

Bolivia*

* information updated as of August 2019

INTERNATIONAL CONVENTIONS RATIFIED BY THE COUNTRY

CEDAW

(Convention on the Elimination of All Forms of Discrimination Against Women)



Convention SIGNATURE 1980 / RATIFICATION 1990

Protocol SIGNATURE 1999 / RATIFICATION 2000

ILO Conventions

related to gender equality



- C100 Equal Remuneration Convention, 1951 ✓ 1973
- C111 Discrimination (Employment and Occupation) Convention, 1958 ✓ 1977
- C156 Workers with Family Responsibilities Convention, 1981 ✓ 1998
- C183 Maternity Protection Convention, 2000 ! Not ratified
- C189 Domestic Workers Convention, 2011 ✓ 2013
- C190 Violence and Harassment Convention, 2019 ! Not ratified



BINDING NATIONAL LEGISLATION

- ✓ Political Constitution of the State (7 February, 2009).
- ✓ General Labour Law (8 December, 1942).
- ✓ Regulation on the General Labour Act. Supreme Act 224 (23 August, 1943).
- ✓ Law No. 2.450 on the regulation of paid work in the home (9 April, 2003).
- ✓ Supreme Act No. 012/2009. Non-removability from their job for the mother and father who are parents who work in the public or private sector.
- ✓ Supreme Act No. 1.212 on paternity leave (1 May, 2012).
- ✓ Social Security Code (14 December, 1956).
- ✓ Law No. 065, on pensions (10 December, 2010).
- ✓ Supreme Act No. 1.455 establishing the benefit of "Special Leave" (9 January, 2013).

Areas for women's economic empowerment

1 Gender equality and non-discrimination

- ✗ Regulated by the Constitution (Art. 8, 14, 15 and 402), although there are still discriminatory standards in the *General Labour Law*, with regard to the **percentage of women that companies can employ (not more than 45%) (Art. 3) and working hours for women (maximum of 40 hours per week compared to 48 hours for men) (Art. 46).**



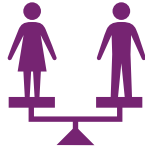
2 Freedom of choice of employment

- ✗ Regulated by the Constitution (Art. 47), although the *General Labour Law* and its *Regulation* establish the **prohibition of women from dangerous, unhealthy and heavy work, and jobs that harm their morality and decency and night work.**



3 Equal pay

- ✓ Regulated by the Constitution (Art.48) and by the *General Labour Law* (Art.52).



Article 48. The State shall promote women's employment and shall guarantee them the same remuneration as men for work of equal value, both in the public and in the private sectors.

4 Maternity protection

- ✓ Regulated by the Constitution (Art. 45 and 48) and by the *General Labour Law* (Art. 61 and 62), by the *Supreme Act No. 012/2009* and by the *Social Security Code* (Art. 23, 26, 31, 64).



Amount and financing: 100% paid by Social Security.

Protection against dismissal: the mother and/or father shall enjoy non-removability from their job from pregnancy until the child is one year old, meaning that they cannot be dismissed, their salary level cannot be affected, nor can their position in their place of work.

- ! **Maternity leave: 90 days** (45 before birth and 45 after).

Minimum amount established by the ILO in its Convention No. 183: 14 weeks (equivalent to 112 days).

5 Paternity leave

- ! Governed by *Supreme Act No. 1.212* on paternity leave.



Duration: 3 working days.

Amount and financing: 100% paid by the employer.

6 Social security

- ✓ Regulated by the *Social Security Code* and by *Law No. 065* on pensions.



Same rights for women and men on protection against illness, occupational risks, old age, disability and death.

The minimum age of retirement is **58 for both men and women. Women are permitted to retire up to three years earlier (at 55)**, providing they have contributed for at least 10 years.

There is recognition of women's "**social contribution**" with **contributions periods compensated, both for the calculation of the amount and for the period of retirement, for each child** (Art. 77 and 78 of the Pensions Law).

7 Care

- ✓ The Constitution establishes **shared responsibility for housework** between both spouses or partners (Art. 64) and recognizes the economic value of housework as a source of wealth, and which must be quantified in public finances (Art. 338).



The *Supreme Act No. 1.455* provides **three days of special leave** for mothers and fathers in the case of **accident or serious illness of minors under the age of 12**.

8 Protection of domestic workers

Regulated by *Law No. 2.450*.



- ✓ • Minimum legal salary, paid overtime, working hours (for those who do not live in), paid weekly rest period, right to holidays, and maternity rights, equal to the general regime.
- ! • Workday of 10 hours for "live-in" arrangements.
- Rest during working hours is not provided for.
- Inclusion in social security obligatory, but with risks only in the short term.
- They do not have the right to retirement nor to pensions as a result of long-term contingencies.

Bolivia: Action points to accelerate progress

- + **ADOPT:** • Ratify ILO Conventions 183 and 190.
- ! **REFORM:** • Increase maternity leave to a minimum amount of 14 weeks.
• Extend paternity leave, financed by social security.
• Ensure domestic workers the same conditions and labour rights enjoyed by other workers.
- × **ELIMINATE:** • Eliminate restrictions that limit freedom of choice of employment for women.

