Maternity benefit following employment termination

Data publikacji: 29.09.2019 Data modyfikacji: 02.10.2019 Departament Rynku Pracy MRPiPS

If the contract of employment is terminated after the childbirth date, this means the insured mother of a child is subject to the mandatory sickness insurance on the childbirth day which entitles her to receive a maternity benefit after the end of the said insurance.

For people eligible to receive benefits for the period after the insurance end, the right to the benefits is determined and the benefits are paid by the Social Insurance Institution to which the employer should submit the required documents.

The maternity benefit for the period stipulated in the Labour Code provisions as the period of the maternity leave and extra maternity leave is payable in the amount of 100% of the benefit assessment basis, while for the period stipulated in the Labour Code provisions as the parental leave in the amount of 60% of the benefit assessment basis. For the disbursement of the maternity benefit for the period stipulated in the Labour Code as the extra maternity leave and parental leave, the benefit payer must apply for the disbursement before the benefit for the said period is used.

If the employee, a mother of a child, submits an application, within 14 days after the childbirth, for granting the full-length extra maternity leave directly after the maternity leave end and for full-length parental leave directly following the said leave, she will be eligible to receive the maternity benefit amounting to 80% of the benefit assessment basis for the entire period.

Also the insured woman, who is an employee employed based on the contract of employment for a fixed term or for the term of specific work, which was extended until the day of birth pursuant to Article 177 3 of the Labour Code, is eligible to receive the maternity benefit after the insurance termination.