

Poland⁴⁶⁰

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For comparisons with other countries in this review on leave provision and early childhood education and care services, please see the [cross-country tables](#) at the front of the review (also available individually on the Leave Network website). To contact authors of country notes, see the [members page](#) on the Leave Network website.

1. Current leave and other employment-related policies to support parents

a. Maternity leave (*urlop macierzyński*) (responsibility of the Ministry of Family and Social Policy)

Length of leave (before and after birth)

- Twenty weeks: no more than 6 weeks can be taken before the birth.
- It is obligatory to take 14 weeks after birth.

Payment and funding

- Twenty weeks at either 100 per cent or 81.5 per cent of the mother's average earnings for the 12 months before the birth (in the form of maternity benefit, *zasiłek macierzyński*), with no upper limit on payment. If the mother chooses to take the 100 per cent option, Parental leave taken afterwards will be paid at 70 per cent of average earnings; if the 81.5 per cent option is taken, then Parental leave will be paid at that level.
- If the maternity benefit in a given month is lower than PLN1,000 [€235.32]⁴⁶¹, the difference is paid to the parents. This is especially important for minimum wage and other low paid parents who decide to receive

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⁴⁶¹ Conversion of currency undertaken for 16 July 2024, using: <https://data.ecb.europa.eu/currency-converter>.

compensation at 100 per cent for 26 weeks or 60 per cent for 26 weeks. Female farmers are not covered by this system; they are paid the benefit of PLN1,000 [€235.32] during the first year after their child is born, regardless of income.

- If an employer has more than 20 employees, payments are made to parents by the employer who claims back from the Social Insurance Institution. Otherwise, payments are made to the parent by the Social Insurance Institution.
- Payments are taxed.
- Funded from the Social Insurance Fund, financed by contributions by employees (2.45 per cent of earnings), self-employed workers, and other insured persons (i.e., working in atypical forms of employment), with some additional finance from the state to cover pension contributions. There is no contribution from employers.

Flexibility in use

- No later than 21 days after the birth, the insured mother may declare if she wants to take the 81.5 per cent option, i.e., an option of combined Maternity and Parental leave, for the total of 52 weeks of leave (see Parental leave below).
- The mother can transfer non-obligatory periods of Maternity leave, i.e., 6 weeks, to the father if she opts for the 81.5 per cent option (see 1c).

Eligibility (e.g., related to employment or family circumstances)

- Insured workers, including all employees and self-employed men covered by social security insurance at the start of the leave.
- There is no explicit ruling about eligibility for same-sex couples, however the way that the provision is worded may lead to such a possibility: in some parts the legislation refers to the 'mother', but in others it refers to the 'other parent'.

Variation in leave due to child or family reasons (e.g., multiple or premature births; poor health or disability of child or mother; single parent); or delegation of leave to person other than the mother

- In the case of multiple births, Maternity leave is extended to 31 weeks for twins, 33 weeks for triplets, 35 weeks for quadruplets, and 37 weeks for quintuplets and more.
- The mother may share this leave with other members of her family, if they are employed or insured and if the mother is not able to take care of a child.
- In the case of the death of a baby before the end of the 8th week, the mother has the right to 8 weeks of leave in total, and to at least 7 days after the death of a child who was older than 8 weeks of age.

Additional note (e.g., if leave payments are often supplemented by collective agreements; employer exclusions or rights to postpone)

- Individuals who are not eligible to receive maternity benefit (thus also parental allowance, see 1d) are eligible for parental benefit of PLN1,000 [€235.32] per month. The benefit is addressed particularly to unemployed people, students, and people working on some types of civil law contracts (uninsured); but economically inactive mothers and fathers (those not officially registered as unemployed) are also eligible. The benefit is not means-tested.
- The benefit is paid for 52 weeks for one child; 65 weeks for twins; 67 weeks for triplets; 69 weeks for quadruplets; and 71 weeks if five or more children were born. The first 14 weeks of benefit are available only for mothers (unless she is alive or takes care over a child).

b. Paternity leave (*urlop ojcowski*) (responsibility of the Ministry of Family and Social Policy)

Length of leave

- Two weeks.

Payment and funding

- One hundred per cent of average earnings for the 12 months before the birth, with no upper limit on payment.
- If an employer has more than 20 employees, payments are made to fathers by the employer who claims back from the Social Insurance Institution. Otherwise, payments are made to the parent by the Social Insurance Institution.
- Payments are taxed.
- Funded as for Maternity leave.

Eligibility

- The same as for Maternity leave, i.e., insured workers, including all employees and self-employed men covered by social security insurance at the start of the leave.
- Same-sex couple eligibility remains unclear: there have not yet been cases in Poland where two men have had the legal status of being the father of the same child.

Flexibility in use

- Leave can be taken any time during the 12 months after the birth of a child.
- Leave can be taken in two separate parts, i.e., each part must be at least one week.

c. Parental leave (*urlop rodzicielski*) (responsibility of the Ministry of Family and Social Policy)

Length of leave

- Forty-one weeks.
- Twenty-three weeks of leave is a family entitlement; the remaining period of 18 weeks is an individual, non-transferable entitlement with 9 weeks for mothers and 9 weeks for fathers.

Payment and funding

- Payment depends on the payment option chosen by the mother taking Maternity leave. If, during Maternity leave, the mother opts to be paid at 100 per cent of earnings, Parental leave is paid at 70 per cent of average earnings for 12 months preceding the birth, with no upper limit on payment; if the mother opts to be paid 81.5 per cent of earnings during her Maternity leave, the Parental leave benefit is paid at the same level throughout. Payment for the father is 70 per cent of earnings for the first nine weeks. If the father takes longer leave, i.e., if he uses some of the transferable part of Parental leave, then the replacement rate depends on what replacement was used by the mother on Maternity leave (i.e., either 70 per cent or 81.5 per cent).
- If the average monthly benefit on Parental leave would be lower than PLN1,000 [€235.32], the difference is paid to the parent. Female farmers are not covered by this system; they are paid the benefit of PLN1,000 [€235.32] during the first year after their child is born, regardless of income.
- If an employer has more than 20 employees, payments are made to parents by the employer who claims back from the Social Insurance Institution. Otherwise, payments are made to the parents by the Social Insurance Institution.
- Payments are taxed.
- Funding is the same as for Maternity leave.

Eligibility

- The same as for Maternity leave: i.e., insured persons, including all employees and self-employed people covered by social security insurance at the start of leave.
- Parental leave must be taken before the end of the year when a child turns 6 years. A mother's non-eligibility for Parental leave does not cause the loss of the eligibility of an employed or insured other parent or employed or insured other member of the family (i.e., grandmother, uncle, brother, child etc.).
- If the employment contract expires during the Parental leave, the parent loses a right to the remaining part. However, s/he does not lose the right to maternity allowance, which s/he will receive until the end of the original period of this leave.
- Same-sex parenthood is not recognized in Polish law, making it impossible for same-sex parents whose child is born in Poland to share Parental leave.

Flexibility in use

- The 41 week period can be taken as one continuous period of leave, or as up to 5 separate periods. Parents can use the leave until the end of the calendar year in which the child turns 6 years old.
- Parental leave may be combined with part-time working, with a maximum of working half-time hours. In this case, payment is proportional to the working time, and leave is also extended proportionately, up to 82 weeks.
- Both parents can take leave at the same time, though the overall length of leave must not exceed 41 weeks in the case of a single birth.

Variation in leave due to child or family reasons (e.g., multiple or premature births; poor health or disability of child or mother; single parent); or delegation of leave to person other than the mother

- In the case of multiple births, Parental leave is extended to 43 weeks, regardless of the number of children born.
- Parents of a child holding a 'Za życiem' ('for life') certificate have the right to take Parental leave in order to take care of the child for up to 65 weeks, in the case of one child, or 67 weeks, in case of multiple births. The certificate is issued in cases where a child has an incurable or life-threatening illness.

d. Childcare leave (*urlop wychowawczy*) (responsibility of the Ministry of Labour and Social Policy)

Length of leave

- Up to 36 months can be taken as childcare leave. It is not dependent on the Parental or Maternity leave, but the parent must have worked for over six months with any employer. Thirty-four months are a family entitlement, with one month as an individual entitlement for the mother and another month for the father.
- A further 36 months can be taken for a disabled child. The same rules as for regular childcare leave applies, except for the age of eligibility, which is extended until the child turns 18 years old.

Payment and funding

- A parental allowance (*Dodatek z tytułu opieki nad dzieckiem w okresie korzystania z urlopu wychowawczego*) of PLN400 [€94.13] per month is paid for 24 months to parents taking leave as a supplement to family benefit if monthly household income per capita does not exceed PLN674 [€158.61] or PLN764 [€179.79] in the case of a family with a child with a disability.
- Funded from general taxation.

Flexibility in use

- Leave can be taken until the end of the calendar year in which the child turns 6 years old.
- Parents can take leave in 1 continuous period or in a maximum of 5 separate periods.
- Parents can reduce their working time up to half of full-time hours during the period in which they take the leave.
- Parents can take leave at the same time.
- Both parents have an individual, non-transferable right to one month of leave. However, it could be transferable due to certain legal circumstances, such as the father being unknown, the other parent dying, etc.
- During the leave period, parents may be employed and claim parental allowance (if they are eligible), if working does not prevent them from caring for their children. A working parent can switch employment while on leave.

Eligibility (e.g., related to employment or family circumstances)

- Employees with a work record of at least 6 months.

Variation in leave due to child or family reasons (e.g., multiple or premature births; poor health or disability of child or mother; single parent); or delegation of leave to person other than the parents

- The basic payment can be extended to 36 months where there is more than one child.
- Leave may be extended for another 36 months if a child is disabled or chronically ill and requires care, but can be taken no later than the child's 18th birthday. A means-tested payment of PLN400 [€94.13] per month is made in these cases, and the payment period can be extended up to 72 months.

e. Other types of leave and flexible working

Adoption leave and pay

- The same regulations apply as for parents having biological children.
- Parental allowance is paid if the adopted child is seven years old or younger (and in some cases up to 14 years).

Time off for the care of dependents

- An employee can take leave of up to 14 days per year to provide personal care for a family member (child or adult) living in the same household, paid at 80 per cent of earnings. The care benefit (*zasiłek opiekuńczy*) is paid by the employer and refunded by the Social Insurance Institution when the employer has over 20 employees (insured); in the case of an employer with less than 20 employees, the Social Insurance Institution pays the employee directly.

- An employee can take leave to care for a child up to eight years of age (14 years of age if the child is disabled or chronically ill) in the case of an unforeseen closure of a nursery school, kindergarten, or school; or the illness or childbirth of the spouse caring permanently for the child. This leave is paid at 80 per cent of earnings for up to 60 days.
- An employee with a child under 14 years is entitled to 2 days (or 16 hours) of fully paid leave per year.
- An employee is entitled to two days or 16 hours off work during a calendar year due to *force majeure* arising from urgent family matters caused by illness or accident, if the employee's immediate presence is necessary. This leave is paid at half of earnings.
- An employee is entitled to carers' leave of 5 days during a calendar year to provide personal care or support to a person who is a family member or lives in the same household and who requires care or support for serious medical reasons. This leave is unpaid.

Specific provision for (breast)feeding

- Mothers who work at least 4 hours per day and breastfeed are entitled to breastfeeding breaks at work, which are included in their working time. The number of breaks depends on the number of hours at work, and the length of the break depends on the number of children being breastfed (i.e., children not necessarily born at the same delivery and with no limit for the age of child breastfed). A mother of 1 child working full-time would be allowed 2 breaks per day of 30 minutes each. Breaks could be combined and granted at the beginning or end of the working day.

Flexible working

- An employee has the right to apply for flexible forms of work or remote work in certain conditions, such as: a pregnant employee or a pregnant employee's spouse in the case of a complicated pregnancy; an employee who is the parent of a child who has a *Za życiem* certificate (see 1c) or other certificate for a disability. The right to apply for flexible forms of working time is also available to employees whose children have already turned 18 years of age.
- The employer has the right to refuse the application submitted by the employee if it is not possible due to the organisation of work, or the type of work performed by the employee. In which case, the employer must inform the employee about the reason for refusal.

2. Relationship between leave policy and early childhood education and care policy

The maximum period of post-natal leave is four years, but most of this is means-tested and low paid; leave paid at a high rate runs for maximum of 14 months. There is an entitlement to Early Childhood Education and Care (ECEC) from 3 years of age. There is, therefore, no gap between the end of leave and an ECEC entitlement, but there is a nearly 2 year gap between the end of well-paid leave and an ECEC entitlement.

For ECEC attendance levels, see 'relationship between leave and ECEC entitlements' in the [cross-country tables](#) at the front of the review.

3. Changes in policy since April 2023 (including proposals currently under discussion)

Parliament has approved a law to establish an Active Parent programme, but it is not clear if it will be introduced as it depends on the President's approval. The aim of the programme is to make it easier for mothers/parents to return to work after Maternity/Parental leave. To this end, a benefit of PLN1,500 [€352.98] per month will be paid, which can be used to pay for a crèche or employ someone - even a close relative - to look after a child.

4. Uptake of leave

The Social Insurance Institution (*Zakład Ubezpieczeń Społecznych, ZUS*) collects limited data on the amount and average level of benefits received by parents on Maternity, Parental and Paternity leave.

a. Maternity leave

In 2023, 66,900 women took Maternity leave with an average benefit of PLN111.52 [€26.24] per day.

b. Paternity leave

According to a recent report published by ZUS and Share the Care foundation⁴⁶², in 2023 the number of benefit recipients on Paternity leave was 182,100, slightly lower than in 2022 when it was 185,4200. But the lower number does not mean that the share of fathers using Paternity leave dropped; it actually increased from 60 per cent in 2022 to 67 per cent in 2023. The lower number of fathers using Paternity leave was due to lower fertility in 2023. The average benefit for fathers on Paternity leave in 2023 was PLN204.38 [€48.10] per day, nearly twice as high as the benefits received by mothers on Maternity leave.

⁴⁶² *Tata na rodzicielskim. Co mówią liczby o ojcostwie w Polsce* [What do the numbers say about fatherhood in Poland], Share the Care, ZUS, April 2024. Available at: <https://sharethecare.pl/tata-na-rodzicielskim/>

c. Parental leave

The data indicate that the transferable part of Parental leave is mostly taken by women (99 per cent). The total number of parents taking Parental leave benefit in 2023 was 360,800. The benefit on Parental leave when taken by mothers was, on average, PLN107.10 [€25.20] per day, while for fathers it was PLN152.72 [€35.94] per day.

As a result of the introduction of 9 weeks of paid Parental leave reserved for each parent in April 2023, more fathers make use of their Parental leave rights. In 2023 19,000 fathers took some leave compared to 3,700 in 2022. Nevertheless, still only a small proportion (about 7 per cent) of eligible fathers use their rights.

In 2022, expenditure on parental benefits for non-employed parents amounted to PLN678.5 [€159.67] million and accounted for 6 per cent of all expenditure on family benefits. It was collected by an average of 62,300 people per month.⁴⁶³

⁴⁶³ GUS (2023) *Świadczenia na rzecz rodziny w 2022* . [Family benefits in 2020]. Informacje Sygnalne GUS. Available at: www.stat.gov.pl