Chile

*Women, Business and the Law 2020* presents an index covering 190 economies and structured around the life cycle of a working woman. In total, 35 questions are scored across the eight indicators. Overall scores are then calculated by taking the average of each indicator, with 100 representing the highest possible score. Data refer to the laws and regulations that are applicable to the main business city (Santiago). Different rules may apply in other jurisdictions so local legislation should be reviewed. Based on this approach, **Chile scores 77.5 out of 100**. The overall score for Chile is lower than the regional average observed across High income (OECD) countries (94.7).

### Chile - Scores for Women, Business and the Law 2020

<table>
<thead>
<tr>
<th>Mobility</th>
<th>Workplace</th>
<th>Pay</th>
<th>Marriage</th>
<th>Parenthood</th>
<th>Entrepreneurship</th>
<th>Assets</th>
<th>Pension</th>
<th>WBL 2020 Index Score</th>
</tr>
</thead>
<tbody>
<tr>
<td>100</td>
<td>75</td>
<td>75</td>
<td>60</td>
<td>100</td>
<td>75</td>
<td>60</td>
<td>75</td>
<td><strong>77.5</strong></td>
</tr>
</tbody>
</table>

**Relative Strengths**

When it comes to constraints on freedom of movement, and laws affecting women’s work after having children, Chile gets a perfect score.

**Areas for Improvement**

However, when it comes to laws affecting women’s decisions to work, laws affecting women’s pay, constraints related to marriage, constraints on women’s starting and running a business, gender differences in property and inheritance, and laws affecting the size of a women’s pension, Chile could consider reforms to improve legal equality for women.

For example, one of the lowest scores for Chile is on the indicator related to constraints related to marriage (the WBL2020 Marriage Indicator). To improve on the Marriage Indicator, Chile may wish to consider allowing women to be head of household, and giving women the same rights to remarry as men.

**Recent Reforms (2018-2019)**

No reforms impacting the WBL2020 indicators have been observed during the past two years.
<table>
<thead>
<tr>
<th>QUESTION</th>
<th>ANSWER</th>
<th>LEGAL BASIS</th>
</tr>
</thead>
<tbody>
<tr>
<td>Can a woman choose where to live in the same way as a man?</td>
<td>Yes</td>
<td>No restrictions could be located</td>
</tr>
<tr>
<td>Can a woman travel outside her home in the same way as a man?</td>
<td>Yes</td>
<td>No restrictions could be located</td>
</tr>
<tr>
<td>Can a woman apply for a passport in the same way as a man?</td>
<td>Yes</td>
<td>Decreto No.1010 Reglamento de Pasaportes Ordinarios y de Documentos de Viaje y Títulos de Viaje para Extranjeros, Arts. 1, 2 y 3; Passport application procedures</td>
</tr>
<tr>
<td>Can a woman travel outside the country in the same way as a man?</td>
<td>Yes</td>
<td>No restrictions could be located</td>
</tr>
<tr>
<td>Can a woman get a job in the same way as a man?</td>
<td>Yes</td>
<td>Código Civil, Art. 150;</td>
</tr>
<tr>
<td>Does the law prohibit discrimination in employment based on gender?</td>
<td>Yes</td>
<td>Código de Trabajo, Art. 2</td>
</tr>
<tr>
<td>Is there legislation on sexual harassment in employment?</td>
<td>Yes</td>
<td>Ley 20005 Tipifica y Sanciona el Acoso Sexual, Art. 1; Código del Trabajo, Arts. 2 y 211-A - 211-E</td>
</tr>
<tr>
<td>Are there criminal penalties or civil remedies for sexual harassment in employment?</td>
<td>No</td>
<td>Criminal: No applicable provisions could be located</td>
</tr>
<tr>
<td>Are the mandatory retirement ages for men and women equal?</td>
<td>Yes</td>
<td>No applicable provisions could be located</td>
</tr>
<tr>
<td>Does the law mandate equal remuneration for work of equal value?</td>
<td>No</td>
<td>No applicable provisions could be located</td>
</tr>
<tr>
<td>Can women work the same night hours as men?</td>
<td>Yes</td>
<td>No restrictions could be located</td>
</tr>
<tr>
<td>Are women work in jobs dangerous in the same way as men?</td>
<td>Yes</td>
<td>Jobs deemed hazardous: No restrictions could be located</td>
</tr>
<tr>
<td>Are women able to work in the same industries as men?</td>
<td>Yes</td>
<td>No restrictions could be located</td>
</tr>
<tr>
<td>Is there no legal provision that requires a married woman to obey her husband?</td>
<td>Yes</td>
<td>No applicable provisions could be located</td>
</tr>
<tr>
<td>Can a woman be head of household in the same way as a man?</td>
<td>No</td>
<td>Código Civil, Art. 1749</td>
</tr>
<tr>
<td>Can a woman obtain a judgment of divorce in the same way as a man?</td>
<td>Yes</td>
<td>No restrictions could be located</td>
</tr>
<tr>
<td>Does a woman have the same rights to remarry as a man?</td>
<td>No</td>
<td>Código Civil, Art. 128</td>
</tr>
<tr>
<td>Is paid leave of at least 14 weeks available to mothers?</td>
<td>Yes</td>
<td>Código del Trabajo, Art. 195</td>
</tr>
<tr>
<td>Do men and women have equal ownership rights to immovable property?</td>
<td>No</td>
<td>Código Civil, Arts. 135, 1749 y 1750</td>
</tr>
<tr>
<td>Do sons and daughters have equal rights to inherit assets from their parents?</td>
<td>Yes</td>
<td>Código Civil, Arts. 982, 983 y 988</td>
</tr>
<tr>
<td>Do female and male surviving spouses have equal rights to inherit assets?</td>
<td>Yes</td>
<td>Código Civil, Arts. 983 y 989</td>
</tr>
<tr>
<td>Does the law grant spouses equal administrative authority over assets during marriage?</td>
<td>No</td>
<td>Código Civil, Arts. 135, y 1749-1754</td>
</tr>
<tr>
<td>Are the ages at which men and women can retire with full pension benefits equal?</td>
<td>No</td>
<td>Women: Decreto Ley Núm. 3500, Art. 3; Men: Decreto Ley Núm. 3500, Art. 3</td>
</tr>
<tr>
<td>Are the ages at which men and women can retire with partial pension benefits equal?</td>
<td>Yes</td>
<td>Women: No applicable provisions could be located</td>
</tr>
<tr>
<td>Are the mandatory retirement ages for men and women equal?</td>
<td>Yes</td>
<td>Men: No applicable provisions could be located</td>
</tr>
<tr>
<td>Are periods of absence due to child care accounted for in pension benefits?</td>
<td>Yes</td>
<td>Women: No applicable provisions could be located</td>
</tr>
</tbody>
</table>

**LEGAL BASIS**

- **Mobility**
  - Ley Núm. 20255, Arts. 74
  - Men: Código Civil, Art. 135; Women: Código Civil, Arts. 150
  - Men: Ley 20005 Tipifica y Sanciona el Acoso Sexual, Art. 1; Código del Trabajo, Arts. 2 y 211-A - 211-E
  - No restrictions could be located

- **Workplace**
  - Ley Núm. 20255, Arts. 74
  - Men: Código Civil, Art. 1749; Women: Código Civil, Arts. 1749 y 211-E
  - No restrictions could be located
  - Men: Código del Trabajo, Art. 195; Women: Código del Trabajo, Art. 195
  - No restrictions could be located
  - Men: Código del Trabajo, Art. 197 bis; Women: Código del Trabajo, Arts. 174, 194 y 201
  - No restrictions could be located
  - Men: Código del Trabajo, Art. 2; Women: Código del Trabajo, Art. 2
  - No restrictions could be located
  - Men: Código Civil, Arts. 982, 983 y 988; Women: Código Civil, Arts. 983 y 989
  - No restrictions could be located
  - Men: Código Civil, Arts. 135, 1749 y 1750; Women: Código Civil, Arts. 135, y 1749-1754
  - No restrictions could be located

- **Assets**
  - Men: Código Civil, Arts. 3500, Art. 3; Women: No applicable provisions could be located
  - Men: No applicable provisions could be located

- **Pension**
  - Men: No applicable provisions could be located
  - Women: No applicable provisions could be located

- **Marriage**
  - No restrictions could be located
  - Men: Código Civil, Art. 1749; Women: Código Civil, Arts. 1749 y 211-E
  - No restrictions could be located
  - Men: Código del Trabajo, Art. 195; Women: Código del Trabajo, Art. 195
  - No restrictions could be located
  - Men: Código del Trabajo, Art. 197 bis; Women: Código del Trabajo, Arts. 174, 194 y 201
  - No restrictions could be located
  - Men: Código Civil, Arts. 982, 983 y 988; Women: Código Civil, Arts. 983 y 989
  - No restrictions could be located
  - Men: Código Civil, Arts. 135, 1749 y 1750; Women: Código Civil, Arts. 135, y 1749-1754
  - No restrictions could be located

- **Pay**
  - Men: No applicable provisions could be located
  - Women: No applicable provisions could be located

- **Employment**
  - Men: No applicable provisions could be located
  - Women: No applicable provisions could be located

- **Transportation**
  - Men: No applicable provisions could be located
  - Women: No applicable provisions could be located

- **Water**
  - Men: No applicable provisions could be located
  - Women: No applicable provisions could be located

- **Agriculture**
  - Men: No applicable provisions could be located
  - Women: No applicable provisions could be located

- **Factories**
  - Men: No applicable provisions could be located
  - Women: No applicable provisions could be located

- **Construction**
  - Men: No applicable provisions could be located
  - Women: No applicable provisions could be located

- **Mining**
  - Men: No applicable provisions could be located
  - Women: No applicable provisions could be located

- **Jobs deemed morally inappropriate**
  - Men: No restrictions could be located
  - Women: No restrictions could be located

- **Jobs deemed arduous**
  - Men: No restrictions could be located
  - Women: No restrictions could be located

- **Jobs deemed hazardous**
  - Men: No restrictions could be located
  - Women: No restrictions could be located

- **Civil**
  - Men: No restrictions could be located
  - Women: No restrictions could be located

- **Criminal**
  - Men: No restrictions could be located
  - Women: No restrictions could be located