

INTER-SECTORAL COOPERATION FOR SOLVING THE PROBLEMS OF WORKING PARENTS – AD HOC ACTIVITIES OR LONG-TERM POLICY?

INTRODUCTION

In Poland there are 15,573,000 professionally active people, including 8,562,000 men and 7,011,000 women (Central Statistical Office 2014a: 83). To a major extent, the working people are parents who experience difficulty in combining their professional and family roles. This refers both to parents of newborn children and those caring for older children ([http://stat.gov.pl/28.08.2014a, b](http://stat.gov.pl/28.08.2014a,b)) or other dependants. The difficulties in combining their duties results in 15% of men and 23% of women deciding not to have children, and for every second woman at the age of 25–44 the care of a child is the main reason for inactivity in the labour market (Czapiński, Panek 2013: 132). In solving these issues legal tools become helpful, namely those related to the rights of the employees-parents and the regulations regarding flexible forms of employment, also as regards institutions, i.e. access to care facilities. In that context also very important are views on the division of roles and duties in a family. The purpose of this article is to present the instruments which facilitate combining professional work and parenthood in light of the existing legal and institutional solutions, as well as actions undertaken for the performance of the task and its promotion.

LEGAL AND INSTITUTIONAL INSTRUMENTS WHICH ENABLE COMBINING PROFESSIONAL AND FAMILY ROLES

Employees-parents may avail of the solutions set out in the Labour Code (LC), referring directly or indirectly to combining professional work and family duties, particularly child care. These are legal instruments regulating the rights related to parenthood, solutions in the form of flexible forms of employment and flexible forms of working time organisation.

The rights related to parenthood include:

- a ban on terminating an employment agreement during pregnancy or maternity leave (Article 177 LC);

- basic maternity leave – intended for child care in the first months after birth. The length of the leave depends on the number of children born at one time and may last from 20 weeks (in the case of one child) to 37 weeks (in the case of five or more children). The obligatory length of leave for a female employee is 14 weeks, whereas the remaining part may be used by the employee-father of the child (Article 180 LC);
- additional maternity leave granted directly after the utilisation of maternity leave, lasting from 6 to 8 weeks (depending on the number of children born at one time). Granting such leave may be requested in whole or in part by either the mother or the father of a child (Article 182¹ LC);
- parental leave of 26 weeks, which is provided to both of the child's parents (Article 182^{1a} LC);
- paternity leave of 2 weeks applicable to an employee-father of a child, granted by the time the child completes their 12th month of life (Article 182³ LC);
- child care leave (Article 186 LC) granted to employees-parents in order to personally care for a child, lasting 36 months and must be utilised by the time the child completes their 5th year of life. Starting from 1 October 2013, one month of such leave must be used by the other parent. If the given parent fails to avail of such leave, the leave is lost (Act of Ministry of Labour and Social Policy from 19th September 2013);
- breast-feeding breaks provided for a female employee, which can be taken during working time (Article 187 LC);
- exemption from work of 2 days within a calendar year provided to an employee upbringing a child up to the completion of 14 years of age (Article 188 LC).

The tools which enable combining professional and family life also include flexible forms of work. These are:

- tele-work – professional work done outside of the employer's registered office, in which the employee submits the results of their work to the employer through electronic means (Article 67⁵⁻¹⁷ LC). As regards the place of performing the tele-work, the following differentiation may be made: tele-work at home (either on a permanent basis or temporarily) – done by an employee at home (permanently or alternately at home and at the office) and communication with the employer through IT technology, tele-work done outside of the registered office of the company but in fixed places such as a tele-centre, a tele-cottage, a tele-village or nomadic (mobile) tele-work done at a location where the employee is present at the given moment, e.g. on the way, at the customer's, keeping in contact with the employer through communicative means (Wiśniewski 2007: 50-55; Szpunar 2007: 48; Szluz 2013: 263);

- job-sharing – sharing a workstation between at least two employees, who are “jointly responsible for one FTE” (Machol-Zajdel 2008: 401). This is a modern form of work, in which the time, duties and liabilities are shared. Such a form of work enables the maintenance of qualifications and job on the one hand, and a higher engagement in family duties on the other (Machol-Zajdel 2008: 401-402);
- part-time work – working fewer hours than the FTE set out in the labour regulations. It enables adjustment of the working hours to the needs of the employee, which enables combining professional work and family duties, particularly for women who return to work after having given birth to a child;
- substitution work – specific-time agreement entered into for the time of absence of another employee;
- temporary work – specific-time work or performance of a specific job at the employer-user, in which staff is employed through a temporary work agency;
- work at home – a form of combining child care with professional work (Sochańska-Kawiecka, Kołakowska-Seroczyńska, Morysińska 2009: 35-36; <http://crzl.gov.pl>).

Tools that enable combining professional and family roles also include flexible forms of working time organisation, which are:

- equivalent working time system – extended daily working hours of an employee balanced with shorter working hours or days off (Article 135–137 LC);
- interrupted working time system – work on a given day is divided into two periods, with the break in-between not counting as working time (Article 139 LC);
- specific-task working system – the working time is regulated by the tasks set out by the employer. The employee may perform the task at any convenient time (Article 140 LC);
- variable working time system – full time job within hours determined by the employee within the working timeframes set out by the employer. The employees independently determine the starting and ending time of their full time job (Article 140¹ LC);
- individual working time system – it is determined at the written request of an employee and adjusted to their individual needs within the applicable full/part-time job (Article 142 LC);
- shortened working week system – introduced at the written request of an employee, which enables them to work for less than 5 days a week, however they will work more than 8 hours a day (Article 143 LC);

- weekend work – part-time work, solely on Fridays, Saturdays and Sundays, introduced at the written request of an employee with regard to the individual needs of the employee (Article 144 LC);
- reduced working hours system – introduced at the request of an employee entitled to child care leave. This simultaneously combines professional activity with child care (Article 1867 LC) (Sochańska-Kawiecka, Kołakowska-Seroczyńska, Marysińska 2009: 37-40).

An important role in combining professional and family roles is fulfilled by care institutions, which ensure care for those children whose parents are professionally active. The operation of such institutions is regulated by the Act of 4 February 2011 on Child Care at the Age of up to 3 Years (day care centres and child clubs); and the Act of 7 September 1992 on the Educational System (nursery schools). In Poland, the availability of such institutional forms of care is limited, mainly due to an insufficient number of outlets and places created therein. Currently, the number of institutional forms for care for small children is still insufficient compared to the needs of the working parents. At the end of 2013 there were in operation 1,526 outlets caring for children up to 3 years of age, which jointly had at its disposal 59,600 places. At the end of 2013 the institutions were attended by 55,500 small children, whereas within the whole year – 87,600 children (<http://stat.gov.pl/28.08.2014c>). As regards nursery school type outlets, there were 21,497 outlets operating in the 2013/2014 school year, which had at its disposal 986,300 places at the actual nursery schools and 2,300 at nursery school complexes and 47,100 at nursery outlets (Central Statistical Office 2014b: 259). Not all of the children avail of such form of care. In the 2012/2013 school year, nursery school was attended by 59.3% children at the age of 3–4 years, and 71.6% children at the age of 3–6 years (Central Statistical Office 2013: 61).

ACTIONS FOR COMBINING PROFESSIONAL AND FAMILY ROLES

The above listed legal and institutional instruments are intended to facilitate the combination of professional and family life by working parents. In practice, the tools seem to be hardly effective and only slightly enable performance of professional and parental tasks. From the report entitled *Combining Family and Professional Roles by Women and Men* it appears that parents often face a difficult dilemma – whether to choose professional or family life. In the opinion of the report authors, there are no mechanisms or instruments to satisfactorily enable performance of parental tasks without the

necessity of giving up professional ambitions. This is related to the opinion that professional work requires sacrifice of family life, whereas devoting one's time solely to family life represents depreciation of one's position in the labour market. This is translated into employment-related decisions, which are different depending on gender. Women decide to start a professional carrier less frequently than men. And also, women usually completely resign from work within the first years of maternity or choose less satisfactory work with regard to form or type. Conversely, men work overtime, which may result in limited contact with children (Sochańska-Kawiecka, Kołakowska-Seroczyńska, Marysińska 2009: 120).

Differences between engagement in care duties by professionally active women and men seem to be confirmed by the data of the Central Statistical Office (Central Statistical Office 2012). Moreover, differences in the scope of use of parental rights are reflected, as well as different use of the flexible working time system. The results of research among hired staff allow the formulation of a statement that flexible working time organisation is not a popular solution. The majority of the hired staff (87.6%) has fixed times for starting and ending work. Most often, fixed working hours apply more to women (89.3%) than to men (86%); to the residents of villages (90.7%) than the cities (86.1%); people working in the public sector (90.6%) than in the private sector (86%); and people working full time (88.9%) than part-time (68.2%). Only 4.6% of staff, and in that number 5.2% men and 3.9% women, avail of the possibility of working a specific number of hours a per month, with the use of the so called "bank of hours", in which is kept information on the time worked. Such staff are more often city residents rather than village residents (5.1% to 3.5%), and private rather than public sector employees (4.8% to 4.2%). To a slightly higher extent, staff use the possibility of determining flexible working hours in one day, within the timeframe set out by the employer. In practice, this means working a determined number of hours, but the starting and ending time of the work is determined by the employee. Such a solution is used by 5.7% of staff (including 6.3% men and 5% women), more often they are city residents than village residents (6.3% to 4.4%), and private rather than public sector staff (6.5% to 4.2%). Individual determination of one's working plan refers to 1.6% of hired staff and to an extent more men than women (1.8% to 1.4%), city residents rather than village residents (1.9% to 1%), private rather than public sector staff (2.1% to 0.8%). However, the data shows that better possibilities for flexible working time organisation are provided to part-time employees – such possibilities are used by 30.4% of people; whereas 6.4% of hired staff is working part-time, including women (9.2%) rather than men (3.9%). In the case of women

working part time, 29.7% may adjust working hours to their private lives, compared to 8.4% women declaring such a possibility when working full time. 12.6% of men may flexibly organise their working time (Central Statistical Office 2012: 29-30). In the context of child care the possibility of changing the working hours seems important for the working parents (start and end) owing to family reasons or taking a day off without using their holiday leave. Such solutions may only be applied to 21.2% of staff (excluding people whose work enables flexibility this figure drops to 16%), 38.3% may apply such solutions only in exceptional cases, whereas 40.5% cannot avail of such solutions at all (Central Statistical Office 2012: 32).

Personally caring for a child is related to the complete or partial resignation from professional work. Care is also enabled through child care leave, which may be availed of by both parents. In Poland, such leave is primarily taken by women. Data from the Central Statistical Office shows that the right to child care leave of at least 1 month was taken by 38.4% of women and 1.2% of men (Central Statistical Office 2012: 39). Combining professional work and child care is also possible through working time reduction. Further data from the Central Statistical Office shows that 12.7% of people caring for a child up to 8 years of age declared a reduction of working time for at least 1 month. More frequently this is done by women than men (22.5% to 3%) (Central Statistical Office 2012: 40). Another solution in the absence of the possibility to simultaneously care for a child and work is the complete or temporary resignation from work. Such a solution was chosen by 5.5% of staff, however, more often by women than men (9.8% to 1.1%). To a larger extent this referred to young women with a lower level of education, which may be related to the rather unstable nature of their employment which prevents the use of child care leave (Central Statistical Office 2012: 42-43). In the first quarter of 2014 owing to child care and disabled care 95,000 people were working part time, of which 89.5% were women. Due to family and housekeeping duties 1,547,000 professionally inactive people were not looking for work, mostly women who represented 87.7% (Central Statistical Office 2014a: 103, 131).

Beside the legal aspect of activities for facilitating the combination of professional and family roles with regard to parental rights and the flexibility of the form and time of work, important is also support related to providing institutional care for a child when parents are at work. Research by the Central Statistical Office shows, however, that only a slight number of households with children up to 14 years of age take advantage of care institutions. Only 31.8% parents use care services, mostly for 6–8 hours a day. This refers more often to city residents (2 in 5 households) rather than village residents (1 in 5

households). Use of the services of organised care outlets is also different depending on the education of a mother. One can see that the higher the education of a mother, the more the family uses the support of institutional care, particularly for longer than 6 hours per day. Those from households which do not use care services solve the problem of child care by using the unpaid support of relatives or friends, or giving up work completely or partially. Usually women limit their professional duties to caring for a child. The number of women is 20 times higher in this case than the number of men. Among the reasons for which people become professionally inactive due to the failure of benefiting from care services are: the high expenses of care services (55.4% women who do work or work part time), lack of care services during the day or at an inconvenient time, too large a distance from the place of residence, insufficient number of places at the facility, inconvenient opening hours of the facility (34.1%), insufficient quality of care related to the low level of education at nursery school, and the absence of adequate personnel or lack of confidence in the personnel (4.6%) (Central Statistical Office 2012: 46-50).

The party whose interest in the family situation of an employee could facilitate the combining of duties in professional and family life is also the employer. However, regarding social awareness the labour market and the family situation are two independent domains. Therefore, employers are not convinced as to the solutions preventing the work/family conflict, while the employees do not expect changes in the labour market with regard to combining roles (Sochańska-Kawiecka, Kołakowska-Seroczyńska, Marysińska 2009: 7). Yet, many companies undertake actions in which they are not legally obliged and which are focused on supporting employees-parents. Such undertakings include *family friendly employment* programmes, i.e. activities of the employers facilitating their employees to combine roles and, as a consequence, bringing benefits to both parties in the employment agreement. Among the benefits for the employer are listed stable staff, limitation of the cost of recruitment of new staff, higher engagement of staff, improvement of working motivation and productivity, protection of investments in employees, reduction of absences, mitigation of difficulties resulting from breaks at work owing to personal reasons, facilitation of recruitment of new staff, building a positive image of the company. Benefits for the employee are related to mitigation of the personal/family life conflict with work, easier combination of professional and family duties, stress reduction, limitation of concerns related to a loss of job, higher motivation to work, protection of the acquired qualifications and improvement of productivity, which is translated into earnings. Major barriers which may hinder such activities are: the attitude of the employer owing to the absence of duty to support staff, difficult

situation of small and medium-sized companies, necessity to adjust work organisation, costs of benefits, opposition of staff who are not covered with the support, lack of cooperation between the negotiating parties (Balcerzak-Paradowska 2008: 24). Examples of *family friendly employment* are:

- facilitation of return from maternity/child care leave,
- granting bonuses in the case of faster return from maternity/upbringing leave,
- facilitation of professional re-activation of staff after child care leave by virtue of training or work at home,
- application of more flexible forms of employment and working time organisation,
- interest of employer in activities for creation and operation of child care outlets,
- activities focused on changing stereotypes in the perception of the roles of women and men and shaping partner relationships in families,
- propagation of *work-life balance* programmes and *family friendly employment*, for example by information actions, training for employers and managers (Balcerzak-Paradowska 2008: 32-33).

Referring to solutions which may be proposed by the employers, it is worth paying attention to the expectations of working Poles with regard to the possibility of combining professional work and parental duties. From the *Social Diagnosis 2013* it appears that the most preferred solution is flexible working time (55% of men, 57% of women). Further include: better possibility to care for children up to 7 years of age (33% of men, 37% of women), higher allowances (24% of men, 22% of women) and the possibility of partial work at home (20% of men, 24% of women). Attention has also been paid to the length of maternity leave (19% of men, 24% of women) (Czapiński, Panek 2013: 130).

Improvements proposed to parents in order to facilitate combining professional and parental duties are appreciated in competitions organised among companies and staff. Examples are: *Equal Chances Company*, *Mum at Work* for companies which are friendly to women who combine maternity with professional work (<http://www.mikolaj.org.pl>) or *Family Friendly Company* Poland-Wide Competition for Entrepreneurs (<http://rodzina-i-kariera.infor.pl>). There have also been indicated solutions which might facilitate the combining of duties by employees-parents. These include: medical care for pregnant women and children, child-birth benefits (layette, additional paid leave), rooms for breast-feeding mothers, working rooms for mothers with children, nursery schools, day care centres, company clubs for small children, additional protection of mothers against dismissal, mainte-

nance of links with parents during their maternity or child care leave, workshops and training for parents, vouchers for sports and recreational activities for parents and children, subsidies for family holidays, priority of parents in planning holiday leaves (<http://www.mpips.gov.pl>, date access: 19.05.2014 a). In the Podkarpackie province among the initiatives in which the importance of female-friendly companies is emphasised, including those who support combining work and family through flexible working time, nursery schools at the company, or the possibility of working at home, is the project entitled *Women – Implementation of International Strategy for Prevention of Leave of Well Educated Young Women*, which has been performed by the Rzeszów Agency for Regional Development (RARR, <http://www.rarr.rzeszow.pl>). An example of an undertaking aimed at promoting the idea of combining professional and family duties among the employers and the employees, through such tools as flexible work, long-distance work, job-sharing, time-off during the day, hourly leave and the creation of company day care centres or child clubs, is the project entitled *Parents at Start* by the Association of the First Quarter Mothers (Stowarzyszenie Matki I Kwartału) (<http://www.mpips.gov.pl>, date access: 19.05.2014 b).

SUMMARY

Family and work have for many years been occupying the highest position in the ranking of values highly regarded by Poles. However, for many working parents the combination of activeness in the areas of work and family is a huge burden. The special situation in the context of child care and simultaneous professional work refers to women who are mothers. Actions aimed at supporting the working parents become important. Partners of projects performed for combining professional and family duties should not only pay attention both to the already existing legal and organisational solutions but also to cultural attitudes related to perceiving the social roles, division of roles in a family and, in that context, analyse the possibility to combine family and professional duties. It would be worth drawing the partners' attention, particularly those of the local government sector, to the consideration of tasks related to the development of care services in the territorial social policy strategies. It is necessary to develop care outlets and monitor the consequences of the introduced family supporting solutions, including the extension of maternity leave and the level of use of parental rights by fathers, from the point of view of the situation of women in the labour market. For effective promotion of solutions supporting the combination of professional

and family duties by the partners, it would be advisable to carry out educational campaigns among the employers and the employees, as well as social campaigns related to the partner division of duties in families. A large role to be played here is for media and non-government organisations. It seems, therefore, that such understood partnership, i.e. cooperation for the achievement of a common objective in the form of facilitated combination of professional and family duties, may generate long-term positive effects in future.

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Summary

Family and work have for many years been occupying the highest position in the ranking of values highly regarded by Poles. However, for many working parents the combination of activeness in the areas of work and family is a huge burden. The special situation in the context of child care and simultaneous professional work refers to women who are mothers. Actions aimed at supporting the working parents become important. Partners of projects performed for combining professional and family duties should not only pay attention both to the already existing legal and organisational solutions but also to cultural attitudes related to perceiving the social roles, division of roles in a family and, in that context, analyse the possibility to combine family and professional duties. It would be worth drawing the partners' attention, particularly those of the local government sector, to the consideration of tasks related to the development of care services in the territorial social policy strategies. It is necessary to develop care outlets and monitor the consequences of the introduced family supporting solutions, including the extension of maternity leave and the level of use of parental rights by fathers, from the point of view of the situation of women in the labour market. For effective promotion of solutions supporting

the combination of professional and family duties by the partners, it would be advisable to carry out educational campaigns among the employers and the employees, as well as social campaigns related to the partner division of duties in families. A large role to be played here is for media and non-government organisations. It seems, therefore, that such understood partnership, i.e. cooperation for the achievement of a common objective in the form of facilitated combination of professional and family duties, may generate long-term positive effects in future. The purpose of this article is to present the instruments which facilitate combining professional work and parenthood in light of the existing legal and institutional solutions, as well as actions undertaken for the performance of the task and its promotion.

Key words: family, working parents, partnership