**REGULAR WORKING HOURS**

**Normal Duration of Working Hours**

Art. 136. (amend. - SG, No 100/1992) (1) (amend., SG 25/2001) The working week shall be 5-day with a normal duration of the weekly working time up to 40 hours.

(2) (revoked, SG 25/2001)

(3) (amend., SG 25/2001) The normal duration of the working hours during the day shall be up to 8 hours.

(4) (suppl. SG 25/2001) The normal duration of the working hours under the preceding paragraph shall not be extended, except in the cases and by an order stipulated by this code.

(5) (revoked, SG 25/2001)

**Extension of the working time**

Art. 136a. (new, SG 25/2001) (1) (amend. - SG 48/06, in force from 01.07.2006, amend. – SG, 54/2015, in force from 17.7.2015) For industrial reasons the employer can extend, by a written order, the working time during some working days and compensate it through its respective reduction during others upon preliminary consultations with the representatives of the trade union organizations and the representatives of the workers and employees under art. 7, para. 2.

(2) (suppl., SG 52/04, In force from 1st of August 2004) The duration of the extended working day, under the conditions of para 1, cannot exceed 10 hours, and for the workers and employees working under reduced hours - up to 1 hour in excess of their reduced working time. In these cases the duration of the working week may not exceed 48 hours, and for the workers and employees with reduced working time – 40 hours. The employer shall be obliged to keep a special book for accounting the extension, respectively the compensation of the working time.

(3) The extension of the working time under para 1 and 2 shall be admitted for a period of 60 working days during one calendar year, but for no longer than 20 working days consecutively.

(4) In the cases under para 1 the employer shall be obliged to compensate the extension of the working time by its respective reduction within 4 months for each extended working day. If the employer does not compensate the extension of the working time in the above period the worker or employee shall have the right to determine himself the time during which the extension of the working time will be compensated by its respective reduction, informing about that the employer in writing at least two weeks in advance.

(5) In terminating the legal terms of employment before the compensation under para 4 the difference up to the normal working day shall be paid as an extra labour.

(6) For the workers and employees under art. 147 extension of the working hours shall be admitted under the conditions of this article for extra labour.

**Reduced Working Hours**

Art. 137. (1) (prev. art. 137 - SG 25/2001) Reduced working hours shall be established for:

1. (amend. - SG, No 100/1992, amend. SG 83/05) workers and employees implementing work under specific conditions and the risks for their life and health cannot be removed or reduced regardless of the undertaken measures but the reduction of the duration of the working time leads to restriction of the risks for their health;

2. (amend. - SG, No 100/1992) employees who have not reached 18 years of age.

(2) (Revoked SG, No 100/1992)

(2) (new - SG 83/05) The kinds of works for which is established reduced working time shall be determined with ordinance of the Council of Ministers.

(3) (new - SG 25/2001, prev. (2) – SG 83/05) Right to reduced working time under para 1, item 1 shall have the workers and employees working in the respective conditions for a period no less than the legally established working time.

(4) (new, SG 25/2001, prev. (3) – SG 83/05) The labour remuneration and the other rights of the worker or employee under the legal terms of employment shall not be reduced for reduction of the working time under para and 2.

**Part-Time**

Art. 138. (amend. - SG, No 100/1992) (1) (prev. art. 138 - SG 25/2001) The parties to the employment contract may negotiate work for a part of the statutory working hours (part-time work). In this case they shall specify the duration and allocation of the working hours.

(2) (new, SG 25/2001; amend. - SG 48/06, in force from 01.07.2006) In the cases under par. 1 the monthly duration of the working hours of the workers and the employees on part-time shall be shorter than monthly duration of the working hours of the workers and the employees, who work under legal terms of employment full-time in the same enterprise and perform the same or similar work. In case at the same or similar work there are no workers and employees, employed at full-time, the comparison shall be made only with respect to the duration of the monthly working time of the rest of the workers and employees at the enterprise.

(3) (new, SG 25/2001; amend. - SG 48/06, in force from 01.07.2006) The workers and the employees under par. 1 may not be put in less favourable position only because of the part-time duration of their working hours compared to the workers and the employees, party to a labour contract at full-time, performing the same or similar work at the enterprise. They shall use the same rights and have the same obligations, which have the workers and the employees, working at full time, unless the law stipulates the use of some rights as depending on the duration of the worked off working hours, the length of service, the qualification they have and others.

(4) (new – SG 7/12) An employment contract for part of the statutory working time shall be deemed as such with normal working hours, where permitted by law, in those cases where the control authorities find that the worker or employee party to the contract works outside his/her working hours, and the conditions for overtime work are not present.

**Introduction of part-time by the employer**

Art. 138a. (new - SG 48/06, in force from 01.07.2006) (1) In case of reduction of the volume of the job, the employer can establish part-time for a period of three months in a calendar year for the workers and employees in the enterprise or in its unit upon preliminary coordination with the representatives of the trade union organizations and the representatives of the workers and employees under art. 7, par. 2.

(2) The duration of the working time under para 1 cannot be less than half of the legally established for the period of calculation of the working time.

(3) With respect to creating possibility of shifting from full-time to part-time or vice versa, the employer shall:

1. take into consideration the requests of the workers and employees for shifting from full-time to part-time, regardless whether the requests refer to the same or another working place, in case such opportunity exists in the enterprise;

2. take into consideration the requests of the workers and employees for shifting from part-time to full-time job or for increasing the duration of the part-time, if such opportunity emerges;

3. provide timely at a proper place in the enterprise written information to the workers and employees regarding the vacant working places and positions at full-time and part-time in order to facilitate the shifting from full-time to part-time job or vice versa; this information shall be provided to the representatives of the trade union organizations and to the representatives of the workers and employees under art. 7, par. 2;

4. undertake measures for facilitating the access to part-time job at all levels in the enterprise, including the positions, which require qualification, and the managerial positions, and, where possible, for facilitating the access of the workers and employees working part-time to professional training with the purpose of increasing the opportunities for career progress and the professional mobility.

**Allocation of Working Hours**

Art. 139. (1) The allocation of working hours shall be established by the internal rules of the enterprise.

(2) (amend. - SG, No 100/1992) In enterprises where organisation of work allows flexible working hours may be established. The time during which the employee must be at work in the enterprise, as well as the manner of accounting for it, shall be specified by the employer. Outside the time of his compulsory presence, the employee may determine the beginning of his working hours himself.

(3) (new – SG, 54/2015, in force from 17.7.2015) In the cases of Para. 2 out of the time for obligatory presence, the worker or employee may work the un-worked day working time in the following or other days of the same working week. The way of accounting the working time shall be provided by the Rules of the Internal Employment Procedure of the undertaking.

(4) (amend. – SG, 100/1992, amend. 25/2001, in force from 31. 3. 2001, repealed – SG, 48/2006, in force from 1 7 2006, former Para. 3 – SG, 54/2015, in force from 17.72015) Depending on the nature of work and the labour organisation, the working day may be divided into two or three parts.

(5) (amend. - SG, No 100/1992) For some categories of employees, due to the special nature of their work, an obligation may be established to be on duty or to stand by at the disposal of the employer during specified hours in a 24-hour period. The categories of employees, the maximum duration of the hours, and the terms and procedures of accounting for them shall be determined by the Minister of Labour and Social Policy.

**Open-ended working hours**

Art. 139a. (new - SG 48/06, in force from 01.07.2006) (1) For some positions, due to the specific nature of the work, the employer may establish open-ended working hours after consultations with the representatives of the trade union organizations and the representatives of the workers and employees under art. 7, par. 2.

(2) (new – SG 108/08) An open-ended working day may not be established for employers with reduced working time.

(3) (prev. text of Para 02 – SG 108/08) The list of the positions, for which open-ended working hours are established, shall be determined by an order of the employer.

(4) (prev. text of Para 03 – SG 108/08) The workers and the employees on open-ended working hours shall, if necessary, perform their duties even after the expiry of the regular working hours.

(5) (prev. text of Para 04 – SG 108/08) In the cases under par. 3, except for the rests under art. 151, the workers and employees shall have the right to a rest of at least 15 minutes after the expiration of the regular working hours.

(6) (prev. text of Para 05 – SG 108/08) In the cases under par. 3 the total duration of the working hours may not breach the uninterrupted inter-day and inter-week rest, established by this code.

(7) (prev. text of Para 06 – SG 108/08) The overtime on working days shall be compensated by an additional annual paid leave, and work on legal holidays - by an increased remuneration for overtime work.

**Night Work**

Art. 140. (1) (amend., SG 25/2001) The normal duration of the weekly working hours at night for a five-day work week shall be 35 hours. The normal duration of the night working hours for a five-day work week shall be 7 hours.

(2) (amend., SG 25/2001, amend. And suppl. – SG, 54/2015, in force from 17.7.2015) Night work shall be work performed between 10.00 p.m. and 6.00 a.m., and for underage workers and employees – not reached 16 years of age - from 8 p.m. to 6 a.m.

(3) (amend. - SG, No 100/1992) The employer shall provide to the employees hot food, refreshments and other facilities for the effectiveness of the night work.

(4) (amend. - SG, No 100/1992) Night work shall be prohibited for:

1. employees who have not reached 18 years of age;

2. (amend., SG 52/04, In force from 1st of August 2004; suppl. – SG 103/09, in force from 29.12.2009) pregnant female employees as well as female employees in advanced-stage of in-vitro fertilization procedure;

3. (amend., SG 52/04, In force from 1st of August 2004) mothers of children up to 6 years of age, as well as mothers raising disabled children regardless of the latter's age, except with their own consent;

4. reassigned employees, except with their own consent, and only when such employment will not be detrimental to their health in the opinion of the medical authorities;

5. employees who are continuing their education while under employment, except with their own consent.

(5) (new, SG 52/04, In force from 1st of August 2004; revoked - SG 48/06, in force from 01.07.2006)

**Special regulations at night work**

Art. 140a. (new - SG 48/06, in force from 01.07.2006) (1) Workers and employees, in whose regular working time are included at least three hours of night work under art. 140, par. 2, as well as workers and employees, who work in shifts, one of which includes at least three hours of night work, shall be considered workers and employees, who work at night.

(2) The workers and employees who work at night, shall be accepted to work only after a preliminary medical examination which shall be for the account of the employer.

(3) The workers and employees who work at night, shall be subject to periodical medical examinations under art. 287.

(4) In case health body establishes that the health condition of a worker or employee has worsen as a result of working at night, he/she shall be transferred to appropriate day work or reassigned/provided with a suitable job.

(5) The employer, with whom the workers and the employees work at night, shall be obliged upon request by executive Agency "Chief labour inspection" to provide information about their number, the night hours worked off, as well as about the measures undertaken for providing safe and healthy labour conditions.

**Work in Shifts**

Art. 141. (1) Where the nature of the production process necessitates it, the work in the enterprise shall be organised in two or more shifts.

(2) A work shift shall be mixed where it includes day and night. A mixed work shift with 4 or more hours of night work shall be deemed a night shift and shall have the duration of a night shift, and if it covers less than 4 hours of night work, it shall be deemed a day shift and shall have the duration of a day shift.

(3) The rotation of shifts in the enterprise shall be specified by the internal rules.

(4) (amend. - SG, No 100/1992) The work shifts of the employees who are continuing their education while under employment, as well as of high-school students working in their free time, shall be specified depending on the organisation of their studies.

(5) It is prohibited to assign work for two consecutive work shifts.

(6) (amend. - SG, No 100/1992) For enterprises with a continuous working process the employee shall not discontinue work before the arrival of the respective employee on the next shift without the permission of his immediate superior. In such cases the immediate superior shall take the necessary measures to find a substitute.

**Accounting for Working Hours**

Art. 142. (1) Working hours shall be calculated in working days, for each day.

(2) (amend. - SG, No 100/1992; amend., SG 25/201; amend. - SG 48/06, in force from 01.07.2006) The employer can establish a total calculation of the working time - weekly, monthly or for other calendar period which cannot be longer than 6 months.

(3) (amend. - SG, No 100/1992) The summarised calculation of working hours shall not be allowed for employees on open-ended working hours.

(4) (amend. - SG, No 100/1992; suppl., SG 52/04, In force from 1st of August 2004) The maximum duration of a work shift under a summarised calculation of working hours can be up to 12 hours, as the duration of the working week may not exceed 56 hours, and for employees at reduced working hours it can be up to one hour beyond their reduced working hours.

**OVERTIME WORK**

**Definition and Prohibition**

Art. 143. (1) (amend. - SG, No 100/1992; amend., SG 25/2001) Work done on the order of, or with the knowledge of and with no objection from, the employer or the respective superior, by an employee out of his agreed working hours shall be considered overtime work.

(2) Overtime work shall be prohibited.

**Admissibility as an Exception**

Art. 144. Overtime work shall be permitted as an exception in the following cases only:

1. for the performance of work related to the national defence;

2. (amend. - SG, No 100/1992, amend. SG 19/05; suppl. – SG 102/06; amend. – SG 35/09, in force from 12.05.2009) for prevention, control and overcoming of the consequences of disasters;

3. (amend. - SG, No 100/1992) for the performance of urgent publicly necessary work to restore water and electrical supply, heating, sewerage, transport and communication links, and for providing medical assistance;

4. (amend. - SG, No 100/1992) for doing emergency repairs in working premises, on machines and other equipment;

5. (amend. - SG, No 100/1992; amend. – SG 108/08) for the completion of work which can not be completed within the regular working hours;

6. (amend. - SG, No 100/1992) for the performance of intensive seasonal work.

Art. 145. (revoked, SG 25/2001)

**Duration**

Art. 146. (1) (amend. - SG, No 100/1992) The duration of the overtime work performed by one employee in one calendar year shall not exceed 150 hours.

(2) The duration of the overtime work shall not exceed:

1. 30 hours day work, or 20 hours night work in one calendar month;

2. 6 hours day work, or 4 hours night work in one calendar week;

3. 3 hours day work, or 2 hours night work in two consecutive working days.

(3) The restrictions under the preceding paragraphs do not apply to the cases under Article 144, sub-paragraphs 1-3.

**Inadmissibility of Overtime Work**

Art. 147. (amend. - SG, No 100/1992) (1) Overtime work shall be not permitted for:

1. employees who have not reached 18 years of age;

2. (amend., SG 52/04, In force from 1st of August 2004; suppl. – SG 103/09, in force from 29.12.2009) pregnant female employees as well as female employees in advanced-stage of in-vitro fertilization procedure;

3. (amend., SG 52/04, In force from 1st of August 2004) mothers of children up to 6 years of age, as well as mothers raising disabled children regardless of the latter's age, except with their own consent;

4. reassigned employees, except with their own consent, and only when such employment will not be detrimental to their health in the opinion of the medical authorities;

5. employees who are continuing their education while under employment, except with their own consent.

(2) (amend. SG 83/05) Overtime work shall not be permitted, except in the cases of art. 144, items 1 – 3, for workers and employees for whom is established reduced working time under art. 137, para 1, item 1.

**Refusal to Work Overtime**

Art. 148. (amend. - SG, No 100/1992) The employee shall be entitled to refuse to work overtime, in case the provisions of this Code, of another normative act, or of a collective contract are not observed.

**Accounting for Overtime**

Art. 149. (amend. - SG, No 100/1992) (1) The employer shall keep a special register to account for overtime work.

(2) (amend. - SG, No 100/1992; amend. – SG 27/14) Overtime work performed during the calendar year shall be accounted for before the labour inspection by 31st of January of the next calendar year.

**Payment of Extra Labour (amend., SG 52/04)**

Art. 150. (amend. - SG, No 100/1992; amend., SG 52/04, In force from 1st of August 2004) Labour remuneration in an increased amount according to art. 262 shall be paid for overtime work.

**REST**

**Rest during the Work Day**

Art. 151. (1) (amend. - SG, No 100/1992) The working hours of the employee shall be interrupted by one or several breaks. The employer shall provide the employee a rest for a meal which shall not be shorter than 30 minutes.

(2) The rest periods shall be not included in the working hours.

(3) (amend. - SG, No 100/1992; amend., SG 25/2001) In continuous production processes or in enterprises where the work is uninterrupted, the employer shall provide to the employee time for a meal during the working hours.

**Rest between Work Days**

Art. 152. (amend. - SG, No 100/1992) The employee shall be entitled to an uninterrupted rest between work days which shall not be shorter than 12 hours.

**Weekly Rest**

Art. 153. (1) (amend. - SG, No 100/1992) For a five-day working week the employee shall be entitled to a weekly rest of two consecutive days, one of which shall be Sunday on principle. In such cases, the employee shall be ensured at least 48 hours of weekly rest at a stretch.

(2) (amend., SG 25/2001; amend., SG 52/04, In force from 1st of August 2004) For summarised calculation of working hours the uninterrupted weekly rest shall be no less than 36 hours.

(3) (new, SG 52/04, In force from 1st of August 2004) For a change of the shifts in summarized calculation of the working hours the uninterrupted weekly rest may be of a shorter size than the rest under para 2, but not shorter than 24 hours in the cases where the actual and technical organization of the work in the enterprise so require.

(4) (new, SG 52/04, In force from 1st of August 2004) For extra working the two days of the weekly rest, in daily calculation of the working time, the worker or employee shall have the right, besides to an increased payment of this labour, to uninterrupted rest as well during the next working week, amounting to no less than 24 hours.

**Legal Holidays**

Art. 154. (1) (Amended - SG, Nos. 30/1990, 27 and 104 of 1991, No 88 0f 1992, No. 2/1996, 22 & suppl., No 22/1998, amend. and suppl., No 56/1998; suppl., No 108/1998; amend. – SG 15/10) The public holidays shall be:

January 1 - New Year;

March 3 - the Day of the Liberation of Bulgaria from Ottoman Domination - the National Day;

May 1 - the Day of Labour and International Workers' Solidarity;

May 6 - St.George's - the Day of Valour - the Bulgarian Armed Forces Day

May 24 - the Day of Bulgarian Education and Culture and of Slavonic Letters;

September 6 - Unification Day;

September 22 - Bulgaria's Independence Day;

November 1 - the Day of the Leaders of the Bulgarian National Revival - a legal holiday for all educational establishments;

December 24 - Christmas Eve; December 25 and 26 - Christmas;

Good Friday, Holy Saturday and Easter - Sunday and Monday on which it is celebrated in the respective year.

(2) (suppl., SG 52/04, In force from 1st of August 2004; amend. – SG 15/10) The Council of Ministers may also declare other days for one-time national public holidays, as well as for days of celebration of certain professions, days for public gratitude and shift the days off in the course of the year. In these cases the duration of the working week may not be longer than 48 hours, and the duration of the weekly rest – less than 24 hours.

**Working time and rests at work of specific nature and/or labour organization**

Art. 154a. (new - SG 48/06, in force from 01.07.2006) Upon observance of the general rules for providing healthy and safe labour conditions the Council of Ministers can establish different duration of the of the daily, weekly and monthly working time, of the inter-day and inter-week rest, of the rests during the work day, of the night work for workers and employees, carrying out work of specific nature and/or labour organization.

**Paid leave**

**TYPES OF LEAVES**

**Regular and Extended Annual Paid Leave**

Art. 155. (amend. - SG, No 100/1992) (1) (amend., SG 52/04, In force from 1st of August 2004) Each employee shall have the right to an annual paid leave.

(2) (new, SG 52/04, In force from 1st of August 2004) In taking up office for the first time the worker or employee may use his paid annual leave after at least 8 months of work.

(3) (new, SG 52/04, In force from 1st of August 2004) On termination of the legal terms of employment before acquiring 8 months of work the worker or employee shall be entitled to indemnification for unused paid annual leave, calculated by the order of art. 224, para 1.

(4) (amend., SG 25/2001; prev. para 2 – SG 52/04, In force from 1st of August 2004) The duration of the regular annual paid leave shall be no less than 20 working days.

(5) (amend. - SG, No 100/1992; amend., SG 25/2001; prev. para 3 – amend., SG 52/04, In force from 1st of August 2004) Some categories of employees, depending on the special nature of work, shall be entitled to an extended annual paid leave which shall include the leave under para 4. The categories of workers and employees and the minimum duration of such leave, shall be specified by the Council of Ministers.

**Additional Annual Paid Leave**

Art. 156. (1) (amend. - SG, No 100/1992; amend., SG 52/04, In force from 1st of August 2004, prev. art. 156 – SG 83/05) Pursuant to Article 155, para 2, the employee shall be entitled to an additional annual paid leave:

1. (amend. SG 83/05) for work under specific conditions and risks for the life and the health which cannot be removed, restricted or reduced, regardless of the undertaken measures – not less than 5 working days;

2. for work on open-ended working hours - not less than 5 working days.

(2) (new – SG 83/05) The kinds of works for which is established additional paid annual leave shall be determined with ordinance of the Council of Ministers.

**Negotiation of Longer Duration of the Leaves**

Art. 156a. (New, SG, No 100/1992) Longer duration of the leaves under Articles 155 and 156 may be agreed in a collective contract, as well as between the parties to an employment relationship.

**Leave for the Performance of Civic, Public and Other Duties (amend., SG 52/04)**

Art. 157. (1) (amend. - SG, No 100/1992) The employer shall release the employee from work in the following cases:

1. to be married - for 2 working days;

2. for blood donation - on the day of the medical check-up and donation, and one additional day;

3. (amend., SG 25/2001) in the event of the death of a parent, a child, a spouse, a brother, a sister, a parent of the spouse or other relatives in direct lineage - for 2 working days;

4. (amend., SG 25/2001) in case the employee has been called to appear in court or other bodies as a party, a witness or an expert;

5. (amend. - SG, No 100/1992) to attend sittings as a member of a representative state body;

5a. (new – SG 57/06, in force from the date of entry into action of the Treaty on the Accession of the Republic of Bulgaria to the European Union) for participation in sessions of a specialized authority for negotiations, European workers` council or representation body in European trade or cooperative company.

6. (deleted previous 7 - amend., SG, No 100/1992) in case the employer has given notice of termination of the employment relationship - for 1 hour each day for the period of the notice. This right shall not be exercised by an employee working for 7 or less hours.

7. (new – SG 19/05; amend. – SG 102/06) for the time of training and participation in the voluntary formations for protection in case of disasters.

(2) (new, SG 52/04, In force from 1st of August 2004; suppl. – SG 103/09, in force from 29.12.2009) The employer shall be obliged to release from work a pregnant worker as well as a female employee in advanced-stage of in-vitro fertilization procedure for medical examinations where it is necessary to have them during office hours. For this time the pregnant worker or female employee in advanced-stage of in-vitro fertilization procedure shall receive from the employer remuneration in the size under art. 177.

(3) (Amend. No SG, No 100/1992, No 133/1998; amend., SG 25/2001; prev. para 2 – SG 52/04, In force from 1st of August 2004) For the period of the leave under para 1 remuneration shall be paid to the worker or employee as follows:

1. under item 1 - 3 - according to the provided in the collective employment contract or upon agreement between the worker or employee and the employer;

2. (amend. – SG 57/06, in force from the date of entry into action of the Treaty on the Accession of the Republic of Bulgaria to the European Union) under items 5a and 6 - by the employer, in the amount under art. 177;

3. in the remaining cases - according to the provided by the special laws.

**Leave During Active Service in the Volunteer Reserve (amend., SG 25/2001; amend. – SG 20/12, in force from 10.06.2012)**

Art. 158. (amend. - SG 20/12, in force from 10.06.2012) (1) An employee or worker called up for active service in the volunteer reserve shall be deemed to be on official leave for the duration of the event/service, including the days of travelling.

(2) Should the active service in the volunteer reserve last for 15 days or more, the employee shall be entitled to two calendar days of unpaid leave before departure, and two more days following his return.

(3) For the duration of the leave under para 2, the worker or employee shall be paid a remuneration for the account of the budget of the Ministry of Defence.

**Leave of Trade Union Functionaries**

Art. 159. (amend. - SG, No 100/1992) (1) For the performance of trade union activities, the unpaid members of national, sectional, and regional leaderships of trade union organisations, as well as the unpaid chairmen of the trade union leaderships in the enterprises shall be entitled to a paid leave of duration specified by the collective contracts, but not shorter than 25 hours for one calendar year.

(2) The leave under the preceding paragraph shall be paid pursuant to Article 177, and may not be compensated with cash.

(3) The trade union functionary shall choose when to use the leave under para 1 and shall notify the employer in a timely manner. The time and duration of the leave used shall be accounted for in a special register with the employer.

(4) The leave under para 1 shall not be postponed for the following calendar year.

**Unpaid Leave**

Art. 160. (amend. - SG, No 100/1992) (1) Upon the request of the employee, the employer may permit him an unpaid leave, regardless of the fact whether he has used his annual paid leave or not, and irrespective of his length of service.

(2) (new – SG 43/08) Employers shall be obliged to allow workers or employees one-time unpaid leave of up to one year, that is if they are in legal terms of employment with a European Union institution, apart from the cases referred to in Art. 120a, with the United Nations, the Organisation for Security and Cooperation in Europe, the North Atlantic Treaty Organisation or with other international governmental organizations.

(3) (prev. text of para 2 – SG 43/08) The unpaid leave of up to 30 working days for one calendar year shall be included in the length of service, and that of over 30 working days shall be recognised only if it is so provided in this Code, another law, or an act of the Council of Ministers.

**Official and Creative Leaves**

Art. 161. (amend. - SG, No 100/1992;) (1) (amend., SG 25/2001) The worker or employee may be permitted a paid or unpaid official or creative leave under conditions and by an order established by the collective employment contract or by an agreement between the parties to the legal terms of employment.

(2) (new – SG, 54/2015, in force from 17.7.2015) The time of non-paid official or creative leaves under Para. 1 shall be considered as legal term of employment

(3) (New, SG, No 100/1992, former Para. 2, - SG, 54/2015, in force from 17.7.2015) In the absence of another provision in the collective contract, the paid elected trade union functionaries shall be deemed to be on an unpaid leave for the period in which they hold the respective trade union position.

(4) (new – SG 57/06, in force from the date of entry into action of the Treaty on the Accession of the Republic of Bulgaria to the European Union, former Para. 3 – SGm 54/2015, in force from 17.7.2015) Worker pr employee, who is a member of a representation body in European trade or cooperative company, shall have the right to leave for studies, necessary for implementation of his/her functions. The duration of the leave and the remuneration, which is due during its using, shall be negotiated in a collective contract or in an agreement between the parties to the employment relationship.

**Leave in Case of Temporary Disability**

Art. 162. (1) (amend. - SG, No 100/1992; suppl., SG 52/04, In force from 1st of August 2004) The employee shall be entitled to a leave in case of temporary disability resulting from a general disease or an occupational disease, occupational injury, for sanatorium treatment or for urgent medical examinations or tests, quarantine, suspension from work prescribed by the medical authorities, for taking care of an ill or quarantined member of the family, for urgent need to accompany an ill member of the family to a medical check-up, test or treatment, and for taking care of a healthy child dismissed from a child-care facility because of quarantine imposed on that facility or on the child.

(2) The leave under the preceding paragraph shall be permitted by the medical authorities.

(3) (amend. - SG, No 100/1992) For the duration of the leave in case of temporary disability, the employee shall be paid a cash compensation within periods specified by a separate law.

**Leave for Pregnancy, Birth and Adoption**

Art. 163. (1) (amend. - SG, No 100/1992, SG 110/99; amend., SG 52/04, In force from 1st of August 2004; amend. SG 68/06, in force from 01.01.2007; amend. – SG 109/08, in force from 02.01.2009) Female employees shall be entitled to a leave for pregnancy and birth amounting to 410 days for each child, of which 45 days shall obligatorily be used before the childbirth.

(2) (revoked, SG 25/2001)

(3) Should the medical authorities err in predicting the date of childbirth and it occurs before the expiry of the 45 days from the beginning of the leave, the remainder of these 45 days shall be used after the childbirth.

(4) In case of still-birth, of infant death, or if the child is given up to a child-care establishment in the entire care of the State or for adoption, the mother shall be entitled to a leave of 42 days after the date of childbirth. The medical authorities may extend this period in the event they find the mother's ability to work has not been fully restored after the childbirth, up to her complete recovery. Up to the expiry of the term under para 1, such a leave shall be paid as a leave for pregnancy and birth.

(5) In case the child is given up for adoption, is placed in a child-care establishment in the entire care of the State, or dies after the 42-nd day from the birth, the leave under para 1 shall be terminated on the following day. In these cases, if the mother's ability to work has not been restored after the childbirth, clauses 2 and 3 of the preceding paragraph shall apply.

(6) (amend. - SG, No 100/1992; amend. - SG 48/06, in force from 01.07.2006) A female employee who adopts a child shall be entitled to a leave under para 1 in an amount equal to the difference between the child's age on the day when it was given up for adoption until the expiration of the period of the leave due for childbirth.

(7) (new – SG 108/08, in force from 01.01.2009) When the mother and the father are married or live in the same household, the father shall be entitled to 15-day leave for birth of a child as from the date of discharging the child from the medical establishment.

(8) (new – SG 108/08, in force from 01.01.2009; amend. – SG 109/08, in force from 02.01.2009) With the consent of the mother (the adopting-mother) after the child has reached the age of 6 months, the father (the adopting father) may use the remaining leave until 410 days instead of her.

(9) (new – SG 108/08, in force from 01.01.2009) For the time the father (the adopting father) uses the leave under Para 8, the leave of the mother shall be suspended.

(10) (amend. - SG, No 100/1992; prev. text of Para 07, amend. – SG 108/08; suppl. – SG 15/10; suppl. – SG 15/10) For the time of the leave under Para 1 - 9 the persons shall be paid pecuniary compensation under conditions and in amounts determined in another law. The time during which the leave is used, shall be considered as length of service. The period during which the leave is used is considered as length of service.

(11) (new - SG 68/06, in force from 01.01.2007; prev. text of Para 08 – SG 108/08) The order and the manner of using the leave under para 1 shall be determined by an ordinance of the Council of Ministers.

**Paid Leave for Raising a Young Child up to 2 years of age (amend., SG 25/2001)**

Art. 164. (1) (amend. – SG, 54/2015, in force from 17/7/2015) After the use of leave for pregnancy, childbirth or adoption has been used, in case the child is not placed in a child-care establishment, the female employee shall be entitled to an additional leave for raising a child until they reach 2 years of age.

(2) (revoked, SG 25/2001)

(3) (amend., SG 25/2001) With the consent of the mother (adoptive mother), the leave under para 1 shall be granted to the father (adoptive father) or to one of their parents in case they work under an employment relationship.

(4) (amend. - SG, No 100/1992) For the time of the leave under the preceding paragraphs, the mother (adoptive mother) or the person who has taken over the raising of the child shall be paid a cash indemnity under terms and in amounts specified by a separate law. The time of the leave shall be recognized as length of service.

(5) (amend., SG 25/2001, SG 1/2002) In case the leave under para 1 is not used, or the person using such leave terminates its use, the mother (adoptive mother), if she is working under an employment relationship, shall be paid a cash compensation by the State Public Insurance.

**Leave for Raising a Child Accommodated with Friends and Relatives or Receiving Family (new, SG 52/04)**

Art. 164a. (new, SG 52/04, In force from 1st of August 2004) (1) Right to leave for raising a child until the accomplishment of 2 years of age shall have the persons with whom a child is accommodated by the order of art. 26 of the Child Protection Act.

(2) When the child is accommodated with spouses the leave shall be used only by one of them.

(3) During the leave under para 1 and 2 cash indemnification shall be paid in terms and in sizes determined by an individual law. The leave shall be considered as length of service.

(4) The leave under para 1 and 2 may not be used simultaneously with a leave under art. 164.

**Leave for adoption of a child from 2 to 5 years of age**

Art. 164b (new – SG 104/13, in force from 01.01.2014) (1) A woman worker or employee who adopts a child who has reached 2 years of age under full adoption conditions shall be entitled to adoption leave for 365 days as of the day of placement of the child for adoption, but not later than the date on which the child reaches the age of 5.

(2) The leave under para 1 may be used by the adoptive father with the consent of the adoptive mother after the expiry of six months from the date of placement of the child for adoption, but not later than the date on which the child reaches the age of 5.

(3) The leave of the adoptive mother shall be suspended for the time period during which the adoptive father uses the leave under para 2.

(4) A worker or employee shall be entitled to the adoptive leave under the terms and within the time limits laid down in para 1 also in those cases where the latter adopts the child on his or her own.

(5) The leave under paras 1, 2 and 4 shall not be used where the child passes away, upon termination of adoption or if the child attends kindergarten, including nursery or educational establishment.

(6) During the leave under paras 1, 2 and 4 to adoptive parents shall be paid cash benefits under the terms and in the amounts specified in a separate Act. The time during which the leave is used shall be recognized as length of service.

(7) The procedure and the manner of using the leave under paras 1, 2 and 4 shall be established in an ordinance by the Council of Ministers.

**Unpaid Leave for Raising a Young Child up to 2 years of age (amend., SG 25/2001; amend., SG 52/04)**

Art. 165. (repealed – SG, 54/2015, in force from 17.7.2015)

**Leave for Breast-feeding and Feeding a Young Child**

Art. 166. (1) (amend. - SG, No 100/1992) A female employee who breast-feeds her child shall be entitled to a paid leave for Breast-feeding until the child reaches 8 months - 1 hour twice a day or, with her consent, 2 hours together. For a female employee who works at reduced working hours of 7 hours or less this leave shall be 1 hour a day. After the child reaches 8 months this leave shall be 1 hour a day and shall be granted to the employee only in case the medical authorities find that it is necessary for her to continue Breast-feeding the child.

(2) (amend. - SG, No 100/1992) In case the female employee has twins or a prematurely born child, the duration of the leave under the preceding paragraph shall be 3 hours a day until the child reaches 8 months, and 2 hours a day after the child reaches 8 months, as long as the medical authorities find that Breast-feeding should continue. In such cases, in the event that the female employee works at reduced working hours - 7 or less, the initial duration of the leave for Breast-feeding the child shall be 2 hours, and after the child reaches 8 months - 1 hour a day. The leave under this paragraph shall be used twice daily, and with the consent of the employee it can be used once daily.

(3) A leave under the terms and for the duration specified under this Article shall be also granted to the adoptive mother and to the step-mother.

(4) (amend. - SG, No 100/1992) The leave under the preceding paragraphs shall be paid by the employer.

**Leave In Case of Death or Severe Illness of a Parent**

Art. 167. (1) (amend., SG 52/04, In force from 1st of August 2004) Should the mother (adoptive mother) of a child under the age of 2 die or become severely ill, with resulting inability to take care of the child, the balance of the leaves for childbirth, adoption, and raising a young child may be used by the father (adoptive father). With his consent, these leaves may be used by either of his parents, or by either of the parents of the deceased or severely ill mother (adoptive mother), should the said person work under an employment relationship.

(2) (amend., SG 52/04, In force from 1st of August 2004) Should both parents of a child under the age of 2 die, and should the child not be placed in a child-care establishment, the balance of the leaves under the preceding paragraph shall be used by the child's guardian or, with his consent, by any parent of the child's mother or father.

**Unpaid Leave for raising a Child up to 8 Years of Age (new, SG 52/04)**

Art. 167a. (new, SG 52/04, In force from 1st of August 2004) (1) (suppl. – SG 7/12, amend. – SG, 54/2015, in force from 17.7.2015) After using the leaves under art. 164, each of the parents (adoptive parents), if they work under legal terms of employment and the child has not been placed in an establishment at full state support, shall have the right, on request, to use unpaid leave amounting to 6 months for raising a child until accomplishment of 8 years of age. Each of the parents (adoptive parents) may use up to 5 months of the leave of the other parent (adoptive parent), if the latter has given his/her consent thereto.

(2) In the cases of art. 167, para 2 the guardian shall have the right to a leave under para 1 amounting to 12 months. With his consent a leave of up to 12 months or the remainder of the unused leave up to this size may be used by one of the parents of the mother or the father of the child.

(3) Where, upon accomplishment of 2 years of age of the child both parents die, and they have not used a leave under para 1, the guardian shall be entitled to such a leave, amounting to 12 months, and where the parents have used a part of the leave – to the remainder of the unused leave up to this size. With the consent of the guardian this leave may be used by one of the parents of the mother or of the father of the child.

(4) A parent (adoptive parent) who alone raises the child shall be entitled to a leave under para 1 amounting to 12 months in the cases where:

1. he is not married to the other parent and does not live with him in one household;

2. the other parent has been deprived of parental rights by an enacted decision of the court;

3. the other parent is deceased.

(5) In the cases of para 4, item 1 and 2 the other parent shall not have the right to a leave under para 1.

(6) The leave under para 1 may be used one time or in parts. When it is used in parts its duration may not be less than 5 working days.

(7) The person wishing to use a leave under para 1 must inform about that his employer at least 10 working days in advance.

(8) The time during which the leave under para 1 is used shall be recognized as length of service.

(9) The order and the way of using the leave under para 1 – 8 shall be settled by an ordinance of the Council of Ministers.

**Rights of a worker or employee who returns to work from a leave**

Art. 167b. (new – SG 7/12) (1) Upon return to work after expiry of a leave under Art. 163-167a or interruption of taking such the worker or employee may request from the employer changes to their working hours and/or patterns for a set period of time or other amendments in the employment relationship to facilitate his/her return to work.

(2) In order to promote better reconciliation as regards to employment and family obligations of workers and employees, the employer shall take into consideration the requests under para 1, where possible at the enterprise.

(3) The worker or employee and the employer may also agree to amend the employment relationship under Art. 119 during the use of leave under Art. 163-167a.

**Additional Leave for Two and More Surviving Children**

Art. 168. (amend. - SG, No 100/1992) (1) (amend., SG 25/2001) If stipulated by a collective employment contract a female worker or employee with 2 surviving children under the age of 18 shall be entitled to 2 working days, and a worker or employee with 3 or more surviving children under the age of 18 - to 4 working days paid leave for each calendar year. This leave shall be used when the employee wishes, and it shall not be compensated in cash, except in case of a termination of the employment relationship.

(2) The female employee shall be entitled to use a leave under the preceding paragraph, including for the calendar year in which one or all the children reach 18 years of age.

(3) (revoked, SG 25/2001)

(4) The use of a leave under this article may be postponed pursuant to Article 176.

**Paid Leave for Studies**

Art. 169. (amend. - SG, No 100/1992) (1) (amend., SG 25/2001) Worker or employee studying at a high or higher school while remaining in employment, with the consent of the employer, shall be entitled to a paid leave of 25 working days for each academic year.

(2) (amend. - SG, No 100/1992; amend., SG 25/2001) The leave under para 1 shall be used regardless of all other types of leaves. It may be used in whole or in part, and shall not be granted to a worker or employee who will repeat a year for no valid reason.

(3) (amend. - SG, No 100/1992) The students under para 1 shall also be entitled to a one-time additional leave of 30 working days for reading and sitting for a matriculation or university-leaving examination, including the preparation and presentation of a diploma paper, diploma project or thesis.

(4) (amend. - SG, No 100/1992; suppl., SG 25/2001) Employees registered as distance learning or correspondence post-graduate students shall be entitled to a one-time 6-month paid leave to prepare an M. Sc. degree, and to a 12-month paid leave to prepare a thesis for a Ph.D. academic degree. This right shall be exercised with the consent of the employer.

(5) (amend. - SG, No 100/1992; suppl., SG 25/2001) Employees attending night school, with the consent of the employer with the exception of those working at reduced working hours - 7 hours or less, shall be released from work an hour earlier on each day they have classes.

**Leave for an Entrance Examination at an Educational Establishment**

Art. 170. (1) (amend. - SG, No 100/1992; amend., SG 25/2001) When, by a consent of the employer the worker or employee applies in a school, admitting by examination the worker or employee shall be entitled to a paid leave as follows:

1. for applying in a secondary school - 6 working days;

2. for applying in a higher school or doctor's studies - 12 working days.

(2) (new, SG 25/2001) When a consent of the employer has not been given the worker or employee shall be entitled to unpaid leave for the duration under para 1, reduced in half, which shall be recognised as length of service.

(3) (amend. - SG, No 100/1992; prev. para 2, amend SG 25/2001) Should an employee use the paid or unpaid leave under para 1 and 2 but fail to gain entrance to the respective educational establishment or post-graduate studies, for the following years he shall be entitled to unpaid leave for a duration equal to half of the leave under para 1 shall be recognised as length of service.

**Unpaid Leave for Students**

Art. 171. (1) (amend., SG 25/2001) Workers and employees under art. 169, para 1 shall also be entitled to unpaid leave for the following duration:

1. to prepare and sit for an examination - up to 20 working days for an academic year;

2. (amend., SG 25/2001) to prepare and sit for an entrance, matriculation or university-leaving examination, including the preparation and presentation of a diploma paper or a diploma project in secondary schools - up to 30 working days;

3. to prepare and sit for a university-leaving examination, including the preparation and presentation of a diploma paper or a diploma project in higher educational establishments - up to four months;

4. for distance learning or independent post-graduate students to prepare and present a thesis - up to four months.

(2) (new, SG 25/2001) When a consent of the employer is not given the worker or employee who studies in a secondary or higher school without leaving employment shall be entitled to unpaid leave for the duration under para 1, reduced by half.

(3) (prev. para 2 - amend., SG 25/2001) The unpaid leave under para 1 and 2 shall be recognised as length of service.

**Using Leave by the Students**

Art. 171a. (new, SG 25/2001) The leaves of the students under this section shall be used at a time determined by the worker or employee depending on the organisation of the academic process, upon written notification of the employer at least 7 days in advance.

**USE OF THE ANNUAL PAID LEAVE**

**Manner of Using**

Art. 172. (amend. - SG, No 100/1992; amend., SG 25/2001; amend. – SG 58/10, in force from 30.07.2010, amend. – SG, 54/2015, in force from 17.7.2015) The annual paid leave shall be permitted to the employee all at once or in parts.

**Terms and Procedures of Using**

Art. 173. (amend. – SG 58/10, in force from 30.07.2010, amend. – SG, 54/2015, in force from 17.7.2015) (1) The paid annual leave shall be used by the worker or employee with a written permit by the employer.

(2) As regards to employees professing religion other than Orthodox, the employer shall authorize their choice of use of paid annual leave or unpaid leave under Art. 160, para 1 for the days of the respective religious holidays, but not more than the number of days for Orthodox religious festivals under Art. 154.

(3) The days for religious holidays of religions other than Orthodox shall be determined by Council of Ministers on a proposal from the official leadership of the respective religion.

(4) The employer shall have the right to provide the paid annual leave to the worker or employee without his consent during stay of more than 5 working days while using the leave at the same time by all workers and employees, as well as in the cases, where the worker or employee after an invitation of the employer has not requested his leave by the end of the calendar year, for which it is due.

(5) The worker or employee shall use his paid annual leave by the end of the calendar year for which it refers. The employer shall be obliged to permit the paid annual leave of the worker or employee by the end of the relevant calendar year, unless its use has been postponed under Art. 176. In this case the worker or employee shall be provided by use of not less than the half of his paid annual leave, due for the calendar year.

**Use of Leave by Underage Employees and by Mothers**

Art. 174. (amend. - SG, No 100/1992; amend. – SG 18/11, in force from 01.03.2011, amend. – SG, 54/2015, in force from 17.7.2015) Workers, or employees who have not reached 18 years of age, and mothers of children under the age of 7 shall use their leave in summer, and if they so wish - at other times of the year, with the exception of the cases under Art. 173, para 4.

**Interruption of the Use of the Leave**

Art. 175. (amend. - SG, No 100/1992) (1) In the event that during the use of the annual paid leave the employee is be granted another type of paid or unpaid leave, upon his request the use of the annual paid leave shall be interrupted and the remainder shall be used later by agreement between him and the employer.

(2) (New, SG, No 100/1992) In addition to the cases under the preceding paragraph, the employee's leave may be interrupted by the mutual consent of the parties expressed in writing.

**Postponement of the Use of the Leave**

Art. 176. (amend. - SG, No 100/1992; amend. – SG 58/10, in force from 30.07.2010, amend. – SG, 54/2015, in force from 17.7.2015) (1) Using the paid annual leave may be postponed for the following calendar year by:

1. the employer – because of important production reasons under the condition of Art. 173, Para. 5, sentence three;

2. the worker or employee, - where another type of leave is used or upon his request with the consent of the employer.

(2) Where the leave has been postponed or has not been used by the end of the calendar year, for which it refers, the employer shall be obliged to provide its use during the following calendar year, but not later than 6 months, starting from the end of the calendar year, for which it refers.

(3) Where the employer has not permitted the use of the leave in the cases and terms under Para. 2, the worker or employee shall have the right himself to define the time of its use, by notifying about this in writing the employer at least 14 days in advance.

**Limitation period of the right to use**

Art 176a. (new - SG 18/11, in force from 01.03.2011) (1) In those cases where the paid annual leave or a part thereof has not been used within two years from the end of the year to which it refers to, regardless of the reasons for this, the right to use it shall lapse.

(2) (amend. – SG, 54/2015, in force from 17.7.2015) Where the paid annual leave has been postponed according to the terms and the procedure of Art. 176, para 1, the right to use the leave of the worker or employee shall lapse after the expiration of two years from the end of the year in which the reason preventing them to use it has been removed.

**Payment**

Art. 177. (1) (amend. - SG, No 100/1992; amend. – SG 108/08) For the time of the annual paid leave, the employer shall pay the employee a remuneration calculated from the average daily gross remuneration accrued by the same employer for the last calendar month preceding the use of the leave, during which the employee has worked for at least 10 days.

(2) (new – SG 108/08) Where in no month the employee has worked at least 10 working days for the same employer, the remuneration under Para 1 shall be calculated from the basic and additional employment remuneration of constant character stipulated in the employment contract.

**Prohibition of Cash Compensation**

Art. 178. It shall be prohibited to compensate for the annual paid leave in cash, except at the termination of the employment relationship.

**Minimum wage**

**Regulation of the Minimum Labour Remuneration and Compensations**

Art. 244. (amend. - SG, No 100/1992) The Council of Ministers shall decree:

1. the minimum labour salary for the country;

2. the types and minimum amounts of the additional labour remuneration and compensations for employment relationships in so far as they have not been defined in this Code.

**Decree № 375 of 28 December 2015 setting a new amount of minimum wage**

(1) From 1st of January 2016 the new amount of the minimum monthly wage is 420 lev and the minimum hourly wage 2.50 lev during normal working hours and 8 hours, 5 days a week.

(2) The amount of the minimum monthly salary under par. 1 is set to full working month.

**HEALTHY AND SAFE CONDITIONS OF WORK**

**Obligation to Provide Healthy and safe conditions of Work**

Art. 275. (amend. - SG, No 100/1992) (1) (amend., SG 25/2001) The employer shall be obliged to assure healthy and safe conditions of work so that any danger for the life and health of the worker or employee shall be eliminated, restricted or reduced.

(2) (amend., SG 25/2001) The bodies of the executive authority, within the scope of their competence, shall carry out the state policy regarding the provision of healthy and safe conditions of work.

**Normative acts, unified and branch rules (amend., SG 25/2001)**

Art. 276. (1) (amend. - SG, No 100/1992; amend,. SG 25/2001) The Minister of Labour and Social Policy, independently or jointly with other ministers, shall issue acts for the provision of healthy and safe labour conditions. Where necessary, the Minister of Labour and Social Policy shall appoint the bodies and the organisations which shall participate in the working out of these acts.

(2) (amend. - SG, No 100/1992; amend., SG 25/2001) The Minister of Labour and Social Policy and the Minister of Health, independently or jointly, shall approve unified rules for providing healthy and safe labour conditions which shall be applied in all industries and branches.

(3) (amend. - SG, No 100/1992; amend. - SG 25/2001) The ministers and the other bodies of the executive authority under art. 19, para 4 of the Administration Act shall approve branch rules for providing healthy and safe labour conditions in the enterprises and industries of the respective branch.

(4) (revoked, SG 25/2001)

(5) (revoked, SG 25/2001)

(6) (New, SG No 28/1996; amend., SG 25/2001) The orders for approval of the rules under para 2 and 3 shall be promulgated in the State Gazette and the rules shall be issued by the body which has approved them.

**Rules in the Enterprise (amend. - SG 25/2001)**

Art. 277. (repealed, - SG, 54/2015, in force from 17.7.2015)

(2) (revoked SG, No 100/1992)

(3) Previous para 3 - SG, No 100/1992) The rules under the preceding paragraph shall be displayed in an appropriate manner at the working places.

**Instruction and Training**

Art. 281. (amend. - SG, No 100/1992) (1) (new, SG 25/2001) All workers and employees shall be instructed and trained on the safe methods of work.

(2) (prev. para 1 - SG 25/2001) Employees engaged in use, servicing and maintenance of machines and other technical equipment, as well as employees engaged in activities creating a threat to their health and life shall receive mandatory instruction and training and shall pass an examination on the rules of healthy and safe conditions of work.

(3) (amend. - SG, No 100/1992; prev. para 2 - SG 25/2001) Hazardous machines, equipment and technological processes shall be serviced only by competent employees. Their competence shall be certified by special regulations. The list of hazardous equipment and activities shall be approved by the respective administrative bodies.

(4) (prev. para 3 - Amend. and suppl., SG 25 - SG 25/2001) No persons without the necessary knowledge and skills provided by the rules for healthy and safe conditions of work shall be admitted to work in the enterprise.

(5) (amend. - SG, No 100/1992; prev. para 4 - amend., SG 25/2001) The employer shall be obliged to organise periodic training or instruction of the workers and employees on rules of healthy and safe conditions of work under conditions and by an order determined by an ordinance of the Minister of Labour and Social Policy.

**Obligations to Provide Sanitation and Medical Service**

Art. 282. (amend. - SG, No 100/1992) The employer shall be obliged to provide sanitary and medical service to employees in accordance with the sanitary norms and requirements.

**Refusal of the Employee to Perform an Assignment**

Art. 283. (amend. - SG, No 100/1992) An employee shall have the right to refuse performance or to stop work when a serious and immediate hazard arises for his life and health, informing without delay his immediate manager. In these cases the continuation of work shall be permitted only after the elimination of the hazard, upon the order of the employer or the immediate manager.

**Special Work Clothes and Personal Protective Means**

Art. 284. (1) (amend. - SG, No 100/1992) The employer shall provide free of charge special work clothes and personal protective means to the employees who work with or at hazardous machines, equipment, liquids, gases, melted metals, heated objects and the like.

(2) (amend. - SG, No 100/1992) The employees shall be obliged to use special work clothes and personal protective means only in accordance with their functions, the use being confined only during working hours.

(3) (amend. - SG, No 100/1992) The terms and procedures for providing special work clothes and personal protective means, as well as their type, shall be determined by the Minister of Labour and Social Policy and the Minister of Health.

(4) (New – SG 83/05) The exchange of personal protection means for their money equivalent shall be forbidden.

**Free Food (amend., SG 25/01, amend. SG 83/05)**

Art. 285. (amend. - SG, No 100/92, amend. SG 83/05, amend. SG 83/05) (1) The employers shall ensure free food and/or additives to the food to the workers and employees who work in enterprises with specific character and labour organization.

(2) The conditions and the order under which are ensured the free food and/or the additives to it of para 1 shall be determined with ordinance of the Minister of Labour and Social Policy and the Minister of Health.

**Time Limitation of Work in a Hazardous Environment**

Art. 286. (1) (amend. - SG, No 100/1992) A maximum number of years shall be determined for work in particularly hazardous types of production and work, upon the expiration of which the employee shall be transferred to other suitable work.

(2) (amend. - SG, No 100/1992) The list of productions and types of works and the maximum number of years permitted in accordance with the preceding paragraph shall be approved by the Council of Ministers upon proposal of the Minister of Health and the Minister of Labour and Social Policy.

**Preliminary and Periodical Medical Check-Ups (title amend. – SG 82/11)**

Art. 287. (amend. - SG, No 100/1992) (1) (prev. art. 287 - SG 25/2001; amend. and suppl. – SG 82/11) All employees shall be subject to mandatory preliminary and periodical medical check-ups. The terms of conducting preliminary and periodical check-ups shall be determined by the Minister of Health in accordance with the nature of work, the working conditions and age of employees.

(2) (new, SG 25/2001; amend. – SG 82/11) The preliminary medical examinations shall be at the expense of job applicants, while the periodical medical examinations shall be paid by employers.

(3) (new, SG 25/2001; amend. - SG 48/06, in force from 01.07.2006) The employer and the officials of the enterprise shall be obliged to keep in secret the data regarding the health condition of the workers and employees and the information from and about the respective medical examinations.

**Prevention and Recording of Labour Accidents and Diseases**

Art. 289. (1) (amend. - SG, No 100/1992) The employer shall take measures for the prevention and reduction of occupational injuries and of general and professional illness.

**Legal Regulation of Occupational Injuries and Illnesses**

Art. 290. (amend. - SG, No 100/1992) Occupational injuries and general and professional illnesses, as well as the manner of their registration and effects, shall be governed by a special law.

**SPECIAL PROTECTION FOR SOME CATEGORIES OF EMPLOYEES**

**SPECIAL PROTECTION FOR THE ADOLESCENTS**

Art. 301. (1) The minimum age for employment shall be 16. The employment of persons under 16 years of age is prohibited.

(2) (suppl. – SG 48/06, in force from 01.07.2006) As an exception persons between 15 and 16 years of age may be employed to perform work of easy nature and not dangerous or harmful to their health and to their proper physical, mental and moral development, the implementation of which would not institute an obstacle to regular attending school or participating in programmes for professional orientation or training.

(3) (amend. - SG, No 100/1992) As an exception the circuses may recruit on student jobs girls, who have turned 14 years of age and boys, who have turned 13, and, for the participation in shooting of films, in the preparation and giving theatrical and other performances, persons under 15 years of age may be recruited under easier conditions and in conformity with the requirements for their proper physical, mental and moral development. The labour terms in these cases shall be determined by the Council of Ministers.

**Employment of Persons Under 16 Years of Age**

Art. 302. (1) Persons under 16 shall be employed after a thorough medical examination and a medical ruling that they are fit to perform the respective job and that it would not impair their proper physical and mental development.

(2) (amend. - SG, No 100/1992) Persons under 16 shall be employed upon permission of the Labour Inspection in each separate case.

**Employment of Persons between 16 and 18 Years of Age**

Art. 303. (1) (amend. - SG 48/06, in force from 01.07.2006) Employment of persons between 16 and 18 years of age in jobs, which are heavy, dangerous or harmful to the health and to their regular physical, mental and moral development, shall be prohibited.

(2) Persons between 16 and 18 years of age shall be employed after a thorough preliminary medical examination and a medical ruling which certifies their fitness to perform the respective work.

(3) (amend. - SG, No 100/1992) Persons between 16 and 18 years of age shall be employed upon permission of the Labour Inspection in each separate case.

(4) (new, SG 18/03; amend. and suppl. - 48/06, in force from 01.07.2006) The conditions and the order of giving permit for work under para 3, permit for work to persons under 16 years of age, as well as the obligations of the employer for providing healthy and safe labour conditions for the persons, who have not reached 18 years of age, shall be settled by an ordinance of the Minister of Labour and Social Policy and the Minister of Health.

**Employment of Persons Under 18 Years of Age**

Art. 304. (amend. - SG, No 100/1992; amend., SG 25/2001) (1) Prohibited for persons under 18 years of age shall be work which is:

1. beyond their physical or psychic capacity;

2. related to exposure to harmful physical, biological or chemical effect, especially toxic agents, cancerogenes, agents causing hereditary genetic or intrauterine damage;

3. related to harm which, in any other way whatsoever, have permanent unfavourable effect on the health;

4. in conditions of radiation;

5. at exceptionally low or high temperatures, noise or vibrations;

6. related to a risk of labour accidents for which it is supposed that they cannot be realised or avoided by the underage person due to his physical or psychic immaturity.

(2) (revoked, SG 18/03)

**Particular Care for Adolescents**

Art. 305. (1) (amend. - SG, No 100/1992) The employer shall take special care for the work of persons under 18 by providing alleviated working conditions and opportunities to acquire professional qualification and to raise the qualification level.

(2) (new, SG 25/2001) The employer shall be obliged to inform the underage workers and employees and their parents or guardians about the possible risks of the job and about the measures taken for providing healthy and safe working conditions.

(3) (amend. - SG, No 100/1992; amend., SG 25/2001; suppl. – SG 48/06, in force from 01.07.2006) The working hours of employees under 18 shall be 35 working hours weekly and 7 hours daily for 5-day work week. In their weekly working hours shall also be included the time for acquiring professional qualification and for its development, in case this is implemented in the course of the work.

(4) (amend. - SG, No 100/1992; suppl. – SG 108/08) Employees under 18 shall be entitled to a basic paid annual leave of not less than 26 working days, including during the calendar year when they turn 18 years of age.

**SPECIAL PROTECTION FOR WOMEN**

**Protection of Pregnant Women and Nursing Women (amend., SG 52/04)**

Art. 307. (amend., SG 52/04, In force from 1st of August 2004; suppl. – SG 103/09, in force from 29.12.2009) (1) The employer may not assign, as well as oblige pregnant women and nursing women as well as female employees in advanced-stage of in-vitro fertilization procedure to do a work which exposes to danger or threatens their safety and health.

(2) (suppl. – SG 103/09, in force from 29.12.2009) The pregnant woman or nursing woman or female employee in advanced-stage of in-vitro fertilization procedure may refuse work defined as harmful for the health of the mother or the child, or for which, upon assessment of the risk, it has been determined that poses a substantial risk for the health of the mother or her child.

(3) The list of jobs and conditions of labour under para 1 shall be determined by an ordinance of the Minister of Labour and Social Policy and by the Minister of Health.

**Women's Rooms**

Art. 308. (amend. - SG, No 100/1992; suppl. – SG 103/09, in force from 29.12.2009) Employers employing 20 or more women shall provide rooms for personal hygiene of the women and rooms for rest of the pregnant and the female employees in advanced-stage of in-vitro fertilization procedures established by the Minister of Health.

**Job Reassignment for Pregnant and Nursing Mothers**

Art. 309. (1) (amend. - SG, No 100/1992; amend., SG 52/04, In force from 1st of August 2004; amend. and suppl. – SG 103/09, in force from 29.12.2009) Where a pregnant woman or a nursing mother or a female employee in advanced-stage of in-vitro fertilization procedures a job unsuitable for her condition the employer shall undertake the necessary measures for temporary adaptation of the conditions of labour on the working place and/or working hours, in view of removing the risk for their safety and health. If the adaptation of the conditions of labour on the working place and/or of the working hours is technically and/or objectively impossible or it is not grounded to require it for valid reasons the employer shall undertake the necessary measures for moving the worker or employee to another appropriate job.

(2) (amend. - SG, No 100/1992; suppl., SG 52/04, In force from 1st of August 2004; amend. – SG 103/09, in force from 29.12.2009) The health authorities' prescription shall be mandatory for the pregnant, nursing woman or the female employee in advanced-stage of in-vitro fertilization procedure and for the employer. Until the fulfilment of the prescription for moving she will be released from the obligation of doing the job unsuitable for her state, and the employer shall pay her an indemnification amounting to the received gross labour remuneration for the month preceding the day of issuance of the prescription.

(3) (amend. - SG, No 100/1992; amend., SG 52/04, In force from 1st of August 2004) In the cases of para 1 the worker or employee shall receive labour remuneration for the fulfilled job. When it is lower than the labour remuneration for the previous job she will be entitled to a monetary indemnification for the difference in the labour remunerations according to a separate law.

(4) (amend. - SG, No 100/1992; suppl. – SG 103/09, in force from 29.12.2009) The employer, jointly with the health authorities, shall annually designate positions and jobs suitable for pregnant women and nursing mothers as well as female employees in advanced-stage of in-vitro fertilization procedure.

**Commissioning of Pregnant Women and Mothers of Children (amend., SG 25/2001; amend., SG 52/04)**

Art. 310. (amend. - SG, No 100/1992; amend., SG 25/2001; amend., SG 52/04, In force from 1st of August 2004; suppl. – SG 103/09, in force from 29.12.2009) The employer shall not commission a pregnant woman, female employee in advanced-stage of in-vitro fertilization procedure and mother of a child under 3 years of age without her written consent.

**Work to be done at Home**

Art. 312. (1) (amend. - SG, No 100/1992) A female employee who is a mother of a small child shall be entitled to work at home with the same or another employer until the child reaches the age of 6.

(2) (amend. - SG, No 100/1992) Where a female employee under the preceding paragraph is reassigned to work at home with the same employer, he shall provide upon ceasing of the work at home, but not later than reaching of the age of 6 by the child, the job performed before reassignment at home, and if the job has been eliminated, another job with her consent.

(3) (amend. - SG, No 100/1992) Where the female employee under paragraph 1 begins work at home with another employer, her employment relationship with the employer with whom she had worked prior to her reassignment shall not be terminated, but she shall be given unpaid leave. When she ceases to work at home, but not later than reaching of the age of 6 by the child, the unpaid leave shall be terminated. If the job has been eliminated the employer shall provide with her consent another job.

**Use of Mother's Rights by the Father**

Art. 313. (amend. - SG, No 100/1992) The rights of the mother pursuant to Article 310 and 312 may be used by the father if the mother is not in a position to use them.

**Obligation for notification (new, SG 52/04)**

Art. 313a. (new, SG 52/04, In force from 1st of August 2004) (1) (suppl. – SG 103/09, in force from 29.12.2009) Pregnant worker or employee as well as female employees in advanced-stage of in-vitro fertilization procedure shall exercise rights under art. 140, para 4, item 2, art. 147, para 1, item 2, art. 157, para 2, art. 307, 309, 310 and art. 333, para 5 after certifying her state before the employer by a valid document issued by the competent health bodies.

(2) On terminating the pregnancy the worker or employee under para 1 shall be obliged, within 7 days, to notify the employer.

(3) The employer and the officials in the enterprise shall be obliged to keep secret the circumstances under para 1 and 2.

**SPECIAL PROTECTION OF PERSONS WITH PARTIAL INCAPACITY**

**Grounds for Reassignment**

Art. 314. (amend. - SG, No 100/1992) An employee who after an illness or occupational accident is not able to continue with his former job, but who is able to perform with no harm to his health another suitable job or the same job under alleviated conditions, shall be reassigned to another job or to the same job with alleviated conditions upon prescription of the health authorities.

**Jobs by Reassignment**

Art. 315. (1) (Amended - SG, No. 100/1992 and No 2/1996; amend. – SG 41/09, in force from 01.07.2009) An employer with more than 50 employees shall provide annually jobs suitable for reassignment, their number being 4 to 10 per cent of the total number of jobs depending on the business activity.

(2) (new – SG 61/11) When specifying the total number of workers and employees mentioned in para 1 , the seafarers working at the enterprise shall not be taken into account.

(3) (amend. - SG, No 100/1992; amend. – SG 15/10; prev. text of para 2 – SG 61/11) The portion of the total number of employees under para 1 by business activities shall be specified by the Minister of Labour and Social Policy.

**Specialised Enterprises and Workshops for Persons with Permanently Reduced Working Capacity (amend., SG 25/2001; amend. – SG 41/09, in force from 01.07.2009)**

Art. 316. (1) (Amended - SG, No. 100/1992 and No 2/1996; amend. – SG 41/09, in force from 01.07.2009) The Ministers, the heads of other agencies and the municipal councils shall set up special state (municipal) enterprises, and the employers with more than 300 employees shall set up workshops and other units designed for persons with permanently reduced working capacity.

(2) (amend. - SG, No 100/1992) The activities of the specialised enterprises, workshops and units under the preceding paragraph shall be planned and accounted for separately, and the employees working there shall enjoy special rules for output rates, accounting and labour remuneration under a procedure to be determined by the Council of Ministers.

**Reassignment of Partially Incapacitated Employees**

Art. 317. (1) (amend. - SG, No 100/1992; amend. – SG 41/09, in force from 01.07.2009) The necessity of reassignment of an employee to another suitable job or to the same job with alleviated working conditions, the character of the work done, the work conditions and the period of reassignment shall be set in accordance with a prescription of the health authorities.

(2) (amend. - SG, No 100/1992) The reassignment prescription issued by the health authorities shall oblige the employee not to perform the job from which he shall be reassigned and the employer not to admit him to this job.

(3) (amend. - SG, No 100/1992) The employer shall reassign the employee to a suitable work in accordance with the prescription of the health authorities within 7 days of its receipt.

(4) (Para 4 revoked, previous para 5 - SG, No 100/1992) Failure to perform the prescription of the health authorities by the employer shall oblige him to compensate the employee in accordance with Article 217.

**Paid Annual Leave**

Art. 319. (amend. - SG, No 100/1992; amend., SG 25/2001; suppl. – SG 108/08; amend. – SG 41/09, in force from 01.07.2009) Employees with permanently reduced working capacity of 50 and over 50 percent shall be entitled to a basic paid annual leave of not less than 26 working days.

**Labour Remuneration**

Art. 320. (amend. - SG, No 100/1992) (1) An employee who is reassigned in accordance with this Section shall be remunerated for the work done.

(2) (amend., SG 25/2001; amend. – SG 41/09, in force from 01.07.2009) An employee with permanently reduced working capacity under 50 percent who is reassigned for a fixed period and who receives at his new job lower labour remuneration than the remuneration for the former job shall be entitled to a cash compensation for the difference between remuneration in accordance with a separate law.

**Equal treatment**

**Right of Equal Remuneration**

Art. 243. (1) Women and men shall have the right to equal remuneration for identical and equal work.

(2) Para 1 shall apply for all payments under the legal terms of relation.