

## Transnational Cooperation supporting Bulgarian workers in the construction sector and other sectors

### Bulgaria

GENERAL INFORMATION	
<b>Name of the organisation</b>	General Labour Inspectorate Executive Agency (GLI EA)
<b>Type of organisation</b>	Labour Inspectorate
<b>Address</b>	Alexander Dondukov Str. 3, 1 000, Sofia, Bulgaria
<b>Web page</b>	<a href="http://gli.government.bg/bg">http://gli.government.bg/bg</a>
<b>Contact person</b>	Denitsa Nilolova Chief Labour Inspector E-mail: <a href="mailto:denitsa.nilolova@gli.government.bg">denitsa.nilolova@gli.government.bg</a>
<b>Member State</b>	Bulgaria
GOOD PRACTICE - GENERAL INFORMATION	
<b>Title of the good practice</b>	Transnational Cooperation supporting Bulgarian workers in the construction sector and other sectors
<b>Topic of the good practice</b>	Construction
<b>Geographical focus</b>	Cross-country – Bulgaria and Germany
<b>Duration</b>	March 2018 – March 2024
<b>Summary of the good practice</b>	<p>The Bulgarian Labour Inspectorate cooperates actively with Arbeit und Leben Berlin-Brandenburg (AuL), a non-governmental organisation active in Germany. One of the projects of AuL is the Berlin Advisory Centre for Migration and Decent Work (BEMA), which supports the labour rights of Bulgarian workers in Germany.<sup>1</sup></p> <p>In 2021, in the framework of the Eurodetachment project the Bulgarian Labour Inspectorate and BEMA produced</p>

<sup>1</sup> ELA (2021), Different forms of cross-border undeclared work, including through third-country nationals, September 2021. The link to this publication is available at: [https://www.ela.europa.eu/sites/default/files/2022-01/Study-report-on-different-forms-of-cross-border-UDW.2021\\_EN.pdf](https://www.ela.europa.eu/sites/default/files/2022-01/Study-report-on-different-forms-of-cross-border-UDW.2021_EN.pdf)

	<p>information materials to inform Bulgarian workers, posted to work in Germany, of their rights and direct them to reputable consultation centres.<sup>2</sup></p>
<p><b>OBJECTIVES AND ACTIVITIES</b></p>	
<p><b>Background/context</b></p>	<p>The Labour Inspectorate is responsible for overall compliance with labour legislation in all economic activities in Bulgaria. It has special responsibilities to oversee compliance with the Act on Health and Safety at work, the legislation related to the performance of the civil service, and the Act on labour mobility and labour migration. The labour inspectorate receives a high number of enquiries from Bulgarian citizens working in Germany either as posted workers or who are directly employed or self-employed, seeking information, for example, on their workers' rights, or seeking help with problems experienced with their employer/employment in Germany.</p> <p>BEMA is part of the Advisory Network for Decent Work, which has 22 centres across Germany belonging to the Arbeit und Leben branches in the different federal states.<sup>3</sup></p> <p>The advisory centres specialise in labour and social law, advising and supporting mobile workers, mainly from European countries, in all kinds of work-related matters.<sup>4</sup> Bulgarian workers are the second biggest group after Polish workers and in 2022, almost 12 % of all those seeking advice from BEMA were from Bulgaria.<sup>5</sup></p> <p>AuL has over 10 years experience in counselling migrant workers on the enforcement of their labour rights, providing confidential and free advice to workers in 12 different languages and organising on-site visits to workplaces in the Berlin and Brandenburg regions.</p> <p>The cooperation between the Bulgarian Labour Inspectorate and AuL arose within the framework of the fifth edition of the Eurodetachment project in 2018 on transnational cooperation in the field of posting workers in</p>

<sup>2</sup> For more information on the Eurodetachment project, see <https://www.eurodetachment-travail.eu/default.asp?rub=&lang=en>

<sup>3</sup> See <https://www.arbeitundleben.de/arbeitsfelder/beratungsnetzwerk>

<sup>4</sup> See [Arbeit und Leben e.V. DGB/VHS - Advisory Network for Good Work](https://www.arbeitundleben.de/arbeitsfelder/beratungsnetzwerk) at <https://www.arbeitundleben.de/arbeitsfelder/beratungsnetzwerk>

<sup>5</sup> BEMA Annual Report, 2022, available at: [Jahresbericht 2022 aktualisiert.pdf](#)

	<p>Europe.<sup>6</sup> Since then, the partnership has been continuously developing, covering more and more areas, and building sustainability over time and beyond the scope of the Eurodetachment project. The joint activities between the two organisations are another good example of continuous and successful cooperation between an advisory centre in Germany and a public body from the country of origin (for example, previous Eurodetachment cooperation with the Romanian Labour Inspectorate, and another transnational cooperation project between BEMA and the Moldova State Employment Agency).</p>
<p><b>Objectives</b></p>	<p><b>General objectives</b></p> <ul style="list-style-type: none"> <li>▶ To prevent discrimination, exploitation, and any other kind of violation of the rights of Bulgarian migrants and posted workers to Germany.</li> <li>▶ To prevent social fraud and social dumping in the construction and other sectors in Germany.</li> </ul> <p><b>Specific objectives</b></p> <ul style="list-style-type: none"> <li>▶ Inform Bulgarian workers employed in Germany and posted workers about their rights.</li> <li>▶ To facilitate the communication between Bulgarian labour inspectors and official organisations supporting posted workers in Germany.</li> </ul>
<p><b>Main activities</b></p>	<p>Cooperation consists of the following main activities:</p> <ul style="list-style-type: none"> <li>▶ Information dissemination: <ul style="list-style-type: none"> <li>▷ <b><i>Na gurbet (Work abroad) Handbook</i></b>: The Bulgarian Labour Inspectorate in cooperation with BEMA developed a handbook in the Bulgarian language, summarising important information on the topic of posting workers from Bulgaria, especially in the construction, transport, and care sectors. The Handbook is titled “<i>Na gurbet – Decent Work in</i></li> </ul> </li> </ul>

<sup>6</sup> See [http://www.eurodetachment-travail.eu/Default.asp?rub=&lang=\\_en#](http://www.eurodetachment-travail.eu/Default.asp?rub=&lang=_en#) The Eurodetachment project is coordinated by INTEFP and ASTREES and funded by the European Commission. This is a resource website on transnational cooperation in the field of posting of workers in Europe, cooperation implemented by the partners successively involved in the projects.

Germany. My rights as a posted worker in Germany”.<sup>7</sup> This was published with the support of the European Commission and the Eurodetachment project. The Handbook consists of general information about working in Germany, addresses of AuL counselling centres in Germany with Bulgarian speaking counsellors, as well as specific information for the construction, care, and transport sectors. A new edition of the brochure will be published in 2024;

- ▷ **Information video:** In order to promote the handbook and AuL services for posted and migrant workers on social media, an information video was also created “Na gurbet”.<sup>8</sup> It presents the case of a Bulgarian posted worker in the care sector whose employer, on her return to Bulgaria from Germany, withheld payment of her salary. The case was quickly and successfully resolved by the Bulgarian Labour Inspectorate and AuL working together. The video was distributed via social media and during conferences and workshops;
- ▶ Online training for Bulgarian labour inspectors: to popularise the benefits of using the handbook among Bulgarian workers and public authorities, an online training was organised with participants from all 28 regional labour inspection offices in Bulgaria. The training was provided by 10 AuL counsellors from Germany who speak Bulgarian and support Bulgarian citizens. The handbook also contains contact information for the official organisations in Germany which Bulgarian inspectors can contact in relation to inspections;
- ▶ Update on new labour market legislation in Germany: A short update was prepared in 2023 by AuL and disseminated by the Bulgarian Labour Inspectorate in

<sup>7</sup> See <https://www.berlin.arbeitundleben.de/veroeffentlichung/neues-handbuch-fuer-bulgarische-beschaefigte/>

<sup>8</sup> See <https://www.youtube.com/watch?v=gV967agyCil>

Bulgaria. Some national media, trade unions, and other institutions published it online;

- ▶ Joint work on common cases and consultations covering a wide range of sectors and working aspects: local joint actions teams consisting of experts in labour law, work together to resolve cases quickly and smoothly. The teams exchange information in a timely manner when emergency cases/incidents arise;
- ▶ Exchange of expertise: The Bulgarian Labour Inspectorate translated Germany's collective labour agreement (CLA) for the construction sector into Bulgarian. The CLA sets out the actual remuneration that different categories of workers are entitled to, as well as other working conditions that the employer must provide during the posting period. This is an important resource for the Labour Inspectorate in cases where disputes arise with Bulgarian posting companies over working conditions in Germany. It helps the Labour Inspectorate clarify the rights of Bulgarian workers in Germany and prove its findings. BEMA/AuL supported the translation into Bulgarian by providing comments, while the Bulgarian Labour Inspectorate provided expertise related to the health and social security system in Bulgaria, work safety, and work accidents;
- ▶ Joint participation: The project partners have participated jointly in international meetings, projects, and work programmes;
- ▶ Study visit: A study visit to Germany was organised for Bulgarian labour inspectors to various institutions including the Occupational Pension Fund for the German Construction Industry (Soka BAU) and the State Office for Health and Technical Safety, to get to know the institutions in Germany and to understand the system.;
- ▶ Bilateral working groups: The Bulgarian and German project partners are also involved in the bilateral working groups organised by the German Ministry of Labour and Social Affairs (BMAS) and Bulgarian Ministry of

	<p>Labour and Social Policy. Every two years both labour ministers sign a new working programme with new priorities. Both parties involved in this practice get the opportunity to meet their respective Ministries within this framework and contribute their insights and learning. It is another forum within which the project partners can work together, as well as enlarging the participation of non-governmental organisations in this type of work.</p>
<p><b>Did you previously provide information about this particular good practice under the European Platform tackling undeclared work?</b></p> <p>(if yes, is it possible to provide the year and the title of good practice or a link of the good practice in <a href="#">ELA Virtual library</a>.)</p>	<p>No</p>
<p><b>Funding/organisational resources</b></p>	<ul style="list-style-type: none"> <li>▶ The information handbook (<i>Na Gurbet</i>) is funded through the European Commission's Eurodetachment project;</li> <li>▶ BEMA is funded by the Berlin Senate Department for Labour, Social Affairs, Equality, Integration, Diversity and Anti-Discrimination (SenASGIVA);</li> <li>▶ The Bulgarian Labour Inspectorate (GLI EA) is under the supervision of the Bulgarian Ministry of Employment and Social Policy.</li> </ul>
<b>PARTICIPATION</b>	
<p><b>Stakeholders involved</b></p>	<ul style="list-style-type: none"> <li>▶ Arbeit und Leben Berlin-Brandenburg/The Berlin Counselling Centre for Migration and Decent Work (BEMA), Germany.</li> </ul>
<p><b>Target groups</b></p>	<p>Bulgarian workers in Germany (including posted workers)</p>
<p><b>Final beneficiaries</b></p>	<ul style="list-style-type: none"> <li>▶ Bulgarian workers employed in Germany, including posted Bulgarian workers;</li> </ul>

	<ul style="list-style-type: none"> <li>▶ Relevant authorities and institutions working in the area of social and labour rights in Germany and in Bulgaria</li> </ul>
<b>GOOD PRACTICE CRITERIA</b>	
<p><b>Achievements/ Results and outcomes</b> (Alignment of good practice with the priorities of the Call (if not applicable, alignment with the field of EU labour mobility)</p>	<ul style="list-style-type: none"> <li>▶ Successful and fruitful cooperation in the field of migrant (included posted) workers' rights between a non-governmental organisation in the host country and a public authority with the powers of a controlling body in the sending country;</li> <li>▶ Improvement in the awareness of social partners and Bulgarian workers in the structures, powers, and specifics of the national legislation in Germany and Bulgaria;</li> <li>▶ Through the establishment of local joint actions teams consisting of experts in labour law, cases can be resolved quickly and smoothly. Through their cooperation, the joint action teams can exchange information in a timely manner when emergency cases/incidents arise. This improves the effectiveness of the work of the controlling bodies and ensures the protection of workers' rights;</li> <li>▶ Development of the existing links and cooperation by continuing the already existing good practices (e.g. cooperation on handbook, collaboration on training for Bulgarian inspectors, exchanging of expertise, participating on bilateral working groups etc.) and the future creation of new joint operation plans and initiatives (collaborating also outside the context of EU projects like the Eurodetachment project).</li> </ul>
<p><b>Recognition</b> (has this good practice been recognised on regional, national or EU level)</p>	<p>A special labour attaché from the Bulgarian ministry has been seconded to the Bulgarian Embassy in Berlin to specialise in dealing with workers who need help. The Bulgarian administration is aware of the work carried out by BEMA providing funding to the organisation to support migrant workers in Berlin.</p> <p>The work of the project has appeared in the press, for example, <i>What Bulgarians working in Germany should</i></p>

	<p>know by Alexander Andreev, 13 October 2021, in Deutsche Welle.<sup>9</sup></p> <p>The European Migrant workers Union (EMWU) also wrote an article on a construction case involving two posted workers from Bulgaria and the role of the cross-border cooperation in helping to solve it.<sup>10</sup></p>
<p><b>Cost effectiveness</b> (the degree to which the practice was successful in reaching objectives and producing clear and measurable outcomes at the lowest possible cost)</p>	<p>The cooperation is part of the daily work routine of both partners, creating added value as a result of the project's activities. Cost effectiveness is reflected, for example, in the distribution of information through online activities e.g. online training seminar for Bulgarian Labour Inspectorates and establishing contacts within the context of supported European projects. The outputs of the project are not only beneficial to Bulgarian migrant workers but also to social workers in Germany and labour inspectors in Bulgaria.</p>
<p><b>Transferability</b> (how the experience from this practice could be transferred to other contexts i.e. what would another Member State/group/sector need to have or put in place for this measure to be successful in their country/group/sector)</p>	<p>The practice is transferable to other sectors and other Member States. Some of the key factors to its effectiveness would include putting in place legislative and institutional structures to protect the employment rights of workers; enlarging the scope of competencies for non-governmental organisations like BEMA who offer workers free, anonymous, and independent advice about their rights, in their own language; presenting information and advice in a language that people understand. This helps to support working relationships between the relevant organisations and migrant workers; building contacts with communities (e.g. through Bulgarian Churches, supermarkets etc.) to improve links with workers, improving knowledge of their rights and organisations/services which can assist them to resolve issues they may encounter.</p>

<sup>9</sup> [What Bulgarians working in Germany should know - DW - 13.10.2021 \(www-dw-com.translate.goog\)](http://www.dw-com.translate.goog)

<sup>10</sup> [Two posted workers earn their wages thanks to cross-border cooperation – European Migrant Workers Union \(emwu.org\)](http://emwu.org)



<p><b>Sustainability</b> (how the practice is sustainable from a social, financial or environmental perspective)</p>	<p>The practice contributes to the sustainability of rights among both employers and workers. It also contributes to the financial objectives from tackling social fraud.</p>
<p><b>Innovativeness</b> (innovative features of the good practice)</p>	<p>This is the first cooperation project between the Bulgarian state's Labour Inspectorate and an NGO in a host country with the aim of preventing labour law violations and exploitation of migrant workers. As the cooperation continues so too does the scope for more innovativeness.</p>
<p><b>Digitalisation</b> (Design, development and/or utilisation of digital tools, policies or plans for digitalisation, business processes and data digitalisation, data sharing digital initiatives, the use of digitalisation to facilitate the access to data in real time and detection of fraud and error, etc.)</p>	<p>The updated handbook will be distributed in electronic format only. It will be published in PDF format on various websites together with links to appropriate organisations, relevant forms etc.</p>