

BULGARIA. INSPECTION ACTIVITIES

Title of the inspection activities: **Law enforcement in relation to the fulfillment of the obligations to secure occupational safety and health and the lawful formation and realisation of the employment relationships when carrying out general construction work**

Duration of the inspection activities: **01.01.2023 - 31.12.2023**

Aim of the inspection activities: **In fulfillment of a measure from the Annual Work Plan of the General Labour Inspectorate Executive Agency in 2023**

Scope and sector of the inspection activities: **Prevention of occupational accidents on the construction site - hazard of falling from a height and of falling objects and materials, hazard of electric shock and other sources of danger**

Sector covered by inspections: **Construction**

The number of establishments inspected in the framework of the activities: **5,520**

The number of labour inspectors involved in implementing the inspection activities: **All the staff with inspector's powers (365 persons)**

The number of persons involved in supervising the implementation of the inspection activities (including development of inspection documents and summarizing results of inspections): **4 persons**

Short summary of the outcome of the inspection activities: **The Construction sector is traditionally subject to year-round enhanced control by the Labour Inspectorate due to the high risk on the construction sites established over the years both in terms of occupational safety and as regards the use of undeclared work. In addition to the general control on the construction sites under construction, inspections of highways under construction and repair are mandatorily planned, as well as on the construction and repair of railways and on national and regional infrastructure works and large construction sites. Priority is given to construction sites where excavation/earth-moving, demolition works and work at height are carried out, as well as where construction sites are implemented under the "National program for energy efficiency of multi-family residential buildings". The focus of the inspections is prevention of occupational accidents on the construction site - hazard of falling from a height and of falling objects and materials, hazard of electric shock and other sources of danger.**

No.	question	yes/no	comment
Inspection activity			
A. Selecting priority areas for inspection			
1.	What sources of information did you use in selecting the priority area for inspection?		<input checked="" type="checkbox"/> others (please specify) Analysis of the results of the inspection activity from the previous years - due to the high risk on the construction sites established over the years both in terms of occupational safety and as regards the use of undeclared work
2.	What was the main reason for selecting the inspection priority area?		<input checked="" type="checkbox"/> high rates of workplace accidents, including fatal and serious accidents <input checked="" type="checkbox"/> stakeholders' expectations <input checked="" type="checkbox"/> a large number of complaints
3.	What was defined as priority area?		<input checked="" type="checkbox"/> a particular sector(s) of economy <input checked="" type="checkbox"/> a particular hazard (a group of hazards) in a given sector <input checked="" type="checkbox"/> incompliance with legal requirements concerning labour relations/working conditions
4.	What was the predominant aim of workplace inspections?		<input checked="" type="checkbox"/> to provide the inspected entities with information on how to ensure compliance with legal requirements <input checked="" type="checkbox"/> to enforce compliance with the law in the inspected entities <input checked="" type="checkbox"/> to achieve a measurable effect, e.g. in the form of reduced accident rate, morbidity rate, etc.
5.	How did you determine the number of entities to be inspected?		<input checked="" type="checkbox"/> other criteria (please specify) The control over enterprises performing general construction work is an indicator laid down in the Agency's budget program for 2023 with a target value of 5,000 inspections.

6.	What was taken into consideration when determining the number of inspections to be carried out by individual field offices (regions):	<input checked="" type="checkbox"/> the number of entities typical of a given programme in the region; <input checked="" type="checkbox"/> the number of inspectors carrying out inspection tasks in a given region; <input checked="" type="checkbox"/> others (please specify) Operationally, during intensive construction in regions with a large number of sites and an insufficient number of inspectors, inspectors from other regions (with a lower intensity of construction work) are posted to carry out inspections in these sites in order to attain maximum coverage of the active construction sites.
B. Determining the time span of inspection activities		
9.	How was the breakdown of inspections planned? Were the inspections carried out:	
c)	other way (how?)	Inspections are carried out throughout the year with increased intensity during the summer period.
10.	What was the average duration of a workplace visit conducted in the framework of the programme implementation (the time it took to complete inspection activities at an individual establishment)?	<input checked="" type="checkbox"/> within one day, between 2 and 4 hours;
11.	What was the average duration of the activities carried out in the office of the labour inspectorate (excluding the penal and administrative sanctions)?	<input checked="" type="checkbox"/> within one day, between 2 and 4 hours;
C. Selecting establishments for inspection.		
12.	What criteria were used when selecting establishments for inspection?	<input checked="" type="checkbox"/> accident rate in a particular workplace <input checked="" type="checkbox"/> the number of complaints concerning a particular company <input checked="" type="checkbox"/> workplace location criterion

			<input checked="" type="checkbox"/> workplace location and sectoral criteria combined (e.g. bakeries in a particular area)
13.	What sources of information were used when selecting establishments for inspection?		<input checked="" type="checkbox"/> inspectorate's own database <input checked="" type="checkbox"/> databases of other regulatory institutions (which ones?) Information on building permits issued by the regional administration <input checked="" type="checkbox"/> labour inspectors' knowledge of workplaces <input checked="" type="checkbox"/> business catalogues (yellow pages) and information from mass media
14.	Were IT tools used to select specific inspected entities in the described inspection campaign?		- a brief description of IT tools Database in the information system of the General Labour Inspectorate Executive Agency with entered content of the information plate of the construction site (containing, but not limited to, data on the contracting authority, builder, date of launching the site, expected duration, maximum number of workers working at the same time, etc.). - what data was analysed to select specific inspected entities? See above
D. Provision of staff for carrying out inspections			
15.	What group of inspectors was involved in the inspection activities?		<input checked="" type="checkbox"/> nearly all inspectors were involved (at least 80%)
16.	How were inspectors prepared for the inspection activities (additional training)?		<input checked="" type="checkbox"/> central-level training was provided for a group of leaders, whose task was to train inspectors at a regional level
18.	What materials were at the inspectors' disposal during the activities?		<input checked="" type="checkbox"/> the rationale of the inspection activities; <input checked="" type="checkbox"/> description of the inspection activities' objectives;

			<input checked="" type="checkbox"/> description of the ways in which to implement the activities (tasks to be completed); <input checked="" type="checkbox"/> checklists; <input checked="" type="checkbox"/> description of the reporting requirements; <input checked="" type="checkbox"/> specialist, issue-related materials (applied technologies, machinery, equipment and tools, existing hazards and legal provisions); <input checked="" type="checkbox"/> manuals of good practice regarding the issues covered by the inspection activities
E. Involvement of other regulators, institutions, authorities for labour protection and social partners in the implementation process.			
20.	Can other regulators, institutions, authorities for labour protection and social partners submit their proposals of inspection topics to the inspectorate's plan of work?		Which regulators, institutions and authorities for labour protection can submit their proposals? Ministry of labour and social policy Employers' organisations Trade unions
21.	Was the inspection activity the result of a proposal submitted by another regulator, institution, authority for labour protection or social partner?		If so, which one? No but it was approved by the above-mentioned
22.	Was there any cooperation between the labour inspectorate and another regulator, institution, authority for labour protection or social partner?		What was that co-operator? Yes (see above)
23.	At which stage was the cooperation with another regulator, institution, authority for labour protection or social partner initiated?		<input checked="" type="checkbox"/> at the planning stage
24.	What did the cooperation with another regulator, institution, authority for labour protection or social partner involve?		<input checked="" type="checkbox"/> others: Coordination of the plan of the General Labour Inspectorate Executive Agency, request for a proposal and opinion on the

			planned measures given by the social partners
25.	Are there any legal requirements obliging other regulators, institutions, authorities or social partners to make their data accessible to the labour inspectorate for inspection needs?		Please indicate institutions and the type of accessible data / information: No
26.	Does the labour inspectorate have direct online access to information and data collected by other bodies, institutions and authorities?		Please indicate institutions and the type of accessible data / information: Yes, to the bulk data of the National Revenue Agency – Registers of the concluded employment agreements
27.	What information obtained in the above manner was used for implementing the inspection campaign?		Please indicate the cooperating institutions and the type of data / information used in the described inspection campaign: Information about the existence or lack of registered employment agreements of persons found to work on the inspected site.
F. Supporting inspection activities with training provided for employers or workers (combining inspection and educational activities)			
28.	Were establishments covered by inspections provided with information or training prior to the commencement of the inspection task ?		How was it provided? The Plan of Action of the General Labour Inspectorate Executive Agency (containing also law enforcement measures throughout the year) is freely accessible to the public, for all stakeholders, on the website of the Agency.
29.	Is the effectiveness of prior information or training activities taken into account when evaluating the results of the inspections?	-	How is the effectiveness of information and training activities assessed? No
30.	Once the inspection activity is completed , are representatives of		What form do they have?

	inspected establishments provided with recommendations and proposed corrective measures – in the form of guidance or training – regarding the identified compliance level in establishments operating in the field covered by inspection?		<p>Yes. In the form of mandatory prescriptions.</p> <p>What percentage of establishments selected for guidance/training (or other forms of communication activities) actually attended?</p> <p>100%</p>
G. Monitoring the implementation of inspection activities			
31.	Was the implementation of inspection activities in any way monitored and coordinated?		<p>How many people were involved in monitoring and coordination of the inspection activity?</p> <p>33 persons</p> <p>What was the function of those persons in relation to labour inspectors who implemented the activity (fellow labour inspectors, immediate supervisors, national coordinator at the labour inspectorate's headquarters)?</p> <p>Fellow labour inspectors, immediate supervisors</p>
32.	What was the scope of monitoring and coordinating actions regarding the inspection activity?		<p><input checked="" type="checkbox"/> assistance in solving problems: over the phone, via email, formally (official correspondence),</p> <p><input checked="" type="checkbox"/> monitoring the implementation level of the developed quantitative plan</p> <p><input checked="" type="checkbox"/> monitoring the implementation level of the developed qualitative plan (how?)</p> <p>By monitoring the expediency and lawfulness of the coercive administrative measures applied</p>
33.	Were IT tools used to carry out monitoring and coordination activities as part of the described inspection campaign?		<p>- a brief description of IT tools:</p> <p>Generated reports from the information system of the General Labour Inspectorate Executive Agency</p> <p>- IT tools were used to:</p>

			<input checked="" type="checkbox"/> monitoring the implementation level of the developed quantitative plan <input checked="" type="checkbox"/> monitoring the implementation level of the developed qualitative plan (how?) Examination of the drawn up inspection reports
H. Communicating the information about inspection campaign and its results.			
35.	What was the scope of information communicated to:		
b)	the general public?		Presented general law enforcement information
36.	How was the information about the inspection activities communicated to stakeholders and the general public?		Published press releases. Published Annual Report with the results of the control activity (containing information on the subject under consideration).
I. Evaluating the results of the inspection activities. Evaluation methods and tools.			
37.	How were the results of inspection campaign evaluated?		
a)	based on a checklist		How are the results of inspections evaluated by means of a checklist? Through weekly operating reports prepared according to a template.
b)	based on the number of legal measures issued		Yes
c)	based on the type of legal measures issued		Yes
d)	based on the number of implemented legal measures		Yes
e)	based on the type of implemented legal measures		Yes
f)	other way		How? Information on established frequently repeated violations/flaws, conclusions,

			trends and recommendations for improvement of the inspection activity
38.	How was the information about the effects of inspection campaign obtained (e.g. about the elimination of irregularities, introduction of higher standards)?		
a)	information provided by the employer		<p>If so, what form did the information provided by the employer have?</p> <p>Notification about the fulfilment of the coercive measures applied.</p> <p>Was the information provided by employers randomly verified by labour inspectors?</p> <p>Yes, through follow-up inspections</p> <p>What is the employer's liability for providing false information?</p> <p>Administrative penalty</p> <p>What is the ratio of information provided by the employer to the overall pool of information about the effects of inspections?</p> <p>No statistics available</p>
b)	information provided by the labour inspector who conducted the next inspection at the workplace		<p>If so, what form did the information provided by the inspector have?</p> <p>The fulfilment of the applied coercive administrative measures is reported by the labour inspector in the information system.</p> <p>What is the ratio of information provided by the labour inspector who conducted the next inspection at the workplace to the overall pool of information about the effects of inspections?</p> <p>52%</p>
c)	other way		<p>How?</p> <p>Through summary information from the relevant regional Labour Inspectorate Directorate</p>

39.	What performance indicators were used to evaluate the effectiveness of the inspection campaign?		Quantitative indicators – number of inspections planned and performed
40.	Were IT tools used to assess the effectiveness of the inspection campaign?		<p>- a brief description of IT tools:</p> <p>Generated reports with quantitative results of the inspection activity on the above-mentioned topic</p> <p>- IT tools were used to:</p> <p><input checked="" type="checkbox"/> provide compilations of data on the basis of which the inspection campaign was assessed</p>
41.	How were the project effects evaluated?		
a)	Was any final summary evaluation of the inspection task (inspection campaign) made?		<p>If so, what was the scope of such evaluation?</p> <p>Yes. Both quantitative and qualitative indicators were covered. General trends and frequently repeated violations.</p>
b)	Were partial assessments made during the inspection activity?		<p>If so, what was the frequency and scope of such assessments?</p> <p>No</p>
c)	Did you prepare a formal document with evaluation of the inspection activity after its completion?		<p>If so, was the formal evaluation document prepared by the labour inspectorate or an external evaluator?</p> <p>As part of the Report on the activities of the Agency for 2023, prepared by the central management of the General Labour Inspectorate Executive Agency.</p> <p>If so, what aspects of the evaluation were included in the formal document?</p> <p>Statistical data trends and conclusions.</p> <p>How were the report conclusions disseminated?</p> <p><i>The Annual Report of the General Labour Inspectorate Executive Agency is published</i></p>

			and freely accessible on the website of the Agency.
42.	How was the final document utilized in practice?		The information is used in the operational implementation of the control and to inform the stakeholders during specialized forums.