

LEGAL FRAMEWORKS FOR WOMEN'S ECONOMIC AUTONOMY AND EMPOWERMENT IN IBERO-AMERICA AND THE CARIBBEAN









Bolivia*

* information updated as of August 2019

REFORM AGENDA

LEGAL TEXT	AREA FOR WOMEN'S ECONOMIC EMPOWERMENT	ACTION	CURRENT TEXT (TO BE REFORMED)
General Law on Labour (8 December, 1942).	Gender equality and non-discrimination 	Eliminate 	<p>Article 3. In no company or establishment may the number of foreign workers exceed 15 per cent of the total and shall include only technicians. Female staff shall neither be allowed to surpass 45% in companies or establishments where, by their very nature, they do not require a larger proportion of women.</p> <p>Article 46. Effective working hours shall not exceed 8 hours a day and a total of 48 hours a week. A night shift shall not exceed 7 hours, night work being understood to mean that performed between 8 p.m. and 6 a.m. This provision shall not apply to the work of newspaper companies, which are subject to special regulations. Women's working hours shall not exceed 40 daytime hours a week.</p> <p>RECOMMENDATION: Eliminate articles that entail restrictions on the freedom of choice of employment and on the employability of women.</p>
	Freedom of choice of employment 	Eliminate 	<p>Article 59. The work of women and minors in dangerous, unhealthy or heavy jobs, and in occupations that harm their morality and decency are prohibited.</p> <p>Article 60. Women and minors under the age of 18 may only work during the day, with the exception of nursing, domestic work and others to be determined.</p> <p>RECOMMENDATION: Eliminate restrictions that limit the freedom of choice of employment for women, which are not provided for under the protection of maternity and breastfeeding, and that equate women with minors.</p>
	Maternity protection 	Eliminate 	<p>Article 61. Pregnant women shall rest 45 days before up to 45 days after childbirth, or for a longer period if cases of illness ensued as a consequence of the birth. They shall continue to have the right to the position and shall receive 100% of their wages or salaries. During breastfeeding, they shall have small periods of rest during the day not less than one hour in total.</p> <p>RECOMMENDATION: Increase maternity leave to a minimum amount of 14 weeks as established in ILO Convention 183.</p>

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Regulation on the General Labour Law. Supreme Act No. 224 (23 August, 1943).	Freedom of choice of employment 	Eliminate 	<p>Article 52. Jobs prohibited for women and children under the age of 18 under Article 58 of the Law shall be those specified in Articles 16, 17, 18, 19 and 20 of the Regulation for the practice of the Supreme Act of 21 September 1929, issued by the General Directorate of Public Health. However, the Ministry of Labour may grant specific authorizations in certain cases.</p> <p>Article 53. Women and minors under the age of 18 cannot be employed during the night in industries. In different jobs in industries, minors under the age of 18 cannot work between 24h and 5h, and in any case they shall enjoy a break of not less than 11 consecutive hours.</p> <p>Exceptions shall be made for fortuitous cases that require immediate attention. However, the Ministry of Labour may grant specific authorizations in certain cases.</p> <div style="border: 1px solid purple; padding: 5px; margin-top: 10px;"> <p>RECOMMENDATION: Eliminate restrictions that limit the freedom of choice of employment for women, which are not provided for under the protection of maternity and breastfeeding, and that equate women with minors.</p> </div>
Law No. 2.450 on the regulation of paid work in the home (9 April, 2003).	Protection of domestic workers 	Reform 	<p>Article 11. (Working hours).</p> <p>Domestic work is subject to the following working hours:</p> <p>Ten effective working hours for workers who live in the home where they provide their services, eight effective working hours for those who do not live in the place where they provide their services. Time allowed for meals shall not be counted in the working hours; working hours for minors is regulated by the Child and Adolescent Code.</p> <div style="border: 1px solid purple; padding: 5px; margin-top: 10px;"> <p>RECOMMENDATION: Ensure domestic workers the same conditions and labour rights enjoyed by other workers.</p> </div>
Supreme Act No. 1.212 on paternity leave (1 May, 2012).	Paternity leave 	Reform 	<p>Single Article I.</p> <p>Paternity Leave shall be granted for three (3) working days, from when the spouse or partner of the private sector worker gives birth, with enjoyment of one hundred per cent (100%) of their total earnings. In order to receive the Paternity Leave, the worker must give their employer the Certificate proving the birth, issued by the corresponding Health Authority.</p> <div style="border: 1px solid purple; padding: 5px; margin-top: 10px;"> <p>RECOMMENDATION: Extend paternity leave.</p> </div>