



# **E-Handbook on Cross-border Enforcement**

## **OSH for Mobile Workers**

### ***BULGARIA***

*Republic of Bulgaria*

*Committee of Senior Labour Inspectors (SLIC)*

*Last version adopted at the 83<sup>rd</sup> SLIC Plenary in Stockholm, 10 May 2023*

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## FOREWORD

The first version of the E-Handbook on Cross-border Enforcement was published in 2016 and updated in 2019. The last version was published in 2021 in the [Library of the SLIC public site](#) on the EU collaborative platform CIRCABC.

This last version had a format that enhances a better public disclosure of the organisation of the bodies and entities dealing with the inspection of occupational safety and health in EU Member States, as well as in Norway and Switzerland. The purpose of that E-Handbook was to provide labour inspectorates with informative tools to facilitate cooperation and mutual assistance with competent bodies from other countries.

The new working group on Mobile Workers on OSH matters, which replaced the previous working group dedicated to cross-border enforcement, was mandated to update the content of the E-Handbook for several reasons.

First, it was necessary to add new regulations such as the new Directive (EU) 2020/1057 laying down specific rules for posting of drivers in the road transport, a sector which moreover includes aspects related to the enforcement of working time under Directive 2006/22/EC, a matter that is considered a part of OSH legislation in many Member States.

Secondly, it was necessary to enlarge the content of that handbook following the new scope of the working group dedicated to mobile workers. A mobile worker is someone who works in more than one Member State or travels to other Member States as part of his job (posted workers, cross-border workers, seasonal workers, temporary workers, migrant workers...).

Therefore, the handbook should include information on the competence of SLIC Members on legislation about Third Country National workers. This includes Directive 2014/36 on seasonal workers in aspects related to the health and safety conditions such as workers' accommodation and Directive 2009/52 on sanctions. These directives have been explicitly mentioned in the current EU strategic framework on health and safety at work 2021-2027 in a changing world of work.

Moreover, it was necessary to complement some aspects related to the practice of concerted and joint inspections on OSH matters regarding the legal possibility to carry them out in each Member State.

Lastly, the SLIC working group considered that the easiest way to update the existing E-Handbook was to maintain its structure, with the updated information provided by Member States, and to complete it with new items gathered in a specific annex.

Finally, the handbook needed a new title reflecting its purpose and also support to gain more visibility among labour inspectors on the field.

We hope that this document will be a useful tool for national labour inspectorates and beyond, for all organisations involved in OSH matters for mobile workers.

This new updated version was announced to SLIC members at the 82<sup>nd</sup> Plenary session of 12 October 2022, held under the Czech Presidency.

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## NATIONAL REPORT: BULGARIA

LABOUR INSPECTORATE	General Labour Inspectorate Executive Agency (GLI EA)
OTHER COMPETENT AUTHORITIES	<ul style="list-style-type: none"> <li>• State Agency for Metrological and Technical Surveillance</li> <li>• Nuclear Regulatory Agency</li> <li>• General Directorate "Fire Safety and Protection of the Population"</li> <li>• Technical Control Inspectorate</li> <li>• Ministry of Economy</li> <li>• Ministry of Energy</li> <li>• Ministry of Transport, Information Technology and Communications</li> <li>• Ministry of Environment and Water of Bulgaria</li> <li>• Ministry of Defence</li> <li>• Ministry of Health</li> <li>• Ministry of Interior</li> <li>• National Revenue Agency</li> <li>• National Social Security Institute</li> <li>• National Construction Control Directorate</li> </ul>

## 1. THE LABOUR INSPECTORATE

### 1.1. ORGANISATION OF THE LABOUR INSPECTORATE

The General Labour Inspectorate Executive Agency (GLI EA) exercises overall control over the observance of the labour law in all sectors and activities, and specialized control on the compliance with the Healthy and Safe Working Conditions Act, the Employment Promotion Act, the legislation, related to the performance of civil service and the rights and obligations of the parties to a civil-service relationship, as well as of any other legal acts, where such control is provided for by law. The control also covers the peacetime activities within the system of the Ministry of Defence and the Ministry of Interior, and the Bulgarian enterprises abroad, unless otherwise specified in the laws of the respective country, or in an international treaty, the Republic of Bulgaria is a party to.

The Inspectorate is a subordinate administrator of budget under the Minister of Labour and Social Policy.

The GLI EA has introduced the principle of integrated inspection, preparing the labour inspectors, through specialized modular training, to conduct control at once in the areas of labour relations, OSH, occupational hygiene, labour migration, civil service, and in accordance with the other competences entrusted to the GLI EA by law. The total number of inspector positions is 515, of which 311 are occupied and 204 are vacant. The number of Inspectors is currently 311.

The structure and the activities of the GLI EA are regulated in Rules of Procedure adopted by a Decree of the Council of Ministers No 313 of 05.10.2022 and the Labour Code. The Agency is managed by an Executive Director. Territorial directorates are

located in all the 28 administrative district centres of the country, in addition to the departments in the head office in the capital city.

## 1.2. NATIONAL LEGISLATION AND ILO CONVENTIONS RATIFIED ON LABOUR INSPECTION

The basic acts governing labour Inspection are the Labour Code, the Rules of Procedure of the GLI EA and the Labour Inspection Act. Other relevant laws are the Code of Administrative Procedure and the Administrative Violations and Penalties Act that provide the general procedure for imposing coercive administrative measures and financial penalties.

**Figure N° 1: International Conventions on Labour Inspection ratified**

CONVENTION	RATIFIED	NOT RATIFIED
<b>ILO Convention 81 on Labour Inspection in Industry and Commerce</b>	X	
<b>ILO Convention 129 on Labour Inspection in Agriculture</b>		X
<b>Maritime Labour Convention 2006</b>	X	
<b>ILO Convention 187 on Promotional Framework for Occupational Safety and Health</b>		X

## 1.3. COMPETENCES OF LABOUR INSPECTORS

### 1.3.1. Occupational Safety and Health (OSH)

The GLI-EA is the competent body on Occupational Safety and Health legislation with the exceptions listed below:

**Figure N° 2: Map of competence on Occupational Safety and Health**

MATTERS	COMPETENCE OF THE LABOUR INSPECTORATE	OTHER PUBLIC BODIES WITH COMPETENCE
<b>OSH, in general terms</b>	Yes	
<b>Occupational Safety, in general terms</b>	Yes	
<b>Occupational Health, in general terms</b>	Yes	Ministry of Health; The National Social Security Institute on the registration of

		Occupational Health Services and their control
<b>Work-related accidents</b>	Yes	The National Social Security Institute has a leading role in the activities, related to the registration, confirmation and reporting of work-related accidents
<b>Trade of Machines and Equipments</b>	No	State Agency for Metrological and Technical Surveillance
<b>Radiations</b>	Yes	The Nuclear Regulatory Agency is a specialized control body according to the “Law for the Safe Use of Nuclear Energy”
<b>Explosives</b>	Yes	The Ministry of Interior according to a procedure specified in the Explosives, Weapons and Ammunition Control Act and the Ministry of Defence
<b>Mines</b>	Yes	
<b>Vessels</b>	Yes	“Maritime Administration” Executive Agency at the Ministry of Transport, Information Technology and Communications
<b>Retail sector</b>	Yes	
<b>Horecca</b>	Yes	
<b>Agriculture</b>	Yes	Ministry of Agriculture, Food and Forestry
<b>Construction sector</b>	Yes	National Construction Control Directorate is leading in the control on the construction of buildings and placing them in service, especially performance of the part of the projects, related to OSH matters, both at the design and construction, and at putting the objects into operation

<b>Aviation</b>	Yes	Ministry of Transport, Information Technology and Communications
<b>Railway</b>	Yes	Ministry of Transport, Information Technology and Communications
<b>Road Transport</b>	Yes	Ministry of Transport, Information Technology and Communications
<b>REACH</b>	Yes	Ministry of Environment and Water
<b>Self Employed</b>	Yes	
<b>Police</b>	Yes, with regard to aspects which are not specifically regulated for this personnel	Ministry of Interior
<b>Civil Servants</b>	Yes	Council of Ministers
<b>Military personnel and premises</b>	Yes, with regard to aspects which are not specifically regulated for this personnel	Ministry of Defence
<b>Penitentiaries</b>	Yes	Ministry of Justice
<b>Customs</b>	Yes	Ministry of Finance

### 1.3.2. OSH or Labour Law Matters

**Figure N° 3: Map of competences in matters which could be considered within OSH or Labour Law**

MATTERS	Yes	No
<b>Working hours</b>	X	
<b>Bullying and harassment</b>		X
<b>Third Party Violence</b>		X

The Commission for Protection against Discrimination is the competent body on bullying and harassment complaints. The Prosecutor's Office is the competent authority in cases of third-party violence. The General Labour Inspectorate EA has no assigned powers to control third-party violence, bullying and harassment.

### 1.3.3. Labour Law

**Figure N° 4: Map of competences on Labour Law matters**

MATTERS	Yes	No	COMMENTS
<b>Salaries</b>	X		Without prejudice to the competence of the Court.
<b>Equal Treatment</b>	X		Without prejudice to the competence of the Commission on Protection against Discrimination that is the

			state body entrusted with powers to control the observance of the anti-discrimination provisions of the national law.
<b>Labour rights</b>	X		Without prejudice to the Courts competence.
<b>Foreign workers</b>	X		Without prejudice to the Ministry of Interior competence.
<b>Others</b>	Intermediaries and Enterprises providing temporary work: The specialized control activity of GLI EA also includes control on persons (natural or legal) performing intermediary activities, related to employment, as well as the activity on providing temporary work.		

The surveillance on labour rights by the Labour Inspectorate encompasses individual and collective rights provided by the law and not the rights provided by collective agreements.

#### 1.3.4. Social Security

**Figure N° 5 Map of competences on Social Security Matters**

MATTERS	Yes	No	COMMENTS
<b>Affiliation of workers (REGISTER)</b>	X		Within three days from the date of concluding or amending the employment contract, and no later than seven days after the date of its termination, the employer or any person empowered by him/her shall send the notification about this to the respective territorial directorate of the National Revenue Agency.
<b>Contributions to Social Security System</b>		X	The competent authority is the National Revenue Agency.
<b>Social Security benefits</b>		X	The competent authority is the National Social Security Institute.
<b>Private pension funds</b>		X	The competent authority is the National Revenue Agency.
<b>Others</b>			

#### 1.4. INSPECTORS' POWERS

**Figure N° 6: Map of Inspectors' powers**

POWERS	Yes	No	COMMENTS
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<b>Visit workplaces</b>	X		Inspectors can visit workplaces without prior notice.
<b>Request for documents</b>	X		The request can be made during inspection visits or independently.
<b>Summon employers to the Inspection Office</b>	X		Inspectors can summon employers to the Inspection Office.
<b>Recommendations / Assistance</b>	X		On issues within the competence of the GLI EA.
<b>Injunction / Improvement notice</b>	X		GLI EA's control bodies may give mandatory prescriptions for elimination of the violations of the labour legislation and apply obligatory prescriptions for elimination and prevention of violations of the provisions related to labour migration and labour mobility, employment promotion and under the Safety and Health at Work Act.
<b>Initiate an administrative punishment procedure</b>	X		GLI EA control bodies (inspectors) may initiate proceeding for imposing administrative penalties for violations of the labour law by drawing up written statement for ascertainment of an administrative violation. Penalties are applied by the Directors of the regional directorates or of the ones at the headquarters, or by the GLI EA's Executive Director.
<b>Initiate a judicial punishment procedures</b>		X	
<b>Imposing fines</b>	X		For violations of the labour legislation, the GLI EA inspection bodies may impose fines.
<b>Stoppage / Prohibition Notice</b>	X		GLI-EA may: <ul style="list-style-type: none"> <li>• Suspend the commissioning of buildings, machinery and plant, production lines and entities, if the rules for health and safety at work and social and welfare services have not been observed;</li> <li>• Suspend the operation of enterprises, production lines and entities, including construction and remodelling thereof, as well as machinery, facilities and work</li> </ul>

			<p>stations, where the violations of the rules for health and safety at work pose a hazard to human life and health and in the event of failure to comply with the requirement that an employment contract shall be concluded in writing;</p> <ul style="list-style-type: none"> <li>• Stop the execution of unlawful decisions or orders of employers, appointing authorities and officials, related to the hygiene and safety at work, the distribution of social funds and the social and welfare services for workers and employees;</li> <li>• Suspend from work factory and office workers who are not familiarised with the rules for health and safety at work and do not possess the required licensed competence;</li> <li>• The GLI shall give compulsory prescriptions to employers for ceasing offence related to recording salaries in amounts lower than the amount paid by the employer, respectively by the appointing body, to the employee for his work; in case the prescription is not complied with within the time limit indicated therein or in case of a repeated offence, the control bodies of the Labour Inspection may suspend the activity of the enterprise until the offence is ceased;</li> <li>• For repeated violation of art. 62 Para. 1 of the Labour Code, to stop the activity of the working premises or of the enterprise until the removal of the discrepancy.</li> </ul>
<b>Notify offences to the Public Prosecutor or the Judge</b>	X		Exceptionally, only when inspector's findings might be criminal offences.
<b>Others</b>			<ul style="list-style-type: none"> <li>• Issue decrees, by which to declare the existence of an employment relationship;</li> <li>• Initiate an insolvency procedure in court when the payment of wages of 1/3 of the employees is delayed for more than two months.</li> </ul>

## 1.5. MECHANISMS OF COOPERATION AND EXCHANGE OF INFORMATION WITH OTHER NATIONAL PUBLIC BODIES

**Figure N° 7: Cooperation mechanisms with other national public bodies**

BODIES	Yes	No	COMMENTS
<b>Tax Authorities</b>	X		Exchange of information with regard to undeclared work and social security contributions relating to salaries. Bilateral agreement governs the relationship between the Labour Inspectorate and the National Revenue Agency. Joint inspections are performed on the compliance with the labour and social security legislation.
<b>Social Security bodies</b>	X		Exchange of information with regard to undeclared work and social security contributions, as well as social welfare benefits. Bilateral agreement governs the relationship between the Labour Inspectorate and the National Social Security Institute. Joint inspections are performed on the compliance with the labour and social security legislation.
<b>Police</b>	X		According to the provisions of art. 12 of the Labour Inspection Act the bodies of the Ministry of Interior are required to provide the necessary assistance and cooperation with labour inspection bodies.
<b>Public Prosecutor</b>	X		Where the control authorities detect any violations of the law, which give them reason to believe that a criminal offence or other wrongful acts have been committed, the said authorities shall be obligated to inform the prosecuting authorities.
<b>Others</b>			

According to the provisions of Art.12 of the Labour Inspection Act all state and municipal bodies and heads of institutions and organizations shall be obliged to give the necessary assistance and help the control bodies of the Labour Inspection while inspecting labour.

## 2. POSTING OF WORKERS

### 2.1. NATIONAL LEGISLATION

The requirements of Directive 96/71/EC and Directive 2014/67/EU were transposed in the Bulgarian national legislation by the Act for Amendment and Supplement to the Labour Code, promulgated in State Gazette, no. 105 of 2016, and Decree No 382 of 29 December 2016, by which the Council of Ministers adopted the Ordinance on the terms and conditions of posting of workers from Member States and from third countries to the Republic of Bulgaria in the framework of the provision of services (hereinafter called “the Ordinance”).

**Figure N° 8: EU Directives on posting of workers implemented**

DIRECTIVE	Yes	No	DATE
<b>Directive 96/71</b>	X		2007
<b>Directive 2014/67</b>	X		2016
<b>Directive 2018/957</b>	X		2018

### 2.2. ADMINISTRATIVE REQUIREMENTS AND CONTROL MEASURES

The employer or the temporary work agency posting workers or employees to Bulgaria shall submit an electronic application to the General Labour Inspectorate Executive Agency through the single national website.

Where an employer or a temporary work agency are posting workers or employees - third country nationals - to Bulgaria, such workers shall be admitted to work after issuing a work permit under the conditions and procedure of the Labour Migration and Labour Mobility Act or a single permit for work in the EU, issued by another Member State.

The employer or the temporary work agency posting workers or employees to Bulgaria shall be obliged to produce to the local person who has accepted to work a worker or employee, sent on a business trip, copies on paper, or in an electronic form, of the labour contracts or another document, certifying the employment relationship under the legislation of the country of origin; the documents, certifying the working time, containing information about the beginning and the end of working time and the number of working hours; the documents for the remuneration paid or copies of equivalent documents, accompanied by a translation in the Bulgarian language.

The local person is obliged to keep the above-mentioned documents at the workplace of the posted worker or employee for the whole period of posting. The posting enterprise and the temporary work agency are obliged to provide upon request by the labour inspectorate the required documents for the workers for inspection within a period of 1 year after the termination of the posting period.

#### 2.2.1. Deadline to submit the declaration

The employer or the Temporary Work Agency shall be obliged to submit the declaration not later than the beginning of the provision of services.

The employer shall be also obliged to notify immediately the General Labour Inspectorate Executive Agency about any change in the circumstances declared with the

application, with the exception of the data concerning the employer of the posted workers, which are to be produced within 7 days.

### 2.2.2. Content of the declaration of posting

**Figure N° 9: Content of the posting declaration**

COMPANY DATA		
	YES	NO
Identity of Service Provider	X	
Representative of the company in your country	X	
A person designated for acting as a representative into collective bargaining within the host Member State	X	
Activity	X	
Authorization in the sending MS		X
If it is a Temporary Work Agency or not	X	
Identity Tax Number	X	

  

WORKERS DATA		
	YES	NO
Number of workers	X	
Name of workers	X	
Nationality	X	
Age		X
Role	X	

  

POSTING DATA		
	YES	NO
Envisaged beginning	X	
End date of the posting	X	
Anticipated Duration	X	
Address(es) of the workplace	X	
Nature of the services justifying the posting	X	
Contractor	X	

  

LABOUR CONDITIONS		
	YES	NO
Working hours		X
Salaries		X
Collective accommodation		X
Use of dangerous agents		X
Prevention services		X

## 2.3. SOCIAL SECURITY PROCEDURES

The competent institution for issuing the A1 form and giving information on the relevant social security legislation is the Bulgarian National Revenue Agency.

**Figure N° 10: Position of the Labour Inspectorate with regard to A1 forms**

	Yes	No
<b>Access to A1 forms delivered by national authorities</b>	X	
<b>The Labour Inspectorate is consulted about the approval of A1 forms by competent institutions</b>		X
<b>Access to A1 forms delivered by other Member States</b>		X

## 2.4. WORK RELATED ACCIDENTS / OCCUPATIONAL DISEASES OF POSTED WORKERS

In the Republic of Bulgaria, the Labour Inspectorate receives immediately and effectively notifications of work-related accidents involving posted workers.

The regulations currently in force require the notification of all accidents to the Bulgarian National Social Security Institute. The user undertaking is obliged to organize and conduct an investigation of the incident inside the enterprise, as well as to file a declaration to the National Social Security Institute in the cases where the accident is presumed to be an accident at work.

## 2.5. NATIONAL AUTHORITIES INVOLVED IN POSTING OF WORKERS

**Figure N° 11: Authorities involved in posting of workers**

	Yes	No
<b>Labour authorities</b>	X	
<b>OSH authorities</b>		X
<b>Customs authorities</b>		X
<b>Tax authorities</b>	X	
<b>Social Security Institutions</b>	X	
<b>Others</b>		

## 3. COOPERATION AND MUTUAL ASSISTANCE

### 3.1. LEGISLATION ON MUTUAL ASSISTANCE

**Figure N° 12: Legislation and International Conventions signed and ratified**

	RATIFIED / IMPLEMENTED	APPLICABLE TO L.I.	COMMENTS
<b>Legislation on Mutual Assistance implementing Dir. 96/71 and Dir. 2014/67</b>	<b>Yes</b>	<b>Yes</b>	Transposed into the Bulgarian Labour Code Chapter 20
<b>European Convention in Criminal Matters</b>	<b>Yes</b>	<b>No</b>	The Convention refers to criminal matters, and the competence of the General Labour Inspectorate is to exercise administrative control.
<b>Convention 094 Council of Europe</b>	<b>No</b>		
<b>Others</b>			

### 3.2. BILATERAL AND MULTILATERAL AGREEMENTS ON LABOUR INSPECTION

**Figure N° 13: Bilateral Agreements signed**

COUNTRIES	DATE
<b>Norway</b>	2017
<b>France</b>	2017
<b>Albania</b>	2014
<b>Romania and Greece</b>	2010
<b>Poland</b>	2010
<b>Portugal</b>	2008

### 3.3. REQUEST AND RECEPTION OF INFORMATION FROM OTHER INSPECTORATES

**Figure N° 14: Exchange of information from other Labour Inspectorates**

MATTERS	YES	YES But subjected to previous	NO

		Protection Data Authorities supervision or approval	
<b>Does current regulation in your country allow providing information directly to other Labour Inspectorates?</b>	X		
<b>Does current regulation in your country allow receiving information directly from other Labour Inspectorates?</b>	X		

### 3.4. TOOLS FOR EXCHANGING INFORMATION

#### 3.4.1. IMI (Internal Market Information System) for Posting of workers

**Figure N° 15: Liaison office of the Labour Inspectorate in IMI**

	Yes	No
<b>Use of IMI by the Labour Inspectorate</b>	X	
<b>In affirmative case, specify the liaison offices</b>	The GLI EA through its "Labour Mobility" Directorate e-mail: silviya.traykova@gli.government.bg	

#### 3.4.2. KSS (Knowledge Sharing System)

The Bulgarian General Labour Inspectorate participates in the exchange through SLIC-KSS.

Ms Anna Kaldramova – KSS coordinator, e-mail: [anna.kaldramova@gli.government.bg](mailto:anna.kaldramova@gli.government.bg)

### 3.5. FINES AND EXECUTION OF FINES PROPOSED OR IMPOSED BY THE LABOUR INSPECTORATE

The GLI EA in the scope of its competence applies only administrative punishment procedures. Alleged criminal offences ascertained by labour inspectors are only notified to Public Prosecutors.

**Figure N° 16: Nature of fines**

	Yes	No
<b>Penal or criminal fines</b>		X
<b>Administrative fines</b>	X	
<b>Others</b>		

**Figure N° 17: Execution time of fines**

	Yes	No
<b>After the first judgement of the courts</b>		X
<b>After the final judgement of the courts</b>	X	
<b>After the first administrative decision</b>	N/A	N/A
<b>After the binding administrative decision</b>	X	
<b>Others</b>		

The penalty decrees issued by the GLI EA (imposing fines) can be appealed before the Penal Courts. In the event of an appeal, the fine is executive after the final judgement of the court. If the fine is not appealed, it enters into effect and is executive.

**Figure N° 18: Nature of Courts where fines can be appealed**

	Yes	No
<b>Penal/Criminal courts</b>	X	
<b>Labour/Civil courts</b>		X
<b>Courts for administrative affairs</b>	X	
<b>Others</b>		

The penalty decree may be appealed before the Regional Court in the area where the offense is committed or completed. The ruling of a Regional Court shall be subject to cassation appeal before the respective administrative court.

**Figure N° 19: Authorities with competence to collect fines**

	Yes	No
<b>Labour Inspection Authorities</b>		X
<b>Labour/ Government Authorities</b>		X
<b>Tax/Customs Authorities</b>	X	
<b>Courts</b>	X	
<b>Others</b>		

The National Revenue Agency is the competent authority in the collection of public debts. In Bulgaria, there are state bailiffs, who are on the staff of the Regional Courts, and private bailiffs, who operate independently. State authorities can assign to private bailiffs the collection of fines.

**Figure N° 20: Legal framework to collect fines imposed by authorities from other Member States**

	YES	IF YES, is it applicable to Labour Inspectorate proceedings?	NO Authorities supervision or approval	COMMENTS
<b>Framework Decision 2005/214</b>	X	No		Implemented. Date of entry into force: 27 February 2010
<b>Directive 2014/67 on administrative fines</b>	X	Yes		Transposed into Bulgarian legislation by The Chapter Twenty of the Labour Code. Date of entry into force: 30 December 2016.
<b>International or Bilateral Conventions</b>			X	
<b>Other National Rules</b>	The enforced acts, sent with a request for collecting of receivables through the Information system of the internal market, by which the competent bodies of another EU Member State, of a state – party of the EEA Agreement, or the Swiss Confederation impose financial administrative sanctions or fines, including fees and charges, to an employer for violations of the labour legislation concerning the secondment or posting of workers or employees, shall be subject to collection under the Tax-Insurance Procedure Code. Additional rules are laid down in the Instruction for Interaction Between the National Revenue Agency and the General Labour Inspectorate Executive Agency.			

## ANNEX E-HANDBOOK (UPDATING 2023)

**SLIC MEMBER:** Ms Ekaterina IVANOVA ASENOVA / alternate: Mr Dimitar Nikolaev MADJAROV

**MEMBER STATE:** REPUBLIC OF BULGARIA

### 1. About the Directive (EU) 2020/1057 of the European Parliament and of the Council of 15 July 2020 laying down specific rules with respect to Directive 96/71/EC and Directive 2014/67/EU for posting drivers in the road transport sector and amending Directive 2006/22/EC as regards enforcement requirements and Regulation (EU) No 1024/2012

#### 1.1. Transposition to National Legislation

Transposition	National Law or Regulations	Date
No	-	-

#### 1.2. Competences of the SLIC Member on road transport

LEGISLATION	COMPETENCE	COMMENTS
Regulations 1071/09, 1072/09 and 1073/09 on road transport activity	No	The competent authority is the 'Road Transport Administration' Executive Agency
Regulation 561/06 on driving time	No	The competent authority is the 'Road Transport Administration' Executive Agency
Directive 2006/22 on social legislation in road transport	No	The competent authority is the 'Road Transport Administration' Executive Agency
Article 1 of Directive 2020/1057 on posting of workers on road transport	Yes	For those provisions, falling within the scope of the competence of the GLI EA

## 2. About Article 20.2.c) of Directive 2014/36/EU of the European Parliament and of the Council of 26 February 2014 on the conditions of entry and stay of third-country nationals for the purpose of employment as seasonal workers regarding health and safety conditions of workers' accommodation

### 2.1. Transposition to National Legislation

Transposition	National Regulations Collective Agreements	Law, or	Date
Yes		The Labour Migration and Labour Mobility Act	OB, L 94/375 of 28 March 2014

### 2.2. Competences of the SLIC Member on health and safety conditions on workers' accommodation

COMPETENCE	COMMENTS
Yes	In implementation of Art. 24 of the Directive, the General Labour Inspectorate Executive Agency carries out the control activity on the provision of health and safety conditions for the accommodation of seasonal workers applying the statutory powers of the Inspection established by the provisions of Art. 28, para. 3 and Art. 67, para. 2 of the Labor Migration and Labor Mobility Act.

## 3. About Directive 2009/52/EC of the European Parliament and of the Council of 18 June 2009 providing for minimum standards on sanctions and measures against employers of illegally staying third-country nationals

### 3.1. Transposition in National Legislation

Transposition	National Regulations	Law or	Date
Yes		The Labour Migration and Labour Mobility Act	OB, L 168/24 of 30 June 2009

### 3.2. Competences of the SLIC Member on sanctions and measures provided in this Directive

COMPETENCE	COMMENTS
Yes	In implementation of Art. 14 of the Directive, the General Labour Inspectorate Executive Agency carries out the control activity on the employment of illegally resident foreigners based on a risk assessment of economic activities and sectors in which the employment of illegally resident foreigners is observed or possible, applying the statutory powers of the

	Inspection established by the provisions of Art. 71 and Art. 67, para. 2 of the Labour Migration and Labour Mobility Act.
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#### 4. JOINT AND CONCERTED INSPECTIONS ON OSH MATTERS

##### 4.1. Is it allowed to organise concerted and joint inspections on OSH matters with other inspectorates?

Yes, by legal rules	
Yes, by bilateral agreements	X
No	

#### 5. NATIONAL INFORMATION AND INITIATIVES FOR MOBILE WORKERS

##### 5.1. Please describe the initiatives you have implemented (e.g.: website, flyers, documents...)

For the period from 2019 to the present moment, GLI EA has implemented the following initiatives at the national level for mobile workers:

- As a final activity of the "RAISE UP – grass Root Actions, Innovative approaches and Stakeholders Engagement to tackle Undeclared work Propensity - VS/2017/0320" project (implemented jointly by trade union organizations from Italy, Macedonia and Bulgaria and GLI EA), in 2019 the Labour Inspectorate developed and published on YouTube a video "No to undeclared work!": <https://www.youtube.com/watch?v=wYRrhTyg2Io&feature=youtu.be>. The video is aimed at Bulgarian workers who work or intend to work in the Agriculture sector in the Republic of Bulgaria or abroad, but it contains information generally valid for all sectors. The clip also informs about the negative long-term consequences of exercising various forms of undeclared work and the benefits of the declared employment. It explains the main provisions of the Bulgarian legislation regarding the free movement of workers within the EU, what Bulgarian citizens should know before going to work abroad. In addition, it presents information where they can seek assistance if they work in the territory of another country, and especially in the Republic of Italy, and there is some kind of violation of their rights.
- Within the project "Cooperation for decent work", carried out by the Labour Inspectorates of Bulgaria and Norway, initiatives have been organized to disseminate information about the labour rights of Bulgarian workers in Norway. A "Know your rights" campaign was organized, for which short videos with information about workers in Norway were created and published on Facebook. In the campaign also took part the Labour Inspectorates of Romania, Estonia and Lithuania, as workers from these countries often work on the territory of Norway. The clips have been translated into the languages of the countries participating in the project and have been published on YouTube. They are available via the following links:

<https://www.facebook.com/175314542488408/posts/3524257247594104>  
<https://www.facebook.com/175314542488408/posts/3524502154236280>  
<https://www.facebook.com/175314542488408/posts/3524502484236247>  
<https://www.facebook.com/175314542488408/posts/3524502094236286>

Within the project, information days were also organized in the cities of Vratsa and Montana with the participation of labour inspectors and officials of the National Social Security Institute and the National Employment Agency. They provided information to those wishing to increase their awareness of their employment and insurance rights regarding what to look out for when looking for work in the European Union member states, Norway, Iceland, Liechtenstein and Switzerland and in particular when posting them.

- In the period March - June 2020, the Labour Inspectorate participated in a EU-wide campaign for declared work, which was organized by the European Commission and, in particular, by the European platform tackling undeclared work (EU4FairWork). The campaign aims, by providing information on the benefits of declaring all income and insurance, to motivate current and future workers, employers and the self-employed to work legally. The campaign was conducted mainly through social networks. For this purpose, a Facebook page "All rights reserved" (<https://www.facebook.com/BG4FairWork/>) was created, on which useful information about rights related to the declaration of income was published. In addition, a YouTube channel was created ([https://www.youtube.com/channel/Uckf\\_wf\\_5aQPuZgJBGJVBJFQ?view\\_as=subscriber&fbclid=IwAR3g10e6QPs-HPSTk0hls5Er8Wjqz8J61qLhnNrgs93lzs9GDB466yX\\_S2U](https://www.youtube.com/channel/Uckf_wf_5aQPuZgJBGJVBJFQ?view_as=subscriber&fbclid=IwAR3g10e6QPs-HPSTk0hls5Er8Wjqz8J61qLhnNrgs93lzs9GDB466yX_S2U)), on which videos are published with more detailed information about rights in declared work, as well as about losses from undeclared work. The European campaign for declared work ended with a Week of Action, during which the Labor Inspectorate held online meetings with over 2,000 upper secondary students from 56 schools across the country and explained to them the main points of their future working life.
- The Labour Inspectorate also supports campaigns for prevention of trafficking of human beings for the purpose of labour exploitation, which are organized by the National Commission for Combating Trafficking in Human Beings. Their main aim is to raise the awareness of jobseekers about their rights, how to recognize signals for potential frauds and who to turn to for advice and help in case of need by organizing a series of events at national and regional level and distributing press releases with useful information, published firstly on the Commission's website.
- The Labour Inspectorate also took part as the main partner of the National Employment Agency and in the European Labor Authority's Rights in the Rights for All Seasons campaign. The main objective of the campaign was to increase the awareness of jobseekers, workers and employers about their rights and obligations in seasonal employment, as well as to draw attention to the need to promote fair and safe working conditions for seasonal workers employed in the countries of the European Union. During the campaign, a Week of Action was

also held, within which the National Employment Agency organized informational meetings in the cities of Pernik, Vidin, Svishtov and Gotse Delchev, in which representatives of the Labour Inspectorate also participated. Social media posts for this campaign are available via the hashtag #Rights4AllSeasons.

- On its official website (<https://www.gli.government.bg/bg>) the Labour Inspectorate periodically publishes useful information about the rights and obligations of mobile workers - "For employers and workers" section, in the headings "Work of Bulgarian citizens abroad" and "Intermediary activity". Periodically, information is also distributed to the media with reminders of the main indications of possible fraud when offering a job, as well as what documents are needed by persons to obtain before going abroad for the purpose of work, in order to protect their rights to the greatest extent possible in case of a problem occurred.
- As part of the activities under the project "Cooperation for decent work ", implemented by the Labor Inspectorates of Bulgaria and Norway, the Labour Inspectorate launched a campaign "Decent work - it's up to you". A series of videos, guidelines and brochures were developed, providing information to the participants in the labour process about their main obligations in declaring labour and what its benefits are. The guidelines are freely available on the website of the Inspection. They are published in the "For employers and workers" section, the "Employment relationships" section, under the heading "Your rights and obligations in brief regarding the implementation of employment relationships" <https://www.gli.government.bg/bg/taxonomy/term/410>, and the videos can also be found in the "Activities" section, the "Projects" section, the "Project DFPO-1.002-0002-C02 "Cooperation for decent work" subsection <https://www.gli.government.bg/bg/node/11819>.
- In June 2022, within the framework of joint initiatives of The European Roads Policing Network - ROADPOL, teams of the Labour Inspectorate from all over the country assisted the Road Police in the increased controls of trucks and buses. For the purposes of the campaign, questionnaires were developed, translated into different languages, through which information was collected from drivers working for foreign carriers, necessary to identify their employers, about the type of transport they perform - international, transit, cabotage, etc. Additional data will be collected through the Member States' Internal Market Information System (IMI) and, if necessary, assistance will be sought from the competent authorities in the relevant country to take action.
- On 12 October 2022, the information campaign "Road to Fair Transport" was also launched with the hashtag #Road2FairTransport. It is coordinated by the European Labour Authority and will continue until the end of the year. The Labour Inspectorate, together with Executive Agency "Road Transport Administration" are partners for Bulgaria. At the start of the campaign, officials of the two

administrations distributed developed by ELA brochures in Bulgarian at the Danube Bridge and Kulata border crossing points. The information materials created for the campaign were published by ELA on a special website: <https://www.ela.europa.eu/bg/node/477>.

## **6. COOPERATION WITH ELA**

### **6.1. Do you regularly collaborate with the national liaison officer?**

Yes.

### **6.2. Could you provide any useful information regarding your participation in working groups, campaigns, training, etc. ?**

With the launch of the activity of the European Labour Authority (ELA) in 2020, until now GLI EA has been involved:

- In the activity of 'Inspection' and 'Information' working groups;
- In series of trainings mainly aimed at the work with the Internal Market Information System (IMI);
- Actively in the conduction of concerned and joined inspections together with Labour Inspectorates of other Member states (including in the first joint inspection organized under the auspices of ELA with representatives of the Labour Inspectorate of France);
- In three EU-level information campaigns aimed at combating undeclared work, seasonal workers and the Road Transport sector.

Because of the participation of the GLI EA in the events and initiatives organized by ELA, the inspection has strengthened and expanded its contacts with institutions from other member states engaged in the topics of labour mobility within the EU and continues the line of exchange of good practices and experience between Member states.