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***Poland's On-going Neoliberal Transition, Gender Inequality, and the Crisis Response –  
Lessons for Europe?***

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**Introduction**

The policy responses adopted at the European Union (EU) level to address effects of the post-2008 financial and economic crises have caused concern among European labour lawyers and feminists alike. Widespread deregulation of labour laws and the adoption of austerity measures in many EU member states prompted by, among others, the renewed focus on budgetary discipline imposed by the 2011 ‘six pack’ reforms,<sup>1</sup> have confirmed earlier fears that the crisis may be used to weaken the ‘European social model’ and undermine national systems of labour law and social protection (Moreau 2011; Barnard 2012). As feminist scholars of political economy, social policy, and law have demonstrated in the past, neoliberal reforms of welfare states and protective legal frameworks have very particular gendered dimensions and tend to contribute to sharp rises in inequality and social insecurity (Bakker and Silvey 2008; Bakker and Gill 2003; Fudge and Cossman 2002; Rittich 2002). Studies of neoliberal restructuring and legal reform in Central Eastern Europe (CEE), for instance, have shown that such policies also can bring about a crisis in social reproduction (Klein 2007; Rittich 2002).

Taking recent anti-crisis reforms carried out at the EU-level as a starting point, this paper reflects on the crisis response adopted in Poland, one of the EU’s CEE members that is not yet a member of the Eurozone. Against the backdrop of Poland’s on-going neoliberal transition and its recently adopted development strategy – *Poland 2030: Development Challenges*<sup>2</sup> – the paper critically analyses the Civic Platform government’s 2011 package of reforms: (1) the *Anti-Crisis Bill*,<sup>3</sup> which introduced new forms of flexibility into Poland’s labour law, (2) the austerity measures introduced the same year in the form of budgetary cuts to Poland’s already diminished social infrastructure, and (3) the *Labour Code* amendments related to the regulation of working time adopted in 2013. Given the EU commitment to the strategy of gender mainstreaming and promotion of equality, and Poland’s respective obligation to incorporate gender sensitivity in formulation of all policies, the paper reflects on

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<sup>1</sup> Adopted in November 2011 and in force since 13 December 2011, the ‘six pack’ consists of five regulations and one Directive: Regulation 1175/2011 amending Regulation 1466/97 on strengthening of the surveillance of budgetary positions and the surveillance and coordination of economic policies (23 November 2011); Regulation 1177/2011 amending Regulation 1467/97 On speeding up and clarifying the implementation of the excessive deficit procedure (23 November 2011); Regulation 1173/2011 On the effective enforcement of budgetary surveillance in the euro area (23 November 2011); Directive 2011/85/EU On requirements for budgetary frameworks of the Member States (8 November 2011); Regulation 1176/2011 On the prevention and correction of macroeconomic imbalances (23 November 2011); Regulation 1174/2011 On enforcement action to correct excessive macroeconomic imbalances in the euro area (23 November 2011).

<sup>2</sup> *Poland 2030 – Development Challenges*. Board of Strategic Advisers to the Prime Minister of Poland. [www.Poland2030.pl](http://www.Poland2030.pl).

<sup>3</sup> Act of 1 July 2009 r. concerning the Alleviation of the Effects of the Economic Crisis for Employers and Employees, Journal of Laws 2009, no. 125 item. 1035 (*Anti-Crisis Bill*).

the extent to which gender implications of these reforms have been considered and reflected in the above named policies and legislative reforms. How consistent and compatible are these anti-crisis reforms with Polish government's current emphasis on inclusive growth and social cohesion (equality?) on the one hand, and efforts apparently taken to counteract the impending demographic 'crisis' through support of caregivers (primarily women) and families, on the other? More broadly, given Poland's past and current experiences, what lessons can be gleaned from the Polish context for other EU members? This paper proposes that while no doubt influenced by supranational developments, Poland's response falls well within the neoliberal policy trajectory the country adopted two decades ago, at the onset of its political-economic transition. It also argues that Polish policymakers missed an opportunity to introduce policies that could set the foundation of more gender equal and inclusive labour markets, instead, choosing to continue in a course that may ultimately threaten the country's social and economic sustainability in the long term.

To make these points, the paper proceeds in three sections. Section one briefly outlines the EU's crisis response and examines academic commentary on its gender dimension: inclusion or omission of gender as a consideration, as well as the gender consequences of the particular reform path adopted. Next, the paper turns to the case of Poland. Section two examines Poland's policy response to global financial and Eurozone crises; it also situates this response within the country's longer-term development and growth strategies, and as a component of Poland's ongoing political-economic transition. The gender impacts of this response – particularly the mix of labour market flexibility reforms and fiscal austerity – are considered in section three. The paper concludes with a reflection on Poland's position as the neoliberal vanguard of the EU, and lessons that Polish example may impart to other EU member states in so far as gender equality and social sustainability are concerned.

## **1. European Union Level: Crisis Responses, Macroeconomic Reform, and Gender**

The gender dimension of all elements related to the crisis – the causes, the EU-level and national responses, as well as impacts of both, the crisis itself and of the measures undertaken to address it – have been well documented by feminist scholars. It has also been shown that national responses have been largely shaped by EU policy proscriptions, and, in cases of member states that required bailouts, also by conditions imposed by the 'troika' composed of the International Monetary Fund (IMF), European Commission, and the European Central Bank (ECB) (Walby 2009; Rubery 2010; Annesley and Scheele 2011; Leschke and Jepsen 2012).

Generally speaking, analyses of the crisis response have identified two broad phases at both EU and member state levels. The first phase – from 2008 to 2010 – involved national stimulus packages, bailouts and increases in spending in accordance with the European Economic Recovery Plan (EERP). In the second phase – from 2010 on – the response shifted to policies of fiscal consolidation to address the increases in public debt, resulting in austerity measures and budget cuts at the national level (Bieling 2012; Clauwaert and Schömann 2012; Leschke and Jepsen 2012). During this latter period, the EU institutions undertook a major reform of EU economic governance and procedure – for both members of the Eurozone and members not yet within it, including Poland, – intended to restore the confidence of financial markets. Composed of three key elements – the European Semester, the so-called 'six pack' reforms, and the Euro Plus Pact – the new EU economic governance enables ever closer coordination of national economic and labour market policies through tighter control and scrutiny of national fiscal developments, budgets, and restructuring of labour markets and social security systems (Bieling 2012, 262-264). In addition, a number of EU member states most adversely affected sought IMF and ECB assistance; in return signing memorandums of

understanding that also committed them to significant reforms of their labour law and social security systems (Barnard 2012).

As others have pointed out, the EU economic governance reforms have not only concentrated more power in finance ministries and then shifted power over national policy to the EU level (Klatzer and Schlager 2014, 8-9), they have also further subordinated EU social and employment policy to macroeconomic dictates in an increasingly ‘hard’ manner. Bieling shows, for instance, that the EU’s long-term growth strategy, *Europe 2020 strategy for smart, sustainable and inclusive growth* (Europe 2020),<sup>4</sup> is ‘more strongly connected to the new governance instruments, which go beyond mere recommendations and include specific warnings, time frames and even sanctions’ (2012, 257). While harder means of coordination may be positive in this generally ‘soft’ governance context, Bieling argues that the supply-side bias of these new instruments means that the recent reforms are unlikely to improve prospects of socially balanced economic growth (Bieling 2012, 257). Indeed, the subsequent austerity programs that most EU national governments adopted after 2010 in order to reduce levels of national debt and balance the books have been targeted in a way that largely undermines the very social security systems and public provisions that are necessary for inclusive and sustainable growth, labour markets, and societies in the first place. Among others, these measures have had a particularly detrimental impact on women, as workers and citizens more broadly.

Feminist scholars have deemed the crisis response to have been gender blind, yet characterised by clear gendered consequences. In tracing the gradual disappearance of gender concerns and gender mainstreaming strategy in the context of EU employment policy, Smith and Villa (2010) point out that even in the early phase of crisis response – which was characterized by Keynesian-style stimulus packages – incorporation of gender concepts was absent. The EEPR made no reference to ‘gender’, ‘women’ or ‘equality’, while the European Parliament’s response, despite recognizing the crisis as an opportunity for a ‘green’ recovery, did not articulate the possibilities for redressing persistent gender inequalities (Smith and Villa 2010, 538; Walby 2009, 19). Likewise, no or very limited attention to gender was present in the EU-level documents and communications related to the labour market challenges created by the crisis (Smith and Villa 2010, 539). In Smith and Villa’s words, ‘at the time of flux’ – which the crisis represented - ‘gender has fallen out of the question (Smith and Villa 2010, 540).

Gender was not only absent in the second phase of response – the macroeconomic reform –, feminists have also argued that the transformation of the EU economic governance has been gender biased and likely to reinforce inequalities or reverse equality gains that have been secured in the past (Annesley and Scheele 2011; Klatzer and Schlager 2014). According to Klatzer and Schlager (2014, 2-3), this is because new governance not only fundamentally changes room for manoeuvre for economic policy decision-making at the national level, but also considerably constraints framework conditions for gender equality policies and, thus, has profound implications for equality outcomes and women’s empowerment. The negative gender impact of budget balancing and austerity measures – particularly those undertaken along neoliberal path – on social policy and social security have been well documented in context of previous crises, and very similar outcomes have been shown as a result of the most recent measures (Walby 2009; Leschke and Jepsen 2012; Rubery et al. 2012). Thus, while women appeared not to be affected as much as men during the first phase of the crisis –

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<sup>4</sup> European Commission, Communication from the Commission, *Europe 2020. A strategy for smart, sustainable and inclusive growth*, COM(2010) 2020 and COM(2010) 682 final.

in terms of employment levels, for instance<sup>5</sup> – they also did not benefit from the stimulus packages that were aimed primarily at male-dominated industries (Leschke and Jepsen 2012, 299-304). Moreover, reduction in public spending and constriction of the public sector jobs (or wage freezes) dominated by women in the second phase of the crisis and the crisis response resulted in increases of women's unemployment, but also deprived many women of the essential public services and assistance (Annesley and Scheele 2011; Leschke and Jepsen 2012, 304; Rubery et al. 2012) on which they rely – to a greater extent than men – both as workers and/or care providers. Apart from the obvious equality and redistribution problems of these EU and national crisis response measures and their impacts (Klatzer and Schlager 2014, 12), the effect of these reforms is also contradictory and paradoxical given that supporting women's labour market participation – even though often in an instrumental rather than a transformative manner – has long been a key EU objective, and is currently essential to the *Europe 2020* strategy for smart, inclusive and sustainable growth.

Indeed, the crisis response undertaken at the EU and national levels also reveals several other paradoxes. The feasibility of the EU-promoted flexicurity strategy, for instance, is questionable since a deep restructuring of the labour market towards even more flexibility (through prevalent labour law reforms) is being accomplished with a simultaneous undoing of the social security systems that were supposed to support the move towards more flexible labour markets in the first place. This shift is likely to impact both women and men as labour market players, since flexibilization and casualization of employment arrangements, previously more characteristic for women, is progressively affecting more and more men. However, not only is such a levelling down of standards and work conditions problematic from the distributive perspective (since making men worse off is not unproblematic either), women are still likely to experience these shifts differently given their greater share of responsibilities for care. In the context where the dismantling of supportive state institutions progressively shifts responsibility for wellbeing to households and erosion of workplace conditions creates more insecurity for everyone, it is women's total workloads (in paid and unpaid, physical and emotional labour) that are likely to increase to counteract these tendencies. Thus, as has been suggested, the crisis response highlights how macroeconomic policies at the EU level contribute to the reconfiguration of gender regimes in a manner that reinforces patriarchal hierarchies and hegemonic masculinities (Klatzer and Schlager 2014, 12).

As I show below, by drawing on the example of Poland, this process is already taking place at the national level. However, as I demonstrate, it is neither new nor driven only by the EU. Instead, in the context of Poland this process represents a stage in a long-term national tendency that the current reforms facilitate and for which they provide the political and discursive legitimization.

## **2. Poland's Long-term Growth Strategy and the Crisis Response**

### **a. Poland's Development Blueprints – Still on the Neoliberal Path**

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<sup>5</sup> At the same time, Leschke and Jepsen (2012, 300-301) cite statistics and literature showing that although women's unemployment rates did not raise as quickly as men's, women overall employment levels remained lower than men's and they still continued to work shorter hours. Moreover, women were more likely than men to move from unemployment to inactivity during this period and were more likely than men to be low-paid, which was, perhaps, a reason that they were retained in the first place.

In the Final Recommendations of the *Poland 2030* report prepared for the Civic Platform government by the Michał Boni-headed Ministerial Committee, the crisis is painted as a decisive crossroads in Poland's development:

[crisis provides] an opportunity for countries that would be wise enough to use their potential to adapt, modernise and reform in order to stand out positively from amongst the global average; otherwise, the crisis shall pose a great threat for countries that – while not being able to identify own weaknesses and future challenges correctly – would escape into protectionism and easy fiscal and monetary expansion... we shall perceive the present economic crisis primarily as a stepping stone for Poland's modernisation and a good foundation for institutional changes...<sup>6</sup>

Among the key priorities identified by the *Poland 2030* report is that of increasing the capital and labour supply in the economy, which is to be achieved through 'changes in the fiscal, institutional, and organisational stimuli that influence the human motivation to undertake any kind of economic activities'.<sup>7</sup> Particularly, the report proposes a mix of taxation reforms, active labour market policies (aimed at women, young persons, disabled persons, farmers, and people over 50), pension reforms, and enhancement of labour flexibility through, among others, reform of the working-time regime, as some of the key components of a strategy that would cultivate 'effective... labour resources allocation'.<sup>8</sup> The driving principle behind these changes is 'the trust towards the market mechanism' and 'high quality of state activities' so that each citizen can gain 'full capacity and potential to execute his/her own rights both in the individual and economic sphere'.<sup>9</sup>

The long-term strategic vision presented in the *Poland 2030* report is fleshed out in the mid-term *National Development Strategy 2020: Active Society, Competitive Economy, Efficient State*<sup>10</sup>. The *National Development Strategy 2020*, also centres on gaining competitive advantage through human capital development and economic stability through balanced public finances and rationalization of public expenditure, both of which are to set the stage for better socio-economic and territorial cohesion characterized by availability of public services. The priorities related to the labour supply and competitive labour market developments are made even more explicit in the 'Human Capital Development Strategy,' which is one of the nine integrated strategies that accompany the *National Development Strategy 2020*, and specific actions to be taken under this latter strategy's umbrella. Here, as with *Poland 2030*, the focus is on improving the mismatches in supply and demand of labour, increasing overall participation rates, and active policies of the state particularly in areas constituting barriers to growth in employment. The achievement of a higher employment rate – which remains below the EU average<sup>11</sup> – is to be accomplished, among others, through pension reforms along with extension and equalization of retirement age (to extend working lives), support for reconciliation of work and family through investment in institutional care

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<sup>6</sup> *Poland 2030*, *supra* n. 2 at 2.

<sup>7</sup> *Ibid.*, 7.

<sup>8</sup> *Ibid.*, 8.

<sup>9</sup> *Ibid.*

<sup>10</sup> *National Development Strategy 2020: Active Society, Competitive Economy, Efficient State*. Attachment to Resolution No 157 of the Council of Ministers of 25 September 2012, Warsaw.

<sup>11</sup> According to the Eurostat online database, Poland's total employment rate has hovered around 65% since 2008, compared to the EU-27 rates of 70.3% (2008) and 68.5% (2013). Women's employment rate is also below the EU average, with the 2013 rates being 57.6% and 62.7% for Poland and the EU respectively.

(to boost women's activation), promotion of flexible forms of employment, and reform of public employment services (to activate unemployed and inactive).<sup>12</sup> Similarly, investment in a reformed education and training systems to better match supply and demand, and increases in labour mobility, through flexibilization of employment forms, among others, are other priorities that are identified in the context of the Human Capital Development Strategy as necessary for boosting the employment rates.

As the *National Development Strategy 2020* document itself acknowledges, there is a clear synchronization between the Polish strategic development program and that envisioned by the EU's *Europe 2020* strategy.<sup>13</sup> Likewise, Polish development goals are designed to align with the *Europe 2020* flagship initiatives and the Integrated Guidelines for economic and employment policies of the EU member states. Moreover, Poland's *National Development Strategy 2020* provides a reference for targeting and programming of EU funds, while Poland's National Reform Programme determines the manner of implementation of national actions so that they fit in with the common EU priorities; its annual revision designed to enable modifications that may be necessary under the European Semester system.<sup>14</sup>

As noted at the outset of this section, the *Poland 2030* report clearly positions the country within the group that would not 'escape into protectionism and easy fiscal and monetary expansion' in light of the economic challenges imposed by the crisis.<sup>15</sup> Indeed, fiscal reform has been identified as a key component of both, Poland's long-term development and the country's response to crisis in the short term. Thus, while not yet a member of the Eurozone and despite sustaining relatively strong economic performance during at least the first stage of the crisis, Poland signed up to the Fiscal Pact and committed itself to undertaking a program of cuts and fiscal consolidation. As a non-Eurozone member Poland is not subject to sanctions for failure to comply with the strict fiscal rules imposed by the Pact. However, compliance is necessary to fulfil Poland's obligations pursuant to the bilateral agreement that it signed with the European Commission, which committed the country to cutting down its budget deficit below 3 percent of GDP by 2012 (Rae 2010). Unsurprisingly, and as I will elaborate in more detail below, in responding to the crisis the Civic Platform coalition government embarked in 2009 on a program of 'emergency' temporary labour law reforms accompanied by a moderate stimulus package only to adopt the much less popular program of cuts and permanent labour law reforms immediately after its 2011 re-election.

## **b. Crisis Response in Poland – Another Phase of Neoliberal Transition?**

The outbreak of the crisis in Europe uniquely positioned Poland as the only country able to sustain economic growth. Yet, the eventual slowdown nonetheless has had a negative impact on the Polish labour market. While the country was able to overcome its dramatic post-transition increase in unemployment, which peaked at 20 percent in 2000, but has fallen steadily since the country's EU accession, reaching 7.5 percent in 2007 (GUS figures), since then, the rate of unemployment has been on the rise again. In 2013, registered unemployed reached over 13 percent, with some most affected regions having rates as high as 20 percent (GUS 2013), while the youth unemployment increased from 17.2 percent in 2008 to 26.5 percent by 2012 (European Commission 2013). In addition to this increase, a more significant problem is the severe segmentation of the Polish labour market by gender, age, and type of

<sup>12</sup> *National Development Strategy 2020*, *supra* n. 10 at 72-73.

<sup>13</sup> *Ibid.*, 5.

<sup>14</sup> *Ibid.*, 5-7.

<sup>15</sup> *Poland 2030*, *supra* n. 2 at 2.

employment contract. While women's unemployment rates are not significantly higher than men's, a much greater share of women tend to shift from unemployed to inactive status; a phenomenon particularly among older women workers (Strzelecka 2004).<sup>16</sup> Moreover, in 2011, 27 percent of Poles were employed on temporary contracts; which is almost twice the EU average of 14.1 percent (Eurostat 2012) and is highest among working youth (European Commission 2013). Young people between 18-32 years of age are also overrepresented among workers hired on the basis of 'civil law' contracts, which are not covered by the *Labour Code* regulations on hours of work, minimum wages, and hire/fire rules; nor are workers on these contracts eligible for unemployment insurance when such contracts come to an end. In 2011, over 50 percent of workers in this age bracket and 21 percent of all workers were employed on this basis (Youth 2011, as cited by the European Commission 2013; National Labour Inspection 2010).

Addressing unemployment and job shedding during economic slowdown was a key priority for the Civic Platform government, not least because of their negative impact on public revenues. Thus, the government's crisis response proceeded in two broad phases; somewhat in line with the reforms enacted throughout the EU yet with some differences on account of Poland's exceptional economic position at the start of crisis. In the first phase, labour law reforms were enacted in 2009, without parallel implementation of austerity. Indeed, the government increased public spending during this period as its labour law reforms were accompanied by moderate stimulus packages aimed at supporting Polish enterprises. As the sustained spending and reduction in revenues took its toll on Poland's public purse, however, the Civic Platform government moved into the second phase of response. On the heels of its successful re-election in 2011, the Civic Platform government adopted a program of austerity alongside further labour law reform.

### *Phase One: Pre-emptive Reforms*

In 2009, the Civic Platform government introduced the *Anti-Crisis Bill*; package of pre-emptive<sup>17</sup> and temporary reforms designed to counteract effects of the crisis by responding to needs of firms struggling during an economic slowdown. The bill itself was a result of a tripartite settlement between the social partners – the representatives of major trade union and employer organizations – and the Polish administration. Among the key measures introduced were provisions intended to temporarily amend the working-time rules of the Polish *Labour Code*; specifically, a provision permitting the extension of reference periods for the calculation of overtime to up to 12-months.<sup>18</sup> Previously, such long reference periods were only available in specific sectors, but the *Anti-Crisis Bill* made their application much wider by allowing their introduction in any workplace provided that there were 'objective needs', 'technological reasons,' or 'requirements stemming from the organisation of work time.'<sup>19</sup> Moreover, the bill required that the extended reference periods be introduced with the

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<sup>16</sup> Sometimes decisions about labour market exist are motivated by care needs existing within the family. Older Polish women often retire early, or exist the labour market after a bout of unemployment, in order to care for their grandchildren or an older dependent person (Grotowska, Socha and Sztanderska 2005).

<sup>17</sup> In fact, Poland was the only country to note economic growth during the 2009-2010 period. See *After the Global Financial Crisis: the Road Ahead for Europe*, a 2010 speech by the Managing Director of the International Monetary Fund (IMF), Dominique Strauss-Kahn, <[www.imf.org/external/np/speeches/2010/032910.htm](http://www.imf.org/external/np/speeches/2010/032910.htm)>.

<sup>18</sup> *Anti-Crisis Bill*, *supra* n. 3, Art. 1.

<sup>19</sup> *Ibid.*

agreement of a representative trade union or another representative employee organization. Long available at the EU-level pursuant to the EU *Working Time Directive* (2003/88/EC), this mechanism had been on the Polish employer and business lobby ‘wish-list’ for several years.<sup>20</sup> While trade unions agreed to this measure on the basis that it would be of temporary nature – to expire by the end of 2011 – and because it was accompanied by some ‘positive’ flexibility measures intended to enable better work-family reconciliation for workers, Ministry of Labour representatives acknowledged that the bill was also an ‘experiment’ designed to test flexibility solutions with the view to possibly bringing them into the *Labour Code* on a permanent basis (Zbyszewska 2012). Likewise, representatives of two major employer’s organizations – Lewiatan and Employers of Poland – were quite open about their intention to lobby for permanent adoption of the extended reference periods (Zbyszewska 2012). As will be shown next, this was indeed the case.

Although the government initially avoided a program of austerity, it did implement some spending cuts including reductions in subsidies for funerals, cutting state contributions to the labour fund that helps unemployed in job searches and freezing income levels at which families are entitled to receive social benefits (Rae 2012, 3). At the same time, tax relaxation measures, such as tax cuts, changes in the income tax thresholds and in corporate tax accounting rules were introduced, and the government subsidized the only remaining Polish national bank (975 million euro) to support the refunding of interest rates and insurance costs of corporate credit in Western European banks in Poland and the EU (Charkiewicz 2010).

#### *Phase Two: Cuts, Active Labour Markets and Permanent Labour Law Reforms*

After the Civic Platform’s re-election in 2011, the party undertook further crisis response, shifting to reforms and proposals involving deeper cuts in social spending, particularly education, care, and social benefits in order to meet the objective of reduction in public debt to 42 percent of the GDP by the end of 2015 and to bring its budget deficit to one percent (Rae 2012). This reduction is to be accomplished through welfare state reform that would effectively shift the Polish welfare state further away from the principle of universalism (Rae 2012), a process that has been ongoing since the start of Poland’s political economic transition. Thus, the government has indicated that it plans on changing personal taxation laws to set stricter income levels for eligibility for pro-family tax relief, eliminate special tax write-offs for creative professionals and freelance workers, and end subsidies for internet accessibility. Moreover, there are plans to abolish special social insurance fund covering farmers (KRUS) that allows them to pay lower rates of social and health insurance. Likewise, education and health care reforms proposed by the Civic Platform government would see these services commercialized and liberalized, as they currently constitute a significant source of social spending. Along these lines, the Civic Platform enacted the Act on care of children under 3. The Act opened doors to marketization of childcare services such as crèches and day care centres by liberalizing the rules for private institutions and enabling municipal governments responsible for delivery of early childhood education to more easily outsource publically funded services to private operators (Skóra 2013).<sup>21</sup> Finally, in May

<sup>20</sup> Members of Parliament made request for similar provisions on behalf of Polish business lobby on the occasion of debates over an earlier *Labour Code* amendment in 2002. The proposal was rejected at the time. See: *Members’ proposal concerning the amendment of the Labour Code* (Poselski projekt ustawy o zmianie ustawy Kodeksu pracy oraz o zmianie niektórych innych ustaw), Doc. No. 334 (12 February 2002).

<sup>21</sup> Budget cuts also affected primary and secondary schools, as lack of funding at the municipal level forced some local governments – particularly in regions with lower population – to close schools. According to the Education Ministry, more than 2000 public schools were closed in a period of five

2012 the Parliament passed a bill raising and equalizing the age of retirement to 67 for men (from 65 by 2020) and women (from 60 by 2040), and reducing early retirement privileges for uniformed workers (Rae 2012).

Many of the budgetary reforms and reform proposals noted above caused significant social strife and public opposition.<sup>22</sup> Similar reaction followed the 2013 amendment of the *Labour Code*, which made permanent the abovementioned working-time flexibility provisions introduced as part of the ‘temporary’ *Anti-Crisis Bill* four years prior. The 12-month reference period for calculation of overtime that was originally intended to help out firms struggling with fluctuations in demand during the economic slowdown is now a permanent feature of Polish working-time regime. While it was supported by the employer organizations, the Civic Platform government’s decision met with such significant opposition of the trade unions that labour representatives in the Tripartite Committee left the negotiating table without sanctioning the government’s proposal<sup>23</sup>; this was one of very few occasions on which this occurred.<sup>24</sup>

Most recently, in April 2014, the Civic Platform government passed an amendment of the *Act on the promotion of employment and labour market institutions*<sup>25</sup>, which, through reforming the function of employment (‘job’) centres, is intended to improve job searches and matching of supply and demand, and effectively, to reduce unemployment. Assistance and support to unemployed job seekers is to become diversified depending on their particular needs or level of activity. Profiling of workers – one new function of job centres introduced by the amendment – is supposed to improve job prospects for those unemployed deemed to be less active and in need of an extra push. However, in addition to facilitating better job offer matching with the skills of those unemployed who have registered with the centre, the underlying intention of such categorization, according to one regional job centre director, is also to identify those registered job seekers who are *not actually interested* in finding a job so as not to allocate excessive resources to helping them (MPiPS 2014). Unemployed youth are a major target of the amendment, as are workers above 50 years of age. In addition to typical supply-side activation policies, training, and skills development programs, the government intends to support employment within these age groups through demand-side measures. Thus, the new Act envisions temporary subsidies for employers willing to hire older workers, while employers creating a job placement for a young person (under 30) referred by the job centre will benefit from a waiver of mandatory payments into the Labour Fund and the Guaranteed Employment Benefits Fund. Moreover, the Act provides subsidies for the social insurance payments that employers make on behalf of these young workers. In terms of amending the responsibilities of the job centres vis-à-vis young job seekers, the Act shortens, from 6 to 4 months, the period during which the centre is required to present a registered unemployed youth with an employment offer, internship placement or a training program. While this

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years (from 2007 to 2012); some of these schools have since been replaced by private facilities (Skóra 2013).

<sup>22</sup> *Gazeta Wyborcza*, 11 September 2009, Protest w stolicy. Dość lekceważenia społeczeństwa, [http://wyborcza.pl/duzyformat/1,133688,14586313,Protest\\_w\\_stolicy\\_\\_Dosc\\_lekcewazenia\\_spoleczenstwa.html](http://wyborcza.pl/duzyformat/1,133688,14586313,Protest_w_stolicy__Dosc_lekcewazenia_spoleczenstwa.html).

<sup>23</sup> PAP, *Wiadomości*, 6 June 2013, Związki zawodowe wyszły z posiedzenia Komisji Trójstronnej. <http://wiadomosci.wp.pl/kat,1342,opage,23,title,Zwiazki-zawodowe-wyszly-z-posiedzenia-Komisji-Trojstronnej,wid,15766712,wiadomosc.html>.

<sup>24</sup> Solidarity, one of the main trade union confederations has since filed a complaint with the European Commission claiming that the amendment does not comply with the provisions of the Working Time Directive: PAP, *Rzeczpospolita* (21 January 2014), <http://prawo.rp.pl/artukul/1080786.html>.

<sup>25</sup> Ustawa z dnia 20 kwietnia 2004 r. o promocji zatrudnienia i instytucjach rynku pracy, Dz.U.2013.674 (tekst jednolity).

measure is intended to shorten the period of unemployment and inactivity for young people, it is unclear to what extent there is an expectation to accept any such offer (hence, ‘get off’ assistance) without regard to its quality, as well as consistency with the preferences or career aspirations of the young persons involved.

### *Crisis as Legitimation of Neoliberal Policy Course – Internal and External Factors*

Much as the labour law reform enacted by way of the 2009 *Anti-Crisis Bill* and made permanent by the most recent *Labour Code* amendment, the program of cuts adopted since 2011 and reforms aimed at creating a more active and flexible labour market are not entirely new but rather represent a continuation of a long term tendency. While the process of EU accession and, most recently, the need to respond to the economic crisis have certainly contributed to reinforcing this policy direction, its origins can be traced back to the onset of Poland’s political-economic transition along neoliberal proscriptions. Ever since the late 1980s, Poland has been on a steady track of fiscal consolidation and liberalization. While the program of structural adjustment policies imposed by the international financial institutions at the start of 1990s and later the conditionality of EU accession put pressure on consecutive Polish governments and necessitated compliance, initial enthusiasm for, and general acceptance of, the neoliberal policy path, and pressures exerted by domestic economic think tanks and business lobbies, meant that such policies were essentially regarded as political and ideological *status quo*. Accordingly, along with fiscal consolidation, privatization, and state withdrawal from provision of social services, labour law reforms have been implemented gradually since 1996 (with a period of particular acceleration in the run up to EU accession) with the view to liberalize employment contracts and enable flexible deployment of labour (Zbyszewska 2012). Much as the pressure of EU accession a decade earlier, the onset of the global financial crisis provided the new impetus for and a justification of further reforms that were already desired by the business lobby and governing political elites, albeit the Civic Platform government decided to proceed incrementally in order to secure public confidence and a second term in office.

Against this historical background, Poland’s readiness to impose fiscal discipline in response to the crisis is not surprising. Indeed, it is not entirely coincidental that the EU ‘six pack’ reforms were adopted during Polish Presidency of the European Council. While the impetus for these reforms was clearly driven by other EU member states – Germany and France, most notably – Poland, from the outset, had set out a very clear program for its Presidency term, with primary focus on reform of the fiscal and monetary architecture and surveillance. Signing of the ‘six pack’ was hailed, in Poland, as the biggest success of the Polish Presidency (Maciejewska and Marszałek 2013, 11), and while the country itself is not yet part of the Eurozone, the Polish state readily signed up to pacts that subject it to the EU fiscal discipline and oversight, and which, crucially, provided a necessary political rationale and legitimation for subsequent national introduction of austerity measures.

In the next section, I examine the extent to which there is evidence that strategies of gender mainstreaming and potential impacts of the crisis reforms on women, work-family reconciliation, gender equality, and social sustainability have been taken into account in Poland’s crisis response.

## **3. Gendering Polish Development Strategy and Crisis Response**

### **a. Gender Mainstreaming in Poland – Searching for the Strategy**

Examination and assessment of the extent to which Poland's crisis response – also, part of its long-term strategy of growth – accounted for gender differences and considered gender impacts of the introduced reforms needs to be contextualized within the broader discussion about Polish government's gender sensitivity and compliance with gender mainstreaming strategies. As a number of Polish feminists have observed – in commenting on reforms undertaken before and since the crisis – there are major shortcomings and little apparent progress in the practical implementation of gender mainstreaming in Poland. The strategy 'is treated merely as a "soft" tool, the application of which is not subject to monitoring and evaluation', and Poland has not yet developed institutions that would enable cross cutting and holistic approach that is required to effectively mainstream gender (Rutkowska 2008, 89). While the concept of mainstreaming itself is being gradually incorporated into an increasing number of policy documents – particularly in the fields of labour market, family policy, education and health care – and several official handbooks and manuals, the strategy is not being implemented in practice. Very few institutions actually familiar with the strategy and even fewer use it, with the effect that it is 'it is impossible to talk about conscious implementation of gender mainstreaming in Poland' (Rutkowska 2008, 111).

As Rutkowska (2008) suggests, one reason for such insufficient application of the mainstreaming principle in Poland is that it is simply not taken seriously. As evidenced by recent public discussions about gender, the concept gender is largely misunderstood and often rejected as 'unscientific' and 'ideological' and hence gender mainstreaming is interpreted in a similar manner.<sup>26</sup> When used, gender mainstreaming is typically viewed as a strategy for incorporation of women-centric concerns, with the practical effect of the role and situation of men being often left out of consideration. While issues related to reconciliation and work and family life and women's labour market inequality are regarded as key problems to be solved by policy, the underlying gender division of labour and gender order are not seen as part of the 'problem' that needs to be addressed (Rutkowska 2008, 108). The failure to reflect the more systemic, rather than singular, incorporation of the strategy is accompanied by the widely spread notion that gender mainstreaming can be implemented without costs, alongside other, 'key' actions. In reality, gender mainstreaming cannot be effective in practice without building up of expertise around its strategies; and training of staff to implement and monitor them ultimately does translate into costs. Finally, a key source of resistance/barrier to gender mainstreaming in Poland is the fact that such strategies are often either presented as oppositional to pro-family policies – which, is deemed to be a problem in the Polish cultural context –, or are appropriated and re-formulated by neoconservative discourse that reifies the traditional gender division of labour within the family and particularly women's primary roles as mothers and caregivers (Rutkowska 2008, 110).

In their critical assessment of the degree to which gender is mainstreamed in policy, Polish feminists have joined other critics who have long pointed out the shortcomings and

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<sup>26</sup> The dismal level of the public discourse on 'gender' in Poland was most recently demonstrated by a flurry of press reports related to the statements made by the Polish Catholic Episcopate, along with some politicians on the Right, in relation to gender, which they widely believe to be not a concept but an 'ideology' propagated by feminists. The 'gender ideology' is deemed to be responsible for a host of social problems, including the dissolution of Polish traditional family and gender order, as well as paedophilia, including sex child abuse cases reported to have been perpetrated by Polish priests. Joanna Podgórska, 'Czarownice z Gender' (Witches with Gender) *Polityka*, 22 October 2013. At the start of 2014, a conference was held at the Sejm, Polish lower house of Parliament, at which one of the keynote speakers, a professor at one Polish university who is also a priest, stressed that 'gender ideology' or 'genderism' are being forced on Polish society through, among others, the process of mainstreaming.

questioned the effectiveness of gender mainstreaming as a strategy of equality (see Stratigaki 2004; Fagan, Grimshaw, Rubery 2006; Lewis 2006; Jenson 2009; Sknij and Smit 2009). Indeed, in line with even stronger critiques of feminism's partial co-optation by, and even enabling of, neoliberalism (see Schunter-Kleeman and Plehwe 2007; Fraser 2013)<sup>27</sup>, some Polish feminists, have also begun to critique the strategy itself, as well as its blind adoption by the feminist NGOs. Such a strong argument has been recently advanced by Charkiewicz (2012) (see Schunter-Kleeman and Plehwe 2007 for a much earlier articulation of this argument) who maintains that that gender-mainstreaming strategy – particularly in its current incarnation<sup>28</sup> – is a key method of propagating and stabilizing a neoliberal conception of equality in Poland. Charkiewicz locates the gender mainstreaming discourse within the strategic and directed allocation of structural funds in Europe, which, she points out are deployed to popularize and implement a development model based on growth and competitiveness. Member state access to European Social Fund (ESF) resources is contingent on alignment of national development strategies with the priorities identified at the EU level; thus, European Commission as the institution responsible for allocation of structural funds retains a significant degree of control and influence over national strategies. Much of EFS funding is allocated not for the general objectives of improving women's living conditions but for better alignment and synchronization of labour supply with needs of the competitive and efficient labour markets and economies. Thus, in the Polish context, the bulk of funding received by the government ministries and NGOs was available for women's activation and skills development programs leading Charkiewicz (2012) to conclude that the EFS is only effective in so far as it serves to implement a neoliberal development and state models. In this context, gender mainstreaming as a broad discourse and a policy strategy merely preserves the 'system'; it certainly does not question this system's underlying assumptions or consequences.<sup>29</sup>

According to feminist critics such as Charkiewicz, Polish mainstream feminism adopted the gender mainstreaming and the gender equality/non-discrimination discourses of the EU largely uncritically and without reflection. Thus, gender-mainstreaming principles are not only very sparsely incorporated into Polish policy conceptualization and analysis; when they are incorporated, women's NGOs often offer little in terms of critique or, worse yet, these groups often participate in the process of implementation and popularization of the underlying neoliberal discourse. Charkiewicz suggests that it is women's NGOs, in addition to the Ministry of Labour and Social Policy and its branch, the Centre for Human Resource

<sup>27</sup> For a contra position see for example: Nanette Funk, *Contra Fraser on Feminism and Neoliberalism*, (2013) 28 (1) *Hypatia*, 179–196.

<sup>28</sup> Charkiewicz follows Stratigaki's (2004) typology of competing gender mainstreaming frames – the 'transformative' and the 'tool for implementation of gender in structural programs' frames, the latter of which is largely practiced at the EU level in a manner that is technocratic and reductive; it reduces gender equality discourse to equal opportunities discourse.

<sup>29</sup> Charkiewicz (2012) provides, as examples, policies of social exclusion or inequality between women and men – two phenomena in relation to which the concept gender and strategy of gender mainstreaming are most often invoked within EU discourse. She argues that gender analysis or the strategy of mainstreaming, however, is not invoked here to scrutinize and challenge the structural causes of inequalities between women and men or sources of social exclusion. Unlike feminist social critiques of the late 20<sup>th</sup> century, gender mainstreaming does not analyse the state or market, nor does it reference or explicate their transformation, underling ideologies and economic structures. Rather, gender mainstreaming analysis focuses on the symptoms of inequality – the statistical differences – and the strategy is deployed to simply bring marginalized individuals and social groups into the fold of neoliberal states and markets, with the view to generate economic and political gains, not substantively challenge inequality.

Development, that are the most active parties in spreading the neoliberal version of gender equality discourse in Poland, wherein equality is equated only with ‘market equality’.

### **b. Gender and Polish Crisis Responses – Conflicting Objectives**

So to what extent has the Polish policy response taken into account the way in which the crisis itself and the national measures undertaken to counteract it might affect women? Putting the critique of gender mainstreaming aside for a moment, have Polish policymakers incorporated gender into labour law reforms, austerity measures, as well as Poland’s long-term economic strategy? Review of the documents and assessment of measures undertaken since the crisis reveals a very limited degree of mainstreaming that suggests lack of consideration for the consequences at best and intentional instrumentalism at worst. While references to gender have been made in both, *Poland 2030* and *Poland 2020* strategic documents, these references are limited primarily to matters of balancing of work and family in so far as this is necessary for increasing women’s employment rates (Sarata 2008, 107-108), not necessarily promoting substantive equality.

This is also confirmed by the 2009 *Anti-Crisis Bill*, which alongside the controversial annual reference period provision discussed above also introduced some ‘positive’ flexibility measures intended to improve work-family reconciliation, such as a right to request reduced working time for employees responsible for care of a child under 3. It is easy to see that while such employee- and family-friendly provisions can be indeed equality promoting, especially when they are available to and encouraged for mothers and fathers alike, the egalitarian potential such provisions carry is significantly eroded away by simultaneous introduction of ‘negative’ flexibility measures that are likely to extend hours of work for workers, in a manner that long reference periods do, for instance. Poles already work long hours; indeed, some of the longest in Europe,<sup>30</sup> with the actual hours being likely even higher than what is officially reported because of rampant abuse of overtime regulations regularly reported by the Polish Workplace Inspectorate,<sup>31</sup> and the fact that time spent in second jobs is not always accounted for in the official working-time statistics or not taken into consideration in calculating the average weekly and daily hours of work that are permitted by the Labour Code. The effect of the annual reference period for the calculation of overtime is that hours of work can be significantly extended over prolonged periods of time, provided that they are balanced out with time off. While such a flexibility mechanism helps firms better meet fluctuations in demand and work flow, and may be indeed beneficial for some workers, it is not particularly conducive to balancing work and family obligations because it heightens the likelihood of unstable and unpredictable schedules with very variable hours. Such schedules are not only very difficult to reconcile with the care of dependants or to synchronize with

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<sup>30</sup>According to the OECD for the year 2008, 85.6% of all Poles worked in excess of 40 hours per week and 50% in excess of 50 hours per week indicating a culture of overtime in Polish workplaces. The 41.2 weekly working hours average does not include undocumented overtime, which is not uncommon. See: OECD, [http://www.oecd.org/document/0,3746,en\\_2649\\_201185\\_46462759\\_1\\_1\\_1\\_1,00.html](http://www.oecd.org/document/0,3746,en_2649_201185_46462759_1_1_1_1,00.html).

<sup>31</sup>Reliance on excessive work hours as an organizational tactic has become endemic in Polish workplaces, and is very often practiced in contravention of the statutory limits set by the *Labour Code*. This very alarming reality has been documented by the Polish National Workplace Inspection (the Inspection) reports for many years. Between 2001 and 2004, for instance, the Inspection found that poor maintenance of working-time evidence (sometimes double schedules: one for the inspection, one for the employee), unpaid overtime, and failure to provide rest days were widespread in Polish workplaces. Central Workplace Inspection (GIP), ‘Report of the Central Work Inspector on the Activities of the National Workplace Inspection in 2003’ (Warsaw: GIP, 2004), 48. Similar abuses have been documented in subsequent reports.

more regular hours kept by care and educational institutions, but are also likely to reinforce traditional division of labour within the family, since men are more likely to be willing and able to submit to this sort of temporal discipline, hence leaving women with the bulk of care-giving work.

Thus, labour law reforms aimed at further flexibilization of the already fairly flexible working-time regime<sup>32</sup> are an excellent example of the misguided direction of change and lack of consideration for the gender impacts of the adopted working-time measures. Indeed, the working-time flexibility promoted by the Labour Code reform conflicts with the objective of work-family reconciliation, which, paradoxically is one of few gender-sensitive areas that the Civic-Platform government integrated, to some, albeit limited extent, into Poland's long-term development strategy as outlined in the *Poland 2030* report. The focus on work-family reconciliation is related to Poland's own fears associated with demographic aging and continually below-replacement fertility rate, as well as to the European Commission's continued critique of Polish government's slow action in this area in so far as it relates to supporting women's labour market participation (European Commission 2012; 2013), which, at 53 percent in 2011 remained below EU average of 58.2 (UNDP 2011).

Moreover, negative impact on gender equality – for instance, through the impact on work-family reconciliation – is exacerbated by the budget cuts introduced by the Civic Platform in response to crisis. Given that part-time work is not a popular option among Polish men and women due to low wages paid,<sup>33</sup> and reduced working-time arrangements, while possible are rarely utilized for the same reasons or because of barriers within the workplace (Balcerzak-Paradowska 2008; Gender Index 2007), lack of affordable and accessible child care facilities has been identified as one of the key structural obstacles to women's employment in Poland. Indeed, this is another key area in which the European Commission has continued to chastise Poland (European Commission 2011, 2012, 2013). Public child-care provision in Poland has drastically decreased since the onset of transition. Between 1990 and 2009, the number of crèche spaces – for children under 3 – fell by two thirds; from 96 thousand to 30 thousand spaces (World Bank 2004, Matysiak 2009; Skóra 2013, 3). While this tendency began to reverse as the number of spaces for the youngest children has increased in the last couple of years (Płomień 2011) and the Civic Platform government has recently vowed to see each child placed in a care facility by 2017,<sup>34</sup> it will take time before improvement is really significant given that only three percent of children in this age group were enrolled in such a service in 2010 (GUS 2010, 272). Likewise, public care facilities for children in the 3 to 6 years of age group are insufficient, both in number and in subsidization. The higher costs associated with enrolment in private kindergartens keep this option off the

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<sup>32</sup> Both OECD and the European Commission regard the Polish labour law regime, including the working time regime, as competitive and flexible vis-à-vis other EU member states. This is in stark contrast with the continued assertions at the national level – by liberal politicians and the Polish business lobby – that more flexibility is required.

<sup>33</sup> Part time work has historically been unpopular in Poland. At the end of the 1980s, rates of part-time work were somewhat higher, at 12% for women and 7.6% for men, but still much lower and less polarized by gender than the rates of part-time employment in Western European countries (Poliwczak 2003: 17-20). There has been some, albeit insignificant, increase in the incidence of part-time work, although the rates have begun to fall again since their high point of 14.3% (for women) in 2005. Kotowska, Sztanderska and Wóycicka (2009, 244) report that 77% of women and men employed full time express no interest in reducing their working hours to part-time. Primary reasons cited are low wages (90% of men and 83% of women).

<sup>34</sup> *Dziennik*, 9 December 2013, Mocna obietnica Tuska: Przedszkola dla wszystkich dzieci. <http://wiadomosci.dziennik.pl/polityka/artykuly/445263,premier-donald-tusk-obiecuje-przedszkola-dla-wszystkich-dzieci.html>.

table for many Polish parents. As a result, less than 50 percent of children under five is enrolled in kindergarten care/early childhood education, compared to 77 percent OECD average (OECD Family Database) and far below targets set previously by the Lisbon strategy (at 70 percent). The figures also obscure major asymmetries between town and country, as only 37.5 percent of children living in rural areas are enrolled versus 76 percent of those living in city centres (Skóra 2013, citing Sadura 2012, 12). Budget cuts have also affected schools. Administrative responsibility for primary and secondary schools (gymnasiums) was transferred to the municipal level in 1999.<sup>35</sup> Lack of funding led some municipalities – particularly in regions with lower population – to close schools. According to the Education Ministry, more than 2000 public schools were closed in a period of five years (from 2007 to 2012); some of these schools have since been replaced by private facilities (Skóra 2013, 3).

Somewhat in opposition to the consolidation of public spending, a reform of the current maternity leave introduced by the Civic Platform government in 2013 enables extension of the leave – which is set at 26 weeks, or six months, with 100 percent income replacement – by an additional 26 weeks, or six months. The latter part of the leave entitlement, referred to as parental leave, can be shared by both parents (thus, can be taken up by the fathers on top of the two week paternity leave to which they are entitled) and is covered by 60 percent income replacement. The institution of this additional, partially paid leave has been critiqued not only by feminist critics in Poland (Skóra 2013), but also by the European Commission (European Commission 2013). In one sceptical view, the additional leave appears to be an unemployment reduction measure or a measure intended to mask the low accessibility of institutional childcare in Poland. Along these lines, the Commission also critiqued the Polish governments measure as a misplaced allocation of funds which would have been better spent on building more child care institutions (European Commission 2013). Moreover, the Commission also questioned whether extending leave – which will most likely be taken up by women not men – is consistent with efforts to increase women’s labour market participation (not to mention a more equal sharing of responsibilities for care work between women and men). The Commission suggested that Polish government monitor closely the effects of such extended leaves on women’s reintegration into the labour market post leave (European Commission 2013).

From a longer-term perspective, pension reform was another major activity designed to consolidate public funds, although given the long-term horizon of this reform, changes would not be felt until sometime in the future. The key component of the pension reform was raising and equalizing the retirement/pension eligibility age to 67, up from 65 and 60 for men and women respectively. While this manoeuvre may have been necessary given that women’s pensions are significantly lower than men’s due to their shorter and more interrupted work histories (particularly vis-à-vis women’s longer life spans) and women are more likely to be poor, the reform fails to acknowledge the rampant gender based discrimination in the Polish labour market. The higher unemployment rate of women over 50<sup>36</sup> is a good indication of the difficulties women face in staying employed into older age, while persistent social attitudes towards women’s roles on the one hand, and the realities of limited child and elder care provision on the other, mean that older women often leave the labour market in order to

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<sup>35</sup> Previously centralized at the national level, responsibility to organize and finance social services, including crèches, kindergartens, grade schools, community centers and recreational facilities, was shifted to municipalities where lack of sufficient resources and organizational capacities led to fee increases and/or subsequent closures of public facilities: Balcerzak-Paradowska 2004.

<sup>36</sup> According to Eurostat, LFS, in 2013 the rate of employment for women 55-64 in Poland was just over 30 percent, which was the fourth lowest rate in EU-27, and at least 10 percent lower than the EU-27 average. By comparison, the employment rate for Polish men in the same age cohort was just over 50 percent.

provide care for their grand children of older family members. Increasing retirement ages in this sort of context means that women workers will be unable to draw on their pension rights until much later in life, all the while facing problems with maintaining their labour market position. The extent to which the Polish state-spending on education, skills training and activation of older workers – all part of *Poland 2030* agenda – will be able to counteract these tendencies remains to be seen. However, it is unlikely that the current levels of expenditure and the ‘vision’ presented in Poland’s long-term strategic documents will be sufficient to help keep older women out of poverty and into good jobs.

#### 4. Conclusion – Polish Realities and Lessons for Europe?

The crisis response adopted in Poland since the onset of the 2008 global financial crisis has a clear gender bias and is likely to generate significant gender impacts. As I argued, the Polish reforms, while very much in line with the EU proscriptions and affected by the macroeconomic policies undertaken at the EU-level since the crisis began, are not simply driven by EU influence. Instead, these reforms represent a continuation of Poland’s political economic transition that began in 1989 and are in line with the policy preferences of the current administration. Indeed, the country’s readiness to embrace fiscal consolidation policies despite comparatively stronger economic performance and lower levels of debt vis-à-vis other EU member states, confirm this. What the Polish stance also suggests is that the country is no longer just one of the EU’s good student but that it is moving into the position of the EU neoliberal vanguard.

The enthusiasm with which Poland embraced the EU macroeconomic reforms has been much more tempered and selective in relation to social and employment policies: Poland is certainly not in the vanguard of Europe when it comes to its gender equality record. Recent national measures, and Poland’s longer-term development strategy of which these measures are an integral part, are only very partially consistent with the country’s broader obligations to mainstream gender into all levels and areas of policymaking. Indeed, some feminists are suggesting that, to the extent that mainstreaming is currently deployed – primarily through the work-family reconciliation and women’s labour market inclusion discourses and objectives –, it is done in a manner that consolidates Poland’s (and EU’s own) long-term neoliberal project. Women’s inclusion in this context is not a broader, social objective linked to equality, but only one that is limited to the deep restructuring of the labour markets and welfare states, as well as fears about sustainability of pension systems and demographic concerns.

However, as I have argued here, even the rather instrumental approach to women’s inclusion currently deployed in Poland is contradictory on its own terms, not to mention largely insufficient to deliver on its promises. Work-family reconciliation – said to be key to women’s labour market inclusion, which, in turn, is a precondition to women having more children in the short term and more sustainable pension systems in the long term – is a case in point. Despite the rhetoric about the need to improve balancing of work and care obligations and some, albeit limited efforts, to get men (and the state) more involved in care giving, the still insufficient level of public or high quality, affordable private care services and recent funding cuts on the one hand, combined with increased length of maternity leaves and reforms that enable significant increases and unpredictability of work hours (a contradiction of work family reconciliation measures) on the other hand, suggest that the responsibility for care will continue to be largely privatized, and care will remain predominantly feminized.

Besides being a highly unsatisfactory equality outcome, as demographers in Poland have for some time argued this state of affairs will do little to improve Poland’s demographic outlook. Moreover, the underemployment or intermittent employment of women carers on the one hand and the low fertility rates on the other will have significant consequences for the

already overburdened pension system, particularly in light of the continued outmigration of young Poles and a lack of official policy effort aimed at attracting other European or non-European migrants to Poland. The crisis of social reproduction that is currently unfolding in Poland, in part because of inconsistent and inconsiderate policies of the Polish state bolstered by supranational developments, should serve as a warning sign for other EU members.

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