Фондация за достъп до права

Foundation for Access to Rights

UNHCR
The UN Refugee Agency

SOCIO-ECONOMIC INCLUSION SERVICES

THE FOUNDATION FOR ACCESS TO RIGHTS - FAR

farbg.eu

refugeelight.bg

MAIN ASPECTS

- Legal support to refugees so that they understand labour rights
- Most common challenges faced by beneficiaries
- Ways of safeguarding refugees against exploitation in the labour market

LEGAL FRAMEWORK

Main legal acts:

1. Asylum and Refugees Act-The foreigner has the right to access the labor market, including participating in programs and projects financed from the state budget or through international or European funding, if the proceedings are not completed within three months from the submission of their application for international protection due to reasons beyond their control (art. 29);

2. Labor Migration And Labor Mobility Act – No permit is required to access the labor market for third-country workers:...3. granted the right to asylum or granted international protection in the Republic of Bulgaria in accordance with the Law on Asylum and Refugees and their family members (art.9);

3. Labour Codeof the Republic of Bulgaria;

MOST COMMON DIFFICULTIES FACED BY RUFUGEES WHEN SEARCHING FOR EMPLOYMENT

- The Bulgarian language;
- Lack of information regarding the process of searching and finding a job, as well as difficulties in understanding the Bulgarian legal framework - employment contract issues and the refugee's rights and obligations as a an employee;
- Dangers faced when working without a contract;
- Education and legalization of diplomas;
- Difficulty in opening a bank account;
- Difficulties in actively seeking their rights as employees and finding assistance against employer's abuse of power;

THE BULGARIAN LANGUAGE

Many of the jobs offered, require at least a basic knowledge of the language;

Difficulties in studying the language – finding courses and the necessity of getting a certificate, proving level of proficiency;

The knowledge of the language is important for understanding the rights and obligations of the employee and the employer under Bulgarian legislation, so that the employee knows exactly what kind of contract they are signing;

LACK OF INFORMATION

Its difficult for refugees or people in the process of receiving international protection to understand where and how they can search for a job;

*The Labour offices in the country are difficult to use, as usually the employees speak only Bulgarian which hinders the process of registration there and makes finding a job harder;

Lack of information, regarding the requirements of our Labour code, especially concerning entering into an employment contract with the benefits and the protection of the employee it provides, makes refugees
easy target for employers who exploit workers;

DANGERS FACED WHEN WORKING WITHOUT A CONTRACT

Without an employment contract, refugees are placed in a very bad position with many disadvantages, including but not limited to:

Lack of health and social insurance;

No regulation of maximum working hours, as well as vacations and sick leaves;

No exact job description and risk of further exploitation;

Lack of security regarding salary payment - when and how much;

No clear rulesfor terminating the contract (as there isn't one);

Difficulties in actively seeking their rights as employees and finding assistance against employer's abuse of power

EDUCATION AND LEGALIZATION OF DIPLOMAS

Lack of education is a problem when searching for specific jobs;

Many jobs have a requirement for the employee to be a driver and obtaining a driving's license in Bulgaria is difficult, as the refugee must have proof of finishing a level of education equivalent to our grade 10 in high school;

For some jobs, refugees must have a specific diploma, which must be translated, legalized and it must be recognized in Bulgaria in accordance with Ordinance On The State Requirements For The Recognition Of Higher Education Acquired And Completed Periods Of Study In Foreign Higher Schools;

DIFFICULTIES IN ACTIVELY SEEKING THEIR RIGHTS AS EMPLOYEES AND FINDING ASSISTANCE AGAINST EMPLOYER'S ABUSE OF POWER

If the refugee is working under an employment contract:

- there may be difference between what is stated in the contract and what is actually the situation between employee and employer - e.g. different amount of salary, terms of payment and etc.

- lack of information about the rights the employee has usually leads to lack of active protection of them, including in court proceedings.

If the refugee is not working under an employment contract:

- difficulty in protecting the employee's rights both in court or with

the assistance of the Executive Agency „Chief Labor Inspectorate"

WHAT WE DO TO FACE THESE ISSUES

- Provide legal information to refugees, regarding Bulgarian labour legislation, including requirements for entering into a contract, rights and obligations of the employee and of the employer
- Provide information on Refugeelight,bg and employment.refugeelight.bg in the form of articles on legal issues and services available
- Provide possibility to be connected with a trusted employer– 355 people have registered on our platform

WHAT WE DO TO FACE THESE ISSUES

- **Provide assistance with concluding a labour contract and opening a bank account**
- **Provide assistance and further legal help to people whose rights as employees have been violated by the employer**

THANK YOU

farbg.eu

refugeelight.bg

THE PRESENTATION REFLECTS THE VIEWS OF THE FOUNDATION FOR ACCESS TO RIGHTS - FAR AND UNHCR DOES NOT BEAR RESPONSIBILITY FOR THE CONTENT.