



Republic of Bulgaria
ECONOMIC
AND SOCIAL COUNCIL

OPINION

on

HEALTHY AND SAFE WORKING CONDITIONS – SOCIO-ECONOMIC ISSUES

(on its own initiative)

Sofia, 25 January 2007

The development on its own initiative of an opinion on “Healthy and Safe Working Conditions – Socio-Economic Issues” has been stipulated in the Action Plan 2007 of the Economic and Social Council.

The president of the ESC assigned the development of the opinion to the Labour, Incomes, Living Standard and Industrial Relations and to the Standing Commission on Social Policy.

Mr. Alexander Zagorov was appointed Rapporteur.

The drafted opinion has been submitted by the Commissions concerned for approval by the Plenary Session.

At its Plenary Session, held on 25 January 2007, the Economic and Social Council approved this Opinion.

I. INTRODUCTION

The Republic of Bulgaria joined the European Union on the 1st of January 2007. Therefore, general readiness and all that our country has achieved in the area of the economy, human resources development, social policy, institutional capacity building, first and almost in the area of legislation and control on abiding the law, shall define to what extent accession would result useful or spelling many other difficulties. Regarding the area of safe and healthy conditions at work, undoubtedly, the EU membership of Bulgaria will raise serious challenges for the Bulgarian business in particular. Many of the Bulgarian enterprises are still marked by the characteristics of the not too distant past and also due to the fact that change related to the working conditions has been to a great extent slower than it was expected.

Therefore, the Economic and Social Council considers that higher and changing requirements for achieving safety and health at work should provide new possibilities, but institutions, employers' organisations and representatives of wage labour should face new challenges in parallel.

Safe and healthy working conditions are a prerequisite for increasing productivity and efficiency, profits, benefits of public use, incomes from entrepreneurship and salaries, as well as it is a precondition for a new personal motivation of the employers, employees and workers, complying the requirements and knowledge and profit based.

The Economic and Social Council, called upon expressing the interests and will of the organised civil society, **is convinced** that investing in health and safety of the human capital means investments in success and also is a distinguishing mark of a professional and responsible management. To that purpose and on the basis of Article 5, paragraph 5 of the Law for the Economic and Social Council, the Council decided to draw up this opinion on its own initiative. The Council underlines that this opinion is a result of a round of meetings and discussions organised by the Standing Commission on Labour, Incomes, Living Standard and Industrial Relations and the Standing Commission on Social Policy, in co-operation with experts and specialists in the area of healthy and safe working conditions. The opinions, statements and proposals of all the institutions concerned in Bulgaria, related to safety and health at work, have been reported in the discussion course.

Discussion and solution approaches of the issues of safety and health at work are typical characteristics of the dialogue between the representatives of the workers and employees and the State.

The authentic position of the civil society should be the only **starting point** enabling the Economic and Social Council to give expression of any correct opinion. This position includes a strong intention for providing timely information, effective consulting and promoting the civil dialogue on the topic of safety and health at work.

The opinion of the Council **aims** at drawing the attention of the society and the state authorities to existing problems of safety and health at work, as well as to possible solutions of the matter.

II. STATUS OF LEGISLATION AND REGULATORY BASIS IN THE REPUBLIC OF BULGARIA AND DEGREE OF CONFORMITY OF THESE WITH THE EUROPEAN DIRECTIVES AND DOCUMENTS OF THE INTERNATIONAL LABOUR ORGANISATION (ILO)

Complementing the legal ground with new mechanisms for improving safe and healthy working conditions, harmonized with the European directives, law and bylaws, is already a fact. The Bulgarian legislation concerning safety and health at work is based on the principles of the European and international law related to this matter, such as:

- general principles for prevention of professional risks;
- protection of safety and health of workers;
- elimination of risks and causes for occupational injuries and occupational deceases;
- informing, consulting and balanced participation of representatives of the workers and employers at relevant levels of the social dialogue;
- training of workers and their representatives.

The legislation scope includes all the participants in the labour process: the State; the employers; self-insured, as well as other organisations and legal persons. The Healthy and Safe Working Conditions Act (HSWCA) applies in all enterprises and places designed for the purposes of working activity performance or trainings, regardless of organisation form, type of ownership and reason for performing activities or trainings.

Regulations implementing the requirements of the individual European directives referred to the Framework Directive 89/391/EEC are main of the bylaws referred to the Healthy and Safe Working Conditions Act (HSWCA).

The Bulgarian legislation concerning safety and health at work also comprises a large number of rules of procedure governing labour safety in the different types of economic activities and sectors, adopted in 60s – 80s of 20th century. These rules of procedure are in process of re-elaboration and updating according to a model approved for their reform, in compliance of the European Law and in order to be further developed as practical instruments for the realisation of the system for assessment and control of the occupational risks manifestation.

The Healthy and Safe Working Conditions Act (HSWCA) of 1997 is the basis of bylaws scale creation and it expressed a clear position for change, progress and development. The Act is an expression of basic principles of the European legislation intended to provide safety and health at work, prevention, hierarchy of safety measures, leading responsibility of employers, targeted corporate policy, informing, consulting and accordance of activities, medical services at work, building of effective control system, priorities planning according to limited financial resource under the conditions of constructive dialogue between all parties concerned, namely the principle of “reasonable sufficiency”.

The Act on the amendments to the Labour Code put end of disputes from several years related to the compulsory system of compensations for injurious working conditions and started an approach aimed at preventing health risks and promoting motivation to safe work. At the same time, a full conformity was reached with the principles of the Social Charter aimed to provide the right to equitable working conditions. Under these principles,

workers should be entitled to reduced working hours and/or additional paid leave in case that it is at all impossible to prevent or considerably reduce the risks for the life and the health of the workers.

Realisation of these ideas was possible through the three fundamentally new regulations: for specifying the types of activities requiring reduced working hours; for assigning additional annual leave; and for specifying terms and conditions to provide food free of charge and/or side-dishes. Despite of some imperfections of these regulations, the number of claimants has been reduced and employers have been made understand that there is still a possibility for further improvement of working conditions. Existence of too many risks for the life and health of the workers and declined health status is a prerequisite for providing certain compensations. According to experts, in the beginning of 2006, data are as follows:

- Food free of charge and/or side-dishes have been provided to approximately 36% of the enterprises with a staff of more than 100 workers. This means that the total number amounts to not less than 150 000 workers;
- 110 000 workers approximately are entitled to additional paid leave for working in specific labour conditions;
- 75 000 employed approximately work under the terms of reduced working hours;
- According to data of the National Social Security Institute (NSSI), as to June 2006, number of workers insured for 1st labour category amounts to 11 749 and number of workers insured for 2nd labour category amounts to 91 036.

Social security payments for occupational injuries and occupational deceases, differentiated by economic activities, reporting different extent of risk, have been introduced in 2005. Unfortunately, this measure is not encouraging the employers to invest in improving working conditions, since there is not a “bonus-malus” system developed to report results in the enterprises and thus payments should be corrected to padding or decreasing. Actually, enterprises performing specific economic activity, regardless differences existing between them, are supposed to pay the same social security amount respectively determined for each economic activity.

Special acts have been created for the purposes of providing healthy and safe working conditions, technical requirements to products, consumers protection, dangerous chemical substances and products, amendments to the Social Security Code have been made etc. The legal framework has been set up with the assistance of European experts and it has been surveyed during the partners inspections. Specific applications, being a process requiring time and common purposeful efforts, have a particular importance for successful implementation of this framework. The issue of setting up the regulatory basis (rules of procedure, guidelines, orders, provisions etc.), remains opened on entrepreneurial level. Taking into consideration the significant fragmentation of the economic projects and insufficiency of resources, dissemination of good practices should be promoted mostly through mechanisms of the collective bargaining. The social partners proposed that agreements achieved for improvement of working conditions should be extended as compulsory over the enterprises respectively performing specific economic activities, through a decision of the Minister of Labour and Social Policy. Nevertheless, only agreements achieved regarding minimum security thresholds have been yet extended.

The Economic and Social Council jointly stated that there are a range of unsolved problems related to safety and health at work, such as the problem of the education of rising generation, the training and retraining of the workers, the scientific servicing of this activity, the implementation of tax and customs concessions for companies investing to safety and health at work. The financial security of the inspectors in exercising integral control and their insufficient number, unavailable adequate remuneration and the social reconcilability towards labour law, are still presenting a problem.

In 1997 r. by the Healthy and Safe Working Conditions Act, adopted by the National Assembly, started a new philosophy aimed at reaching safety and health at work. Legislators, under the conditions of the economic and social development during this period stipulated a grace period for enterprises being denied the opportunity to respond immediately to the new requirements. The preparation and approval of a new regulatory basis (package of new regulations, guidelines for their implementation, orders and other provisions supplementing the Act), was going the same period authorized by the legislator.

The Economic and Social Council considers that the social and civil dialogue on the topic concerned, the legislative and regulatory basis, as well as the challenges of the common European market are a prerequisite for changes of the social environment with regard to safety and health at work.

Market positions of enterprises directly depend on the quality and competitiveness of the product produced, on working conditions status and the environment. The adequacy of the product produced with the requirements for safety and health is turning into a main criterion for a stable presence on the market and investments at a higher level of protection of workers provide higher quality of production, wider markets and higher incomes.

The ESC finds that for making an analysis of the real challenges with regard to the safety and healthy working conditions is necessary to be done a complete evaluation of the working conditions in the country. This should be done not only at a national level but also for the needs of the regional development, the stimulation of the strategic economic activities and competitiveness of a single enterprise. The cluster approach is appropriate on the themes for safety and health in small and medium enterprises.

In 2005 an attempt was made for evaluating the economic influence from the introduction and implementation of the EU directives' requirements in the area of the safety and health at work. Along with the evaluation of the impacts were included also the regulations and requirements introduced into the national legislation in transferring the EU directives. The common expenses of the business for realizing new requirements and specified regulations in the field of the safety and health at work, introduced with the European directives, amount to approximately 90 millions BGN (approximately 45 million Euro). The data provided by the evaluation of the impact shows that it often concerns organizational activities but some cases foresee also technical, operating and administrative measures and activities.

Only 20% of employers have a clear vision of expenses needed for covering the European requirements. Most of them do not realize the economic nature of the safety and healthy working conditions.

III. GENERAL EVALUATION OF THE WORKING CONDITIONS STATUS IN BULGARIA

In last years the examples for introducing best practices increased in number of enterprises in various sectors. The ESC considers that the dissemination of best practices should be stimulated as in various sectors as among different enterprises. A basis for this is the implementation of managing systems of safety and healthy working conditions in accordance with the methodological guidance of the International Labour Organization (ILO-2001). The system of the safety and health at work (SSHW) is integrated within the rest of the main systems in the enterprise, keep its identity and an important part of that system is the creation of policy and culture on safety and health at work which is a part of the common corporate policy and culture.

In past years enterprises in various sectors and branches made serious steps in quality managing, ecology and safety and health at work by providing certificates on ISO 9000, ISO 14 000, OHSAS (Occupational Health and safety System)18001. In essence, the methodological guidance of the International Labour Organization, the ILO-2001 и OHSAS 18001 do not contradict each other as implementing ideas for spiral development, integration of the safety and health at work among other main subsystems of the enterprise, business sustainability and guarantees for business partners for process management. This approach gives the needed results for the players in the working process; the management bodies have made significant investments thus preparing the enterprises for activity in a serious competitive environment.

According to data provided by the General Labour Inspectorate – Executive Agency (GLI-EA) as a monitoring body, about 1000 enterprises in the country, medium and big, cover the high European criteria on safety and healthy working conditions, quality and preventing the environment. These facts were noted by the trade unions on the basis of the campaign held on “In protection of fundamental worker’s rights”.

Unfortunately, this fact does not change the general view of working conditions in enterprises in Bulgaria. A great part of small and medium enterprises have done nothing or almost nothing. Many of them experience the necessity of improving working conditions; however, there is also a degradation of working conditions. A reason for making the last conclusion is that a significant part of enterprises are located at inappropriate building fund. The technical equipment has been bought at very low price /at second hand/ morally and physically depleted. Employers have not understood the existing problems on healthy and safe working conditions and have left them deepen. The lack of a long lasting perspective and clear vision for enterprises has left the improvement of working conditions in the background. Nowadays, a significant financial resource, invested in short time, is needed in terms of catching up the serious dropping behind with the implementation of working conditions in compliance with requirements.

The Economic and social council **states** that the government has not created environment for improvement of the working conditions by mechanisms of privatization. The necessary financial resources have not been specified for putting enterprises into line with requirements for healthy and safe work in compliance with the Act for safety and healthy at work and their stipulation into the privatization contracts. There was not a legal requirement for audit

concerning the needs of investments for achieving safety and healthy working conditions during the privatization process of Bulgarian enterprises.

The Economic and Social Council **notes** that the lack of adequate taxation policy stimulating investments in new technologies and improvement of working conditions is a negative factor for the process development for achieving safety and health at work.

The successful management of the safety and health at work leads to a significant decrease of risks on occupational injuries and diseases. As a result, expenses and losses could be decreased, the quality and competitiveness of production could be improved, the income of entrepreneurs and employees could increase as well.

In 2005 the General Labour Inspectorate-Executive Agency (GLI-EA) made 35 111 check-ups on abiding the Labour Code, the Act for healthy and safe working conditions, the Employment Promotion Act and the Act for state officials. The check-ups made are by 8000 more than planned within the year. In the whole country were checked 28 897 enterprises which is 13% among all economic operator in the country having declared at the National Social security Institute (NSSI) the employment of a wage labour force. It was reported that the enterprises checked have hired 1 221 941 employees, i.e. over 50% of all people hired in the country when 52% are men and 48% are women. This fact shows that the check-ups made by GLI-EA are a consequence by a broad and well balanced planned control enlarged with proposals of social partners and petitions of workers and employees.

According to data provided by the controlling activity of the GLI-EA for 2005 only 32% among the generally checked enterprises have created working conditions.

The Economic and Social Council **finds** as extremely alarming the fact that in a great part of the checked enterprises there is a lack of data for the real state of working environment factors that impedes the proceeding of a real assessment of the risk and working conditions status and undertaking the necessary measures needed for its decrease and elimination.

The Economic and Social Council **considers** that the civil dialogue requires urgent discussion of measures, commitments of social partners and activities performed by the government and legislative authority for admissible changing of this vital problem.

IV. OCCUPATIONAL INJURIES AND OCCUPATIONAL DISEASES

Occupational injuries and occupational diseases are the negative result for society coming from the insufficient activities for achieving safety and health at work. Despite the fact that statistics cannot provide a data for each one of the work places, there is a well developed statistic system presenting the general status on economic activities within the country and in a regional plan.

In last 5 years the number of occupational injuries in the country has decreased from 6391 in 2000 to 4405 in 2004, according to the data provided by the statistic system for occupational injuries at the National Statistics Institute. At the same time, the ratio of frequency and weight shows an evident decrease: from $R_f=3,36$ и $R_w=0,159$ in 2000 to $R_f = 2,02$ и $R_w=0,120$ in 2004

Since 2001 has been observed a permanent tendency to decreasing the level of occupational injuries in Bulgaria. According to operational data provided by National Social Security Institute (NSSI), last year in our country were registered 4 167 occupational injuries, among them 104 lethal when in 2004 they amounted 4 305 (111 lethal).

In recent years, the regulation basis was changed, as well as the system of servicing the occupational diseases. This fact caused some problems:

- closing the preventive pathological consulting rooms;
- ineffective medical check-ups on behalf of some medical services at work;
- bad communication between medical services at work and clinics on occupational diseases;
- incomplete informing of the occupational diseases due to insufficient qualification of the physicians authorized;
- terminated monitoring on occupational pulmonary diseases;
- high hidden diseases;
- lack of strategy for funding the medical activity of occupational diseases.

Tendencies have been observed for improving the activity on occupational diseases:

- a regulation on occupational diseases shall be issued;
- a new list of occupational diseases has been prepared;
- new blanks for administrative activities and registering the occupational diseases;
- quality improvement on preventive medical activity by medical services at work shall lead to more adequate reveal ability of occupational diseases in Bulgaria.

Occupational injuries and occupational diseases carry an economic damages as for employers as for employees and simultaneously for the consumers of goods and services. The Economic and Social Council considers that for a greater part of Bulgarian enterprises the policy should be reviewed, rapid and effective measures for limiting the occupational injuries and occupational diseases should be underlined as well. This would lead to a significant public benefits and a new review of the priorities within the State policy on safety and health in working process.

One of the compulsory steps for limiting the occupational injuries and occupational diseases is the effective functioning of committees and groups with regard to working conditions. The main players for healthy and safe working environment are workers and employees who in relation to principles adopted should collaborate in implementing the activities for curing the working environment in the work place. The committees and groups on working conditions are those sections that realize the cooperation between employers and employees' representatives on matters related to the safety and healthy working condition.

According to the research conducted by the General Labour Inspectorate – Executive Agency, the enterprises that have established such Committees/ Groups on working conditions matters amount to 11 954 or only 41% among the checked ones. It was observed a recent tendency of decreasing the number of Committees/Groups on working conditions matters and more precisely in small and medium enterprises. The lack of trade unions in some of the enterprises is reflected in establishing such Committees/Groups on working conditions matters. The Act stipulates imperativeness in establishing Committees/Groups on working

conditions matters at the employer. The principle of parity is not observed. Unfortunately, this shows an underestimation of activities and lack of protection of workers in relation to working conditions. A formality is also observed when workers do not make proposals for improving the working environment; do not discuss the activity on every quarter and do not realize the real possibility of influencing the improvement of working conditions. The necessary training of members of the Committees/Groups on working conditions matters is not conducted. Structuring those Committees/Groups on working conditions matters is organizational, almost free of charge, activity with a high degree of possibility for a serious economic effect due to the fact that the common efforts of their members could set purposes, priorities and draw up a program of activities, measures, deadlines and responsible persons that is also an opportunity for achieving the results planned by a minimum expense.

One of the possibilities for supporting the improvement of working conditions in Bulgarian enterprises is the establishment of a Fund "Working conditions". In recent 2-3 years along the line of this fund were co-financed several dozens of enterprises applying with projects for improving working conditions (we estimate the amount of approximately 5 millions BGN).

At this point the results are positive and this is a good example how the business could be supported by providing objective resources for improving the working conditions. Unfortunately, the Fund "Working conditions" is funded solely by funds transferring from the Fund "Occupational injuries and occupational disease" of the State Social Security. Despite the existence of a statutory regulation the state budget has not provided funds for funding this fund so far.

It is impossible that best results could be achieved in safety and healthy working conditions without implementing purposive organizational and management activities.

Employers specify and appoint the officials who are the bodies engaged with the matters of the safety and health conditions in working process. They are specialists with the right education and qualification. They organize and coordinate the activity on providing a healthy and safe working environment, consult and support the employer of this activity, propose measures for improving the environment, exercise control on observing the sanitary norms and requirements on behalf of the employer. The good practice of the officials on safety and health depends on the employer's attitude towards this activity. In small and mainly in medium enterprises in most cases this function is conducted by the employers himself or this activity is combined by another specialist. This shows that the activity for achieving safety and health at work has not found its place among main priorities of enterprises and this is a significant prerequisite for the formal performance and bad quality of the activity on safety and health at work.

The employer provides the workers and employees with the service by the medical services at work. These services consult and support the employer, committees and groups on working conditions on providing and maintaining a healthy and safe environment at work.

770 Services have been registered until now and 220 physicians qualified in labor medicine matters. In order that this section of the national system for safety and health at work to be organized was used the model of the Kingdom of Denmark when in the beginning of establishing such services their number reached 350 and subsequently remained only 50. In our country the continuous establishment of such services does not improve the

management of the activity of safe and health working conditions. The lack of a practice for controlling their activity leads to a creation of the initial idea and bad quality of work. It is noticed that one medical service serve enterprises remote enough territorially, as well as quite different in their productivity. There is a lack of a good communication between medical services at work and clinics on occupational diseases. This shows solely a formal execution of the activity. Many of the employers do not go deep in the basic commitments of the medical services at work but seek for a lower paid service. As a consequence, they do not receive a service with a high quality and except the statutory sanction they are obliged to pay once again for this service. A contracting party of the medical services is the employer but workers and employees are those who use their activity.

The health monitoring is a significant part of the preventive labor medical service. The health monitoring is closely related to the monitoring of the risks at work and should be adequate with the existing risks in the enterprise. In the moment nobody is controlling how the medical examinations pass and more specifically what medical check-ups should be executed. A very small number of enterprises allowed themselves to make analysis of the health state of their workers. It could be discussed of non effective medical check-ups from some of the services and i.e. "hidden" occupational diseases. The fear of a change of the work place or remaining unemployed force the workers and employees suffering and working with a occupational diseases not to announce them. A very direct link is needed with the general practitioners and employees working in the medical services at work.

The assessment of professional risks is the basis for implementing of the planned activity in the area of the safety and health at work. The risk assessment is a process of identification of dangers, assessment of the risk created by dangers, analysis and taking decisions for liquidation risks at work, limiting them and management of risks that cannot be eliminated. The results from the risk assessment are an initial base for planning of a future activity and providing all necessary resources for its realization (technical, technological, organizational, financial, human, time, etc.). In most cases the risk assessment is conducted by the medical services at work or by bodies responsible for the safety in the enterprise. The assessment is very often subjective and either purposefully or due to incompetence the risk at work is often neglected. There exist also some cases of describing unexciting risks that take off resources for overcoming unexciting problems and implementation of unnecessary measures.

In Bulgaria 98% of enterprises are small ones and micro-enterprises. Most of them do not have specialists for assessing the risk. The Economic and Social Council supports the prepared legislative change which obliges the medical services at work to make this assessment and to support the employer for outlining measures for its limitation. This suggests bigger responsibility for activities performing by medical services at work. The system of controlling these obligations is exercising solely by the bodies of the Ministry of Health that are not competent enough to estimate to what extent the medical services at work has assessed the risk by techniques and technologies used in the enterprise. A serious step forward for a qualitative assessment of the risk at work would be that the control over activity of the medical services at work was executed by the General Labour Inspectorate (GLI).

Enterprises providing real and well funded programs for decreasing the risk are few. These are mainly the bigger enterprises.

The successful management of the safety and health at work leads to a significant decrease of risks caused by occupational injuries and occupational diseases. As a result the expenses and loses of the enterprise could be decreased, the quality and competitiveness could be improved, as well as the incomes of workers to increase. Most of the employers cannot still understand the economic nature of the safe and healthy work conditions. It is not far away when it will be comprehend that an accident could lead to significant financial loses, to destroy the image of the enterprise.

The training in safety and healthy working conditions at all levels, at schools, institutes and universities is insufficient and underestimated. There are courses not even mentioning the issue of safety and health at work. There are not many specialists teaching in this area. It is unfortunate that only now we discuss the issue of upbringing and building of consciousness in the field of safety and health at work. A broader involvement in life long training programs would allow to limit working and lethal accidents, as well as the economic loses throughout the country to be decreased.

The positive aspect is that the recent changes of the Act for Safe and Healthy Working Conditions stipulates that through the Fund "Working conditions" are foreseen funds for training, conferences and seminars discussing the issues on safe and healthy working conditions.

V. SOCIAL ISSUES IN THE SAFE AND HEALTHY WORKING CONDITIONS

The Economic and social council expresses its clear position for unconditional implementation of the Law for safe and healthy working conditions by all enterprises in the country.

In the context of our EU membership the safe and healthy working conditions have their own socio-economic dimensions. Bulgarian economy is still facing a number of challenges:

- **Liquidation of enterprises and suspend of activities** – The Act for Safe and Healthy Working Conditions clearly states that an enterprise cannot function if does not respond to the requirements for safe and healthy working conditions. The controlling activity shall be implemented by the Regional Labour Inspectorates in the country. It is disputable whether there will be a financial or human resource. The competitive environment will also lead to suspension of activities. The produced Bulgarian goods will not be accepted to the European market if they are produced in bad working conditions.

- **Unemployment** – the liquidation of enterprises and separate productive activities shall inevitably lead to increasing the number of unemployed. Unfortunately, in smaller settlements where people do not have an alternative the situation will be quite serious.

- **Payment and benefits** – at present the average wage of workers in Bulgaria is very low. In order to survive and fulfil the European requirements the employers should allot funds for improving the working conditions that will reflect as the labour remuneration as the acquisitions of workers /free food, extra leave/.

• **Education and qualification** – continuous fluctuation of labour leads to a decrease and lack of specialists. The lack of policy in education and prequalification, the appointment of low qualified workers is a risk prerequisite in terms of the safety at work.

According to the review of the common economic environment, requirements of the regulation basis, requirements of the organizational and management methods for achieving safe and healthy working conditions, the Economic and Social Council made the following conclusions:

1. Bulgarian legislation on safety and health at work is already harmonized with the European legislation that left to itself is very important provision for improving working conditions, providing safety and health at work, increasing the labour attractiveness and effectiveness, the competitiveness of Bulgarian economy as well.

2. In last years, cases of introducing best practices were increasing as number of enterprises from various sectors has already covered high European criteria on safety and healthy working conditions, quality and protection of the environment. The building of the infrastructure continues for supporting employers in fulfilling their duty for providing safety and health at work. The tendency for decrease in accidents at work is very positive. A procedure was adopted for assessing the influence of introducing the achievements of the EU legislation practices.

3. Regardless of the conclusions mentioned above the working conditions in many of Bulgarian enterprises have not been changed significantly and remain in a serious state in terms of the European requirements and regulations. This concerns also the leading enterprises in Bulgarian economy.

4. The state of the working conditions in small and medium enterprises is extremely alarming. In a great part of small and medium enterprises in the sectors of building, light industry, services, engineering, etc., there is not only a great need of improving working conditions but also degradation.

5. Despite the harmonization of Bulgarian legislation on the Act for Healthy and Safe Working Conditions with the European one, the system for exercising an integrated control should be developed.

6. A great part of Bulgarian employers do not understand the economic nature of safety and healthy working conditions or do not have a real notion for expenses needed for covering European requirements.

7. The necessary service of the activity on providing the Act for Safety and Healthy Working Conditions is not ensured.

8. Active tax and customs relieves for enterprises investing in safety and health at work have not been introduced yet.

9. The need of urgent improvement in qualification and prequalification of employees as a prerequisite for decreasing work accidents and improving working conditions is still not realized.

10. A significant financial resource is needed that should be invested in short terms in order to reach a high level in working conditions in Bulgarian enterprises related to the European directives. There is no clear vision yet where these resources could be provided from. Bulgarian economy is facing the danger that after joining the EU hundreds of enterprises could be closed and employees shall remain unemployed that shall cause serious social and economic damages especially in some regions with an economy in decline and a high level of unemployment. Standards, stipulated in the European directives, requiring significant investments in the Act for healthy and safety working conditions endanger that a great part of Bulgarian enterprises could go into bankruptcy even in 2007. In this case, enterprises that are supported by external investors could provide the needed funds but other producers are facing the real danger of a bankruptcy. The example of the Czech Republic, Austria and other countries in their first years as EU members is indicative.

11. Training in safety and healthy working conditions at all educational levels is insufficient and still underestimated although this issue has never been so close and seriously brought before the society. Training of young people on the Act for Healthy and Safety Working Conditions is quite necessary in terms of providing them with a safe and healthy starting of their working career. There is a lack of a system and clear notion for making students at schools and universities familiar with the principles of safety and upbringing a culture for prevention; programs, academic hours and the organization of education do not correspond to the European requirements in this area. Universities do not offer fundamental and special subjects on healthy and safe working conditions. The necessary conditions for post graduate qualification of specialists on safety and health at work have not been created yet. There is a necessity of significant funds and efforts for upbringing a conscious in the field of the safety and health of all the population. A broader involvement in programs on life long learning would allow a limitation of the working and lethal accidents and a decrease of economic loses throughout the whole country, etc.

V. CONCLUSION

On the basis of conclusions made the **Economic and Social Council proposes** that during the first year of the EU membership of Bulgaria following **measures** should be undertaken:

1. The newest EU directives related to working conditions should be transferred into Bulgarian legislation through executive and legislative authority. The enactment of the directives should lead to negotiating the needed minimal transition periods so that the enterprises will not be charged with additional excessive taxes and their future existence would not be questioned.

2. In order to strengthen the capacity of the General Labour Inspectorate, social partners and all administrative and managing organizations in the country, committed to the processes for achieving healthy and safe working conditions, should develop their activity in close collaboration. All elements of the current proactive system for safety and health at work when working with active monitoring should be seized. There is a need of urgent activities for defining the needs of Bulgarian enterprises, their own and external sources of financing and increasing capacity for using funds on projects and programs for achieving safety and health at work.

3. The Clinic on occupational diseases should be strengthened in terms of its structure, personnel and finances, as well as all other sections working on this issue.

4. A new National Strategy and National Action Plan on safety and health at work 2007-2013 should be drawn up.

5. The Labour Code and the Social Security Code defending the right for working in a healthy and safety environment should be changed. The activity on developing the Labour Inspection Act should be renewed.

6. The policy should be open and transparent by statistic data for working conditions, accidents at work and occupational diseases at all levels as with regard to the local as to the international institutions and organizations of the civil society as a whole.

7. A National Policy on Education concerning the healthy and safe working conditions should be developed which provide a united system for education and upbringing on safety and health at work at all educational levels, as well as an increase of the qualification of personnel performing these activities.

8. An Institute on safety and health at work should be established as a part of the National Labour Institute managed on a tripartite principle.

9. The percentage of co-financing the measures for improving working conditions from the Fund "Working Conditions" should be increased and respectively a significant augmentation of the Fund's budget.

The Economic and Social Council expects from all stakeholders (legislative authority, state bodies and institutions, employers' and public organizations, trade unions NGOs, media, etc.) to unite their efforts on the issue of the safety and health at work for realizing these measures in order to realize a radical change in the state policy with regard to providing a necessary economic, legal and institutional environment, as well as to the employer's attitude towards the working conditions, safety at work and keeping the health and working capacity of employees.