

1.Yanka Takeva,

President of the Union of Bulgarian Teachers,

Chair of the Women's Committee of the Confederation of Independent Trade Unions in Bulgaria

A. Characteristics of the organisation

- Type (public/private etc.)

The Union of Bulgarian Teachers with its 800,000 members is the largest trade union organisation in the field of education. Nearly 90% of union members are women, reflecting the feminisation of education.

Only in vocational education is the number of women almost equal to that of men.

- Sector (in case of workplaces, employers' or employees' associations)

- Size

- Role of the respondent

- Gender balance of the personnel

B. Overview of legislation and policies

- Are you familiar with the legislative and policy framework on sexual harassment?

I am familiar with what is regulated in the Labour Code and the Law on Protection against Discrimination. This is the basis on which action can be taken in the event of sexual harassment in the workplace.

I am also familiar with ILO Convention 190 and the Istanbul Convention, which have not been ratified by Bulgaria.

- Has your organisation ever used existing legislative or policy tools to handle sexual harassment incidents? What was the outcome?

For us, the issue of sexual harassment in the workplace is only reflected in the collective agreement at national level.

In the 2020 Treaty , for example, it is noted Article 3 (3) The MINISTRY and the social partners shall systematically and purposefully defend the authority and dignity of the teaching profession by developing and implementing policies to: 1. Avoiding violence and aggression against teaching professionals and non-teaching staff in educational institutions;

- Are you satisfied with the existing policy framework? Which are its strongest and which are its weakest elements?

What is written in the Collective Labour Agreement is insufficient, but in education the problem of sexual harassment in the workplace is not significant, since in general education women represent the vast majority of staff.

I believe that, in accordance with Convention 190, appropriate changes should be made to the Labour Code.

C. Good practices

- Does your organisation have any good practices regarding the prevention and handling of sexual harassment incidents?

In the Teachers' Union we have no cases of sexual harassment or at least no information about such cases has reached the Headquarters. On the spot these cases are solved by the employer or complaints are submitted to the Regional Commissions for Protection against Discrimination.

- Does your organisation foresee any specific procedures to deal with sexual harassment incidents?

From the point of view of the Confederation of Independent Trade Unions in Bulgaria, as chair of the Women's Committee, I can say that only specific procedures are laid down at national level in the collective agreement of the Independent Transport Workers' Union, and this is woefully inadequate.

The health sector is the first sector in Bulgaria to systematically address violence and harassment in the workplace and to include specific provisions in sectoral collective agreements and the establishment of occupational safety and health committees. The sectoral CBA stipulates that the employer, in conjunction with the trade unions in the health service, must take effective measures to prevent any form of discrimination (direct or indirect) or physical or psychosocial

harassment and must ensure working conditions that protect workers from chronic stress, physical and psychological harm in the workplace.

- Has your organisation organised or encouraged its members to participate in any kind of training on preventing/dealing with sexual harassment at work?

We have not taken any preventive action in the Bulgarian Teachers' Union, nor have we conducted any training.

- Has your organisation dealt with sexual harassment incidents? In what way? What was the outcome?

- Has your organisation adopted a Gender Equality Plan?

The Syndicate does not have a Gender Equality Plan

Recommendations

- Has your organisation participated in relevant consultation processes, e.g. in the consultation on the bill that ratified the ILO Convention 190 in June 2021?

We have not participated in the consultation processes to ratify Convention 1890 - this role within the trade union is assigned to the Transport Workers' Union and its President, Ekaterina Yordanova. In view of the Covid pandemic and the lack of a functioning government in Bulgaria over the last year, the ratification process is not relevant, but this is one of the objectives of the Confederation of Independent Trade Unions.

- Has your organisation drafted and communicated any policy recommendations regarding sexual harassment?

- What would you suggest to improve policies aiming at preventing and handling sexual harassment incidents at work?

- Would your organisation be open/willing to adopt a new workplace policy such as the one suggested by the Astrapi project (<https://astrapi-project.eu/project-toolkit/>)?

We have not thought in the Teachers' Union about specific programmes and policies, but as you can see we are agreeing to organise together the final conference of the Astrapi project - I expect that issues related to sexual harassment in the workplace will come to the fore for our union in the next few years.

2. Nicolai Cherkezov

Deputy Director

„Rosa“ - sunflower oil producing company

City of Popovo

A. Characteristics of the organisation

- Type (public/private etc.)

Our firm is a private one,

- Sector (in case of workplaces, employers' or employees' associations)

- Size

We have 120 workers - 15 of them are women. They are relatively isolated because they work as lab assistants or are managers.

- Role of the respondent

I am the deputy director for the production part and I have been working in the company since the communist years when it was a state enterprise. I am a member of the board of the company.

- Gender balance of the personnel

As I indicated women make up about 10% of the staff and are relatively isolated from the main body of workers, which does not create the conditions for sexual harassment.

B. Overview of legislation and policies

-Are you familiar with the legislative and policy framework on sexual harassment?

I am not familiar with the specific legislation, all I know is that the Labour Code does not mention sexual harassment as an issue in the workplace.

- Has your organisation ever used existing legislative or policy tools to handle sexual harassment incidents? What was the outcome?

We have not had any formal incidents of sexual harassment / or at least none have come to my attention. Interestingly, under communism some of the management had mistresses on staff and one of the first measures in the now private company was to stop such practices.

- Are you satisfied with the existing policy framework? Which are its strongest and which are its weakest elements?

C. Good practices

- Does your organisation have any good practices regarding the prevention and handling of sexual harassment incidents?

We have no reported cases of sexual harassment. I believe this is true because we are a relatively small company and such cases would not be hidden.

- Has your organisation drafted any kind of rules or code of conduct regarding sexual harassment?

I am not aware of our company having an obligation to establish a company code of conduct.

- Does your organisation foresee any specific procedures to deal with sexual harassment incidents?

- Has your organisation organised or encouraged its members to participate in any kind of training on preventing/dealing with sexual harassment at work?

If we are offered training we will send the human relations department as well as trade union representatives - so far no one has offered such training.

- Has your organisation dealt with sexual harassment incidents? In what way? What was the outcome?

- Has your organisation adopted a Gender Equality Plan?

We do not have such a plan and no one has asked us to develop one.

D. Recommendations

-- Would your organisation be open/willing to adopt a new workplace policy such as the one suggested by the Astrapi project (<https://astrapi-project.eu/project-toolkit/>)?

We are not ready to introduce and implement any new workplace policy, especially if a policy on preventing and dealing with sexual harassment is considered.

3. Donka Stancheva

Director

Vocational School of Transport and Agricultural Technologies

Haskovo

A. Characteristics of the organisation

- Type (public/private etc.)

Municipal vocational high school

- Sector (in case of workplaces, employers' or employees' associations)

Education,

- Size

- 40 teachers

- Role of the respondent

Headmaster

- Gender balance of the personnel

16 men 24 women

B. Overview of legislation and policies

- Are you familiar with the legislative and policy framework on sexual harassment?

I am not familiar because I do not think it is something important for our high school

- Has your organisation ever used existing legislative or policy tools to handle sexual harassment incidents? What was the outcome?

As far as I know, even the national collective agreement in education does not specifically mention sexual harassment - so it is not an issue for the education system at the moment

- Are you satisfied with the existing policy framework? Which are its strongest and which are its weakest elements?

C. Good practices

- Does your organisation have any good practices regarding the prevention and handling of sexual harassment incidents?

According to the Labour Code, any incidents of harassment, violation of the dignity of the teacher must be reported and dealt with by the employer - i.e. by me. So far no such case has been reported. Through informal channels I have also not come to know of any incidents or problem.

- Has your organisation drafted any kind of rules or code of conduct regarding sexual harassment?

No there is nothing in the rules and regulations of the high school about sexual harassment and violence.

- Does your organisation foresee any specific procedures to deal with sexual harassment incidents?

- Has your organisation organised or encouraged its members to participate in any kind of training on preventing/dealing with sexual harassment at work?

If trade union leaders or teachers were invited to participate in training, there would be no problem - but so far there has been nothing like this.

4.Ivaylo Ivanov

Secretary Popovo Municipality

Head of General Administration Department

A. Characteristics of the organisation

- Type (public/private etc.)

Public institution

- Sector (in case of workplaces, employers' or employees' associations)

Administration

- Size

60 persons

- Role of the respondent

Secretary of Popovo Municipality, Head of General Administration Department

- Gender balance of the personnel

26 men 34 women

B. Overview of legislation and policies

- Are you familiar with the legislative and policy framework on sexual harassment?

Not completely. I am only familiar with the Labour Code, and there is nothing about sexual harassment in the workplace.

- Has your organisation ever used existing legislative or policy tools to handle sexual harassment incidents? What was the outcome?

We have had no incidents of sexual harassment or violence in the municipality

- Are you satisfied with the existing policy framework? Which are its strongest and which are its weakest elements?

I don't think there is a legal framework, but I don't think there is a need for one for us.

C. Good practices

- Does your organisation have any good practices regarding the prevention and handling of sexual harassment incidents?

We do our best and the usual practice is to resolve disputes and conflicts peacefully, but so far we have not had any problems in this area.

- Has your organisation drafted any kind of rules or code of conduct regarding sexual harassment?

- Does your organisation foresee any specific procedures to deal with sexual harassment incidents?

- Has your organisation organised or encouraged its members to participate in any kind of training on preventing/dealing with sexual harassment at work?

Members of the municipality team have not yet received invitations to participate in training or awareness-raising activities.

- Has your organisation adopted a Gender Equality Plan?

We have not adopted a gender equality plan.

D. Recommendations

- Has your organisation participated in relevant consultation processes, e.g. in the consultation on the bill that ratified the ILO Convention 190 in June 2021?

We are a provincial town with a population of 20 000 and no one has approached us on these issues.

5.Yovcho Yakov

Manager of a multiprofile hospital

Popovo Municipality

A. Characteristics of the organisation

- Type (public/private etc.)

Municipal hospital

- Sector (in case of workplaces, employers' or employees' associations)

- Size

131 total staff 94 women

Role of the respondent

Manager multidisciplinary hospital

- Gender balance of the personnel

94 women 37 men

B. Overview of legislation and policies

- Are you familiar with the legislative and policy framework on sexual harassment?

I am familiar , as far as it is written in the collective agreement.

Article 65 The employer, in cooperation with the trade unions in the medical or health care institution, is obliged to take effective measures to prevent all forms of discrimination, direct and indirect, of physical and psychosocial harassment and to ensure working conditions that prevent workers from chronic stress, physical and psychological harm in the workplace.

Article 68 Employers shall appoint by order a working conditions committee -group- which shall include representatives of trade unions designated by them.

As you can see, sexual harassment and violence in the workplace are not explicitly mentioned.

- Has your organisation ever used existing legislative or policy tools to handle sexual harassment incidents? What was the outcome?

As an employer, I have to deal with conflicts and problems that arise, including those related to sexual harassment and violence. It is believed that nurses are usually the targets of harassment and violence in hospitals, not only by doctors but also by patients. In the years I have been director, no such case has come to my attention.

- Are you satisfied with the existing policy framework? Which are its strongest and which are its weakest elements?

I don't think we need a specific legal framework for sexual harassment in the workplace, but if one were to be created we could use it if necessary.

C. Good practices

- Does your organisation have any good practices regarding the prevention and handling of sexual harassment incidents?

- Has your organisation drafted any kind of rules or code of conduct regarding sexual harassment?

We do not have anything in our internal regulations, I think it is implied that such behaviour is illegal and criminal.

- Does your organisation foresee any specific procedures to deal with sexual harassment incidents?

- Has your organisation organised or encouraged its members to participate in any kind of training on preventing/dealing with sexual harassment at work?

We will send colleagues for training but they have not been invited so far.

6.Boyan Vassilev

Local Firm Trade Union Leader

Federation of Independent Trade Unions of the Light Industry

To the Confederation of Independent Trade Unions

A. Characteristics of the organisation

- Type (public/private etc.)

private

- Sector (in case of workplaces, employers' or employees' associations)

Tailoring company,

- Size

238

- Role of the respondent

Leader of the local trade union, Federation of Independent Trade Unions of Light Industry

- Gender balance of the personnel

238 Personnel 224 women 14 men

Overview of legislation and policies

- Are you familiar with the legislative and policy framework on sexual harassment?

No , I have not had any training on this topic, I have some information from trade union meetings and publications

- Has your organisation ever used existing legislative or policy tools to handle sexual harassment incidents? What was the outcome?

No, I have no information about sexual harassment incidents in the company. No such information has reached me as a trade union leader - neither from our members nor from the management of the company, which should intervene in such cases. Furthermore, over 90% of

the staff are female, so there is simply no way that sexual harassment exists in our company specifically.

Good practices

- Does your organisation have any good practices regarding the prevention and handling of sexual harassment incidents?

As I mentioned we have not had any such incidents of sexual harassment, so it is difficult to say how management would act in such a case.

- Does your organisation foresee any specific procedures to deal with sexual harassment incidents?

Management has never consulted the trade union about such measures. We have more important problems now - 80% of the staff refuse to be vaccinated and that is the big problem. Sexual harassment is not a problem for our company.

- Has your organisation organised or encouraged its members to participate in any kind of training on preventing/dealing with sexual harassment at work?

I mentioned that I have not had an invitation for training from the union. The management of the company is unlikely to plan such training in the near future.

- Has your organisation adopted a Gender Equality Plan?

There is no such plan and we have not discussed its development

7.Prof.Galina Hristozova

Rector Burgas Free University

City of Burgas

Characteristics of the organisation

- Type (public/private etc.)

- Private University

- Sector (in case of workplaces, employers' or employees' associations)

- Education

- Size

120 staff, 3000 students

- Role of the respondent

- University Rector

- Gender balance of the personnel

90 women 30 men

Overview of legislation and policies

- Are you familiar with the legislative and policy framework on sexual harassment?

I am familiar with the ILO Convention 190 and the Istanbul Convention, specifically in the area of sexual harassment and violence at work I know that in the case of harassment the employer has to deal with the case / in our case the President of Burgas University and myself as an academic supervisor /

- Has your organisation ever used existing legislative or policy tools to handle sexual harassment incidents? What was the outcome?

No, although we have developed all possible regulations, there is no legal framework for violence and discrimination at the university.

- Are you satisfied with the existing policy framework? Which are its strongest and which are its weakest elements?

Good practices

- Does your organisation have any good practices regarding the prevention and handling of sexual harassment incidents?

Although there is a lot of talk about incidents of sexual harassment mostly by lecturers towards female students and about similar practices, mostly related to the taking of exams, I have not received any complaints and I am not aware of any such incidents in the past when I was Dean of one of the faculties.

The Commission for the Protection against Discrimination has also not been approached, which means that there have been no complaints from our university.

Also, the issue of sexual harassment and violence in the workplace has never been addressed at the standing meetings of the rectors of higher education institutions in the country.

- Has your organisation drafted any kind of rules or code of conduct regarding sexual harassment?

- Does your organisation foresee any specific procedures to deal with sexual harassment incidents?

- Has your organisation organised or encouraged its members to participate in any kind of training on preventing/dealing with sexual harassment at work?

We have not offered any such training in the past and do not foresee any training in the future.

- Has your organisation adopted a Gender Equality Plan?

We do not have such a plan and there is no legal requirement to develop one.

8. Velichka Mikova

Executive Secretary

Confederation of Independent Trade Unions in Bulgaria

Characteristics of the organisation

- Type (public/private etc.)

- Public

- Sector (in case of workplaces, employers' or employees' associations)

The Confederation of Independent Trade Unions in Bulgaria is the largest trade union organisation in the country, uniting over 80% of trade union members.

- Role of the respondent

Executive Secretary of the Confederation

Overview of legislation and policies

- Are you familiar with the legislative and policy framework on sexual harassment?

Yes, I am familiar with the legislative framework because I have worked for many years as the Confederation's expert on these issues, and I am still responsible for policy making in this area today

- Has your organisation ever used existing legislative or policy tools to handle sexual harassment incidents? What was the outcome?

In general, our organisation tries to develop policies in this area , but this is not always successful.

- Are you satisfied with the existing policy framework? Which are its strongest and which are its weakest elements?

The current system for dealing with sexual harassment in the workplace is based exclusively on the Protection from Discrimination Act 2003.

The Law on protection against discrimination (2003) prohibits all forms of discrimination based on age, gender, ethnic group, national origin, education, family status, and property status.

Art.5 states that harassment on the grounds of sex and sexual harassment, "shall be deemed discrimination." Art.17 requires employers who receive "a complaint from an employee, considering him/her-self a victim of harassment, including sexual harassment, at the workplace must immediately carry out an investigation, take measures to stop the harassment, as well as impose disciplinary sanctions in cases where the harassment has been committed by another worker or employee. "It recognises sexual harassment as a form of discrimination and incorporates the EU definition of sexual harassment in law.

Good practices

- Does your organisation have any good practices regarding the prevention and handling of sexual harassment incidents?

Best practice is reflected in the collective agreement of the Transport Workers' Union where it is written down:

Art.66 The employer shall have a zero tolerance policy to stop violence at work in its various manifestations - physical, mental, sexual

Art.67 The employer shall implement a policy to raise the awareness of managers, workers and employees through training in order to identify the signs of harassment and violence in the workplace, and to initiate preventive or corrective action to help victims. The measures shall also cover and be applied to third party violence

Art.68 The employer shall implement procedures to be followed in cases of harassment or violence, which shall include at a minimum

1. an immediate internal investigation and an impartial hearing
2. keeping statistics
3. seeking feedback
4. Taking appropriate disciplinary action against perpetrators if they are employees of the same enterprise
5. Supporting the victim and, if necessary, providing psychological assistance for their reintegration

Measures aimed at preventing workplace violence and harassment, including gender-based violence and harassment, should be included in internal workplace regulations.

This normative framework has been created thanks to the efforts of Enaterina Yossifova, President of the transport union, who was also instrumental in the creation and adoption of ILO Convention 190.

Unfortunately, none of the other sectoral collective agreements have such explicit entries on sexual harassment and violence in the workplace.

- Has your organisation drafted any kind of rules or code of conduct regarding sexual harassment?

The Confederation of Independent Trade Unions in Bulgaria has left this role, as we have seen, to its members - the sectoral trade unions... We are making efforts to ratify ILO Convention 190. So far we have not been successful, mainly due to the fact that in the last year there has been no regular government in Bulgaria with which, as well as with the employers' organisations, a dialogue can be held on this issue.

- Does your organisation foresee any specific procedures to deal with sexual harassment incidents?

As I said, the aim is to ratify Convention 190, and then we will push for legislative changes to the Labour Code, which will enable the issue of sexual harassment to be reflected in collective agreements, as well as the creation of procedures and rules to deal with incidents of sexual harassment in the workplace, and with sexual harassment as a phenomenon.

- Has your organisation organised or encouraged its members to participate in any kind of training on preventing/dealing with sexual harassment at work?

We acknowledge that work on the prevention of sexual harassment at work is almost non-existent, but as I said, the issue of dealing with sexual harassment and violence at work needs to be regulated and this will lead to procedures in terms of ongoing work on the prevention of sexual harassment - in order to raise awareness among trade union members, to train people involved in dealing with sexual harassment.

- Has your organisation dealt with sexual harassment incidents? In what way? What was the outcome?

Almost no reports of sexual harassment reach us, the headquarters of the KNUB - probably the few cases that become known are solved on the spot in the companies and organizations and do not even reach the global committees for protection against discrimination, where there is a legal possibility to solve cases.

- Has your organisation adopted a Gender Equality Plan?

The Confederation was one of the parties instrumental in drafting the Equality Act between Women and Men (2016) which aim is to "promote the achievement of equality between women and men by creating the conditions for building an institutional environment and designating the bodies and mechanisms for the implementation of the state policy on equality between women and men". National Council on Gender Equality, which is a body for consultation, cooperation and coordination between central and territorial executive bodies and civil society structures, has been created. Up to now there is not a substantial activity of the Council - it does not forward legal initiatives nor acts strategically.

Every two years, a "National Action Plan for the Promotion of Gender Equality" (current is for 2019-2020) is developed, and priority area N4 of the current Plan states. "

Recommendations

- Would your organisation be open/willing to adopt a new workplace policy such as the one suggested by the Astrapi project (<https://astrapi-project.eu/project-toolkit/>)?

I have met with Jane Pillinger when she was preparing the material on the situation of sexual harassment at work in Bulgaria. I endorse her ideas in the Astrapi handbook and I think this is the way to go to prevent and tackle sexual harassment and violence in the workplace. The problem is that we lack the legal framework to implement these ideas and the approach proposed by Pilger. Therefore, the Confederation's main task in this area is first to force the ratification of Confederation 190 and then to introduce the relevant normative changes in the Labour Code / and hence to be reflected in the Collective Agreements / in order to achieve the development of a mechanism and procedures to deal with sexual harassment and violence in the workplace.