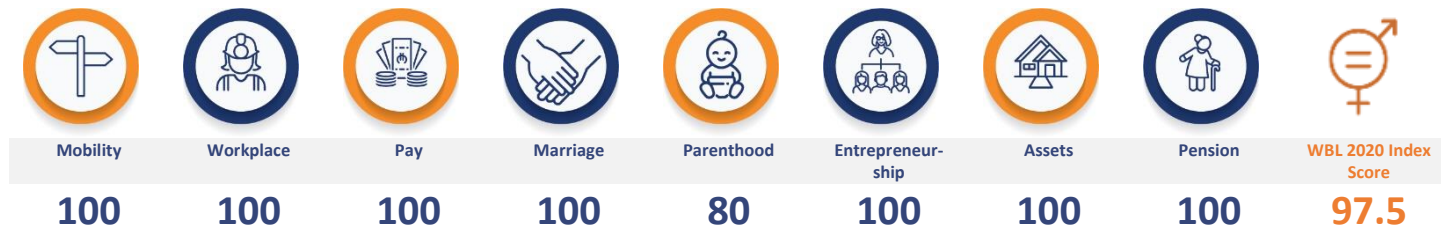


Germany

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 (Berlin). Different rules may apply in other jurisdictions so local legislation should be reviewed. Based on this approach, **Germany scores 97.5 out of 100**. The overall score for Germany is higher than the regional average observed across High income (OECD) countries (94.7).

Germany - Scores for Women, Business and the Law 2020



Relative Strengths

When it comes to constraints on freedom of movement, 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, Germany gets a perfect score.

Areas for Improvement

However, when it comes to laws affecting women's work after having children, Germany could consider reforms to improve legal equality for women.

For example, one of the lowest scores for Germany is on the indicator related to laws affecting women's work after having children (the WBL2020 Parenthood Indicator). To improve on the Parenthood Indicator, Germany may wish to consider making the government administer 100% of maternity leave benefits.

Recent Reforms (2018-2019)

Pay: Germany introduced new legislation that mandates equal remuneration for work of equal value.

	QUESTION	ANSWER	LEGAL BASIS
Mobility	Can a woman choose where to live in the same way as a man?	Yes	No restrictions could be located
	Can a woman travel outside her home in the same way as a man?	Yes	No restrictions could be located
	Can a woman apply for a passport in the same way as a man?	Yes	Passport Act, Secs. 4 and 6; Passport application form
	Can a woman travel outside the country in the same way as a man?	Yes	No restrictions could be located
Workplace	Can a woman get a job in the same way as a man?	Yes	Civil Code, Sec. 1356
	Does the law prohibit discrimination in employment based on gender?	Yes	General Equal Treatment Act, Sec. 2
	Is there legislation on sexual harassment in employment?	Yes	General Equal Treatment Act, Ch. 3, Sec. 3.2(3.2.1)
	Are there criminal penalties or civil remedies for sexual harassment in employment?	Yes	<i>Criminal</i> : No applicable provisions could be located <i>Civil</i> : General Equal Treatment Act, Ch. 3, Sec. 15
Pay	Does the law mandate equal remuneration for work of equal value?	Yes	Act on the Promotion of Transparency of Pay between Women and Men, 6 July 2017, Arts. 3 and 4
	Can women work the same night hours as men?	Yes	No restrictions could be located
	Can women work in jobs dangerous in the same way as men?	Yes	Jobs deemed hazardous: No restrictions could be located Jobs deemed arduous: No restrictions could be located Jobs deemed morally inappropriate: No restrictions could be located
	Are women able to work in the same industries as men?	Yes	Mining: No restrictions could be located Construction: No restrictions could be located Factories: No restrictions could be located Agriculture: No restrictions could be located Energy: No restrictions could be located Water: No restrictions could be located Transportation: No restrictions could be located Other: No restrictions could be located
Marriage	Is there no legal provision that requires a married woman to obey her husband?	Yes	No applicable provisions could be located
	Can a woman be head of household in the same way as a man?	Yes	Civil Code, Sec. 1356
	Is there legislation specifically addressing domestic violence?	Yes	Law on civil protection against acts of violence and enforcements
	Can a woman obtain a judgment of divorce in the same way as a man?	Yes	No restrictions could be located
Parenthood	Does a woman have the same rights to remarry as a man?	Yes	No restrictions could be located
	Is paid leave of at least 14 weeks available to mothers?	Yes	Maternity Protection Act, Secs. 3 and 6
	Does the government pay 100% of maternity leave benefits?	No	Maternity Protection Act, Secs. 11 and 13
	Is there paid paternity leave?	Yes	No applicable provisions could be located
	Is there paid parental leave?	Yes	Parental Benefits and Leave Act, Secs. 15 and 16
Entrepren.	Is dismissal of pregnant workers prohibited?	Yes	Maternity Protection Act, Sec. 9
	Does the law prohibit discrimination in access to credit based on gender?	Yes	General Act on Equal Treatment, Arts. 2(1) No. 8 and 19(1)
	Can a woman sign a contract in the same way as a man?	Yes	No restrictions could be located
	Can a woman register a business in the same way as a man?	Yes	No restrictions could be located
Assets	Can a woman open a bank account in the same way as man?	Yes	No restrictions could be located
	Do men and women have equal ownership rights to immovable property?	Yes	Constitution of the Federal Republic of Germany, Arts. 3 and 14
	Do sons and daughters have equal rights to inherit assets from their parents?	Yes	Civil Code, Secs. 1922 and 1924
	Do female and male surviving spouses have equal rights to inherit assets?	Yes	Civil Code, Sec. 1931
	Does the law grant spouses equal administrative authority over assets during marriage?	Yes	Civil Code, Secs. 1363-1369
Pension	Does the law provide for the valuation of nonmonetary contributions?	Yes	Civil Code, Arts. 1363, 1373-1375, 1378
	Are the ages at which men and women can retire with full pension benefits equal?	Yes	Women: Pension Reform Act 1992, Secs. 35 ad 235. Men: Pension Reform Act 1992, Secs. 35 ad 235.
	Are the ages at which men and women can retire with partial pension benefits equal?	Yes	Women: Pension Reform Act 1992, Secs. 36 and 77(2)(1) Men: Pension Reform Act 1992, Secs. 36 and 77(2)(1)
	Are the mandatory retirement ages for men and women equal?	Yes	Women: No applicable provisions could be located Men: No applicable provisions could be located
	Are periods of absence due to child care accounted for in pension benefits?	Yes	Pension Reform Act 1992, Secs. 56(1) and 56(5)