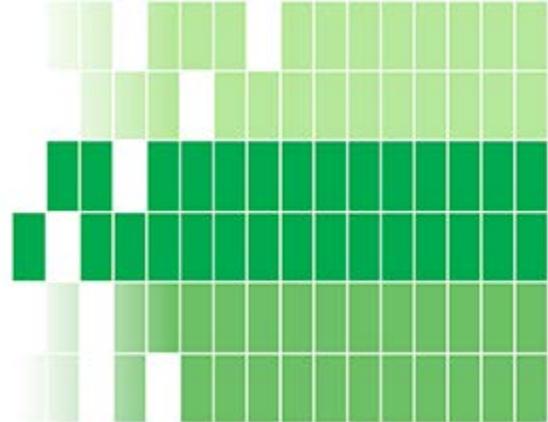




Legal News

KPMG in Bulgaria



Working in time of COVID-19

The recent outbreak brings new challenges to employers

17 March 2020

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The recent outbreak in Bulgaria has prompted the Bulgarian authorities to adopt immediate measures to counteract and limit the spread of the virus in the country. Some of these measures are directed towards employers and have a major impact on the organization of the work in their respective enterprises and the relations with the employees working therein.

Below is an overview of the recent measures of Bulgarian authorities and the actions which employers may consider to respond to the challenges of the outbreak.

Counteractive measures of the Bulgarian authorities and their impact on employers

On 13 March 2020 the Parliament adopted a resolution declaring a state of emergency in the territory of Bulgaria with effect until 13 April 2020.

On the same day the Minister of Healthcare issued an order suspending all visits in certain commercial establishments such as restaurants, shopping centers, entertainment and gaming halls, etc. All other commercial establishments are allowed to carry out their activity while strictly observing the requirements in terms of sanitation and hygiene.

Additionally, as per the order all employers are obligated to introduce remote work in their respective enterprises. Where the latter is not possible due to the nature and specifics of the work performed, employers are obliged to implement all anti-epidemic measures mentioned in the order.

In view of the outbreak and in order to fully comply with the above counteractive measures, employers are faced with new challenges such as decrease of the workload leading to partial or full suspension of their business activity. Such challenges in turn result in complications in terms of the relations between the employers and their respective employees.



Employer's rights and best practices

In line with Bulgarian labor legislation there are several actions related to organization of the work which employers may consider, namely:

- **Introduction of remote work (home office).** Such type of organization of work may be introduced with regard to the whole staff or only certain employees.
- **Reduction of the working hours of the employees.** This measure may be implemented in case of decrease of the workload and may

be applied towards all or part of the employees.

- **Introduction of flexible working hours.** Employers may adopt this measure to introduce a different start and end of the working day for different employees and limit the number of persons present in the enterprise at the same time.
- **Use of the employee's annual paid leave without their consent.** This measure may be applied towards all employees in the enterprise or only some of them, in case of suspension of work for more than 5 business days.

The above measures may be implemented separately or together after a thorough consideration of the specifics of each case and by complying with the requirements and procedures established in the effective Bulgarian labor legislation.



Employees' rights and obligations

All employees must also comply with the counteractive measures and with the instructions of the authorities and their employers. The employees should refrain from activities which could endanger both themselves and their colleagues, family and other people.



Further developments

In a recent statement Bulgarian authorities announced that they are considering adopting legislative amendments in order to mitigate the negative effect of the outbreak and the implemented counteractive measures on employers and their activity.

The amendments will be aimed at encouraging the employers to keep their employees at work instead of dismissing them due to reduction of the workload. As to date meetings are being held between members of the government and, employers' unions and trade unions to discuss the potential amendments in legislation.



How can we help?

KPMG team remains at your disposal for any inquiries or need assistance you may have in the current situation.



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