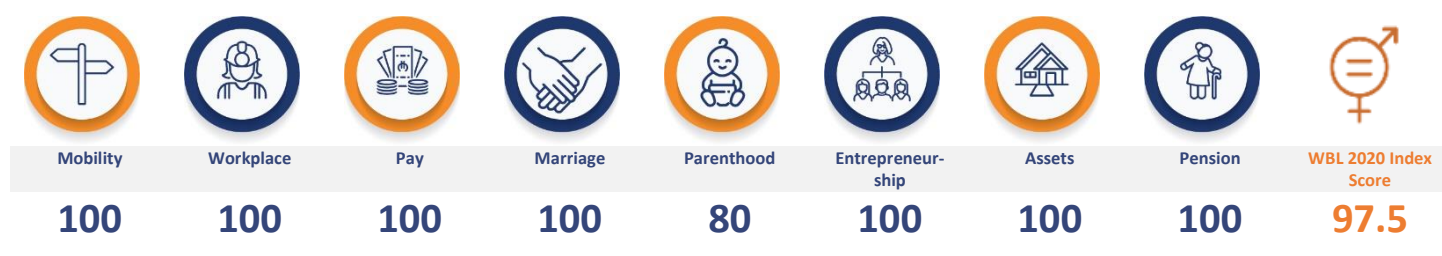


Spain

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

Spain - 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, Spain gets a perfect score.

Areas for Improvement

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

For example, one of the lowest scores for Spain is on the indicator related to laws affecting women's work after having children (the WBL2020 Parenthood Indicator). To improve on the Parenthood Indicator, Spain may wish to consider 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. 70
	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	Real Decreto 896/2003, Arts. 2(1) y 4; Passport application procedures
Workplace	Can a woman travel outside the country in the same way as a man?	Yes	No restrictions could be located
	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	Real Decreto Legislativo Núm. 2, Arts. 4 y 17
	Is there legislation on sexual harassment in employment?	Yes	Código Penal, Art. 184; Ley Orgánica 3/2007, Art. 48
Pay	Are there criminal penalties or civil remedies for sexual harassment in employment?	Yes	<i>Criminal:</i> Código Penal, Art. 184 <i>Civil:</i> Ley Orgánica 3/2007, Art. 10
	Does the law mandate equal remuneration for work of equal value?	Yes	Real Decreto Legislativo Núm. 2, Art. 28
	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, Art. 66
	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	Código Penal, Art. 173(2)-(4); Ley Orgánica 1/2004 de Medidas de Protección Integral contra la Violencia de Género
	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	Real Decreto Legislativo Núm. 2, Art. 48
	Does the government pay 100% of maternity leave benefits?	Yes	Real Decreto Legislativo Núm. 8, Art. 179
	Is there paid paternity leave?	Yes	Real Decreto-Ley Núm. 6, Arts. 2(18) and 3(4)
	Is there paid parental leave?	No	No applicable provisions could be located
	Is dismissal of pregnant workers prohibited?	Yes	Real Decreto Legislativo Núm. 2, Art. 55
Entreprene.	Does the law prohibit discrimination in access to credit based on gender?	Yes	Ley Orgánica 3/2007, de 22 de marzo, para la Igualdad Efectiva de Mujeres y Hombres, Arts. 69 y 71
	Can a woman sign a contract in the same way as a man?	Yes	Código Civil, Art. 66
	Can a woman register a business in the same way as a man?	Yes	No restrictions could be located
	Can a woman open a bank account in the same way as man?	Yes	No restrictions could be located
Assets	Do men and women have equal ownership rights to immovable property?	Yes	Código Civil, Arts. 66 y 1375-1377
	Do sons and daughters have equal rights to inherit assets from their parents?	Yes	Código Civil, Arts. 807, 808 y 931
	Do female and male surviving spouses have equal rights to inherit assets?	Yes	Código Civil, Art. 807
	Does the law grant spouses equal administrative authority over assets during marriage?	Yes	Código Civil, Arts. 1375 y 1377
	Does the law provide for the valuation of nonmonetary contributions?	Yes	Código Civil, Arts. 1316, 1344 y 1345
Pension	Are the ages at which men and women can retire with full pension benefits equal?	Yes	Women: Ley General de la Seguridad Social, Art. 205 Men: Ley General de la Seguridad Social, Art. 205
	Are the ages at which men and women can retire with partial pension benefits equal?	Yes	Women: Ley General de la Seguridad Social, Art. 208 Men: Ley General de la Seguridad Social, Art. 208
	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	Real Decreto Legislativo Núm. 8, Arts. 6, 144(4), 165(3) y 237(1)