

Argentina

Women, Business and the Law 2021 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 (Buenos Aires (Ciudad autonoma de)). Different rules may apply in other jurisdictions so local legislation should be reviewed. Based on this approach, **Argentina scores 76.3 out of 100**. The overall score for Argentina is lower than the regional average observed across Latin America & Caribbean (80.1). Within the Latin America & Caribbean region, the maximum score observed is 95 (Peru).

Argentina - Scores for Women, Business and the Law 2021



Relative Strengths

When it comes to constraints on freedom of movement, constraints related to marriage, and gender differences in property and inheritance, Argentina gets a perfect score.

Areas for Improvement

However, when it comes to laws affecting women's decisions to work, laws affecting women's pay, laws affecting women's work after having children, constraints on women's starting and running a business, and laws affecting the size of a woman's pension, Argentina could consider reforms to improve legal equality for women.

For example, one of the lowest scores for Argentina is on the indicator related to laws affecting women's pay (the WBL2021 Pay Indicator). To improve on the Pay Indicator, Argentina may wish to consider allowing women to work in jobs deemed dangerous in the same way as men, and allowing women to work in an industrial job in the same way as men.

Recent Reforms

No reforms were observed during the past year.



Further data details for Argentina are available at:
<https://wbl.worldbank.org/en/data/exploreconomies/argentina/2021>

	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	Decreto 261/2011 Reglamento para la Emisión de Pasaportes, Anexo I, Art. 2; 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	Ley de Protección Integral a las Mujeres, Art. 6(c); Ley de Contrato de Trabajo, Arts. 17 y 172
	Is there legislation on sexual harassment in employment?	Yes	Ley 26.485, Arts. 4, 5(2)(3) y 6(c)
	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?	Yes	Ley de Contrato de Trabajo, Art. 172; Ley 20.392, Art. 1
	Can a woman work at night in the same way as a man?	Yes	No restrictions could be located
	Can a woman work in a job deemed dangerous in the same way as a man?	No	Ley de Contrato de Trabajo, Art. 176
	Can a woman work in an industrial job in the same way as a man?	No	Ley Núm. 11.317, Art. 11(b), 11(d), 11(e), 11(f) and 11(g)
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	Ley Nacional 24.417; Ley Núm. 26.485, Art. 6
	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?	No	Ley de Contrato de Trabajo, Art. 177
	Does the government pay 100% of maternity leave benefits?	Yes	Régimen de Asignaciones Familiares, Arts. 1(c) y 5(c)
	Is paid leave available to fathers?	Yes	Ley de Contrato de Trabajo, Art. 158(a)
	Is there paid parental leave?	No	No applicable provisions could be located
Entrepren.	Is dismissal of pregnant workers prohibited?	Yes	Ley de Contrato de Trabajo, Arts. 177 and 178
	Does the law prohibit discrimination in access to credit based on gender?	No	No applicable provisions could be located
	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 y Comercial, Arts. 469-471
	Do sons and daughters have equal rights to inherit assets from their parents?	Yes	Código Civil y Comercial, Art. 2426
	Do female and male surviving spouses have equal rights to inherit assets?	Yes	Código Civil y Comercial, Arts. 2424 y 2435
	Does the law grant spouses equal administrative authority over assets during marriage?	Yes	Código Civil y Comercial, Arts. 469-474
Pension	Does the law provide for the valuation of nonmonetary contributions?	Yes	Código Civil y Comercial, Arts. 463-466
	Is the age at which men and women can retire with full pension benefits the same?	No	Women: Ley Num. 24.241, Art. 19 Men: Ley Num. 24.241, Art. 19
	Is the age at which men and women can retire with partial pension benefits the same?	Yes	Women: No applicable provisions could be located Men: No applicable provisions could be located
	Is the mandatory retirement age for men and women the same?	Yes	Women: Ley de Contrato de Trabajo, Art. 252 Men: Ley de Contrato de Trabajo, Art. 252
	Are periods of absence due to child care accounted for in pension benefits?	No	No applicable provisions could be located