

Prohibiting Sex Discrimination in the Workplace



WORLD Policy Analysis Center

NUMBERS TO NOTE

11%

of countries globally lack any explicit legal protection from sex discrimination at work

53%

of countries do not explicitly guarantee equal pay for work of equal value based on sex

60%

of countries do not prohibit indirect sex discrimination at work

62%

of countries globally do not explicitly prohibit discrimination at work based on parenting status

ABOUT THE DATA

This fact sheet presents findings from the following article:

Bijetri Bose, Feliz Quiñones, Gonzalo Moreno, Amy Raub, Kate Huh, and Jody Heymann (2020). [Protecting Adults with Caregiving Responsibilities from Workplace Discrimination: Analysis of National Legislation](#). *Journal of Marriage and Family*. DOI: 10.1111/jomf.12660.

Sex-Based Disparities and Work

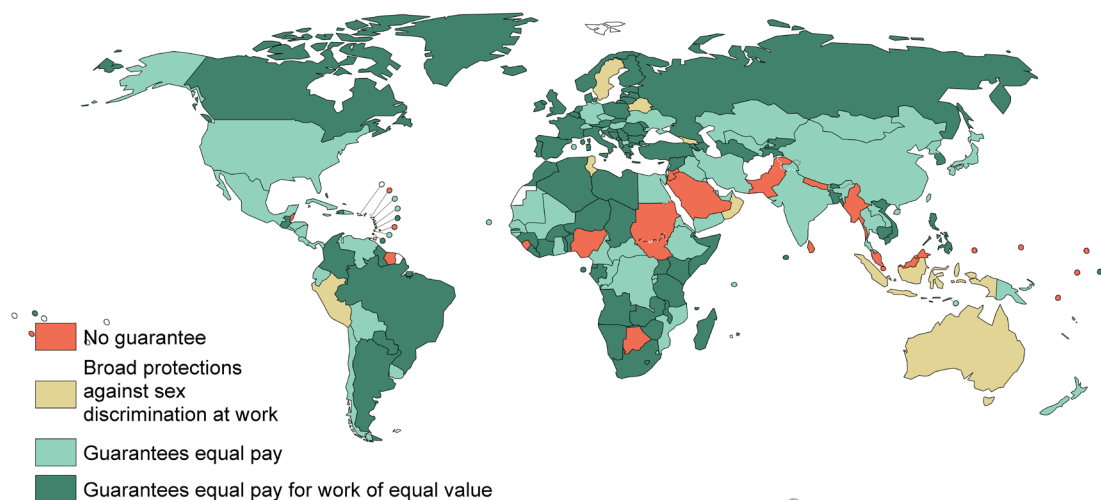
- Around the world, sex-based disparities in employment, wages, and professional leadership are well documented and persist across geographic regions and income groups:
 - Women’s participation in the labor force is, on average, 25% lower than men’s.
 - Globally, women’s wages are an average of 23% lower than men’s.
 - Women make up just 5% of Fortune 500 CEOs.
 - If current trends continue, the economic gender wage gap will not be closed for another 257 years.
- These disparities matter not only to individual women, but also to families and societies.

- If women were to participate in the labor market at rates identical to those of men, \$28 trillion could be added to the global GDP by 2025.
- Anti-discrimination laws are an important first step to ensuring legal protection from discrimination at work for women, and to shifting norms and values that perpetuate inequalities at work.

Gaps in Prohibiting Workplace Sex Discrimination

- Globally, 11% of countries fail to explicitly prohibit sex discrimination at work broadly or in specific areas of work.
- In most countries, occupational segregation is common, with women more likely than men to be employed in undervalued occupations such

Is equal pay guaranteed for men and women?



Source: WORLD Policy Analysis Center, *Discrimination at Work Database*, 2016



as caregiving.

- Yet 53% of countries fail to guarantee women equal pay for work of equal value, the strongest level of protection which ensures equality in pay between workers in different occupations that require the same level of skills or training.
- Guaranteeing only equal pay for equal work means that women who work in gender segregated occupations do not have legal recourse for pay disparities.
- Some of the largest employment disparities for women are in positions of leadership. Equal access to on-the-job training and promotions is critical for women's advancement and economic success in occupations where entry-level jobs require limited education, as well as those with high education requirements.
- 47% of countries do not explicitly prohibit sex discrimination in training.
- 42% of countries do not explicitly prohibit sex discrimination in promotions and/or demotions.
- Women can also be disproportionately impacted by seemingly neutral criteria ("indirect discrimination"). For example, minimum height requirements may exclude many women who are fully capable of meeting the physical demands of a job.
- 60% of countries do not explicitly protect women from indirect discrimination at work.
- Legal protection from retaliation is essential to enabling women to report workplace

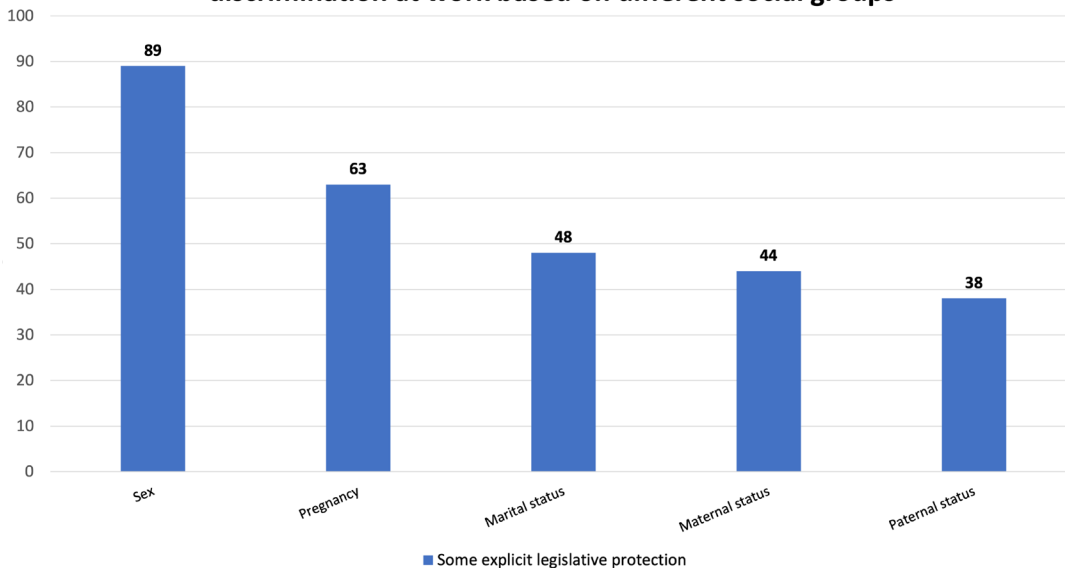
discrimination without fear of losing their jobs or future advancement opportunities.

- 43% of countries fail to provide women with any explicit protection from retaliation for reporting sex discrimination at work.

Laws Must Address Dual Roles as Workers and Caregivers

- Women remain primarily responsible for caregiving, and research suggests the gender wage gap can largely be explained by discrimination faced by women when they have children.
- 37% of countries do not explicitly prohibit discrimination at work based on pregnancy.
- 62% of countries do not explicitly prohibit discrimination at work based on parenting status.
- Expectations that women are caregivers and men are breadwinners limit women's economic opportunities. Legislation can either reinforce or combat these restrictive gender norms.
- In 6% of countries, legislation reinforces gendered norms by guaranteeing women, but not men, protection from discrimination based on parenting status.
- Discrimination against mothers often starts at marriage with the assumption that a married woman will have children.
- 52% of countries do not explicitly prohibit discrimination at work based on marital status.

Percentage of countries with some explicit legislative protection from discrimination at work based on different social groups



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ABOUT THE METHODOLOGY

This analysis relies on a systematic review of original legislation and statutory guarantees extended to the private sector as of August 2016 for all 193 United Nations member states. It excludes instances where case law has extended the application of more general prohibitions to specific areas of work and to cover additional social groups. Updates of these data are currently in progress.

Further details on full methodology can be found at: <https://www.worldpolicycenter.org/topics/equal-rights-and-discrimination/methods>.

ABOUT WORLD

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With these data, **WORLD** informs policy debates; facilitates comparative studies of policy progress, feasibility, and effectiveness; and advances efforts to hold decision-makers accountable.

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