

Germany

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 (Berlin). Different rules may apply in other jurisdictions so local legislation should be reviewed. Based on this approach, **Germany scores 97.5 out of 100**. The overall score for Germany is higher than the regional average observed across OECD high-income economies (95.2). Within the OECD high-income region, there are 12 economies that score 100 out of 100.

Germany - 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, laws affecting women's pay, constraints related to marriage, constraints on women starting and running a business, gender differences in property and inheritance, and laws affecting the size of a woman's pension, Germany gets a perfect score.

Areas for Improvement

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

For example, one of the lowest scores for Germany is on the indicator measuring laws affecting women's work after having children (the WBL2022 Parenthood indicator). To improve on the Parenthood indicator, Germany may wish to consider making the government administer 100% of maternity leave benefits.

Recent Reforms

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



Further data details for Germany are available at:
<https://wbl.worldbank.org/en/data/exploreconomies/germany/2022>



	QUESTION	ANSWER	LEGAL BASIS
Mobility	Can a woman choose where to live in the same way as a man?	Yes	Civil Code, Art. 7
	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 Act, Arts. 4 and 6; 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	Civil Code, Art. 1356(2)
	Does the law prohibit discrimination in employment based on gender?	Yes	General Equal Treatment Act, Secs. 2 and 7
	Is there legislation on sexual harassment in employment?	Yes	General Equal Treatment Act, Secs. 2 and 3(4)
	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> General Equal Treatment Act, Sec. 15
Pay	Does the law mandate equal remuneration for work of equal value?	Yes	Transparency in Wage Structures Act, Secs. 1- 4, and 7
	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	No applicable provisions could be located
	Can a woman be head of household in the same way as a man?	Yes	Civil Code, Art. 1356(1)
	Is there legislation specifically addressing domestic violence?	Yes	Law on civil protection against acts of violence and stalking
	Can a woman obtain a judgment of divorce in the same way as a man?	Yes	Civil Code, Arts. 1564-1566
Parenthood	Does a woman have the same rights to remarry as a man?	Yes	Civil Code, Arts. 1306-1308, 1493
	Is paid leave of at least 14 weeks available to mothers?	Yes	Maternity Protection Act, Secs. 3 and 6
	Does the government pay 100% of maternity leave benefits?	No	Maternity Protection Act, Secs. 19, 20 and 21
	Is paid leave available to fathers?	Yes	See parental leave
	Is there paid parental leave?	Yes	Parental Benefits and Leave Act, Secs. 4, 15 and 16; Parental Benefit and Leave Act, Sec. 4; Parental Benefit and Leave Act, Sec. 4
Entrepreneurship	Is dismissal of pregnant workers prohibited?	Yes	Maternity Protection Act, Sec. 17
	Does the law prohibit discrimination in access to credit based on gender?	Yes	General Act on Equal Treatment, Arts. 2(1) No. 8 and 19(1)
	Can a woman sign a contract in the same way as a man?	Yes	Civil Code, Arts. 1, 2, 104-107
	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 a man?	Yes	No restrictions could be located
	Do men and women have equal ownership rights to immovable property?	Yes	Civil Code, Arts. 1, 2, 873, 1363
	Do sons and daughters have equal rights to inherit assets from their parents?	Yes	Civil Code, Art. 1924
	Do female and male surviving spouses have equal rights to inherit assets?	Yes	Civil Code, Art. 1931
	Does the law grant spouses equal administrative authority over assets during marriage?	Yes	Civil Code, Arts. 1363-1369
	Does the law provide for the valuation of nonmonetary contributions?	Yes	Civil Code, Secs. 1363, 1373-1375, and 1378
Pension	Is the age at which men and women can retire with full pension benefits the same?	Yes	Women: Pension Reform Act 1992, Secs. 35 ad 235. Men: Pension Reform Act 1992, Secs. 35 and 235
	Is the age at which men and women can retire with partial pension benefits the same?	Yes	Women: Pension Reform Act 1992, Secs. 36 and 77(2)(1). Men: Pension Reform Act 1992, Secs. 36 and 77(2)(1)
	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	Pension Reform Act 1992, Secs. 56(1) and 56(5)