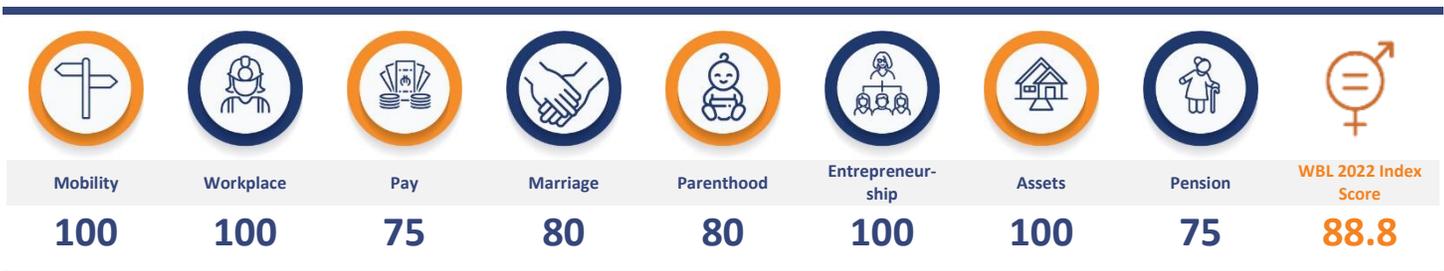


# El Salvador

*Women, Business and the Law 2022* (WBL2022) presents an index covering 190 economies and structured around the life cycle of a working woman. In total, 35 questions are scored across 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 Salvador). Different rules may apply in other jurisdictions so local legislation should be reviewed. Based on this approach, **El Salvador scores 88.8 out of 100**. The overall score for El Salvador is higher than the regional average observed across Latin America and the Caribbean (80.4). Within the Latin America and the Caribbean region, the maximum score observed is 95 (Peru).

## El Salvador - Scores for Women, Business and the Law 2022



## Relative Strengths

When it comes to constraints on freedom of movement, laws affecting women's decisions to work, constraints on women starting and running a business, and gender differences in property and inheritance, El Salvador 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 woman's pension, El Salvador could consider reforms to improve legal equality for women.

For example, one of the lowest scores for El Salvador is on the indicator measuring laws affecting women's pay (the WBL2022 Pay indicator). To improve on the Pay indicator, El Salvador may wish to consider mandating equal remuneration for work of equal value.

## Recent Reforms

No reforms were observed during the past year (October 2nd, 2020 – October 1st, 2021).



Further data details for El Salvador are available at:  
<https://wbl.worldbank.org/en/data/exploreconomies/el-salvador/2022>



	QUESTION	ANSWER	LEGAL BASIS
Mobility	Can a woman choose where to live in the same way as a man?	Yes	Código de Familia, Art. 37
	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	Ley de Expedición y Revalidación de Pasaportes, Arts. 20, 21 y 24: 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	Código del Trabajo, Art. 30(12); Código Penal, Art. 246
	Is there legislation on sexual harassment in employment?	Yes	Código Penal, Art. 165; Ley General de Prevención de Riesgos en Lugares de Trabajo, Art. 7
	Are there criminal penalties or civil remedies for sexual harassment in employment?	Yes	<i>Criminal:</i> Código Penal, Art. 165 <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 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?	Yes	No restrictions could be located
	Can a woman work in an industrial job in the same way as a man?	Yes	No restrictions could be located
Marriage	Is there no legal provision that requires a married woman to obey her husband?	Yes	Código de Familia, Art. 36(1)
	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 Contra la Violencia Intrafamiliar; Ley Especial Integral para una Vida Libre de Violencia para las Mujeres, Art. 8(k)
	Can a woman obtain a judgment of divorce in the same way as a man?	Yes	Código de Familia, Arts. 104-111
	Does a woman have the same rights to remarry as a man?	No	Código de Familia, Arts. 17, 23(5) y 115(1)
Parenthood	Is paid leave of at least 14 weeks available to mothers?	Yes	Código del Trabajo, Art. 309
	Does the government pay 100% of maternity leave benefits?	Yes	Ley del Seguro Social, Arts. 1 y 12
	Is paid leave available to fathers?	Yes	Código del Trabajo, Art. 29(6)(d)
	Is there paid parental leave?	No	No applicable provisions could be located
	Is dismissal of pregnant workers prohibited?	Yes	Código del Trabajo, Art. 113
Entrepreneurship	Does the law prohibit discrimination in access to credit based on gender?	Yes	Ley de Protección al Consumidor, Arts. 3, 18(e) y 19-21
	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
	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 de Familia, Art. 70
	Do sons and daughters have equal rights to inherit assets from their parents?	Yes	Código Civil, Arts. 983 y 988(1)
	Do female and male surviving spouses have equal rights to inherit assets?	Yes	Código Civil, Arts. 983 y 988(1)
	Does the law grant spouses equal administrative authority over assets during marriage?	Yes	Código de Familia, Art. 70
	Does the law provide for the valuation of nonmonetary contributions?	Yes	Código de Familia, Arts. 38 y 42
Pension	Is the age at which men and women can retire with full pension benefits the same?	No	Women: Ley del Sistema de Ahorro para Pensiones, Art. 147. Men: Ley del Sistema de Ahorro para Pensiones, Art. 147
	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: No applicable provisions could be located. Men: No applicable provisions could be located
	Are periods of absence due to childcare accounted for in pension benefits?	Yes	Ley del Sistema de Ahorro para Pensiones, Art. 14