

well-being

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Report

Workshop Sofia

3rd April 2009



This project is supported by the European Community Programme for Employment and Social Solidarity (2007-2013). This Programme is managed by Directorate General for Employment, Social Affairs and Equal Opportunities of the European Commission. The information contained in this publication does not necessarily reflect the position or opinion of the European Commission.

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Agenda

- 9.00 Opening and presentation of the participants
- 9.10 Project Presentation
- 9.20 Presentation of the ISTUR

I session – Collective bargaining system and social dialogue

- 9.30 Presentation
- 10.00 Discussion
- 10.30 Coffee break

II session – Social security system

- 11.00 Presentation
- 11.30 Discussion
- 12.00 Lunch

III session – Continuous Vocational Training

- 13.00 Presentation
- 13.30 Discussion
- 14.00 Coffee break

IV session – Health and safety control and analytical systems

- 14.30 Presentation
- 15.00 Discussion
- 15.30 Conclusions and follow up
- 16.00 Closing

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- Project Presentation well-being@work

By Mag. Hans Preinfalk, Dr. Ivan Kokalov

- Presentation of ISTUR

By Luyben Tomev

Institute for Social and Trade Union Research at CITUB Bulgaria

Is committed:

- To provide research products of high quality tailored to the needs of social partners and the development of industrial relations in the country based on the best EU countries practice.
- To support the realization of the values of the European social model in the country

Structure:

- Management (Director, Deputy Director, Scientific Secretary)
- Research team I (Industrial relations, Globalization & European integration, Trade Union development & policies)
- Research Team II (Social & Economic policy. Incomes, living standards. Labour market)
- Supporting functional units

Activities:

Research, Consultancy and Training

Research work based on annual programs:

Social and economic reforms and developments; Labour market; Industrial relations, Globalization and European integration; Working conditions and workplace issues; Development and policy of trade unions; International projects.

Projects for 2009 – 2010: Migration developments and employment policies in the common EU – Labour market; Comparative study of health & safety at work and sustainable production (Bulgaria – Norway); Measuring satisfaction with job through “Work Climate Index” (support of AK OÖ, DBG and ETUI); Creation and development of collective Bargaining – Network at CITUB, Corporative Social Responsibility – challenges for the social dialog and the collective bargaining in Bulgaria; Development of the independent trade unionism and the industrial relations – challenges of the transition.

Networks: European Trade Union Institute Collective bargaining network, International Industrial Relations Association (IIRA), Global Union Research Network (GURN), National Correspondent for Eurofound,

I session – Collective bargaining system and social dialogue

Presented by Tatiana Mihaylova

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Intuitional framework for the social dialogue and collective bargaining

The Social Dialogue and partnership in Bulgaria grew up from scratch without any traditions and experience. Since the beginning of transition the legislation providing for the development of social dialogue and the corresponding institutions were promoted.

The development

- In 1990 the General Rules for Conclusion of collective agreements
- The Collective Labour Disputes Settlement Act
- General Recommendations for Conducting negotiations, Signing and Executing Collective Agreements and Contracts.
- Regulation 129/5 from July 1991 of the Council of Ministers regarding negotiations of salaries.
- Labour Code amendments and supplements of 1992
- Labour Code Amendments Act – in force since 31.03.2001
Definition of “Tripartite Cooperation”
- Labour Code Amendments act – in force since 01.06.2006
Harmonization with EU legislation

Social Dialogue

National level: The National Council for tripartite Cooperation (NCTC) elaborates the labour and social legislation.

Sectoral Level: On a tripartite basis between the government, trade union and employers’ representatives and bipartite basis between trade unions and employers only.

Collective bargaining is organized at three levels (sector, municipal, enterprise/company). The most important level is the company level, following the trend of decentralization. However the role of sector/branch collective bargaining also increases. The coverage rate of collective agreements is estimated at 30 % of the total employees. The main problem of collective bargaining at sectoral level is that the employers’ organizations are still somewhat fragmented with no clear rules for membership permitting double and triple membership. At Municipal level there will be difficulties due to a limited budget because of the world crises. On company level some employer’s don’t respect the Labour Code and refuse the needed information for the bargaining processes.

Conclusion

The Bulgarian employees are not acquainted about their right to be informed and consulted. The employers are not interested in implementation the system for information and consultation. The state doesn’t inform its working citizens for those rights. Also some thresholds in the legislation impede systems functioning from. There is also no legislative provisions for time off for representatives to functioning and training also.

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Presented by Dr. Ekaterina Ribarova

Social Insurance system and labour market policies

The Social insurance system in Bulgaria includes payments of contributions for several insurance risks, as follows: For old age and death, for permanent disability, for temporary inability to work, for unemployment and health insurance. The protection of unemployed persons in Bulgaria is based on two systems – on the social insurance and rights for getting unemployment benefits. In Bulgaria there are substantial regional differences in the level of unemployment. There is a trend of increase of youth unemployment level and of the level of unemployment among the persons at age over 50. Also low educated and qualified people are more likely to become unemployed.

Contribution for unemployment: The insurance contribution for unemployment is 1 % from the personal income. In 2009 60 % from the amount of the contribution should be paid by the employer and 40 % by the employee.

Requirements for getting unemployment benefits: People have to register themselves (maximum 3 months after termination) at a local office of the National Employment Agency. The insurance contribution should have been paid for at least 9 months during the last 15 months before termination. Persons, who have left voluntary or because of their own guilt can get the minimum level of benefit for 4 months.

Amount of payment of benefits: For 2009 the minimum level of unemployment benefit per day is BGN 6 and the maximum 12. The particular amount of the individual level of benefit is 60 % from the level of the insurance income per day.

Main labour market policies: Keeping the level of employment, Restriction of the unemployment level and promotion of new employment.

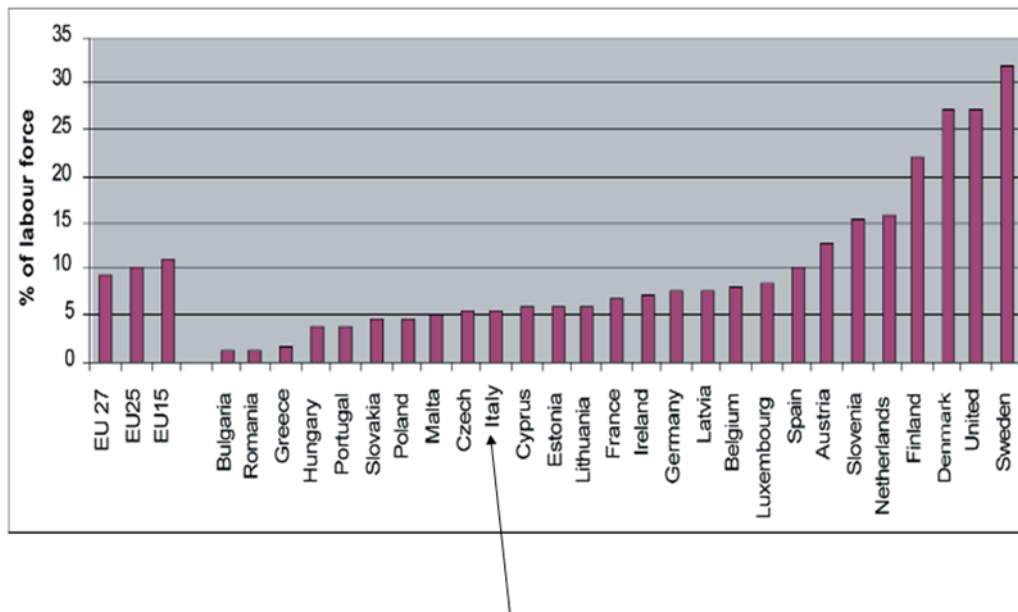
Conclusion

The level and the duration of payment of the unemployment benefits are rather promoting persons for starting to work as soon as possible. The level of benefits has been discussed every year and it seems the amount is too low. Some groups, mainly low educated and qualified people, have lots of difficulties in finding new jobs. There are some particular issues of the youth unemployment. It has been caused by the problems of education, qualification and wrong professional orientation. The unemployment among the people at age over 50 years has been sometimes caused also by non-official discrimination concerned to the age. The labour market policies are purposed to the promotion of employment, but in spite of that in most cases they could promote mainly temporary employment. The growth of employment and reduction of the unemployment level have been caused by the economical growth, not as much by the labour market policies. The improvement of the level of employment and restriction of the unemployment require new policies in education, qualification and vocational training and orientation. For the preparation and implementation of good labour market policies not only social dialogue and dialogue with the civil society are necessary, but also participation of social partners and NGOs in the policies, especially in Orientation, training and intermediation.

Input Salvo Leonardi

Topic: The Post-Lisbon Strategy and the quality of industrial relations

Participation of the labour force in lifelong learning (2006)



III session – Continuous Vocational Training

Presented by Dr. Lyuben Tomev

Qualification, vocational training and well-being at work

Legal framework

Labour Code (LC): The basic regulative act of the labour legislation in Bulgaria.

Vocational Education and Training Act (VETA): guarantee the realisation of the common European concrete objectives of the system for continuous vocational training.

Higher Education Act (HEA): implement continuous training in the higher educational system.

Employment Promotion Act (EPA): includes measures for life-long learning and adult vocational training.

Crafts Act (CA): regulate the relations concerning the crafts practice, connecting to organisations of the crafts and related to it training.

Law on the Public Chitalishte (LPC): regularize the activities of the cultural clubs in the country.

Institutional framework

National level: Ministry of Education and Science/Labour and Social Policy/Culture/Health, Executive Employment Agency, National Agency for Vocational Education and Training, Branch ministries, representative employer's associations and workers organizations

Regional level: Department "Regional Employment Agency", Regional Educational inspectorates, District administration

Local level: municipalities, Departments "Labour office"

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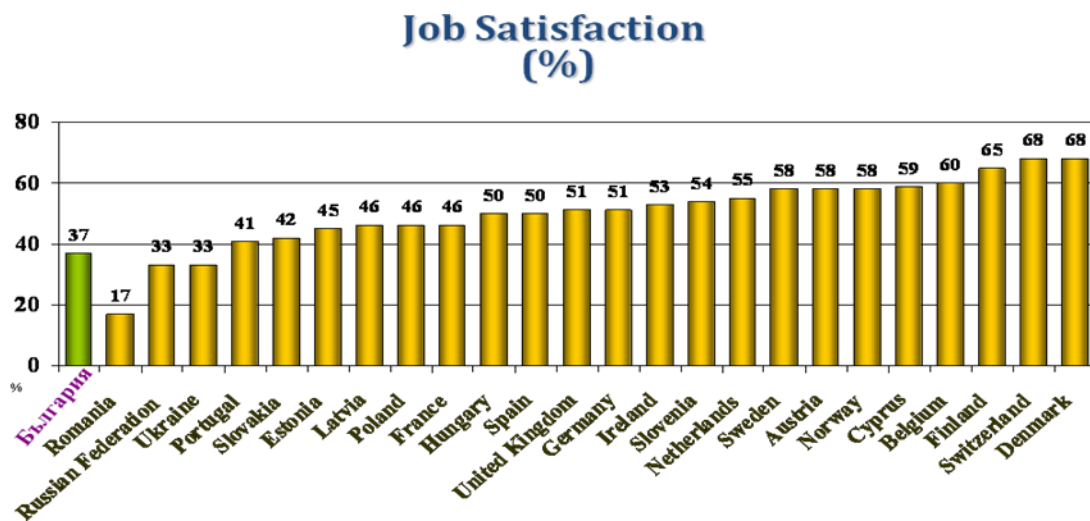
Institutions

Main institutions are occupational schools and gymnasiums. In 179 (35,8 %) continuous vocational training is organised. Occupational training centres (45 % in Sofia) are organised by the state, municipal or private.

Social partnership: At regional level the educational inspectorates of the labour offices, maintain active relations with different structures for social partnership and/or participate in it.

Input Ms Dimitrova

Topic: Job Security, Job Satisfaction



IV session – Health and safety control and analytical systems

Presented by Emilia Dimitrova

Health and safety at work control and analytical systems

The Bulgarian legislation in the field of health and safety at work has been fully harmonized with EU requirements. In Bulgaria the right to healthy and save work is stipulated in the Constitution. The framework of standards, requirements and obligations has been established, and aggregated in more than 700 separate normative acts. That makes it difficult to implement and for that extremely ineffective.

Institutional Capacity of the health and safety system

The Council of Ministers of Bulgaria as one of the main elements of the system is defining and implementing the policy of ensuring healthy and save working conditions.

The Ministry of Labour and Social Policy is elaborating, coordinating and implementing the state policy in the field. Through Working Conditions Funds the Ministry is supporting activities and actions to improve the working conditions and provide health and safety at work.

The General Labour Inspectorate-Executive Agency is a state body responsible for the overall monitoring over the observation of the labour legislation.

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The Ministry of Health Care manages and coordinates the activity related to preventive health and health promotion at work.

Others: State Agency for Metrology and Technical Supervision (SAMTS), National Social Security Institute, Labour Medicine Services

There is an well developed infrastructure of services for assisting employers for implantation of their duties and obligations to provide health and safety at work, including labour medicine offices, laboratories for working conditions measurement, training and consultation centres on issues related to health and safety at work.

Social Partnership

At Branch level **Branch Working Conditions Working Councils (BWCC)** are established. Their function is to:

- analyse the state of the activities aimed at ensuring healthy and safe working conditions in the corresponding branch
- organise discussions and implementation of projects
- examine and disseminate best practices
- organize and carry out training

At regional level **Regional Working Conditions Councils (RWCC)** are established. Functions are:

- Approving regional programmes for investigation and preparation of projects for improving working conditions.
- Discussing the situation of the activities for providing healthy and safe working conditions in the region or in the enterprises.
- Coordinate the activities of the regional control authorities on working conditions.
- Offering assistance to the Working Conditions Committees or Groups in solving concrete problems.

Working Conditions Committees (WCC) or **Working Conditions Groups (WCG)** manage the health and safety at work as a part of the company system.

The **Law on the Labour Inspection** in force since January 2009 stipulates:

1. The way of functioning of the national system of labour inspection
2. The types of monitoring activities that are part of the labour inspection
3. The way the state control bodies implementing labour inspections interact

Despite the Implementation of the main health and safety policy objectives, the challenges remain. The country faced a set of problems requiring concentrating efforts and resources for their resolution:

- New challenges bred by the economic and social transformations
- The large number of small and medium sized enterprises
- Occupational risks are not equal in large and small companies
- Trend of increasing working time and intensity of work
- In some branches work with outdated equipment and machinery

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- Inadequate monitoring and risk assessment systems
- Inadequate vocational-qualification level of the labour force
- Inadequate vocational education of the employees related to the health and safety provision

There is a need for improvement of the **social dialogue** instruments and to encourage the social partners to develop their capacities particularly with respect to health and safety.