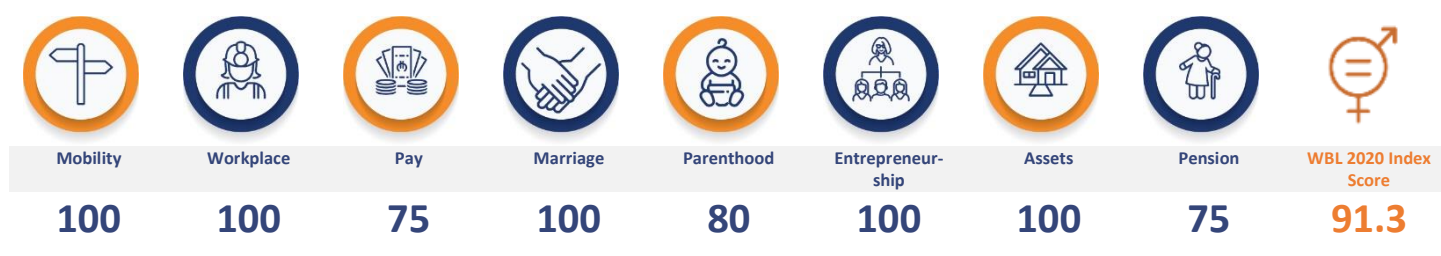


United States

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 (New York City). Different rules may apply in other jurisdictions so local legislation should be reviewed. Based on this approach, **United States scores 91.3 out of 100**. The overall score for United States is lower than the regional average observed across High income (OECD) countries (94.7).

United States - 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 related to marriage, constraints on women's starting and running a business, and gender differences in property and inheritance, United States gets a perfect score.

Areas for Improvement

However, when it comes to laws affecting women's pay, laws affecting women's work after having children, and laws affecting the size of a women's pension, United States could consider reforms to improve legal equality for women.

For example, one of the lowest scores for United States is on the indicator related to laws affecting women's pay (the WBL2020 Pay Indicator). To improve on the Pay Indicator, United States may wish to consider mandating equal remuneration for work of equal value.

Recent Reforms (2018-2019)

Parenthood: New York State introduced paid family leave that currently entitles each parent to 70 days of leave for the birth of a child. It will gradually increase to 84 days. Parents receive paid parental leave benefits through their employer's insurance carriers.

	QUESTION	ANSWER	LEGAL BASIS
Mobility	Can a woman choose where to live in the same way as a man?	Yes	Domestic Relations Act of 1909, Sec. 61
	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 form; Passport application procedures
	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	42 United States Code, Sec. 2e-2
	Is there legislation on sexual harassment in employment?	Yes	U.S. Code of Federal Regulations: 29 C.F.R. Sec. 1604.11; Administrative Code of the City of New York, Title 8
	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> New York City Administrative Code, § 8-126; Title VII of the Civil Rights Act of 1964, Sec. 2005e-5(e)(3)(B)
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
		Does the law mandate equal remuneration for work of equal value?	No
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	No restrictions could be located
	Is there legislation specifically addressing domestic violence?	Yes	Violence Against Women Act of 1994, Title IV of H.R.3355 - Violent Crime Control and Law Enforcement Act of 1994, Subtitle B; Violence against Women Reauthorization Act of 2019
	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?	No	New York Codes, Rules and Regulations, Title 12, Sec. 358-3.1
	Does the government pay 100% of maternity leave benefits?	Yes	New York Codes, Rules and Regulations, Title 12, Sec. 358-3.1
	Is there paid paternity leave?	Yes	New York Codes, Rules and Regulations, Title 12, Sec. 358-3.1
	Is there paid parental leave?	Yes	New York Codes, Rules and Regulations, Title 12, Sec. 358-3.1
	Is dismissal of pregnant workers prohibited?	Yes	42 United States Code, Sec. 2000e-2
Entrepreneur.	Does the law prohibit discrimination in access to credit based on gender?	Yes	Equal Credit Opportunity Act, 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	New York Business Corporation Law, Arts. 303 and 401
	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	NY Statute, Domestic Relations Law, Secs. 236 B(5)(b) and 50
	Do sons and daughters have equal rights to inherit assets from their parents?	Yes	N.Y. Estates, Powers and Trusts Law, Sec. 4-1.1(a)(3)
	Do female and male surviving spouses have equal rights to inherit assets?	Yes	N.Y. Estates, Powers and Trusts Law, Sec. 4-1.1(a)(2)
	Does the law grant spouses equal administrative authority over assets during marriage?	Yes	NY Statute, Domestic Relations Law, Secs. 236 B(5)(b) and 50
	Does the law provide for the valuation of nonmonetary contributions?	Yes	NY Statute, Domestic Relations Law, Sec. B 5(c) and (d)(7)
Pension	Are the ages at which men and women can retire with full pension benefits equal?	Yes	Women: 42 United States Code (219 version), Sec. 416(L) Men: 42 United States Code (219 version), Sec. 416(L)
	Are the ages at which men and women can retire with partial pension benefits equal?	Yes	Women: 42 United States Code, Sec. 42(a) Men: 42 United States Code, Sec. 42(a)
	Are the mandatory retirement ages for men and women equal?	Yes	Women: 29 United States Code, Sec. 631 Men: 29 United States Code, Sec. 631
	Are periods of absence due to child care accounted for in pension benefits?	No	No applicable provisions could be located