



DATA UPDATE – Women, Business and the Law 2022

Bahrain

Ministry of Finance and National Economy

1. Pay

Comment received from Government:

1. Does the law mandate equal remuneration for work of equal value?

On 2nd August 2021, His Majesty the King issued Decree-Law 16/2021, amending some provisions of Labour Law in the Private Sector (Law 36/2012) to further strengthen gender equality in the workplace. The aforementioned Decree introduced a new clause to Article 39 which stipulates the prohibition of any discrimination in Male and Female wages for work of equal value. This addition affirms the existing paragraph which stipulates “Discrimination in wages based on sex, origin, language, religion or ideology shall be prohibited.”

Suggested data modification: The response should change from no to yes in order to reflect the changes introduced by the amendment.

Date of entry into force: 02/08/2021

Legal basis: Decree-Law 16/2021 with regards to amending some provisions of the Labour Law in the Private Sector where a clause was added to Article (39) of Law 36/2012 explicitly stipulating the prohibition of discrimination between male and female wages for work of equal value.

Response from *Women, Business and the Law* team:

The *Women, Business and the Law* team takes note of the amendments to the Labor Law in the Private Sector promulgated by Law No. (36) of 2012. The team understands that article 39, which previously stipulated that discrimination in wages based on sex among other grounds shall be prohibited, was amended by Decree-Law 16/2021. The updated analysis will be reflected in the upcoming *Women, Business and the Law* report.

Comment received from Government:

2. Can a woman work at night in the same way as a man?

On 2nd August 2021, His Majesty the King issued Decree-Law 16/2021, amending some provisions of Labour Law in the Private Sector (Law 36/2012), repealing Article 30 therefore eliminating any instances where the concerned Minister may issue a decision to determine the cases, works and occasions in which women may not be employed at night.

Suggested data modification: The response should change from no to yes in order to reflect the changes introduced by the amendment.

Date of entry into force: 02/08/2021

Legal basis: Decree-Law 16/2021 with regards to amending some provisions of the Labour Law in the Private Sector (Law 36/2012) where Article 30 was repealed

Response from *Women, Business and the Law* team:

The *Women, Business and the Law* team takes note of the amendments to the Labor Law in the Private Sector promulgated by Law No. (36) of 2012. The team understands that article 30, which previously stipulated that the Minister shall issue a decision specifying the conditions, jobs and occasions in which women may not be employed at night, was repealed by Decree-Law 16/2021. The updated analysis will be reflected in the upcoming *Women, Business and the Law* report.

Comment received from Government:

3. *Can a woman work in an industrial job in the same way as a man?*

On 2nd August 2021, His Majesty the King issued Decree-Law 16/2021, amending some provisions of Labour Law in the Private Sector (Law 36/2012), repealing Article 31 therefore eliminating any instances where the concerned Minister may issue a decision to determine the works in which the employment of women is prohibited.

Suggested data modification: The response should change from no to yes in order to reflect the changes introduced by the amendment.

Date of entry into force: 02/08/2021

Legal basis: Decree-Law 16/2021 with regards to amending some provisions of the Labour Law in the Private Sector (Law 36/2012) where Article 31 was repealed.

Response from *Women, Business and the Law* team:

The *Women, Business and the Law* team takes note of the amendments to the Labor Law in the Private Sector promulgated by Law No. (36) of 2012. The team understands that article 31, which previously stipulated that the Minister shall, after consulting the concerned authorities, issue a decision specifying the jobs in which it is prohibited to employ women, was repealed by Decree-Law 16/2021. The updated analysis will be reflected in the upcoming *Women, Business and the Law* report.

Communications

For questions on this note, please contact:

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