



The EU Mutual Learning Programme in Gender Equality

Instruments to foster long-term paternal involvement in family work

Germany, 04-05 October 2018

Comments Paper - Poland



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This publication is supported by the European Union Rights, Equality and Citizenship Programme (2014-2020).

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Parental Leave System and Childcare Institutions in Poland: Lack of Incentives for Fathers

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1. The Polish Family Policy System

1.1. A brief introduction

After the fall of communism the Polish family system was characterised with the process of re-familialisation and return to a more conservative policies that resulted from the adoption of the market-oriented path. Yet the system was not substantially reformed till 2010s. Only after beginning of 2010s, policy makers realised that there is a need of reforms because of extremely low fertility rates, which has dropped since 1989 from 2,1 to 1,3. Thus they started to implement various reforms, which substantially changed the parental leave system, as well as slightly improved the enrolment rates to childcare institutions. Yet the most expensive reforms “Family 500+” was introduced in 2015, which was universal cash benefit for every second and subsequent child. After the reforms the system is described as explicitly familialistic. In the following parts each element of the current system is briefly described.

1.2. The parental leave system

The Polish parental leave system is described in the Labour Code introduced in 1974. Since then, after multiple amendments, it has been in force. In 2017 parents have a right to multiple types of leave:

- Obligatory maternity leave – 20 weeks; after using 14 weeks the mother can transfer 6 weeks to the father; the replacement rate is 80% or 100%.
- Parental leave – 32 weeks that can be shared by parents; the replacement rate is 60% or 80%.
- Paternity leave – 2 weeks of non-transferable leave for fathers; fully paid.
- Extended parental leave – 3 years that can be shared by parents; means-tested – if the expenditure for one person in a household is not higher than 539 PLN/€ 126, then the parent on leave can get 400 PLN/€ 94.

Fathers got a right to use the part of maternity leave in 2002. In 2010 paternity leave was introduced (at the beginning it was one week, since 2012 two weeks). Since 2013 parents gained a right to newly introduced parental leave. Parental leave together with maternity leave give parents a chance to stay at home with a new-born child for one year (52 weeks). Both leaves are highly paid. If parents at the beginning decide to use all 52 weeks, they get the benefit on the level of 80% of the

salary (the minimum amount is 1000 PLN/€ 233). If at the beginning they only want to use the obligatory 20 weeks of maternity leave and 6 additional weeks of parental leave, parents get 100% of their salaries. Yet if they decide to stay also the following 26 weeks on parental leave, then their benefit is only at the level of 60%.

The right to paid leaves have employed and unemployed parents, students, farmers, self-employed, and people employed on so-called “junk agreements” (short-term contracts). Parents have a right to combine the parental leave with part-time employment (not higher than 20 hours per week). In such case, the period of leave is proportionally prolonged and the amount of the benefit proportionally lower. Parents can also decide to be on the leave at the same time (each for 16 weeks). The parental leave can be used till a child is 6 years old.

In the current system there is no incentive for parents to share parental leave. Fathers have a right to 2 weeks of non-transferable leave that can be used until the child is 2 years old. The leave can be used at the same time as a mother is on maternity or parental leave. The system should be described as genderising, since a mother is obliged to take 20 weeks of maternity leave, whereas there is no similar obligation imposed on a father. When in 2013 policy makers introduced parental leave, they did not decide to introduce father’s quota. In general, the new leave was rather seen as an instrument helping women in achieving work-life balance. Consequently, fathers do not share parental leave with their female partners. In 2017 only 1% of all recipients were men. Also less than 50% of fathers use the non-transferable paternity leave.

1.3. Childcare institutions

In Poland, there are two kinds of childcare institutions, each under the control of a different ministry. Such institutional arrangements are not unique to Poland, but are characteristic of most post-communist countries that inherited their current system from a communist system. Nursery schools are for children aged 0–3 and kindergartens for children aged 3–6. The Ministry of Family, Labour and Social Policy is responsible for the nurseries, whereas kindergartens are treated as educational institutions and are managed by the Ministry of National Education.

After the fall of communism, the number of day care institutions dramatically dropped, although the enrolment rates were never high in Poland. In 2000s and 2010s Poland had one of the lowest enrolment rates in Europe. Therefore in 2011 the Programme “Toddler” was launched which aim was to increase the number of places in childcare institutions for children under three years. The reform established several forms of childcare institutions for children under three: traditional nurseries, “children’s clubs”, “daily carers” and “nannies”. It was also introduced in connection to the EU requirement set in the Barcelona Strategy related to services for children – 33 % of children under 3 should have guaranteed places in childcare institutions by 2010 (European Commission 2013). The Programme was connected to legislative changes that simplify very demanding requirements to run a nursery. Yet even though the enrolment rates started to increase (see Table 1), they are still among the lowest in the EU and there are big disparities between regions. Simultaneously, there were changes introduced in the system of kindergartens. Since September 2012 all 5-year-old children have an obligation to attend to a kindergarten (in 2015 the obligation was abolished). Since 2016, every 4-year-old child has a right to a place in a kindergarten and since 2017 every 3-year-old child does.

Table 1 Percentage of children enrolled to day care institutions

	2008	2010	2012	2013	2015	2016	2016
0-3 years	2,6	2,6	3,8	4,8	6,8	7,8	8,6
3-5 years	52,7	62,6	69,7	74,1	84,2	81,1	-

Source: Central Statistical Office of Poland. Prepared by the author

1.4. Additional instruments – cash benefits

In 2016 the flagship reform “Family 500+” of the governing party was introduced. The programme introduced the child allowance of 500 PLN/€ 120 for children till 18 years old. Initially the programme was planned to include all children, yet because of too high cost families with only one child were excluded from the programme, apart from those whose income do not exceed 800 PLN/€ 187 per month per family member. Even though cash benefits are not unique in the European welfare states, the programme is unprecedented in the Polish context. A half of all families gain a right to the allowance. It is the most expensive social policy programme ever in Poland – around 30 billion of PLN per year, in comparison the Programme “Toddler” costs no more than 150 million of PLN per year (Szelewa, 2017).

1.5. The overall characteristic of the Polish system in terms of long-term paternal involvement

The described instruments are the key elements of the Polish family policy system. In general, the system should be described as a version of explicit familism (Szelewa, 2017) based explicit genderisation (Saxonberg, 2014; Suwada, 2017b). All instruments are described as family-based entitlements rather than individual ones. The family policy system is perceived as a tool for increasing low fertility rates and it is not aimed at reducing gender inequalities. It seems that policy makers treat gender inequalities as women’s problem in the labour market and do not recognise the problem within the family sphere. The ideal family is defined in traditional terms as a heterosexual couple with children, in which the mother is mainly responsible for care and domestic work (even though she is also expected to work in the labour market), whereas the father is a main breadwinner and a secondary caregiver. Same-sex couples are not recognised by the legal system – they have no right to marriage or an adoption of the children. Also there are no special instruments to support single parenthood.

2. Policy debate

As it was underlined, the Polish family policy system is based on explicit familism and additionally is explicitly genderising. This means that it promotes a traditional family model based on gendered parental roles. Policy makers don’t seem to recognise unequal division of work within the family sphere. Yet, discussion about men’s engagement in parenthood is somehow present in the policy debate. Firstly, it appeared in connection to the introduction of parental leave in 2013. In the justification for the reform it was expected that men would start to take the leave, yet the policy makers were not eager to introduce any kind of incentives. Feminist activists, academics, some politicians, with the support of the then Swedish ambassador Staffan Herrström, tried to persuade the government to use the quota, underlining that without it, the new leave would actually prolong the period of staying at home for women and reinforce gender inequality in the labour market. They also

argued that the quota would be a useful tool in engaging men into unpaid work within the domestic sphere. But the parliament, together with the then Minister of Labour and Social Policy Władysław Kosiniak-Kamysz and the then president Bronisław Komorowski, agreed that it would be better if the decision on how to share the leave was left up to parents since they should have a right to choose (Suwada, 2017a, 2017b).

The discussion about men's right to parental leave came back to policy debate in 2017 and 2018 in connection with a proposition of the European Parliament to introduce 4 months of non-transferable parental leave in the EU Member States. Poland, which is now governed by the right-wing, national-conservative party Law & Justice, was the only country that was (and still is) against the proposition arguing that the new law is a threat to the Polish culture, tradition, family and even masculinity and femininity. It is worth underlining that such attitude is generally connected with the fear of so called "gender ideology", which in opinion of the Polish conservative and the Polish Catholic church will destroy the institution of family and ultimately the whole European civilisation (for more see: Graff, 2014; Korolczuk & Graff, 2018). In this context, it is doubtful whether in the near future any incentives for fathers will be introduced in the Polish family system.

3. Transferability aspects

In terms of the length of parental leave the Polish and German systems are quite similar. Parents have a right to paid parental leave for around one year (52 weeks in Poland, 14 months in Germany). They have also a right to extended, practically unpaid, parental leave up to 3 years (during which Polish parents have no right to any allowance if they do not meet a financial criterion and German parents can use basic parental allowance, PAP or partnership bonus). Also in both countries parents have a right to combine leave with part-time employment.

3.1. Transferability potential – Poland to Germany

Since the Polish system is not oriented on fathers at all, the only solution that might be transferred to Germany is connected to the replacement rate. It seems that the level of 65% with the maximum amount of € 1800 might discourage fathers for taking the leave. The interviews I conducted with Polish parents often show that even the replacement rate on the level of 80% can discourage men from taking parental leave, especially in the context of a still high gender gap. It might be assumed that the maximum amount in Germany is quite a big obstacle for high-income fathers.

3.1. Transferability potential – Germany to Poland

Because of quite big similarities between the two systems, Poland can learn from the German case the greater orientation on the issue of gender inequalities and men's engagement in the family sphere. It would require the reformulation of family policy objectives in Poland. First, designing a family policy as individual entitlements rather than family-based entitlements would help in achieving gender equality. So parental leave should be seen as a support for long-term independence of both parents, rather than as a support for working mothers in achieving work-life balance. Secondly, the recognition of the lack of engagement of men in the domestic sphere as a problem for the society is crucial for creating system reducing gender inequalities.

Thus, the policies that should be transferred from Germany to Poland are:

- the reservation of at least 2 months of parental leave for a father, yet with the replacement rate on the level of 80% of previous income (or maybe even 100%) and no maximum amount.
- Expansion of institutional childcare – especially introduction of a right to ECEC for every child over one year old to close care gap between parental leave and formal child care.

It is doubtful whether such policies as PAP and partnership bonus would work in Poland, since part-time employment is not popular in the Polish labour market (only less than 10% of employees work part-time). Polish parents have a possibility to combine part-time employment with parental leave, yet there is no statistics showing how much parents decide for such a solution. My qualitative research indicates that only few people actually do that.

4. Conclusions and recommendations

There is a need to introduce European recommendations on how to design family policy in order to foster long-term paternal involvement in family work. These recommendations should take into consideration in particular:

- A period of non-transferable parental leave for fathers – at least 2 months long.
- The appropriate replacement rate for income during parental leave.
- An access to institutional childcare for children between one year old and school age.
- Focus on dissemination strategies informing parents, especially fathers, about possibilities and rights they have.

There is also a need for a discussion about part-time work possibilities in various EU Member States, also including their impact on gender inequalities.

5. References

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