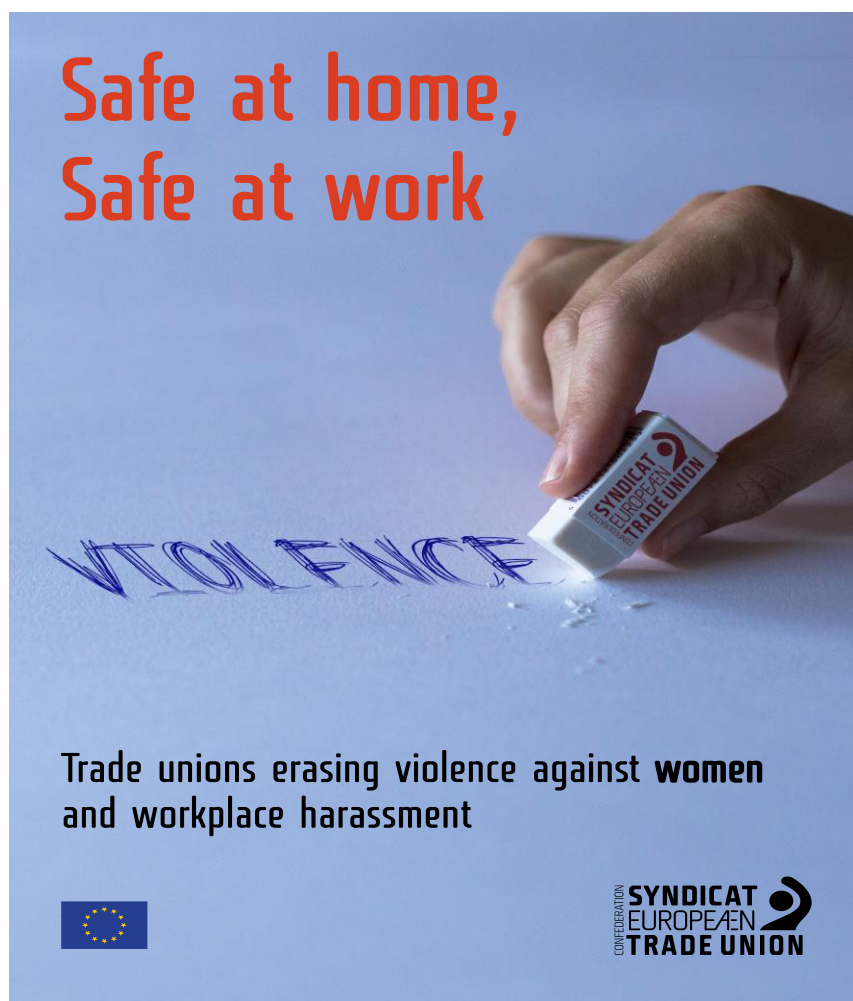


ETUC 'Safe at home, Safe at work'

# BULGARIA<sup>1</sup>

## Country Case Study



by Jane Pillinger  
2017

<sup>1</sup> My thanks to Ekaterina Yordanova and Mila Nikolova of FTTUB for their expert help and assistance in organising the interviews and focus groups, in helping to source relevant documents and in giving comments on the draft document. This report is one of eleven country case studies produced under the ETUC's project 'Safe at Home, Safe at Work', the findings from which are consolidated in the final synthesis report for the project.

# 1. Introduction

## 1.1 Overview

This report gives an overview of the Bulgarian country case study for the ETUC project 'Safe at Home, Safe at Work'. It documents the measures taken by unions to address gender-based violence at work. It covers two specific areas: gender-based violence in the workplace and the spill-over of domestic violence in the workplace. Both aspects of the report are discussed in relation to the overall legal context, the role of collective bargaining and other union initiatives, as well as the challenges faced by unions and the recommendations made by unions for the future.

In Bulgaria there are two main trade union confederations. The Confederation of Independent Trade Unions of Bulgaria (CITUB) is the largest confederation, with an estimated 275,762 members, and the smaller Confederation of Labour (PODKREPA), which has an estimated 88,329 members.<sup>2</sup> In addition to negotiating agreements, CITUB has established a research institute, ISTUR, to provide research and information to inform social and economic developments in Bulgaria. CITUB also runs a training centre and has played an active role at the European and international levels. CITUB has been active in negotiating clauses on violence at work in agreements. In the transport sector FTTUB (CITUB) has been pioneering in addressing violence against women in the sector as a core objective of collective bargaining and awareness raising campaigns. PODKREPA has given priority to gender equality, for example, in passing a resolution at the most recent congress on gender equality, which also addressed gender-based violence.

## 1.2 Methodology

The report draws on published reports and data provided by unions, as well as interviews and focus group meetings with the following unions and other organisations, held 6-8 July 2016 in Sofia.

- Ekaterina Yordanova, President, FTTUB
- Mila Nikolova, Political Secretary on Gender Equality, FTTUB
- Daniela Zlatkova, Executive secretary, FTTUB
- Nadia Daskalova-Nikova, Deputy Director, Institute for Social and Trade Union Research (ISTUR), CITUB
- Violeta Ivanova, Researcher, Institute for Social and Trade Union Research (ISTUR),
- Emilia Markova, Collective Bargaining Expert, CITUB
- Mladen Marinov, Head of Sofia Police Department
- Diliانا Markova, International programs and advocacy expert, ANIMUS
- Mina Yovcheva, Director of Social Affairs, Sofia Municipality
- Milka Kostova, Vice chair of FTTUB Women's Committee
- Alina Milusheva, Co-chair of FTTUB Youth Committee
- Nadezhda Staneva, Member of FTTUB Women's and Youth Committee

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<sup>2</sup> This data is cited by Eurofound <http://www.eurofound.europa.eu/observatories/eurwork/comparative-information/national-contributions/bulgaria/bulgaria-working-life-country-profile>

A focus group meeting was held with members of the CITUB Women's Committee and other TU representatives:

- Yanka Takeva, President, Bulgarian Teachers' Union
- Violetka Petkova, Union of Bulgarian Teachers
- Stella Alexandrova, Independent Teachers Union
- Slava Zlatanova, Vice-President, Federation of Health Services
- Velichka Mikova, Executive Secretary of CITUB, with responsibility for legal framework on gender equality
- Ekaterina Yordanova, President, FTTUB
- Mila Nikolova, International relations, FTTUB
- Daniela Zlatkova, Executive secretary, FTTUB
- Valentina Katzarska, Coordinator of the Independent Unions in the Light Industry
- Neli Botevska, International Department, CITUB
- Tsvetelina Bikarska, Federation of Independent Construction Unions
- Liliya Petkova, Federation in Trade, Cooperatives, Tourism and Services
- Iliana Balabanova-Stoycheva, Bulgarian Coordination of the European Women's Lobby

A focus group meeting was held with representatives of the PODKREPA women's committee

- Veselin Mitov, Head of International Department
- Plamena Partenioti, Head of Public Relations Department and Youth Committee communication secretary
- Lyubka Georgieva, Confederal Secretary and Deputy Chair of Women's Committee
- Neli Hristova, Confederal Secretary and President of Trade, Services, Supervisory bodies and Tourism
- Rositsa Marinova, President of Light Industry Federation (apparel, glass, ceramics, paper)
- Mariana Krasteva, Confederal Audit Committee
- Albena Savova, Vice president of Light Industry Federation
- Aneta Kuneva, Member

An article published on the FTTUB web site gives information about the country visit. <http://fttub.org/bulgarian-input-to-the-etuc-project-safe-at-home-safe-at-work/>

## 2. Context and legal background

### 2.1 Gender-based violence at work

The principles of equality and non-discrimination are laid down in the Constitution of the Republic of Bulgaria (SG No. 56/1991) and the Labour Code (SG No. 26/1986) bans any form of discrimination, privileges and limitations on the basis of gender and introduces the principle of equal pay for the work of women and men. Anti-discrimination provisions related to gender and employment are included in the Employment Promotion Act (OG No. 112/2001).

The law on **Protection against Discrimination** of 2004 (OG No. 86/2003) prohibits all forms of discrimination based on age, gender, ethnic group, national origin, education, family status, and property status. It recognises sexual harassment as a form of discrimination and incorporates the EU definition of sexual harassment in law. Sexual harassment is defined as:

Any unwanted conduct of sexual nature expressed physically, verbally or in another way offending the dignity and honour and creating a hostile, offensive, humiliating or impending environment and, in particular, where the refusal or compulsion to accept such conduct may have influence in making decisions affecting the person. (Para 1.1)

Article 5 states that harassment on the grounds of sex and sexual harassment, “shall be deemed discrimination.” Article 17 requires employers who receive “a complaint from an employee, considering him/her-self a victim of harassment, including sexual harassment, at the workplace must immediately carry out an investigation, take measures to stop the harassment, as well as impose disciplinary sanctions in cases where the harassment has been committed by another worker or employee.” Article 31 requires the same of “training institutions” who receive complaints from students.

The Commission for the Protection against Discrimination is charged with ensuring the principle of equal opportunity is applied in practice and enforcing the law by investigating complaints, issuing rulings and imposing sanctions. There appears to be little knowledge or awareness of these anti-discrimination provisions in Bulgaria and that victims of sexual harassment have the right to make complaints and have their complaints investigated.

Provisions in the **Labour Code** on occupational safety and health refer to a safe and dignified working environment (Articles 127, 275, 276, 277, 281, 284, 288 and 289). The employer is required to comply with these provisions in the workplace and establish safety and health committees with representation of workers, provide annual training, and monitor employee’s take up of medical services consequent of workplace risks. However, the Labour Code does not provide redress mechanisms for victims of sexual harassment, who are reliant on the Criminal Code (Article 150), the provisions of which are general and do not refer specifically to sexual harassment, and have rarely been used. The Civil Procedure Code and Criminal Procedure Code provide protection for victims of violence where there are threats of violence, coercion or abuse of power; however, there are no provisions specific to protection of victims of violence on the workplace and these general provisions apply.

In 2013, the unions in the education and health sectors achieved a commitment from the government to amend Art. 133 of the Criminal Code to outlaw violence against teachers and health professionals.

Unions interviewed in Bulgaria stated that the law does not regulate the specific issue of violence at workplace, including sexual harassment, and fails to provide adequate protection against violence.

## 2.2 Domestic violence at work

Bulgaria has passed specific legislation on domestic violence. The 2005 Law on Protection against Domestic Violence<sup>3</sup> defines domestic violence as “any act of physical, mental or sexual violence, and any attempted such violence, as well as the forcible restriction of individual freedom and of privacy, carried out against individuals who have or have had family or kinship ties or cohabit or dwell in the same home.” (Article 2). Under Article 5, “protection against domestic violence shall be implemented through any of the following: (1) placing the respondent under an obligation to refrain from applying domestic violence; (2) removing the respondent from the common dwelling-house for a period specified by the court; (3) prohibiting the respondent from getting in the vicinity of the home, the place of work, and the places where the victim has his or her social contacts or recreation...; (4) temporarily relocating the residence of the child with the parent who is the victim or with the parent who has not carried out the violent act at stake...; [and] (5) placing the respondent under an obligation to attend specialised programmes...”.

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<sup>3</sup> [http://eucpn.org/sites/default/files/content/download/files/po\\_bg\\_dv.pdf](http://eucpn.org/sites/default/files/content/download/files/po_bg_dv.pdf)

The Protection against Domestic Violence Act was amended in 2009 and a corresponding amendment of Article 296 (1) of the Criminal Code was made criminalising the failure to comply with a protection order;

Although no specific provisions are made for addressing the impact of domestic violence in the workplace, Article 5 (1) (2) of the law states protection of victims shall include "...banning the violator to approach the domicile, the place of work and places for social contacts and recreation of victims at the terms and conditions as specified by the court." (See Section 4 for a more detailed discussion of domestic violence).

## **2.3 Collective bargaining**

Trade union density stands at approximately 20% in Bulgaria. Article 4 of the Labour Code specifies that employers and unions can formulate agreements at three levels (national, sectoral and company/municipal) for a period of up to two years. On the municipality level collective agreements are concluded for activities which are financed from municipality budgets.

Unions in several sectors have sought to strengthen the social dialogue with municipalities across Bulgaria and unions. There are currently 210 municipal collective bargaining agreements, for example, covering workers in the education and transport sectors. Collective agreements include the possibility for non-trade union members joining the agreement, under certain conditions. Sectoral agreements have become more significant in recent years with this possibility to extend an agreement across all companies in a sector.

## **3. Gender-based violence at work**

### **3.1 Introduction: the role of unions in preventing and tackling gender-based violence at work**

Unions in Bulgaria have addressed gender-based violence in two specific ways. First, as an issue of safety and health and particularly in the implementation of the 2007 European Framework Agreement on Harassment and Violence at Work. Second, as a specific workplace gender equality issue pioneered through the FTTUB's ground-breaking and long-standing campaign and core activities on violence against women in the transport sector.

It is worth noting that FTTUB's inspiring work on violence against women has been at the centre of FTTUB's strategy and negotiating position, and has been hugely influential in instituting and shaping subsequent campaigns of the European Transport Federation (ETF) and International Transport Federation (ITF). Through this work a strong connection is made between national, European and international trade union strategies on gender-based violence. This work has been driven by the inspirational President of FTTUB (Ekaterina Yordanova), who is also Vice-President of the ITF and the ETF, and Vice-President of the ETUC's Women's Committee. This is an example of how a national and international gender-equality champion has successfully shifted trade union understanding, perspectives and strategies to bring violence to the centre of union policy and activity.

### **3.2 Data and evidence**

There is limited data available in Bulgaria on violence at the workplace, although specific studies in the health and transport sectors have been carried out.

The National Statistical Institute publishes data on criminal violence, based on data provided by the Ministry of Interior. However, no distinction was made between violence at the

workplace, outside of the workplace or on occupational groups. The absence of data on psychological violence and sexual harassment, results from a lack of reporting and lack of priority to data collection on the issue.

One of the problems identified by unions in Bulgaria is that there is a low rate of reporting on sexual harassment and violence at work, and a lack of awareness of harassment and violence. According to the Institute for Social and Trade Union Research, research shows that when Bulgaria is compared to other European countries (for example, studies by EU-OSHA and EWCS), it appears to have a low level of harassment. According to Nadia Daskalova-Nikova, (Deputy Director, Institute for Social and Trade Union Research, CITUB):

This is due to the fact that people don't think that it is harassment, people don't want to express this. Bulgaria is atypical and during the period of transition workers, and also during the economic crisis, workers accepted this phenomena and people compromise. The economic crisis has led to increase in violence especially in health.

### ***Transport sector***

As part of the FTTUB strategy to address violence against women in the transport sector, FTTUB carried out a survey of 177 women workers in 2009, the first of its kind, in the **City of Sofia's four urban transport companies**.<sup>4</sup> The survey revealed high levels of physical and psychological violence, the majority of which was third-party violence. The survey provided an important evidence based to inform FTTUB's subsequent campaigning and advocacy on violence in the workplace. The survey found that:

- Over half (53.3%) of all cases of violence against women were from passengers, one third (33.3% were from a colleague) and 16.6% were from a manager.
- These acts of aggression included unwanted physical contact (30), sexual comments (27), physical violence (36), physical threats (36), verbal threats (46) and psychological pressure (37).
- A significant proportion of women working in the urban transport system in Sofia (80% in the tram company and 100% in the metro company) reported having been exposed to bullying and/or harassment at work. The lowest level (35.8%) was reported by those working for the bus company.
- Female workers reported high levels of perceived risk of violence in their workplace, which was lowest in the bus company (28.5%) and highest in the metro company (100%). The risk of violence was also very high (88.7%) for women working for the Centre for Urban Mobility, where women's jobs entail interaction with the public, controlling functions, working alone, and working early in the morning or at night.
- A high proportion of respondents indicated that they had been exposed to violence from their colleagues (42.8% at the bus company and 33.3% at the tram company). A quarter of the respondents in the metro company and 16.6% of those at the tram company also claimed to have suffered violence perpetrated by their managers.

According to an analysis of the results by Eurofound,<sup>5</sup> the survey reveals rates of exposure to violence in the companies surveyed that are much higher than those recorded at national level under the EWCS 2010 survey, indicating that violence is a source of significant occupational risk in the sector. The survey provided a powerful evidence base for FTTUB's campaign and negotiation of collective agreements to prevent and address violence, and led to an increased awareness and a shared commitment by employers and trade unions.

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<sup>4</sup> FTTUB (2010), Findings of the survey on workplace violence to women carried out in Sofia urban transport companies [in Bulgarian], Sofia.

<sup>5</sup> <http://www.eurofound.europa.eu/fr/observatories/eurwork/articles/female-transport-workers-exposed-to-high-levels-of-violence>

## **Health sector**

Women are 80% of employees in the health sector and violence has been an important topic of research and collective agreements. Research carried out in 2003 by the Research Institute of CITUB, under a **Joint Programme on Workplace Violence in the Health Sector**,<sup>6</sup> identified significant problems of workplace violence in Bulgaria. Focus group participants consulted during the research identified psychological violence as being widespread. This was seen as an effect of the crisis in society and its consequences affecting both health care staff and patients, and related also to the deficiencies of health reform leading to bureaucratic barriers, stress and social tension. The focus group participants stated that health professionals often had more acceptance and tolerance for violence committed by patients, as they perceive such acts as part of the hazards of the job that are difficult to prevent.

The data collected in the survey showed that in the previous 12 months:

- 7,5% of the respondents had been a victim of physical violence;
- 10.2% had witnessed physical violence at the workplace;
- 37.2% of respondents have been subjected to verbal abuse;
- 30.9% had been subjected to bullying/mobbing;
- Patients were most commonly the perpetrators of physical abuse and staff members or manager/supervisors were more typical perpetrators of verbal abuse and bullying/mobbing;
- The data concerning the distribution of psychological violence by gender show that women are more affected by verbal abuse while men and women are almost equally affected by bullying;
- Only 2.2% of the respondents said they has been subjected to subjected to sexual harassment in the past 12 months (the authors note that a lack of understanding of the issue and the absence of laws or disciplinary procedures on sexual harassment account for the low response).

Sexual harassment was identified as a widespread, but unreported problem. Limited awareness was seen to be related to traditional stereotypes of women's and men's roles, along with a perception that a woman is an object of sexual desire, and persistent and unequal power relations. The report argues that "Because of the traditional perception of woman as an object of sexual desire and her subordinated role in the society and in the family women are the most frequent victim of sexual harassment at the workplace." (p.6) The report revealed instances where women had experienced requests for sexual favours from a supervisor or co-worker, with assumptions that women must engage in sexual relations with their bosses in order to keep their jobs. Some respondents spoke of sexual relations between supervisors and subordinates being "very common." (p.6)

Recommendations for future actions overcoming violence at the workplace in health were made for national level actions and sectoral/workplace programmes. At the national level recommendations concern coordination between NGOs and unions, research, awareness campaigns, amendments to legislation, raise awareness amongst the police court and prosecutor's office, and joint social partner and NGO initiatives. At the sectoral/workplace level recommendations included programmes for prevention, training, research, legal advice, workplace hotlines, procedures/internal rules and company collective agreements, bringing the issue onto the agenda of safety and health committees, advice and support for victims of

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<sup>6</sup> ILO, ICN, WHO and PSI Joint Programme on Workplace Violence in the Health Sector. Workplace violence in the health sector. Case Study: Bulgaria. Available at: [http://www.who.int/violence\\_injury\\_prevention/violence/interpersonal/en/WVcountrystudybulgaria.pdf](http://www.who.int/violence_injury_prevention/violence/interpersonal/en/WVcountrystudybulgaria.pdf)

violence and training in handling cases. The recommendations specified the importance of having procedures for reporting and encouraging workers to report and be actively involved in prevention programmes.

The research gave a strong impetus to the unions to negotiate workplace policies and agreements to prevent and eliminate violence and harassment in the health sector. More recently health care unions have called for awareness raising and training, legislation to address and prevent workplace violence and for the implementation of a Code of Ethics that establishes workplace procedures for addressing workplace violence. Some progress has been made in implementing policies and procedures on workplace violence and the topic has been included in collective bargaining (see below). Unions highlight a significant recent increase in violence and harassment in the workplace and the need for greater efforts on the part of the government and employers to address the causal factors.

### ***Young women***

Two young women from the FTTUB's Youth Committee spoke about the rising levels of sexual harassment at work, a sexualised culture, and a culture at work of psychological harassment against women, principally of verbal abuse and sexual hints.

We as young people see more objectification of women in our everyday life. It affects your career and your education. We are expected to dress and think in a particular way and it is everywhere. (Alina Milusheva, Member of FTTUB Youth Committee)

### ***School sector***

In the school sector, the Union of Teachers, CITUB, reported on the problems of harassment against female school teachers. An example was given of school teacher who was displayed on social media as 'the most sexiest woman in Bulgaria'. The union supported the woman and reacted to the problem.

## **3.3 Collective agreements and workplace policies**

### **Draft national framework agreement on violence, harassment and stress**

CITUB has been involved in a long process of preparation and negotiation for a national agreement between the social partners on joint actions for the application of the European Framework Agreement on Work Related Stress (2004) and the European Framework Agreement on Harassment and Violence at Work (2007).

This work was progressed under an ESF funded project,<sup>7</sup> whereby CITUB experts drew on good practices of trade union federations Bulgarian Union of Teachers (BUT), the Federation of Transport Trade Unions in Bulgaria (FTTUB) and the Federation of Health Service Trade Unions (FTUHS/ITUFC). The project aimed to facilitate discussions between the social partners on the draft proposal and to reach an agreement for signing a national framework agreement on stress and violence at work. CITUB stated that there is a link between growing levels of stress at work and violence in the workplace. However, the employers have consistently refused to sign the agreement and it is still on the table.

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<sup>7</sup> The project to draw up the national agreement was drawn up under the Bulgarian ESF programme 'Security through the law, flexibility through the collective bargaining' BG (2008 - 2014) under the ESF Operational Program Human resources development.



The opening paragraph of draft agreement states that:

CITUB, PODKEREPA, Association of Industrial Capital in Bulgaria, Bulgarian Industrial Association, Bulgarian of chamber of trade and commerce, Confederation of Employers and Industrialist in Bulgaria believe that stress at the workplace, bullying, sexual harassment, and physical violence at the workplace have become more concerning challenges that workers and employers both face internationally, at the European level and at the national level. On the one hand they present a danger for the health safety and human dignity of the workers, and on the other, lead to deterioration of quality of performance, productivity or service.

The draft agreement proposes dialogue and partnership at national, sectoral and regional level as well as the development of common policies and joint implementation of appropriate consultations and measures to prevent stress, harassment and violence in the work environment. Reference is made to protecting workers in precarious work and in the grey economy. In line with the two European framework agreements, the agreement suggests a range of initiatives to detect violence, harassment and stress, protect employees and engage in preventative actions. Awareness raising, training and annual campaigns are also proposed. The draft proposes joint organisation of annual national campaigns on stress, harassment and violence in the workplace under the slogans "healthy Workplaces. Stress management / No harassment and workplace violence", and "gender equality and protection from violence in the workplace".

A report on good practices in support of the draft agreement was prepared by CITUB. According to Emilia Markova, Head Collective Bargaining, CITUB:

The experience and active work of the federations within the CITUB is proof that the coordination of social partners provide opportunities for decision making and action regarding identifying reducing or eliminating manifestations of stress, harassment and violence at the workplace, which is in support adopting the national agreement of national social partners for joint actions.

Unions anticipate that employers can eventually be persuaded of the importance of a national agreement, and argue that the two European framework agreements have already been signed by employers at the European level to which Bulgarian employers organisations are affiliated.

A copy of the draft agreement can be found in Appendix 1.

## **Sectoral agreements**

In the last 10 years most sectoral agreements have included clauses either on non-discrimination and/or prevention of violence and harassment, although few specifically define and set out measures to combat sexual harassment at work. As part of the preparatory work for the agreement the CITUB collected and analysed examples of clauses in collective agreements at company level on violence, harassment and stress at work. The three main sectors where good practice collective agreements have been concluded on violence and harassment at work are health, education and transport. According to the Head of Collective Bargaining in CITUB they are the sectors that have the highest levels of violence at work and that have the most sophisticated understanding of the problem.

## **Health sector**

The health sector was the first sector in Bulgaria to systematically address violence as an occupational safety and health issue, and has included such provisions into sectoral collective agreements and the establishment of occupational safety and health committees in the workplace.

Bulgaria participated in the Joint Programme on Workplace Violence in the Health Sector, organised by the International Labour Organization (ILO), the International Council of Nurses (ICN), the World Health Organization (WHO) and Public Services International (PSI).

Since 2001, ISTUR, the Federation of Health Trade Unions (affiliated to CITUB) and the Medical Federation (Podkrepa) participated in a national survey on workplace violence in the health sector in 2001, the publication in Bulgarian of the ILO/ICN/WHO/PSI Framework Guidelines on addressing workplace violence in the health sector; and two follow-up workshops for disseminating the guidelines and for discussion of action plans for the next steps.

One of the very important outcomes of the social dialogue (including research and joint seminars) in the health sector is the inclusion of issues of violence and stress at the workplace in the health sectoral collective agreement. The Federation of Health Service Unions and the CITUB drew up a draft collective agreement in 2004, with clauses setting out solutions to violence at work, including the introduction of better security in public spaces to reduce third-party violence. Clauses on violence and harassment have been included and maintained in the 2006, 2008 and 2010 agreements (under Part III of the sectoral collective agreement in relation to 'Health and safety at work'). It includes the following:

- Article 33 – 'The employer jointly with the trade union organisation in the health establishment is obliged to undertake effective measures for preventing all forms of discrimination (direct and indirect), physical and psychological harassment, as well to guarantee working conditions that prevent stress, physical and psychological injuries at the workplace.'
- Article 34 – (1) 'In the health establishments, Working Conditions Committees/groups according to the Law on healthy and safe working conditions should be established. (2) The Working Conditions Committees/groups shall investigate and take decisions on all signals of violation and discrimination at the workplace.'

Under the sectoral collective bargaining agreement in health, 2014, the employer shall not exercise direct pressure on the worker or employee to coerce him with unfavourable amendments of his labour contract aimed at violating his or her rights or already obtained benefits in the workplace. (Art. 7) Furthermore, the employer jointly with the unions at the health service establishment must undertake efficient measures for prevention of any form of discrimination (direct or indirect), or physical or psycho-social harassment, and must guarantee working conditions that prevent the workers from chronic stress, physical and psychological damage at the workplace. (Art. 8) The sectoral agreement sets the framework for the collective agreements of the health establishments, thus providing the initial impetus for negotiating more practical provisions at institutional level and enforcing the action to be taken.

A further example is the sectoral agreement in health agreed in 2015:

- Sectoral collective bargaining agreement in health (Bulgarian national health insurance fund and the Union of Civil Servants – PODKREPA, and the Federation of Health Care Unions - CITUB), 14 May 2015. The employer shall protect the dignity and honour of the employee during the performance of their duties within the labour contract. (Art. 12, para. 5). The employer shall undertake all measures provided by law – inclusive of providing

legal protection against moral or physical violation against the employee during the time of performing labour duties as per labour contract. (Art. 6)

### **Transport sector**

In the transport sector specific agreements on violence against women have been signed with employers, based on the long-term campaign initiated by the FTTUB on violence against women:

The **2012–2014 collective agreement in the transport sector** includes a special chapter on 'Protection against violence at the workplace and gender equality', which foresees provisions for joint actions by employers and trade unions to prevent violence and harassment within a zero-tolerance approach. The relevant clauses specify that:

- The employer together with the trade unions shall take effective measures to prevent from all forms of physical and psychosocial abuse, and ensure working conditions that help to prevent workers from chronic stress, physical and mental disabilities in the workplace;
- The employer shall ensure that the principle of gender equality in pay, access to training and career development is guaranteed;
- The employer is obliged to pursue a policy of zero tolerance against discrimination and workplace violence in its various manifestations - physical, mental and sexual;
- The parties shall develop training plans to raise awareness of managers and employees in order to identify signs of abuse and workplace violence, and to initiate preventive or corrective actions. These measures should be applicable to a third party violence;
- The Employer shall develop procedures to be followed in cases of bullying or violence, which must contain: (1) Immediate and fair internal investigation; (2) Statistics; (3) Feedback; (4) Adequate disciplinary measures against the perpetrators to be taken if they are employees in the same establishment; (5) Support for the victim and if necessary psychological help on the reintegration process;
- The employer may decide to ensure appropriate treatment the injured employee.

The sectoral agreement does not cover all employers/workers, but is an important document as all employers check the sectoral collective agreement.

Since 2010, FTTUB has negotiated the same clauses in eight company level agreements (covering companies in freight, public transport etc.). The process of persuading employers to sign sectoral agreements was assisted by the guidelines drawn up by the European sectoral social dialogue (CER Employers association and unions) for the railway sector. However, FTTUB recognise that the sectoral agreement is a starting point and a lot more has to be done to get the agreement implemented in practice amongst the eight transport companies.

Additional agreements have been signed with **Bulgarian Rail and Sofia airport**:

- Collective agreement with Bulgarian Rail against violence against women at the workplace signed on 7 March 2012.
- Collective agreement with Sofia airport on violence against women in the workplace signed on 25 November 2012.

**Municipal level non-binding agreements** were concluded on joint actions on prevention of work-related harassment and violence against women. A collective agreement with the Municipality of Sofia covers cooperation and joint action on prevention of work related harassment and violence against women in the city's urban transport companies. The agreement was signed by the Mayor of Sofia on 25 November 2009 and paved the way for similar agreements in other municipalities across Bulgaria. The same text of the agreement

was signed with the municipalities of Varna, Burgas and Sliven on 25 November 2013. These municipal agreements have been used as the basis for signing further collective agreements in municipal factories and plants, including in city transport. A new agreement with Gabrovo Municipality was signed in 2015 and an awareness raising public campaign was launched in the four cities across Bulgaria where FTTUB has an agreement in place (Sofia, Varna, Burgas and Gabrovo in urban transport) and also in the passenger railway transport (the national railway company BDZ). One of the successes of the campaign was that stickers were displayed in buses, trams, trolleys and trains stating 'Stop gender based violence at work'.

### ***Education sector***

87% of members of the teaching profession are women. Security and safety is an issue that has been addressed in collective bargaining. In the education union resolutions of the 6<sup>th</sup> Congress (2012) called for measures to combat violence in the school system (no.8), to address occupational safety and health in the education sector (no.6) and to promote employment and trade union rights (no.2). The education unions highlighted the importance of addressing a culture of violence and stress in research into occupational safety and health. A national conference on violence in schools and how to end it, highlighted an increase in violence in the sector.

According to President of the Teachers Union, Janka Takeva, the Bulgarian education is in a critical state. Protests have been held by education unions calling for the Minister of Education to increase the education budget, the low level of which is seen to contribute to higher levels of violence and intimidation in the sector.

The education sector collective agreement of 2012 called for measures to address the illness rate of teachers and students and the factors that influence it (Article 6).

### ***Other sectoral agreements with reference to violence and harassment***

The following sectoral agreements signed in the metal, mining, postal, breweries and energy sectors have included clauses on violence and harassment.

- **Sectoral collective in the metal sector (CITUB, PODKREPA and the Employers Union in the Metal Industry) 16 April 2015.** Chapter 9 Social Cooperation: The parties have agreed to work together to not allow any form of direct and or indirect discrimination when implementing the labour rights and obligations in the enterprises from the sector. (Art. 40, para 3) The parties have agreed to consult each other opinion exchange in formation and interact with joint initiatives for protection of their joint interest in the area of care and support for the most vulnerable workers and employees in the enterprises. (Art. 42, item 4)
- **Sectoral collective agreement in Mining of Mineral Resources, 2015.** The parties to this contract shall monitor any manifestation of discrimination expressed in verbal or any other way which aims or results in violation against the dignity of a person or creation of hostile or dangerous work environment as well as other indicators as per Article 4 (para. 1) of the anti-discrimination act. (Art. 9)
- **Bulgarian Post collective agreement, 2014-2016.** Chapter 7 prevention of discrimination at the workplace. Art.85, para 1: The employer commits to zero tolerance to discrimination and violence at the workplace in its various manifestations, physical psychological and sexual. Art.87, para 2: The unions and their branch units may 1) claim on behalf of the people whose rights have been violated, 2) act as interested party in an open procedure in the case of already pending hearings, 3) submit their own claim as per

article 7(1) of the anti-discrimination act in the case of discrimination when rights have been violated.

- **Sectoral collective agreement in Breweries, 27 August 2015.** Art. 34 Para 1: The parties have agreed that the employer must guarantee a quality of all workers in the company and undertake necessary measures in avoidance of any form of discrimination. Para 2: Discrimination shall be deemed unequal treatment of the workers based on position, colour of skin, national, racial, social, sexual orientation, language, sex, religion, welfare status, and origin of the worker or employee, political beliefs, age, state of health, marital status and union affiliation. Para 3: In case of manifestation of discrimination which is not followed by measures on behalf of the employer to remedy it the worker or employee may refer to the committee for the protection against discrimination or the relevant court. Para 4: Endorsement of the practices for disclosure and transparency of labour relations and the operations for the company starting from providing raw materials, consumables, security, cleaning and catering. Chapter 5 CSR: para 5, indent 3, shall create a healthy social environment, social security of the workers and sustainable employment.
- **National federation of energy workers' sectoral collective agreement, 2013.** To take measures against moral and physical abuse of a worker or employee performing their duties at the workplace. Increasing the health culture and the level of professional attitude with regards to health and safety at work.

### **Garment sector**

Unions highlighted the problems of low pay, poor working conditions, and psychological violence and harassment in the garment sector, a sector where the majority of workers are female. The garment sector is a major employer and exporter in Bulgaria,<sup>8</sup> but is a sector where it has been very difficult to organize workers and draw up agreements with employers. Unions representing workers in the sector are currently in the process of trying to negotiate an agreement in the apparel sector, and are looking at the possibility of including violence and harassment in the agreement. However, the CITUB and PODKREPA unions representing workers in the sector spoke of the problems of persuading employers to conclude agreements.

According to the President of the Light Industry Federation PODKREPA, it is the sector where there are high levels of exploitation and where violence is endemic. Unions stated that violence and harassment is part of the culture in many garment factories, particularly when long working hours and weekend work are enforced to complete orders in time. Examples were given on workers not being given labour contracts and where long working hours are common. In one company a company bus transports the workers to work and only returns when the manager calls for the bus, and often the bus returns to collect them late at night. The union argues that this is a form of violence and intimidation at the workplace that is common practice, this results in workers feeling threatened and intimidated. Often the employees are young women from Roma and poor backgrounds. The conditions and pressure to complete orders creates a culture of violence and aggression in the workplace. PODKREPA is a member of the global Clean Clothes Campaign, which campaigns for improved rights for garment workers.

### **3.4 Union awareness raising, campaigns and training programmes**

Both union confederations in Bulgaria have organised roundtables, seminars and other events on violence, although FTTUB has led the way in carrying out awareness raising, campaigns

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<sup>8</sup> According to the Clean Clothes Campaign women make up around 86% of the workforce of approximately 100,000 people work and an estimated 50,000 workers who work under semi-formal or informal conditions. <https://cleanclothes.org/livingwage/stitched-up-factsheets/stitched-up-bulgaria-factsheet>

and training on violence against women (see below). Examples of initiatives at confederal level include round-table discussions held by PODKREPA in six cities in 2013 on workplace violence, and a programme of CITUB training on workplace violence and stress at work as part of training on safety and health at work. Unions in the education sector have campaigned for civic education in schools to contain awareness on a range of issues, including violence. CITUB and the education unions worked on this issue under a project called: 'My first working place' to raise awareness and understanding amongst school pupils. CITUB organised a rally in 2013 in front of the Parliament building in Sofia to urge MPs to ratify the European Convention on preventing and combating violence against women and domestic violence.

The **Federation of Light Industries** (CITUB) has carried out several awareness campaigns on violence against women. The Federation organises many small and micro enterprises in textiles, knitwear, footwear, tailoring, leather and haberdashery, leather and fur, glass, porcelain and faience, machine building and custom goods, which are characterized by very low wages, which are around 60% of the average wage. Workers in the sector have been badly hit by the economic crisis and austerity measures.

On 25<sup>th</sup> November 2015 an email was sent to all members of the light industry federation explaining the meaning of 25 November and disseminated a video from the Council of Europe about the Istanbul convention. The Federation has asked union members to wear the white ribbon to support the campaign, and to think about and stop violence against women. The union has adopted the slogan "Together for the dignity of women: end violence against women and girls" and has disseminated the flyer "No to aggression against women and children", with an explanation of the White Ribbon and campaign, and appeal for the government to implement the Istanbul convention. A speech by Valentina Katzarska of the federation proposed a campaign: "We are together" for 2015-6, arguing that "men have to show the way to fight violence against women and have to declare their readiness in fighting gender equality together with us."

### **The Federation of Light Industries: 2016 World day for the Elimination of Violence against women**

A circular was issued to all members of the Light Industry Federation by Vice-President, Valentina Katsarska on 25 November 2016, International Day for the Elimination of Violence against Women stated that: "This problem must not remain hidden, it requires public action in education, training and information rights, policies of equality, prevention methods to combat with violence, legislative measures to criminalize all types of violence. To share and talk openly." She called on the government to ratify and implement the Istanbul Convention and issued call: "Let's stop the violence and brutality against women (girls) everywhere. To be better with one another." The circular refers to the Federation's recently adopted five year Programme of Action which included priorities for equality, women and youth. The

A survey carried out with members of the Light Industry Federation in 2016 as part of the ETUC 'Safe at Home, Safe at Work' project found that many workers had been victims of harassment in the workplace, examples of which were offensive words and shouting from supervisors. Psychological violence is strongly associated with stress in the workplace, excessive workloads, conflict, job insecurity, ineffective communications, lack of support from colleagues and management, poor organizational and managerial solutions. Suggestions were made for workers to have more awareness of the problem of harassment and to know their rights, and that there should be sustained international and European campaigns for prevention of harassment, protection of workers, awareness raising and training, and legislative change. A key issue is to changing stereotypes and popular culture around violence and to increase incomes and living standards through collective bargaining.

In addition to the consultations that were carried out as part of 25 November, the union circulated two Youtube videos to union members on domestic violence.<sup>9</sup>

**Health sector unions** have held training and seminars on prevention of violence programmes for eliminating third party violence in healthcare facilities. A round table organised by the Health Services (FTU-HS) and the Bulgarian Association of Health Professionals in Nursing on 22 March 2011 in Sofia discussed the issue of third-party violence.<sup>10</sup> The round table was attended by 50 participants (trade unionists, professionals in nursing, employers in the health care sector, the chairperson of the Bulgarian Parliament Standing Committee on Health Care, representatives of the Ministry of Social Security and the Ministry of Health and of the labour inspection, patients' organisation and women's' organisations). The seminar discussed the implementation of the EPSU Multi-sectoral guidelines to tackle third party violence and harassment at the workplace, signed on 16 July 2010 by European social partners from five sectors (EPSU, UNI Europa, ETUCE, HOSPEEM, CEMR, EFEE, EuroCommerce, CoESS).<sup>11</sup> A standing committee was established to solve the problems related to violence in health care and drew on the experience of other countries and multi-sectoral guidelines, drawn up by the European social partners in health, on tackling third-party violence.<sup>12</sup> This involved the co-organisers, the Bulgarian Medical Association, patients' organisations and relevant ministries/public authorities, President of FTU-HS and Vice-President of the Confederation of Independent Trade Unions in Bulgaria (CITUB).

Other **CITUB and POKKREPA** unions have carried out training amongst members to raise awareness about violence against women. The CITUB research department cited an example of a presentation and discussion on gender equality held in training with the Metalworkers Federation. The course was attended by 90% men and following the discussions the Federation made a commitment to carry out actions on gender equality. As Violeta Ivanova, CITUB stated this was a successful intervention to mainstream gender into the union:

The members have wives and daughters and being personally involved is very important – the success is where the leaders are sensitive on the topic. It is important to convince them and to have training on the topic of women's leadership. These are important issues that bear on union's developing actions to eliminate violence and harassment against women.

### **FTTUB campaign against violence against women in the transport sector**

As mentioned above, violence in the transport sector, and specifically violence against women, is a core campaign and core activity of the **FTTUB**.<sup>13</sup> The FTTUB campaign has been cited internationally and at the European level as a best practice campaign, directly informing the work and activities of ETF and IFT. FTTUB's work includes an annual campaign, research and action on collective bargaining on violence against women in the transport sector. A particular

<sup>9</sup> UN rallies support for its campaign to end violence against women:

<https://www.youtube.com/watch?v=FgdZLVmfND4> and <https://www.youtube.com/watch?v=6UktuU7TY6k>. Song of duo "Charisma" is also part of a campaign against domestic violence:

<https://www.youtube.com/watch?v=Jp4Hlf-fsZE>

<sup>10</sup> [http://www.epsu.org/sites/default/files/article/files/seminar-CITUB-FTU-HS-Sofia-22.03.11-slides\\_notes-MM.pdf](http://www.epsu.org/sites/default/files/article/files/seminar-CITUB-FTU-HS-Sofia-22.03.11-slides_notes-MM.pdf)

<sup>11</sup> <http://www.epsu.org/article/multi-sectoral-guidelines-tackle-third-party-violence-and-harassment-related-work>

<sup>12</sup> 16.07.2010: Multi-sectoral guidelines to tackle third party violence and harassment at the workplace, signed by EPSU, UNI europa, ETUCE, HOSPEEM, CEMR, EFEE, EuroCommerce, CoESS <http://www.epsu.org/a/6782> (document available in EN, FR, DE, ES, SV, RU, CZ)

<sup>13</sup> See: <http://fttub.org/once-again-no-to-violence/>

feature of the campaign has been the signing of innovative agreements with municipal governments and employers to protect women transport workers from violence at work.<sup>14</sup>

The campaign was first initiated on 25 November 2009, to mark the 10th anniversary of the International Day for the Elimination of Violence against Women. It commenced with a round table seminar with urban and railway transport sectors. Women trade union leaders were asked to invite women to the roundtable to invite women transport workers who had experienced violence. As Daniela Zlatkova, Executive secretary, FTTUB, stated: “We wanted them to tell their stories...they shared some of their stories during the meeting of third-party violence and also we found that there are no procedures. In Sofia most of the tram drivers are women...one woman talked about her experience of being attacked.”

The campaign led to an agreement for joint actions on prevention of work-related harassment and violence against women (see above) in urban public transport companies of Sofia, which was signed at the highest level by the Mayor of Sofia and the president of FTTUB. The agreement supported plans for research, campaigning and practical workplace measures.

Once the agreement was signed, a **campaign and survey “Someone to share with”** was carried out based on self-administered anonymous questionnaires which were left in workplaces, with special post boxes in designated places in the workplace for respondents to post their questionnaires the questionnaires. The boxes were labelled with stickers “There is somebody to share with”, which were designed to attract attention to the initiative. (See data section above for the results of the survey). A brochure entitled “**No to violence against women at work!**” was also produced together with a list of recommendations to prevent and eliminate work-related violence against women. As one FTTUB women member stated the taboos surrounding the issue even affected women posting the questionnaire: “being seen and posting in the boxes was even a concern to some people – many women though what if someone sees that I am posting this.” (Nadezjda Stameva, Member of FTTUB Youth Committee)

The campaign and the survey had a clear objective, according to Daniela Zlatkova (Executive secretary, FTTUB):

We wanted to know if people knew about different types of violence, whether they feel at risk of different types of violence and whether they had experienced violence themselves. We wanted to use it to raise awareness and to start talking about the problem – we knew it was a difficult topic for workers and for employers – we didn’t want the employers to feel so uncomfortable that they are attacked – we wanted to just raise the awareness and start talking about the problem. We made recommendations on the basis that everything is dealt with through social dialogue. It is a difficult topic it takes more time to achieve the complete results.

The survey showed evidence of the violence women face in their everyday work and encouraged women and union activists to talk about violence. The data from the survey not only helped the FTTUB to develop new strategies and policies on violence against women, it also ensures that the issue was taken seriously by employers. On 25 November 2010 the analysis and recommendations from the survey were presented to the Mayor of Sofia, the Deputy Mayor of Sofia, responsible for transport, the CEO’s of transport companies and company trade union leaders. Recommendations on prevention of violence against transport workers were submitted to the transport companies, which included a zero tolerance campaign, clear company and workplace procedures, a violence database maintained by

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<sup>14</sup> These agreements emerged from the 2009 recommendations of the UN Committee for inclusion of communities in the struggle against violence against women.



companies, further discussions and joint solutions, application of best practices, and implementation of training plans and programmes. The survey provided a strong evidence base for these negotiations with Sofia City Council's Commission on Transport and with employers to include violence against women in collective bargaining. A database on violence against women in the workplace was created and information about the survey results and a special newsletter was disseminated to workers.

The success of the campaign in Sofia, led to the FTTUB to extend the campaign across the whole country in all transport sectors.<sup>15</sup> In November 2015, FTTUB continued the national campaign with a meeting and presentation of the campaign with the Sofia municipality social dialogue council meeting (made up of urban transport companies). A new agreement with Gabrovo Municipality was signed and an awareness raising public campaign was launched in the four cities across Bulgaria where FTTUB has an agreement in place (Sofia, Varna, Burgas and Gabrovo in urban transport) and also in the passenger railway transport (the national railway company BDZ). One of the successes of the campaign is that all buses, trams and trains now display stickers stating 'Stop gender based violence at work'.

Two training exercises were organised as part of the **FTTUB's campaign on violence against women in transport**. Inspired by the agreement for joint action and the activities that followed, the Mayor of Sofia initiated a physical and psychological self-defense course for women working in urban transport. The course, which commenced in May 2010 and was supported by the International Association for Self-Defense, Protection and Security, was attended by over 40 participants. Participants provided very positive feedback, including having a greater sense of self-confidence and security and that the model for reaction in situations of attack was very effective. "The women who attended the course were so happy with the course, they said we wish all women have the possibility to have this same experience". (Daniela)

In 2014 the CEO of the electrical transport company organised a course for all trolley and bus drivers to attend a course about 'escalation tactics' to prevent violence.

The FTTUB's current violence against women programme, **Agreements into actions**, includes a training programme on preventing and addressing violence against women as well as specific follow up work on the implementation of the agreements with the municipalities of Sofia, Varna and Burgas. This includes a 'Smile for mum and dad' project on violence against women in urban transport Burgas; and a Sofia Electrotransport project 'Cabin secured' which secures drivers' cabin doors on trolleybuses and trams. In addition, FTTUB has linked gender inequalities and gender segregation in the workforce, including their participation in the ITF campaign 'Strong unions need women', to their work on violence prevention. This recognises that unequal gender roles and relations are closely connected to violence against women. FTTUB's web site has a range of resources and information on gender inequalities and segregation, including the ETUC's 'Break the glass walls' campaign.<sup>16</sup>

FTTUB has applied for funding for a new in a new project '**Women in transport – Education for Valuable Employment**' (EVE) which will focus on gender equality in the transport sector in Bulgaria and across Europe in partnership with the European Transport Federation. The aim of the training is to make the industry more women-friendly as a precondition for increasing women's participation. It is part of the ETF Women's Committee's 2013 – 2017 programme covering organizing (collective bargaining, protection and promotion), occupational health and safety (appropriate working conditions) and elimination of violence (create a secure and protective working environment). Within the project, FTTUB will participate in project activities including the drafting of a training module on gender based violence in transport and a training

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<sup>15</sup>[http://www.itfglobal.org/media/216837/womens\\_violence\\_guide\\_english.pdf](http://www.itfglobal.org/media/216837/womens_violence_guide_english.pdf)

<sup>16</sup> <http://fttub.org/march-8-break-the-glass-walls-en/>.

kit containing tools and guidelines for multicultural, flexible and practical use. The training will be run in the rail, urban transport and civil aviation sectors in Bulgaria.

### ***Linking national and international perspectives in FTTUB's campaign***

FTTUB has played an important role in challenging violence against women in the transport sector at the global union level. Ekaterina Yordanova, President of Bulgaria's transport union FTTUB, is the Vice-President of the International Transport Workers' Federation (ITF) and has pioneered programmes to end violence against women.

In May 2016, 75 women from the ITF and urban transport unions, including representatives of the transport union in Bulgaria, met in Bali as part of a 'ground-breaking' action forum on violence against women working in public transport. The forum explored the hardship transport workers face in their line of work and renewed the global effort to implement an International Labour Organisation convention on their protection.<sup>17</sup>

A launch of the White Ribbon Campaign by the FTTUB, became a centerpiece of the ITF Congress in 2014. Posters from the campaign were exhibited on the Bridge of Love in Sofia, and trade union leaders were encouraged to make a pledge to end violence against women. Entitled 'This is my Oath', each union member or leader who made the oath to end violence against women was photographed and this was displayed on the Bridge of Love in Sofia. This campaign was inspired by the work carried out by unions in Canada and Australia.

Ekaterina Yordanova, FTTUB has been at the forefront in campaigning for an ILO Convention on violence at work and FTTUB has ensured that it's national anti-violence campaign is linked to the international campaign to support an ILO Convention. The union has a goal recognising the close connection between local, European and international level actions in addressing violence against women. Ekaterina Yordanova, FTTUB, on behalf of the CITUB and ETUC Women's Committees, has sent letters to the Minister of Labour and Social Policy, as part of the campaign for an ILO Convention on violence at work. Campaign, information and promotional materials produced by the ITUC have been drawn up and disseminated by FTTUB.

The most recent FTTUB campaign on violence against women (25 November 2015) was in support of an ILO Convention at violence at work, linking FTTUB to the international ITUC campaign for an ILO Convention. (See Campaign materials and stickers on public transport, for example, 'No to gender-based violence. Support an ILO Convention!'). CITUB women's committee members stated that they aim to carry out campaigning for an ILO Convention, by systematically lobbying the government and employers, during the next year

### ***Young people in FTTUB***

Young people participating in the FTTUB Youth Committee have run a range of campaigns, in partnership with youth organisations, to change attitudes about violence against women. A campaign by the Youth Committee of FTTUB participated supported a candidate in the Bulgarian 'Miss Rose', who was a daughter of a single parent transport workers and member of FTTUB. The aim was to give a positive message about violence through 'feminine' beauty. The young people had a stand with information and raised money for children who had been affected by domestic violence and were living in an institution outside of their family home. Part of the intention of the campaign was to raise awareness amongst transport workers about violence against women.

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<sup>17</sup> <http://www.itfglobal.org/en/news-events/news/2016/june/groundbreaking-forum-sets-agenda-for-tackling-violence-against-women-in-public-transport/>

According to one Youth Committee member it has been important to involve men in the campaigns and to do this through positive communication messages:

We are working on every level and we are trying to address the whole society – some of our male members have a different way of thinking and they think that their behavior is normal to tell sexist jokes. We do events to advocate for women's rights and from the beginning we saw it as important to involve men. And we wanted to do something positive...when you show negative images this means that people will be negative in response. We need positive campaigns to enable women to open up. So we wanted to do something positive to show there is another way, and we wanted men to think about what they did and to show that we can live in harmony. (Alina Milusheva, Member of FTTUB Youth Committee)

Young people in the transport unions came up with the communication idea on the freeing of the spirit, a ceremony held in Sofia using the symbol of a white dove being released. This was used as a way of sending a positive message about ending violence against women at the 2014 IFT Congress. The freeing of the doves marked the opening ceremony of the ITF Congress, and a picture of this shows a positive image of women with smiling faces.

### **3.5 Links and cooperation with civil society and women's organisations**

Unions have developed some informal links with some civil society and women's organisations; however, these have tended to be related to domestic violence rather than violence in the workplace.

During the course of the project contact was made with the representative of the Bulgarian National Coordination of the European Women's Lobby. She confirmed that the main focus of women's organisations has been on the issue of domestic violence and abuse, not the workplace. However, she identified potential for greater collaboration between women's organisations and unions, and this led to a plan for discussions to take place with FTTUB and possible collaboration in the future, for example, in organising a joint seminar on violence against women in the workplace, including domestic violence at work.

### **3.6 Challenges faced by unions**

- Unions face a challenge in raising awareness about sexual harassment as it is very hidden in the workplace and there is no common understanding of what is sexual harassment.
- Unions spoke about the need to draw up new and different ways of tackling the issue and to encourage workers to talk about sexual harassment and violence.
- The main problem is that the low visibility of the issue means that workers do not understand that what they experience is sexual harassment and that it is illegal. Some people see harassment as a daily issue and do not name it as a problem. For example, in the union representing workers in the trade and services feel ashamed to acknowledge the problem. "It is challenge for us, we need to find ways to identify the problems and get workers to open up."
- Bulgarian culture is an additional challenge and unions identified the need to raise awareness about unequal gender roles and how traditional stereotypes of women's and men's roles are damaging.
- In the health and education sectors, inadequate funding for the provision of quality public services has impacted on increasing levels of violence and harassment at work. Unions cite see a strong connection between good quality working conditions and pay and the dignity of workers.

- Collective agreements in some sectors, for example, the tourism, services and cooperatives sector, have not yet included clauses on violence against women, and in some sectors, such as the garment sector, it is difficult to conclude agreements.

### 3.7 Recommendations from unions

- It is important for unions to continue to press employers to sign and implement the draft national agreement on violence, harassment and stress at work, and also to give urgency to implementing existing sectoral agreements that deal with violence and harassment.
- Unions and the government have a role in persuading employers to strengthen collective bargaining in the private sector, where some employers are resistant to concluding agreements.
- Unions should work together to raise awareness and jointly carry out campaigns to address violence against women, particularly to engage men and employers. This includes raise awareness about, draw up national guidelines and implement workplace procedures that specifically address sexual harassment at work and in public places.
- The media has a major influence in society and unions need to partner with the media in order to challenge stereotypes about violence against women.
- Unions should encourage women to report cases and unions should strategically support cases in the courts – this is important for visibility and awareness of the gravity of the issue of violence against women in the workplace.
- Develop trade union expertise and skills about how to help and support victims of violence and sexual harassment, including the skills to help women open up and discuss her needs, and also how trade unions can develop awareness in the workplace and develop workplace policies and procedures to prevent and address workplace violence.
- More attention needs to be given to violence against women in workplace occupational safety and health risk assessments and for this to be prioritised in workplace safety and health committees.
- Employers need to be trained to address violence at the workplace, particularly in how to draw up and implement procedures for preventing violence, making complaints and addressing the consequences violence.
- According to the representatives of the FTTUB Youth Committee, the unions need to have positive campaign messages about how to prevent and combat violence against women.
- Provide training on how trade unions can provide awareness and workplace policies and initiatives on preventing workplace violence.
- Unions have a key role to play in lobbying for ILO Convention on violence at work and to ensure there is a strong gender dimension.
- ETUC and European union federations have a role to play in pushing for a strong legal framework on gender-based violence and to address the low pay and poor conditions in feminised sectors of the economy.
- Finally, unions stressed the importance of anti-violence initiatives being progressed within a gender-equality framework, on the basis that a reduction in gender inequalities and gender segregation will reduce risks of violence against women.

## 4. Domestic violence at work

### 4.1 Introduction: the role of unions in addressing domestic violence at work

As mentioned in previous sections the FTTUB's campaigns and core activities on violence against women covers all forms of violence against women, at work, in public transport and in the home. The union believes that domestic violence at work must be the next issue for unions to address in collective bargaining, for example, in extending existing municipal collective agreements negotiated by FTTUB on violence against women to include domestic violence at

work. FTTUB is the union with the most advanced position on domestic violence at work in Bulgaria – the union recognises that domestic violence is an integral part of the continuum of violence affecting women in both public and private domains, which should be included in future workplace negotiations.

Although domestic violence at work is still a new issue for unions in Bulgaria, unions have sought to raise awareness about the issue of domestic violence and in some cases provide informal support for victims of domestic violence at the workplace. PODKREPA states that it has for many years been providing informal assistance to members who experience violence in the workplace and in the home. An example is a project that was established with an NGO, financed under EU pre-accession funding, which led to the establishment of a help-line for victims of domestic violence. Union representatives were trained to have listening skills and how to provide help and support. However, the project funding ended and the service had to end. The principle of the confederation is that ‘if you have a personal problem, you should come and talk to us’. Members of the PODKREPA women’s committee spoke about the difficulties in providing support to women as it is such a difficult and sensitive issue. However, union representatives aim to give informal help and legal advice about where victims can go for help and what help they can get under the law.

CITUB and PODKREPA women’s committee representatives all spoke about the importance of negotiating workplace policies and linking these to work-life balance and leave arrangements that are already in place in Bulgaria. In addition, CITUB women’s committee representatives spoke about the need to integrate domestic violence leave schemes into future agreements and campaigns that address leave for pregnant women and mothers, and in balancing work and care responsibilities. PODKREPA believes that violence against women is one of the most important issues currently on the union table that needs resolving. At the last Congress the confederation passed a resolution on gender equality (Resolution no 9) that included violence at the workplace and in the home.

CITUB’s research institute highlighted the importance of making a link between work-life balance, with the aim of connecting women’s private lives with their working lives, with measures to address domestic violence at work in collective bargaining. This, according to Violeta Ivanova (ISTUR), “brings the private realm of the home into the workplace”, and according to Nadia Daskalova (ISTU) “this opens up possibility to discuss domestic violence in the workplace”. For example, Article 44 of the Sectoral Collective Bargaining Agreement negotiated by the Bulgarian Union of Teachers (BUT), provides additional paid leave for mothers, thereby setting a precedent for provision of paid leave for women, which could be progressed in the future as paid leave for victims of domestic violence.

PODKREPA’S Tourism and trade sector union highlighted the importance of including clauses to support women and mothers at work in bargaining for sectoral agreements, which often includes additional paid leave and flexible working hours for working mothers. The union believes that the legal framework providing for paid leave could be applied to programmes for domestic violence leave.

“It is in the public interest that put domestic violence on our agenda and that we take this into a public discussion...It will also send a message to our members, some of who commit violence, that domestic violence is unacceptable and that it is a union issue in the workplace. We must deal with this issue as it is directly related to the workplace, there is an added value for the whole of society...It should be included into the agreements that are already in place”. (Yanka Takeva, President, Teachers Union of Bulgaria, CITUB)

Unions interviewed highlighted the important work carried out by NGOs in lobbying for legislation, prevention and service provision on domestic violence. However, unions have

rarely partnered with women's organisations in campaigns on domestic violence, although they recognise that domestic violence at work is a union issue as it touches on the workplace. According to Violeta Ivanova, CITUB:

My impression is that so far trade unions don't work so much about domestic violence at work, it is not their priority – this approach would be really interesting and there is a link between the work violence and the family violence, it is a really interesting issue. We have identified our research it is one of the most important factors that influences gender equality and stress at work – if every day you go to work and you have a difficult situation in the family, there will be an impact on colleagues, but we don't have data on this. The ETUC project is important as it is helping us to make the link.

Trade unions were of the view that they could see a role for workplace representatives to direct victims to specialist organisations that deal with a crisis, such as the police or domestic violence support organisations. Where trade unions are in agreement is that they can play a key role in prevention and in providing support to victims before there is a crisis situation.

## 4.2 Data and evidence

An estimated one in four of all women in Bulgaria have been victims of domestic violence at some point in their lives. According to the European organization, Women Against Violence Europe (WAVE), an estimated 900,000 women in Bulgaria suffer from domestic abuse every year. An evaluation of the implementation of the 2005 law on domestic violence by Advocates for Human Rights and the Bulgarian Gender Research Foundation found that some good progress had been made in implementing the law, although it pointed to inadequacies in the provision and services and in relation to protection,<sup>18</sup> for example, a lack of adequate support services for victims and a failure to fulfil the Council of Europe's recommended number of beds in women's shelters/refuges. In particular, the evaluation revealed a lack of employment opportunities for women, which meant that women could not be financially independent and have access to independent housing.

In September 2008, 11 organizations in the country working for the protection and prevention of domestic violence established the Alliance for Protection against Domestic Violence.<sup>19</sup> The alliance has a role in coordinating and ensuring the sustainability of activities to implement the Law on Protection from Domestic Violence; to develop and implement standards for social services; to encourage cooperation between NGOs and institutions; monitoring, research and development; educational activities and work with young people; and international cooperation and exchange. In 2011, the members of the organisation Alliance for Protection against Domestic Violence provided services to 5034 victims of violence, of who 267 victims of violence had been placed in crisis centers. The organization reported a doubling of the number of cases of domestic violence, compared to 2011.

A survey carried out by Bulgarian NGO 'Women and Mothers against Violence' as part of a European project on domestic violence at work,<sup>20</sup> found that of the 180 adult men and women interviewed in 18 different Bulgarian towns, 40% of respondents were personally acquainted with a victim of violence and 62.2% of people knew a woman who was being psychologically abused by a family member. 5.5% had been or were enduring physical abuse and 12.5% had

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<sup>18</sup> Advocates for Human Rights and the Bulgarian Gender Research Foundation (2008) Implementation of the Bulgarian Law on Protection against Domestic Violence. A Human Rights Report.

Available at: [http://www.theadvocatesforhumanrights.org/uploads/final\\_report\\_2\\_3.pdf](http://www.theadvocatesforhumanrights.org/uploads/final_report_2_3.pdf)

<sup>19</sup> <http://alliancedv.org/>

<sup>20</sup> Liliane Leroy (2011) Domestic violence: the intruder in the workplace and vocational integration', published by COFACE in 2011. Available at: [http://coface-eu.org/en/upload/08\\_EUProjects/Domestic%20violence-etude-coface-daphne-en.pdf](http://coface-eu.org/en/upload/08_EUProjects/Domestic%20violence-etude-coface-daphne-en.pdf)

experienced harassment, humiliation, verbal abuse. The report noted the significance of the findings that 49.2% of respondents (mainly men) thought that domestic violence was a private matter, while 50.8% (mainly women) thought it was a public issue.

In 2011 the Bulgarian government was mandated by the by the United Nations Committee on the Elimination of All Forms of Discrimination against Women (CEDAW) to amend the Protection against Domestic Violence Act so as to remove the one-month time limit to file a petition for a protection order, and provide effective protection for victims of domestic violence.<sup>21</sup>

In 2012, the CEDAW Committee reiterated “its serious concern about the high prevalence of domestic violence, the persistence of sociocultural attitudes condoning such violence and its underreporting” (Para. 5).<sup>22</sup> In particular concerns were raised about the lack of specific provisions criminalizing domestic violence and marital rape, lack of criminal prosecution of violence within the family and the failure by the judiciary to follow the practice of shifting the burden of proof to favour victims, which is provided in the Protection against Domestic Violence Act. Further concerns were expressed about the low level of funding for shelters for women victims of domestic violence.

Interviews held with NGO’s, the Municipality of Sofia and the Police Department of Sofia all identified that domestic violence is a growing, yet hidden, problem in Bulgaria. MI. Mladenov, Head of Sofia Police Department, stated that although domestic violence is a crime under the penal code, it is a hidden issue and is not fully reflected in official statistics.

The most comprehensive national study on public attitudes to domestic violence was carried out by the National Centre for Public Opinion Research in 2003 (commissioned by the Ministry of the Interior).<sup>23</sup> The survey found that half of the population viewed domestic violence to be a private issue (49,2%) while for 50,8% saw it as a problem for the wider society (men largely saw domestic violence as a private issue, whereas women considered it a problem for the society). 12% of victims had experienced psychological abuse from an intimate partner, 5,5% had experienced either physical abuse.

More recent data has been published by the Alliance for protection against domestic violence. For example, in 2009 more than 1200 cases were brought to courts, which resulted in 450 protection orders being issued.<sup>24</sup>

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<sup>21</sup> The UN Committee recommended that the State amend Article 10, para. 1 on protection against domestic violence so as to eliminate the one-month period for protection orders to be issued and to ensure that there are no barriers in place for women to apply for protection order, to ensure that the law reverses the burden of proof on the victim, to provide a sufficient number of state-funded shelters, and to provide support to NGOs that provide shelter and other forms of support for victims of domestic violence. The Committee also recommended that mandatory training be provided for judges, lawyers and other officials in law enforcement and on the issue of the definition of domestic violence and gender stereotypes, as well General recommendations of the Committee, especially General recommendation № 19. For further information see Bulgarian Gender Research Foundation: [http://www.bgrf.org/%7Bhttp://bgrf.org/index.php?option=com\\_content&view=article&id=315%3A2011-08-31-07-56-38&catid=41%3Alast&Itemid=274&lang=bg](http://www.bgrf.org/%7Bhttp://bgrf.org/index.php?option=com_content&view=article&id=315%3A2011-08-31-07-56-38&catid=41%3Alast&Itemid=274&lang=bg)

<sup>22</sup> Committee on the Elimination of Discrimination against Women, Fifty-second session 9-27 July 2012, CEDAW/C/BGR/CO/4-7. Concluding observations of the Committee on the Elimination of Discrimination against Women. 27 July 2012. Available at: <http://www2.ohchr.org/english/bodies/cedaw/docs/co/CEDAW-C-BGR-CO-4-7.pdf>

<sup>23</sup> OSI (2007), Violence Against Women: Does the Government Care in Bulgaria?

<sup>24</sup> [http://ec.europa.eu/justice/gender-equality/files/exchange\\_of\\_good\\_practice\\_uk/bg\\_comments\\_paper\\_uk\\_2012\\_en.pdf](http://ec.europa.eu/justice/gender-equality/files/exchange_of_good_practice_uk/bg_comments_paper_uk_2012_en.pdf)

### 4.3 Collective agreements and workplace policies

No specific examples of collective agreements or workplace policies exist in Bulgaria. However, unions and NGOs have identified this as being an important issue for the future.

### 4.4 Union awareness raising, campaigns and training programmes

Some trade unions have carried out campaigns on violence against women. Examples include various PODKREPA campaigns on violence against women. Campaign posters and leaflets have been disseminated across unions with slogans that have included: 'Violence is not the solution' and 'Say no to discrimination and violence against women and girls'.

### 4.5 Links and cooperation with civil society and women's organisations

Interviews with unions in Bulgaria identified a great deal of interest in the issue of domestic violence at work and the potential to partner with NGOs to tackle the issue. The interviews revealed that there are opportunities for shared learning and collaboration between trade unions and domestic violence organisations to understanding how an empowerment approach can be used to support women in the workplace. As mentioned in Section 3 during the course of the project contact was made with the Bulgarian Coordination of the European Women's Lobby with a view to developing closer links between women's organisations and unions, particularly as there is a great deal of scope for a broad platform to raise awareness about domestic violence as a workplace issue.

The Bulgarian NGO 'Women and Mothers against Violence' had participated in a Daphne III funded European project on domestic violence at work,<sup>25</sup> however, unions had not been involved in this project. The project led to dissemination of information, training and resources, as well as recommendations for project partners in further progressing work in this area. The project evaluation found that there had been a valuable exchange of experiences across the project partners. There may be some potential learning from the project for other NGOs and for trade unions in Bulgaria.

Unions identified the importance of working in cooperation with NGOs on awareness raising with employers and with companies. For example, in the transport sector, where an effective social dialogue has been established, opportunities are identified to further elaborate agreements to include provisions on domestic violence at work. For example, agreements in urban transport and railways have put in place provisions for psychologists support victims of workplace violence, which could be further developed to address domestic violence. FTTUB stated that "...sometimes this happens but it is not official. In every workplace if colleagues are aware of the problems, they try to help the person and talk to the employer. Our ambition is to make it formal as a position." (Mila Nikolova, International Relations, FTTUB)

On the basis of FTTUB's successful social dialogue on violence against women in the urban transport sector, there are possibilities for the union to do more to support victims of domestic violence. FTTUB identified the importance of support from the wider community to support victims of domestic violence and the union is currently examining the union led Canadian domestic violence advocacy model:

We are looking at how we as a trade union can support women who have been victims using the Canadian domestic violence advocacy model. Spreading the message

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<sup>25</sup> Liliane Leroy (2011) 'Domestic violence: the intruder in the workplace and vocational integration', published by COFACE in 2011. Available at: [http://coface-eu.org/en/upload/08\\_EUProjects/Domestic%20violence-etude-coface-daphne-en.pdf](http://coface-eu.org/en/upload/08_EUProjects/Domestic%20violence-etude-coface-daphne-en.pdf)



through the workplace could be carried out through the CITUB network. We would like to learn from what trade unions have done in other countries around training and model agreements. (Mila Nikolova, International Relations, FTTUB)

A meeting was held during the country visit between the Director of the **Social Division of the Municipality of Sofia**, and the President and Head of the International Section of FTTUB, to discuss common interests to further develop the scope of the agreement with the Municipality of Sofia to include practical support for victims of domestic violence at work. FTTUB has identified the need for a pilot project, possibly modelled on the Canadian women's advocate programme and drawing on existing model agreements from other countries.

Mina Yovcheva, Director of the Social Division, stated that this is a key area for development of policies and practice to support victims of domestic violence at work in partnership with NGOs and unions. She foresaw a project on this issue, based on existing practices of coordination on domestic violence, to bring stakeholders and unions together:

I hadn't appreciated how important this issue is – it shows what can be done by looking at things from a different angle, I am really impressed. The unions are very important, as are the employers. Victims of domestic violence who are working will perform badly, she will be isolated and the employer will be affected. The workplace is something we should consider in the future.

She went onto to say:

We need guidelines for the implementation of the law on domestic violence – this could include the role of the workplace. We can work together, as we are first responders, and then we can work with the unions and employers...We need to look at the impact on the performance of a worker who has experienced domestic violence. But disclosure is a very sensitive issue – we need curricula and we need to select the right people in the workplace who will be the advocates and the mentors to provide help. If we don't have the right people who are trained it could have the adverse effect. The unions have a great role to play.

FTTUB, in partnership with other unions represented in the municipal sector, is inspired to draw up a framework agreement on the issue of domestic violence at work, building on the existing agreement on violence against women in the transport sector in the Municipality of Sofia. As Ekaterina Yordanova, President, FTTUB stated:

This is an important new area of work for us, we will look at model agreements and learn about how we can develop new work on this issue. This is a challenge for our unions but should be a priority for us in the future.

An interview was held with **Animus**, an organization established in 1996 to provide support counselling and therapy to women victims of violence. Animus operates the only crisis centre (with three beds) which is way below the Council of Europe standard of 1 bed per 10,000 population. Animus also provides support counselling services in a mother and baby units in Sofia and runs the national 24/7 help line for children, funded by the state agency for child protection. A national helpline for women victims of violence is run by Animus and stickers on every bus and tram provide a free telephone number. Work has also been carried out through La Strada on prevention of trafficking for sexual and labour exploitation. A recent project carried out by Animus is to raise awareness about gender roles in schools, and to work with children about violence.

Animus spoke positively about the potential for partnering with trade unions to discuss and implement workplace policies on domestic violence at work. Animus believes that the workplace is a key issue as “many victims do not have financial independence.” Animus’s work in supporting and empowering victims of domestic violence to find and sustain work commences when a victim is emotionally stable – the NGO gets in touch with employers and assists women in finding work placements and vocational training. As Diliانا Markova of Animus argues: “We help women to formulate realistic job expectations. We help them to assess their skills and help them with accessing relevant training and employment, and to support them in keeping employment. It takes a lot of time as women are often very vulnerable.” She recognises that there is an important role for prevention in the workplace: “...if women are already out of the labour market it is often too late, it is important to work with women before they leave work.”

#### **4.6 Challenges faced by unions**

The main challenge identified by unions is the issue of persuading employers, and male union officials, that domestic violence at work is an issue for employers to address.

A further challenge is having access to funding to carry out a workplace survey and to develop a pilot project for the development of a model workplace policy.

#### **4.7 Recommendations from unions**

- Trade unions should be pioneers in introducing new initiatives to help victims of violence at work and victims of domestic violence at work – this includes drawing up procedures that workers trust, as well as provide psychological and health support for victims of violence.
- Develop trade union expertise and skills about helping and supporting victims of domestic violence, including the skills to help women open up and discuss her needs.
- Ensure that the topic of domestic violence at work gets onto the agenda of future union strategies and on Congress agendas.
- Provide training for workplace representatives on how to listen to and sensitively respond to the needs of victims of domestic violence in the workplace.
- Make links between union work on work-life balance and domestic violence at work.
- Disseminate model agreements on domestic violence at work from the UK and Australia.
- Provide training for workplace representatives and human resources staff on how they can support victims to disclose and provide help to ensure that they can keep their jobs.
- Integrate domestic violence at work into procedures and training for police and prosecutor’s office ‘checkpoints’, and ensure that future training includes the role of the workplace and how trade unions and employers can become partners in future initiatives. This should be progressed under the Bulgarian Ministry of the Interior’s specialised programme on prevention and protection from domestic violence.<sup>26</sup>
- Draw up guidelines to implement the law on domestic violence, and include new guidance on the role of domestic violence at work
- Seek European funding, possibly under the Daphne programme, for a pilot project with the Municipality of Sofia, unions and other stakeholders to implement a programme of support for victims of domestic violence at work.
- Unions should ensure that their lobbying efforts for an ILO Convention on violence at work, includes provisions on domestic violence at work, including the role that unions can play.

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<sup>26</sup> [http://ec.europa.eu/justice/gender-equality/files/exchange\\_of\\_good\\_practice\\_uk/bg\\_comments\\_paper\\_uk\\_2012\\_en.pdf](http://ec.europa.eu/justice/gender-equality/files/exchange_of_good_practice_uk/bg_comments_paper_uk_2012_en.pdf)

## **Appendix 1: Draft national agreement on violence and stress at work**

National organizations representing employees and employers  
CONFEDERATION OF INDEPENDENT TRADE UNIONS IN BULGARIA  
Confederation of Labour "Podkrepa"  
INDUSTRIAL CAPITAL ASSOCIATION IN BULGARIA  
BULGARIAN INDUSTRIAL ASSOCIATION  
BULGARIAN CHAMBER OF COMMERCE AND INDUSTRY  
Confederation of Employers and Industrialists in BULGARIA

believe that stress at work, bullying, sexual harassment and physical violence in the workplace is increasingly worrying problems for employees and employers in international, European and national level, as on the one hand jeopardize the health, safety and human dignity of workers and the other - lead to deterioration of the quality of work, production or service.

### **NATIONAL SOCIAL PARTNERS**

Expressed its deep anxiety and concern over the frequent manifestations of stress, harassment and violence.

Stress the importance of discussion and study of the problem in our country in recent years in key economic sectors such as health, education, transport, etc.,

Account current unsatisfactory overall work and the potential of institutionalized forms of partnership established by present joint bodies, councils, committees and working groups

Proceeding from the previously adopted by consensus solutions...

In the context of Directive 89/30 EC and Directive 2000/43 EC 2000/78 EC 2002/73 EC 89/391...and the European framework agreement on stress in the workplace and the European framework agreement on harassment and violence at work.

Pay special attention on the need for:

Coordinating their efforts on an accrual basis, independently of each social partner experience to raise awareness and understanding of employers, employees and unions of problems to detect possible unacceptable decisions, actions and behavior of workplace bullying, violence and stress.

Expanding dialogue and partnership at national, sectoral and regional level and develop common policies and joint implementation of appropriate consultation / measures / actions to prevent stress, harassment and violence in the work environment.

National social partners believe that the adaptation and appropriate application of European agreements will contribute to improving the working environment for the development of labor relations, increase productivity and competitiveness of enterprises and increase job satisfaction and dignity of workers and promote modern Labour Organisation

And in order to full awareness and understanding of these issues and providing employers and employees and their representatives on the frame - criteria and approaches to detection and prevention, through adequate specific conditions collective and individual measures

And they express their willingness to conduct comprehensive policy to prevent and combat stress and against harassment and violence in the work environment.

### **I. Participation in the systematic management of stress symptoms, harassment and violence at work**

#### **1. Identify the problems relating to employee stress at work and their sectoral (sectoral / branch) specificity.**

1.1 Analysis of the key factors causing stress - precarious work and employment, staff turnover; organization of work and employment (working time, workload, working time flexibility); parameters of environment (impact of hazardous substances, noise, heat); psychosocial factors (interpersonal

conflicts offensive factors emotional effects feeling of lack of support, etc.), communications, job prospects, upcoming changes and so on.

1.2. Investigation of symptoms (organizational, physiological, cognitive, behavioral, emotional, etc.), Events and stages of manifestation of stress at work.

## **2. The Parties offer NCTC to set up a working group that includes representatives of the ministries concerned that:**

2.1 To review the regulatory framework with a definition (description) of concepts (basic characteristics) to determine what changes or additions are required to be adopted in CT, OHS and others. legislation and / or regulations,

2.3. To discuss and adopt proposals for legislative changes reflecting new psychosocial risks necessary changes in the organization of labor obligations of the parties in the labor process, interested institutions and supervisory bodies, etc., Creating more adequate legal protection for actions aimed at prevention of stress and violence in the work environment.

2.4 Proposed legislative changes to the criminalization of workplace violence in all its forms, its classification as a crime and bind to specific sanctions.

## **3. Define the types and forms of harassment and violence at work and cases of external violence.**

3.1. Conducting national and sectoral research and analysis for harassment and violence, ill-treatment in the work environment and are discussed in NCTC and NCWC bilateral and advice on health and safety at work.

3.2. Diagnosis of acts of harassment and violence - incl. manifestations of gray economy, non-payment of RD, deprivation of social rights impacts of a third party, etc.).

## **4. Discussion and conducting general and specific procedures and policies to prevent the stress factors and conditions, as well as harassment and violence at work, including if necessary, use of external expertise.**

## **5. Take concrete measures by employers, with the participation and cooperation of the employees and / or union representatives to avoid, eliminate or mitigate the manifestations of stress, harassment and violence in the workplace.**

5.1. Turning to the problems of stress, harassment and violence in the workplace as part of corporate programs and policies for OSH emphasis on internal reports and analyzes, e.g. in the risk assessment analyzes the health status of employees, reports STM, projects modernization projects under OP and the like.

5.2. Putting into practice the yearly analysis of the manifestations of stress, harassment and violence in the workplace when considering the state of OHS and adoption of effective measures to improve the situation.

5.3. Using the capabilities of systems for informing and consulting employees in order to clarify the purpose of the enterprise and the role and place of each worker in it, improve communications and ensure adequate support from the management of individual worker / employee or working teams.

5.4. Development and implementation of appropriate procedures for dealing with harassment and violence to ensure prompt and timely response, impartial hearing, privacy, fair treatment, disciplinary measures in relation to perpetrators up to dismissal, as well as false accusations, etc.

## **II. INTENSIVE RESPONSIBLE AND EFFECTIVE DIALOGUE OF SOCIAL PARTNERS**

### **1. Active cooperation of social partners and the government to include activities and decisions stress, harassment and violence in developing national programs for OSH.**

1.1 This Agreement shall be submitted for signature by the Minister of Labour and Social Policy, which is kind of commitment from the government for active institutional support for the implementation of all activities under the Agreement.

1.2. Discussion of issues related to national policies in NCTC and Economic and Social Council

1.3. Stress, harassment and violence at work to become a foothold in the work of specialized bodies - National Council on working conditions, sectoral, branch, district and municipal councils UT, WCC / WCG in enterprises in the development of policies, programs and OSH projects (incl. the Fund UT).

1.4. Organizing national conferences on health and safety at work, which to present European framework agreements to different audiences - experts in working conditions, experts in the prevention, management and executives and others.

1.5. Taking a sectoral approach and targeting efforts on sectors with the highest levels of stress such as retail, services, health, education, transport, energy and others.

1.6. Social partners to organize a discussion for clarification of the role and functions of EA "GLI" in this direction and possible joint action. Enrichment of the Cooperation Agreement of 2009 signed between CITUB, CL "Podkrepa" EA "GLI", signed by the Minister of Labour and Social Policy in order to promote cooperation work on the assessment of psychosocial risks in the enterprise development plans to eliminate the risk factors and monitor their implementation, together with employers and unions.

## **2. Use potential, traditions and experience of bipartite social dialogue and collective bargaining**

2.1. Signing a specific, flexible agreements at sectoral and company level, depending on specific conditions such as partners freely choose forms of collaboration and adapt them to the specificities of the region, sector / industry or company. The agreements may contain:

- A procedure to collect information on cases of harassment and violence quickly reporting the change of stressful situation - in the sector as a whole structurally defining enterprises, small and medium enterprises in the branches of MNCs and economically bound to them throughout the chain.
- Commitments to develop sectoral / industry analysis, guidelines for joint action, specific policies, manuals, brochures and explanatory materials to their members and others.
- Recommendation to partners at a lower level (at the enterprise level and the municipality) to implement European agreements in collective bargaining and in the development of regional projects and programs on employment

2.2. Strengthening the work of the trade unions with the respective employers' structures and identify specific and concrete measures to prevent stress, harassment and violence in relation to:

- Improving the socio-economic situation in the different sectors and raising the living standards of workers;
- Improving the working environment, psycho-climate, responsibilities and control work;
- The dynamics of the competitive environment and growing uncertainty for business and employment and incomes of workers;
- Stabilization of the labor market / employment, increased job security;
- The dynamics of reforms in the public system - institutional action, reaction and behavior of their employees;
- Combating poverty and unemployment ... the marginalization of large groups leaving the labor market and social exclusion;
- A realistic assessment of the labor input and thus pay him; flexibility in wages - as a springboard for future progress or trap in the workplace, generating stress and subtle forms of violence;
- Appropriate consultation and action for vulnerable categories of staff - young people, women, mothers with young children, older workers, newly recruited workers, immigrants and so on.
- Gender equality and protection from violence in the workplace
- Specific policies to reconcile work and family life, prevention of workplace stress
  - Training of managers and leaders, trade unionists for better awareness and understanding of stress and harassment and violence, their possible causes, and ways to deal with them
  - Introducing clear rules and mechanisms and procedures for resolving conflicts - individual and collective

2.3. Turning to the problems of stress, bullying and violence in collective bargaining at all levels: sectoral / enterprise and community through:

- Recommendation of the CLA at sectoral level (standard clauses) in the "Health and safety at work" dedicated to combating stress, harassment and violence at work, define the obligations and prevention measures associated with the content of labor control over the work performed, the support of workplace and consultation of workers; Recommendation concerning, for example, in the river. "Gender equality and protection from violence in the workplace." These recommendations subsequently be discussed and included in the collective agreements at the enterprise level and at the level of municipality.

- Bargaining at the enterprise level to introduce additional provisions on issues such as: definition of stress, harassment and violence; ways to identify and overcome the stressful working conditions related to work organization and agreed changes in this direction; measures to reconcile work and family life and the responsibility of employers; gender equality; arrangements for the implementation of projects or training programs to recognize the symptoms of stress and violence, stress management and stress management for managers and workers; negotiation procedures for internal communication that take account of stress at work, and others.

- Negotiation training of mediators in resolving conflicts in enterprises, training modules for Trade Union and Workers' representatives and employees.

2.4. Engaging Cooperation Committee in enterprises to develop guidelines and internal procedures to create a working environment in which workers are not exposed to threats (sexual) harassment or violence from colleagues, management or third party

**3. Use the opportunities and best practices of CSR and the development of codes of conduct as an essential part of prevention programs on stress and workplace violence.**

**4. Cooperation and partnership with NGOs, research institutes, civil organizations and others.**

**5. Development of a joint project to create a pilot consulting services in nine regions in the country, for the prevention of stress, harassment and violence for counseling, support, treatment in enterprises in risky situations. Inclusion in their composition of lawyers, economists, medical professionals and social workers, engineers, psychologists, trade unionists and others.**

5.1. Formation of external mobile teams of experts in prevention of stress, harassment and violence, for actions in the field, on the occasion of upcoming and / or after structural changes or change of ownership in enterprises (Article 123 and 123a CT) or the industry in sustainable uncertain employment jobs, working conditions, income and more.

**6. Partnership trainings / seminars - cycle - with the representatives of management and workers.**

**7. Joint organization of annual national campaigns targeted competitions to change public attitudes on the issues of stress, harassment and violence in the workplace (e.g. Under the slogan "Healthy Workplaces. Stress management / No harassment and workplace violence"; "gender equality and protection from violence in the workplace" and the like.).**

**8. Research and promotion of our and foreign experience. Information and methodological materials.**

Social partners, through seminars and conferences, round tables, brochures and publications and the Internet, agree to:

8.1 organize information and awareness campaigns and activities among its member organizations, in order to familiarize employers and employees with the European framework agreement and their application in the EU countries.

8.2. To jointly promote the best national experience in different sectors and enterprises use of framework agreements.

Signatories agree to distribute this National Agreement to all members, together with a translation into two European framework agreements.

The signatory parties shall review and assess the Agreement at the end of each calendar year, if necessary, make additions and amendments to the texts. The results are announced at a joint press conference.

Each of the parties' signatory is entitled to express publicly and independently, separately from the other partners, their positions and evaluations regarding problems associated with stress and violence in the work environment.