible and must begin when the need to restructure is being contemplated, no later than 45 days before collective redundancies (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) are realised. This preparation is carried out according to the methods and procedures negotiated at the sector level.

In the labour code, there is an obligation on the employer's side to inform and consult trade union and employee representatives in line with EU information and consultation regulation on collective redundancies and transfer of undertakings, change of activities, economic situation and work organisation.

The National Institute of Conciliation and Arbitration may participate in dispute resolution at the request of one of the parties, which must provide the following information:

- reasons for the planned redundancies;
- number of workers and employees to be made redundant and major economic activities, groups of occupations and jobs of the redundant employees;
- number of employed workers and employees of the major economic activities, groups of occupations and jobs in the enterprise;
- specific indicators for application of selection criteria for the workers and employees to be made redundant;
- period during which redundancies will take place;
- indemnities to be paid related to the redundancy.

Comments

Consultation normally takes place after the public announcement but cases of advanced consultations are gradually increasing. A total of 90% of collective agreements covering around 20% of the labour force contain conditions on collective redundancies.

Cost covered by

Not applicable

Involved actors other than national government

- Employer organisation
- Public employment service
- Trade union
- Other

Involvement others

National Institute of Conciliation and Arbitration

Thresholds





Company size by number of employees:

20

Number of affected employees:

10

Sources

-  DG Employment, Social Affairs and Equal Opportunities/Héra, Selected companies' legal obligations regarding restructuring, 2011
-  EMCC legal framework of restructuring
-  EMCC actors in restructuring
-  Labour Code

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