

Puerto Rico (U.S.)

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 (San Juan). Different rules may apply in other jurisdictions so local legislation should be reviewed. Based on this approach, **Puerto Rico (U.S.) scores 81.3 out of 100**. The overall score for Puerto Rico (U.S.) is higher than the regional average observed across Latin America & Caribbean (79.2).

Puerto Rico (U.S.) - 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, constraints on women's starting and running a business, and gender differences in property and inheritance, Puerto Rico (U.S.) gets a perfect score.

Areas for Improvement

However, when it comes to laws affecting women's pay, constraints related to marriage, laws affecting women's work after having children, and laws affecting the size of a women's pension, Puerto Rico (U.S.) could consider reforms to improve legal equality for women.

For example, one of the lowest scores for Puerto Rico (U.S.) is on the indicator related to laws affecting women's work after having children (the WBL2020 Parenthood Indicator). To improve on the Parenthood Indicator, Puerto Rico (U.S.) may wish to consider making paid leave of at least 14 weeks available to mothers, making the government administer 100% of maternity leave benefits, making paid leave available to fathers, and making paid parental leave available.

Recent Reforms (2018-2019)

No reforms impacting the WBL2020 indicators have been observed during the past two years.

| | QUESTION | ANSWER | LEGAL BASIS |
|------------|--|--------|--|
| Mobility | Can a woman choose where to live in the same way as a man? | Yes | Código Civil, Art. 90 |
| | 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 application procedures; 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 | No restrictions could be located |
| | Does the law prohibit discrimination in employment based on gender? | Yes | Ley Núm. 100, Art. 1 |
| | Is there legislation on sexual harassment in employment? | Yes | Ley N. 17 del 22 de abril de 1988; Código Penal, Art. 135 |
| | Are there criminal penalties or civil remedies for sexual harassment in employment? | Yes | <i>Criminal:</i> Código Penal, Art. 135 <i>Civil:</i> Ley N. 17 del 22 de abril de 1988, Art. 11 |
| 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 | Código Civil, Arts. 89 y 93 |
| | Can a woman be head of household in the same way as a man? | Yes | No restrictions could be located |
| | Is there legislation specifically addressing domestic violence? | Yes | Ley No. 54 del año 1989 (Ley Violencia Doméstica) |
| | 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? | No | Código Civil, Art. 70a |
| | Is paid leave of at least 14 weeks available to mothers? | No | Ley Núm. 3, Sec. 2 |
| | Does the government pay 100% of maternity leave benefits? | No | Ley Núm. 3, Sec. 2 |
| | Is there paid paternity leave? | No | No applicable provisions could be located |
| | Is there paid parental leave? | No | No applicable provisions could be located |
| Entrepren. | Is dismissal of pregnant workers prohibited? | Yes | Ley Núm. 3, Art. 4 |
| | Does the law prohibit discrimination in access to credit based on gender? | Yes | Equal Credit Opportunity , Art. 1691(a)(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 | Código Civil, Arts. 91-92 y 1213 |
| | Do sons and daughters have equal rights to inherit assets from their parents? | Yes | Código Civil, Arts. 893-895 |
| | Do female and male surviving spouses have equal rights to inherit assets? | Yes | Código Civil, Arts. 761-766 |
| | Does the law grant spouses equal administrative authority over assets during marriage? | Yes | Código Civil, Arts. 91-92 y 1213 |
| Pension | Does the law provide for the valuation of nonmonetary contributions? | Yes | Código Civil, Arts. 1267, 1295 y 1296 |
| | Are the ages at which men and women can retire with full pension benefits equal? | Yes | Women: 29 United States Code, Sec. 12(24); 42 United States Code, Sec. 416(l) Men: 29 United States Code, Sec. 12(24); 42 United States Code, Sec. 416(l) |
| | Are the ages at which men and women can retire with partial pension benefits equal? | Yes | Women: 26 Code of Federal Regulations, Sec. 1.41(a)-1(b)(2); 42 United States Code, Sec. 416(l) Men: 26 Code of Federal Regulations, Sec. 1.41(a)-1(b)(2); 42 United States Code, Sec. 416(l) |
| | 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? | No | No applicable provisions could be located |