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# **FLEXIBLE WORKING TIME ARRANGEMENTS IN BULGARIA**

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## **1. Introduction**

The objective of this paper is to provide an analysis of the flexible working time arrangements in Bulgaria, using a life-course perspective.

There are two important features that have to be outlined, namely:

- (a) underdeveloped flexible forms in employment in the country, including working time arrangement;
- (b) lack of previous analysis on flexible working time arrangements from the angle of life-course perspective.

There are reasonable explanations for both features. However, what we would like to underline here is that this analysis should be considered as a pioneer on the topic.

The flexible working time arrangements in the country became a special topic of interest and study only in the last 10 years. As it is well-known, full time employment was the main goal of the previous economic system; that is why flexible working time arrangements as part time, reduced working time, etc. were mostly incidental and considered as working time regime for special groups of employees – people with disabilities, mothers with small children, etc. As a consequence, the flexible working time schemes have been developed and introduced only since 1990. A strong incentive for introducing such schemes was the high unemployment during the first decade of the transition. Today flexible working time regimes are subject of increasing interest as an instrument for avoiding new waves of mass unemployment under the conditions of the present economic crisis.

As already pointed out, the lack of long history in the development and implementation of flexible working time schemes explains the lack of many studies on the topic. However, some studies on flexicurity have been carried out, some of them – on the initiative of international organizations, and ILO in particular, and under international projects, where working time regimes have been subject of analyses as well. <sup>1</sup>Nevertheless, the life-course approach has not been a subject of special studies. This approach is even out of the public debate and policy-makers do not consider it important for the country. Perhaps, one explanation could be the very short experience the country has in flexible working time schemes in practice. As mentioned above, only in the last 10-15 years flexible working time schemes became an alternative to the obliged full-time employment.

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<sup>1</sup> Beleva, I., V. Tzanov. Bulgaria: towards a better balanced world of work? – In: Eyraud, F., D. Vaughan-Whitehead (eds.). *Evolving world of work in the enlarged EU, progress and vulnerability*, EC, ILO, Budapest, 2007, p. 53-91; Beleva, I., V. Tzanov, G. Tisheva. Bulgaria. - In: Cazes, S., A. Nesporova. *Flexicurity – a relevant approach in Central and Eastern Europe*, ILO, Geneva, 2006, p.57-93; *Flexibility and security in the labour market, Bulgarian experience*, Flexicurity paper 2004/03, ILO. Mihova, G.Kergoat,D., Maria Nikolova, Donio Denev, *Working hours, working conditions, demographic behaviours (in Bulgarian)* Sofia, 2007, Prof.M.Drinov Academic Publishing House, *Flexible employment and security in small and medium-sized enterprises in Bulgaria*, S, 2008.

In this report we will try to study the topic of flexible working time arrangements from life-course perspective based on the existing evidences and statistics.

## 2. Regulatory framework

### 2.1. National regulations

The legal frame for regulating employment relations at a national level is the Labour Code (LC). Special chapters in it refer to employment contracts and working time.

The Bulgarian Labour Code identifies normal duration of working time (art. 136)<sup>2</sup>; reduced working hours (art. 137)<sup>3</sup>; part-time work (art. 138-139)<sup>4</sup>, as well as some specific forms of working time, e.g. night work (art. 140), work in shifts (art. 141), overtime work (art. 143-144), etc.

Since 2001 a number of changes have been introduced in order to make the legal norms in contracting employees and in working time more flexible, e.g. extending the forms of labour contracts and extended working time.<sup>5</sup> There are also some additional legal norms concerning

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<sup>2</sup> Article 136

- (1) The normal duration of the weekly working hours for a five-day work week shall be up to 40 hours.
- (2) The normal duration of the weekly working hours for the sectors where the five-day workweek has not been introduced shall be up to 46 hours for a six-day work week.
- (3) The normal duration of the working hours during the day shall be:
  1. for a five-day work week – up to 8 hours;
  2. for a six-day work week – up to 8 hours, and on days before days off or holidays – up to 6 hours.
- (4) The normal duration of the working hours under the preceding paragraph shall not be extended.
- (5) The transition from a six-day to a five-day work week shall be done upon a decision of the Council of Ministers.

<sup>3</sup> Article 137

- (1) Reduced working hours shall be established for:
  1. employees working under unhealthy conditions or doing work under special conditions upon the decision of the Council of Ministers;
  2. employees who have not reached 18 years of age.

<sup>4</sup> Article 138

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.

Article 139

- (1) The allocation of working hours shall be established by the internal rules of the enterprise.
- (2) In enterprises where organization 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) Depending on the nature of work and the labour organization, the working day may be divided into two or three parts.
- (4) For some categories of employees, due to the special nature of their work, the Minister of Labour and Social Welfare may establish open-ended working hours. The employees on opened working hours shall, if necessary, perform their duties even after the expiry of the regular working hours. 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.
- (5) 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 Minister of Labour and Social Welfare determines the categories of employees, the maximum duration of the hours, and the terms and procedures of accounting for them.

<sup>5</sup> Extended working time by the employer but the total weekly duration cannot exceed 48 hours, and for the employees with reduced working time – up to 40 hours. The extended working day cannot exceed 10 hours, and for the employees with reduced working time – up to 1 hour over the reduced working time.

people, whose working time is calculated for a certain period.<sup>6</sup> Some categories of workers are protected in view of working time schemes, i.e. mothers with children aged under 3 can not work extra and on night shifts.<sup>7</sup>

The LC has been a subject of many changes and dynamic transformations during the transition. The understanding of the need to maintain competitiveness and to lower unemployment by introducing more flexible forms concerning duration of employment contracts, lengthening the working time, flexibility in employment during periods of production shrinkages, etc., has pressed the Government to undertake more radical changes in the LC after 2001 and especially after 2004.<sup>8</sup>

The basic ideas of the legislative changes “have been to strengthen the role of the social partners and the dialogue as an instrument for regulation, and to strengthen the independence of the employers by promoting their role as a party in the employment relationship. The undertaken changes are an important step in promoting and sustaining the collective bargaining and consultations.”<sup>9</sup>

**The regular working time per week includes 5 working days with up to 40 working hours (art. 136). The regular length of the working day is 8 hours.**

As mentioned above, within this regulatory frame a number of amendments give the employer the right to unilaterally decide on some important matters concerning working hours, reduction of working time, introduction of part-time working hours, allocation of working hours for certain categories of workers, establishment of summarized calculation of the working hours for a period not longer than 4 months, unilateral granting of the annual paid leave even without consent, etc., and the ability to use irregular working time under certain extraordinary conditions, length and frame.

It should be outlined that the recent legal frame of working time is fully harmonized with EU directives and ILO conventions.

The Labour Code in Bulgaria identifies different forms of contracts, namely: labour contract or contract for civil servant; civil contract; other contract<sup>10</sup>; employment without written contract. The last three forms of contracts are considered more flexible because they are permanent, temporary; they clearly point the agreements between the contractors and are easier for termination.

Since 1990, when the transition to market economy has started, a number of amendments in the LC have been done regarding increase of flexibility of labour contracts. First, the changes have targeted mainly the liberalization of the termination regime because of the dynamic changes of the ownership of the enterprises. The idea is to ease the termination on initiative of employers. However, pregnant women and mothers of children younger than 3 years of age are included in the group of people, protected against termination. Further changes have been done in order to make employment relations more sustainable. One of the amendments (done in 2002) concerns the restoring of the written form of the employment contract as the only

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<sup>6</sup> The duration of working day for these employees cannot be over 12 hours, and the weekly duration cannot exceed 56 hours.

<sup>7</sup> However this prohibition may fall off if the employee agrees in written form. If employees, whose working time is calculated on daily basis, work extra, they are entitled to compensations amounting to 24 hours in the next week, pointed by the employer.

<sup>8</sup> In 2004 the government declared that its LMP is relevant and consistent with present needs of more flexible regulatory regime in a Letter of Intent and Supplementary Memorandum of Economic Policies.

<sup>9</sup> I.Beleva, V.Tzanov. G.Tisheva, Flexibility and security in the labour market, Bulgarian experience, Flexicurity paper 2004/03, p. 58

<sup>10</sup> Here are included labour contracts for up to 5 days per month.

possible. Obliging the employer to register the contract in the respective unit of the Social Security Institution and to deliver a copy of the registration notice to the worker/employee furthers this measure.

By doing all these changes in the LC the Governments have aimed to increase the flexibility in the employment relationships, to strengthen the procedures for coordination and consultation at national, sectoral, local and enterprise level, and to strengthen the effectiveness of the right to information (for collective purposes or in individual interest).

## *2.2. Collective agreements*

Collective agreements in Bulgaria could be signed at enterprise, branch, sector and municipality level. Within the frame of the LC the signed collective agreements could specify a number of questions regarding working time e.g. start and end, rests, overtime payment etc. however, within the existing frame. The LC says that collective agreement should not include clauses more unfavourable than the one, agreed by the law. In this sense working time details accepted by the employees and the employers follow the imperative rules of the law. There are about 2000 collective agreements in the country and they specify different working time regimes in accordance with branch, sector etc. level.

Since the country lacks unified monitoring system on collective agreements, we cannot provide any evidence of how working time problems are presented in such agreements.

## *2.3. Company level*

In fact the concrete working time regime is a subject of discussion and agreement at a company level, since the working time regime should be adjusted to the specific production cycle or technological characteristics at this level. In this sense the concrete organization of the working time is a subject of collective agreement at this level. In case there is no collective agreement, the working time regime is negotiated between the employer and the employee on an individual basis.

## *2.4. Recent policy debates*

The policy debate today does not consider working time and employment contracts at all. There is a debate at trade union level and between trade unions and employers' organizations regarding the length of over-working time, the existing violations and the norms, which should not be exceeded. Another topic of discussion at this level is the length of the additional labour, and its payment. The debates are important, since without an agreement between the social partners any changes in the legislation are impossible.

## **3. Working time flexibility: general trends**

The harmonised empirical data on working time flexibility in Bulgaria provide information about full-time and part-time employment, employment by hours worked, different forms of unusual hours like Saturday, Sunday, at night, extra work, etc. The data for Bulgaria cover the period 2002-2007 for some of the numbered indicators, for other indicators data are available only for 2007. Due to this the description and the assessment of the general trends will cover relatively short time period (2002-2007), while in other cases we will be able to present only the status of the event based on 2007 data.

### 3.1. Employment dynamic by sex and age groups

Looking at employment dynamic by sex and age we have outlined the following specifics:

Table 1

Employment by sex and age in 2002 and 2007

Age	2002			2007		
	Female	Male	Total	Female	Male	Total
15+	1165.1	1199.0	2364.1	1378.2	1470.8	2848.9
including:						
15-24	98.0	101.8	199.7	104.4	131.0	235.4
25-49	816.6	796.9	1613.5	947.4	986.8	1934.2
50+	250.6	300.3	550.9	326.3	353.0	679.3

Source: Harmonized Eurostat data.

Several conclusions should be drawn out from the above trends, namely:

- The period is characterized by increasing employment dynamic.
- The dynamic of total female employment has lagged behind the male employment.
- Within different age groups employment dynamic by gender points out that the younger the age group is, the lower female employment dynamic is. Several different aspects explaining the higher female employment trends in the oldest age group could be suggested. First, the upward trend could be a result of the special policy measures for encouraging female employment at the end of the working life cycle. Second, the studied period characterizes with stable economic growth and increasing labour demand and there are many job opportunities for everyone, including unemployed women in age over 50. It could be that women in age over 50 present a significant labour reserve, which is engaged in employment as a result of the economic prospect. Third, it could be also possible that women in this age group are not so demanding regarding wage level and working conditions, since their main goal is to obtain the pension age and requested points. In this sense women could be more inclined to work overtime or to have unsocial working time, etc. Fourth, the lower employment dynamic of the young age group could be linked to their participation in education and/or to their engagement with small children, etc.

### 3.2. Full-time and part-time employment and the life-course dynamic

The presented harmonized data on part-time employment in Bulgaria covers 2002 and 2007. Data are not comprehensive for the studied age groups. There are many missing data, which impede the analysis. We will comment only data, which cover both genders. There are no data on full-time employment and that is why we used the difference between total employment and part-time employment, as presented in the harmonised database.

Table 2

Part-time employment as percentage of total employment

Age	2002			2007		
	Female	Male	Total	Female	Male	Total
15+	2.60	1.15	1.90	1.80	0.90	1.40
15-24	n.a.	n.a.	2.90	5.80	n.a.	n.a.
25-49	2.03	0.90	1.50	1.20	0.60	0.90
50+	4.00	n.a.	2.60*	3.40	1.30	2.30

Source: Harmonized Eurostat data.

\* Perhaps this is a mistake, since it is not possible to have total 2.6 and only female 4.0.

Part-time employment as a share of total employment is quite insignificant, due to which we have to conclude that full-time employment dominates as a main form of employment in the studied period.

- Total part-time employment declines in 2002 and 2007. The table above identifies that in 2002 it is 1.9% of total employment and in 2007 this share has dropped to 1.4%.
- Within the age group 25-49 part-time employment has decreased in the period 2002-2007 from 1.5 to 0.9% of total employment. Despite the decrease, covering both genders, female part-time employment in 2007 (1.8%) is higher compared with male part-time employment (0.9%).
- In 2007 part-time employment is highest for the age group 50+ (but we miss data for the age group 15-24).
- In 2007 the ranking of age groups among part-time working women is as follows: the highest is the share among the age group 15-24 (5.8%); followed by the age group 50+ (3.4%) and the age group 25-49 (1.2%).
- Male part-time employment as a share of total employment is twice lower compared with female part-time employment. Missing data for age group 15-24 does not allow a conclusion valid for all age groups.

### 3.3. Unsocial working hours (Saturday, Sunday, evening and night work)

The unsocial working time structure by gender and age group is quite interesting approach for studying the further development of gender inequality during the working life cycle.

Data on employment on weekends – Saturday and Sunday – points out the age group 15-24 as a leader in employment on these days. Within this age group Saturday work makes no difference between genders, while Sunday work engages mostly male youths. Work on Saturday prevails among women in all age groups, while mostly men are engaged with Sunday work. Nevertheless, the share of people from both genders working on weekends is quite high. Two branches should be presented as an example: a “male” branch - “Construction”, where Saturday and Sunday work is a usual practice, and “Trade” sector, where women employment prevails.

Table 3

Population in employment at weekends, as percentage of total employment in the age group, 2007

<b>Saturday employment</b>	<b>15-24</b>	<b>15+</b>	<b>25-49</b>	<b>50+</b>
Female	26.2	16.1	16.2	12.5
Male	26.4	20.9	21.3	18.0
Total	26.4	18.6	18.8	15.4
<b>Sunday employment</b>	<b>15-24</b>	<b>15+</b>	<b>25-49</b>	<b>50+</b>
Female	9.1	6.1	6.0	5.5
Male	10.3	9.0	8.7	9.4
Total	9.7	7.6	7.4	7.5

Source: Harmonized Eurostat data.

Another form of **unsocial working hours is the evening and night work.**

Data for Bulgaria point out that women are less engaged in night work – 3.5% compared with 8.2% of night working men. Night working women are relatively equally distributed by age groups since their share has been almost equal (3.4%, a slightly lower for the age group 25-49). The share of night working men in the age group 25-49 is lower by 1% compared with the other two age groups.

Table 4

Unsocial forms of working time – night and evening work, 2007

<b>Night working</b>	<b>15-24</b>	<b>15+</b>	<b>25-49</b>	<b>50+</b>
Female	n.a.	3.5	3.4	3.4
Male	8.8	8.2	7.9	8.9
Total	6.6	5.9	5.7	6.3
<b>Work in the evening</b>	<b>15-24</b>	<b>15+</b>	<b>25-49</b>	<b>50+</b>
Female	20.6	13.9	13.7	12.4
Male	18.4	15.3	15.3	14.2
Total	19.4	14.6	14.5	13.4

Source: Harmonized Eurostat data.

The situation changes to some extent regarding work in evening. In this form of unsocial working time women prevail in age group 15-24, but in the other two groups male employment is higher.

In general we can conclude that there has been a relatively stable female night employment, which does not differ by age groups, while young and oldest men have been engaged in night work to a higher extent. Young women have been engaged to a higher extent in evening work compared with the other two age groups and with male employment by evening.

### 3.4. Working on shift work

Working on shift work covers nearly 1/5 of total employment in the country. People who work on shift differ by age groups and gender. Nearly 1/3 of employees working on shift are from age group 15-25, among them women prevail (31%) over men (26%). In the other age groups the differences between men and women are not big – the share of men (24% for age group 25-49 and 23% for age group 50+) is quite close to the share of women working on shift (21% for age group 25-49 and 19% for age group 50+).

### 3.5. Worked hours and overtime working

Data on employed people by hours worked in 2002-2007 points out at least 3 general trends:

- Upward trend of employed people of both genders, working longer hours.
- Higher increase of female employment with hours worked between 48-98 hours (25.6%) compared with the increase of the male employment (23.1%).
- Relatively equal gender decrease in employment with hours worked between 1-47 hours (male employment decreases by 4.7% compared with 3.3% for female employment).

Within the different age groups the structures by hours worked **01-47** change as follows:

- In three age groups (15-24, 25-49 and 50-64) the share of men working from 01-47 hours has decreased, and only in the age group 65+ there is an increase in 2007 (from 82.7 in 2002 to 84.6% in 2007).



- The trend of female employment between 01-47 hours in the period 2002 and 2007 is almost the same: the share in all age groups has decreased except that in age group 65+, where the share of employed women increase from 82.5 to 90.1% in 2007.

Within the length of working hours **48-98** the changes by gender and by age groups are the following:

- Male employment structure by age was as follows: employed men in three age groups (**15-24, 25-49 and 50-64**) **have increased** as a share in total male employment with the studied length of working hours, while employment in age group **65+** has decreased from 17.2 to 14.9%.
- Female employment in age groups **15-24, 25-49 and 50-64** increases as a share in total female employment (48-98 hours), while that of the age group **65+** decreases from 17.5 to 9.8%.
- The highest increase in the long hours worked for both genders (by 26% for male and by 33% for female) in age group 25-49 illustrates clearly the economic progress in the period 2002-2008 and the expansion of full-time employment and over working time.
- However, from life cycle point of view the important difference is that total 65+ male and female employment decreases for the longer length of working hours and increases for the smaller length of working hours. Further, more women in age 65+ worked less hours compared with men from this age group.
- We have already commented that the more flexible schemes for female employment are due to the many active labour market programs (subsidized employment schemes) for encouraging employment of women over 50.

Table 5

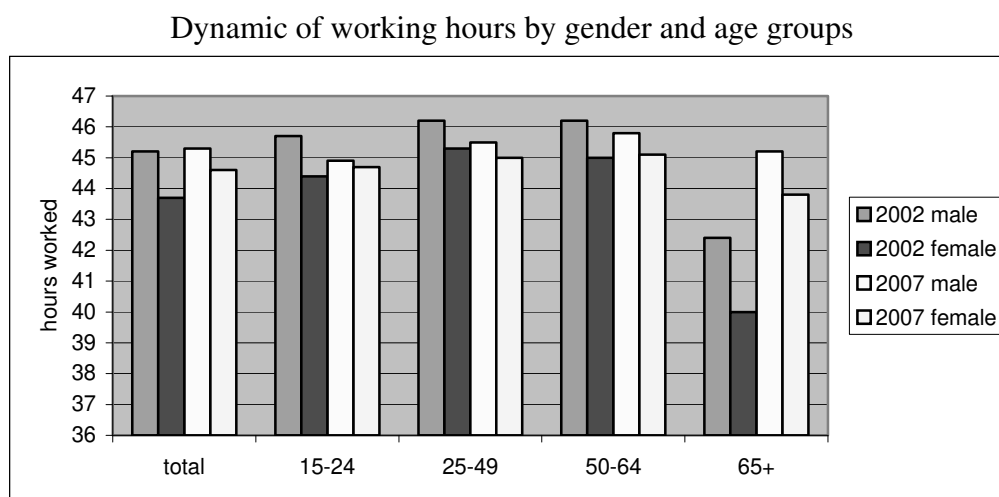
Structure of employment by hours worked and by gender, %

age group	Men		Women	
	hours1-47	hours48-98	hours1-47	hours48-98
<b>2002</b>				
Total	83,5	16,4	88,6	11,3
15-24	79,5	20,4	83,3	16,6
25-49	83	16,9	88,7	11,2
50-64	86,3	13,6	90,4	9,2
65+	82,7	17,2	82,5	17,5
<b>2007</b>				
Total	79,6	20,3	85,7	14,2
15-24	77,1	22,8	81,3	19,5
25-49	78,6	21,3	85	14,9
50-64	83	16,9	89,3	10,6
65+	84,6	14,9	90,1	9,8

Source: Harmonized Eurostat data.

- To make the picture more comprehensive, we will analyse also the dynamic of the total hours worked by gender and age groups. Data outline that in the period 2002 and 2007, for which harmonized data are available, there are clear tendencies towards
  - a) A higher increase of total working hours for women compared with the increase for men.

Figure 1



Source: Harmonized Eurostat data.

b) An increase of female hours worked for the young and older age group and an insignificant (from 45.3% in 2002 to 45% in 2007), decrease for age group 25-49.

c) The increase of working hours within the older age groups has been quite impressive, as seen on figure 1 above. It could be explain with the increase of the number of working people, since from the view of the length of working hours, we outline above, more people from this age group work between 1-47 hours.

### 3.6. Long hours worked

Following harmonized data, we will mention that in the period 2002-2007 the number of people working long hours has increased. The increase is more significant for men (35.5%) than for women (22.0%).

Table 6

	2002	2007	2002	2007
	male	male	female	female
Total	21.1	28.6	16.3	19.9
15-24	145.4	220.8	96.7	147.2
25-49	44.2	62.2	25.9	36.2
50-64	3.2	3.8	1.4	1.0
65+	213.9	315.4	140.3	204.2

Source: Harmonized Eurostat data.

By age group the dynamic of people working long hours differs.

- The increase for the age group 15-24 is 51.8% for male and 52.2% for female employment.
- The increase for the age group 25-49 is 40.7% for male and 39.7% for female employment.
- For age group 50-64 long hour working people among men have increased only by 18.7%, while long hours working women in this group have decreased.
- The last age group (65+) has recorded an increase of 47.4% for long hours working men and 45.5% for women. This is an interesting fact having in mind that people 65+ are

employed in the private sector since their age exceeds the upper border for working age population. So, the idea is that the private sector is mainly the area where people have to work longer hours.

- Female long hours dynamic in the period 2002-2007 has been highest for age group 15-24. This means that more young women have been engaged in employment with long hours work.

### *3.7. Flexible working hours*

Looking at the figures pointing out the dynamic of people with flexible working hours, based on 2004 ad hoc module on work organisation and working time arrangement, the following specifics from a gender point of view should be outlined:

- Fixed start and end of the working day is a form of work time organisation that prevails among all other forms for both male and female employment. However, it covers 90% of employed men and 92.4% of employed women.
- Start and end working day, varying by individual agreement, is a form, which prevails among female flexible employment compared with male flexible employment.
- As far as the other forms of flexible working time are concerned, like working day banking with possibility only to take hours off, determining an own work schedule, staggered working hours, banded start and end, working day banking with possibility to take full days off, etc., they are more widely spread among employed men than employed women.

Analyzing all these types of working time organization by age group, we have to mention the following:

- Fixed starts and ends of working day predominate for all age groups, being higher for female employment (93.8% for 15-24 age group, 92.2% for 25-49 age group, and 92.5% for age group 50+).
- Start and end varying by individual agreement as a form of working time organization is higher for female than for male, with exception of the youngest age group 15-24.
- Within all other variations of working time, male employment appears to be more flexible compared with female employment.

**Summing up**, the presented tendencies in the development of flexible forms of working time by gender and life cycle can be clearly outlined through the different forms of working time by age groups. We will outline the following specifics:

#### **Age group 15-24**

- Male employment in this age group is higher than female employment. More men work at night. Flexible types of working hours are more widely spread and especially staggered working hours, banded start and end.
- Female employment characterizes with higher share of part-time employed women, women engaged on Saturday, women working long hours and in evening work, increasing dynamic of usual hours worked by women, shift work.

### Age group 25-49

- There is an increase of the full-time employment, valid for both genders. The low level of part-time employment is valid for both genders. Employment in this age group is characterized by increasing full-time employment with fixed start and end of working time.
- Male employment increases in a higher speed, as well as male night work, work on Sunday. More men work 48-98 hours and long hours.
- Female part-time employment is twice the male part-time employment. There is a small decrease in the hours worked by women.

### Age group 50+

- Male employment in this age group has downturn dynamic. However, there is an increase of the night male employment and male employment between 48-98 hours. Men prefer working day banking with possibilities to take full days off.
- Female employment dynamic has an upward tendency. The share of part-time employed women has increased, as well as the level of hours worked between 48-98. Work on Saturday has also increased. Meanwhile, working between 1-47 hours has decreased for all age groups except for age group 65+.

## 4. Working time flexibility: national research

### 4.1. Flexibility in the length of working time (part-time work; long hours; overtime, etc.)

Within the legal frame described in section 2, the reality, as registered by the regular statistical observations (LFS and Time Budget Survey), presents the trends in working time, shown on table 7.

Table 7

Average actual working hours per week in 2001-2007

2001	Total	Male	Female	Private sector	Public sector
Total	40,8	41,1	40,4	41,3	40,2
Full-time employed	41,0	41,3	40,8	41,6	40,4
Part-time employed	20,8	20,7	20,8	21,1	20,2
2006	Total	Male	Female	Private sector	Public sector
Total	41.0	41.6	40.4	41.8	39.2
Full-time employed	41.4	41.9	40.9	42.2	39.5
Part-time employed	20.7	21.6	20.1	20.4	21.4
2007	Total	Male	Female	Private sector	Public sector
Total	40.8	41.2	40.3	41.4	39.3
Full-time employed	41.0	41.4	40.7	41.6	39.6
Part-time employed	20.9	21.4	20.6	20.2	22.0

Source: LFS, 2001, 2006, 2007.

- Comparing the average actual working hours per week in 2007, 2006 and 2001, we have to say that in a seven-year period no significant changes have occurred.
- Both male and female part-time employment registers a slight increase.
- A decrease in hours, worked by part-time employed people in the private sector was recorded, as well as an increase of hours, worked by part-time employed people in the public sector.

There are some data on the distribution of the usual worked hours for 2004. According to these data the majority of the employed people worked between 40-49 hours per week.

Table 8

Distribution of employed people by usual worked hours – structure, %

Age	2004			2006		
	Total	Man	Women	Total	Man	Women
Total	100.0	100.0	100.0	100.0	100.0	100.0
1-9	0.1	0.0	0.1	0.1	0.0	0.1
10-19	0.3	0.3	0.4	0.2	0.1	0.3
20-29	1.9	1.6	0.3	1.5	1.1	1.9
30-39	2.5	1.9	3.2	1.8	1.1	2.6
40-49	80.7	78.4	82.3	82.0	79.4	84.8
50-59	3.9	4.4	3.3	4.0	4.5	3.4
60+	2.0	2.5	3.0	1.9	2.5	1.2
Unclassified	8.6	10.8	6.0	8.6	11.2	5.6

Source: LFS.

Bearing in mind the legal norm stated in the Labour Code as a normal length, i.e. up to 40 hours, this means that more people have worked extra hours in 2006, compared with 2004. Within the total balance of working time this means also that less people are engaged at working time below 40 hours or under the legally fixed norm.

#### 4.2. Flexibility in the organisation of working time (variable start and end times; weekend/evening work; saving hours/personal accounts; self-rostering, etc)

Different sources of information presented different pictures regarding flexibility in the organization of working time. According to case study of flexible options for working time and LFS data, the variation is between 5 and 11%.<sup>11</sup> The flexibility of working time depends to a high extent on the form of working time arrangement. Thus, the most popular working time regimes are work in shift and work on Saturday and Sunday. The other forms of working time schemes are less presented and their application highly correlates with the branch, in which the firm operates.

#### Work on shifts

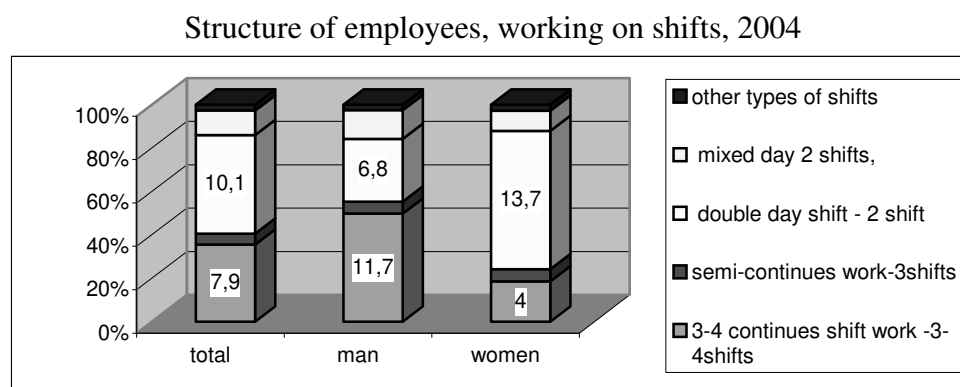
Following official statistical data, one will find that there are many forms of flexibility in the working time, engaging relatively large number of people. Thus, data points out that among 1/5 of employed people who work in shifts nearly 1/2 of the employees work long hours, in the evening and on Saturday, 1/3 of employed people work on Sunday, etc.

Thus, according to LFS-2004<sup>12</sup>, work organization on shifts covers 22.3% of total number of employees. By gender the percentage is 23.4% for men and 21.2% for women. Within this group we see that employees in continuous shift work present 7.9% of total employees working on shifts, and this working time is more typical for men (11.7%) than for women (4.0%). Double day shift work is the next major group, including 10.1% of total employees working on shifts, being more popular among women (13.7%) and less among men (6.8%). Fig. 9 shows in more details the structure of different forms of working in shifts.

<sup>11</sup> In a study of the MLSP within EU 5FP “Men equal, men different” (2005-2006), 5.3% of respondents reported access to flexible working hours.

<sup>12</sup> This LFS includes data representing outcomes from special survey on work organization and working time.

Figure 9



Source: LFS, 2004, Table 1, p. 113.

Work on shift is more typical for the private sector than for the public one, as well as for some branches, like “Mining and quarrying” (52.2% of total employees in the branch), “Hotels and restaurants” (49.9%), “Health” (40.3%), and “Transport” (32%).

As far as working time organization is concerned, the LFS distinguish two forms – fixed start and end of working day, and flexible working time. In 2004 the majority of the employees (89.3%) have fixed start and end of the working day, and only 11.1% – flexible one. No significant differences by gender in this respect are observed, but by branches there are some branches where the flexible working day is clearly outlined, e.g. “Agriculture” (23.7% of total number of employees in the branch); “Construction” (17.5%), “Hotel and restaurants” (16.5%), “Transport” (15.3%), “Education” (26%).

### Unsocial working time and long-hours

Nearly half of the total number of employees in 2004 work in the evening – 1 214 600 people. Men prevailed among them (58.4%). The evening work is the usual working time for 47.3% of all employees who declare they work in the evening, while for the rest it is an occasional event.

In 2004 Saturday work concerns 53.9% of the employees, of them 60% are men and 40% are women. Among all people who work on Saturday almost half do it as usual mode and for the rest it is an occasional event.

In 2004 the people who work on Sunday present 1/3 of total number of employees. This is valid for 40% of the men, as well as for 44% as usual time and for 46% – only sometimes.

The most vulnerable groups regarding non-typical working time are those of employers, self-employed people and unpaid family workers. The last one in 2004 presents 54% of people working in the evening, 90% of those working on Saturday, and 73% of those working on Sunday.

According to a case study on working time, in small and medium-sized enterprises 2/3 of the respondents declare that they work longer than the agreed working time. This fact is valid for 90% of the medium-sized and 70% of the small firms.<sup>13</sup> 49% of the respondents declare that they work on holiday.

Another study reports, that 13,6% of the respondents declared that overtime work is an every day fact, 20,4% - that they work over time often; 29% work overtime rarely and 37% - almost

<sup>13</sup> Flexible employment and security in small and medium-sized enterprises in Bulgaria, S, 2008, p. 141, 148.

never. By gender overtime work seems to be more popular for men (16.6% work overtime every day, 25,9% - often, 29,2% - very rarely and 28,3% - almost never. Women declared that 11% of them work over time every day, 14,8% - often, 28,9% - very rarely and 45,3% - almost never.<sup>14</sup> The study specifies two sectors, depending on the forms of ownership, where overtime work has been more popular – i.e. the private sector and the sector of foreign investors.

Meanwhile, the Annual Report of the General Labour Inspection points out that in 2006 the violations in the area of extra working hours are 1043 cases, which is 10% more compared with 2005. It also names three branches – “Hotel and restaurants”, “Retail trade” and “Clothing industry”, where most of the violations are registered.

#### *Flexible working time regimes – the view of the employees*

Quite interesting aspect is the employees’ attitude to using flexible working time schemes. According to the mentioned case study, about 60-70% of the employees in the small and medium-sized firms in Bulgaria are acquainted with flexible working time regimes, like half working day (57%), hourly employment (75%); telework (43%), home work (54%), shift work (65%), work with not fixed start and end of working day (65%), etc. However, on average just less than 20% declare that such forms of work organization are available in their firms, although the work permits their usage. About 25-33% of the respondents declare that they will accept such forms if they are offered. All this shows that people know and would like to have more options for flexible working time. People seem to be inclined to a high extent to work more hours during the working day in order to have more holidays at the end of the week (72%), or to start work later (24%), or to start at an early hour (6%), or to have standard working day (23%), or to be teleworker (33%), or to have unfixed working day (35%), etc.

#### *Flexible working time regimes – the view of the employers*

The paradox is that the employers share relatively the same views and inclinations. They also declare that are acquainted with the flexible working hours regimes, like half working day (74%), hourly employment (87%); telework (49%), home work (72%), shift work (75%), work with not fixed start and end of working day (66%). However, the percentage of employers who implement these forms is twice lower (half working day (24%), hourly employment (23%), telework (11%), home work (4%), shift work (46%), work with not fixed start and end of working day (24%)). The low percentage of employers offering such flexible forms does not come from the work specificity, since the share of employers declaring that it is possible to introduce these working time schemes is higher. Of course, they declare also that they would like to offer such forms.

#### *The view of the trade unions*

The whole discussion leads to the conclusion that the Labour Code should be revised. However, the trade unions insist that the LC is enough flexible regarding working time schemes and that the usage of more flexible working time arrangement is a matter of negotiations between trade unions, respectively employees at firm level and employers. But,

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<sup>14</sup> Mihova, G.Kergoat,D., Maria Nikolova, Donio Denev, Working hours, working conditions, demographic behaviours (in Bulgarian) Sofia, 2007, Prof.M.Drinov Academic Publishing House, p.113

trade union coverage at SME (small and medium-sized enterprises) level is very low, that is why trade unions do not agree on changes of the Law, being concerned about the violations and the control in case of changes.

#### *4.3. Innovative working time arrangements (e.g. teleworking, working at home, etc.)*

Teleworking in Bulgaria starts to develop in 2002 when Bulgarian Telework Association has been established. As shown on its website, the main objectives of the association are to study, support and disseminate all forms of telework in Bulgaria.<sup>15</sup> The activities of BgTA in teleworking are threefold: (a) to benefit people by increasing the quality of life and improving access to work; (b) to assist communities set up economic development programmes based on telework approaches; (c) to assist government with relevant policy formulation. One more goal of the association is to help individuals implement their own telework arrangements.

Following the activities of the association during the period since its establishment in 2002 till 2005, the main efforts have been placed on promoting telework, establishing networks, etc. Many projects are listed on the website, the last one targeting education of disabled people on the advantages of telework (2006-2007). However, there is no information about the number of people engaged in this form of employment, and no information on working time arrangements. The most important problem, however, is that there is still no national official legal agreement regarding telework.

The same is almost valid for the other form of work organization – **working at home**. There are very limited episodic studies or discussions, trying to light the state and the problems. In fact, this topic has not been central of any discussion. Some information on it became available from a debate on flexible employment and security in SME in Bulgaria, where working at home has been mentioned by the trade unions as an atypical form of employment that raises many questions from legal point of view.

Anyway, as in telework, people working at home have an association, named “Association of Home Workers”, established in 2003. The main activities of the association today are to initiate relevant changes in the legal frame, in order to clarify employment status of the people working at home.

According to a study<sup>16</sup>, in Bulgaria working at home is not a new form of employment, but it spreads during the transition. Since it has no legal frame arrangement, the activities under “home” work could be considered as “illegal employment” or employment in the “grey sector”. The Association of Home Workers reports that in 2002 the number of people working at home is 500 000 people. The main characteristics of their work arrangement according to the author of the study are as follows: no written contract, no pre-arranged payment, no social and health insurance, unclear working conditions related to healthy and safety work conditions, no arranged annual paid leave. Usually workers are hired through advertisements in newspapers by firms demanding “home” workers. The main areas of activities include internet marketing, production of different applications knitted units, necked units, etc.

The above analysis allows us to formulate some conclusions:

- The present working time mode in Bulgaria remains quite traditional.

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<sup>15</sup> <http://www.bg-telework.org/projects.html>.

<sup>16</sup> Hristov, Ch. Flexicurity – Perspective and Challenges before Legislature. – In: Flexible Employment and Security in Small and Medium-Sized Enterprises in Bulgaria, S, 2008, p.103-105.



- As a result of the present more stable economic development in the period 2000-2008, the working time has extended. There is a clearly outlined extension of working time by the end of week and on weekends, especially in specific branches and the private sector. Unfortunately we cannot analyse the trends of changes in working time in details due to lack of regular observations.
- The flexible working time schemes are well-known both by employees and workers and there is a common inclination to use them in practice.
- However, so far the introduction of such forms covers on average 1/5 of the SME firms, with the exception of shift work, which is most widely spread, covering about 40% of SME firms.
- The flexible forms of working hours cover only 11.1% in 2004. However, in some branches the flexible working time is more frequent, e.g. “Construction”, “Trade”, “Hotel and restaurants”, etc. Based on a number of indirect evidences and in comparison with earlier periods of transition, my expert opinion is that to present the options for flexible and atypical work have increased significantly.
- Quality analyses of flexible working time by gender are missing, due to which we can hardly outline any gender specificity.

## **5. Working time flexibility: evidence from a life-course perspective**

As mentioned above, the national studies in Bulgaria on flexible working arrangements from a life-course perspective are almost non-existing. Some specificity of flexibility related to the working time regime by groups are mentioned in the limited number of studies on flexible working time schemes.<sup>17</sup> Anyway, we will try to present some national statistical facts and analysis based on available statistics and research evidence. However, when summarizing the results, we will base our conclusions on harmonized Eurostat data as well.

### *5.1. Flexibility in the length of working time (part-time work, long hours, overtime, etc.)*

#### *5.1.1. Young people entering the labour market*

- The trends in youth employment during the studied period are upward and it comes from the total increase of the demand for labour, following the economic progress after 2000. Male youth employment trends have been 4 times higher compared with female youth employment trends.
- Most of the young people enter employment under full-time work arrangement (89.9% in 2003, 93.9% in 2007 and 97.2% in 2008 (third quarter)). Within the total number of employees the percentages are even higher, since in 2003 93.5% are full-time employed and in 2008 this share has increased to 98.3%.
- The share of part-time employed young people has decreased from 3.1% in 2003 to 2.9% in 2007 and to 2.8% in 2008. The share of young part-time employees has decreased from 2.4% in 2003 to 1.6% in 2008.

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<sup>17</sup> Beleva, I., V. Tzanov. Bulgaria: towards a better balanced world of work? – In: Eyraud, F., D. Vaughan-Whitehead (eds.). *Evolving world of work in the enlarged EU, progress and vulnerability*, EC, ILO, Budapest, 2007, p. 53-91; Beleva, I., V. Tzanov, G. Tisheva. Bulgaria. - In: Cazes, S., A. Nesporova. *Flexicurity – a relevant approach in Central and Eastern Europe*, ILO, Geneva, 2006, p.57-93; *Flexibility and security in the labour market, Bulgarian experience*, Flexicurity paper 2004/03, ILO.

- By gender the female youth part-time employment has not changed significantly in the studied period – it varies between 3.3-3.4% in the period 2003-2008. However, youth female part-time employment level is higher compared with male youth part-time employment (2.7% in 2003, 2.3% in 2007 and 2.2% in 2008).
- Many young people prefer part-time work because of educational reasons – they visit training courses or other forms of education. The share of people working part-time because of these reasons has been the highest compared with the other age groups. Part time employment among young women could be due also to family reasons and care for young children.
- Long hours worked are more typical for this age group compared with the other age groups. Moreover, in the period 2002-2007 more young people have worked long hours. From a gender point of view, the increase of long working hours is most significant for young men.

### *5.1.2. Prime age workers/parents*

The pattern of prime age workers contains the following characteristics:

- Increasing share of full-time employment (92.8% in 2003 and 98.3% in 2008).
- Relatively stable low share of part-time employed (1.4% in 2003, 1% in 2007 and 1.6% in 2008).
- Comparing with young age group, we observe higher stability in employment in terms of higher share of full-time and lower share of part-time employed people.
- Male full-time employment is 91.7% in 2003 and 98.4% in 2008. Female full-time employment is 93.9% in 2003 and 98.3% in 2008.
- Male part-time employment has changed from 1.1% in 2003 to 1.5% in 2008 and female one – from 1.8% in 2003 to 1.6% in 2008.
- During the studied period female employment pattern has changed towards increasing the stability in terms of increasing full-time and decreasing part-time employment.
- People in prime age have worked more long hours during the period 2002-2007. The increase of long hours worked has been more significant for men than for women.

### *5.1.3. Older workers*

- Employment trends for older workers in the period 2003-2008 have been the highest compared with youth and prime age employment trends.
- In 2008 part-time employed older workers are 6%, compared with 1.6% prime age part-time workers and 2.3% young part-time employees.
- The increase of part-time employment for the older age groups has been the highest for the studied period. In 2003 the share of part-time employed young people is 2.3% and that of prime age workers – 8.4%. For prime age workers part-time employment has decreased significantly, while for young workers it has stagnated. In absolute figures the number of part-time older employment has doubled.
- In 2008 the share of women in age group 55+ who work part-time is 5.5%, compared with only 1.7% for men. Within the group of older workers for the period 2003-2008 the share

of male part-time employees has stagnated, while that of female part-time employees has increased from 4.6 to 5.5%.

- The share of older people (age group 50-64) who work long hours is insignificant. It is valid for both genders and especially for women. However, harmonized statistical data present quite interesting figures concerning an amazing increase of long hours worked by people in age group 65+. One reasonable explanation can be that after retiring some people continue to work, mainly in the private sector. They work long hours and usually have specific working time. It happens if for instance they work as guards (mostly men) – their working time is 24 hours work and then two days leaves. Another case is women who clean offices and work in hours early in the morning or late in the evening, etc.

## *5.2. Flexibility in the organisation of working time (variable start and end times, weekend/evening work, saving hours/ personal accounts, self-rostering, etc.)*

### *5.2.1. Young people entering the labour market*

- Youth age group has been the leader related to Saturday and Sunday work, as well as working in the evening. This conclusion is based on harmonized Eurostat data and indirect national evidence.
- It is well-known that in Bulgaria, people employed in sectors "Trade", "Hotel and restaurants" and other, work long hours and overtime. Some cases studies on working time in these sectors confirm this. Many young people, especially women, are engaged in these sectors, in particular in "Trade".
- Youths present about 1/3 of the employees, working on shifts, and among them young women slightly prevail.
- Concerning the length of working time, we have to outline that in 2002 more young people have worked longer working hours (from 48-98). In 2007, however, there is a reverse tendency – increasing share of youths working less hours and decreasing share of youths working long hours, although the share of people working long hours still prevails.

### *5.2.2 Prime age workers/parents*

- In this age group people working on shifts are also about 1/3 of all people working on shift, and they are almost equally distributed by gender.
- 5.7% of the prime age workers work at night. Among them male are twice more than with women.
- As far as work in evening is concerned, figures point out that both men and women are engaged in evening work on equal basis.
- Concerning length of hours worked, the age group keeps relatively stable trend and equal gender presence during the studied period. However, there is an exception, which is worth mentioning – in 2007 more women have started to work longer hours (48-98).

### 5.2.3. Older workers

- Flexibility in work organization of the older age group is not high concerning work on Saturday and Sunday. This age group is behind the prime age workers and youths regarding this working time.
- The share of older workers, working on shift or in the evening, is also the lowest compared with the other two groups. There are no gender differences among those who work on shift or in the evening.
- The length of hours, which older people work, is between 1-47. The share of this group is the highest in this hour interval. So, reduced working time is more proper and perhaps preferable by this age group.
- Concerning working under flexible forms of working time organization, more men from this age group prefer working day banking with possibilities to take full days off.

### 5.3. Innovative working time arrangements (e.g. teleworking, working at home, etc.)

There is no information available on age and gender specificity of people engaged in the studied innovative working time arrangements. An expert view is that in telework perhaps we will find a prevailing share of young people and very small share of older people. However, working at home can be a proper form of earnings for older people. Anyway, these are only suggestions, which are not confirmed by any statistics.

## Conclusion

The study on flexibility of working time in Bulgaria from a gender perspective points out that there are no significant gaps concerning work engagement under different working time schemes. This conclusion is based on the existing data, which are quite limited and in many cases do not represent a comprehensive picture of the topic of interest.

It is worth mentioning that the existing legal frame gives relatively good opportunities for the flexible working time arrangement to be in practice, as described in point 2 of this report. The existing Labour Law and the relative sub-legal document stipulate a quite wide range of options of flexible working time arrangement. The relatively modest implementation of these forms comes from the fact that both the trade unions and the employers do not reach the necessary agreements on including these options in the collective agreements at branch and company level.

Nevertheless, flexible forms of working time arrangement exist, and the more in-depth study points out that there are some gender specificities depending on the exact form. Thus, part-time employment, although diminishing, is a form of employment more widely spreader among female employees. Men are engaged under more flexible forms of employment like work on Sunday, at night, on shifts, while women dominate in employment in evening, on Saturday, etc.

When crossing the issue of flexibility in working time arrangement with working life cycle, one would outline more gender differences. Thus, during the earliest stage of the working life, when young people enter employment at the age 15-24, the working time arrangements from gender perspective show that female part-time employment is twice higher compared with male employment. The group of youths is a leader concerning unsocial working time (Saturday, Sunday), work in evening and long hours worked.

The age group of primary workers in Bulgaria is the most stable group concerning full-time employment and regular working time (fix start and end). The flexibility relates to increasing usual hours worked, work on shifts, relatively equal participation of the genders in Saturday work and in work in evening. While male employment on Sunday and at night dominates prime age male employment is twice higher in long-hours worked. Women dominate concerning working time where start and end vary by individual agreement. Anyway, the majority of women in this age group work with fixed start and end of working time.

From gender point of view there is some difference concerning the working time regime for the older age group. Our study points out that during the studied period in Bulgaria employment dynamic of this age groups has been the highest. This means that many people from both genders at age 50+ have been engaged in employment. Many of them have been engaged as part-time employed people, and these were mainly women. Both genders from this age group work less hours (1-47), and from gender point of view there are no significant differences regarding working time regimes. As a specific feature we should outline the relatively high increase of people at age 65+ who worked long hours.

The pointed specificity is not among the priorities of the policy-makers in the field of labour market, employment and labour conditions. As already mentioned, it is considered that the general legal frame, the Labour Code, contains all necessary norms providing opportunities for flexibility in employment contracts and employment conditions, including working time regulation. From this point of view the main policy efforts after 2000 have been concentrated on deregulations that should decrease the existing rigidities in the legal frame and liberalized labour market. Due to this some gender protections have also been removed from the Law.

However, within the active labour market policy and different measures in it, there are incentives for some groups, including young mothers after maternity, women at age 50+, etc., to be engaged in employment under different conditions, including as part-time employed or at reduced working time.

Currently, in view of the anti-crisis governmental plan, the working time regime has become a topic of discussion. The reduction of working time as prevention against dismissal is one of the measures included in this plan. However, there are no specific gender policies on this exact topic.

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