

**POLISH UNION'S ATTITUDES TOWARDS FLEXIBILITY IN
VIEW OF WORK-LIFE BALANCE AND LOW EMPLOYMENT
RATES OF WOMEN AND SENIORS**

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ABSTRACT

This paper, based on interviews with trade-union spokespersons, aims to explore the attitudes of Poland's organised labour towards flexibility in the context of work-life balance (WLB) and low employment rates of women and seniors. It transpires, among other things, that they are cautiously in favour of flexible working practices and recognise the significance of WLB policies. Still, they come out against any major labour-code changes facilitating the propagation of far-reaching flexibility-underpinned WLB measures. While declaring their commitment to fighting age/gender discrimination and improving the position of women/seniors in the labour market, they opt for anti-discriminatory regulation and employability enhancement through training rather than such supply-side measures as employment protection legislation (EPL) and payroll taxes reduction.

Keywords: *Flexibility, Unionism, Work-Life Balance, Labour Market, Poland*

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INTRODUCTION

The crisis that followed the financial markets debacle in 2008 threw into particularly sharp focus employment-related problems affecting most European economies. Cost-cutting restructuring programmes and plant closures (often resulting from relocation of production to lower cost countries) may well have caused unemployment to rise sharply (to 20% in Spain and 12% in Poland), but the fact remains that, even prior to the recession, a number of negative labour-market trends had persisted for years across the EU (Sapir *et al.*, 2004). These included high unemployment levels

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among school leavers and university graduates (France, Italy, Poland, Spain), very low employment rates of women and older people (France, Italy, Greece, Malta, Poland) and – not at all coincidentally – persistence of age and gender discrimination in matters of pay, promotion and access to training (Penner *et al.*, 2002; Walby & Olsen, 2002; Ilmarinen, 2005; European Commission, 2006b; Women and Work Commission, 2006; Villosio *et al.*, 2008). In trying to account for this unfavourable state of affairs, some analysts, while recognising the complex character of the underlying causes, point to labour-market rigidities, with high employment protection legislation (EPL) to the fore, and a relatively low incidence of flexible working practices – the result of strict, inflexible work-time regulations (OECD, 2004; Sapir *et al.*, 2004; Wooden *et al.*, 2009). Flexible working arrangements are seen to facilitate work–life balance (WLB), which is of particular value to female and older employees. In sum, what Europe needs, the argument goes, is more flexibility.

All this implies that trade unions – as social partners who participate in shaping labour-market legislation – have an important role to play. Given both their institutional prerogatives and influence over public opinion, they can either help or thwart reform. A case in point is the stance of French trade unions, which – on ideological grounds – frustrated efforts to ease EPL for those aged 18-26 (*contrat première embauche*). In this context, one school of thought, pointing to the stance of Danish (as well as Irish and British) labour organisations, makes a case for modernisation of the union agenda (cf. Mückenberger *et al.*, 1996; Waddington & Whiston, 1997; Heery *et al.*, 2003; Frege & Kelly, 2003; Phelan, 2007; Gregory & Milner, 2009). This would imply making an ideological shift and, consequently, adopting – in line with the premises of a ‘mutual gains’ strategy (see also Burawoy & Wright, 1990; Edwards *et al.*, 2006) – a more positive attitude towards the business agenda in general and flexibility in particular. In practice, unions would be expected both to agree to modification of restrictive EPL (and inflexible work-time regulation) and to get involved (at workplace level) in the introduction of WLB policies.

All this is of pertinence to Poland, marked by high unemployment levels (in some regions exceeding 15%), remarkably low employment rates of women and people aged 55-64 (far below the EU averages), low quality of social capital (Sroka, 2007; Zientara, 2010), family-related problems (Bystydziński, 2005; Bronson *et al.*, 2005; Ornacka & Szczepaniak-Wiecha, 2005) as well as, crucially, increasingly confrontational and acrimonious industrial relations (Kahancová & van der Meer, 2006; Martin, 2006; Zientara, 2009c). In this context, union leaders argue that Polish managers, who tend to disregard employee voice (Maczynski, 1994; Tholen *et al.*, 2007) and resist organised labour (Martin, 2006), are incompetent and authoritative. Employers and management, for their part, see unions as

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inflexible, militant and self-interested. Admittedly, the aura of confrontation and mistrust has negatively affected social dialogue (Rychly & Vylitova, 2005; Grosse, 2006; Gardawski, 2007; Sroka, 2007; Zientara, 2009c).

It is against this background that the present paper, drawing on interviews and email correspondence with union spokespersons as well as content analysis of union websites and official documents, aims to find out what is the attitude of the Polish labour movement towards labour-market and workplace flexibility. Specifically, we focus on union stance on employers' proposals to reform the labour code with a view to easing EPL and to promoting WLB-inspired flexible working practices. At the same time, the study attempts to find out how unions intend to cope with very low employment levels of women and seniors as well as with age and sex discrimination. In doing so, the paper seeks to address a wider issue, namely, Polish organised labour's attitude towards the business agenda and, by implication, modification of certain ideological convictions.

To the best of our knowledge, there is relatively little research into this area in the eastern European context. Thus this paper contributes to the literature by deepening our understanding of unionism-related issues in a post-communist economy. The structure of the study is as follows. The next section provides a theoretical background. We then focus on the situation in Poland, with emphasis placed both on the nature of the problems affecting the economy and the standing of trade unions. Subsequently, we present our methodology. The following part offers a discussion of the research findings. Finally, building upon the results and theoretical considerations, we summarise the argument and suggest directions of further research.

THEORETICAL BACKGROUND

In recent years, flexibility has been the focus of growing public and policy interest. On the one hand, a case has been made for labour market flexibility since there is evidence that countries with flexible labour markets (that is, with low EPL values), are characterised by lower unemployment and higher employment rates than those with less flexible arrangements (Siebert, 2005). Most of the literature on employment protection legislation underscores the parallel between EPL and an employer-borne tax (on employment adjustment) to reflect the cost implications of various regulatory provisions for employers. Thus high EPL may well fulfil its stated purpose of protecting existing jobs (benefiting insiders), yet, at the same time, it discourages new job creation (to the detriment of outsiders). This implies that restrictive EPL might not only lead to insider-outsider duality, but also damage labour market performance (Heckman & Pagès, 2000; Zientara, 2008). It is therefore suggested that the implications of restrictive

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employment protection are controversial both 'in theory and in applied research' (OECD, 2004). In this context, the merits of the Danish model of flexicurity (OECD, 2004) – which was set up in collaboration with trade unions – are highlighted (to simplify, flexibility for employers thanks to low EPL and security for employees through, among other things, extensive training and skill upgrading). Sceptics tend to see flexibility as 'employer-friendly' only and point to its various undesirable outcomes (see also Mathers, 2007). Less restrictive EPL, to follow one line of argument, strips employees of a sense of job security and hence affects negatively their well-being (Pissarides, 2001).

On the other hand, much attention has been paid to flexible working practices, which are thought to facilitate work-life balance or the interrelationship between institutionalised times and spaces of professional activity and private life (Felstead *et al.*, 2002). Work-life balance is, admittedly, a complex phenomenon – an interaction between cultural norms and policies, between state, employers and families, and within families between men and women (Crompton *et al.*, 2007). That said, of particular importance is the employer-employee relationship. In this context, it is argued that some flexible working practices are 'employer-friendly' and some – 'employee-friendly' (Lewis & Cooper, 2005). Let us cite Gregory & Milner (2009):

"Flexibility in working time can be 'employee-friendly' flexibility such as term-time working, job-sharing, flexi-time and parental leave and enhance WLB, but it can also be 'employer-friendly' and comprise practices such as zero-hour contracts, on-call systems and shift working, which tend to render it harder to balance paid work with other commitments. A number of forms of flexible working (e.g. annualised working, homeworking and part-time working) can be perceived variously as employee-friendly or employer-friendly, depending on the context [...]"

Working flexibility in general and WLB in particular are of great importance since nowadays reconciliation of work and family poses a real challenge to many employees (Hakim, 2000; Bystydzienski, 2005). The increasingly dominant culture of long working hours and the need to work at weekends in non-standard hours are often hard to reconcile with household duties and family-related activities (Presser, 2003). This prompts the question of how employees are balancing demands from their workplace with the necessity of finding time for their private lives (Lippe & Peters, 2007). Accordingly, recent years have seen proliferation of multidisciplinary research into different aspects and implications of WLB (Cooper, 1999; Hakim, 2000; Felstead *et al.*, 2002; Presser, 2003; Ilmarinen, 2005; Lewis & Cooper, 2005; Trade Union Congress, 2005; Voydanoff, 2005; Gambles *et al.*, 2006; Fleetwood, 2007; Lippe & Peters, 2007; Villosio *et al.*, 2008; Deery & Jago, 2009; Gregory & Milner, 2009; Maruyama *et al.*, 2009).

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WLB seems to be particularly important to women and older people. To them, being able to reconcile work and life is a key factor behind the decision to remain at and/or to return to work (after retiring or having a child). There is evidence, for instance, that older workers favour flexible work arrangements and gravitate towards companies offering part-time employment (Andrews, 1992; Penner *et al.*, 2002; OECD, 2006). This does matter since both women and seniors generally find themselves in a worse position in the labour market (Penner *et al.*, 2002; Walby & Olsen, 2002; Ilmarinen, 2005; European Commission, 2006b; Women and Work Commission, 2006; Villosio *et al.*, 2008). Perceived as less productive and/or less competent, both women and seniors are often discriminated against (Women and Work Commission, 2006; Villosio *et al.*, 2008). Hence, while female employees usually earn less than their male colleagues or face 'glass ceiling' (see also Walby & Olsen, 2002), older people seeking work are not invited to job interviews or, if employed, stand less chance of getting training (Villosio *et al.*, 2008). Thus the EU has gone to great lengths to increase the labour-force participation of the two groups as well as advance gender and age equality (European Commission, 2004, 2005, 2006a, 2006b). This has been done through, among much else, promotion of WLB-friendly measures.

Most notably, a directive on part-time work (97/81/EC) was passed and social partners were called on to engage themselves in finding ways to reconcile employer and employee time needs. This can be achieved – in line with what has been argued above – thanks to working-time flexibility (Fleetwood, 2007). It follows that WLB practices in the workplace augment the autonomy (see also Green, 2008) of an employee in 'negotiating attention (time) and presence in employment' (Gregory & Milner, 2009). To put it differently, the idea is to increase – on a consensual basis – individual discretion over when and how often a worker is present in his or her workplace, without negatively affecting the performance and competitiveness of a business. This, in turn, has far-reaching implications and bears upon a number of interrelated and contentious issues.

Above all, it is compromise-seeking and co-operation between management and unions that facilitate the introduction of flexible workplace solutions contributing to sustainable WLB.

This is because the entire flexibility discourse runs counter to established union interests and goes against *traditional* ideological convictions. In other words, unions will be naturally inclined to oppose flexibility both on pragmatic and ideological ground. Hence, for one thing, flexible working practices are frequently thought to undermine traditional employment arrangements and, accordingly, to pose a challenge to protective rights enshrined in the labour market legislation. For another, in the eyes of numerous union members, accepting flexibility – which is often

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seen as employer-friendly only – would be tantamount to a surrender to the business agenda (Fleetwood, 2007). Also, to many a unionist steeped in a traditionally masculine union culture, the very idea of reconciliation of work and life through flexible working is quintessentially a women's problem (and as such hardly deserving profound consideration). And there is evidence that many labour organisations (in particular, in France) have hardly been supportive of WLB measures (Gregory & Milner, 2009; Wooden *et al.*, 2009).

All this implies that rendering labour markets and workplaces more flexible requires unions to adopt – in line with the premises of a 'mutual gains' strategy (see also Burawoy & Wright, 1990; Edwards *et al.*, 2006) – a more positive attitude towards the business agenda. As mentioned in the introduction, such an ideological shift might constitute a step towards – and *de facto* underpin – modernisation of the union agenda (cf. Mückenberger *et al.*, 1996; Phelan, 2007; Gregory & Milner, 2009). Consequently, that would logically mean attaching somehow less weight to the aforesaid distinction between 'employer-friendly' and 'employee-friendly' flexibility as well as giving up the antagonistic class struggle-like rhetoric. This is of capital importance to Poland, where – due to tense industrial relations – social partners have considerable difficulties reaching a compromise. Thus it might be particularly informative to see what is the attitude of the Polish labour movement towards flexibility and modernisation. Yet, before we proceed, let us first put the issues under consideration in context.

POLISH UNIONS AND THE NATURE OF THE CHALLENGES

As mentioned in the introduction, Polish industrial relations are seen to be acrimonious and confrontational (Martin, 2006; Gardawski, 2007; Zientara, 2010). While unions accuse managers and employers of acting incompetently and paying scant regard to workers' voice, the latter regard the former as militant, inflexible and self-interested (Martin, 2006; Tholen *et al.*, 2007; Zientara, 2010). In this context, it is essential to recognise that in the 1990s the Solidarity trade union morphed into a political force (Gardawski, 2007). At the beginning of the transformation, its activists entered politics as members of newly-born democratic parties and later as members of the Solidarity Electoral Alliance (known as AWS), which, having won the parliamentary election in 1997, formed the 1997-2001 coalition government. In fact, the union was the most influential constituent of the Alliance and its boss was a *de facto* prime minister. The presence of Solidarity members in government (and in parliament) led to a serious conflict of interests and marked an unparalleled culmination of union politicisation. This political dimension of union activity was strengthened when The All-Poland Alliance of Trade Unions (Ogólnopolskie Porozumienie Związków Zawodowych, OPZZ), founded in 1984 to counterbalance the

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influence of Solidarity, grew in power and lent support to the ex-communist Democratic Left Alliance (which governed Poland in 1993-1997 and in 2001-2005), and when Self-defence (Samoobrona), a farmers' union that turned itself into a political party, became a junior coalition partner in the 2005-2007 government. Moreover, in 2002, another umbrella outfit was set up, namely, Trade-Union Forum (Forum Związków Zawodowych, FZZ), which, however, emphasises its independence and non-politicisation.

In this sense, it is hard to agree with Crowley and Ost (2001), who assert that the trade union movement in post-communist Europe has generally been weak and, by implication, unable to shape employment conditions and to influence social policy. This presupposition might well be true of Slovakia or the Czech Republic, but it does not seem to apply to Poland, where trade unions – thanks to their involvement in politics and participation in the deliberations of the Tripartite Commission – have exerted considerable influence over the legislative process and the economic-policy agenda (note that approximately 15% of Polish employees belong to a union; Schnabel & Wagner, 2007). Furthermore, Poland's trade union movement enjoys a considerable degree of protection and have wide-ranging prerogatives, which is reflected in the high value of union protection index (UPI). For Poland, the value of UPI is 0.57, while for the United States 0.26 and for the UK only 0.19 (Botero *et al.*, 2004; website dataset).

This is highly pertinent since Poland, like France, is characterised by a *dirigiste* regime, whereby legislation enacted at national level – in collaboration with unions as social partners – determines labour-market regulation in general and work-time norms in particular. Also worth mentioning is the fact that the Polish labour code, which dates back to 1974, is unsupportive of flexible working practices and institutes restrictive fire-and-hire norms (the index of EPL stands at 2.1; OECD, 2004, p. 117). That, coupled with high non-wage labour costs, is believed to have led to the development of an insider-outsider labour market (Zientara, 2008) and helped to reinforce a number of adverse trends. The labour-force participation rate is remarkably low, at 59,2%, more than six percentage points below the EU-27 average (Eurostat, 2009). The employment rate of women, at 52.4%, is one of the lowest in the EU (*Ibid*). The same applies to the employment rate of workers aged 55-64: at 29.7% and about 15 percentage points below the EU average, it is second lowest in the entire Community (*Ibid*). In addition, the Polish economy fares badly in international rankings of competitiveness and business-friendliness (World Bank, 2011; World Economic Forum, 2011). It is neither innovative (PRO INNO Europe, 2011) nor adequately prepared for the challenges of the information age (Forbes, 2005).

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Crucially, there is evidence that labour-code modifications facilitating flexible working practices might help to cope with the aforesaid labour-market phenomena. For instance, a recent study demonstrates that Polish older employees favour flexible working arrangements in general and part-time work in particular (Zientara, 2009a). For them, being able to maintain WLB is one of the key factors behind the decision to stay at (or return to) work. Note also that the interviewed employers, while recognising the value of older workers and the need to accommodate them, asserted that they could create far more jobs for those aged 55-64 if non-wage labour costs were reduced and flexible solutions institutionalised. Generally, they complained about labour-market rigidities, red tape and excessive taxation, which, in their eyes, constitute a major barrier to employment generation and business development (Zientara, 2009a).

This is in line with the conclusions made by World Bank (2011) and World Economic Forum (2011). Symptomatically, the OCED (2004), highlighting the remarkably low employment rate of women in Poland (and other European countries such as Italy, Greece, Malta), argues that modifying restrictive regulation and introducing flexible working practices might contribute to improving their position in the labour market. Given that the Polish labour code bestows generous maternity-related privileges, employers – while recruiting – either tend to favour male candidates (even though job advertisements are gender-neutral) or offer female applicants employment contracts based on civil law rather than on labour law (to avoid the onerous regulation). In either case, women end up discriminated against (besides, in Poland, like elsewhere in Europe, there are still differentials between male and female pay). Hence it is fair to say that less restrictive regulation and more flexibility are required to increase the labour-force participation of older and female workers.

All this should be placed into a wider context of the impact made on the Polish family by the transition to the free-market economy (Bronson *et al.*, 2005; Bystydzienski, 2005; Ornacka & Szczepaniak-Wiecha, 2005). Indeed, various forces of socio-economic and cultural character have affected the *modus operandi* of the contemporary Polish family. As a result, the traditionally-conceived family life has been subject – to varying degrees – to profound (and potentially disruptive) change (Ornacka & Szczepaniak-Wiecha, 2005). On the socio-economic front, the need to work long hours (a phenomenon unknown under communism) and the appearance of new career opportunities for women have highlighted – possibly even more sharply than in Western Europe – the significance of WLB (Bystydzienski, 2005). At the same time, inadequate child-care infrastructure (crèches, kindergartens, gyms, etc.) – especially (but not only) in the countryside – have put additional strain on Polish parents trying (increasingly desperately) to reconcile work and family life.

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It follows that, given its statutory legislative prerogatives and non-negligible influence over the course of economic policy, Poland's union movement has an important role to play. It can either accept broadly-defined flexibility and facilitate labour code reform or it can reject this logic and obstruct change. In line with what has been argued throughout the paper, recognising the significance of labour-market and workplace flexibility and, consequently, promoting WLB solutions might be seen as indicative of unions' willingness to modify their ideological convictions and modernise the union agenda. Hence we propose to find out what unions think of the issues at hand. The next section presents the methodological considerations.

METHODOLOGICAL CONSIDERATIONS

This paper builds on a qualitative research framework. To guarantee validity and reliability of the research, we employed – following suggestions by Morse *et al.* (2002) – a number of research verification strategies.

First, given that the research ought to aim at methodological coherence, the method, data and analytic procedure need to correspond with the research question. To address our research question, we employed two research techniques: interviews (with union spokespersons) and content analysis (of union websites and official documents). Interviewing, deemed particularly suitable for an exploratory study (Saunders *et al.*, 1997), is an effective tool for gaining access to – and exploring – opinions and perceptions (King, 1994; Kvale, 1996). Content analysis is a 'technique for gathering and analysing the content of text. The content refers to words, meanings, pictures, symbols, ideas, themes, or any message that can be communicated' (Neumann, 2003).

Second, the sample must be appropriate. In this study, the main selection criteria were union membership numbers, participation in Tripartite Commission deliberations as well as overall name recognition. Altogether, we contacted by phone and email 15 spokespersons of different unions and union confederations. Eleven union representatives refused to be interviewed or failed to reply. Thus we interviewed four spokespersons representing the following unions: Solidarność, OPZZ, Sierpień '80 and Samoobrona. It is important to note that Solidarność is an umbrella entity that brings together all Solidarność unions such as Miners' Solidarność or Teachers' Solidarność while OPZZ is a confederation of affiliated but independent unions (hence the views expressed by the Solidarność and OPZZ spokespersons are representative of the vast majority of Polish unionists). This means that, even though the actual sample is comparatively small, it is not unrepresentative (on the other hand, the very fact that so many union

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representatives failed to respond or declined to be interviewed also speaks volumes).

Third, collecting and examining data should be done simultaneously. In this study, we have attempted to achieve that by 'bringing data, analysis and theoretical thinking into play through dynamic interaction' (Lehmann, 2009). In this context, it has to be said that all the spokespersons were asked exactly the same open-ended and yes-no questions bearing upon the issues under considerations. Sample questions are as follows: 'what is your union's attitude towards employers' proposals to reform the labour code?' and 'do employers and managers marginalize workers' voice?'. The data obtained from the interviews (which were carried out in Polish) were transcribed into text and translated into English by the author. The utterances that most accurately or eloquently illustrated certain points were singled out and then interwoven – in the form of quotations – into the narrative of the discussion.

DISCUSSION

First of all, analysis of union websites and official documents indicates that unions believe that Polish employment relations in general and social dialogue in particular are far from ideal. Indeed, all the interviewees pointed out that social dialogue was not proceeding smoothly, emphasising that the government and employers were unwilling to get engaged in genuine debate. According to Marta Pióro, spokeswoman of Solidarność, 'the quality of [Polish] employment relations leaves much to be desired' (interview on 12 May 2009). It might be informative to quote also the spokesman of Sierpień '80, a small but radical and militant union: 'On numerous occasions have we wanted to talk, but decision makers have ignored our pleas [...] There is no will [on the part of the government] for dialogue' (interview with Patryk Kosela on 6 May 2009). The interviewees highlighted mistrust and acrimony between social partners, which, in their eyes, made it particularly hard to cooperate and to reach compromises. In this context, Mateusz Piskorski, spokesman of Samoobrona, noted that 'consensus is often impossible to attain due to the overrepresentation and disproportionate influence of employers' (interview on 9 May 2009) while Patryk Kosela observed: 'We are in favour of dialogue with employers, but on an equal footing'. Related to this, they suggested that, in the words of Mateusz Piskorski, 'the voice of workers is marginalized'. And Marta Pióro went on to say that 'management takes into account the voice of workers only in unionised workplaces'. Arguably, this is highly debateable (if not biased) since in Poland there are many non-unionised private-sector companies which, having wholeheartedly embraced the idea of corporate social responsibility (CSR), go to great

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lengths to ensure that the voice of their employees is actually heard (Kulawczuk & Poszewiecki, 2007).

In this context, it comes as no surprise that unions are categorically against easing employment protection legislation – one of the postulates put forward by Polish employers (Confederation of Polish Employers, 2009). Organised labour takes the view that the Polish labour market is already flexible enough (even though, to repeat, the EPL index for Poland totals 2.1 – far higher than in the UK, Ireland and the USA) and thus any modifications of the labour code are 'out of question'. The following citations encapsulate this point: "No" to modification of the labour code', "No" to making the labour market more flexible' (interview with Emilia Walczuk, spokeswoman of OPZZ, on 6 May 2009) and 'Our union is definitely against making labour regulation more flexible. This will lead to the deregulation of the labour market and hence will weaken workers' rights' (interview with Mateusz Piskorski). They refuted the argument that strict EPL, while protecting insiders, *de facto* acts to the detriment of those who seek work, with school leavers and older people to the fore. Asked about possible ways of increasing the labour-force participation of those aged 55-64, they suggested enhancing their employability by offering them skill-upgrading training. The interviewees believed that it was up to employers and/or government agencies (rather than to unions) to provide training to older employees and unemployed. Marta Pióro noted in this context that the problem was ageism dominant amongst Polish employers, who simply refused to employ seniors (which, albeit not entirely baseless, comes across as a sweeping generalisation).

Still, all of them recognised – albeit to varying degrees and with serious reservations – both the value of flexible working practices and the need to help employees maintain WLB. The spokesman of Samoobrona was most sceptical: 'Flexible working practices threaten the fundamental rights of employees, as guaranteed by the labour code. They should be allowed in certain sectors characterised by specific production processes, but the propagation of flexible working might lead to the restriction of workers' rights'. That said, Solidarność was actively involved in the implementation of the telework directive into the Polish labour code while some OPZZ-affiliated unions participated in the introduction of WLB-inspired flexible schemes in a number of workplaces. Yet, somehow inconsistently, part-time employment was seen as substandard and therefore was frowned upon. Also, it was possible to infer that, in the eyes of some of the interlocutors, WLB was somehow an 'artificial' problem. The comment by Patryk Kosela is indicative of this reasoning: 'if an employee works eight hours a day and is adequately remunerated, he or she has no difficulty reconciling work and private life'.

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The statement – however accurate *per se* – seems to be deeply rooted in industrial-era thinking and completely divorced from the complex nature of modern-day work reality.

This sits somehow awkwardly with unions' avowed determination to fight gender discrimination and to improve the situation of women on the labour market. In this context, the spokesman of Sierpień '80 highlighted that his union 'came out against a proposed law preventing women from working as ambulance crew members' and he went on to say that one of the union female leaders had organised the first ever strike at TESCO supermarkets. In a similar vein, the spokeswoman of OPZZ emphasised that their lawyers and leaders regularly took part in conferences and debates on gender equality while Mateusz Piskorski noted that 'in farming women are not discriminated against; in other sectors it is necessary to introduce anti-discriminatory regulation'. However, when faced with the suggestion that perhaps it might be helpful to reduce EPL and payroll taxes on the grounds that low unemployment acts in favour of women and older people (since employers, confronted with labour shortages, become less inclined to discriminate), they declined to recognise the usefulness of such measures.

When asked about gender discrimination and male domination within their unions' organisational structures, all the interlocutors declared their commitment to gender equality and emphasised that female union members were not discriminated against. This may well be true, but the fact remains that – as emerges from analysis of the information on the relevant websites – the leadership of all the unions is disproportionately male. Emilia Walczuk and Marta Pióro unambiguously acknowledged this: 'Yes, it is true [...] the OPZZ leadership is male-dominated' and 'Solidarity and its leadership are dominated by men, but this does not influence union policy'. All this is important in the context of stemming the decline in union membership and changing the image of Polish unions as backward-looking, militant (Wesołowska, 2009) and, critically, male-dominated (Tarasiewicz, 2009). As Goslinga and Sverke (2003) note, 'the way unions treat, support and value their members is as important as the improvement of working conditions [...] for the decision to maintain or terminate membership. The implication is that, if Polish union leaders really want to project a better image of their organisations (and to increase membership numbers), they need to pay more attention to the situation of women within their ranks.

All in all, unions do not see any need for ideological shifts and modernisation of their agenda. They perceive union *raison d'être* mainly in terms of defence of employment and workers' rights. In other words, the focus is still on defence of existing jobs rather than on the creation of new employment and assistance (in the form of training) offered to dismissed employees. To cite Emilia Walczuk, 'We are against dismissals [...] protecting jobs and defending workers' rights are our top priority' (interview on 6 May

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2009). Asked about adopting a more positive and co-operative attitude towards the business agenda, the interviewees said that they did understand employers' concerns and were inclined to back some of their (less controversial) postulates. Nonetheless, they hastened to add that this, by no means, was tantamount to accepting employers' postulates to reform the labour code (which, to reiterate, dates back to the apogee of communism). Symptomatically, all the interviewees insisted that the principal premises of their unions' ideologies would not be modified. In the words of Mateusz Piskorski, 'The union's programme may change in reaction to the appearance of new phenomena in the economy; yet, its philosophy will not change' (interview on 6 May 2009).

CONCLUSIONS

This paper has focused on the attitudes of Polish trade unions towards the business agenda in general and flexibility in particular. We have attempted to find out what unions think of employers' proposals to reform the labour code with a view to easing EPL and to promoting WLB-inspired flexible working practices. At the same time, we have aspired to learn unions' views on how to cope with very low employment levels of women and seniors as well as with age and gender discrimination (also within their ranks). Thus, by implication, the study brought up the question of union ideological convictions and modernisation of the union agenda. The interviewees, highlighting that Polish employment relations were tense and acrimonious, complained about the quality of social dialogue and difficulties with reaching compromises. They argued that the voice of workers is marginalized and pointed to unwillingness to talk on the part of employers and government officials. While expressing some understanding for employers' concerns, they were opposed to any significant modification of the labour code. Specifically, unions are categorically against easing EPL (thereby rendering the labour market more flexible) and modifying certain employment regulation (which insidiously acts to the detriment of women and older workers).

They are cautiously in favour of flexible working practices and recognise the significance of WLB policies. Still, there was some inconsistency to that as they frowned upon part-time employment. Besides, they would be unlikely to agree to any major labour-code changes facilitating the propagation of far-reaching flexibility-underpinned WLB measures. While declaring their commitment to fighting age/gender discrimination and improving the position of women/seniors in the labour market, they opt for anti-discriminatory regulation and employability enhancement through training. Still, they dismiss the argument that such supply-side measures as

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EPL and payroll taxes reduction may lead to lower unemployment, thereby indirectly improving the situation of women and older people (as employers, faced with labour shortages, tend to be less discriminate). Revealingly, their commitment to gender equality is somehow belittled by the fact that union leaderships are dominated by men.

In sum, Polish unions do not see any need for ideological shifts and more profound modernisation of their convictions. Highly sceptical about accepting the business agenda, they are unwilling to agree to any changes which – by weakening the protective rights of insiders – might potentially enhance the labour-market position of women and seniors. Granted, Polish employers and managers are far from blameless. Indeed, a top-down management style and scant regard to employee voice still feature saliently in the repertoire of many a Polish manager. Yet, given the extremely hostile environment in which Polish entrepreneurs operate, showing relatively little understanding for – and lending so little support to – their flexibility-related needs and expectations seems slightly short-sighted and self-centred. Besides, there are reasons to believe that unions failed to notice a growing popularity of CSR and the resulting propagation of good working practices, which means that more and more employers go to great lengths to ensure that workers' rights are respected.

The major limitation of this study is the fact that we interviewed union spokespersons and analysed official documents. A small number of interviewees should be of lesser concern, given that, to repeat, they – speaking in the name of Poland's biggest and most influential union organisations – *formally* represented most Polish union members. It is true that this allowed us to find out what is the official union line on the issues under consideration, but the fact remains that rank-and-file members might hold different views. There is always a possibility that some discrepancy exists between official union stance and ordinary unionists' opinions. In other words, the problem might be whether the views as expressed by union spokespersons really reflected the attitudes of rank-and-file members. (Note that in May 2009 Solidarność members from the Gdynia Shipyard sent an open letter to the Solidarność leader, in which they accused him of politicising the union and suggested – in disaccord with the official line – that the union should stop supporting the Law and Justice party.) Hence further research – based, for instance, on a questionnaire survey conducted amongst union rank-and-file – is needed. It is hoped therefore that this paper, deepening our understanding of unionism-related issues in central Europe, will prompt further investigation into what organised labour thinks of flexibility-oriented business postulates and how it intends to cope with modern-day challenges.

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