REVIEW

By Prof. Darina Peeva Zinovieva, Doctor of Legal Sciences, Institute for the State and Law, Bulgarian Academy of Sciences

regarding a competition

for the academic position of "PROFESSOR"

at the Institute for the State and Law at the Bulgarian Academy of Sciences (BAS),

Field of Higher Education: 3. Social, Economic and Legal Sciences,

Professional Field: 3.6. Law (Labor Law and Social Security Law)

1. General Data

The competition was announced in the State Gazette, issue no. 24 of March 6, 2026. A single candidate participates in it – Associate Professor Andrey Sashov Aleksandrov, PhD.

The documents submitted by the candidate comply with the requirements of the applicable statutory acts. Furthermore, as evident from the scientometric data, the minimum national requirements have been met. Consequently, at the first meeting of the scientific jury, the candidate was admitted to participation. The publications with which Assoc. Prof. Aleksandrov participates in the competition have also been submitted – one monograph, 52 articles, 7 studies, and 4 chapters in collective monographs.

As evident from the submitted curriculum vitae, Assoc. Prof. Andrey Aleksandrov has been working at the ISL–BAS from 2016 to the present. He teaches disciplines related to labor and social security law at the South-West University "Neofit Rilski". He also has practical experience as an attorney-at-law.

2. Characteristics and Evaluation of the Publications

2.1. The monograph, submitted as a habilitation work, is entitled *"Problems of Labor Relations under a Declared State of Emergency or a Declared Emergency Epidemic Situation"*.

The monograph is structured very well. Chapter One provides comparative legal analyses of foreign legislation and foreign acts aimed at overcoming the consequences of the pandemic, which regulate labor law issues. A historical analysis is also included. In Chapter Two, the author focuses on the specificities of labor law issues related to the emergency epidemic situation - remote forms of work, part-time work, overtime work, problems with the use of paid and unpaid annual leave, and temporary suspension of labor activity. Additionally, in this second chapter, the author has included an analysis of various derivative obligations of the employer that were imposed during the emergency epidemic situation. In Chapter Three, the author comments on what he terms the "unrealized legislative amendments" in labor law, through which he conducts a critical analysis of the legislature's omissions and offers proposals for optimizing the legislation. The author's approach is interesting - he cumulatively links what should have been adopted in the legislation but was not, and which would have resolved the practical issues that arose and remained unresolved. The monograph concludes with conclusions and recommendations. It also includes a bibliography of the literature used.
Right in the introduction, the author briefly explains that since a state of emergency, as well as an emergency epidemic situation, was declared in the country by law in 2020, a legislative assessment of the adopted normative acts should be made impartially and from the perspective of time, namely several years after the emergency epidemic situation.

Through the analysis of the normative acts, the author assesses the legislation, emphasizing that the fact that the situation has already ended does not mean that such situations will not occur in the future; therefore, an objective legal analysis would support future labor and social security legislation.

I consider that the author has achieved the goals he set for himself in the Introduction of the work.

In Chapter One, the author examines the sources of labor rights and labor obligations created to overcome the negative consequences of an emergency epidemic situation. For instance, he first analyzes the 2020 Resolution of the National Assembly and the respective orders of the Minister of Health, which imposed the first restrictive measures against the spread of the COVID-19 virus. He successfully links the act of the National Assembly with that of the Minister, analyzing the concept of unilateral assignment of remote work by the employer. The author correctly emphasizes that this is a term introduced and used in our legislation for the very first time. The orders of the Minister of Health and their legal characteristics are analyzed with expertise, with the author noting that they constitute a subordinate administrative act within the meaning of the APC (Administrative Procedure Code), addressing the debates on whether a general administrative act or a subordinate normative act is present. Examining the legal characteristics, in his opinion, the Minister's order is a normative administrative act, as this act contains administrative law norms that apply to an indefinite and unlimited number of addressees and has repeated legal effect.

The analysis of the Measures and Actions during the State of Emergency Act deserves a positive evaluation, especially the hypothesis regarding its ex tunc (retroactive) effect, even if only for a few days back in time. His reasoning is correct regarding all measures related to the unilateral

assignment of remote work, as well as the additional measures provided not only in labor law but also in tax and migration legislation.
I support the author’s conclusions that the legislative technique was not precise enough and created quite a few contradictions in application and interpretation. As an example, he points to the so-called "self-limitation of the legislature" through the law's fixed term of validity.
The analyses of all norms related to the validity period of personal identity documents, such as ID cards and passports, are of particular interest. A positive assessment should be given to the criticism of Paragraph 4, Paragraph 1 of the Transitional and Concluding Provisions of the State of Emergency Act, which contains the provision of Article 120b of the Labor Code on homeworking and remote work—forms of labor that were actively utilized during this state of emergency. The linguistic and systematic interpretation is successful. I consider this analysis to be a contribution to the legal doctrine. A similar research approach is applied to Paragraph 52 of the Transitional and Concluding Provisions of the Act. The author makes well-founded conclusions regarding the legislative technique used to repeal the state of emergency.
The author successfully utilizes the case law of the Constitutional Court, alongside his own reasoning, to substantiate that the amendments to the Health Act aimed to regulate healthcare measures applicable after the expiration of the state of emergency, thereby enabling the entire healthcare system to prepare for overcoming future challenges related to epidemics or pandemic situations.
A positive evaluation should be given to the analysis of the competences of the Director of the Regional Health Inspectorate (RHI) when imposing mandatory isolation or quarantine. The author performs the same analysis on the orders of the Minister of Health—examining controversial

issues, listing ambiguities in law enforcement, and providing very categorical conclusions of his own.

The author comments with expertise on the digitalization of law enforcement during the state of emergency. He clarifies emerged problems, such as those related to cases conducted remotely, documents served electronically, etc.

The study of foreign experience in the regulatory framework for overcoming the pandemic must be positively evaluated. For instance, the author examines in detail the ILO (International Labour Organization) recommendations regarding decent work and employment. He rightly considers these recommendations to be an international standard for labor protection in times of crisis. The extensive research into various national legislations and the approach of comparing them with our own legislation is impressive. The author examines the legislation and measures for remote work in Belgium, France, the Czech Republic, Poland, and Portugal. The analyses of the amendments to the active collective bargaining agreements in Germany and Italy are highly interesting. The author points to the experience of Poland as a good option regarding the regulation of part-time work and the alteration of the duration of daily and weekly rest periods during this situation. As good practice, he also points to flexible working hours as a type of employment contract in Romania. The analysis of the negative financial consequences for workers during the pandemic is noteworthy, as are the examples from the Netherlands and Ireland, where provisions were made for employers to cover wage costs using public funds. The author also points to other legislative measures that support employees as a good example, such as the compensation of their expenses related to internet connection when working remotely in Spain. The analysis of the legislation in Poland is apt, where a maximum amount for severance pay

due by the employer upon termination of employment was established for the duration of the pandemic situation. The author expresses a clear opinion that the decision of the Bulgarian legislature to adopt amendments to the compensation regime under Article 222, Paragraph 3 of the Labor Code during the pandemic situation was unacceptable, expressing his critical stance.

The work utilizes the conclusions of other authors from the legal doctrine on various problems, demonstrating an ethical approach throughout.

In Chapter Two, all the main problems related to the pandemic situation are presented, with the author focusing in detail on remote forms of work. The conclusions drawn from the analysis of homeworking and all the problems related to the concept of "homeworking" that had to be interpreted in law enforcement are useful. His views are correct and should be evaluated positively. Of particular interest is the thesis on the so-called additional conditions for remote work, where the author clarifies the provision of Article 107h, Paragraph 1 of the Labor Code, considering that it concerns an organization of work performed outside the employer's premises through the use of information technology. He comments on the types of employees who possess the qualifications suitable for this type of work, such as software engineers, and lists both the professions that are suitable for concluding this type of contract and those that cannot be the subject of such an agreement. Overall, the exceptionally extensive study of the remote work contract and the homeworking contract—covering numerous details and various aspects—is highly impressive. The author investigates the nature of occupational accidents and the employer's liability when an accident occurs at the employee's home, citing examples of disputes that have arisen in administrative and judicial practice.

The author's analysis of the electronic form of communication between the parties—employee and employer—which created numerous practical problems, deserves a good evaluation. He provides a number of examples from practice as well as his own conclusions.

The author analyzes in great detail the monitoring of compliance with working hours during the crisis period. The practical orientation of these analyses is striking. Accordingly, a positive assessment should be given to the commentary on the subjective element of non-performance of labor duties when working remotely or from home.

The study regarding the proportionality of legislative measures vis-à-vis the bodies of the executive branch in relation to personal data protection deserves a positive evaluation. The author explains in detail the controversial issues related to the application of the General Data Protection Regulation (GDPR), while also pointing to judgments of the European Court of Human Rights (ECHR).

The sound analysis of the concept of part-time work during the pandemic and all the problematic issues—such as the use of flexible working hours, shift work, etc.—is noteworthy.

The investigation into the obligation to ensure healthy and safe working conditions, which the legislature imposes on the employer under crisis health conditions, should also be commended. The conclusions contribute to the field, with the author highlighting the positive legislative approach of establishing clarity regarding the employer's obligations to provide healthy and safe working conditions, while simultaneously explaining the negative approach—namely, a suboptimal restrictive policy. I concur with the conclusion of Assoc. Prof. Aleksandrov that this approach must be reconsidered in an economically unfavorable situation.

Special attention is paid to the topic of denying access to the enterprise's territory to workers and employees exhibiting symptoms of acute

infectious diseases. The author has correctly reflected the disputes and discussions surrounding this matter.

The work achieves comprehensive coverage through the analysis of the expert decisions of the TEMC (Territorial Expert Medical Commission) and Paragraph 20 of the Transitional and Concluding Provisions of the State of Emergency Act. I consider the author's conclusion regarding the validity periods of TEMC expert decisions under emergency conditions to be sound.

A particularly crucial issue is included in the work, namely—the relations between the parties to the employment relationship in connection with vaccines and the immunization process regarding COVID-19. The discussion was highly practical in nature, and the author has cited various opinions from both legal doctrine and practice, examining the topic of disciplinary liability in cases where employees refuse vaccination. This theme led to debates and numerous legislative problems across countries, including the introduction of "green certificates"; therefore, the author's contribution to the analysis of the immunization obligation and employment relationships must be commended.

At the end of the monograph, Assoc. Prof. Aleksandrov briefly synthesizes the main conclusions and recommendations, which I find to be correct, accurate, and evaluate positively.

2.2. The other publications submitted for the competition—articles, studies, and chapters in collective monographs—are divided into several groups based on the subject matter. A portion of them relates to the digitalization of employment-related documents. This process is important in view of introducing a unified electronic employment record and digitalizing the employment record book. The author provides various proposals for optimizing the legislation, all of which contribute to

the field. Another part of the publications addresses protection against discrimination in the workplace, protection of the rights of persons with mental disabilities, etc.

I would highlight the research on the termination of employment relationships with habilitated persons upon reaching the age of 65, pursuant to the Higher Education Act.

The author submits publications concerning disputes, predominantly regarding imposed disciplinary sanctions, as well as publications on the utilization of out-of-court dispute resolution methods.

In summary, all publications contain constructive criticism of legislative omissions, along with proposals for its optimization wherever the author deems appropriate.

Overall, the academic output of Associate Professor Aleksandrov in the period following the acquisition of the academic position of "Associate Professor" up to the present is of high quality, contributes to the field, contains in-depth analyses, and deserves a positive evaluation.

Associate Professor Aleksandrov explores a diverse range of topics within labor and social security law, possesses extensive legal knowledge, and his practical experience is coupled with profound doctrinal research.

The attached activity report, in accordance with the Regulations of the ISL, clearly demonstrates his exceptionally active participation in scientific conferences, the training of PhD students, membership in scientific juries for the acquisition of academic degrees and positions, as well as his involvement in editorial boards.

CONCLUSION:

In light of the foregoing, I consider that the requirements of the FASRBA (Development of Academic Staff in the Republic of Bulgaria Act) and the

applicable statutory acts have been complied with. Therefore, I give a positive evaluation and recommend that the scientific jury propose to the Scientific Council that Associate Professor Andrey Sashov Aleksandrov be elected to the academic position of "Professor" at the Institute for the State and Law, BAS, in the Field of Higher Education: 3. Social, Economic and Legal Sciences, Professional Field: 3.6. Law (Labor Law and Social Security Law).

June 26, 2026 ……..

Prof. Darina Zinovieva