

Maternity allowance

Care allowance



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Maternity allowance

Who is entitled to maternity allowance

Maternity allowance is granted to those individuals who are covered by sickness insurance and who find themselves in one of the following situations:

- They have given birth to a child (mothers);
- They have had a child born to them (fathers);
- They have taken a child for upbringing (adoptive or foster parents).

When do you receive maternity allowance

You are a mother

You may receive maternity allowance when:

- you have given birth to a child while covered by sickness insurance or on childcare leave,
- you have given birth to a child while you were no longer an employee if the employment contract was terminated during the course of pregnancy because your employer declared bankruptcy or went into liquidation or terminated your employment contract, therein violating legal regulations and this is confirmed by a legally binding court ruling.

You are a father

You may receive maternity allowance when you are covered by sickness insurance and:

- you have had a child born to you,
- you take parental leave (in accordance with the Labour Code),
- you take paternity leave (in accordance with the Labour Code),
- you have interrupted employment or other forms of gainful activity in order to take personal care of the child in the following situations:
 - when the child's mother has died or abandoned the child (regardless of whether or not she was covered by sickness insurance),
 - when the child's mother, who has sickness insurance coverage:
 - has a certificate of inability to live independently or of significant disability and has given up receiving maternity allowance for the period of maternity leave having taken up on payments for at least 8 weeks following birth, because her state of health makes her unable to take care of the child,

- has given up receiving maternity allowance in order to return to work yet had received it for at least 14 weeks after giving birth,
- is in hospital or another healthcare facility and stops getting maternity allowance after having received it for at least 8 weeks after giving birth;
- when the mother of the child, who does not have sickness insurance coverage:
 - has a certificate of inability to live independently or of significant disability and her state of health makes her unable to take care of the child,
 - has taken up employment on at least a half-time basis.

You have taken a child for upbringing

You may receive maternity allowance when:

- you have taken a child for upbringing who is under the age of 7 (or under the age of 10 for the child with postponed compulsory education) and you have applied to the family court for the adoption of the child;
- you have taken a child for upbringing who is under the age of 7 (or under the age of 10 for the child with postponed compulsory education) as a non-professional foster family.

Over what period of time do you have the right to maternity allowance

You are a mother

You are entitled to maternity allowance for the period determined by the regulations of the Labour Code as the period of maternity leave. On your request it is also payable for the period determined by the regulations of the Labour Code as the period of parental leave.

You are a father

You are entitled to maternity allowance for the period determined by the regulations of the Labour Code as the period of paternity leave. On your request it is also payable for the period determined by the regulations of the Labour Code as the period of parental leave.

You have taken a child for upbringing

You are entitled to maternity allowance for the period determined by the regulations of the Labour Code as the period of leave under the conditions of maternity leave. On your request it is also payable for the period determined by the regulations of the Labour Code as the period of parental leave.

Maternity allowance is paid by a contribution payer who employs more than 20 people or by the Social Insurance Institution.



Maternity allowance for the period of maternity leave

You are entitled to maternity allowance for the period of maternity leave for:

- 20 weeks (140 days) – if you have given birth to one child,
- 31 weeks (217 days) – if you have given birth to 2 children at one birth,
- 33 weeks (231 days) – if you have given birth to 3 children at one birth,
- 35 weeks (245 days) – if you have given birth to 4 children at one birth,
- 37 weeks (259 days) – if you have given birth to at least 5 children at one birth.

You may start your maternity leave and get your maternity allowance not only after giving birth but also in the course of 6 weeks before the expected date of birth. However, we have to deduct the time before childbirth from the general period over which you are entitled to maternity leave and allowance. For example, if you give birth to one child and take 7 days of maternity leave and allowance before the childbirth, you will be entitled to maternity leave and maternity allowance for a period of 133 days after the childbirth.

Maternity allowance for the period of leave under the conditions of maternity leave

Maternity allowance for the period of leave under the conditions of maternity leave is available for no longer than until the child turns 7 (or 10 for the child with postponed compulsory education) for:

- 20 weeks (140 days) – if you have taken one child for upbringing,
- 31 weeks (217 days) – if you have simultaneously taken 2 children for upbringing,

- 33 weeks (231 days) – if you have simultaneously taken 3 children for upbringing,
- 35 weeks (245 days) – if you have simultaneously taken 4 children for upbringing,
- 37 weeks (259 days) – if you have simultaneously taken at least 5 children for upbringing.

Exception: if you have taken for upbringing a child who soon will turn 7 or 10, you may also receive maternity allowance after the child reaches this age. This is the case because the minimum period during which one is eligible for maternity allowance is 9 weeks (63 days).

Maternity allowance for the period of parental leave

You are a mother

You are entitled to maternity allowance for the period of parental leave for:

- up to 32 weeks – if you have given birth to one child;
- up to 34 weeks – if you have given birth to at least 2 children at one birth.

The father of the child may also take advantage of this benefit for this period.

Both of you may receive it either individually or at the same time. The combined period of the allowance which both of you receive cannot exceed the maximum of 32 or 34 weeks respectively.

You may divide the period of payment of maternity allowance into a maximum of 4 successive parts, calculated in weeks. Each of these parts has to last at least 8 weeks, with the exception of:

- the first part which in the case of giving birth to one child has to last at least 6 weeks;
- the final part if less than 8 weeks of maternity allowance remain available.

IMPORTANT!

You may choose to set aside a part of the allowance (up to 16 weeks) for later and receive it until the end of the calendar year in which your child turns 6. You may divide this part into a maximum of two smaller parts – for example of 8 weeks each.

When you shorten parental leave even though you have declared the full period

You may in the course of 21 days following childbirth declare that you will receive maternity allowance for the full period determined by

the regulations of the Labour Code as maternity leave and parental leave (e.g. 52 weeks when you have given birth to one child).

If you do so, you will be able to shorten the period for which you are entitled to maternity allowance for the period of parental leave (if it lasts respectively for at least 6 or 8 weeks), and return to work. Then the father of the child may claim the unused part or the full allowance, assuming sickness insurance coverage for the father exists and is in force.

If you are employed on the basis of an employment contract, you have to submit a written application stating that you give up maternity leave and allowance, no later than 21 days before taking up employment. If you are insured but do not work on the basis of an employment contract (for example you run a non-agricultural business or work on the basis of a contract of mandate), you should submit the benefit claim before the date from which you wish to give up receiving the allowance.

IMPORTANT!

If you have declared that you intend to receive maternity allowance for the full period, you may share with the father of the child the rights to maternity allowance for the period determined by the regulations of the Labour Code as the period of parental leave. However, in such a case the periods in which benefit is received have to occur one after another without a break. You will not be able to receive maternity allowance following any break in its payment.

You are a father

You are entitled to maternity allowance for the period of parental leave for:

- up to 32 weeks – if you have had one child born to you;
- up to 34 weeks – if you have had at least 2 children born to you at one birth.

The mother of the child may also receive the benefit for this period.

Both of you may receive it either individually or at the same time. The combined period of the allowance which both of you receive cannot exceed the maximum period of 32 or 34 weeks respectively.

You may divide the period of payment of maternity allowance into a maximum of 4 successive parts, calculated in weeks. Each of these parts has to last at least 8 weeks, with the exception of:

- the first part which in the case of giving birth to one child has to last at least 6 weeks;
- the final part if less than 8 weeks of the maternity allowance remain available.

IMPORTANT!

You may choose to set aside a part of the allowance (up to 16 weeks) for later and receive it until the end of the calendar year in which your child turns 6. You may divide this part into a maximum of 2 smaller parts – of 8 weeks each.

When the mother shortens the period of parental leave but has declared the full period

The mother may in the course of 21 days following childbirth declare that she will receive maternity allowance for the full period of maternity leave and parental leave (for example, 52 weeks on having given birth to one child).

If she does so, she may shorten the period during which she is entitled to maternity allowance for the period of parental leave (if it lasts at least 6 or 8 weeks respectively) and return to work. You may then claim the unutilised part or the full allowance. You may equally give up this benefit.

When you wish to claim this unutilised part and are employed on the basis of an employment contract, you have to submit a written application for granting the leave and the benefit payment no later than 21 days before taking this leave.

If you are insured but do not work on the basis of an employment contract (for example you run a non-agricultural business or work on the basis of a contract of mandate), you should submit the application for the benefit payment before you start to receive the benefit.

IMPORTANT!

If the mother of the child has declared that she intends to receive maternity allowance for the full period, she may share with you the rights to maternity allowance for the period determined by the regulations of the Labour Code as the period of parental leave. However, in such a case the periods in which benefit is received have to occur one after another without a break. You will not be able to receive maternity allowance following any break in its payment.

You have taken a child for upbringing

You are entitled to maternity allowance for the period of parental leave for:

- up to 32 weeks – if you have taken one child for upbringing;
- up to 34 weeks – if you have simultaneously taken at least 2 children for upbringing;
- up to 29 weeks – if you are entitled to the minimum of 9 weeks of maternity allowance for the period of leave under the conditions of maternity leave.

You or your spouse who took the child for upbringing may receive maternity allowance for the period of parental leave. Both of you may also receive it at the same time. The combined period of the allowance which both of you receive cannot, however, exceed the maximum period of 32, 34 or 29 weeks respectively.

You may divide the period of payment of maternity allowance into a maximum of 4 successive parts, calculated in weeks. Each of these parts has to last at least 8 weeks, with the exception of:

- the first part which has to be at least 3 weeks long;
- the final part if less than 8 weeks of maternity allowance remain available.

When an insured person taking a child for upbringing shortens the period of parental leave but has declared the full period

If you are insured, you may in the course of 21 days after taking the child for upbringing declare that you will receive maternity allowance for the full period of both leaves: leave under the conditions of maternity leave and parental leave.

If you do so, you may shorten the period during which you are entitled to maternity allowance for the period of parental leave (if it lasts at least 3 or 8 weeks respectively) and return to work. Your spouse, who has taken the child for upbringing, may then claim the unutilised part or the full benefit, if he/she has sickness insurance coverage. Your spouse may equally give up this benefit.

If you are employed on the basis of an employment contract, you have to submit your written application to give up the leave and benefit no later than 21 days before commencing work.

IMPORTANT!

If in the course of 21 days following taking the child for upbringing you have declared that you intend to receive maternity allowance for the full period, you may share entitlement to maternity allowance for the period of parental leave with your spouse, who has taken the child for upbringing. However, in such a case the periods in which benefit is received have to occur one after another without a break. You will not be able to receive maternity allowance following any break in its payment.

When you want to take parental leave while at the same time working for your employer

If you work on the basis of an employment contract, you may, while on parental leave, work for your employer on a half-time basis at most. In such a case the employer grants you parental leave for the remaining part of the daily working time.

In this case your leave extends proportionally to the working time and the period during which you do that work.

An extended period of parental leave may not exceed:

- 64 weeks – if you have taken one child for upbringing;
- 68 weeks – if you have simultaneously taken at least 2 children for upbringing.

Maternity allowance for the period of paternity leave

You are a father

You have the right to maternity allowance for the period determined as the period of paternity leave in accordance with the Labour Code. This is a maximum of 2 weeks. You may receive it in a single block or you may divide it into 2 parts (each of a week's duration). You may receive it until the child is 24 months old.

You have taken a child for upbringing

You have the right to maternity allowance for the period determined as the period of paternity leave in accordance with the Labour Code. This is a maximum of 2 weeks. You may receive it in a single block or you may divide it into 2 parts (each of a week's duration). You may receive it in the course of 24 months from the effective date of the court ruling on the adoption of the child, in as far as the child does not turn 7 (or 10 for the child with postponed compulsory education).

Can a mother stop receiving maternity allowance for the period of maternity leave

You are a mother

You may stop receiving the benefit if you have received it for at least 8 weeks after childbirth and you find yourself in one of the following situations:

- your child requires hospitalisation. You will be able to take up the rest of the benefit payments after the child is discharged from hospital;
- you are in hospital or another healthcare facility and your state of health makes it impossible for you to provide care for your child. The remaining amount of benefit has to be used by the insured father of the child or another insured member of the immediate family. You will receive sickness benefit for your stay in hospital (sick pay or sickness allowance);
- you have a certificate of inability to live independently or of significant disability. The remaining amount of benefit has to be used by the insured

father of the child or another insured member of the immediate family.

In addition, you may give up receiving the benefit if you have received it for at least 14 weeks after childbirth. The remaining part of the benefit has to be used by the insured father of the child.

What happens to maternity allowance if a mother dies or abandons her child

If the child's mother dies or abandons the child, regardless of whether she was insured or not, maternity allowance for the period determined by the regulations of the Labour Code as the period of maternity leave is granted to the insured father of the child or another insured member of the immediate family. They will receive benefit payments for the period after mother's death or after her abandonment of the child. They have to, however, interrupt employment or other forms of gainful activity in order to take care of the child. If the child is abandoned by the mother who was insured, an entitled insured person may receive maternity allowance not earlier than after the mother had received maternity allowance for 8 weeks following childbirth.

What happens to maternity allowance when an uninsured mother holds a certificate of dependency or disability

When the child's mother holds a certificate of inability to live independently or of significant disability and is not covered by sickness insurance then the insured father of the child or another insured member of the immediate family are entitled to maternity allowance for the period determined by the regulations of the Labour Code as the period of maternity leave.

What happens to maternity allowance when an uninsured mother takes up employment

If the child's mother who is not covered by sickness insurance, undertakes employment on at least a half-time basis, the insured father of the child is entitled to maternity allowance for the period of maternity leave.

How much is the maternity allowance calculation basis

If you are employed on the basis of an employment contract

The benefit calculation basis is the average monthly remuneration paid to you over the course of the 12 calendar months prior to the month in which the child is born or taken for upbringing.

If the period of employment was shorter – for the full calendar months of the insurance.

In order to establish your benefit calculation basis, we take your revenue that constitutes the calculation basis for sickness insurance contributions. We deduct from this the social insurance contributions deducted by your employer.

If you have sickness insurance coverage but are not employed on an employment contract

The benefit calculation basis is your average monthly revenue for 12 calendar months prior to the month in which the child is born or taken for upbringing.

If the sickness insurance coverage was shorter – for the full calendar months of the insurance.

This is the sum from which the contribution payer pays your sickness insurance contribution. We deduct from this 13.71% of the contribution calculation basis.

If you run a non-agricultural business or cooperate with a person who runs such a business and you have had sickness insurance for a period of less than 12 calendar months, you are subject to specific regulations in determining the amount from which we calculate your benefit payment. More information on the rules for calculating the benefit calculation basis may be found on the ZUS website: www.zus.pl.

How much is the rate of maternity allowance

The amount of maternity allowance for the period of maternity leave, leave under the conditions of maternity leave as well as parental leave depends on 3 circumstances:

- the amount of the benefit calculation basis (see 'How much is the maternity allowance calculation basis' on this page);
- the date of submitting your benefit claim application for these periods;
- whether you claim benefit payment for the maximum period of parental leave or a part of it.

You are a mother

You may claim maternity allowance in the course of 21 days following birth and submit your benefit claim application for the full period of maternity leave and parental leave. You will receive maternity allowance at the rate of 80% of the calculation basis for the entire period.

You may also claim maternity allowance after 21 days from childbirth and/or submit a claim for maternity leave for an incomplete period of parental leave. You will then receive benefit at the rate of 100% of the calculation basis for the following periods:

- of maternity leave,
- 6 weeks of parental leave if you have given birth to one child or 8 weeks of parental leave if you have given birth to at least 2 children at one birth.

For the remaining period of parental leave you will receive benefit at the rate of 60% of the calculation basis.

You are a father

If the mother of the child received maternity allowance for the period of maternity leave and parental leave at the rate of 80% of the calculation basis yet returned to work earlier, you have the right to this benefit. You will receive maternity allowance at the rate of 80% of your calculation basis.

If the mother of the child received benefit at the rate of 100% of the calculation basis, and then at the rate of 60% of the calculation basis, you will be eligible to it at the rates of:

- 100% of the calculation basis for the period of the maternity leave given up by the mother,
- 100% of the calculation basis for the period of 6 weeks of parental leave if you have had one child born to you or 8 weeks if you have had at least 2 children born to you at one birth,
- 60% of the calculation basis for the remaining period of parental leave.

Maternity allowance for the period equivalent to the period of paternity leave is 100% of the benefit calculation basis.

You have taken a child for upbringing

If you claim maternity allowance for the full period of leave under the conditions of maternity leave and parental leave within 21 days from the date of taking the child for upbringing, you will receive benefit at the rate of 80% of the calculation basis.

If you claim this benefit for an incomplete period or after 21 days from the date of taking the child for upbringing, you will receive benefit at the following rates:

- 100% of the calculation basis for the period of leave under the conditions of maternity leave,
- 100% of the calculation basis for one of the following periods:
 - 3 weeks of parental leave if you have taken one child for upbringing and you have the right to the benefit only for the minimum period (9 weeks),
 - 6 weeks of parental leave if you have taken one child for upbringing,
 - 8 weeks if you have simultaneously taken 2 children for upbringing;
- 60% of the calculation basis for the remaining period of parental leave.

When are you entitled to an increase in maternity allowance to the amount of parental benefit

You are entitled to the increase when your maternity allowance reduced by the advance income tax payment is lower than the parental benefit. Non-insured parents are eligible for it and it equals 1000 PLN.

You may also receive it when you are entitled to the benefit from more than one entitlement and its combined amount, reduced by the advance income tax payment, is lower than parental benefit.

The increase will constitute the difference between the amount of parental benefit and the combined amount of benefit from all the entitlements reduced by the advance income tax payment from all the entitlements.

You are not entitled to an increase when you receive:

- maternity allowance for the period of paternity leave;
- benefit at the rate of maternity allowance.

What documents need to be submitted in order to receive maternity allowance

Documents should be submitted to the contribution payer (for example your employer, your principal) or to ZUS – depending on who is supposed to pay you the benefit (see ‘What entities pay maternity allowance and care allowance’ on p. 22).

In order to receive maternity allowance for giving birth to a child

Please submit the following documents:

- for the period before childbirth – a medical certificate issued on an ordinary form that states the expected date of birth;
- for the period from childbirth – an official abridged copy of the child’s birth certificate or a copy of it, certified to be a true copy by the contribution payer or by ZUS.

In order to receive maternity allowance for giving birth to a child if the child was born abroad

Please submit the following documents translated into Polish:

- for the period before childbirth – a foreign certificate which states the expected date of birth and contains the name of the healthcare facility or the name and surname of the doctor, the date of issue and signature;
- for the period from childbirth – the child's foreign birth certificate or a copy of this document, certified to be a true copy by the contribution payer or by ZUS.

IMPORTANT!

The certificate issued in the official language of the Member State of the European Union or EFTA or with which Poland has concluded an agreement on social security, does not have to be translated if issued in the official language of that state.

In order to receive maternity allowance for taking a child for upbringing, if you applied for adoption

Please submit the following documents:

- declaration stating the date of taking the child for upbringing;
- one of the following documents:
 - a certificate issued by a family court that contains the date when the court application was made for adoption of the child along with the child's date of birth,
 - a copy of such a certificate, certified to be a true copy by the contribution payer or by ZUS,
 - a copy of the application for the initiation of adoption proceedings together with a certificate issued by a family court that contains the date of court application in this case as well as the child's date of birth;
- in the case of a child with postponed compulsory education – one of the following documents:
 - the final decision on the postponement of compulsory education,
 - a copy of such a decision certified to be a true copy by the contribution payer or by ZUS.

In order to receive maternity allowance for taking a child for upbringing as a foster family

Please submit the following documents:

- a document confirming the child's age (e.g. an official abridged copy of the child's birth certificate);

- one of the following documents:
 - a legally-binding family court decision on placing the child in a foster family,
 - a civil law agreement concluded between the foster family and a starosta (district administrator),
 - a copy of one of these documents, certified to be a true copy by the contribution payer or by ZUS;
- in the case of a child with postponed compulsory education – one of the following documents:
 - the final decision on the postponement of compulsory education,
 - a copy of such a decision, certified to be a true copy by the contribution payer or by ZUS.

When the benefits are paid out by ZUS

If you run a non-agricultural business, cooperate with a person who runs such a business, or if you are a member of the clergy, please attach the contribution payer certificate, issued on the form Z-3b, to the relevant set of documents and submit all the documents to our office.

If you work on the basis of an employment contract or have sickness insurance coverage from a different title, for example you are employed on the basis of a contract of mandate, you need to submit the relevant set of documents to your contribution payer (your employer, your principal). The contribution payer attaches the contribution payer certificate issued on one of the following forms:

- Z-3 – if you are employed on the basis of an employment contract;
- Z-3a – if you have sickness insurance coverage from a different title (for example you are employed on the basis of a contract of mandate).

Then, the contribution payer submits to us all the documentation.

Benefit at the rate of maternity allowance

When are you entitled to benefit at the rate of maternity allowance

You are entitled to benefit at the rate of maternity allowance if during the course of pregnancy your employment contract was illegally terminated (as confirmed by a court ruling) or your employer declared bankruptcy or went into liquidation. You are entitled to this benefit until the day prior to childbirth. You will receive the benefit at the rate of 100% of its calculation basis.

What documents need to be submitted in order to receive benefit payments at the rate of maternity allowance

In order to receive benefit at the rate of maternity allowance, please submit to a ZUS office:

- a medical certificate confirming pregnancy during the period of employment, issued on an ordinary form;
- a work certificate or another document which confirms the termination of employment as a result of employer bankruptcy or liquidation;
- a statement that you have not been provided with other employment.

Care allowance

Who is entitled to care allowance

Care allowance is granted to those who are covered by sickness insurance. It does not matter whether this insurance cover is compulsory or voluntary for the individuals concerned.

When do you receive care allowance

You may receive care allowance if you have an excused absence from work because you have to take care of:

- a sick child;
- another sick family member other than the child (family members are: a spouse, parents, the child's other parent, stepfather, stepmother, parents-in-law, grandparents, grandchildren, siblings – if they live in the same household with you within the period of you taking care of them);
- a healthy child under the age of 8, if one of the following situations has occurred:
 - the unforeseen closure of your child's nursery, children's club, preschool, or school,
 - the childbirth, illness, or a stay at hospital or another healthcare facility of your spouse or of the child's other parent if they permanently care for the child and the childbirth or illness makes such care impossible,
 - sickness of your child's day carer or a nanny, with whom you have concluded an activating agreement (as stated in article 50 of the Act of 4 February 2011 on Care for Children up to the age of 3);

- a child with disabilities (i.e. a child who is certified as having a significant degree of disability or disability with recommendations for: the necessity for permanent or long-term care or assistance of another person as a result of the significantly limited ability to live independently, as well as the necessity for permanent daily involvement of the child's carer in the process of the child's treatment, rehabilitation and education), who has not yet turned 18, if one of the following situations occur:
 - the childbirth or illness of your spouse or the parent of your child, who permanently cares for the child, if the childbirth or illness makes such care impossible,
 - a stay at hospital or another healthcare facility of your spouse or the parent of your child who permanently cares for the child;
- a sick child with disabilities who has not yet turned 18.

You may receive care allowance if you are the mother or the father of the child. Care allowance is paid to only one of the parents – the one who applies for the benefit payment and submits documentation confirming the necessity of childcare.

You may receive care allowance not only for the period when you care for your own child but also for the child of your spouse, adopted or taken for upbringing and maintenance.

When will you receive additional care allowance

If you are an insured father of a child or another insured member of the immediate family, you may receive additional care allowance. This refers to situations when the insured mother of the child receives maternity allowance for a period of 8 weeks after childbirth and she is in one of the following situations:

- she is in hospital and her state of health makes her unable to take care of the child;
- she has a certificate of inability to live independently or of significant disability and her state of health does not allow her to take care of the child;
- she has abandoned the child.

In order to receive additional care allowance, you have to interrupt work or any other form of gainful activity in order to take care of the child. This is your entitlement for a maximum of 56 days. It stops being payable when the child is 8 weeks old. The period during which additional care allowance is paid is not included within the maximum period during which care allowance is payable (see 'For what period do you have the right to care allowance' on the next page).

For what period do you have the right to care allowance

Care allowance is granted in its maximum for:

- 60 days in a calendar year if you take care of a healthy child under the age of 8 or a sick child under the age of 14, including a disabled child of this age, or
- 14 days in a calendar year if you take care of a sick child over the age of 14 or another sick family member, or
- 30 days in a calendar year if you take care of:
 - a sick disabled child over the age of 14 who has not yet turned 18,
 - a disabled child over the age of 8 who has not yet turned 18, if your spouse or the parent of your child, who provides constant care for the child in question, is unable to take care of the disabled child as a result of childbirth, illness or a stay at hospital.

If during the calendar year you take care exclusively of a disabled child and other sick family members (and you do not have other children under the age of 14), you are entitled to care allowance for a total period of no longer than 30 days in a given calendar year, including no more than 14 days to care for sick family members.

The combined period for which care allowance is paid cannot exceed 60 days in a calendar year. It does not depend on the number of individuals eligible for benefit or the number of children or family members who require care.

The period of receiving additional care allowance is not included in the limit of 60 and 14 days in a calendar year.

IMPORTANT!

You are entitled to care allowance if there are no other family members able to provide care. This does not apply to care for a sick child under the age of 2.

How much is the rate of care allowance

Care allowance is paid at the rate of 80% of the benefit calculation basis. The basis is calculated in the same way as the maternity allowance calculation basis (See 'How much is the maternity allowance calculation basis' on p. 12). You receive benefit for every day you provide care, including non-working days.

What documents are needed to be granted and be paid care allowance

If you wish to receive care allowance, you have to submit an application on one of the following forms:

- Z-15A – if you take care of a child,
- Z-15B – if you take care of another sick family member, not a child.

Please submit the documents to the contribution payer (i.e. your employer, your principal) or to ZUS – depending on who should pay you the benefit (see ‘What entities pay maternity allowance and care allowance’ on p. 22).

Depending on the situation, other documents, listed below, will be needed.

If you take care of a sick child or another sick family member

You need a medical certificate issued in one of the following ways:

- in the form of an electronic document (e-ZLA);
- on a form pre-printed from the ZUS ICT system – when the doctor is unable to issue or sign the e-ZLA (e.g. during a medical home visit); this certificate is a document on the basis of which care allowance may be granted and paid even if the doctor has yet to enter the e-ZLA into the ZUS ICT system;
- in the form of a printout of the medical certificate issued electronically (the e-ZLA printout), which the doctor hands over to the insured if the contribution payer does not have its payer's profile on the ZUS Electronic Services Platform (PUE ZUS) or at the request of the insured, even if the contribution payer does have its payer's profile on PUE ZUS.

If you provide care while abroad, please submit a medical certificate issued abroad and translated into Polish.

It has to contain:

- the name of the foreign healthcare facility or the first name and surname of the foreign doctor, the date of issue and signature;
- the commencement and end date of the period of incapacity for work.

IMPORTANT!

The certificate issued in the official language of the Member State of the European Union or EFTA or with whom Poland has concluded an agreement on social security, does not need to be translated if issued in the official language of that state.

If you take care of a healthy child under the age of 8

If you take care of a child under the age of 8:

- as a result of the unforeseen closure of the institution the child attends (nursery, preschool, or school) – your declaration as to the unforeseen closure of this facility is required;
- because your spouse or the parent of the child who permanently takes care of the child has fallen ill or has been taken to hospital or the child's mother cannot take care of the child because of childbirth – a medical certificate issued on an ordinary form is required, which contains:
 - the first name and surname of your spouse or the parent of the child,
 - the period and reason for the necessity to provide care for the child,
 - the child's surname for whom care is needed as well as the child's first name if already given,
 - the stamp and signature of the doctor issuing the certificate.

If you take care of a sick, disabled child who is over the age of 14 but has not yet turned 18

If you provide care for a sick disabled child who has turned 14 but who is under the age of 18, the same documents are needed as for care allowance payments for a sick child (an e-ZLA medical certificate and an application for: care allowance made on the form Z-15A), as well as one of 2 documents:

- a certificate of severe disability,
- a certificate of disability together with recommendations for: the necessity for permanent or long-term care or assistance of another person as a result of the significantly limited ability to live independently, as well as the necessity for permanent daily involvement of the child's carer in the proces of the child's treatment, rehabilitation and education.

If you care for a disabled child older than 8 but who has yet to turn 18

If you care for a disabled child older than 8 but who has yet to turn 18 and as a result of childbirth, illness or hospitalisation of your spouse or the parent of the child, who provides permanent care for the child, he/she is unable to take care of the disabled child, the same documents are needed as for care allowance payments for a child under the age of 8 in these circumstances (a medical certificate issued on an ordinary form, an application for care allowance made on the form Z-15A), as well as one of 2 documents:

- a certificate of significant disability,
- a certificate of disability together with recommendations for: the necessity for permanent or long-term care or assistance of another person as a result of the significantly limited ability to live independently, and the necessity for permanent daily involvement of the child's carer in the process of the child's treatment, rehabilitation and education.

If care allowance is paid by ZUS

If you run a non-agricultural business, cooperate with a person who runs such a business or you are a member of the clergy, please attach a contribution payer's certificate issued on the form Z-3b to the relevant set of documents and submit all the documents to our office.

If you are employed on the basis of an employment contract or you have sickness insurance from a different title, i.e. you work on the basis of a contract of mandate, you need to submit the relevant set of documents to your contribution payer (your employer, your principal). The contribution payer issues a contribution payer certificate on one of the following forms:

- Z-3 – if you are employed on the basis of an employment contract;
- Z-3a – if you have sickness insurance coverage from another title (e.g. you work on the basis of a contract of mandate).

Then, the contribution payer submits to us all the documentation.

What entities pay maternity allowance and care allowance

The right to maternity allowance and care allowance is established by those paying the benefits:

- the contribution payers who have registered for sickness insurance coverage more than 20 insured persons – to their insured during the course of the insurance;
- branches of the Social Insurance Institution (ZUS);
 - to the insured whose contribution payers registered for sickness insurance no more than 20 insured persons,
 - to the insured who run a non-agricultural business and to people cooperating with them,
 - to the insured members of the clergy,

- to individuals entitled to benefits for the period following the end of the insurance,
- to the insured who are subject to sickness insurance in Poland as a result of employment by a foreign employer.

We establish the number of the insured for each calendar year according to the state of affairs on the 30th of November of the previous year. If the contribution payer has not registered anyone for sickness insurance by that date then we determine matters according to the state that existed in the first month in which such registration was made.

Legal basis

- The Act of 25 June 1999 on cash social insurance benefits in respect of sickness and maternity (Journal of Laws 2019, item 645, as amended)
- Regulation of the Minister of Family, Labour and Social Policy of 8 December 2015 on the scope of information on the circumstances affecting the right to social insurance benefits in respect of sickness and maternity or their amount and documents necessary to grant and pay the benefits (Journal of Laws 2017, item 87, as amended)

Warsaw, February 2020

www.zus.pl

The handbook of Polish social insurance system

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Szamocka 3, 5
01-748 Warsaw

- website in English: <https://lang.zus.pl/en/>
- Centrum Obsługi Telefonicznej ZUS (Call Centre available only in Polish):
 - 22 560-16-00*
- * call costs depend on your agreement with your phone services provider
- e-mail: cot@zus.pl