







United States

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 (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 OECD high-income economies (95.2). Within the OECD high-income region, there are 12 economies that score 100 out of 100.

United States - Scores for Women, Business and the Law 2022

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| Mobility | Workplace | Pay | Marriage | Parenthood | Entrepreneurship | Assets | Pension | WBL 2022 Index Score |
| 100 | 100 | 75 | 100 | 80 | 100 | 100 | 75 | 91.3 |

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 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 woman'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 measuring laws affecting women's pay (the WBL2022 Pay indicator). To improve on the Pay indicator, United States 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 United States are available at:
<https://wbl.worldbank.org/en/data/exploreconomies/united-states/2022>



| | QUESTION | ANSWER | LEGAL BASIS |
|------------------|--|--------|--|
| Mobility | Can a woman choose where to live in the same way as a man? | Yes | NY Domestic Relations Law, 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 |
| Pay | 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) |
| | 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 |
| Marriage | Can a woman work in an industrial job in the same way as a man? | Yes | No restrictions could be located |
| | 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; Violent Crime Control and Law Enforcement Act of 1994, Subtitle B; New York Domestic Violence Protection Act 1987 (New York Social Services Law Art. 6-A); Domestic Violence Omnibus Bill 2012 |
| | Can a woman obtain a judgment of divorce in the same way as a man? | Yes | NY Domestic Relations Law, Sec. 170 |
| Parenthood | Does a woman have the same rights to remarry as a man? | Yes | NY Domestic Relations Law, Secs. 170-173 |
| | Is paid leave of at least 14 weeks available to mothers? | No | No applicable provisions could be located |
| | Does the government pay 100% of maternity leave benefits? | Yes | New York Codes, Rules and Regulations, Title 12, Sec. 380-7.7 |
| | Is paid leave available to fathers? | Yes | No applicable provisions could be located |
| | Is there paid parental leave? | Yes | New York Codes, Rules and Regulations, Title 12, Sec. 358-3.1 |
| Entrepreneurship | Is dismissal of pregnant workers prohibited? | Yes | 42 United States Code, Sec. 2000e-2 |
| | 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 |
| Assets | Can a woman register a business in the same way as a man? | Yes | NY Business Corporation Law, Sec. 401 |
| | 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 | NY Domestic Relations Law, Secs. 50 and 236B(5)(b) |
| | Do sons and daughters have equal rights to inherit assets from their parents? | Yes | NY Estates, Powers and Trusts Law, Sec. 4-1.1(a)(3) |
| | Do female and male surviving spouses have equal rights to inherit assets? | Yes | NY 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 Domestic Relations Law, Secs. 50 and 236B(5)(b) |
| Pension | Does the law provide for the valuation of nonmonetary contributions? | Yes | NY Domestic Relations Law, Sec. 236B5(c) and (d)(7) |
| | Is the age at which men and women can retire with full pension benefits the same? | Yes | Women: 42 United States Code, Sec. 416. Men: 42 United States Code, Sec. 416 |
| | Is the age at which men and women can retire with partial pension benefits the same? | Yes | Women: 42 United States Code, Sec. 402(a). Men: 42 United States Code, Sec. 402(a) |
| | 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? | No | No applicable provisions could be located |