

PROBLEMS OF REST TIME ORGANIZATION IN THE DISTRICT MUNICIPALITY

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Annotation

Every working person has a right to rest. There are various sorts of rest set in order to regain the employee's efficiency and health. The working person must know the daily rest time that belongs to him (breaks for eating and resting), extra and special breaks of the work day (shift) time, the continuous rest of 24 hours between work days (shifts), the continuous week and annual (festivals and holidays) rest time and try to use it as effectively, as possible.

The article analyses problems of rest time organization in the public sector. Authors try to reveal and evaluate the specialities of the rest time organization and foresee its improvement possibilities.

Key words: *Rest time, rest time organization, public sector, employee.*

Introduction

After Lithuania joined the EU the 93/104 EU direction "About certain aspects of work time organization" became very important. This direction obligates the countries to ensure that every employee had a right to the minimal continuous everyday rest time and a right to the minimal continuous rest of 24 hours every 7 days, and longer work could be done only if the employee agrees with that himself.

Some employers have a wrong opinion that the more the employees works, the more work is done. Contrarily, a person who uses his rest time for studies, sports, various events and all kind of other activities, has conditions for his social, cultural; improvement together with the progress of all the society. On the other hand, work capacity of a well physically and mentally rested person improves very much, as well as work quality. Moreover, the employee can take part in the life of the enterprise more actively. (Tuzovaitė, 2000). A person's longevity, health and work capacity depends a lot on his ability to have a proper and active rest.

The purpose of the research is to reveal and evaluate the specialities of the rest time organization in the public sector, as well as to foresee its improvement possibilities.

The object of the research – the organization of rest time in the public sector: the example of Kaunas district municipality administration.

The methods of the research – monographic, analysis and generalisation of scientific literature, analysis of legal deeds, descriptive, comparative, graphical representation, questionnaire survey and statistic methods.

Results

The right to rest is a constitutional right of every working person, which is set by lots of legal deeds valid in Lithuania: international declarations and conventions, labour laws of the Constitution of the Republic of Lithuania. Every working person has a right to free time and rest, as well as a right to the annual holiday. (The Constitution of the Republic of Lithuania, 1992, 49 article).

Ever since Lithuania regained independence, a system of legal deeds is being created, which guarantees the right for all the people to have proper, safe and healthy work conditions, according to:

- a) The regulations of the International Work Organization;
- b) The Universal Declaration of Human Rights, which declares the right for all the people to have proper work conditions;
- c) the rules of The European Union's Directives.

The LR Labour Code of the year 2003, coordinated with the directives of the International Work Organization, and the EU and the Convention of Human rights and main liberties.

There can be various definitions found in literature sources for the word rest time. Rest time is a free time from work, finetuned by a collective or work agreement (Labour Code 2003, 156 article).

Rest time - a period of time, during which the employee is free from work and can use this time at his discretion (Dambrauskienė, et. al., 2004).

Rest time is a period of calendar time, when the employee does not have to carry out his work functions, his actions are not controlled by the employer, and the employee can use this time at his discretion (Čiočys, 2002).

Rest time is a period of time during which the employee, according to the valid laws, labour, collective agreements and inside rules of the work, one does not have to carry out the work functions. That is exactly the time when the actions of the employee are not controlled by the employer, and the employee can use it at his discretion: dedicate it to rest, solving business of everyday life, studying, taking sports, entertainments and other business (Tuzovaitė, 2001).

The laws of the LR and other legal deeds that finetune work and rest time set their duration and the basis. There is no possibility in the agreement of the employee and the employer to work longer hours than it is set by the law. It would be possible to offer the employee such a rest time, which would be according to the statute of the EU direction 93/104/EC6, which tells us that every employee has a right to a rest time set by laws, and can work longer only if he accepts that voluntarily. In this case, giving a rest time according to the valid LR laws, coordinated with by the right of the EU, should assure the employees capacity for work, health and good work quality. Good combination of work and rest helps a person's organism to stay almost inexhaustibly capable for work.

The variety of work and rest time is projected according to the dynamics of work capability, the main aim of which is to reduce the time of accustomancy to one's

work and work capacity reducing time (Martinkus, 2000).

The involvement to work can be improved by doing introductory exercise of 5–7 minutes. In order to make the big capacity work time longer, breaks can be done, which might take a few seconds (micropauses), others may take a few or tens of minutes. It depends on the type of the work process. Micropauses are breaks between the operations and work actions. Other breaks may be strictly finetuned.

Structurally all the rest time might be divided into daily, weekly and annual rest.

The employer must assure that the employees have a possibility to use the rest breaks, but also he cannot force them to rest.

The length of the breaks given to the employees for eating and resting must not be shorter than 30 minutes and not longer than 2 hours. This break is given after a half of the day (shift) time has passed, but also not later than after 4 hours of work. It is not included to the work time.

The employee may use this time at his discretion: for resting, eating, doing everyday life business, studying, taking sports etc. According to the 158 article of the Labour Code, the employee is allowed to leave his work place during the breaks for resting and eating. The employer must make sure that the employee has proper conditions for resting and eating.

According to the Labour Code of the year 2003, employees might work without breaks for resting and eating during a six-day work week, during the rest days and holidays eves, but only in that case if the work does not last longer than 6 hours. If a employee is not able to leave his work place and has this break because of the production or the other conditions, he must have a possibility to eat during work.

The beginning and the end of the break for resting and eating is set according to the work rules, timetable and the collective work agreement (Labour Code, 2003, 258 articles).

According to the work conditions, the employees can have extra and special breaks for resting during the work time.

For the employees of organizations, or for those of other structures, whose activity is important in the way that they must continue the work or supply the services for the inhabitants (city transport, health care institutions, energy supply institutions, theatres, museums etc.), extra and special breaks are given in this way: during that time, the work of the employees, who are given the extra or special breaks, is done by the other employees, who are able to do those works.

Extra and special breaks may be as well given when there has been an accident at work or a natural calamity.

The most important thing, how the extra breaks differ from the special ones is that during the rest breaks the employees are having rest in specially arranged rooms (Tuzovaitė, 2000).

In the other European countries the work rest is finetuned similarity as in Lithuania. According to the law, in Holland a workday cannot be longer than 8,5 hours and the length of the work week – 48 hours. A workweek consists of 5 days; 1

rest day per week is obligatory (usually Sundays). Another day for example, Friday or Saturday may be chosen because of religious beliefs. In Sweden, according to the law, the length of a workday cannot be more than 44 hours, workday length - 8 hours. Work length is usually shortened by labour agreements. According to the law, Sunday is an obligatory rest day. Another half-day or whole-day rest is provided if needed (usually Sunday). Breaks, that cannot be shorter than 10 minutes, but have to be less than 2 hours; time for going to work and back home, are not counted to the length of the work day. If the work of the institution stops for certain inner reasons, employees must be paid for the forced disability to work (Davulis, 2004).

In Luxembourg the law provides a work day of 8 hours and a work week of 40 hours. A work day must not be over 10 hours. In special situations (in the case of immediate work or an accident) it may be limited. A work day consists of 5 (sometimes 4) work days. When there are 4 workdays per week, the workday may be lengthen up to 9-10 hours, but cannot be more than this limit. Usually, rest day is Sunday. In France, the work week length is 35 hours and the workday cannot be more than 10 hours (Respublika..., 1998).

In Estonia an employer is required to grant an employee a break for rest and meals after four hours of work unless otherwise provided for in the collective agreement. The duration of a break for rest and meals shall be between thirty minutes and one hour (Working and Rest Time Act, 2002).

For the most part, employers in the U.S. are prohibited from scheduling a break of more than one hour during the basic eight-hour workday. A lunch break may not be extended for more than one hour by allowing an employee to take a paid rest period prior to or immediately following the meal period. Although the federal government has no specific requirements for break times, the Fair Labour Standards Act states that if employers choose to provide employees with rest periods, they must be paid. In addition, if employers grant employees a meal break, they, too, must be paid, unless the break qualifies as a bona fide meal period (Gaudio, 2007).

In order to disclose the problems of the rest time organization of the employees in district municipality we have chosen municipality of Kaunas region for the research. Empirical research survey was performed in order to find out the ethical and working culture problems of the employees of municipality of Kaunas region, when the employees of the administration of the municipality were interviewed. The period of the research March – May 2007.

After analyzing the data of empirical research, it is possible to state the fact that 56 per cent of the respondents are introduced with legal deeds, which finetune rest time, 26 per cent are partly introduced with it and 18 per cent are not introduced with such deeds.

According to 47 article of the Republic of Lithuania Labour Code 2003, employees have the right to information and consulting about everything what is connected with work relations, that is why an employer has to inform the employees about various changes in legal setting, which are related with the rights of employees. Therefore Kaunas district municipality administration employees were asked how

often they are informed about the laws, which valid in Lithuania and finetune rest time and about changes in them by their administration. According to the data of the research we can state that 62 per cent of administration employees are introduced with innovations of labour laws once a year and 38 per cent said that such information is not presented to them. Such results let us think that information about work and rest time regulation and organization for the employees in municipality administration is satisfactory.

While analyzing the answers of the respondents about this, whether they are satisfied the organization of rest time in their working place, distribution of the answers of respondents is presented in the first picture.

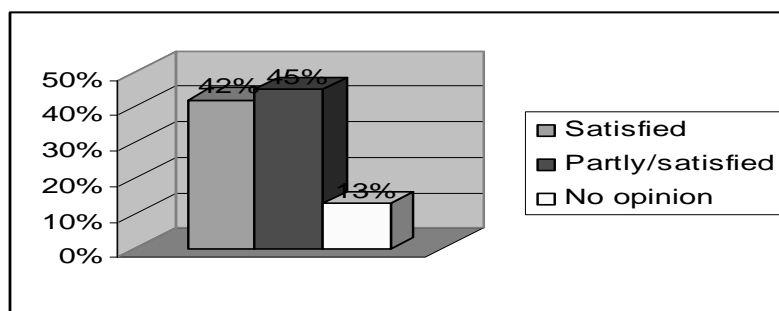


Fig. 1. Spread of the answers of the respondents of Kaunas district municipality administration employees about rest time organization

Kaunas district municipality administration employees, who took part in inquest and who were satisfied or partly satisfied about organization of rest time pointed out such disadvantages: a very big workload, that is why they have to work overtime (78 per cent of respondents pointed out this reason), employees can not have their holiday in comfortable time (14 per cent of respondents indicated this reason).

According to the laws of the Republic of Lithuania rest time, which belong to employees, absolutely ensures capacity for work and health to less than half of all respondents. These data are illustrated in the second picture.

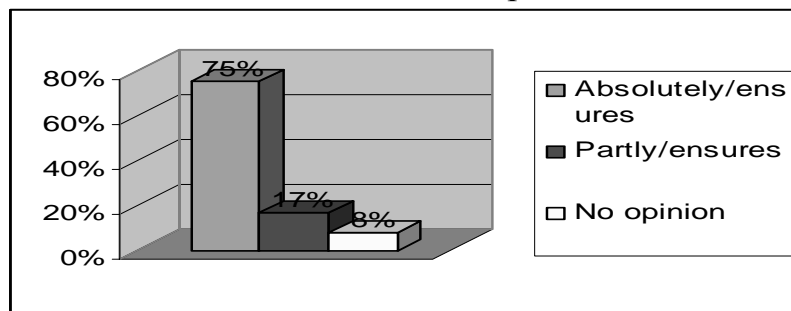


Fig. 2. Distribution of Kaunas district municipality administration employees' opinion about health and efficiency warranty

While trying to find out how Kaunas district municipality administration

employees use their rights to rest time, they were asked about duration of their lunch break. Answers to this question were the same – lunch break in Kaunas district municipality administration lasts 45 minutes. Most municipality administration employees, it is 71 per cent, are satisfied with duration of lunch break, while the others 29 per cent would like to have longer break.

There was shown an interest whether municipality administration employees make use of extra or special breaks and how often they do it. There were such results after amending the collected data: 50 per cent of respondents make use of both types of breaks, 21 per cent – only extra lunch breaks, and 5 per cent (mostly 18–25 years old employees) do not make use of extra or special lunch breaks. The answers to the question about the frequency of lunch breaks of employees, who make use of extra and (or) special lunch breaks were the same – they have one break before dinner and one after dinner.

As there is 5 day working week, employees have two free days – it is Saturday and Sunday. There was shown an interest in question whether it is enough time to have a rest during weekend, to concentrate all forces for the new working week. All respondents indicated that they are satisfied with present rest time of all week.

Annual holiday are obligatory to each employee. After six month work in an office there might be given 14 day holiday, after a year work in an enterprise a employee gets annual holiday. Kaunas district municipality administration employees were asked about how the time of annual holiday is defined. The given answers show that the time of annual holiday for the municipality employees is allocated by their agreement, considering legal regulations, which finetune holiday appointment. 46 per cent of employees have various problems because of annual holiday: Because of special work nature (when there turn up unforeseen works) employees have to put aside their planned holiday, they are not allowed to go on holiday in comfortable time, there is no preliminary timetable, and 54 per cent of employees have no problems.

The majority of municipality employees would like to have a rest room. All furniture and things in this room should create cosy, pleasant and safe environment, there might predominate green, blue spot, white or grey colours, which would calm and helped to relax. There employees could have a rest or eat during breaks, they would feel comfortable and freely, could talk not about work.

Rather big part employees of this enterprise would like to relax and improve their health in special rest and relaxation room. Here might be done curative gymnastics, massage and other procedures, related with the improvement of the capacity for work, also here should work medical officers, who could ensure employees' good feeling and health.

It is glad, that in the enterprise employees use even several types of holiday for special purpose. After interrogating all employees, it became clear that in the enterprise works women, who are planning to a give a birth to a baby and bring up them, also people, who are still studying and others.

Festivals are held in a rather interesting way in Kaunas district municipality

administration, pithily happily, that is why the organization of the festivals satisfies needs of municipality employees absolutely.

That rest time was used in a better way, the direction of the municipality should pay more attention to employees' opinion about present organization of rest time, also to creative offers how to improve rest time.

Labour hygiene has a very big influence to health protection and to increase of capacity for work: the appropriate illumination of study and workdesk, comfort of study and so on (Chairova, 1987). While equipping workplace, it is necessary to pay attention to employees' needs and to create "humane" work space. It helps to work more rational and productive. Decreasing psychical and physical load there is sparing employees' health, that is why increases their efficiency and initiative.

If workplaces are equipped together with people, who will work there, if all work plans are created together and also they might be changed, according to employees' request, there originates a psychological atmosphere, which is favourable for work (Steiner, 1997).

Rather comfortable conditions may be created in small workplaces. Rationally used space and shortest movement distance allows to exchange information faster. Aesthetic screens of middle height, arrangements of plants and furniture, put in right place helps to create an individual and functional environment.

Means for improvement of rest time organization is Kaunas district municipality administration might be implemented by having enough financial resources, by trying honestly to do one's duties as well as it is possible, also by creating safe, comfortable and employable environment, optimal work and rest time conditions, when employees and direction of the enterprise work together.

Conclusions

1. As the right to rest is a constitutional right of each working person, and its implementation is foreseen by particular standard deeds, so an employer must provide all necessary and comprehensive information for his employees about the laws of the Republic of Lithuania, which finetune rest time and their changes and negotiate comfortable conditions in workplace.

2. Kaunas district municipality administration direction pays too little attention to conveyance or employees about the laws of the Republic of Lithuania, which finetune rest time and their changes, that is why or employees have problems with allocation and organization of rest time, they also are not satisfied about the order of annual holiday designation.

3. Bigger part of Kaunas district municipality administration or employees because of immoderate workload use only a part of the rest time, which belongs to them. In such situation, an employer should start to assume measures to secure rest time for or employees. Firstly, it would be necessary to find out why the employees are not in time to cope with workload and after that to try to eliminate the problem. It may be that or employees must work overtime because of imperfect qualification, a lack of experience, and problems with health or whatever.

4. The rest time organization in Kaunas district municipality administration is satisfactory: the laws and acts, which finetune work and rest time are followed, but rest time organization mostly depends on the attitude of the leader to working people, to their health.

5. While taking care of the efficiency of rest time organization by his/her or employees, each leader of an enterprise should also regard to the opinion of or an employee about present order of rest time organization discuss their offers and wishes how to improve rest time organization, as such offers might help to take more reasoned decisions.

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POILSIO LAIKO ORGANIZAVIMO PROBLEMOS RAJONO SAVIVALDYBĖJE

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Kiekvienas dirbantis žmogus turi teisę į poilsį. Darbuotojų darbingumui ir sveikatai atgauti nustatomos įvairios poilsio rūšys. Darbuotojas turi žinoti jam priklausančią kasdienio (pertraukos pavalgyti ir pailsėti, papildomų ir specialiųjų pertraukų darbo dienos (pamainos) laiku, paros nepertraukiamojo poilsio tarp darbo dienų (pamainų), savaitės nenutrūkstamojo ir kasmetinio (švenčių dienų, atostogų) poilsio laiką bei stengtis jį kuo efektyviau panaudoti.

Rūpindamasis savo darbuotojų poilsio laiko organizavimo efektyvumu, kiekvienos įstaigos vadovas turėtų atsižvelgti ir į pačių darbuotojų nuomonę apie esamą poilsio laiko organizavimo tvarką, apsvarstyti jų pasiūlymus ir pageidavimus, kaip pagerinti poilsio laiko organizavimą, nes tokie pasiūlymai galėtų padėti imtis racionalesnių sprendimų.

Siekdamos atskleisti ir įvertinti poilsio laiko organizavimo problemas, autorės atliko empirinį tyrimą, apklausdamos Kauno rajono savivaldybės administracijos darbuotojus bei pasiūlė darbuotojų poilsio laiko organizavimo gerinimo galimybes. Tyrimas buvo atliktas 2008 m. kovo–gegužės mėnesiais.

