



European network of legal experts in gender equality and non-discrimination

NEWS REPORT

Country:	Poland
Title:	Unequal retirement age for female and male academics and scientists
Date:	30 October 2018
Expert:	Eleonora Zielińska
<u>Context</u>	
Issue at stake:	The new law on higher education provides that female and male scientists are subjected to general provisions on the differentiation of retirement age, meaning that women shall retire at the age of 60, while men retire at the age of 65.
Ground of discrimination:	Sex
Source:	Legislation
Field:	Employment
Applicable law:	Law of 3 July 2018 on higher education and science JoL.2018 Item 1668

Content

Law: On the first October 2018, the most provisions of the Law of 3 July 2018 on higher education and science (called by the drafters the Constitution for science 2.0 or Law 2.0), entered into force. This Law does not provide for any special regulations regarding retirement age of academics and scientists. As a result, the general rules on retirement apply, providing for a differentiated retirement age for women (60 years) and men (65 years). The original ministerial draft of the Law on higher education (dated 22 January 2018) provided in article 146 §1 for an equal retirement age of academic teachers, amounting to 65 years, regardless of their sex. This provision however, was removed even before the draft was submitted to the Parliament, despite the protests of the academic world.

Key points of analysis: In addition to numerous well-known arguments in favour of an equal retirement age for all working women and men, e.g. the lower amount of retirement benefits received by women compared to men, there are also specific arguments referring in particular to scientists and academic teachers.¹ The academic careers of women are often delayed by their activities in relation to maternity and childcare. If subjected to a lower retirement age, female academics and scientists have less time to progress towards higher academic levels. Many women may not be able to become professors at all. While on its face the Law 2.0 emphasizes that all scientists have to compete according to the same rules, in practice women will not be able to

¹ According to a report prepared by the Polish Social Security Institution in 2017 the average retirement benefit of men amounted to PLN 2 699.52 (approx. EUR 750), while in the case of women it amounted to PLN 1 614.39 (approx. EUR 400).

compete in equal terms because they will have five years less to achieve what male scientists may strive to achieve until the age of 65. According to research presented by the Ministry of Science and Higher Education, the title of professor is awarded on average at the age of 57. Should a woman become professor at that age and finally achieve a prestigious position and the recognition of her scientific abilities, she would only be able to enjoy this stable employment situation for three years of before her retirement (at age 60).

It should also be mentioned that there are far less women employed in higher education facilities than men. The shortening of retirement age of women will result in less possibilities for intergenerational exchange between established female academics and their younger female peers. In particular, the earlier retirement age for female academics and scientists would result in less opportunities to include their point of view in decision-making concerning science and university education. The same goes for female academics' chances to actively participate in the decision-making instances of the academic and scientific world. It has to be noted that the management structures of Polish universities are currently already dominated by men in their sixties. For example, the management board of the Conference of Rectors of Polish Academic Schools does not include a single woman.

Internet link source:

https://www.petycjeonline.com/list_rodowiska_akademickiego_do_prezydenta_rzeczypospolitej_polskiej_w_kwestii_zrownania_wieku_emerytalnego_nauczycieli_i_nauczycielek_akademickich_w_ustawie_prawo_o_szkolnictwie_wyszym_i_nauce accessed 20 July 2018.

<http://serwisy.gazetaprawna.pl/edukacja/artykuly/1113722,wiek-emerytalny-naukowcow-kobiety-chca-pracowac-dluzej.html> accessed 20 July 2018.