

**National Committee's (KK's)  
Report  
for  
VII National Congress of Delegates (NCD)  
on the activities performed  
from 28th June, 1992  
to May 1995**

A three-year term of office of KK in 1992 - 1995 comprised the years which were very important to Poland and the Union: there were untimely parliamentary election, local government election, four prime ministers, three governments, and the same president was in office.

In spite of an unstable political situation and in spite of the fact that since the 19th Sept. 1993 election Poland has been governed by a post-communistic coalition hostile to NSZZ "Solidarność", KK has been carrying out the entries of the Statutes and resolutions of the National Congress of Delegates (NCD) - from Gdańsk, Łódź, Zielona Góra and Mielec - and performed current tasks, whose effect was 312 documents of KK (including 234 resolutions) and 567 documents of KK Presidium.

**I. NSZZ "Solidarność" as a trade union  
- organisation, structures and changes**

The past term of office started with great changes in the Union's most important documents; the changes were introduced by the decisions of the 6th NCD into the Statutes and Financial Resolution. The next step is to introduce obligatory voting regulations, to create - first voluntary, then obligatory - regional and national strike fund, and to put in order national (industrial) branch structures. Further steps are: building an electronic network in the KK Office and in the Union, together with creating suitable software, and starting the implementation of the pilot programme which is to check the possibility of replacing statutory allowances with insurance benefits. All these measures are to be taken up to match the Union's activities with constantly changing conditions.

A relevant change was the purchase - together with the Gdańsk Regional Board - a building for KK headquarters, and establishing the KK Branch Office in

Warsaw. "KK Information Bulletin" was issued and seminars for the Union journalists were organised.

A growing conviction of the importance of organising new union members resulted in carrying out the programme - for the time being, for acquired money. A similar way of financing was maintained in the programme executed for the longest time: the BKN (Consulting/Negotiating Bureau) programme.

**1.** The changes in the Statutes, introduced chiefly during the 4th NCD and next sessions of NCD, did not remove all the gaps and ambiguities.

Yet, they enabled creating branch structures, so that the last (i.e. the 15th) national branch secretariat was created on 21 Sept., 1994.

Also, the Union's obligatory voting regulations were introduced (KK Resolution No 422/94).

**2.** On the basis of Resolution No 373/94 there has been created National Strike Fund supplied out of the contributions of the not-on-strike workers. By the contributed sums it can be assumed that there were 9% of such members.

The resources have been completely spent on strike actions in 1994.

The inward payments to the National Strike Fund created on the basis of the Resolution No 10 of the 6th NCD are lower than the ones defined by the Financial Resolution of the Union. This may form an obstacle at making decisions on going on strike, especially a long-term one, and threaten the right of a member of NSZZ "Solidarność" *to a strike benefit, if the member pays the Union's contribution regularly.*

**3.** By the decision of KK Presidium No 68/95, a pilot programme has been initiated - in co-operation with the National Co-operative Saving/Credit Bank (Krajowa Spółdzielcza Kasa Oszczędnościowo-Kredytowa - KSKOK) and Insurance Company Benefit (Towarzystwo Ubezpieczeniowe Benefit) - in which several local shops will replace statutory allowances with insurance benefits (which are more advantageous for the members) for six months. After this period of time, the effects of the programme will be discussed, and the decision will be made whether to give up the programme or to continue it. When the effects are positive, KK will suggest general implementation of the programme, after NCD has introduced amendments to the Statutes.

**4.** Since August 1992, "KK Informative Bulletin" has been issued; the bulletin has expanded from 24 to 100 A-4 pages. It reaches 3,000 plant committees, including all the local shops with more than 500 members.

Every week there appears a bulletin of KK Economic Department; a bulletin of Industrial Branch Department is going to be issued again, and Economic Foundation keeps issuing its training bulletin.

## **5. Information about the Union**

Information about the Union published in the mass-media are of significant importance. One can hardly be satisfied with the image of NSZZ "Solidarność" as presented by the media, in spite of all our efforts to make the picture better. The most important changes are: a growing number of press conferences, the participation of the Union's representatives in a cyclic TV programme FORUM (TVP 1, the average of 18% viewership, i.e. about 5 million viewers), in a radio programme DEBATA (PR - BIS, ca. 2% listenership; transferring to PR 1 is being planned), and in the radio programme "Holiday Breakfast on Radio ZET". An informative network is being organised; the network will consist of regional media, in which the Union has its shares. KK Press Bureau is making arrangements to issue a press bulletin.

It is impossible to overestimate the role of "Tygodnik Solidarność" ("Solidarność Weekly"), although some of the KK members think that it has not always reflected the processes taking place in the Union.

New courses in the Union's informative policy are set by the already-started works on taking out a licence for radio broadcasting of an over-regional range and on issuing a national daily, and also by the project of creating Public Relations Department which would carry out a long-term programme of improving the image of NSZZ "Solidarność" in mass-media.

## **6. Promotion of the Union**

Cultural and sports entertainments are a form of promotion of the Union. They include: "Solidarność" International Cycling Race, a prologue to which will take place during the 7th NCD, International Bridge Tournament in S<sup>3</sup>upsk, Chess Tournament in Kalisz, and "Solidarność" Marathon in the Tri-City (since 1995)

Apart from the undertakings of national character, there are hundreds regional and local enterprises, which should be continued; we should also organise and propose new entertainments promoting NSZZ "Solidarność".

**7.** A computer network in KK Headquarters has been activated; it links KK with Regional Board. The equipment was financed out of donations. The network is

used for communication within the Union in a minimum extent, thus it is difficult to carry out the works on new utility programs and make decisions concerning using Internet instead of Telekomunikacja Polska S.A.

**8.** Union Education Council, being a KK Commission, gives its opinion on the Union trainings; the trainings are co-ordinated by a member of KK Presidium (first Stanisław Węglarz, and since 19 April, 1994 - Tomasz Wójcik). Training Department was transferred to NSZZ "Solidarność" Economic Foundation, and in the KK budget there is a training fund.

Catholic University of Lublin (KUL) opened a department of union managing, and over a hundred union activists started studying there.

The unionists' needs (caused by the coming into force of Part XI of Labour Law, which means creating possibilities of concluding collective agreements at/above the plant level) resulted in a great interest in trainings. Significant financial means were obtained from Phare funds.

During the past term of office, too little time was devoted to creating a uniform system of training, the quality of training at all levels and in all structures of the Union, and to supervising the training policy of the Union by a KK Training Co-ordinator having appropriate authority.

By the decision of VI NCD, the Union's Training Fund has not been created.

**9.** The opening of the KK Branch Office in Warsaw made the Union's activities easier: in the office, situated in the centre of the city, dozens of press conferences have been held, and several hundred meetings and conferences of negotiative groups have taken place. Exhibitions are held there as well.

#### **10. Giving opinion on legal acts**

All the legal draft acts important to NSZZ "Solidarność" were given opinion on, and the opinions were published in "Informative Bulletin". The present opinion system (which consists in consulting a draft with Regional Board and/or with the Secretariats and national branch sections) has proved wrong, and the opinions came to KK (if ever) more and more seldom. (Giving opinion on legal acts is a statutory obligation of branch structures.)

Giving opinions must be based, first of all, on KK experts, on using the potential of BKN activists, and also on the experts from outside the Union. This will make the cost of KK activities higher.

## **The Union's Finances**

1. KK is financed out of membership fees. The system of transferring the money from Regional Boards was not a real success, in spite of the attempts to make it efficient and controllable, e.g. by introducing inquiry forms (KK Resolution No 270/92). The forms are not sent in systematically, if they are sent at all.
2. In order to implement strictly determined programmes, KK NSZZ "Solidarność" Economic Foundation acquires means from Phare funds, Trade Union Confederation, and western unions.
3. The highest expenditure in this term of office was the 1993 parliamentary election, together with protesting actions, constitutional action and organising NCDs (National Congresses of Delegates).
4. The amendments to a Financial Resolution of the Union seem necessary so that the aims of the Union (e.g. creating training or expert funds) will be financed by the members' contributions to a larger extent.
5. The KK accountancy is being adjusted to a computer program created especially for this use; in future, the program may be used in other Union structures (Resolution No 22, the 6th NCD).
6. The arrangement of the 1995 KK budget, accepted by KK, is better adjusted to the tasks of KK; it indicates the special purpose funds, people in charge, and determines the Union's current aims.

## **The Property managed by KK**

1. The Union's property, managed by KK, is not large. It consists of a building in Gdańsk bought together with Gdańsk Regional Board in 1993 for the KK Headquarters, the property of Economic Fund, including the share in Solidarność Chase Bank and Tysol Co. Ltd. which issues "Solidarność Weekly".

The purchase of the building was an investment necessary for the Union, which enabled the adaptation of the rooms (the Akwen hall, common lodging house, sanitary facilities).

The legal status of "Solidarność Weekly" was regulated: 25 May, 1994 Tysol Co. Ltd. was created - the Company issues "Solidarność Weekly". The

Chairman of the Board is Mr Piotr Ąak, and the Chairman of Management is Mr Andrzej Gelberg.

The Union also holds 30% shares in the BIOGRAM Company which applies for the concession to broadcasting radio programmes of the over-regional range (Regional Board of ŁódŹ holds another 30% shares in this company).

The KK Offices are well-equipped, although the equipment is of various quality.

The Union's property would be much larger if we summed up the properties of regional boards, secretariats and branch sections, and plant commissions.

### **Revindication of the Union's Property**

In spite of the 25 Oct., 1990 Act on *the restitution of the property lost by trade unions and social organisations*, only a small part of the property came back to NSZZ "Solidarnoœæ" (the national, regional and plant structures together regained about 50 billion old zlotys). Social Revindication Commission wanted the Union's structures to provide documents which would with no doubts indicate the institutions which took over, has been using and administering the property of NSZZ "Solidarnoœæ", which has been a significant difficulty for the Union structures. OPZZ and Federation of Miners' Union appealed against some of the regulations of the Act, which practically meant that the SKR decrees were overruled. In June 1993, KK Revindication of the Union's Property Group presented the Government a draft order of Council of Ministers concerning the division of the property left behind by Zrzeszenie Zwi¹zków Zawodowych (the Association of Trade Unions). The draft has not been implemented.

After 19 Sept., 1993 there were two meetings of the representatives of "Solidarnoœæ" and OPZZ; they agreed that there was need for amending the Revindication Act, a parallel division of the property left behind by the non-existing Association of Trade Unions and initiating the works on the division of the property of FWP (Workers' Holiday Fund). These establishments have never been implemented. OPZZ motioned the draft amendment to the Act which was definitely unfavourable for NSZZ "Solidarnoœæ", and was rejected in June 1994. That new, unfavourable draft amendment was motioned as a "response" to the great action of protest organised by the Union in spring 1994.

In February 1995, considering many suggestions made by NSZZ "Solidarność", KPN (Confederation of Independent Poland) motioned another draft amendment to the Revindication Act.

Further works depend on the consent of the Union's leaders to the restitution of the property by State Treasury and to the revindication of the dues from OPZZ by State Treasury.

The negotiations concerning the property of industrial branch federation (the federation was a part of the Association of Trade Unions before 1980) which was given to federations affiliated (or not affiliated) to OPZZ have not even started yet. The negotiations concerning the property of FWP have not yet started, either; the Union filed a motion to Constitutional Tribunal for investigating the conformity of FWP Act with the present legal status.

A significant achievement was the recovery (in June 1993) of a part of the property from State Treasury, and blocking the conveyance of the biggest Polish sanatorium "Bałtyk" to OPZZ.

The Union made a complaint against Polish Government for breaking the convention on the freedom of unions, i.e. for not giving back the property of NSZZ "Solidarność" seized during the 1980-1981 martial law and for leaving the Union's property in the management of OPZZ.

## **1993 Parliamentary Election**

1. The decision on the Union's participation in Parliamentary election as a separate political formation without limiting the number of candidates was taken up by the 5th NCD in Resolution No 3.

2. KK determined the rules of putting forward the candidates for election lists (Resolution 320/93). In spite of other KK resolutions (322/93, 323/93, 325/93), in 9 electoral districts no candidates for senators were put forward, one Regional Board did not take part in the election, and the Union members - against the KK resolution - stood as candidates for election out of other election lists or worked in other election committees. 22 Regional Boards remitted money on behalf of the election.

3. The results of the election were not good for the Union:

- two outstanding union activists died during the election campaign;
- in the Polish Diet election we did not overrun the minimum of 5% votes; we were short of about 14,000 votes, but at least 200,000 votes were given to the Union's activists who stood for election out of other lists;
- of 676,334 votes for the lists of NSZZ "Solidarność", only about 400,000 votes were given by the Union members, in spite of the fact that - according to the survey - the average number of voters was higher among the Union members than among common voters (this means that the Union members voted for other lists);
- because of the lack of discipline of district election committees of Regional Boards in sending financial reports, and because of the ill intent of state officials, we have not yet got the refunding of the campaign costs from the State budget: 1.3 million old zlotys (the real costs borne by the Union were several times as high);

4. In the 1993 election we gathered 120,000 votes more than in the 1991 election, and soon 3 women-senators joined the Senate Club (the Club has twelve members).

## **International co-operation**

1. NSZZ "Solidarność" is affiliated to WCL and ICFTU, has the observer status in ECTU, branch secretariats are affiliated to ITS, the Union constantly co-operates with ILO. We keep in touch with member organisations affiliated to WCL and ICFTU, and with democratic trade unions in Central and Eastern Europe which are not affiliated to any international organisations.

2. Mr Marian Krzaklewski is a titular member of the Board and a member of Human and Union Rights Committee of ICFTU. He is also a member of WCL Confederate Committee.

3. Mr Tomasz Wójcik is a member of ILO Administrative Council.

4. In this term of office, international co-operation ceased to concentrate on administering foreign financial aid which is becoming smaller. NSZZ "Solidarność" participates in conferences and seminars, in ICFTU missions to the countries of Central and Eastern Europe, which effected in organising numerous meetings and seminars.

5. During negotiations on the *Enterprise Pact* and strike in spring 1994, the Chairmen of ICFTU, WCL and ECTU twice addressed the Polish Prime Ministers to support our Union.

6. The Union takes part in regular consultations with World Bank and International Monetary Fund on, e.g., easing the pressure of these organisations on the growth of prices of energy bearers.

7. On behalf of the union organisations, KK has several dozen times gathered information about foreign investors, their reliability, or attitude towards trade unions.

8. We have protested many times against breaking human rights and union rights abroad; we also interceded for repressed union activists.

9. The Union provided aid for trade unions in Lithuania, Hungary and Ukraine, where Christmas parcels were sent.

10. We supported - as first in Poland - the Chechens' right to self-determination, opposed to Russian military invasion, and demanded peaceful solutions (KK Decision No 62/94). The Union organised (23rd Feb., 1995) a national Day of Solidarity with Chechnya, and helps the Chechens (charity aid, aid for Chechen children in Poland, aid for Chechen organisations, e.g. the one in Cracow).

Due to our motion, ICFTU sent the resolution on the situation in Chechnya to Russian Government.

## **II. Protection of workers' rights, dignity and interests**

The beginning of term of office coincided with political changes in Poland: Jan Olszewski's government was dismissed, Prime Minister Pawlak failed to form a government, and then a coalition government was formed with Ms Hanna Suchocka as Prime Minister.

Ms Suchocka's government followed the policy of the previous government; the policy was contradictory to the Union's postulates (the manifestation on 24th April, 1992), and the rise in official prices, "popiwiek" (i.e. excessive wages penalty tax), suspension of salary valorisation in public services sector and growing prices caused the fall in real income of Polish families, especially wage-earners' families. All these factors caused dispute regarding compensating higher costs of living (KK Resolution No 259/92), which ended in the 5th January, 1993 "Agreement" only after a nation-wide warning strike on 14th Dec., 1992. Since September, the *Pact on State-run Enterprise in the Course of Transformation* had been negotiated. The lack of solutions to the disputes, faulty shape of the 1993 Budgetary Act, and the situation of public services sector were the cause of the Union's protest which ended in the vote of censure for the Government and dissolving the Parliament by the President.

In parliamentary election, in which we participated as a separate political formation, we gathered less than 5% votes, which meant that we failed to have our representatives in the Diet. However, there are 5 union senators in the Senate. Political situation after the 1993 parliamentary election led to creating a draft Constitution; and the authorities' arrogance led to a wide-spread protest in spring, 1994, taken up for the Union's 8 postulates presented to the Government on 26th May, 1994, by the Union's experts.

During the VI NCD, KK was obliged to create the rules for legal regulations concerning social insurance, minimum guaranteed income, reprivatisation, general insurance, tax system, State Treasury institutions, based on the Union's draft Constitution of the Polish Republic.

These aspects of the Union's activities will be presented in the second part of this report.

## **I. Protection of the Workers' Rights and Interests**

This was a very important aspect of the activities of the Union and KK.

There have always been, are, and will always be the threats caused by employers, state administration, local government administration, and also by political parties inside and outside the Parliament.

1. The threats caused by employers concerned mainly the problems which could be solved with the help of local, regional or branch structures, or consulting - negotiating bureaus. They concerned (and still do) breaking of the labour law, the right of association, or derogation of the worker's dignity. Some of these individual cases, however, became the whole Union's concern.

a) dispute on the rights of the workers in Stocznia Pó<sup>3</sup>nocna (Northern Shipyard) (the 4th NCD Resolution No 1), who did not get their wages, became the dispute between KK and the Council of Ministers.

After three years of negotiations, disputes and strikes, the situation of the shipyard seems to be stable, and over two thousand workers did not lose their jobs. In spite of some layoffs, the shipyard survived and now is beginning to increase employment.

b) dispute on the privatisation of a Porcelain Plant in Wa<sup>3</sup>brzych concerned not only an incorrectly-written buying contract, executed in the way which caused a loss for the State Budget.

The dispute was widely commented upon in mass-media and drew attention to "thievish privatisation". In spite of KK's numerous appeals, only a small part of the information about such misdemeanours reach KK.

At present, the dispute has become litigation, and it is far from finishing, although the employees have better working conditions and higher wages.

## 2. Disputes at regional level

These usually concerned disputes started in previous years, and were of a more general nature - all the governments lacked the idea for a regional policy and devolution of power. None of the governments ever embarked on a program like that. This adversely affected the disputes in progress, delayed and/or wasted the achievements of the teams set up by NSZZ "Solidarnoœæ". These disputes concerned:

a) the restructuring of the Wa<sup>3</sup>brzych district (KK Resolution 259/92). The region affected by structural unemployment, where despite a professionally prepared programme, no basic solutions have been implemented. This has led to protests and strike actions. The dispute remains unresolved, and the programme is opposed for political reasons;

b) the restructuring of the region of ŁódŸ (KK Resolution 277/92). Following strike pressure, a government delegate for restructuring was appointed, ranking equal to deputy governor, but resigned over the inability to implement the programme. The programme prepared by NSZZ

"Solidarność" was recognised formally, but implemented to a minimum extent, for political reasons;

c) the restructuring of the district of Mielec. As a result of the 20 Nov., 1992 agreement, the Government committed itself to organise a special economic zone, giving an opportunity for more jobs. Implementation progress very slow - hence the dispute between the National Commission and the Government, so far unresolved. The special economic zone has not been set up till now, there is no political will to implement the agreement.

An important element of this agreement which has been implemented were the pre-retirement benefits.

d) Contract for Katowice (Position No. 8 of the 6th NCD). A particularly difficult programme of restructuring of Upper Silesia was started. A demonstration was held in front of the Government building in Warsaw because of lack of progress;

e) lack of progress in implementation of regional policy As a result of the meeting of the National Commission's Presidium with representatives of 23 regional boards, held on 22 January 1993, resolution KK 280/93 was passed on setting up a *Group for Small and Medium-sized Regions* and determining the scope of negotiations with the Polish Government. After the negotiations of 8 March 1993, during which the Government side made some of the materials on regional issues available, but firmly refused to devolve powers or create a regional policy in line with the union's experiences from the disputes mentioned above (except the one mentioned in **d**), and after the change of government, there were no more negotiations with the Government.

### 3. Disputes conducted by the National Commission

For two years, the union has had no bilateral negotiations with the Polish Government on the demands of the whole union. Discussion of union demands occurred only on the occasion of branch disputes, and in the first year of the term of office, until the 5th NCD, during disputes at regional level.

This is a result of the deliberate policy of the present coalition of not treating NSZZ "Solidarność" as a party to negotiations on writing off the debt of enterprises, on lack of an industrial policy of the Government, on the Government's programme of countering unemployment, on enfranchising the people, on abandoning *popiwiek* (a wage-control tax) etc.

Branch disputes, if they concern only employment-related issues, usually end up in a protocol of covenants; if they relate to the issues affecting the whole branch, restructuring or protective programmes, they often have to be resumed due to the Government's not abiding by the covenants.

Despite repeated declarations, and in breach of the decision of the Council of Ministers of 12 April 1994, the last two governments did not perform a review of the agreements with NSZZ "Solidarność".

## **II. Personal Income Tax**

The union has repeatedly protested against the *Personal Income Tax Law*, as many of its provisions or relevant specific regulation act to the disadvantage of the employees, and their families in particular:

1. The possibility of joint taxation of families, which means paying lower tax advances, and a similar provision for single-parent families, were introduced after a 24-hour strike in the Łódzki region;
2. The extension of the list of tax-deductible expenses, among others for the disabled, as well as the inclusion of textbooks, computers and other objects indispensable for one's job - were achieved following negotiations in the working group of the Tri-partite Commission for Social and Economic Issues;
3. The deduction of cost of revenue at every of the employers - achieved following negotiations in the working group of the Tri-partite Commission for Social and Economic Issues;
4. The same applies to transportation costs of commuters - if they work or study in a different municipality;
5. The Diet has not yet raised the tax brackets frozen in March 1993; union membership dues are still not deductible, financial aid from union funds is liable to taxation, the poorest families continue to pay taxes, even though they have to rely on social benefits paid out from the state budget; the amount of tax still does not depend on the number of members of the family outside employment;
6. The pro-family system of taxation proposed by NSZZ "Solidarność" has not yet been introduced.

### III. Public services sector salaries.

1. Since the middle of 1991, i.e. since the Parliament suspended the *Act on Shaping Remuneration for the public services sector employees* the financial position of the employees considerably deteriorated (the sector employs ca 300000 Union members). This resulted in the following losses:

- this expenditure was treated as the most easily susceptible to budgetary cuts,
- split in the volume of salaries - the 'uniform' workers (i.e. the police, the army etc.) earn more than 'civilian' employees,
- conscious planning of too low inflation in the course of the budgetary year in order to decrease expenditures, salaries of the public services sector employees included. The Government, however, making use of considerably higher inflation receives higher income and, due to not putting amendments to the Budgetary Act, it receives budgetary surplus spent at own discretion - but never for the raises in the public services sector,
- constant real wage decrease.

2. In spite of the fact that the Diet of the Polish Republic recognised the judicial decision of the Constitutional Tribunal about the discrepancy between the Constitutional provisions and the suspension of valorisation of salaries for the second half of 1991 and the first half of 1992, the Government has failed to pay out appropriate indemnities.

The Secretariats of Science and Education, Health Care, Culture, Art, and Mass Media presented their postulates to the Polish Government. The Governmental answer was not satisfactory, so the KK Presidium gave its consent for starting the dispute with the Council of Ministers for the following postulates:

1. giving up the imposed 5% redundancies in the zones of education, health care, and culture,
2. honest execution of the Act on shaping remunerations in the public services sector,
3. due valuation of salaries (from 1991) according to the decision of the Constitutional Tribunal - the valuation should be taken into consideration at calculating retirement pensions,
4. guarantee of appropriate funds to purchase reduced fares from PKP (Polish State Railways).

4. In spite of a few meetings with the Polish Government none of the postulates has been executed. Therefore KK has agreed to announce 12 March, 1993 the Day of Protest for the whole Union.

5. On 13 March, 1993 KK gave its consent to start the strike of the employees of those secretariats. Ewa Tomaszewska was appointed the president of the

Strike Committee, and Teresa Kamińska, Stefan Kubowicz, and Jacek Weiss were the members. Several thousand teachers education sector employees participated actively in strike, stopping their school work for many days. It was the first active strike in education sector in the history of the Union.

**6.** As the effect of the strike (and dissolution of the Parliament together with running new elections) the 5% redundancies did not occur.

The remaining postulates - but for finding resources for reduced fares for some of the employees - have not been fulfilled.

The government refused to pay for the period of active strikes.

The postulate for the payment for the strike was brought before the Highest Court and received decision in favour of the postulate only in 1995.

**7.** Too small resources in the budget of the State were the cause of delays in allocating funds for social and housing funds.

**8.** The Budgetary Act for 1994 and 1995 provided again lower inputs in their real value, and the practice described in Point 1 led to another drop in real wages.

**9.** As the effect of protest actions in spring 1994 the postulates of public services sector were included in the works of Tri-partite Commission for Socio-Economic Affairs.

**10.** The lack of substantial progress in the negotiations of work groups of the Tri-partite Commission led to introduction of new forms of exercising pressure, like sending individual letters to the Speaker of the Diet of the Polish Diet (ca. 500000 letters) or the action in front of and inside the Diet building on the day of the parliamentary debate on the *Act on shaping means for remuneration for the public services sector employees*.

The action has not brought about significant improvement in the remunerations and did not change the attitude of the government and the governing coalition as far as the inputs for public services sector are concerned.

**11.** In the situation like that, the hunger strike of the 'civilian' employees of the public services sector began; it was started by the employees of the Health care Secretariat.

The action supported by the Union resulted in the agreement signed during the meeting of the Tri-partite Commission for Socio-Economic Affairs on 3 January, 1995. The agreement guarantees the increase of salaries of the public

services sector employees by at least 6% above the level of real inflation in 1995.

**12.** The Minister of Finance delayed the payment of extra premium salary and the first rate of valorisation in spite of the agreement with the Government on the date of out-payments concluded on 3 January, 1995.

#### **IV. Protection of labour environment**

On behalf of KK, the KK Group for Labour Environment Protection and Ecology (the president is Jerzy Langer) has been working since 28 February, 1992; according to its opinion this part of the Union's activities has not been properly exposed.

1. The Union has its representatives, among others, in the Labour Protection Council at the Diet (there were seven members of the Union in the previous parliamentary term of office, and in the present one - since August 1994 - the representatives are Jerzy Langer and Wiesław Zarychta, PhD) and in Inter-resort Commission for Updating the Listing of Highest Permissible Density and Intensity of Harmful for Health Factors in the Labour Environment.

2. As the effect of the works, KK sent to the Polish Diet the draft of the amending of the Law on *social labour inspectorate* (KK Resolution No 346/93). The draft has not been discussed by the Parliament till today.

3. We have informed the public opinion of unprecedented so far practice of deteriorating labour conditions through the increase of Higher Permissible Density of carbon disulphide and nitro-glycerine and nitroglycol (KK Resolution No 424/94).

The increase of risk for the employers was substantiated by financial problems of the enterprises resulting from the cost of adjusting work places to compulsory standards. even the protection of jobs cannot excuse such socially harmful decisions.

4. The team had its input in adjusting the Dutch computer programme ARA (for registration and analysis of accidents at work) to Polish law.

5. The pilot programme of protecting man in his job environment, allowing the rule of partnership (a trade union and an employer) in actions taken for the improvement of labour conditions is presently tested in nine selected major enterprises, thanks to our Danish partners in the co-operation with Chief Labour Inspectorate and the Confederation of Polish Employers.

6. The AZBEST programme connected with hazards resulting from the contact with asbestos at the workplace and natural environment has been executed in the co-operation between the Swedes and the Foreign and Trainings Departments of KK.

7. There has increased the number of local co-ordinators of Health and Safety at Work (active in ca. 20 regions). This was possible thanks to trainings of regional co-ordinators (co-operation with Trainings Department of KK and the respective Regional Boards).

8. International Remembrance Day of the Victims of Accidents at Work on April 28 is promoted, with mediocre results so far.

9. An effective way of promoting this subject is organising seminars, e.g. April seminars organised by Podbeskidzie Regional Board since 1992.

In spite of these achievements and trainings sponsored, among others by international organisations, Union centres, and governments within the aid for Poland, that are organised in tri-lateral or bilateral (employers and employees) systems, in spite of the Union's educating several thousand of social labour inspectors, in spite of the fact that 85% of information about the violation of labour conditions was addressed to the State Labour inspectorate by NSZZ "Solidarność" members or structures, the Union should put more attention to the topic, especially in the context of CBCs. Thus we should consider creating independent Department of Labour Environment Protection and Ecology, as a department of KK.

## **V. Fighting against unemployment**

The Union's statutory task is counteracting unemployment and helping the unemployed members of the Union.

The execution of the task was multilateral: in co-operation with employers' organisations, government administration, by participating in the works of: the Supreme Employment Council (the Union's representative used to be Mr Wojciech Lica, and now the representative is Mr Jacek Smagowicz), the Government-Union Group for the Regions Particularly Threatened with Unemployment, the KK Group for Fighting against Unemployment (chairman - Jacek Smagowicz), and the KK Group for Industrial policy (chairman - late Mr Jan Fr<sup>1</sup>czek).

### **1. Counteracting unjustified lay-offs**

The majority of the protests made by branch secretariats and national sections concerned, among others, unjustified lay-offs and reduction of employment in branches without presenting programmes of creating new jobs, retraining, DZIAŁAŃ OSŁONOWYCH, etc. Counteracting such practices caused that the following things appeared in the agreements: pre-retirement benefits (Agreement with the Strike Committee in WSK-PZL Mielec), programmes of severance pay and branch employment exchange in mining industry, the employment policy in metallurgical industry, the protest against a 5% cut in wages fund, which was to cause redundancies in a public service sector - the protest in spring 1993. (An effective method of stopping excessive and unjustified lay-offs was regional agreements, e.g. the 29th August, 1994 Agreement between the Union of Employees of Wa<sup>3</sup>brzych Region of the Lower Silesia Regional Board and Ma<sup>3</sup>opolska, and the governors and presidents of Cracow, Nowy S<sup>1</sup>cz, and Tarnów.)

Counteracting consisted also in helping with clearing a plant of debts, thanks to the Act on *Bank bargaining procedures*.

## 2. Contributing to creating new jobs

These were the basic aspects of all the KK disputes on restructurisation of Wa<sup>3</sup>brzych, Łódź and Mielec regions. The works on these programmes were frozen by the Government.

Another method of enlarging the Wages Fund means for active counteracting unemployment (such as professional training, intervention works, loans for the unemployed who want to start their own businesses, loans for employees to create new jobs, tax reductions for employees who employ graduates and the disabled) was motioned by KK as amendments to the Act on *Employment and Counteracting Unemployment*, and to other legal acts.

### 3. Counteracting effects of unemployment

Protest against the policy of the subsequent governments and their budgetary act concerned also the lack of governmental policy of reducing unemployment.

By the KK decision, the protest against this policy was brought to ILO.

The Government/Union Group for Regions Threatened with Structural Unemployment, where we were the only union central, was established on 30th March, 1992. The Group classified the regions threatened with structural unemployment according to the criteria that we established ourselves, and worked out the economic-financial instruments reducing unemployment in these regions. The Group ceased to function without the Government's breaking the 30th March, 1992 agreement. In spite of the Union's protest (KK Position No 45/94), the Government established a new Group comprising many trade unions. The Group's only 'achievement' was a consent to the Government's idea to cross many regions out of the list of the regions threatened with structural unemployment (e.g. Łódź), and to reduce the period of paying benefits in the regions where the rate of unemployment was lowered. The project failed after our Union's protest and after the Łódź Regional Board's appeal to the unemployed to register to Local Employment Agencies.

A method to reduce the effects of unemployment was establishing T UW "Praca". The initiative failed. Because of the lack of financial means for establishing insurance activity, the organisers were forced to ask the Ministry of Labour and Social Policy for financial support. The Ministry was ready to give support, but forced the amendments to the T UW "Praca" statute; according to the amendments, not only NSZZ "Solidarność" members, but also all the citizens would have the right to utilise T UW's services.

The February, 1994 agreement between KK and T UW was never executed; thus, the T UW organisers' initiative was difficult to implement (Resolution No 15 of 6th NCD).

Another method of counteracting the effects of unemployment was the Union's activities on behalf of increasing the means for social aid.

NSZZ "Solidarność" still does not have a concession for Polish and foreign employment exchange. According to KK Resolution No 418/94, a motion for such a concession is being worked out.

The only way of getting systematic means from Wages Fund and extra-budgetary means is to establish Polish and foreign employment exchange agencies at Regional Boards and their branches.

#### 4. Professional retraining

KK supervises two centres of retraining in construction professions in Warsaw and Gdynia. Another retraining centre (for middle office staff) will be opened in Łódź on 3rd Sept., 1995.

The centres function thanks to American donations; they teach the latest technologies to the people who become well-trained professionals. The centres train mostly people coming from nearby areas, which means that it is necessary to propagate the information about them; it is also necessary to take steps to establish similar centres in the regions with a particularly high rate of unemployment.

### **VI. Employees' rights**

1. During this term of office the amendments to Labour Code have been negotiated; they became more dynamic during the talks on the *State-run Enterprise Pact*. The negotiations have not finished yet.

2. Section XI, excluded from Labour Code, had not been a subject of parliamentary works up till March 1994, when they were taken up again as a result of the Union's protest (one of the postulates was KK's dispute with Polish Government on failing to execute the *Pact* - KK Resolution No 377/94); Section XI of Labour Code was put in force on 26th Nov., 1994. The Diet, however, changed the *Pact's* settlements on the requirements concerning union representation in collective bargaining.

3. The works on Section XI of Labour Code have not finished yet. The Section was included into Labour Code and is evaluated together with it (evaluation is performed by the Group led by Ms Ewa Tomaszewska).

4. The Act on *Plant Social Benefit Fund* (negotiated while working out the *Pact*) was put to force.

5. The *Pact's* Act on *the protection of employees' claims in the case of the employer's insolvency* was not put in force until 1st January, 1994, when the Employees' Guaranteed Benefit Fund was established.

Within a year, benefits were paid to 38,000 people. In spite of a wide-spread informative campaign, not all the Union's structures knew how to use the Fund. KK postulates to extend the range of benefits guaranteed by the Fund by, among others, acknowledging employees' claims coming from before 1994, and by enlarging the number of elements of remuneration paid out of the Fund.

6. The Act on *Tri-partite Social-Economic Commission* has not been established yet. The Commission functions on the basis of the 13th Feb., 1994 Resolution of the Council of Ministers, which lessens the role and importance of the Commission (the representatives are: Mr Longin Komo<sup>3</sup>owski - chairman, Waldemar Bartosz, Andrzej Kaczkowski, Micha<sup>3</sup> Wojtczak).

The governments formed after the 1993 election have been trying to shift all the disputes with NSZZ "Solidarność" onto the Tri-partite Social-Economic Commission, thus avoiding bilateral talks with KK on the Union's postulates.

7. The *Pact's Act on Privatisation of State-run Enterprises* has not come in force up to the present day, thus seriously limiting the employee's rights (chairman the KK Group for Privatisation: Jerzy Ostruch).

8. The Ministry of Labour and Social Policy is preparing the amendments to trade union acts. The amendments are addressed against the unions' rights, especially our Union's rights. This may be the cause of campaign for employees' and unions' rights during the coming term of office.

9. In the Draft Constitution of Polish Republic prepared by NSZZ "Solidarność" there are solutions which guarantee proper protection of employees' and unions' right.

## **VII. The role of the "Solidarność" Parliamentary Club**

1. We began this term of office having the NSZZ "Solidarność" Parliamentary Club which consisted of 27 deputies and 11 senators (with Bogdan Borusewicz as a chairman).

The Club played an important role in forming the governments of Jan Olszewski and Hanna Suchocka. Thanks to our parliamentary representatives, we could affect the works of parliamentary commissions, which led to favourable resolutions, such as the rate of VAT on energy carriers lowered from 22 to 7% (the rate will be higher again in a few months!), re-establishing family taxation and thus paying lower monthly advance on taxes, amendments to the

Act on 'popiwiek' advantageous for employees, parliamentary interpellations concerning the issues motioned by the Union structures, etc.

Due to the lack of formal regulations (KK did not accept *The rules of the co-operation between the State authorities and the Club* until 19th May, 1993), some of the parliamentarians did not feel so strongly associated with the Union as they had at the beginning of the term of office; this caused crisis within the NSZZ "Solidarność" Parliamentary Club.

2. The present "Solidarność" Parliamentary Club, or rather the "Solidarność" Senate Club (Chairman - Zbigniew Romaszewski), consists of 12 senators (the membership of one of them is suspended). The Senate is dominated by the governing coalition, so the role of the "Solidarność" Club is much more difficult than it was in the years 1991-1993.

In spite of this, the "Solidarność" Club represents the position of the Union, takes part in the works of senate commissions; some of the legal initiatives were valuable for the Union, e.g. the ones concerning constitutional referendum, or non-limitation of prosecution of crimes against Polish Nation.

3. Experience shows that taking part in the works of the Diet and Senate is very important to NSZZ "Solidarność", or even necessary. However, taking part in another election, establishing the Club, co-operation with KK and the Union, and executing the Union's aims - all this means that both the Union and KK will have to be well-prepared for the tasks.

### **III. NSZZ "Solidarność" in social, economic and political life**

#### **I. Family's rights**

The Union has moved many times that the family should be the core of social policy. This attitude was stated by, e.g. motioning pro-family changes in income tax, making social aid dependent both of earnings and family's financial situation.

1. The Union asserted the rights of pregnant women who were deprived of statutory benefits.

2. The Union defended the rights of the unborn.

3. In March, 1995, there was a conference "Social-economic role of the family" in Warsaw (the organiser was Mr Kazimierz Janiak).

## **II. Social aid**

We observe that the gap between the families of highest and lowest incomes is deeper and deeper. There are more and more families with very low incomes; they are not only families of the retired and the disabled, but also more and more families of wage earners whose wages are below the social minimum.

Under the terms of the 6th June, 1992 settlements between KK and the Government, NSZZ "Solidarność", as the only union, has the right to act as a spokesperson for people in need of help (the subgroup's co-ordinator is Mr Zbigniew Kruszyński).

1. Each time the Union negotiated the budgetary acts' entries just because of too small means for social care, and also pronounced its arguments in parliamentary commissions. The effect of these efforts was poor.

2. The Union protested against drastic cuts in benefits for pregnant women which resulted from the *Family planning Act*.

3. The Union postulated introducing Minimum Guaranteed Income (MGI) as a form of the State's obligation to protect the family's minimum income, and not the minimum income per one family member only (the 6th NCD Resolution No 8).

Introducing MGI will put in order the State's policy in this matter; it will also prevent the State's usual practice of retracting from facultative social benefits.

4. Family benefits have already been shifted from social insurance to security system, which was one of the Union's postulates. We may call it a success that the level of income per family member giving the right to family benefit was raised from 40 to 50% (we wanted 70%). However, too small an amount of benefit, no link between the benefit and the number of children in the family, and a significant reduction of the number of people having the right to this benefit did not improve the financial situation of the poorest families.

## **III. Social insurance**

Executing an entry of the 4th NCD Programme Resolution and the 6th NCD Resolution No 8, NSZZ "Solidarność" is preparing the provisions of draft bills

that would change the present social insurance system (chairwoman of the Group - Ms Ewa Tomaszewska). The outline of such changes was presented at the NSZZ "Solidarność" Programme Conference "A social dimension of Polish reforms" in Toruń. Preliminary material will be given to unionists at the 7th NCD.

#### IV. Health insurance

1. A *general health insurance* draft bill was prepared by NSZZ "Solidarność" activists, experts and parliamentarians (chairman - Mr Stanisław Grzonkowski).
2. On 6th July, 1994, KK established (KK Resolution No 402/94) a Social Health Commission, which gained many people, organisations and parties to work on health insurance and health protection.
3. The draft prepared by the National Section of Health Care was delivered to the President of the Polish Republic on 16 November, 1994. At present there is a process of giving a final touch to the wording of transitional provisions before they are presented to the Presidium of the Diet by the President.

#### V. General enfranchisement

Enfranchisement of the society is the postulate of the Union which has not been satisfied so far.

1. According to the Act on *privatisation of state-owned enterprises* of 13 July, 1990, the Government delegated by Art. 25 may move to the Diet for passing the Resolution on issuing and pricing the privatisation bonds; the Government has never made use of the opportunity so far.
2. General Privatisation Programme has been substituted by National Investment Funds (the Selection Committee NIF used to include Jerzy Ostroch, and - at present - Zbigniew Sieczko) after the Union's protest against the former, misleading name.
3. The "Pact on Enterprises" said: *"Immediately the work will be taken up to create a concept of general participation of the society in the process of privatisation of various kinds of assets owned by the State. The first step in enfranchising the society will be the implementation of the Act **national investment funds**, their privatisation, and distributing share certificates after the law has been passed by the Diet.* The lack of implementation of the entry was one of the reasons for KK's dispute with the Government about the lack of

implementation of the Act, and posed one of the 8 postulates of the Union's protest action in Spring 1994.

4. The decision of Union running the national referendum on enfranchisement of the society (KK Resolution No 297/93) was abolished by the KK Resolution No 304/93. As the effect of the protest action in Spring 1994, the Tri-partite Commission for Socio-Economic Affairs started to consider the postulates of the Union. The postulate of enfranchising the society was presented at the Commission meeting on 16 June, 1994; the two other parties tried to reject it. The working group took the task over. The subsequent plenary meeting of the Commission has not taken place so far.

6. On 8 July, 1994 KK organised in Gdańsk the seminar on the form of enfranchising the society.

7. The 6th National Congress of Delegates past the Resolution No 8 & 9 that define the general enfranchisement as the fundamental task for the Union.

8. KK, following the resolution of the 6th NCD (Resolution No 429/94), accepted the rules for general enfranchising of the society, announced a tender for constructing legal solutions, assigned 90 thousand zlotys for preparing the programme, and elected Tomasz Wójcik to manage the works of the Privatisation Group.

9. As the result of the competition there has been established a team chaired by Professor Adam Biela from the KUL (the Lublin Catholic University), who is a co-ordinator of works on the legal solutions.

The drafts of the Bills on *the State Treasury* and *Attorney General 's Office* are just being finished, and the draft of the Bill on *general enfranchisement* is just under preparation.

10. Within the works there have occurred the meetings with the representatives of central- and right-wing parties in Cracow, and the President of the Polish Republic; the latter established an enfranchising group at His Office, with the participation of the Union's representatives.

## **VI. Crimes against the Polish Nation**

During the term of office tragic issues out of the recent history of Poland have not been explained, tried, and punished.

1. The draft of the Bill moved by the Parliamentary Club of "Solidarność" to the Diet of the former term of office, that would make it impossible to limit the prosecution of the crimes against the Polish Nation was altered, and covers Stalinist crimes only. Therefore, on 15 December, 1994, the representatives of the Parliamentary Club of KPN (the Confederation of Independent Poland party) moved to the Diet the draft of the Bill prepared by the Parliamentary Club of NSZZ "Solidarność" *on prosecuting the Stalinist crimes, and other crimes against human life, health, and freedom that were not prosecuted for political reasons in the years 1944-1989.*

2. The legal procedures in front of the Tribunal of State against persons responsible of introducing Marshall Law instituted during the present term of office of the Parliament *de novo* has not been completed yet.

3. The crimes of December'70

On 17 December 1993 there has been an unveiling of the monument erected according to the design from 1981.

Implementing the Resolution No 13 of the 6th NCD and the KK's Resolution No 419/94 there were established picket lines in front of the seats of Ministry of Justice and the Council of Ministers.

The Prosecutor's Office passed to the Gdańsk Court of Justice the allegations against people responsible for the crimes in February 1995 (!).

The KK Presidium in co-operation with the Gdańsk Regional Board took up a decision on hiring auxiliary prosecutors and financing a part of their remuneration.

3. Crimes at the "Wujek" Black Coal Mine

There seems no end to the two-year trial of the people alleged of homicide.

The Kazimierz Kutz's film 'Śmierć jak kromka chleba' ("Death Like a Slice of Bread") was partly financed out of the dues of the members and the very organisation of NSZZ "Solidarność" finally was released, and the director received the President of KK's prize at the Gdańsk Film Festival.

3. Crimes in Lublin

Following the Resolution of the 4th NCD the twelfth anniversary of NSZZ "Solidarność" were celebrated in Lublin, where the monument was unveiled.

The trial of the alleged with homicide in Lublin began, but it has not been finished yet.

## **VII. Inspection of personal files and de-communisation**

1. The National Committee sent to the Parliament the Resolution No 232/92 by the Parliamentary Club of NSZZ "Solidarnoœæ" as the draft of the Bill *on additional obligations for the people holding their Office by appointment, nomination, or election in the Polish Republic*. The draft with amendments reached the Diet commission, but has not been passed yet.

2. On the basis of the 7th Resolution of the 4th NCD the Resolution of KK No 245/92 was passed, putting an obligation upon the activists of the Union of the National level to leave the authorisation with the President of KK to address the Minister of Interior Affairs for issuing appropriate certificates. The certificates were not received in spite of applying for them, due to the refusal of the Ministry.

3. In Spring 1994 the Presidium of KK established contacts with Rev. Joachim Gauck, the Plenipotentiary of the Federal Office for the Files of Former STASI, in order to obtain access to the files (the position of the KK Presidium No 57/94).

4. During the 4th NCD the delegates passed the movement of circulating the document sent in by the Gauck's Office (Decision No 2 & 3 of the 6th NCD), and established the group (Decision No 18 of the 6th NCD) that would prepare a document which would allow for inspection/verification of NSZZ "Solidarnoœæ" authorities at individual request.

5. KK established the group (KK's Resolution No 434/94) which prepared the specimen of authorisation and application for the Union authorities. Filling out of the documents began on 5 May, 1994.

## **VIII. Action for the Constitution**

1. Following the Programme Act on the 4th NCD, KK's Resolution 365/94 put an obligation upon Marian Krzaklewski to establish an Expert Constitutional Group which was to prepare the draft of the Constitution of the Polish Republic.

2. There was established Social Constitutional Committee which prepared thesis for the draft, that were accepted by KK on 18 May, 1994 (Andrzej Roœciszewski became the co-ordinator of SCC).

3. The Draft of the Constitution of the Polish Republic was approved by the National Committee on 22 June, 1994.
4. In spite of summer holidays the Union organised the action of collecting 500 000 signatures enabling the Draft to be presented to the Parliament.
5. The action resulted in enormous success on 5 September, 1994 - the draft, signed by 959 270 people was accepted.
6. The action of collecting signatures and promoting the Draft still continues. Micha<sup>3</sup> Drozdek represents in the Constitutional Committee Marian Krzaklewski, who is the Plenipotentiary of the electors.

### **IX. Integration around the Union's tasks**

The union runs the actions integrating people and organisations around the Union's tasks. This can be clearly seen through:

1. Establishing the KK plenipotentiary at the President of the Polish Republic's Office, who is representing the interests of the Union and its structures (Stanis<sup>3</sup>aw Alot since June 1993, Jan Mosiński since September 1993).
2. Mass participation of NSZZ "Solidarnoœæ" at several hundred local election coalitions at local elections contributed to the success of independence-patriotic fractions.
3. There has been established Social Health Committee (KK Resolution No 402/94) with which several parties and organisations co-operate, thus executing the goals of the Union.
4. The 4th NCD adopted the Resolution No 8 that speaks of consolidating people and political circles around the ideals and the Union's programme.
5. The KK's President accepted the task of gathering the independence-patriotic Parties around the People's Draft of the Constitution of the Polish Republic, around the participation in the referendum on the Constitution, and around the mutual candidate for the President's Office.
6. A QUESTIONNAIRE including 21 questions and 7 appendices was sent to 26 major parties and political groups on 17 May, 1995. The answers will be analysed by the Union and will be helpful at further actions for integration of

political societies around the goals of the Union, thus being useful at establishing the anti-Communist formation before the next parliamentary elections.



The passing three-year term of office has proved that NSZZ "Solidarność" is the best-organised trade union in Poland, most quickly adjusting itself to the changes that were started in Poland by NSZZ "Solidarność". The new term of office must mean strengthening of NSZZ "Solidarność", organising new members, organising the Union structures in private enterprises, protection of employers' and members' rights. Only strong, professional, well organised trade union may be a reliable social partner in the Polish Republic.

We have been the only organisation capable of creating and giving opinions about the laws, and organising national strikes and massive manifestations. Contrary to the opinions spread not only by the communists, we have never opposed reforms as such, however the reform bringing about unemployment and unemployment benefits in humiliating sums - as it was proposed for Wałbrzych and Łódź districts - cannot be called a reform, alike the sale-out of Porcelana (china manufacture) at Wałbrzych was not a privatisation at all.

We have always been, and we shall always be presenting not only demands: we are able to form solutions and negotiate them, the need be - in protest actions.

The Government - SLD-PSL coalition in particular - that has solved none of the important problems for Poland and the Poles so far, does not want to negotiate the proposals of NSZZ "Solidarność" thus putting into doubt any sense of solving problems at talks. This very anarchisation of social life is a form of assassination of the "Solidarność" ideals.

NSZZ "Solidarność" through its fight for negotiations is fighting for democracy and law abiding in the Polish Republic, and the political situation forces NSZZ "Solidarność" to take up a decision of its stronger political engagement. One cannot implement the ideals of the Union and protect the rights of its members by simply neglecting the social tensions and disregarding the NSZZ "Solidarność" '*way of no violence*', as the present coalition does. It is the group that, alike the Polish People's Republic authorities, seems to recognise only the argument of power, not the power of arguments.

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