



## **EMPLOYEE INVOLVEMENT IN DECISION-MAKING**



## **EMPLOYEE INVOLVEMENT IN DECISION-MAKING**

Case study – Poland

Dominik Owczarek, Małgorzata Koziarek

October, Warsaw 2021





# EMPLOYEE INVOLVEMENT IN DECISION-MAKING

## Content

Introduction.....	3
Sectoral overview .....	4
The legal framework of worker involvement in organisational changes in companies .....	4
Ad hoc regulations on national level and the response of the sector .....	5
The impact of the pandemic on the retail commerce sector .....	9
Case study – a retail company .....	10
Protective measures introduced in the company .....	10
Information and consultation procedures during the pandemic .....	13
Workers’ perspective on information and consultation practices in the company .....	16
Conclusions and recommendations .....	19
Employers’ perspective.....	19
Workers’ perspective.....	20
References (and Annexes) .....	21





# EMPLOYEE INVOLVEMENT IN DECISION-MAKING

## Introduction

With the COVID-19 epidemic outbreak, workers in the retail trade and service sector, who stood on the front lines in securing the key social and economic needs, found themselves in an extraordinary situation. So did employers. Under the epidemiological threat, retail and service outlets had to rapidly implement a crisis management mode and modify the way of operation to ensure the safety of their employees and customers.

In this report, the response of the sector employers to the COVID-19 pandemic is discussed against the background of the legal framework of worker involvement in organisational changes at company level, and that of the “anti-crisis shield” package adopted to protect jobs and enterprises, and in connection with the ad hoc sanitary restrictions imposed on businesses in retail commerce and services. In particular, the measures taken to maintain operation in exceptional circumstances and to ensure the safety of employees, as well as the ways of involving employees in the decision making process are presented, as illustrated by the case study of a large retail chain operating in Poland.

The *case study* methodological approach applied allowed to exemplify the sectoral findings and obtain an in-depth insight into the studied questions.. As part of the case study, 4 in-depth interviews with employer representatives were conducted and a survey in which 54 workers took part was carried out in the company.

Interviews with employer representatives focused primarily on mapping the strategy of coping with the sanitary regime implementation at company level and measures to protect employees and customers against infections. The employer's perspective in assessing the social dialogue at that time was also discussed.

Workers, on the other hand, were asked in the survey mainly about various aspects of the right to information and consultation practices in the company. The background for the case study analysis was an overview of the general situation in the trade sector in Poland in the context of the response to the COVID-19 pandemic and is presented in the introductory part of the national input. It was developed on the basis of an analysis of secondary data (*desk research*) and in-depth interviews with representatives of employers' organisation at sectoral level. In total, 2 in-depth interviews were conducted with employers at the sectoral level and 2 interviews in the company under scrutiny. The study was conducted in August and October 2021.





## EMPLOYEE INVOLVEMENT IN DECISION-MAKING

The study was carried out by the Institute of Public Affairs as part of the project "Employee involvement in decision-making in times of crisis as a key to the effective organization of the company's work" carried out in Poland, Spain, Germany, Italy, Serbia, Montenegro and Portugal and co-financed by the European Union. The findings presented are an input into a comparative publication, which will highlight good practices of involving employees in decision-making processes observed in individual countries. The collected information will be the starting point for developing a model of dialogue with employees in crisis situations to be followed by an information and educational campaign. The project leader is FETICO.

### Sectoral overview

#### The legal framework of worker involvement in organisational changes in companies

Worker involvement in organisational changes in the workplace is legally secured mainly by the provisions of the Act on Informing and Consulting Employees (AICE), the Act on Trade Unions, and the Labour Code. According to AICE in enterprises employing at least 50 people, the employer is obliged to consult the work's council on "activities that may cause significant changes in the organization of work or the basis of employment". The consultations are conducted with the aim of reaching an agreement by both parties. Enterprises of this size must also have work regulations that define, inter alia, the rules of work organization, working time systems and schedules, the reference periods of working time, as well as occupational health and safety obligations, including the manner of informing employees about occupational risks (LC). When amending the work regulations the employer is obliged to consult the amendments with a trade union organisation, if such exists in the company. The Act provides for two weeks for the changes to take effect from the moment they were communicated to employees by the employer. No special mode of action in a crisis situation is provided for. In addition to the above the Labour Code and relevant implementing regulations provide that the employer shall inform employees about occupational risk, as well as assess and document it. Given the pandemic context, employers should have informed employees about the epidemiological threat related to their work - due to the risk of coronavirus infection - and about the rules of protection against it.





## EMPLOYEE INVOLVEMENT IN DECISION-MAKING

Ad hoc regulations on national level and the response of the sector

To control the spreading of the coronavirus epidemic the government introduced various sanitary restrictions that limited the activities of enterprises, and in order to protect the economy and jobs, adopted a package of legal regulations to introduce relevant measures, known as the Anti-crisis shield. The laws involved were adopted at the speed of lightning with no room for regular consultations with social partners as provided for in the Acts on Trade Unions and on Employer Organisations, which guarantee social partners 30 days to submit comments. A representative of an employers' representative organization declared that they had been given time from Saturday evening to Monday 9:00 a.m. to provide their feedback to the regulations proposed under the shield 1.0. Of the numerous comments which were submitted by social partners very few, if any were taken into account by the government. It adopted the draft the same day it had been submitted to the Council of Social Dialogue (a national tripartite body) for discussion (March 26, 2020, the following day it was considered by the Parliament, which adopted the relevant law (AICE) on March 31, to take effect as of April, 1. The other relevant bills (subsequent shields 2.0, 3.0, etc.) were submitted to the Parliament for speedy adoption, without even limited official consultation.(Czucharski et al, not dated)

The key measures introduced under the shield (in the Act on special solutions related to preventing, counteracting and combating COVID-19, other infectious diseases and crisis situations caused by them) and related directly to job preservation and work organization were:

- subsidized employment (co-financing salaries of employees subject to economic downtime or reduced working hours) available to companies that experienced at least 30% decrease in economic turnover);
- increased flexibility of working time (permitted at companies that experienced a decrease in economic turnover as a result of COVID-19 and did not have overdue payments of taxes and contributions by the end of the third quarter of 2019).
  - right to shorten the daily time of uninterrupted rest for an employee from the binding 11 hours to 8 (with a guarantee of giving the employee an equivalent rest within 8 weeks), and the weekly time of such rest - from 35 to 32 hours.
  - right to, conclude agreements with trade unions or employee representatives where there are no such organisations:





## EMPLOYEE INVOLVEMENT IN DECISION-MAKING

- on the introduction of an equivalent working time system, in which it is possible to extend the daily working time to a maximum of 12 hours (in a reference period not exceeding 12 months), while the extended daily working time is balanced by a shorter daily working time on certain days or by days off;
- on the application of less favorable employment conditions for employees than those resulting from employment contracts concluded with those employees, within the scope and for the period of time specified in the agreement.

In April 2020, new regulations were introduced extending the validity of periodic medical examinations and permitting physicians of other specialties to conduct initial and check-up medical examinations of employees and to issue relevant certificates (Act amending the Act on special solutions, March 31, 2020). This partly satisfied the postulate of the Polish Organisation of Commerce and Distribution (POHID) to postpone both initial and periodic medical examinations of employees (cf. POHID 2020; 10.04).

Retail commerce staff was not listed among the groups to be vaccinated first, although both employers and trade unions representing the sector had been lobbying for it since December 2020, yet without effect. In February 2020 a joint appeal of NSZZ "Solidarność", Polska Chamber of Commerce, Polish Trade and Distribution Organization and the Polish Council of Shopping Centers was submitted to the Prime Minister, which, was not successful either (POHiD, 11.02. 2020). Later retail chains got involved in the implementation of the government project of the organization of employee vaccinations by workplaces, using their premises. (POHiD 05.08.2021).

As part of sanitary restrictions and recommendations, employers were obliged to provide employees with disposable gloves or means for disinfecting hands, and to organize the workplace so as to keep the distance of at least 1.5 m between work posts. In addition, employers could order employees switch to a remote mode of work.

The government recommended that “employers should issue appropriate recommendations to employees indicating how to deal with the SARS-CoV-2 virus threat (concerning, inter alia, contacts with employees, customers or the need to avoid human clusters) based on the general recommendations of the Minister of Health in this matter” (Ministry of Family, 11.05.2020).





## EMPLOYEE INVOLVEMENT IN DECISION-MAKING

In May 2020 (due to the loosening of restrictions and the return of employees to work in various sectors of the economy), the National Labor Inspectorate (PIP) reminded the employers about their obligation to update the occupational risk assessment and create a plan of appropriate safety and control measures, so as to secure normal work and at the same time prevent virus spreading. Among the necessary measures the ones of organisational nature were listed, such as introducing a shift system, increasing the duration and number of breaks, assigning specific jobs only to qualified workers. Before resuming work, employees should be notified about the changes by the employer, who should inform them about the new procedures and, if necessary, provide training. PIP recommended that employees and their representatives should participate in the risk assessment verification process. According to PIP, “the COVID-19 epidemic causes justified anxiety, stress and frustration among majority of occupational groups. A large dose of negative emotions, tension and uncertainty negatively affects reactions and behavior during work”. (NLI, 06.05.2020)

As a result of sanitary restrictions introduced ad hoc, depending on the epidemiological situation, trade and service outlets of defined types either had to be locked down or could continue operation under the limitations of the relevant sanitary regime. The restrictions most often concerned the number of persons (customers) who could stay at a time in a given space (store or facility). In stores the original limit was 3 customers per check-out counter; and later changed to 4 persons per check-out counter in stores upto 100m<sup>2</sup>, and 1 person per 15m<sup>2</sup> in stores over 100m<sup>2</sup>.

Temporary lockdowns affected, for instance:

- outlets in shopping centres and malls, except food stores, laundry services and pharmacies;
- bars, restaurants, pubs (only take away meals could be served during lockdowns);
- such services as hairdresser’s and barber shops, beauty parlours and tattoo and piercing studios; fitness centres; sport and cultural facilities; hotels.

During epidemiological peaks (in April 2020 and in October 2020) the government also introduced some restrictions on the customer traffic in food stores, pharmacies and drugstores by introducing “the hours for the elderly” between 10:00 a.m. and 12:00 a.m. when only people aged 65 or more could do the shopping.





## EMPLOYEE INVOLVEMENT IN DECISION-MAKING

The decisions on restrictions were often announced by the authorities at the last minute, overnight, with little time to inform employees or customers. Employers' organizations called for announcing such information in advance, e.g. POHID called for revealing the rules which would apply to retail commerce, when the government mentioned its intention to introduce a national quarantine (POHID) 12.11.2020. It also needs to be noted that already at the very beginning of the pandemic spread in Poland, the government rejected a request submitted by a representative employers' organisation which, at that time, chaired the Social Dialogue Council to participate in the work of the government's anti-crisis team on defining and implementing sanitary rules.

Observing the epidemic situation, employers started to introduce their own measures, besides the action taken by the government, to prevent an even more serious crisis. Sometimes they even approached the authorities with their own proposals of sanitary rigors, such as rotational work. The measures taken by the employers on their own initiative included, besides rotational work, dedicated pick-up zones in stores where only one person was allowed at a time to limit contact between suppliers and recipients; remote work of sales managers; medical screening of staff in stores and warehouses; regular staff training; Plexiglass screens at cash desks and counters separating employees from customers; hand disinfection stations; markings indicating safe distance between customers in stores; posters and information leaflets as part of information campaigns among contractors (e.g. in franchise-based retail networks), store staff and customers. As a standard, employees were provided with personal protective equipment (masks, gloves, visors and disinfectants, the acquisition of which was a problem at the beginning, because the product was not available on the market. An important role was played by crisis management within the companies, including introduction of appropriate procedures and internal communication with employees. The latter was crucial not only in the effective implementation of the solutions adopted, but most importantly - in clarifying doubts, alleviating the feeling of uncertainty and fears among the staff.

The restrictions imposed by the government gave rise to various organizational problems. Limits on the number of check-out counters and people at a checkout counter have caused queues in front of the stores. In order to increase throughput and organize customer flow, retail chains extended the working hours of the stores. The challenge was to ensure the safety of customers in front of the store, so that they would keep a safe distance between themselves. The networks had to rely on their security





## EMPLOYEE INVOLVEMENT IN DECISION-MAKING

service staff to organize the movement of customers. As a solution that would increase capacity and reduce queues, POHID called for the resumption of Sunday trading.

The introduction of hours for the elderly in the middle of the day (from 10: 00-12: 00) was another organisational inconvenience. POHID called for shifting the hours to the beginning of the day, so that other customers would not have to leave the store because of the "window for seniors", however the demand was not successful.

Retail outlets also had to deal with the reluctance of customers to wear masks. The retail chain employers officially supported the position of the Ministry of Health published on August 10, 2020, indicating that retail establishments may refuse to service customers who ignore the order to cover their nose and mouth (POHiD 11.08.2020).

### The impact of the pandemic on the retail commerce sector

The impact of the pandemic on the retail commerce sector was not uniform, as it largely depended on lockdowns which were imposed selectively – part of the industry could operate continuously (e.g. supermarkets or pharmacy and drugstore chains), while the other part suffered from temporary lockdowns, which affected, for instance, retail chains and stores selling clothing and footwear, RTV and household appliances or interior furnishings. Overall the segments which ultimately turned out least affected were those offering basic necessities (food, beverages, medicines) and durable goods (furniture, household appliances; while the most affected were fashion stationary stores and fuel. (Czachor, 2021).

According to the data revealed by POHID, an organisation which brings together major retail chains in Poland, the member chains selling industrial goods noted the loss of 3 billion PLN as a result of the first pandemic wave. Large non-food stores were locked down for 16 weeks. The customer traffic in hypermarkets situated in shopping centers decreased. The retail chain discount stores were the least affected, as they were located closer to the customer, had a smaller offer, and were more convenient for quicker shopping. (R. Juskiewicz 07.04.2021; 14.07.2021)

At the same time the pandemic stimulated rapid development of alternative modes of retail commerce: omnichannel, e-commerce, click & collect, mobile shops ("shops on wheels" targeting especially rural areas), which, for instance, helped a franchise based retail chain successfully compensate the losses generated by the pandemic.





## EMPLOYEE INVOLVEMENT IN DECISION-MAKING

Apparently, in the POHID member companies, which employ over 200,000 people, there were no noticeable layoffs, as the priority has been to keep full staffing in order to be able to serve the customers in the changing situation. However some workers – Ukrainian migrants – returned home to their families (even though the Act on special solutions... provided for extending the validity of all types of work permits for foreigners in Poland during the pandemic). This could be compensated by the inflow of workers who lost jobs in the HORECA branch or other more pandemic-affected sectors. (R. Juskiewicz 07.04.2021). CCC S.A., which is a Polish footwear retail chain operating internationally (and is not a POHID member), reported an annual reduction in Polish store staff from 5102 in January 2020 to 4398 in January 2021 (CCC S.A. 2021). however it is not certain how much of the reduction can be reliably ascribed to the pandemic related factors.

Although large-area stores could benefit from the government assistance under the crisis shield, it did not compensate the companies' expenditures on preventing the epidemic spread. As of June 2021 the big retail chains associated in POHiD spent over 420 million PLN, of which 90% was the cost of implementing the sanitary regime, and 10% was spent on social aid which involved both, financial assistance and in-kind support for hospitals, emergency wards and quarantine centres, and for people in need via charities (POHID 05.11.2021; R. Juskiewicz 10.04.2020; POHID 05.08.2021).

### Case study – a retail company

The subject of the case study analysis was Auchan, a large, nationwide multiformat trade chain operating in Poland (covering hypermarkets, supermarkets, small grocery shops and e-commerce platform), which employs approx. 19 thousand workers with a turnover of over PLN 11 billion (approx. EUR 2.5 billion) per year.

#### Protective measures introduced in the company

In accordance with national regulations, the company introduced a number of protective measures due to the hit of COVID-19 pandemic imposed by the government in late March 2020. The shape of the sanitary regime requirements in supermarkets has changed since then due to the fluctuation in the number of infections in the country, to which the company has been constantly adjusting. The following solutions were mainly implemented:





## EMPLOYEE INVOLVEMENT IN DECISION-MAKING

- A Crisis Management Unit was established, whose task was to adapt the company to sanitary requirements, communicate the solutions introduced in the company and to react to the dynamically changing situation on an ongoing basis. The Crisis Management Unit consists of a number of experts and managers employed in the company and has been operating continuously from the beginning of the pandemic until the time of the study. Three priorities were adopted, when the Unit was established: ensuring continuous business operation, protecting customers and employees against coronavirus infection. After each staff meeting, a report was prepared, which was then sent in cascade way first to the management team, and store managers were then responsible for passing this information on to the blue collar workers during the daily team meetings. The company often undertook protective measures well in advance and to extent greater than required by regulations.
- As part of the first priority, the company introduced, inter alia, new solutions in the field of e-commerce - first of all, it was the possibility of booking ready-made purchase packages with a previously prepared composition of products. Customers could choose from a wide range of sets: from basic packages to extended packages. The sets can be ordered online and picked up in front of the supermarket without entering the store.
- The workers were divided into rotating groups A and B. This division applied to both office and store employees. The work of these teams was organized so that there is no possibility of physical contact between them. There were also 30-minute breaks between shifts so that workers from groups A and B did not have any contact with each other. In this context, a special shift system has also been established for cashiers in order to keep uninterrupted customer service. In addition, office workers could use hybrid work, i.e. they can perform part (or all) of their work remotely, if there is a will among the employees. Some workers were also allowed to work at night (with payment for night work) to reduce the daytime density of people in the shop. In some stores, working hours were reduced at the beginning of the pandemic (especially in stores with little traffic) due to the fact that in some municipalities public transport services were cut, so the workers could not come back home. In some bus services that took customers to shops, courses were reserved only for employees during the hours of starting and ending shift.





## EMPLOYEE INVOLVEMENT IN DECISION-MAKING

- Personal protection measures have been introduced in line with the SANEPID (State Sanitary Inspectorate) and government guidelines (and beyond): disinfecting liquids, deep containers with antibacterial gel in bathrooms and stools, gloves, physical distancing (especially in canteens, smoking rooms, training rooms and in the stores), masks, plexiglass screens at the checkout. There were also posters and videos on internal TV in canteens informing about proper hand washing and what to do in case of suspected infection. Many other detailed solutions were also implemented, for example pens or telephones could not be exchanged between workers to avoid virus transmission, air conditioning filters were replaced more frequently. During periods of the highest infections intensity, the departments with industrial products were excluded from use, so that customers could only make basic food and hygiene purchases. In addition, the body temperature of all workers was controlled prior to the start of their shift thanks to electronic solutions, which allowed for immediate identification of infections. Also all business trips were banned, including trips of regional managers controlling operation of many stores in the region and the communication between the administrative staff was shifted to internet.
- The Crisis Management Unit launched a tool for communicating with employees in the form of the Questions and Answers (Q&A) available online. Employees could ask questions in the electronic form, and the Crisis Management Unit answered them on an ongoing basis. Thanks to the tool used, the answers were immediately available to all logged in. The Q&A form is divided into three main categories: trade, human resources, other issues. Most of the questions were raised in the "human resources" category and mainly related to the rotation procedure due to the novelty of this type of work organisation and the difficulty of its implementation.
- The introduction of sanitary restrictions throughout the country (intensified in the periods of the highest COVID-19 incidence) aroused opposition from some customers, which manifested their discontent in the form of conflicts in stores, eg refusal to wear a mask. Therefore, store workers were equipped with a set of answers to the most frequently reported arguments in order to alleviate potential tensions and protect employees (security, cashiers) against the aggression of some customers. The employees of the health and safety department and the legal department were responsible for the development of





## EMPLOYEE INVOLVEMENT IN DECISION-MAKING

the response set. Responsibility for others and social solidarity were mainly referred to.

- The company has introduced its own COVID-19 disease identification and registration system:

*Identification procedure:* in the event of a suspected disease, the employee was immediately transferred to quarantine or to a health facility (if necessary) and an interview was carried out, during which the circumstances of the infection were identified, including contacts with other employees. Moreover, if the worker agreed, the information on the person's infection was announced and other employees were asked to inform whether they had contacted him / her.

*Registration and information procedure:* The company registered the confirmed cases of infection, and then provided current information on the state of health of the company staff to the employees. Moreover, the company provided continuous information on undertaken actions to protect employees, adopting a strategy of full information and transparency. As a result, employees reduced their sense of insecurity in the period of the pandemic.

- It is also worth noting that the company decided to pay employees a bonus for attendance and compliance with the sanitary regime in April and December 2020. The first bonus was paid in cash, while the second one in the form of a shopping voucher in the supermarket. The latter required some amendments in the Payroll Regulations and was consulted with the company level trade unions. This allowed to raise the morale of workers who stood on the front lines in the fight against the pandemic.

### Information and consultation procedures during the pandemic

During the pandemic, the company used four main communication channels to practice the right to information and consultation: standard messages prepared and sent out by the Crisis Unit (described above), monthly management meetings with trade unions, direct telephone calls in case of necessary interventions, and the Employee Forum.

### Crisis Management Unit communications





## **EMPLOYEE INVOLVEMENT IN DECISION-MAKING**

The operation of the Crisis Unit is described above. The decisions about the introduced changes, along with the support instruments, were sent by e-mail to office employees and store managers, and then the latter communicated the information to store workers during daily meetings. It was the main communication channel used to keep all the employees up-to-date. Thanks to the Q&A form, workers could submit their inquiries to which the Crisis Unit tried to answer on an ongoing basis.

### **Monthly management meetings**

Representatives of trade unions (there are four unions in the company: one affiliated by OPZZ, NSZZ "Solidarność" and two other small independent unions) met every month with the company's management and employees of relevant (legal, HR) departments (if necessary) throughout the whole pandemic period. It was the main body of dialogue for the consultation procedures with workers. During the meetings, the most important current issues were discussed in order to consult the unions: plans for the future, current organization of work, evaluation of introduced changes, etc. Each meeting ended with signing of the minutes of what had been agreed. It should be noted that not all minutes were signed by all unions. The meetings were held in the form of teleconferences in order to avoid physical contact and potential contamination with the coronavirus.

Additionally, store-level unions had the possibility to consult issues with the store management, which constituted the lowest level of social dialogue. This form of social dialogue was often practiced during the pandemic and played an important role in calming potential tensions, avoiding uncertainty among workers and introducing shop-level improvements (or modifications to general sanitary regime and the new work organisation model).

### **Direct telephone calls and emails**

Trade union representatives intervened directly by telephone or email to the employer in event of some ongoing issues. During the pandemic, there were several such interventions and they concerned, for example, proposals to replace one type of helmet with another (full-face helmets for half-face helmets), to change the type of gloves to products better suited to the needs of workers, etc. The employer tried to answer positively in each case reported in this way, even if it was associated with an increase in costs.





## EMPLOYEE INVOLVEMENT IN DECISION-MAKING

It is worth noting the union intervention regarding customer-worker conflicts. Several times, such conflicts were electronically recorded by customers and then published on the Internet. In a few cases, it was about deliberate actions of the so-called YouTubers who wanted to build their popularity in social media this way. Trade unions asked for legal support from the company to employees in lawsuits against those YouTubers for removing the reprimands from the Internet. The company provided legal support to all workers who reported such a need. As a result, employees felt better protected and were more committed to complying with the sanitary regime required by government regulations.

### Employee forum

The Employee forum operates on the basis of the regulations concerning works' councils. Members of the Forum are elected from the worker teams and are not related to trade unions directly. Therefore, the Employee Forum supplemented the above communication channels - also in regards to issues related to the implementation of solutions for the duration of the pandemic. Forum meetings were held almost as often as union meetings with the management and also took the form of tele-conferences.

According to both employers' and workers' representatives social dialogue was very tense and difficult in the first phase of the pandemic, when the COVID-19 hit was still a shock to the society. The companies and public institutions were unprepared to implement the sanitary regime in just a few weeks and shortages in personal protection instruments only intensified the difficulties. Both the management and workers in the company had many uncertainties and emotions related to the critical situation, which mobilised them to adapt to the new circumstances. After the first shock, the dialogue between the employer and workers become more rational and oriented towards solving problems. The key success factor was that the social dialogue was intensified and uninterrupted, even if not all problems could be solved immediately. The company was keen to listen to the submitted requests and to respond to them in timely manner and accurately to the current needs. While the unions pointed out the issued that blocked operation of stores at local level. This allowed for creating a trusty relationship leading to problem shooting.





## EMPLOYEE INVOLVEMENT IN DECISION-MAKING

Workers' perspective on information and consultation practices in the company

In September 2020, the company commissioned a survey among workers to diagnose the level of their satisfaction during the pandemic. The results showed that, the challenge for workers was to use sanitation measures and adjust to the new work organization (57%). The need to work in the team and team commitment (34%) were also emphasized, but also the significant workload and deterioration of working conditions (39%) were indicated. As many as 90% of employees stated that the company acts as responsible companies that adjust its offer to take into account social and environmental challenges, and 88% indicated that the company is an enterprise that cares about health and safety of its employees.

Under this study another survey was conducted among the workers of the Auchan company in September 2021. There were 54 respondents taking part in the study, including 28 women and 26 men, most of which represented positions in the trade hall (only two office workers were included). Age groups were as follows: 18-34 years of age: 17 respondents, 35-54 years of age: 24 respondents, 55-70 years of age – 13 respondents.

**Table 1. Results of the survey – reported average scores**

No.	Question	Average
1	To what extent you were informed (directly or through your trade unions) about changes in your company during the pandemic?	6,5
2	To what extent you were consulted (directly or through your trade unions) about changes in your company during the pandemic?	6,0
3	To what extent did you participate in the decision making (directly or through your trade unions) when changes were introduced in your company during the pandemic?	5,5
4	How would you consider the atmosphere in which these changes were introduced?	7,6
5	How would you consider that the organisational changes were made in your company?	7,6
6	How would you rank your attitude towards the organisational changes that were introduced in your company during the pandemics?	6,4
7	Are you aware of the legal rights you have for information and consultation with the company, including in times of crisis such as the pandemic?	Y: 38 N: 4 n/a: 12





## EMPLOYEE INVOLVEMENT IN DECISION-MAKING

8	To what extent you were offered choice or alternatives regarding the organisational changes introduced in your company during the pandemics?	7,9
9	To what extent you were asked to present ideas and give opinions on the organisational challenges introduced in your company during the pandemics?	4,8
10	To what extent would you say that your gender has affected you in the working conditions that you were offered as a consequence of the organisational changes introduced in your company during the pandemics?	2,2
11	Did you have the chance to work from home?	Y: 1 N: 48 n/a: 5
12	If yes, to what extent you were able to organise your work at home on such same conditions as in your regular workplace? [Non mandatory question.]	6,8
13	To what extent would you say that you received support from your company to adapt to the new working conditions caused by the pandemics?	7,8
14	How safe did you feel in terms of health in the company after having introduced the organisational changes caused by the pandemics?	7,8
15a	In the hypothetical case of another crisis similar to the pandemics how important is for you to receive from the company: information, consultation, participation in the decision making, your attitude in participating? Information	6,9
15b	In the hypothetical case of another crisis similar to the pandemics how important is for you to receive from the company: information, consultation, participation in the decision making, your attitude in participating? Consultation	4,6
15c	In the hypothetical case of another crisis similar to the pandemics how important is for you to receive from the company: information, consultation, participation in the decision making, your attitude in participating? Participation in the decision making	4,5
15d	In the hypothetical case of another crisis similar to the pandemics how important is for you to receive from the company: information, consultation, participation in the decision making, your attitude in participating?	7,3





## EMPLOYEE INVOLVEMENT IN DECISION-MAKING

	My attitude in participation	
--	------------------------------	--

Scale from 0 to 10 (middle: 5), where 0 means negative assessment and 10 means positive assessment. [0-2; 3-4; 5; 6-7; 8-10]

Most respondents reported that the workers were well informed and consulted in the company during the pandemic (only 12 respondents declared weak information process and 16 respondents declared weak consultation process). While the opportunity to take part in the decision making process was assessed slightly worse – average score was close to the middle of the scale, 18 respondents assessed this aspect negatively. The atmosphere in which the changes related to introducing sanitary restrictions during the COVID-19 pandemic were assessed in a rather positive way (only 7 negative responses), as well as the general assessment of the change is also positive (only 6 negative responses). The significant majority of the respondents declared acquaintance with their I&C rights, but there were as many as 12 respondents that did not answer this question.

Almost all (48 out of 54) respondents declared that they were offered choice or alternatives regarding the organisational changes introduced during the pandemics, but only 18 respondents said that they were asked to present ideas and give opinions on the organisational changes.

Vast majority of the respondents declared no impact of gender dimension in the process organisational change. Only 12 respondents pointed out some significance of this factor – equally men (6 resp.) and woman (6 resp.).

Due to the fact that 52 out of 54 respondents were trade hall workers, their job could not be moved to home, which is reflected in the answers: 48 workers worked on site during the pandemic, only one person could work from home (office worker), while 5 other respondents did not give an answer to this question.

The workers participating in the survey assessed in a positive way the support received from the company during the pandemic (only 6 negative assessments) and declared feeling safe in terms of health after introducing the sanitary regime (only 4 negative assessments).

Interestingly, the respondents asked: “In the hypothetical case of another crisis similar to the pandemics how important it is for you to receive from the company information, consultation, participation in the decision making, or your attitude in participating?”





## EMPLOYEE INVOLVEMENT IN DECISION-MAKING

answered that the personal attitude is the most important factor (only 4 persons declared that this is not an important factor). The respondents expected mostly information from the company (11 persons reported small importance of this dimension). Meanwhile taking part in consultation and participation in the decision-making process had a moderate significance to the respondents. However, it is to be highlighted that the answers to the latter two questions are polarised: as many workers would want more involvement in consultation and taking part in the decision-making process as those not interested in this.

In case of future situations similar to the current pandemic most of the workers would prefer to be informed orally in person (44 respondents) and only 7 respondents preferred written form, and 3 respondents via phone or a digital tool. While most respondents preferred the consultation processes in the form of physical meetings at the company's office (25 respondents) or in any other safe place (23 respondents). Only 6 respondents preferred remote meetings using digital tools.

### Conclusions and recommendations

#### Employers' perspective

**At national and sectoral level** the representatives of employers' organizations formulated a number of **recommendations to the government** which could be summarized as follows (cf. Pracodawcy RP 2020).

- **social dialogue:** decisions should be made in dialogue with social partners;
- **transparency:** providing the access to all information and data about the pandemic, aid instruments and their financing. Since the decisions taken are not economically neutral, it is crucial to make sure that the losses generated by the restrictions are not disproportionate to the risks avoided. Decisions should not be arbitrary but instead should be based on clear and objective premises. (For example, a controversy was raised by the introduction of a limit of 1 person per 10 m<sup>2</sup> in fitness clubs, while, as it turned out later, a limit of 1 person per 5-7 m<sup>2</sup> would have been equally safe, allowing for the maintenance of the profitability of these services). It is also crucial that the measures are coordinated and coherent;
- **predictability:** introducing decisions in a way that allows time for preparation and preventing avoidable losses; development of appropriate scenarios in advance (e.g. due to the sudden lockdown of catering outlets that have already been stocked up);





## EMPLOYEE INVOLVEMENT IN DECISION-MAKING

- **adaptation:** companies, instead of being locked down, should be allowed to operate, however under a strict sanitary regime. The rules of operation should be developed in cooperation with epidemiologists while maintaining the general consistency of restrictions. (For example, the lockdown of furniture stores when DIY stores are kept open may be perceived as unjustified and unfair).

In addition to the above, the state should take measures to support the **resilience** of the economy and enterprises to unexpected crises, and not lose sight of structural reforms needed to address the demographic, migration and climate challenges. As part of resilience building, employers postulated that they should legally be able to obtain information from employees as to whether they have been vaccinated. This, however, has been rejected by trade unions (cf. [cowzdrowiu.pl](http://cowzdrowiu.pl), 31.08.2021)

Looking **at the company level**, the sanitary measures taken by retail commerce appeared to serve the purpose, as apparently the risks involved in higher exposure due to direct contacts with customers did not translate to higher incidence rates of COVID infections in the sector.

The key thing when introducing anti-crisis solutions has proved to be and should remain regular internal communication with employees. Those companies where communication was good, succeeded to alleviate employee feelings of insecurity and fears involved in the pandemic situation. Companies can use various types of internal messaging, communication platforms, newsletters, webinars and other means for this purpose; they can organize regular meetings of staff with management, as well as ensure that employees stay in touch, for instance, in small teams, so as to ensure that the connectivity is maintained and the feeling of alienation is prevented. It is also worth appreciating people who showed exceptional responsibility in a crisis situation and were involved in helping others (an example is “The Heros of Everyday Life” organised by Eurocash).

### Workers’ perspective

The period of the pandemic - contrary to workers’ expectations - has become a time of limitation and sometimes even suspension of social dialogue. This conclusion applies to both the level of enterprises and the national level. The introduced changes regulating the rules of the sanitary regime were not consulted with social partners by the government, and at the same time they were implemented very quickly (overnight). Consequently, there was no room for any dialogue at the company level. Thus, the





## EMPLOYEE INVOLVEMENT IN DECISION-MAKING

relationship between employers and employees boiled down to communicating to employees a new way of organising work. The employees, however, had to adapt to these requirements.

In the analysed retail company Auchan, the employer, however, created special mechanisms for implementing and managing the change, which also allowed for receiving feedback on specific problems with following the instructions. Thanks to this, the introduction of the sanitary regime could be better adapted to the realities of individual stores and their worker teams. Apart from the right to information, however, the consultation procedure was scarcely present and concerned a relatively small scope of decisions taken. The co-determination procedure was not practiced, which is a characteristic feature of the Polish system of industrial relations.

Trade union representatives showed a high level of understanding for the employer's behaviour, which was dictated by the changing legislative situation and the need to adapt the company to the new regulations. The pandemic also posed many non-standard business and sanitary challenges. Therefore, employees tried to follow the employer's instructions and at the same time protect their health and the health of customers. The willingness to cooperate on both sides and well-functioning communication allowed for a conflict-free course of adjustments. Employees tried to submit proposals for improvements to organise work in new ways and saw that the employer responded positively to these proposals. It was important for employees that they were able to have a dialogue with the employer and that the latter followed the rules. The survey results showed that some employees expected the introduction of the co-determination mechanism, through which they would be able to increase their influence on the organization of work in the company.

### References (and Annexes)

Labour Code [LC] (Ustawa z dnia 26 czerwca 1974 r. Kodeks pracy), Dz.U. 1974 nr 24 poz. 141 <https://isap.sejm.gov.pl/isap.nsf/DocDetails.xsp?id=WDU19740240141>

Act on informing and consulting employees [AICE] (Ustawa z dnia 7 kwietnia 2006 r. o informowaniu pracowników i przeprowadzaniu z nimi konsultacji, Dz.U. 2006 nr 79 poz. 550 <https://isap.sejm.gov.pl/isap.nsf/DocDetails.xsp?id=WDU20060790550>

Act on special solutions related to preventing, counteracting and combating COVID-19, other infectious diseases and crisis situations caused by them (Ustawa z dnia 2 marca





## EMPLOYEE INVOLVEMENT IN DECISION-MAKING

2020 r. o szczególnych rozwiązaniach związanych z zapobieganiem, przeciwdziałaniem i zwalczaniem COVID-19, innych chorób zakaźnych oraz wywołanych nimi sytuacji kryzysowych), Dz.U. 2020, poz. 374

<https://isap.sejm.gov.pl/isap.nsf/DocDetails.xsp?id=WDU20200000374>

Act of March 31, 2020 amending the Act on special solutions related to preventing, counteracting and combating COVID-19, other infectious diseases and crisis situations caused by them (Ustawa z dnia 31 marca 2020 r. o zmianie ustawy o szczególnych rozwiązaniach związanych z zapobieganiem, przeciwdziałaniem i zwalczaniem COVID-19, innych chorób zakaźnych oraz wywołanych nimi sytuacji kryzysowych oraz niektórych innych ustaw), Dz.U. 2020, poz. 568

<https://isap.sejm.gov.pl/isap.nsf/DocDetails.xsp?id=WDU20200000568>

Act on Trade Unions (Ustawa z dnia 23 maja 1991 r. o związkach zawodowych), Dz.U. 1991 nr 55 poz. 234

<https://isap.sejm.gov.pl/isap.nsf/DocDetails.xsp?id=WDU19910550234>

Act on Employer Organisations (Ustawa z dnia 23 maja 1991 r. o organizacjach pracodawców), Dz.U. 1991 nr 55 poz. 235

<https://isap.sejm.gov.pl/isap.nsf/DocDetails.xsp?id=WDU19910550235>

Bank PEKAO SA (2020) Mogło być dużo gorzej... czyli rynek pracy w czasie pandemii. Porównania międzynarodowe i wnioski na przyszłość. Grudzień 2020, Departament Analiz Makroekonomicznych Bank Pekao SA

[https://www.pekao.com.pl/dam/jcr:8e923643-c558-4d05-b2dc-35c72e0d8b9a/Raport\\_specjalny\\_Rynek%20pracy%20w%20czasie%20pandemii.pdf](https://www.pekao.com.pl/dam/jcr:8e923643-c558-4d05-b2dc-35c72e0d8b9a/Raport_specjalny_Rynek%20pracy%20w%20czasie%20pandemii.pdf)

CCC SA (2021) Skonsolidowane sprawozdanie z działalności Grupy Kapitałowej CCC SA za rok obrotowy rozpoczynający się 1 stycznia 2020 r., zakończony 31 stycznia 2021 r.

<https://corporate.ccc.eu/download/pobierz-zalacznik/skonsolidowane-sprawozdanie-z-dzialalnosci-grupy-kapitalowej-ccc-s-a-za-2020-rok>

Cowzdrowiu.pl (2021), OPZZ nie chce zmian dla niezaszczepionych: Pracownik to nie mebel (31.08.2021) <https://cowzdrowiu.pl/aktualnosci/post/opzz-nie-chce-zmian-dla-niezaszczepionych-pracownik-to-nie-mebel>

Czachor M. (2021) Handel detaliczny. Profil branży. Czerwiec 2021, Bank Pekao SA

[https://www.pekao.com.pl/dam/jcr:338814ce-0191-4a5a-9b1b-5e7703de0922/Handel%20detaliczny\\_czerwiec%202021.pdf](https://www.pekao.com.pl/dam/jcr:338814ce-0191-4a5a-9b1b-5e7703de0922/Handel%20detaliczny_czerwiec%202021.pdf)





## EMPLOYEE INVOLVEMENT IN DECISION-MAKING

Czucharski et al. (not dated) Raport COVID-owy. Z tarczą czy na tarczy? Legislacja w czasach zarazy, Pracodawcy RP <https://pracodawcyrp.pl/upload/files/2020/12/raport-covid-final.pdf>

Ministry of Family and Social Policy (2020), Prawa i obowiązki pracownika podczas epidemii 11.05.2020 <https://www.gov.pl/web/rodzina/prawa-i-obowiazki-pracownika-podczas-epidemii>

The National Labour Inspectorate (2020), Bezpieczny powrót do pracy – zalecenia Państwowej Inspekcji Pracy, 06.05.2020 <https://www.pip.gov.pl/pl/wiadomosci/109995,bezpieczny-powrot-do-pracy-zalecenia-panstwowej-inspekcji-pracy.html>

POHiD 05.11.2021 Branża handlowa podsumowuje 1,5 roku pandemii <http://pohid.pl/branza-handlowa-podsumowuje-15-roku-pandemii/>

POHiD 11.02.2021; A joint appeal of POHiD, NSZZ Solidarność, PIH, PRCH for vaccination of commerce workers during the first phase of vaccination action, Warszawa 11.02.2021 <http://pohid.pl/wspolny-apel-pohid-nszz-solidarnosc-pih-prch-o-szczepienia-pracownikow-handlu-w-i-etapie/>

POHiD 12.11.2020 Apel POHiD ws. Polityki informacyjnej polskiego rządu w odniesieniu do branży handlowej <http://pohid.pl/apel-pohid-ws-polityki-informacyjnej-polskiego-rzadu/>

POHiD 11.08.2020; Klient bez maseczki nie zostanie obsłużony <http://pohid.pl/klient-bez-maseczki-nie-zostanie-obsluzony/>

Pracodawcy RP (2020): Postulaty Pracodawców RP dot. walki z COVID-19 - Przejrzystość + Przewidywalność + Przystosowanie + Perspektywiczność + Odporność, 04.12.2020 <https://pracodawcyrp.pl/aktualnosci/postulaty-pracodawcow-rp-dot-walki-z-covid-19-przejrzystosc-przewidywalnosc-przystosowanie-perspektywicznosc-odpornosc>

Santander Bank SA (2020) Sytuacja społeczno-gospodarcza Polski w dobie pandemii, Departament Analiz Ekonomicznych, Santander Bank Polska S.A. 12 sierpnia 2020 r., aktualizacja 18 sierpnia 2020 [https://odpowiedzialnybiznes.pl/wp-content/uploads/2020/12/FOB\\_Santander\\_Sytuacja\\_spoeczno-gospodarcza\\_Polski\\_w\\_dobie\\_pandemii.pdf](https://odpowiedzialnybiznes.pl/wp-content/uploads/2020/12/FOB_Santander_Sytuacja_spoeczno-gospodarcza_Polski_w_dobie_pandemii.pdf)





## EMPLOYEE INVOLVEMENT IN DECISION-MAKING

Renata Juskiewicz in: Jak sieci handlowe radzą sobie w dobie epidemii COVID-19?  
interview by Studio Balkon part 2, 10.04.2020, on-line recording by WPROST  
<https://www.youtube.com/watch?v=yvR7JiVm3sg>

Renata Juskiewicz in: Czas na związki - odc. 23 – interview by Piotr Szumlewicz,  
07.04.2021, Reset Obywatelski <https://www.youtube.com/watch?v=UEtw5Jb5wsA>

Renata Juskiewicz in: O wpływie pandemii na kondycję branży retail, interview by MMC  
Polska, 14.07.2021 <https://www.youtube.com/watch?v=7CB3Hg8pVlk>

