

Bulgaria¹

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For comparisons with other countries in this review on leave provision and early childhood education and care services, please see the [cross-country tables](#) at the front of the review (also available individually on the Leave Network website). To contact authors of country notes, see the [members](#) page on the Leave Network website.

1. Current leave and other employment-related policies to support parents

a. Maternity leave (*otpusk poradi bremennost i ragdane*²) (responsibility of the Ministry of Labour and Social Policy; National Social Security Institute)

Length of leave

- 410 calendar days, from which 45 calendar days must be taken before the expected date of birth. Employers are obliged to accept women's requests for Maternity leave.
- The first 135 days are obligatory for mothers, and these are divided into three periods:
 - The first period includes 45 calendar days before the expected date of birth (pre-natal leave/pregnancy leave). If a woman gives birth before the 45th day, the remaining days are added to the rest of the leave. If the delivery is delayed after the 45th day, the period is extended with a new medical statement until delivery. The total length of the pre-natal leave/pregnancy leave cannot exceed 93 days.
 - The second period includes 42 days after childbirth (post-natal leave). Women are also entitled to these 42 days in case of stillbirth, death of

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² Since 2018, adoption leave has been treated under a separate article of the Labour Code.

child soon after birth, or if the child is to be adopted. In these cases, the post-natal leave can be extended if a medical examination proves that the woman's health and labour capacity are not fully recovered.

- The third period includes the remaining 48 calendar days until the 135th day. The post-natal leave is thus a total of 90 calendar days after childbirth.

Payment and funding

- Women taking Maternity leave have the right to receive financial compensation so long as they have been insured at the National Insurance Institute against the risk of general illness and pregnancy for at least 12 months (i.e. they were employed and paid contributions to cover the risk of maternity). The financial compensation for the period of 410 calendar days is 90 per cent of the mean gross salary or the mean insurance income, which the woman has received in the last 24 months preceding the leave. The financial compensation cannot be lower than the minimum salary BGN650 [€332.34] (2021)³; and there is an upper limit at a monthly maximum insurance income of BGN3,000 [€1,533.90]. The same regulation applies for self-employed women.
- An amendment in the Social Security Code in force as of 1 January 2020 provides an option for how the Maternity pay shall be calculated in the case of a woman giving birth while still on Maternity/Parental leave, i.e. when two periods of maternity leave overlap. During the new period of Maternity leave the Maternity pay shall be kept at the level received for the previous child, if that was higher⁴.
- Payments are not taxed.
- Funded by the National Social Security Institute through employer and employee contributions.

Flexibility in use

- The first 135 days of leave are available only to the mother since they aim to ensure mothers are the ones who care for children in the first months of life. The leave serves also for recovery of mothers' health and labour capacity.
- With the agreement of the mother, once the child reaches six months old (and until the 410th calendar day), leave can be transferred to the father if he has been paying insurance at the National Insurance Institute for at least 12 months. The financial compensation for this period is 90 per cent of average gross monthly earnings or the average insurance income that the father received in the last 24 months preceding the birth of the child. The financial compensation cannot be lower than the minimum salary, BGN650 [€332.34] (2021). There is an upper limit at a monthly maximum insurance

³ Conversion of currency undertaken for 21 June 2022, using: https://www.ecb.europa.eu/stats/policy_and_exchange_rates/euro_reference_exchange_rates/html/index.en.html.

⁴ Since the income reference period will span over months on Maternity leave / Parental leave with the previous child, either of which is lower paid than the income from employment, this option protects those mothers who did not return to work in order to take care of their children.

income of BGN3,000 [€1,533.90]. The same regulation applies for self-employed men.

Eligibility

- Women taking Maternity leave have the right to receive financial compensation if they have been insured at the National Insurance Institute against the risk of general illness and pregnancy for at least 12 months (i.e. they were employed and paid contributions to cover the risk of maternity). The same regulation applies for self-employed women.
- With the agreement of the mother, once the child reaches six months (and until the 410th calendar day) leave can be transferred to the father if he has been paying insurance at the National Insurance Institute for at least 12 months.
- If a woman has not worked or has not paid social insurance against the risk of general illness and pregnancy, she can receive a monthly benefit until the child's first birthday to the value of BGN200 [€102.26]. This is dependent on means-testing, with the income per family member being less than BGN450 [€230.08] in 2021⁵. The conditions and procedure for receiving these benefits are stipulated in the Family Allowance Law for Children. Payments are not taxed.
- If the mother (adopter) is a student studying in full-time education, she is entitled to receive a one-time allowance of BGN2,880 [€752.91]. She has the right to receive the financial allowance through two installments: at birth of the child and enrolment and after enrolment for the next semester. The allowance can be received until the child becomes one year old.
- Women living in Bulgaria with Bulgarian citizenship or those with foreign citizenship who have paid social insurance to account for the risk of general illness and pregnancy in the last 12 months (regardless of the country where social insurance has been paid).

Variation in leave due to child or family reasons (e.g. multiple or premature births; poor health or disability of child or mother; lone parent); or delegation of leave to person other than the parents

- Since 2018 the adoptive parents of a child up to the age of five are entitled to receive 365 days' paid leave equal to 90 per cent of their average gross monthly earnings or their average insurance income (from the 12 months preceding the adoption). If the adoptive parent does not use the leave and returns to full-time employment, they are entitled to receive 50 per cent financial compensation for the period of the leave.
- The leave allocated for pregnancy, childbirth, and child adoption (plus the financial compensations related to it) end in the case of stillbirth, death of the child, if the child is given for adoption, or the child is enrolled in a public childcare institution. The exact end of leave depends also on a medical statement certifying that the mother is in good health and can return to work.

⁵https://www.mh.government.bg/media/filer_public/2021/03/08/zakon_za_dyrjavniq_b_udjet_na_republika_bylgariq_za_2021_g.pdf

b. Paternity leave (*otpusk po bashtinstvo*) (responsibility of the Ministry of Labour and Social Policy; National Social Security Institute)

Length of leave

- 15 calendar days.

Payment and funding

- The financial compensation for the period of Paternity leave is 90 per cent of average gross monthly earnings, or the average insurance income in the last 24 months preceding birth of the child. The regulation also applies for self-employed men. The financial compensation cannot be lower than the minimum salary, BGN650 [€332.34] (2021). There is an upper limit on payment of a monthly maximum insurance income of BGN3,000 [€1,533.90].
- Payments are not taxed.
- Paternity leave is counted as work experience.
- Paternity leave is funded in the same way as Maternity leave.

Flexibility in use

- None.

Eligibility

- The father has the right to use Paternity leave if the mother and the father are married or live in a shared household. The father can use it from the day when the new-born child is discharged from the hospital (there is no indication as to whether or not it can be postponed to a later date).
- The father can use 15 days of Paternity leave if he has paid social insurance for at least 12 months. The same regulation applies for self-employed men.
- The leave ends in case of the death of the child; divorce; if the child is given for adoption or the child is enrolled in a public childcare institution.
- Men living in Bulgaria, with either Bulgarian or foreign citizenship, are eligible if they have paid social insurance against the risk of general illness and pregnancy over the last 12 months (regardless of the country where social insurance has been paid).

c. Parental leave (*otpusk za otgledane na dete do 2 godishna vazrast*) (responsibility of the Ministry of Labour and Social Policy; National Social Security Institute)

Length of leave

- Until the child is two years of age. Leave is claimed by the mother, but can fully be transferred to the father or a grandparent if they are in employment.

Payment and funding

- The monthly benefit rate is around BGN650 [€332.34] (2021).
- Payments are not taxed.
- Parental leave is counted as work experience.
- Funded in the same way as Maternity leave.

Flexibility in use

- If the mother (whether adoptive or biological) decides not to use the paid Parental leave fully or in part after the 135th day, she is entitled to receive a partial financial compensation for the remaining period of the leave. This compensation is set at 50 per cent of the normal monthly benefit for parents taking leave, i.e. BGN325 [€166.17] per month (2021). The same rule applies if the paid Parental leave is taken by another person who wants to return to work.
- The same condition applies for self-employed mothers should they decide to start working and renew their social security payments before the end of the paid Parental leave.

Eligibility

- Parental leave is firstly the mother's right. If the mother (adoptive or biological) of a child below the age of two years dies or gets seriously ill and cannot take care of the child, the leave can be taken by the father. With the father's agreement, the leave can be transferred to one of the grandparents if they are employed and have paid social security against the risk of pregnancy and general illness for at least 12 months.
- The parents or other leave-takers have paid social insurance for at least 12 months.
- Parental leave cannot be used at the same time by the mother and the father or one of the grandparents.
- Parental leave ends if the child is enrolled in a public childcare institution: the rationale for this is that the leave is given to the mother in order to ensure that she will provide permanent care for the child. The leave also ends if the child is given for adoption.
- From 1 June 2017, members of the army have been entitled to the same rights for Parental leave as mothers or other leave-takers.

- There is no special regulation for same sex couples. Same sex couples are illegal in Bulgaria.

Variation in leave due to child or family reasons (e.g. multiple or premature births; poor health or disability of child or mother; lone parent); or delegation of leave to person other than the parents

- With the agreement of the mother, paid Parental leave can be taken by one of the grandparents if they are employed, on the condition that the grandparent has paid social insurance for at least 12 months, regardless of when this payment was made.
- If both parents of a child below the age of two years die and the child is not enrolled in a childcare institution, the paid Parental leave can be used by the guardian, and – with their agreement – by one of the biological grandparents of the child.

d. Childcare leave or career breaks (*neplaten otpusk za otglegdane na dete do 8 godishna vazrast*) (responsibility of the Ministry of Labour and Social Policy)

- Unpaid childcare leave to look after a child up to the age of eight years can be taken by each parent (adoptive or biological) for up to six months, after the period of the Parental or Adoption leave has expired. It can be taken by both parents (though not simultaneously) if they are in employment and if the child is not placed in a publicly-funded childcare institution. Up to five months of this leave can be transferred to the other parent.
- The entitlement period is extended to one year in the case of a single parent (adoptive or biological) or a guardian of a child whose parents both are deceased – the guardian can transfer any unused remaining portion (or the whole period of the leave) to any of the child's grandparents if they are in employment.
- The employer should be notified ten days in advance to the leave commencing. The leave can also be broken down and used as separate blocks of time, but no fewer than five days at a time. Like Maternity, Paternity, and Parental leaves, this counts as work experience.

e. Other employment-related measures

Adoption leave and pay (otpusk pri osinovyavane na dete do 5-godishna vazrast)

- Adoption leave and pay (for adopting a child under the age of five years) is available for 365 days and can be taken from the day of the child's arrival at home, but no later than their fifth birthday. This regulation was new in 2018 – previously, adoptive parents of children under the age of two years and between the ages of two and five years had different entitlements regarding this leave.
- An allowance is paid by the National Social Security Institute for the period of the leave at 90 per cent of average gross monthly earnings (taken over a period of 18 consecutive months, preceding the month in which payment of the allowance starts), provided that social security payments to cover

general illness and maternity have been made for 12 months, and the child is not placed in a full-day childcare institution.

- Single adoptive fathers/mothers are entitled to the same adoption leave and pay as adoptive parents in couples.
- Adoptive fathers in married couples may use the adoption leave and pay in place of the adoptive mother with her consent, beginning no earlier than six months after the child's arrival, but no later than the child's fifth birthday. The leave can also be transferred to one of the parents of the adoptive mother or the adoptive father, if the latter has died; and to one of the parents of a single adoptive parent. In all cases when the leave and pay are transferred, the person who steps in for the adopter should be in employment and have paid social security contributions for general illness and maternity for 12 months.
- Foster mothers are entitled to Maternity leave and pay under the same conditions as biological mothers, but the period of leave is reduced by the difference between the full length of the Maternity leave (410 days) and the child's age when placed in foster care. The right to transfer Maternity leave and benefit from the mother to the father when the child reaches the age of six months is also available to foster families.
- A reduced amount of the adoption allowance (50 per cent) can be received by the adoptive parent if s/he or the user of the leave (e.g. spouse, grandparent in the case when the right has been transferred), returns to work before its end, but no earlier than 90 days from the child's arrival at home.
- Adoptive parents of children under the age of two are entitled to Parental leave for any remaining period between the end of the adoption leave (365 days) and the child's second birthday under the same conditions as biological parents. If the user of this leave returns to work before its ending the adoptive parent can receive 50 per cent of the allowance associated with it for the remaining period.
- If adoptive parents are married when adopting a child under the age of five years, the adoptive father is entitled to 15 days of leave beginning from the day of the child's arrival in the household. It is paid at 90 per cent of average gross monthly earnings, provided that social security payments to cover maternity and general sickness have been made in the previous 12 months.
- Adoption leaves are counted as work experience.

Time off for the care of dependants

- Leave to care for a sick family member – including a child (*otpusk pri vremenna nerabotosposobnost*), or to attend to a healthy child who needs to stay at home due to quarantine in a childcare institution – can be taken for up to 60 calendar days, per year per family. It is available to all insured members of a family but cannot be taken simultaneously to care for the same child/relative. It is paid at 80 per cent of average gross monthly earnings. In fact, this is a special case within general sick leave and requires medical papers issued by a GP to be presented to the employer. Self-employed people can take this leave if they are insured (i.e. have made contributions to cover general sickness and maternity for a period of 18 months, preceding the month in which they claim use of the leave).

- Leave to care for two or more children under the age of 18 years (*platen otpusk za dve I poveche givi detsa*) is available to employed mothers, subject to collective work agreement. Mothers with two children are entitled to two days of leave for every calendar year, and mothers with three or more children to four days per calendar year. Paid annual leave compensation is at 100 per cent. This leave can be postponed for use during the next calendar year, but no later than mid-year.

Flexible working

- On returning to work after taking leave, the employed person may request a temporary change in the duration or the distribution of their working hours to facilitate reconciliation between work and family duties. The law obliges the employer to consider such a request and agree to it, providing it is possible for the company to accommodate this request.
- Employed mothers of children under six years of age have a legal right to work from home with the same (or another) employer, upon request⁶. When the child turns six, the mother who has been working from home should be restored to the same position she previously held or, if that position is no longer available, to an appropriate alternative, with her consent. Mothers of children under six years of age may work from home for another employer, in which case they should be granted unpaid leave from their former employer and the right to return to the same (or an appropriate alternative position) after the entitlement to work from home expires (but no later than the child's sixth birthday). The right may be used by the father if the mother is not able to use it.

Specific provision for (breast)feeding

- Absence from work for (breast)feeding a child (*otpusk za karmene I hranene na malko dete*) is permitted for two hours per day (taken as one block or two separate blocks of one hour each) when a child is under the age of eight months and the mother is working full-time (eight hours per day); or for one hour per day when a mother is working fewer than seven hours. In the case of multiple or pre-term births, absence of three hours per day is permitted to a full-time employed mother and two hours per day to a mother employed for fewer than seven hours.
- When the child reaches eight months of age, paid absence for breastfeeding is reduced to one hour per day (two hours for multiple or pre-term births) and requires a supportive recommendation as for how long the child should be breastfed, to be issued by a doctor and presented to the employer.
- The same legal right is guaranteed to adoptive mothers and mothers of stepchildren. Mothers can receive full remuneration for the time they spend (breast)feeding during the working day.

⁶ In reality, this statutory right for flexible or remote work for mothers with children under 6 years of age is actually non-applicable. According to data from the national representative survey of the labour force (available here: <https://bit.ly/2FvAcIb>), only 1.5 per cent of employed women who take care of children and elderly relatives work on flexible time and just 0.8 per cent of them self-manage their own working time.

Employment protection and non-discrimination throughout Maternity /Parental leave

- The Labour Code sets out regulations to ensure employment protection and non-discrimination throughout Maternity, Paternity, and Parental leave of employed people. It prohibits the dismissal of a mother with a child under the age of three, without permission obtained from the General Labour Inspectorate Executive Agency.
- The legal right to return to the same work position, or – if the position was cut – to an equivalent one, is also guaranteed by the Labour Code. Furthermore, it states the right to benefit from any improvements of the working conditions or indexation of the salary which occurred during childcare-related leave.
- A pregnant woman, a breastfeeding woman, or a woman who is in an advanced stage of in-vitro treatment has the right to refuse work which presents hazards to her and her child's health. A list of hazardous jobs and working conditions is regulated by the Minister of Labour and Social Policy and the Minister of Public Healthcare. Based on the recommendation of the responsible healthcare authorities, the employer has a duty to temporarily rearrange working conditions and/or schedule in order to remove the risk and safeguard the woman's health. If this is impossible due to objective reasons, the woman shall be temporarily assigned to another job. To account for any waiting period before starting the new, more appropriate job, the woman will be compensated by her employer (to the sum of her gross monthly remuneration). If the remuneration on the new job is lower than that of the former one, the employer must pay compensation to settle the difference in payments. Each year, in coordination with the healthcare authorities, the employer determines a list of work positions suitable for pregnant, breastfeeding or in-vitro treated women.
- Employed pregnant women, women who are in an advanced stage of in-vitro treatment procedure, or mothers with a child under the age of three cannot be sent on a business trip without their consent. This right may be used by the father if the mother is not in a condition to benefit from it.

2.Relationship between leave policy and early childhood education and care policy

The maximum period of post-natal leave is 36 months, but well-paid leave only lasts for 12 months⁷. Early Childhood Education and Care (ECEC) is obligatory for children aged five and six years. There is therefore a gap of two years between the end of leave and the start of an ECEC entitlement and a gap of four years between the end of well-paid leave and an entitlement to ECEC.

For ECEC attendance levels, see 'relationship between leave and ECEC entitlements' on [cross-country comparisons](#) page.

⁷ Bulgaria has no law or policy document entirely devoted to early childhood development. The legislative and political framework concerning ECEC is contained within the sectoral laws and policies in the healthcare, education and social sphere.

3.Changes in policy since April 2021 (including proposals currently under discussion)

In 2021, there was an increase of the payment for Maternity/Parental leave benefit, due to the increase of the minimum wage.

All benefits available to parents while taking up any of the leaves reviewed in this country note are considered non-taxable income. They are also not counted as income, liable to tax deductions for having dependent children. Thus, in order for a family with one parent on leave to use tax deductions, the other parent must have acquired income from work or other market activity (rents, farming, home production, etc.).

During the Covid-19 pandemic, the tax relief for having dependent children was substantially increased. This was introduced as a one-time measure for the income acquired in 2021, but was kept in 2022, too. However, it is unclear whether it will remain permanent.

Cash-for-care benefit was introduced in 2021 to compensate parents of children aged three and four years, who were not enrolled in kindergarten due to a shortage of places.

The introduction of a new father's leave, specified as an individual right, is currently under discussion. The proposed length is two months, available from birth until the child's eight year. At present, fathers have 15 calendar days at childbirth, but otherwise cannot use parental leave without the mother's consent, i.e. she has to transfer her right in their favour and must return to work. Furthermore, this option is not available immediately after birth, but from day 135 of post-natal leave taken by the mother. So, the law has not allowed for both parents to be simultaneously on leave on childcare grounds. The proposal acknowledges the need for more flexibility between partners.

4. Uptake of leave

a. Maternity leave

The general Maternity leave of 135 days is obligatory and it is considered a recovery period for mothers, as well as time for immediate childcare. This is documented by health authorities (i.e. GPs and hospitals). Data from the National Social Security Institute shows that in 2021, 281 fathers (adoptive and biological) took the period of Maternity leave, from the sixth month until one year after childbirth – a number which makes them below one per cent of all beneficiaries⁸. Overall, combined with the number of beneficiaries from the previous year, the total number of first year paid leave beneficiaries in 2021 was 80,736 (data taken

⁸ National Insurance Institute, 2022. See: https://www.noi.bg/images/bg/about/statisticsandanalysis/statistics/obz/SPRAVKA_bolnici_31122021.pdf

from the National Social Security Institute). Additionally, 910 leave beneficiaries received 50 per cent financial compensation because they returned to work during the leave. Survey data shows that parents are in favour of highly paid Maternity leave during the first year of their child's life⁹.

b. Paternity leave

For eligible fathers, the 15 days of Paternity leave are obligatory, intended to foster father's involvement in childcare immediately after the birth. According to the National Social Security Institute, 21,974 fathers took paid leave in 2021: this is equivalent to approximately one third of all the children born that year¹⁰.

c. Parental leave

In 2021, the second year of Parental leave was taken by 86,083 beneficiaries: 727 of them were fathers. Moreover, 15,292 of beneficiaries received 50 per cent of the benefits for the second year because they returned to employment. Well-paid and higher qualified mothers prefer to return to work and choose other options for childcare (e.g. babysitter, relatives, or a crèche) rather than staying at home¹¹. For mothers without paid social security, who may be entitled to a monthly social benefit for one year after the birth, the National Agency for Social Assistance reports that 12,226 mothers (1,393 of whom received benefits in kind because their age was below the age of 18) received this social benefit in 2021 (i.e. about one fifth of all mothers who gave birth that year)¹².

d. Childcare leave or career breaks

No data available.

⁹ In Bulgaria, 73 per cent of all children up to three years of age are cared for at home by their parents and do not visit childcare facilities. In 2016, this was the highest percentage in the EU (see: Slavova, Z. (2016) 'Bulgaria is the country where the highest percentage of small children cared for by their parents', *IME Newsletter*, available at: <http://ime.bg/bg/articles/bylgariya-e-stranata-v-koyato-nai-mnogo-ot-malkite-deca-se-otglejdat-ot-roditelite-si/#ixzz59SWQJ3W9>). Survey data on parents' attitudes toward family policy in Bulgaria demonstrates that most parents are highly appreciative of paid Maternity leave during the first year (see Kotzeva, T., E. Dimitrova, K. Ilieva and S. Moraliiska (2016) 'Survey on attitudes of parents towards family policy in Bulgaria', *Family Policy Vision – Parents' Views and Europe's Experience*. NMD. Sofia, available at: <http://nmd.bg/dve-novi-publikatsii-po-proekta-viziya-za-semeyna-politika/>

¹⁰ National Insurance Institute, 2022. See: https://www.noi.bg/images/bg/about/statisticsandanalysis/statistics/obz/SPRAVKA_bolnicni_31122021.pdf

¹¹ Survey data on parents' attitudes shows that approximately half of the respondents, mainly those with high levels of education and well-paid jobs, living in urban environments, are critical towards low-paid Parental leave during the second year, as well as towards the lack of services for children aged one to three. The experts interviewed in this survey are also sceptical about the genuine opportunity for highly qualified and educated parents to take second year leave, due to the negative effects of long-term Parental leave on labour market and women's qualifications (see Kotzeva et al., 2016; footnote 3).

¹² Report on the Activity of the Agency for Social Assistance in 2021. Available from: [file:///C:/Users/admin/Downloads/6395-YearlyASP-site%20\(1\).pdf](file:///C:/Users/admin/Downloads/6395-YearlyASP-site%20(1).pdf)