

INDUSTRIAL RELATIONS – PAST AND PRESENT

This article is a retrospective of the development of industrial relations from their inception to the present day. It clarifies the essence of the basic principles on which they operate and the main participants in these relations. It examines the main trends in modern conditions and the formation of new “players” in these relations. It also clarifies the main changes occurring in the conditions under which industrial relations operate and will have to function in the future.

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History

When we consider the history and emergence of industrial relations, the first thing we see and feel are conflicts. Industrial relations emerge and develop as a conflict and a process of its resolution.

The term “industrial relations” forms where there is an industry, i.e. they (industrial relations) are an integral part of industrial society and develop with and through it. If we go into the field of history, we will see that the first conflicts arose in industrial England, they were sporadic, disorganized, spontaneous, and they were based on achieving particular economic interests. These interests boil down to two things:

On behalf of the employer, the realization of maximum profit that will allow him to develop production and receive entrepreneurial income at such a level as to cover the risks he undertakes, and notably, while minimizing the cost of resources (including labour) to such an extent that it achieves the planned economic result.

On behalf of workers, their economic interest is mainly related to satisfying their understanding of normal life. And this means working conditions that ensure their health and ability to work, and to receive such payment for the work done, which will allow them the normal existence of them and their families, under the specific conditions and understandings of society. Moreover, they consider this interest of theirs as their natural right, independent of the interests of employers.

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Of course, as has always been the case in history, conflicts were first resolved by force. This leads to a response, to an awareness of the group interest of both workers and employers. Yet, historical practice shows that resolving conflicts by means of force is not a solution. Using force can suppress them, slow them down, delay them, but never resolve them. Moreover, in most cases, such actions play the role of a catalyst for the development of other processes. Namely, to processes of association, of awareness of the common interest, of the development of models of counteraction to force, etc., and eventually to the realization of the idea that conflicts can and should be resolved through dialogue and mutual compromises. This, in turn, leads to a new stage in the development of employer-employee relations.

The process of realizing the need for dialogue and mutual compromises is a two-way process. It develops in both workers and employers. In their development, the views of employers and workers reach a point where a zone of unity opens up to the economic interests of both parties.

In the transition from the stage of confrontational opposition to the stage of dialogue and collective negotiation, the need for normative regulation of this process also arises. Here the state appears with its institutions, naturally in the face of its three powers - executive, legislative and judicial.

The intervention of the state in these relations opens up a new horizon in their development. From chaotic, related to the resolution of individual specific collective disputes, they move to regulated, institutionalized, and extended in their scope. This participation of the state in these relations, of course, is driven by the achievement of certain goals in certain periods. It is the achievement of the goals of the state that gives rise to the need to build a foundation for these relations.

With the intervention of the state, industrial relations acquire a new characteristic; they socialize with two very important traits:

FIRST. These are collective labour relations, i.e. these are relations between organizations, which are the basis for settling the relations between the employer and the individual employee.

SECOND. These relations are carried out by different parties, which perform different functions and stand on different sides in the social system.

These characteristics define industrial relations as multi-layered and their manifestation can have different dimensions and forms in public practice.

Here it is worth noting that industrial relations in their development reach a level at which they cross national borders and the need arises for their transnational settlement based on common understandings of the tasks and functions of these relations in the social system. This need emerges at a stage in which all participants in this process worldwide have realized the impossibility of confrontational action to resolve labour conflicts.

This awareness emerged after the First World War and led to the creation of an international structure (International Labor Organization) for the regulation and development of industrial relations.

On the basis of the Versailles Peace Treaty², the first understandings of the international settlement of industrial relations were proclaimed. They are contained in the three main motives for the establishment of the International Labor Organization:

- Universal peace based on social justice;
- Improving working conditions;
- Establishing a truly humane regime of work worldwide;

In its essence, the International Labor Organization is the field in which industrial relations are still carried out and developed to this day.

It should be noted that the development of industrial relations is directly related to the development of the economy. Including the crossing of national borders in these relations are the result of the development of the economic system itself, and in it there are significant changes in the last years of the twentieth century and the beginning of the twenty-first century.

Ultimately, the crossing of national borders in the development of industrial relations, as collective labour relations and the growing diversity of their manifestation, requires that this development be carried out on the basis of general principles for the functioning of industrial relations.

The Principles

As we have already pointed out, the development of industrial relations naturally leads to the need for their regulation and institutionalization. The implementation of such actions requires a basis on which to perform them.

At the heart of industrial relations as we know them today are several generally accepted basic principles, which we can formulate as follows:

Principle of the unidirectionality of goals. Some authors formulate this principle as replacing the slogan “Class Struggle” with the slogan “Class Cooperation and Coordination of Interests” (Shopov, 2006).

The essence of this principle is to look for the intersections of the goals that the parties have set for achieving and to work on these intersections in order to reach an optimal compromise for solving certain issues.

If we look at this principle from another angle, we will see that it essentially shifts the field of action from the political to the socio-economic trajectory of these relations, i.e. from political confrontation and the achievement of goals by force, to the search for a compromise and achieving socio-economic balance in society.

² Chapter XIII of the Treaty of Versailles "Labor".

The principle of free and unconditional association of the individual parties in industrial relations, which opens the horizon for the implementation of collective labor negotiation and the formation of independent organized entities in this process.

The principle of tripartism in industrial relations, as the main tool for the development and/or implementation of a certain economic or social policy. This principle derives from the need to seek efficiency in the implementation of certain policies or in the settlement of labour and social security relations, or in resolving the issues of raising the living standards of the population.

Principle of legislative regulation of the process of industrial relations. By looking at industrial relations as a system, it would be all the more efficient the more orderly and functioning it is, based on clear and precise rules. In this sense, the creation of a necessary regulatory framework for cooperation between the parties is a prerequisite for its effectiveness. The system of legislative regulation of the functioning of industrial relations assumes a set of regulations at different levels and of different ranks. These levels can generally be defined as follows:

- International legal norms regulating basic issues of economic and social policy, regarding labour rights in the context of fundamental human rights;
- National laws governing the formation of national policies in the field of labour and social security relations;
- Normative acts of national governments, regulating the realization of the labour and social security rights of the workers;
- Normative acts of national governments, regulating the functioning of the system of industrial relations;
- Decisions of the labour courts and the labour arbitrations for settling collective labour disputes and conflicts.

Principle of balancing liberalism and the regulatory function of the state. This principle is dictated by the need to seek the optimal balance, in the specific conditions, between liberalism in economic relations and the intervention of the state as a regulator of these relations. Moreover, this balance is always very fragile.

Ultimately, the effectiveness of industrial relations largely depends on maintaining the optimal balance.

Principle of equality. This assumes the creation of conditions for ensuring an equal right of each of the parties and of each participant in the system of industrial relations to protect its economic and social interests.

There can be no understanding and consensus between unequal parties. In order to be effective in industrial relations, it is necessary to create such a balance in the rights of the parties involved in this process so that each of them can achieve the protection of their economic and social interests to the same extent and with equal opportunities.

Principle of autonomy and independence. The autonomy and independence of the countries derive from the very essence of industrial relations, i.e. each of the parties is independent of each other and performs different and specific functions in the socio-

economic system. The parties act solely and independently of each other, taking into account above all their economic and social interests and the established regulations for the process of industrial relations.

When we talk about the autonomy of individual parties, the question of their legitimacy and representativeness comes to fore. Participants in the process should have sufficient representation and be able to prove their specific function in society. The clearer, more transparent and more distinctive the specifics of the individual parties, the better the basis for the effectiveness of industrial relations is.

Principle of interconnection between the economy and people's living standards. Taking into consideration the interrelationship and dependence between the condition and the level of development of the economy and the social status of people is the basis and one of the main prerequisites for the effectiveness of the interaction between individual parties in the industrial relations. Economic practice shows that there is a direct relationship between the economic growth of a country and the standard of living and social status of people. Taking into account this fact presupposes the solution of the issues of employment, people's security, income and living standards and issues of interest of one or another party in general, to be solved based on the possibilities of an economy.

Principle of pluralism in the institutionalization of relations. Viewed through the prism of industrial relations, the principle of pluralism can be considered in two dimensions. As creating conditions for participation in the process of more and different in its organizational and functional composition organizations of both workers and employers as well as a variety of forms through which modern industrial relations are realized.

Ultimately, pluralism in industrial relations makes it possible for these relations to be more effective, as the criteria for access to the system and the forms of interaction cannot be imposed unilaterally. Their choice can only be made by consensus and mutual understanding between all participants in the process of industrial relations.

Principle of the negotiation. This principle requires that all issues between the parties in industrial relations be resolved based on negotiations and finding consensus solutions. In practice, this contains several main aspirations in the negotiation process:

- Negotiations at all levels of industrial relations;
- Expanding the scope of problems that are solved and are subject to cooperation and interaction between the parties and participants in industrial relations;
- Participation of workers and employers in the negotiation process in decision-making on issues that directly affect them.

Negotiations at all levels provide an opportunity to find a solution and the negotiators to comply with the specific conditions and opportunities of the individual levels and the individual areas in which the process of negotiations and finding specific solutions takes place. This in turn is a prerequisite for greater efficiency and sustainability of decisions.

Principle of social understanding and partnership. Interaction and cooperation between the participants in the process of industrial relations do not necessarily mean unanimity,

understanding and like action. The meaning of this principle is that in the process of interaction each party should proceed with an understanding of the position of the other parties and taking into account the nature of their claims.

Recognition of the other party's right is the first step towards reaching a consensus. Only with an understanding of the essence of the demands or claims can solutions that are acceptable to each of the parties be sought. On the other hand, an understanding of the other party's claims is necessary, but insufficient, to achieve the effectiveness and sustainability of the solutions reached. In order to achieve sustainable solutions, the parties must also cooperate in the implementation phase. In other words, any decision will be stillborn if the parties refuse to cooperate in its implementation. In other words, in the process of industrial relations, social understanding (the recognition of the right of the other party) and social partnership (cooperation to achieve what has already been agreed) are inextricably linked and any rupture of this relationship will lead to inefficiency of the process.

Principle of specificity of conditions. This principle is caused by the fact that the initiation and development of industrial relations is strongly influenced by the specific conditions and level of socio-economic development in individual countries and regions. From this point of view, the principle requires compliance with these facts. The compliance of the system of industrial relations with the specific conditions is of particular importance in choosing the model of these relations. In this sense, in order to achieve full compliance with the specifics, it is necessary to answer a few basic questions:

- What are the traditions in industrial relations?
- What are the laws governing industrial relations?
- What are the interests of the parties in industrial relations?
- What is the balance of power of the individual parties?
- What is the degree of association of the parties at different levels?
- How centralized is the system of economic management in the country?

Depending on the answers to these questions, we observe different concepts for the functioning and development of industrial relations in different countries.

These basic principles of industrial relations derive from the established practice of many countries around the world. They are observed everywhere, regardless of the accepted models in individual countries. Of course, this is the place to note that principles are not a fixed and given, they undergo development in time and space, caused by the very development of industrial relations and in general by the development of socio-economic systems.

The Parties

As already mentioned, different parties are involved in industrial relations, each of which is distinct and performs different specific functions in the socio-economic system. The traditional participants in this process are the state, employers and their organizations, and

workers and employees' organizations, with their specific functions, which in most cases are diverse and very often contradict each other. What are these specific functions for the various participants in the process of industrial relations?

Trade unions or workers and employees' organizations. The definitions of employee organizations are diverse, but we will focus on the most common of them and in line with modern conditions. It is founded in UK law and, according to it, these are permanent or temporary organizations consisting entirely or mainly of workers with the same or similar occupational characteristics, whose main purpose is to regulate the relations of the concerned workers with their employers or their organizations (Shopov, 1999). Based on this definition and the ILO Conventions, the specific functions that outline the organizations of workers in the socio-economic system are framed. They come down to a few basic traits:

- These are voluntary associations of workers with similar professional characteristics.
- The main goal of these associations is to protect the labour rights and economic and social interests of their members.
- These associations are called upon to regulate the relations with employers and their organizations.

Employers and their organizations. When we talk about employers, we must note two main characteristics that determine their specific place in the socio-economic system, in terms of industrial relations.

First, the employer participates in the process of industrial relations directly in labour negotiations in the individual enterprise, moreover, in the enterprise, he is the bearer of the individual labour relation with each individual worker.

Second, the employer participates indirectly, through its organizations, in collective labour relations, thus protecting the common interests of employers. This raises the question of the common goals of employers. They are diverse, very often opposite and divergent. This also determines employers' organizations to be of different structure and content.

This diversity, especially in terms of the goals of employers' organizations, often leads to attempts to move out of the field of labour and social relations and to the desire to raise issues that are outside of the process of industrial relations, which inevitably leads to low productivity of relationships.

The state with its three powers. The interest of the state, as we have already emphasized, occurs at a certain point in the development of industrial relations and can be sought in two dimensions.

In the political field, this interest is related to the achievement of the necessary conditions for:

- The development, adoption and implementation of economic and social policy;
- Guaranteeing and protecting basic human rights;
- Protection of the main interests of enterprises;

- Reducing or eliminating, where possible, social contradictions.

In the organizational field, the state in the process of industrial relations is the main engine of the functioning of these relations.

Here is the place to note that the state is the only party in industrial relations that manifests itself and has more than one specific functions in the system of industrial relations. On the one hand, it is the main organizer and coordinator of the process, but on the other hand, it often acts as an employer in this process. From this point of view, it is naturally closer to the problems of employers than to those of workers' organizations. For the state, the issue of balance of interests is much more difficult than for other parties in these relations.

In recent years, the development of industrial relations has seen the emergence of a **new "player"** and these are the structures of civil society. The question arises as to what civil society is, what are its structures and what is its place in industrial relations.

Modern social theories assume that civil society is universal. The main discussion is about what is included in the concept of civil society - only civil society organizations, not including public organizations for economic purposes or the entire private field, including the market and its institutions.

Followers of neo-Marxism such as Gene Cohen and Andrew Arato, Claus Offe, John Keane, Agnes Heller or Jürgen Habermas see civil society as a self-organizing public domain based on solidarity and communication. Habermas uses the term "life world", different from the logic of economics (market) and administration (state). Cohen and Arato define civil society as "a sphere of social interaction between the economy and the state, composed primarily of the intimate sphere (especially the family), the sphere of associations (especially voluntary associations), social movements and forms of public communication."

On the other hand, liberal views of civil society define it as a community of independent individuals and their organizations encompassing the entire private sphere. This is the organized private field, including market institutions, but also civil, religious, cultural and other associations and organizations. According to Thomas Carothers, "civil society is a broader concept that includes all organizations and associations that exist outside the state (including political parties) and the market."

Other authors, such as Larry Diamond, define civil society as "intermediate to the private sector and the state", which excludes individual and family life, but also private profit-making activities (the market) and political activities aimed at establishing control over the state (parties). According to him, civil society is limited to civil associations of a non-political nature.

Ernest Gellner, for example, defines it as "that set of non-governmental institutions that are strong enough to serve as a counterweight to the state without depriving the state of the ability to act as a peacemaker and arbiter between major interests, however, it can prevent it from dominating and atomizing the rest of society." Another representative of liberalism, Ralf Dahrendorf, points to three main characteristics of civil society: the diversity of its elements, the autonomy of many organizations and institutions, and "polite, tolerant, nonviolent" human behaviour.

Despite the different views, they all agree on one statement. Civil society is seen as a counterweight, especially to the state. It is defined as a set or network of various and autonomous elements (organizations) without a single organizing centre.

The natural question arises, what are these organizations and how can we identify them?

Typically, civil society organizations can be divided into two large groups: service providers (providing public services most often in the field of social and health care, education, sports, culture, environmental protection, etc.) and advocates (those who promote civic engagement, human rights and other important issues of common interest and participate in policy development). Many of these organizations actively play both roles, as the practice is not black and white and their work and activities have different impacts, often interrelated.

Despite the great differences in the organization, status and goals of these organizations, it should be noted that they are a significant economic force, surpassing most large industries and activities in the scale of their workforce. In 2014 alone, an estimated 28.3 million full-time workers (paid and volunteers) were employed in this sector in the EU member states, or nearly 13 percent of the European workforce. Of the 28 million full-time employees, more than half (55%) are volunteers³.

All that has been said so far shows that industrial relations in their development are entering a new phase of significant changes, different from those we have observed so far. In order to understand the alterations that are taking place and to find an adequate approach to them, it is important to be aware of the situation in which they are taking place.

The main changes that occur and will lead to the development of new processes affecting society in general and in particular industrial relations can be considered in three directions:

Changes in the Economic and Social Sphere

The last decade of the 21st century marks the acceleration of changes taking place in the economic and social sphere, characterized by several main priorities.

First of all, the failure of the liberal economy, the mantra that the market resolves everything in the economy and that profit is the one important thing, turned out to be ineffective. The first symptoms of this failure were felt with the crisis of 2008. In 2010, in his book *Freefall*, Joseph Stiglitz emphasized, “The temptation of easy profits from lending and servicing loans has detached many banks from their core functions. The banking systems of the United States and many other countries have neglected lending to small and medium-sized businesses, which is at the heart of job creation in any economy, and instead focused on securitization.” (Stiglitz, 2010, p. 37).⁴ The lack of understanding of the essence of this crisis and the search

³ The future evolution of civil society in the European Union by 2030 https://www.eesc.europa.eu/sites/default/files/files/the_future_evolution_of_civil_society_in_the_eu_by_2030.pdf

⁴ Securitization is a process in which illiquid assets are aggregated into a portfolio serving as collateral for securities.

for solutions in the direction of improving the liberal model led to the continuation of the negative processes.

What was not understood?

It was not understood that the so-called “free self-regulating market” was not a panacea. The absolutization of the market’s ability to self-regulate has led to a number of distortions in society, the most striking of which is the huge divide between rich and poor.

It was not understood that market regulation was necessary for its maintenance and efficient functioning. The loss of the main goal of any economy - meeting human needs, has been replaced by another - profit or making money, more money for the sake of money itself. This change of goals had the greatest impact on the social field and led to the placing of social services under the control of the market, which further deepened the division between rich and poor.

Secondly, the accelerated development of the productive forces. Here, indeed, the degree of acceleration is so great that everyone is now convinced that this is a revolutionary change. These changes are reflected in the rapid and at times spontaneous entry of innovative technologies and digitalization in all spheres of the economic and social life of society. The incredibly rapid changes in technology and information systems are literally changing the lives of each individual and social groups as a whole.

Third, the state of production relations. Inevitably, the changes that occur in society and the productive forces cause changes in production relations. These changes are expressed in a change of attitude to three main things.

The first significant change is the attitude towards time and in particular towards working hours. In principle, each system functions over time and has its own idea of its assimilation as a key element of the production cycle. If so far society and business have functioned in a specific time regime, then the changes that have taken place have led to a disruption in this regime, to say the least. The main thing in this disruption is the blurring of the boundaries between working time and time for rest and social life. In his book ‘Precariat, the New Dangerous Class’, Guy Standing points to two main characteristics of this breakage: The first concerns the growing disrespect for the biological 24-hour clock of the human body. The second change concerns how we ourselves perceive the concept of “time” (Standing, 2013, pp. 246-247). This change will eventually lead to a new concept of time and its use in the process of creating physical and non-physical goods.

The second change is related to the attitude towards work in general. The problem that arises from the changes that are taking place is that the hitherto ruling understanding of the work done in a specific occupation in a factory, institution, office, etc., loses its meaning. Modern technology has allowed for this work to be implemented in different places, in different conditions, at different times. This has led to a change in perceptions of what labour is and how effective it is. These issues are still not given much attention, but these are processes that are evolving and will inevitably lead to the reasonable question of what is work and its content in modern conditions.

The third change is related to the intensification of labour. The blurring of work time boundaries and the ever-expanding practice of teleworking have created the opportunity to work in more than one place. The reasons for this are different. One of them is related to the continuous reduction of wages, another to the need to meet various social needs, in some cases, this is related to the risks of the work environment, etc. The Covid-19 pandemic only accelerated this process. This leads to what some authors call “overwork” and others describe as overtime. No matter how we define it, and regardless of a number of ILO conventions and EU directives on its limitation, it is ultimately a matter of labour intensification.

In any case, the processes that are developing and will continue to develop, require the answer to the question of whether this intensification of labour is healthy, necessary and inevitable for society as a whole.

Changes in the Labour Market

Against the background of the changes occurring in the economic and social sphere, changes in labour, and hence in the labour market, inevitably occur. What exactly are those changes in the labour market that occur in the modern settings?

The first change is related to job creation. Usually, the advent of automation and robotics in all fields of life, and especially in the field of production, is associated with the fear that this leads to job losses when certain tasks performed by workers are taken over by automation. At first glance, this is the case, but it should be noted that these are routine jobs, which are mostly monotonous and with repetitive work activities. At the same time, based on technological changes and innovations for the period from 1999 to 2016 in Europe alone, more than 23 million new jobs have been created, representing almost half of job growth over the whole period. New technologies have created the opportunity to create new types of jobs through the so-called “online work”. It is true that a number of jobs may disappear, others will acquire new characteristics, but parallel to this, new occupations will appear related to essentially new types of work arising from the new requirements as a result of changes in technology.

The second significant change is related to the content of work, and hence to the requirement for new knowledge and skills of workers. There will be an increasing demand for skills that cannot be replaced by robots. These are characteristics related to general cognitive skills, such as critical thinking and socio-behavioural skills related to recognizing and managing emotions, teamwork skills and more. If we turn to the figures, we will see that for the period from 2001 to the present day, the share of cognitive and socio-behavioural jobs in economically developed countries has increased from 33% to 41%, and in developing countries, albeit at a slower pace, this percentage has risen from 19% to 23%. We can conclude that this change will at best lead to a symbiosis between robots and workers, i.e. robots will complement workers who engage in non-routine tasks requiring cognitive and socio-behavioural skills. Changes in the content of work also require a new set of skills that allow workers to adapt quickly and effectively, allowing them to easily and quickly change from one occupation and job to another.

The third change is related to the geography of jobs, and hence to labour mobility. Online work platforms have created conditions for breaking the link between the company's location and the place of work. There are different interpretations in this regard. One of the most common is formulated by Klaus Schwab, who says: "Professional activities are broken down into precise tasks and discrete projects, after which they are "thrown" into a virtual cloud inhabited by ambitious workers located in different parts of the globe. This is the new on-demand economy, where labour providers are no longer employees in the traditional sense of the word, but rather independent mercenaries who perform specific tasks." (Schwab, 2016). Inevitably, with the development of cloud technologies, freedom and mobility of labour, and the ability of the worker to choose the work he performs will be achieved. This will lead to greater independence and an increase in the share of self-employed workers. This change will also lead to the need to look for new forms of social and employment contracts that respond to the changes in terms of labour mobility. At the same time, it raises a number of issues related to the level of exploitation, working conditions, occupational safety, social security and others.

The fourth change is related to labour efficiency. Undoubtedly, technological changes and the rapid penetration of information technology create preconditions for greater efficiency of work and human labour in general, but they also create a strange contradiction. This is the contradiction of the increased complexity of technologies on the one hand and the need for higher, and in some cases, hyper-specialization of labour. This contradiction is yet to be resolved and the level of job satisfaction depends on its resolution. Here again, the question arises of maintaining workers' knowledge and skills throughout their working lives, or as it is popular to say, "lifelong learning". The main challenge is to find the balance between fundamental knowledge and cognitive and socio-behavioural skills.

Whether these changes will lead to greater freedom of labour or will deepen its exploitation remains to be seen. One thing is clear, however, digitalization and new communications will reshape the understanding of labour and its use.

From the above, we can conclude that the described changes and evolving processes will lead to significant changes in the development and functioning of industrial relations as a whole. What direction they will take and how these relations will develop will also depend on what are the views and what policies the participants in this process will develop in order to adapt to the changes that are taking place.

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