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New Policies Related to Vocational Rehabilitation
of Disabled People in Poland

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Abstract

The social and economic transformation process initiated in Poland in 1989 has changed the conditions of the functioning of the vocational rehabilitation process and hiring of disabled people. The ultimate goal of rehabilitation is societal and vocational integration allowing the disabled person to be a self-sufficient and productive member of society. The role which rehabilitation should fulfill is dependent on the assumptions of the nation's politics together with its main societal goals. The purpose of this article is to introduce the reader to legislative and administrative changes that took place in Poland over the last decade in the area of vocational rehabilitation and the employment of people with disabilities.

Socio-political changes taking place in Poland over the past several years have had an influence on both the disabled persons' specific conditions and on the way rehabilitation institutes function. Newly arising problems, oftentimes multiplied by dramatically rapid societal changes in our nation, require new solutions adequately addressed to the new sociopolitical system.

The ever-rising percentage of disabled people within the population and the medical, social and individual consequences that accompany it result in this problem requiring truly universal solutions nation-wide. Required are not only financial

expenditures, but also new concepts in social politics, a new legal framework, and numerous organizational changes. Creating for disabled people a new system of assistance and assurance is fast becoming an important endeavor, especially now as the mechanisms of a free-market economy are worsening many a disabled person's lifestyle, while a lack of adequate protective measures in the socio-political arena looms as it attempts to cope with economic changes. This requires a decentralization of the support system basing it on local and self-governing bodies, mobilizing social initiatives while ensuring consistency within specific elements of the system. In effect, by following such a course of action, an integrated system of legal solutions should arise describing the disabled individuals' rights and benefits and the institutions responsible for the implementation of programs for medical, societal and vocational rehabilitation, social security and welfare, employment and others.

Rehabilitation should therefore provide solutions to problems resulting from a disability by minimizing its consequences and by preparing the disabled individual for life functions and employment. The ultimate goal of rehabilitation is societal and occupational integration allowing the disabled person to lead as normal a life as possible.

According to the World Health Organization, rehabilitation is a comprehensive and coordinated effort requiring application of medical, educational, societal, and vocational resources with the aim of allowing persons affected by impaired functioning to lead a life at its highest possible level (T. Majewski 1995, J. Nawotny 1990). Depending on the problems and methods applicable, it is possible to differentiate between therapeutic, psychological, vocational, and societal rehabilitation.

Vocational rehabilitation is a component of the general rehabilitative process. It is based on providing the disabled person with services such as: occupational consulting and training, employment services which aid in securing work, job retention and promotions in an appropriate position while enabling integration or reintegration towards a normal life (Recommendation No. 168, 1983, T. Majewski 1995, the August 27th, 1997 Act, Dz.U. No.123, pos.776).

Vocational rehabilitation occurs over several phases or stages. It begins with an evaluation of the disabled individual's ability to work determining the basis for providing appropriate vocational guidance. This is an especially important phase as success throughout the whole vocational rehabilitation process is dependent upon it. The next stage represents the preparation for employment based on the disabled person acquiring indispensable theoretical knowledge and the practical skills necessary to perform a given task or profession. The direction of schooling or professional education is determined on the basis of test results evaluating the individual's ability to work, together with a professional diagnosis, which includes the given indications within its scope. Upon conclusion of schooling or professional education, hiring results in an appropriately chosen position

corresponding to the psychophysical capabilities and professional qualifications obtained.

Placing a disabled individual in an appropriate position does not conclude the whole occupational rehabilitation process, more remains to be done. The final stage consists of caring for the disabled employee, especially during the initial period, to better adapt the new and frequently young employee to the job and its work environment (A. Hulek 1986, Legislation 1990, T. Majewski 1995, J. Mikulski, A. Kurzynowski 1994). Hiring disabled people is one of the more important stages during the vocational rehabilitation process. Not infrequently the hiring of a disabled person is considered a success of the entire rehabilitation process as it establishes to a decisive degree the return of these individuals to a productive life in society.

The socio-political and economic transformation process initiated in Poland in 1989 changed the conditions of the functioning of the rehabilitation process and employment of disabled people. The role which rehabilitation should fulfill is dependent on the assumptions of the nation's politics together with its main societal goals. Although many disabled people already are self-sufficient and productive members of society, rehabilitation activities have this as their goal. Legislative and administrative efforts should facilitate this process.

An essential influence on shaping of the vocational rehabilitation system in Poland was provided by the Employment and Vocational Rehabilitation of the Disabled Act of May 9th, 1991 (Dz. U. No. 49, pos. 20), as well as the latest Vocational and Social Rehabilitation and Employment of the Disabled Act of August 27th, 1997 (Dz. U. No.123, pos. 776).

One of the more important changes is a change in terminology. Beginning with the 1991 Act, the introduction of the concept of a disabled person replaced the previously applied term of invalid. According to the Act, a disabled person is an individual with an essential physical, psychical, or mental impairment that impedes the individual's ability to earn wages (Dz. U. No. 46, pos. 201). Also introduced was the division of disabilities to degrees, which replaced the previous division of invalid groups. Presently, the following degrees of disability are accepted: light, moderate, and severe. (Dz. U. no.100, 1996, pos. 461, Dz. U. no. 123, pos. 776).

Important elements of the new system for hiring and vocational rehabilitation are institutions established on the basis of the 1991 Act. The Act introduces, among other things, the position of a Plenipotentiary for the Disabled, ranking as a Secretary of State in the Ministry of Labor and Social Politics. This is an important consideration insofar as the problems of disabled people have for the first time ever attained representation at such a high governmental level in this country.

The Plenipotentiary's general tasks include shaping the political premises of employment, rehabilitation, and the coordination of action to be taken on behalf of disabled individuals. Significant changes took place within the framework

of employment offices, vocational guidance, and schooling for disabled people. In accordance with the Act of 1991 and present from 1997, such competencies now belong to specialized officials in Regional Employment Offices. On the basis of the latest regulations there were instituted Provincial Groups for Disability Certification (Wojewodzkie Zespoly Orzekania o Niepelnosprawnosci) which also function at Provincial Employment Offices (Dz. U. No. 100 of 1996, pos. 461, Dz. U. No. 123, pos. 776). Medical certification for purposes of consultation is done by Health Departments and physicians issuing disability certificates at Social Insurance Institutions while psychological-educational testing may be undertaken by parties qualified to do so (Dz. U. 1991, No. 100).

The Provincial Center for Hiring and Rehabilitation of the Disabled is also a newly formed institution. It has much in common with the former vocational rehabilitation offices acting within the framework of Provincial Rehabilitation Clinics. The scope of their activities is not exclusively limited to matters of hiring, but also includes other rehabilitation issues such as schooling, consultative advising, determining needs of disabled people, developing hiring programs, etc.

In relation to past hiring systems for disabled people the 1991 Act introduces, while the current Act from 1997 maintains, the obligation of dues payable to the National Fund for Rehabilitation of the Disabled (PFRON). Payments are made by companies with not fewer than 25 employees that do not possess the correspondent amount of sheltered workplaces in relation to the total amount of employees. Employers are also required to provide or develop positions together with an appropriate social network for those employees who, through work-related accidents or occupational illness, have lost their ability to work at their previous position and have been determined as being disabled.

The 1997 Act places much emphasis on workplaces for disabled people called "sheltered workplaces" or "vocational activity workplaces" which are developed in all nations possessing an advanced system of vocational rehabilitation. Generally, these are workplaces earmarked for disabled individuals with a considerably limited ability to work. Previously, protected employers existed as cooperatives of disabled people where rather rigorous requirements were the norm. Provisions of the new Act make it relatively easy to attain the status of "sheltered workplace" or "vocational activity workplace" also for existing cooperatives of disabled people.

Until enactment of the bill on hiring and vocational rehabilitation of disabled people took place, occupational therapy was the therapeutic rehabilitative method of choice; therapeutic activity workshops were organized by local Health Departments. Occupational therapy workshops, as based on the bill as well as a decree by the Ministry of Labor and Social Politics dated 8 September 1992 regarding the principles of creating, scope of activity and financing of such workshops, are relatively new in Polish vocational rehabilitation system. In light of the

aforementioned legal acts it can be seen that the workshops focus on implementing basic rehabilitation programs or pre-vocational schooling. Employers have been obligated to create these occupational therapy workshops. Other organizational units may also develop such workshops with the participation of the Provincial Center for Hiring and Rehabilitation of the Disabled. They are intended for those disabled individuals deemed completely unable to work and who were qualified for this type of rehabilitation.

The goal of such workshops is rehabilitation aimed at the general development of every participant, improvement of personal resourcefulness, physical and psychological efficacy, as well as social adaptation and functioning (social integration). The National Fund for Rehabilitation of the Disabled covers the cost of creating and managing these workshops. The Fund was sanctioned as part of the 1991 Act. Its activity is specifically described in the 1997 Act. It is financed by payments from employers not meeting the determined amount of disabled hires, various appropriations, and other sources. The Fund is intended to finance vocational, therapeutic, and social rehabilitation of disabled people and, especially, for the creation of new, and the adaptation of existing work places for disabled people. The Fund is also intended to provide schooling and vocational retraining, construction and modernization of buildings, creation of a rehabilitative-social infrastructure, and providing loans to disabled people.

Much emphasis is currently placed on the organization of various forms of vocational rehabilitation by organizations outside the government in addition to national organizations. Certain agencies commission non-governmental organizations for the execution of specific tasks which are intended to develop rehabilitation programs for disabled people and their financing. Many organizations conduct various forms of vocational education, activity workshops and sheltered workplaces.

The Act of August 27th, 1997 set up the National Consultative Council for the Disabled. The Council is an advisory body to the Plenipotentiary constituting a forum of cooperation on behalf of disabled persons, governmental administrative bodies, self-governing territories, and non-governmental organizations. The Council is charged with initiating solutions intended to soothe the needs of disabled persons, ease their integration within society, and to provide opinions on projects within the political scope of hiring and societal and vocational rehabilitation.

Legal and financial solutions within the bill on hiring and rehabilitation of disabled people seem to favor the realization of tasks within the range of vocational rehabilitation, though societal needs relevant to hiring have not been yet fulfilled. Therefore it is necessary to undertake appropriate action by the national government and regional authorities to ensure resources for the creation of new workplaces for disabled people and to support the evolution of existing ones.

In order for the rehabilitation model above to be properly implemented in Poland, it is necessary to provide appropriate assurances of quality for services rendered. Introducing a system of quality assurance that takes into account the specifics and specialization of each rehabilitation stage can make such guarantees. In light of this W. Dega contends that rehabilitation should be characterized by general accessibility, comprehensiveness, early initiation and continuity (T. Majewski, 1995).

Theoretically, rehabilitation in Poland meets the above mentioned principles. In reality, there is a lack of an appropriate foundation and the financial resources to meet these suppositions (A. Ostrowska, 1994). No doubt there exists a fairly significant disproportion between expectations and needs within the purview of vocational rehabilitation and the ability to satisfy such needs by the government. The causes lie not only with financial difficulties, but also with a lack of proper organizational or program solutions. There exists the need for fine tuning the existing system. Constructing model solutions should be supported by scientific research and acquired experiences.

The essence of change should result in a far reaching independence for disabled people supported by local self-governing bodies, and non-governmental organizations, with basic guarantees provided by the government. The vocational rehabilitation system for disabled people should possess an integrated character of its specific elements, though it should be well integrated with the hiring practices and employment in the free market.

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