

Hiring & Firing Workers – Bulgaria

Constitution	Questions	Instructions	Answer
Constitution	Has there been a constitutional change since January 1st 2003?	The answer is Yes, if a totally new Constitution has been adopted since January 2003 or if an amendment affecting workers right has been adopted	No
Difficulty of Hiring	Questions	Instructions	Answer
Part-time contracts	Part-time employment is prohibited?	The answer is Yes if part-time employment is prohibited by the labor laws. The answer No if part-time work is expressly allowed or if labor laws are silent thereon.	No
	Part-time workers are exempt from mandatory benefits of full-time workers?	The answer is No if a part-time worker working half the time of a full-time worker enjoys <u>at least half of the benefits</u> enjoyed by the full-time worker.	Yes
	It is easier or less costly to terminate part-time workers than full-time workers?	The answer is No if part-time workers working half time enjoy <u>at least half of the legal rights</u> to advance notice and separation fees for the termination of the employment contract of full time workers.	No
Fixed-term contracts	Fixed-term contracts are only allowed for fixed-term tasks?	The answer is Yes if fixed-term contracts are allowed only: (i) for jobs that are temporary by nature; (ii) temporary vacancies to replace a permanent worker in maternity or sickness leave; (iii) for training contracts; (iv) for seasonal work, or (v) if the law expressly states that the will of the parties involved in the contract is not a good enough reason for entering into a fixed-term contract. The answer is No otherwise.	Yes
	What is the maximum duration of fixed-term contracts (in months)?	This variable measures the maximum <u>cumulative</u> duration of fixed-term contracts. If there is no legally mandated ceiling or if fixed-term contracts may be renewed without limit, please say no limit.	72
Minimum wage	Is there a mandatory minimum wage?	The answer is Yes if there is a mandatory minimum wage by law or mandatory collective agreement	Yes
	If yes, what was the minimum wage in local currency in January 2004?		75 (BGN 120)
	Is there an apprentice wage, lower than the minimum wage, for first-time workers?	The answer is Yes if there is a apprentice wage set below or as a percentage of the mandated minimum wage by law or mandatory collective agreement	No
	If yes, what was the apprentice wage in local currency in January 2004?		
Conditions of Employment		Instructions	Answer

Hours of work	What is the mandatory minimum daily rest?	Limits may be defined either as mandatory minimum continuous rest hours between two working days, or 24 hours minus mandatory maximum regular and overtime working hours per day.	12
	What is the maximum number of working hours allowed in a day?	This is the sum of normal working hours plus maximum overtime hours allowed in a single day	12
	What is the maximum number of hours in an normal work week?	This variable measures the maximum duration of the regular workweek (excluding overtime)	40
	Are there limitations on the number of overtime hours allowed?	Limitations can be defined as a cap on overtime hours of work per either day, week, month or year.	Yes
	If Yes, what are these limitations?	Limitations can be defined as a cap on overtime hours of work per either day, week, month or year. Please define the cap and the time frame, for example 380 overtime hours in a year (France).	150 hrs/year
	What is the premium for overtime work?	If premium is a function of the number of overtime hours (brackets of overtime hours), please define all the brackets and their corresponding premium.	50%. 100% for Sundays and holidays.
	There are restrictions on night work ?	This answer is Yes if by law or mandatory collective agreement: (i) there are restrictions on the maximum number of hours of work that can be performed at night; and/or (ii) if there are specific premiums for night-time work. In all other cases, say No	Yes
	There are restrictions on "weekly holiday" work?	The answer is Yes if by law or mandatory collective agreement there are restrictions on work during the weekly holiday (Sunday, Saturday or Friday, depending on the country). Restrictions include: (i) complete prohibition; (ii) express designation of certain day of the week as weekly holiday, which the employer cannot change unless with the worker's consent; (iii) specific maximum hours of work on such day; and (iv) special premiums for work on such day.	Yes
Leave	What is the maximum number of working days per week?	The number of working days in a week can be limited by law or mandatory collective agreement that stipulates the number of days of rest per week, e.g., 1 full day of rest (Germany).	6
	Days of annual leave with pay in manufacturing after 20 years of continuous employment?	This variable measures the number of days of the annual paid leave in manufacturing after twenty years of employment. If there is no minimum by law or mandatory collective agreement, the answer is zero.	20
	Are there paid mandatory holidays ?	Please do not count paid annual leave for this question. The answer is Yes if workers are granted paid time-off for national or local holidays by law or mandatory collective agreement.	Yes
	What is the number of paid mandatory holidays in a year?	If only half a day (s) is (are) granted by law or collective agreements, please says so and provide their number per year	13
Dismissal Procedure		Instructions	Answer

Firing procedures	The employer must notify a third party before dismissing <u>one redundant</u> employee?	The answer is Yes if by law or mandatory collective agreement the employer must notify a third party (labor union, workers' council or government agency) before dismissing one redundant worker. The answer is No if the employer may dismiss one worker without notifying a third party, or if the employer may contract out of the prohibition.	No
	The employer needs the approval of a third party to dismiss <u>one redundant</u> worker?	The answer is Yes if by law or mandatory collective agreement the employer needs the approval of a third party (labor union, workers' council or government agency) to dismiss one redundant worker. The answer is No if the employer may dismiss one worker without the approval of a third party, or if the employer may contract out of the prohibition.	No
	The employer must notify a third party prior to a <u>collective</u> dismissal?	The answer is Yes if by law or mandatory collective agreement the employer must notify a third party (labor union, workers' council, government agency) before making a collective dismissal. The answer is No if the employer may dismiss more than one worker without notifying a third party, or if the employer may contract out of the prohibition	Yes
	The employer needs the approval of a third party prior to a <u>collective</u> dismissal?	The answer is Yes if by law or mandatory collective agreement the employer needs the approval of a third party (labor union, workers' council or government agency) prior to a collective dismissal. The answer is No if the employer may dismiss workers without third party approval, or if the employer may contract out of the prohibition.	No
	The law mandates retraining or replacement prior to dismissal?	The answer is Yes if by law or mandatory collective agreement the employer must consider relocation or retraining alternatives for redundant employees prior to dismissal. It is No otherwise.	No
	There are priority rules applying to dismissal or lay-offs?	The answer is Yes if by law or mandatory collective agreement there are priority rules applying to dismissal or lay-offs, i.e., in order to fire redundant employees, the employer must follow a specific order of seniority, marital status, number of dependants or other objective priority criteria. It is No otherwise.	No
	There are priority rules applying to <u>re-employment</u> ?	The answer is Yes if by law or mandatory collective agreement there are priority rules applying to re-employment. The answer is No if former redundant employees need not be considered for new positions (i.e. there are no priority rules for re-employment).	No
Difficulty of Firing		Instructions	Answer
	It is unfair to terminate the employment contract without cause?	Answer Yes if: (i) if the employer may not terminate the employment contract without cause; (ii) if the termination without cause always entails a mandatory penalty; or (iii) if the law bans the parties to enter into employment contracts that may be terminated by either party entirely at will or with a simple advance notice without any mandatory	Yes

Grounds for firing	The law establishes a public policy list of "fair" grounds for dismissal?	The answer is Yes if the law establishes a public policy list of "fair" grounds for dismissal (<u>other than dismissal for "grave misconduct"</u>). The answer is <u>No</u> if there is no list of grounds for dismissal or <u>if parties are allowed to contract out.</u>	Yes
	Is redundancy considered a "fair" ground for dismissal?	The answer is No if <u>redundancy ('retrenchment', 'termination for economic reasons', 'necessities of the company')</u> is not considered a "fair" ground for dismissal by law, or if such dismissal always entails a mandatory penalty. It is No otherwise.	Yes
Notice and severance payment	Legally mandated notice period for <u>redundancy</u> dismissal (in weeks) after <u>twenty years</u> of continuous employment?	This variable measures the length of the mandatory notice period for the dismissal of one redundant worker in manufacturing after twenty years of employment. If there is no minimum notice period by law the answer is zero. <u>The answer is in weeks.</u>	4
	Severance pay for <u>redundancy</u> dismissal as number of months for which full wages are payable after continuous employment of <u>twenty years</u> ?	This variable measures the amount of the mandatory severance payment (including mandatory indemnity) for the dismissal of one redundant worker after twenty years of employment in manufacturing. If there is no severance payment by law the answer is zero. <u>The answer is in months.</u>	6
	What is the legally mandated penalty for redundancy dismissal?	This question measures the amount of mandatory penalty payment for the dismissal of one redundant worker in manufacturing after twenty years of employment. It should be expressed in weeks of pay	0
	Severance pay for <u>dismissal without cause</u> as number of months for which full wages are payable after continuous employment of <u>twenty years</u> (Dismissal without cause)?	This variable measures the amount of the mandatory severance payment (including mandatory indemnity) for the <u>no cause dismissal</u> of one worker after twenty years of employment in manufacturing. If there is no severance payment by law the answer is zero. <u>The answer is in months.</u>	NA
	What is the legally mandated penalty for dismissal without cause?	This question measures the amount of mandatory penalty payment for the <u>no cause dismissal</u> of one redundant worker in manufacturing after twenty years of employment. It should be expressed in weeks of pay	NA