

Moldova

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 (Chisinau). Different rules may apply in other jurisdictions so local legislation should be reviewed. Based on this approach, **Moldova scores 84.4 out of 100**. The overall score for Moldova is higher than the regional average observed across Europe & Central Asia (84.2).

Moldova - Scores for Women, Business and the Law 2020



Relative Strengths

When it comes to constraints on freedom of movement, constraints related to marriage, laws affecting women's work after having children, constraints on women's starting and running a business, and gender differences in property and inheritance, Moldova gets a perfect score.

Areas for Improvement

However, when it comes to laws affecting women's decisions to work, laws affecting women's pay, and laws affecting the size of a women's pension, Moldova could consider reforms to improve legal equality for women.

For example, one of the lowest scores for Moldova is on the indicator related to laws affecting the size of a women's pension (the WBL2020 Pension Indicator). To improve on the Pension Indicator, Moldova may wish to consider equalizing the ages at which men and women can retire with full pension benefits, equalizing the ages at which men and women can retire with partial pension benefits, and equalizing the mandatory retirement age for men and women.

Recent Reforms (2018-2019)

Pay: Moldova lifted restrictions on women's ability to hold jobs deemed dangerous. It also eliminated restrictions on women's ability to work in certain industries. Now, such restrictions are limited to women who are pregnant, nursing or postpartum.

Pension: Moldova introduced mandatory retirement ages that differ for women and men. Employers may now terminate the contracts of women at age 58 and 6 months and of men at age 63. The ages are set to equalize in 2028.

| | QUESTION | ANSWER | LEGAL BASIS |
|---------------|--|--------|--|
| Mobility | Can a woman choose where to live in the same way as a man? | Yes | Family Code, Arts. 5 and 16 |
| | Can a woman travel outside her home in the same way as a man? | Yes | Family Code, Arts. 5 and 16 |
| | Can a woman apply for a passport in the same way as a man? | Yes | Law on Exit and Entry into the Republic of Moldova, Arts. 1-3; Law on the Identity Documents of the National Passport System, Art. 2 |
| | Can a woman travel outside the country in the same way as a man? | Yes | Family Code, Arts. 5 and 16 |
| Workplace | Can a woman get a job in the same way as a man? | Yes | Family Code, Arts. 5 and 16 |
| | Does the law prohibit discrimination in employment based on gender? | Yes | Law on Equal Opportunities for Men and Women, Art. 9; Law on Ensuring Equality, Art. 7 |
| | Is there legislation on sexual harassment in employment? | Yes | Law on Equal Opportunities for Men and Women, Art. 10(2-1)(3); Labor Code of the Republic of Moldova, Art. 10(2f-3)(2f-5) |
| | Are there criminal penalties or civil remedies for sexual harassment in employment? | No | <i>Criminal:</i> No applicable provisions could be located <i>Civil:</i> No applicable provisions could be located |
| Pay | Does the law mandate equal remuneration for work of equal value? | No | No applicable provisions could be located |
| | 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 | Family Code, Arts. 5 and 16 |
| | Can a woman be head of household in the same way as a man? | Yes | Family Code, Arts. 5 and 16 |
| | Is there legislation specifically addressing domestic violence? | Yes | Law on Preventing and Combating Family Violence; Criminal Code, Art. 201/1 |
| | Can a woman obtain a judgment of divorce in the same way as a man? | Yes | No restrictions could be located |
| | Does a woman have the same rights to remarry as a man? | Yes | No restrictions could be located |
| Parenthood | Is paid leave of at least 14 weeks available to mothers? | Yes | Labor Code of the Republic of Moldova, Art. 124 |
| | Does the government pay 100% of maternity leave benefits? | Yes | Law No. 289 of 22 July 2004, Arts. 4 and 16 |
| | Is there paid paternity leave? | Yes | Labor Code of the Republic of Moldova, Art. 124 |
| | Is there paid parental leave? | Yes | Labor Code of the Republic of Moldova, Art. 124 |
| | Is dismissal of pregnant workers prohibited? | Yes | Labor Code of the Republic of Moldova, Art. 251 |
| Entrepreneur. | Does the law prohibit discrimination in access to credit based on gender? | Yes | Law on Ensuring Equality, Art. 8(d) |
| | Can a woman sign a contract in the same way as a man? | Yes | Family Code, Arts. 5 and 16 |
| | Can a woman register a business in the same way as a man? | Yes | Law on State Registration of Legal Entities and Individual Entrepreneurs, Art. 7 |
| | Can a woman open a bank account in the same way as man? | Yes | Family Code, Arts. 5 and 16 |
| Assets | Do men and women have equal ownership rights to immovable property? | Yes | Family Code, Arts. 21 |
| | Do sons and daughters have equal rights to inherit assets from their parents? | Yes | Civil Code, Art. 1500 |
| | Do female and male surviving spouses have equal rights to inherit assets? | Yes | Civil Code, Art. 1500 |
| | Does the law grant spouses equal administrative authority over assets during marriage? | Yes | Family Code, Art. 21 |
| | Does the law provide for the valuation of nonmonetary contributions? | Yes | Family Code, Arts. 19, 20 and 22 |
| Pension | Are the ages at which men and women can retire with full pension benefits equal? | No | Women: Law No. 156 of 14 October 1998, Art. 41 Men: Law No. 156 of 14 October 1998, Art. 41 |
| | Are the ages at which men and women can retire with partial pension benefits equal? | No | Women: Law No. 156 of 14 October 1998, Arts. 15(3) and 41 Men: Law No. 156 of 14 October 1998, Arts. 15(3) and 41 |
| | Are the mandatory retirement ages for men and women equal? | No | Women: Labor Code of the Republic of Moldova, Art. 86(y1) Men: Labor Code of 18 March 2003, Art. 86(y1) |
| | Are periods of absence due to child care accounted for in pension benefits? | Yes | Law No. 156 of 14 October 1998, Art. 5(2)(b) |