

Chile

WBL 2.0 legal frameworks score	WBL 2.0 supportive frameworks score	WBL 2.0 expert opinions score
77.5	65.0	62.5

Women, Business and the Law 2024 (WBL 2024) identifies barriers for women's economic empowerment in three areas: women's legal rights, policy instruments designed to support the implementation of these rights, and how these rights are realized in practice. For that purpose, three new *Women, Business and the Law 2.0* indexes are presented for ten indicators: (1) legal frameworks, (2) supportive frameworks, and (3) expert opinions. For the WBL 2.0 legal frameworks index, 40 questions are scored across the ten indicators for 190 economies. For the WBL 2.0 supportive frameworks index, 30 questions are scored across the ten indicators for 190 economies. Overall economy level legal and supportive frameworks scores are then calculated by taking the average of each indicator, with 100 representing the highest possible score. The WBL 2.0 expert opinions index is created for a total of 164 economies. Expert opinion scores are not available for 26 economies due to an insufficient number of responses received from those economies during data collection. Individual responses at the economy level for 15 expert opinions questions across the ten indicators are scored by taking the median value of all responses per question. The economy level expert opinions index is equal to the simple unweighted average of the ten indicator scores.

For Chile, data refer to the legal frameworks, supportive frameworks, and expert opinions that are applicable to the main business city (Santiago). The scores for Chile are shown in the table below.

Women, Business and the Law 2024 2.0 indicator scores

										
WBL 2.0	Safety	Mobility	Workplace	Pay	Marriage	Parenthood	Childcare	Entrepreneurship	Assets	Pension
Legal frameworks score	50.0	100.0	100.0	75.0	75.0	100.0	100.0	25.0	75.0	75.0
Supportive frameworks score	75.0	100.0	0.0	0.0	100.0	33.3	75.0	100.0	66.7	100.0
Expert opinions score	50.0	100.0	37.5	50.0	87.5	87.5	50.0	62.5	75.0	25.0

In summary, the **WBL 2.0 legal frameworks score** for Chile (77.5 out of 100.0) is higher than the global average (64.2) and lower than the High income: OECD regional average (84.9). When it comes to constraints on freedom of movement, laws affecting women's decisions to work, laws affecting women's work after having children and laws affecting childcare, Chile obtains a perfect score (100.0 out of 100.0). As an example, one of the lowest scores for Chile is on the indicator measuring constraints on women starting and running a business. To improve on the Entrepreneurship indicator, Chile may wish to consider making access to credit easier for women by prohibiting gender-based discrimination in financial services, legally prescribing a gender quota on corporate boards and introducing in the law gender-sensitive procurement provisions for public procurement processes.

The **WBL 2.0 supportive frameworks score** for Chile (65.0 out of 100.0) is higher than the global average (39.5) and lower than the High income: OECD regional average (68.1). When it comes to supportive frameworks affecting freedom of movement, supportive frameworks related to marriage, supportive frameworks related to women starting and running a

business and supportive frameworks affecting the size of a woman's pension, Chile obtains a perfect score (100.0 out of 100.0). As an example, one of the lowest scores for Chile is on the indicator measuring supportive frameworks affecting women's decisions to work. To improve on the Workplace indicator, Chile may wish to consider publishing guidelines on non-discrimination based on gender in recruitment, publishing guidelines on flexible work arrangements and establishing a specialized body that receives complaints about gender discrimination in employment.

The **WBL 2.0 expert opinions score** for Chile (62.5 out of 100.0) is lower than the global average (65.7) and lower than the High income: OECD regional average (82.9). When it comes to expert opinions on freedom of movement, Chile obtains a perfect score (100.0 out of 100.0). As an example, one of the lowest scores for Chile is on the indicator measuring expert opinions on women's pensions.

WBL 2.0 legal frameworks data

QUESTION	ANSWER	LEGAL BASIS
Safety		
Does the law address child marriage?	Yes	Ley de Matrimonio Civil No. 19.947, Arts. 2, 4 - 5(3); Código Penal, Art. 388
Does the law address sexual harassment?	No	No applicable provisions could be located
Does the law address domestic violence?	No	No applicable provisions could be located
Does the law address femicide?	Yes	Código Penal, Art. 390 bis
Mobility		
Can a woman choose where to live in the same way as a man?	Yes	Código Civil, Art. 133
Can a woman travel internationally in the same way as a man?	Yes	Decreto Núm. 1010 Pasaportes, Arts. 1-3
Can a woman travel outside her home in the same way as a man?	Yes	No restrictions could be located
Do a woman and a man have equal rights to confer citizenship on their spouses and their children?	Yes	Ley 20050. Art. 1; Ley 21325. Art 85
Workplace		
Can a woman get a job in the same way as a man?	Yes	Código Civil, Art. 150
Does the law explicitly prohibit discrimination in recruitment based on marital status, parental status, and age?	Yes	Código del Trabajo, Art. 2
Does the law prohibit discrimination in employment based on gender?	Yes	Código del Trabajo, Art. 2
Does the law allow employees to request flexible work?	Yes	Código del Trabajo, Arts 152 quater G and 206 bis; Ley Num. 20.940, Art. 375
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 the law free of legal provisions that require a married woman to obey her husband?	Yes	No applicable provisions could be located
Can a woman be "head of household" or "head of family" in the same way as a man?	No	Código Civil, Art. 1749
Can a woman obtain a judgment of divorce in the same way as a man?	Yes	Ley de Matrimonio Civil, Arts. 54 y 55
Does a woman have the same rights to remarry as a man?	Yes	No restrictions could be located
Parenthood		
Is paid leave of at least 14 weeks available to mothers?	Yes	Código del Trabajo, Arts. 195 and 197 bis



Are leave benefits for mothers paid solely by the government?	Yes	Decreto Ley Núm. 150, Arts. 2 y 4; Decreto Ley Núm. 44, Art. 8
Is paid leave available to fathers?	Yes	Código del Trabajo, Art. 195
Is dismissal of pregnant workers prohibited?	Yes	Código del Trabajo, Arts. 174, 194 y 201
Childcare		
Does the law establish the provision of center-based childcare services?	Yes	Decreto con Fuerza de Ley No. 2 de 2009, Arts. 3(a)(b) y 4; Decreto 1574 de 1971, Art. 3; Ley 20832 de 2015, Art. 3; Decreto 128 de 2018
Does the law establish any form of support for families for childcare services?	Yes	Decreto 1574 de 1971, Art. 38; Sitio Web Oficial de Chile Atiende; Sitio Web Oficial de Junta Nacional de Jardines Infantiles; Decreto Ley 824, Art. 55
Does the law establish any form of support for nonstate childcare providers?	Yes	Decreto 67 de 2010, Arts. 10, 14 y 16-17; Decreto con Fuerza de Ley 2 de 2009, Art. 3(b); Sitio Web Oficial de Junta Nacional de Jardines Infantiles - Programa de Transferencia de Capital a Jardines Infantiles
Does the law establish quality standards for the provision of center-based childcare services?	Yes	Decreto 315 de 2010, Arts. 5, 10 y 11(b)(c); Decreto 1574 de 1971, Arts. 35 y 47(2)(B); Decreto con Fuerza de Ley 2 de 2009, Art. 46(g); Ley No. 20832 de 2015, Art. 8; Ley 20529 de 2011, Art. 53
Entrepreneurship		
Can a woman undertake entrepreneurial activities in the same way as a man?	Yes	No restrictions could be located
Does the law prohibit discrimination in access to credit based on gender?	No	No applicable provisions could be located
Does the law prescribe a gender quota for corporate boards?	No	No applicable provisions could be located
Does the law include gender-sensitive procurement provisions for public procurement processes?	No	No applicable provisions could be located
Assets		
Do a woman and a man have equal administrative power and ownership rights to immovable property, including land?	No	Código Civil, Arts. 135 y 1749-1754
Do sons and daughters have equal rights to inherit assets?	Yes	Código Civil, Arts. 982, 983 y 988
Do male and female surviving spouses have equal rights to inherit assets?	Yes	Código Civil, Arts. 982, 983 y 989
Does the law provide for the valuation of nonmonetary contributions?	Yes	Matrimonio Civil, Ley 19947. Art. 61, 62, 64,65 y 66
Pension		
Are the ages at which a woman and a man can retire with full pension benefits the same?	No	Decreto Ley Núm. 3500, Art. 3
Are the ages at which a woman and a man can retire with partial pension benefits the same?	Yes	No applicable provisions could be located
Is the mandatory retirement age for a woman and a man the same?	Yes	No applicable provisions could be located
Are periods of absence due to childcare accounted for in pension benefits?	Yes	Ley Núm. 20255, Arts. 74-76

WBL 2.0 supportive frameworks data

QUESTION	ANSWER	SOURCE
Safety		
Has the government developed comprehensive mechanisms to address violence against women?	Yes	Modelo de reglamento interno para empresas en relación a Acoso Sexual; Programa de Atención, Protección y Reparación en Violencia contra las Mujeres a través de los Centros de Atención y Reparación para Mujeres Víctimas/Sobrevivientes de Violencia Sexual
Are special procedures in place for cases of sexual harassment?	No	Insufficient evidence located
Is a government entity responsible for monitoring and implementing national services, plans and programs addressing violence against women?	Yes	Ministerio de la Mujer y la Equidad de Género





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Is an annual budgetary allocation devoted to violence against women risk mitigation, prevention, and response programs?	Yes	Presupuesto del Ministerio de la Mujer y la Equidad del Género
Mobility		
Are passport application processes the same for a woman and a man?	Yes	Passport application procedures
Are the application processes for official identity documents the same for a woman and a man?	Yes	ID application procedures
Does a current policy or plan explicitly consider the specific mobility needs of women in public transportation?	Yes	Política de Equidad de Género en Transportes 2023
Workplace		
Does a specialized body receive complaints about gender discrimination in employment?	No	Insufficient evidence located
Has the government published guidelines on nondiscrimination based on gender in recruitment?	No	Insufficient evidence located
Has the government published guidelines on flexible work arrangements?	No	Insufficient evidence located
Pay		
Are pay transparency measures or enforcement mechanisms in place to address the pay gap?	No	Insufficient evidence located
Have sex-disaggregated data on employment in different industries or sectors been published?	No	Insufficient evidence located
Marriage		
Is there a fast-track process or procedure for family law disputes?	Yes	Ley 19968, Art. 64 bis
Are there specialized family courts?	Yes	Ley 19968, Art.1-4
Is legal aid available for family law disputes?	Yes	Corporación de Asistencia Judicial
Parenthood		
Is it possible to apply for maternity benefits through a single government application process?	Yes	Superintendencia de Seguridad Social; Ministerio de Salud; Decreto Ley Núm. 3 de 1984, Art. 56
Are incentives in place to encourage fathers to take paternity leave on the birth of a child?	No	Insufficient evidence located
Have sex-disaggregated data on unpaid care work been published?	No	Insufficient evidence located
Childcare		
Is there a publicly available registry or database of childcare providers?	Yes	Sitio Web Oficial de Junta Nacional de Jardines Infantiles; Sitio Web Oficial del Ministerio de Educación
Is there a clearly outlined application procedure to request financial support from the government for childcare services by parents?	Yes	Sitio Web Oficial de Chile Atiende
Is there a clearly outlined application procedure to request financial support from the government for childcare services by nonstate childcare providers?	Yes	Sitio Web Oficial de Junta Nacional de Jardines Infantiles - Manual del Programa de Transferencia de Fondos
Has the government published any reports on the quality of childcare services?	No	Insufficient evidence located
Entrepreneurship		
Have sex-disaggregated data on business activities, entrepreneurship, or women-owned businesses been published?	Yes	National Institute of Statistics; Registro de Empresas y Sociedades
Are government-led programs supporting female entrepreneurs providing access to finance and training, coaching, or business development?	Yes	Programas de financiamiento para emprendimientos femeninos; Programa Mujer Emprende; Escuela Mujer Emprende
Does a current national government plan or strategy focus on women's access to financial services?	Yes	Banco Estado – Programa Crece mujer; Educación Financiera para Mujeres
Assets		
Are mechanisms or incentives in place to encourage women to register immovable property (including joint titling)?	No	Insufficient evidence located
Are awareness measures in place to improve women's access to information about marital and inheritance rights?	Yes	Ley 19947, Art. 10

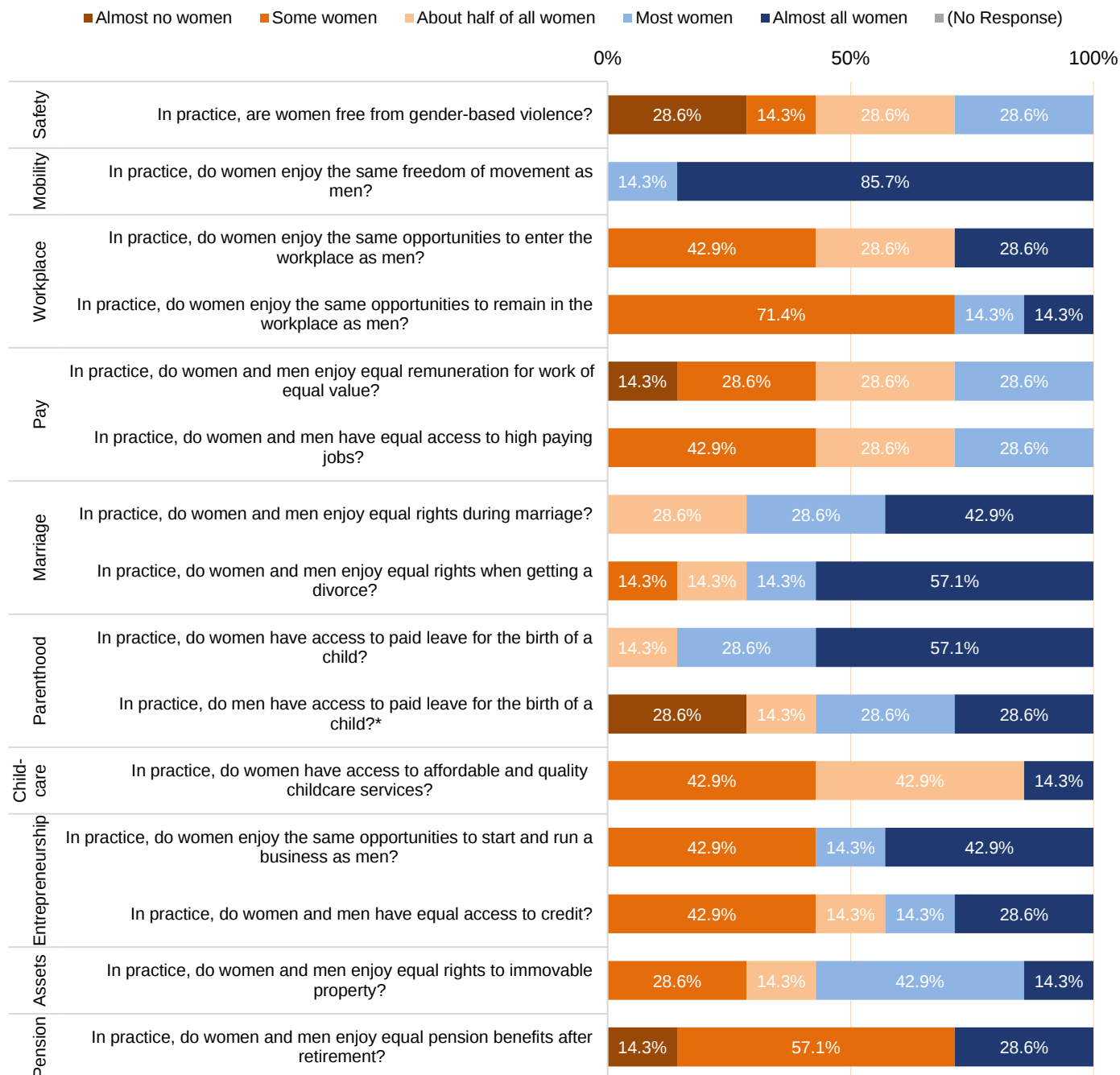
Have anonymized sex-disaggregated data on property ownership been published?	Yes	La Encuesta CASEN
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Pension

Are incentives in place to increase women's retirement benefits?	Yes	Compendio de Normas del Sistema de Pensiones, Título VI
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Is a procedure in place for pension beneficiaries to challenge the decisions of the competent authority regarding their benefits?	Yes	Codigo del Trabajo, Art. 420
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WBL 2.0 distribution of expert opinion responses



*Note: The response options for the second Parenthood question above are formatted as almost no men, some men, about half of all men, most men, almost all men.