

**Employing Workers– Economy - [www.doingbusiness.org](http://www.doingbusiness.org)**

Dear Contributor,

We would like to thank you for your cooperation with the *Doing Business* project. As a renowned expert in the field of employment and labor law, we are delighted to count on your contribution to the Employing Workers indicator.

The Employing Workers indicator is one of the 11 areas of regulation covered by the *Doing Business* report. The Employing Workers Indicator looks at 4 areas of employment regulation: hiring rules, work scheduling, redundancy rules and the cost of redundancy. In *Doing Business 2011: Making a Difference for Entrepreneurs* the Employing Workers data was featured in an annex in the report, presenting a unique extensive data set on employment regulation for 183 economies. This information is also available online at [www.doingbusiness.org](http://www.doingbusiness.org).

For the 2012 edition, *Doing Business* is currently collaborating with other departments of the World Bank Group so as to produce innovative analysis on worker protection measures. The team is extremely grateful for your assistance in this area.

The positive feedback from governments around the world who are using the *Doing Business* reports as an input for policy debate about regulatory reform is only possible thanks to the generous contribution of over 8,000 experts like you, in 183 economies. Currently, *Doing Business* has informed over 300 reforms around the world since 2004. The last edition of the report, *Doing Business 2011: Making a Difference for Entrepreneurs* was launched on November 4, 2010. The 2011 report received a record number of 2744 media citations within one month of publication, including coverage from all major global, regional and local media outlets including TV, print, broadcast and web.

For *Doing Business 2012*, we are honored to be able to count on your expertise:

- Before completing the survey, please review the assumptions of the case study. We ask that you update last year's information, included in the survey.
- Please describe in detail any reform that affects labor laws and regulations since June 2010.
- Please answer the final section regarding worker protection measures in your jurisdiction.
- Please specify if any of the answers would change if the worker was female.

We would appreciate if you could return the completed survey by March 29, 2011 to [DBemployingworkers@worldbank.org](mailto:DBemployingworkers@worldbank.org). Please make sure to complete your name and address, so we can mail you a complimentary copy of the report.

We thank you again for your invaluable contribution to the World Bank's work.



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**Primary Contributor Information**

Unless otherwise stated below all information will be published. Please **check** the information you **do not** want us to **publish**.

Do not publish	Name	
	Title (Mr., Ms., Mrs., etc.)	[ ]
<input type="checkbox"/>	First Name	[ ]
	Last Name	[ ]
<i>Not published</i>	Position (e.g. manager, associate, partner)	[ ]
<i>Not published</i>	Profession (e.g. judge, lawyer, architect)	[ ]

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<input type="checkbox"/> Do not publish	Firm Address	
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	City [ ]	State/Province [ ]
	Zip/Postal code [ ]	Country [ ]

**Additional Contributors' Information**

Name	Occupation	Email	Phone	Address, if different than above
[title] [first name] [last name]	[firm] [position] [profession]	[ ]	[phone] [mobile]	[street] [state/province] [city/country]
[title] [first name] [last name]	[firm] [position] [profession]	[ ]	[phone] [mobile]	[street] [state/province] [city/country]
[title] [first name] [last name]	[firm] [position] [profession]	[ ]	[phone] [mobile]	[street] [state/province] [city/country]

**Reform update and applicable legislation**

<b>1. Reforms in labor law(s) or regulations</b>	
<b>a. Has there been any reform (in practice or in the laws and regulations) related to Employing Workers since June 1, 2010? Please describe. If there has been a legal reform, please indicate the name and date of the law. If possible, please provide a copy of the law or a link to the text of the law.</b>	
<input type="checkbox"/> Yes <input type="checkbox"/> No  Comment [       ]	
<b>b. Are you aware of any reform (in practice or in the laws and regulations) related to Employing Workers that is expected to be adopted prior to June 1, 2011? Please describe.</b>	
Answer: [       ]	
<b>c. Are you aware of any reform (in practice or in the laws and regulations) related to Employing Workers that is ongoing and is expected to be adopted in the longer term? Please describe.</b>	
<input type="checkbox"/> Yes <input type="checkbox"/> No  Comment [       ]	

<b>2. Current labor law(s) and regulations</b>	
<b>a. Please update the major labor laws applicable in your country. (Please indicate full name and date)</b>	
Last year's answer:	Answer: [       ]

<b>3. Collective bargaining agreements</b>	
<b>1. Do collective agreements at a national, industry (e.g. textile, manufacturing, metal, etc.) or manufacturing-level (i.e. only applicable to manufacturing) apply to more than 50% of the manufacturing sector?</b>	
Answer [       ]	
<b>2. Do these collective agreements apply to firms that are not a party to the agreement?</b>	
Answer [       ]	
<b>3. Please provide the name of the collective agreement that applies to the largest amount of workers in the manufacturing sector.</b>	
Answer: [       ]	

## Data Update

For your convenience, last year's answers are included in this survey. They represent a unified answer, based on the answers we received from various contributors.

Please update the data, taking into account the assumptions of the case study. Please describe in detail any change to the data and indicate since when the change took effect. We ask you to specify if the data were erroneous ("correction"), or if the change resulted from a modification in practice or by law which occurred after June 1, 2010 ("reform").

### Case Study Assumptions

#### ***The worker:***

- Is a non-executive employee who works in the **manufacturing** sector.
- Is a **full-time, male** employee.
- Earns a salary including benefits equal to the country's average wage during the entire period of his employment.
- Has the pay period that is most common to workers in Argentina.
- Resides in Buenos Aires.
- Is a lawful citizen who belongs to the same race and religion as the majority of Argentina's population.
- Is **not** a member of a labor union, unless membership is mandatory.

#### ***The employer:***

- Is a limited liability company (or the equivalent in Argentina).
- Operates in Buenos Aires.
- Operates in the manufacturing sector.
- Has **60 employees**.
- Is subject to collective bargaining agreements if (a) collective bargaining agreements cover more than 50% of the manufacturing sector and (b) such agreements apply to even to firms not party to them.
- Abides by every law and regulation but does not grant workers more benefits than mandated by law, regulation or (if applicable) collective bargaining agreement.

### Definitions

When reviewing relevant questions, please keep in mind the following definitions:

- **Fixed-term contract for permanent tasks:** labor contract that contains an "expiry" date or a limited duration and is used for an ongoing (continuous) function or necessity of the firm.
- **Economically necessary continuous operation:** situation in which an industry or factory maintains maximum efficiency through continuous shift work allowing a 24-hour and 7-day operation (i.e. there is a cost in turning the machines off).
- **Redundancy termination:** dismissal allowed by law and which is justified by economic, operational or structural reasons (not by other causes, such as behavior of the worker).

**IMPORTANT:** If you answered “yes” to questions 1 and 2 above on collective bargaining agreements, please base your answers for all the survey on provisions contained in the relevant collective agreement when applicable.

**HIRING RULES**

1. Fixed-term contracts	
<b>a. Are fixed-term contracts prohibited for permanent tasks?</b>	
Last year's answer: No	This year's answer: [    ]
<b>b. What is the maximum duration for a single fixed-term contract (in months), not including any renewals?</b>	
Last year's answer: No limit - Art. 18 specifies that labor contracts for a definite period are allowed for periods not less than 1 year. However, no maximum length is specified.	This year's answer: [    ]
<b>c. What are the rules for renewing a fixed-term contract beyond the original maximum term? (Please specify the number and duration of renewals permitted)</b>	
Last year's answer: No limit	This year's answer: [    ]
<b>d. What is the maximum cumulative duration of a fixed-term employment relationship (in months), including all renewals?</b>	
Last year's answer: No limit	This year's answer: [    ]
<b>Legal basis:</b> [    ]	
Did you make any changes from last year's answer? Yes <input type="checkbox"/> No <input type="checkbox"/> <b>If yes, please indicate whether it is a correction (i.e. previous data incorrect) or a reform (i.e. modification in practice or by law since June 1, 2010) and explain.</b> Correction <input type="checkbox"/> or Reform <input type="checkbox"/> Additional comments: [    ]	
<b>NEW - Would any of the above answers change if the worker is female?</b>	
Answer: Yes <input type="checkbox"/> No <input type="checkbox"/> If Yes please explain: [    ]	
<b>Legal basis:</b> [    ]	

## 2. Minimum wage

**a. Is there a minimum wage enforced by law or collective bargaining agreement and applicable to the worker as described in the case study?** *(If there is no legally mandated minimum wage please consider the minimum wage determined by collective bargaining agreement if it applies to more than 50% of the manufacturing sector and to non-signatory parties)*

Yes  No

**b. What is the minimum wage applicable to the worker as described in the case study?** **(If your answer to 2.a. is No please answer N/A)**

*(Please provide the gross minimum wage and indicate the currency unit and time period (e.g., euro/month). Please also specify if there are mandatory 13<sup>th</sup> and/or 14<sup>th</sup>-month salaries. If there are multiple minimum wage levels that could apply to our worker, please provide the minimum wage applicable to the greatest number of workers in manufacturing. If the minimum wage applies only to the public sector, please answer N/A)*

Last year's answer:

Minimum wages shall be fixed at such a level as to provide for a 5-member family. However, no concrete minimum wage has actually been set.

This year's answer:

[       ]

**c. What is the minimum wage for a 19-year-old worker in his or her first job?**

If your answer to 2.a. is No please answer N/A

*(Please provide the minimum wage for a 19-year-old with exactly one year minus one day (i.e. 364 days) of work experience in his or her first job or the existing apprentice wage. Alternatively, you may express the amount as a percentage of the wage listed in question 4.a)*

Last year's answer:

Minimum wages shall be fixed at such a level as to provide for a 5-member family. However, no concrete minimum wage has actually been set.

This year's answer:

[       ]

**d. In which of the following cases does your country fall?** Please check only one box.

If your answer to 2.a. is Yes please answer N/A

There is no minimum wage provided by law.

There is only a minimum wage provided by law for the public sector. If this is the case, is the public sector minimum wage customarily used as a reference in the private sector?

Yes  No

The law provides a regulatory mechanism for the minimum wage that is not however enforced in practice. Please explain [       ]

There is a minimum wage set by Collective Bargaining Agreements that do not apply to our case study (i.e. apply to less than 50% of the manufacturing sector and/or not apply to firms that were not a party to the agreement)

N/A

Other. Please explain [       ]

<p><b>e. Are there any compensations or mandatory salary-related benefits requirements applicable to either our case study worker or a 19-year-old worker?</b>  <i>(Examples of these benefits are: holiday bonuses, housing or food allowances, reimbursement of commuting expenses. Please do not take into account taxes or social security benefits paid by employers on behalf of workers)</i></p>	
<p>Last year's answer: None</p>	<p>This year's answer: [     ]</p>
<p><b>Legal basis:</b> [     ]</p>	
<p>Did you make any changes from last year's answer? Yes <input type="checkbox"/> No <input type="checkbox"/>  <b>If yes, please indicate whether it is a correction (i.e. previous data incorrect) or a reform (i.e. modification in practice or by law since June 1, 2010) and explain.</b>                  Correction <input type="checkbox"/> or Reform <input type="checkbox"/>                  Additional comments: [     ]</p>	

<p><b>NEW - Would any of the above answers change if the worker is female?</b></p>
<p>Answer: Yes <input type="checkbox"/> No <input type="checkbox"/>                  If Yes please explain: [     ]</p>
<p><b>Legal basis:</b> [     ]</p>

**WORK SCHEDULING**

3. Working hours and annual leave	
<p><b>a. What is the length of the standard workday?</b>  <i>(This is the number of hours a manufacturing employee can work in a single day before earning overtime pay)</i></p>	
<p>Last year's answer: 8 hours</p>	<p>This year's answer: [     ]</p>
<p><b>b. What is the maximum overtime limit in normal circumstances?</b></p>	
<p>Last year's answer: 4 hrs/day (based on ILO standards - please specify which ones)</p>	<p>This year's answer: [     ]</p>
<p><b>c. What is the maximum overtime limit in exceptional circumstances?</b>  <i>(Exceptional circumstances are (for example but not limited to): replacement of an absent employee, performance of work during a natural disaster, or seasonal increase in production. Please list those exceptional circumstances and indicate the amount of overtime allowed in each.)</i></p>	

Last year's answer: Depends on work requirements	This year's answer: [     ]
<b>d. What is the premium for overtime work?</b> <i>(If there are multiple levels of mandatory overtime premium, please list them and explain what they are based on; e.g., 15% for the first 8 hours, 35% after, 60% Sundays and holidays)</i>	
Last year's answer: 25% (Art. 71(1))	This year's answer: [     ]
<b>e. What is the minimum number of hours of rest required by law between workdays?</b> <i>(If the law does not stipulate a minimum, the answer is N/A)</i>	
Last year's answer: 12	This year's answer: [     ]
<b>f. What is the maximum number of working hours allowed in a day?</b> <i>(This is the sum of normal working hours plus maximum overtime hours allowed in a single day, subject to any minimum daily rest requirements)</i>	
Last year's answer: 12	This year's answer: [     ]
<b>g. How many days are there in the typical workweek in manufacturing?</b> <i>(Please answer on the basis of customary or typical business practice as opposed to any legal provision)</i>	
Last year's answer: 5 5/8	This year's answer: [     ]
<b>h. What is the maximum number of working days per week?</b> <i>(The answer to this question is 7 minus the number of weekly rest days required by law)</i>	
Last year's answer: 5 5/8 [42 hour weekly rest - Art 57(1); the maximum workday on Thursday is 5 hours - Art 48(2)]	This year's answer: [     ]
<b>i. What is the maximum number of hours in a normal workweek?</b> <i>(This variable measures the legal maximum duration of the regular workweek, excluding overtime)</i>	
Last year's answer: 40 (Art. 41(1))	This year's answer: [     ]
<b>j. What are the provisions for averaging standard work hours?</b> <i>(Please indicate if your country allows standard (i.e., non-overtime) weekly working hours to be calculated on an average basis; for example, the number of standard hours worked must average 40 over the course of a year or quarter but may be greater or less than 40 in any given week)</i>	
Last year's answer: reference period 1 year (Art. 41(1))	This year's answer: [     ]

<p><b>k. Can the work of a single worker extend to 50 hours per week (including overtime) for 2 months each year to respond to a seasonal increase in production?</b></p> <p><i>(Please consider all relevant provisions, including the types of exceptions and restrictions examined in the previous questions. Assume that: (i) the company has the flexibility to take advantage of relevant provisions; (ii) the workers agree to work the overtime required; and (iii) the company has obtained any third-party consent for the use of overtime to which it may be entitled. If compensatory time off is required for overtime work in your country, please make sure to mention it in your analysis)</i></p>	
<p>Last year's answer: Yes - possible by calculating ordinary work hours on an average basis (Art. 41(1)) or using normal hours plus overtime</p>	<p>This year's answer: [     ]</p>
<p><b>l. Are there restrictions on night work that would apply to our worker?</b></p> <p><i>(The answer is Yes if: (i) there are particular restrictions on the maximum number of hours of work that can be performed at night; or (ii) if third party authorization is needed to schedule night work. (i.e.: ministerial level, labor inspector, workers committee, etc.) The answer is No if there are such restrictions but they would not apply to our worker due to his sex (male). Please explain any restrictions)</i></p>	
<p>Last year's answer: Yes (Art. 43(1), Art. 73 - please inform us how much extra pay is required)</p>	<p>This year's answer: [     ]</p>
<p><b>m. Would the restrictions on night work apply in segments of the manufacturing sector where continuous operations are economically necessary?</b></p>	
<p>Last year's answer:</p>	<p>This year's answer: [     ]</p>
<p><b>n. If applicable, what is the exact wage premium for night work? Please also provide the premium for continuous operation.</b></p> <p><i>( Please specify if the premium applies between certain hours)</i></p>	
<p>Last year's answer:</p>	<p>This year's answer: [     ]</p>
<p><b>o. Are there restrictions on "weekly holiday" work that would apply to our worker?</b></p> <p><i>(Restrictions, for example, include: (i) complete prohibition to work on the designated rest day (Sunday, Saturday or Friday, depending on the economy); (ii) third-party authorization required to change the designated rest day as weekly holiday ; (iii) maximum limit of working hours or shorter shifts than for work during the rest of the week ; and (iv) compensatory leave. Please explain if these restrictions are cumulative and if they are tied to a specific day (i.e. Sunday) or if they are applicable to any weekly rest day)</i></p>	
<p>Last year's answer: Yes - 5 hour max workday on Thursday (Art. 41(2))</p>	<p>This year's answer: [     ]</p>
<p><b>p. Would the restrictions on "weekly holiday" work apply in segments of the manufacturing sector where continuous operations are economically necessary?</b></p>	
<p>Last year's answer:</p>	<p>This year's answer: [     ]</p>
<p><b>q. If applicable, what is the exact wage premium for weekly holiday work? Please also provide the premium for continuous operation</b></p> <p><i>(Please specify if the premium is tied to a specific day (i.e. Sunday) or if it is applicable to any weekly rest day)</i></p>	

Last year's answer:	This year's answer: [     ]
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**r. What is the mandatory paid annual vacation –and the formula for calculation – (in working days) for a worker in the following cases?**  
*(If the legal provision is in calendar days, please provide that number as well as your conversion to working days, considering actual practice in your country. Please specify if the worker is required to take the vacation in particular “blocks” or groups of days or can freely choose)*

	Last year's answer:	This year's answer:
i. Formula for calculation		[     ]
ii. After <b>9 months</b> of continuous employment: <i>(The answer should be 0 if no right to annual leave is accrued until a period of continuous employment longer than 9 months (i.e. one year) is completed)</i>		[     ]
iii. After <b>1 year</b> of continuous employment		[     ]
iv. After <b>5 years</b> of continuous employment:		[     ]
v. After <b>10 years</b> of continuous employment:		[     ]
vi. After <b>20 years</b> of continuous employment:		[     ]

**s. How many public holidays does a worker in the manufacturing sector benefit from in one year?**  
*(Public Holiday, National Holiday, or Legal Holiday refers to a holiday generally established by law and it designates a non-working day during the year)*

Last year's answer:	This year's answer: [     ]
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**Legal basis:**  
[     ]

Did you make any changes from last year's answer? Yes  No   
**If yes, please indicate whether it is a correction (i.e. previous data incorrect) or a reform (i.e. modification in practice or by law since June 1, 2010) and explain.**  
 Correction  or Reform   
 Additional comments: [     ]

**NEW - Would any of the above answers change if the worker is female?**

Answer: Yes  No   
 If Yes please explain: [     ]

**Legal basis:**  
[     ]

## REDUNDANCY RULES

**Questions 4, 5, and 6** refer to requirements to which employers must adhere in order to legally terminate the employment contracts of workers who are made redundant. The terminology for this process differs substantially across countries. In answering these questions, consider the legal process that an employer would use in your country to terminate the contracts of redundant workers: dismissal for economic, business or technical reasons; retrenchment; redundancy dismissal; collective dismissal; or an equivalent process.

### 4. Redundancy termination

**a. Is it legal for an employer to terminate the employment contract of a worker on the basis of redundancy?**

*(Please answer No to this question and N/A to questions 5.a through 5.h if: (1) a cause for dismissal is required and redundancy is not one of the allowable causes, (2) redundancy is only allowed as a cause for dismissal in the case of a plant closing or similar large event, or (3) redundancy is allowed as a ground for dismissal only for workers of certain income levels. Otherwise, answer Yes to this question and N/A to question 4.b)*

Last year's answer:  
Yes (Art. 26)

This year's answer:  
[     ]

**b. If your answer to 4.a is No, what penalty would a company incur for violating the law?**

*(Please explain the size and nature of both the civil and criminal liability in this case)*

Last year's answer:  
N/A

This year's answer:  
[     ]

**Legal basis:**

[     ]

Did you make any changes from last year's answer? Yes  No

**If yes, please indicate whether it is a correction (i.e. previous data incorrect) or a reform (i.e. modification in practice or by law since June 1, 2010) and explain.**

Correction  or Reform

Additional comments: [     ]

**NEW - Would any of the above answers change if the worker is female?**

Answer: Yes  No

If Yes please explain: [     ]

**Legal basis:**

[     ]

### 5. Redundancy procedures

*(Questions 5.a through 5.e ask about required interactions with third parties for employers wanting to terminate employees' contracts on the basis of redundancy. Some examples of such third parties are labor unions, workers' councils and government agencies. However, please remember that in our standardized case, the workers affected are not themselves labor union members, unless membership is mandatory).*

**a. Must the employer notify or consult a third party before dismissing one redundant worker?**

Last year's answer:  
Yes (Art. 29(1))

This year's answer:  
[     ]

**b. Does the employer need the approval of a third party in order to dismiss one redundant worker?**

Last year's answer:  
No

This year's answer:  
[     ]

**c. Must the employer notify or consult a third party before dismissing a group of 9 redundant workers in a company of 60 workers?**

Last year's answer:  
Yes (Art. 29(1))

This year's answer:  
[     ]

**d. Does the employer need the approval of a third party in order to dismiss a group of 9 redundant workers in a company of 60 workers?**

Last year's answer:  
No

This year's answer:  
[     ]

**e. Would your answers for questions 5.c and 5.d change if the number of redundant workers were different from 9? If yes, please provide the number of workers at which the requirements change.**

*(If the number varies with the size of the company, please provide all brackets. If the requirements change at a certain percentage of the workforce –as opposed to an exact number of workers-, please specify)*

Last year's answer:  
N/A

This year's answer:  
[     ]

**f. Is there a retraining or reassignment obligation before an employer can make a worker redundant?**

*(The answer is Yes if the employer can dismiss the worker only if the worker could not have been retrained or reassigned)*

Last year's answer:  
Yes (Art. 26)

This year's answer:  
[     ]

**g. Are there priority rules that apply to redundancy dismissals or lay-offs?**

*(The answer is Yes if, in order to terminate redundant employees, the employer must follow a specific order of seniority, marital status, number of dependants, or other specific priority criteria)*

Last year's answer:  
No

This year's answer:  
[     ]

**h. Are there priority rules that apply to re-employment?**

*(The answer is Yes if employers are required to first offer any positions that become available to workers previously dismissed for redundancy (potentially with limitations based on the*

*qualifications required for the post) before opening the positions to a wider applicant pool)*

Last year's answer:  
No

This year's answer:  
[     ]

**Legal basis:**  
[     ]

Did you make any changes from last year's answer? Yes  No

**If yes, please indicate whether it is a correction (i.e. previous data incorrect) or a reform (i.e. modification in practice or by law since June 1, 2010) and explain.**

Correction  or Reform

Additional comments: [     ]

**NEW - Would any of the above answers change if the worker is female?**

Answer: Yes  No

If Yes please explain: [     ]

**Legal basis:**  
[     ]

## REDUNDANCY COST

### 6. Notice, severance payment and unemployment protection

**a. What is the notice period for redundancy dismissal, expressed in terms of the period of time for which full wages are payable, for a worker in the following cases?** *(Please also provide the formula(s) used to calculate mandatory notice period in the unit of time formally specified by law or collective agreement. If the rule is in days, please specify if they are calendar days or business days)*

	Last year's answer:	This year's answer:
i. Formula for calculation		[     ]
ii. After <b>9 months</b> of continuous employment: <i>(The answer should be 0 if no notice period is required until a period of continuous employment longer than 9 months (i.e. one year) is completed)</i>		[     ]
iii. After <b>1 year</b> of continuous employment:		[     ]
iv. After <b>5 years</b> of continuous employment:		[     ]
v. After <b>10 years</b> of continuous employment:		[     ]
vi. After <b>20 years</b> of continuous employment:		[     ]

**b. What is the severance pay for redundancy dismissal, expressed in terms of the period of time for which full wages are payable, for a worker in the following cases?**

*(Please also provide the formula(s) used to calculate mandatory severance pay in the unit of time formally specified by law or collective agreement. If the rule is in days, please specify if they are calendar days or business days)*

	Last year's answer:	This year's answer:
i. Formula for calculation		[     ]
ii. After <b>9 months</b> of continuous employment: <i>(The answer should be 0 if no right to severance payment is accrued until a period of continuous employment longer than 9 months (i.e. one year) is completed)</i>		[     ]
iii. After <b>1 year</b> of continuous employment:		[     ]
iv. After <b>5 years</b> of continuous employment:		[     ]
v. After <b>10 years</b> of continuous employment:		[     ]
vi. After <b>20 years</b> of continuous employment:		[     ]

**c. Does your country have an unemployment protection scheme?**  
*(This includes, for example, unemployment insurance, unemployment assistance and/or individual savings accounts for social protection, but not deferred compensation (e.g. payment bonuses or severance pay). If your answer is Yes, please describe in detail)*

Last year's answer:	This year's answer:
N/A.	[     ]

**d. Please list any additional payments required of employers in the case of terminating a redundant worker.**  
*(Additional payments can be, but are not limited to: an amount the company must pay to all workers at the end of their employment, as opposed to just redundant ones, or an obligation to continue paying the worker's wages until the worker finds a new job.)*

Last year's answer:	This year's answer:
	[     ]

**Legal basis:**

[     ]

Did you make any changes from last year's answer? Yes  No

**If yes, please indicate whether it is a correction (i.e. previous data incorrect) or a reform (i.e. modification in practice or by law since June 1, 2010) and explain.**

Correction  or Reform

Additional comments: [     ]

**NEW - Would any of the above answers change if the worker is female?**

Answer: Yes  No

If Yes please explain: [     ]

**Legal basis:**

[     ]

## WORKER PROTECTION MEASURES

*Doing Business* is developing new analysis on worker protection measures. The information collected below will serve as a basis for this analysis. Your expertise in this area is highly appreciated as well as any referrals to other colleagues who may be appropriate respondents. Kindly provide the contact details in the section below.

**Please disregard the case study assumptions to complete this section of the survey.**

<b>7. Worker Protection Measures</b>	
<b>A. Worker Protection</b>	
<p>a. Does the law allow an employer to terminate the contract of a full-time employee without a justification?</p> <p>Answer: [       ]</p>	
<p>b. Do part-time workers enjoy by law conditions equivalent to those of comparable full-time workers, adjusted by working time and salary level, in the following fields:</p> <p>- Termination of employment? Answer: [       ]</p> <p>- Paid annual leave? Answer: [       ]</p> <p>- Sick leave? Answer: [       ]</p> <p>- Maternity leave? Answer: [       ]</p> <p>- Contributory unemployment protection? Answer: [       ]</p>	<p>c. Do workers on temporary contracts enjoy by law conditions equivalent to those of comparable full-time workers, adjusted by working time and salary level, in the following fields:</p> <p>- Termination of employment? Answer: [       ]</p> <p>- Paid annual leave? Answer: [       ]</p> <p>- Sick leave? Answer: [       ]</p> <p>- Maternity leave? Answer: [       ]</p> <p>- Contributory unemployment protection? Answer: [       ]</p>
<p>d. Are there regulations that govern the employment of a person under 18 that stipulate the needs of development, vocational training, compulsory education or any other requirements or limitations? ( Please specify)</p> <p>Answer: [[       ]</p>	
<p>e. Do the unemployed have the right of access to job search assistance or training aimed at a rapid reinsertion in the labour market?</p>	

Answer: [     ]

**Legal basis:**

[     ]

**B. Social Security**

a. Are there mandatory contributory pensions in the following cases:

- Old-age? Answer: [     ]
- Invalidity? Answer: [     ]
- Survivors? Answer: [     ]

b. Are there non-contributory social benefits for people above the statutory retirement age who do not qualify for the contributory systems? *(Please specify the legal retirement age for men and women in your economy.)*

Answer: [     ]

c. Is coverage of workers with health insurance or by national health services mandatory?

Answer:

[     ]

d. Are there non-contributory arrangements to provide health care to workers not covered by the general provisions?

Answer:

[     ]

f. Are there non-contributory arrangements to provide unemployment protection to workers not covered by the general provisions (unemployment assistance schemes)?

Answer:

[     ]

g. Is there any public social assistance scheme for people whose income falls under a certain minimum threshold? *(Please specify the threshold applicable in local currency)*

Answer:

[     ]

**Legal basis:**

[     ]

**C. Health and Safety**

a. Are there laws and institutions in place that define and regulate hazardous occupations?

Answer:

[     ]

b. Are the workers engaged in hard or harmful work entitled by law to an early retirement?

Answer:

[     ]

c. Are the workers engaged in hard or harmful work entitled by law to a supplementary annual leave?

Answer:

[     ]

**Legal basis:**

[     ]

**D. Gender, Maternity, Paternity and Personal Needs**

a. Are there laws or constitutional provisions mandating equal pay between men and women for work of equal value?

Answer:

[     ]

b. For women employees does the law mandate:

- Paid maternity leave? Answer: [     ]

- Unpaid maternity leave? Answer: [     ]

c. For male employees does the law mandate?

- Paid paternity leave? Answer: [     ]

- Unpaid paternity leave? Answer: [     ]

d. Does the law mandate:

- Paid parental leave that can be shared amongst both parents? Answer: [     ]

- Unpaid parental leave that can be shared amongst both parents? Answer: [     ]

e. Are there laws penalizing or preventing the dismissal of pregnant women?

Answer:

[     ]

f. Are there laws granting pregnant women and nursing mothers' greater flexibility in the type of work they may do while they are pregnant or nursing?

Answer:

[     ]

g. Are there laws obligating the employer to give the female employee the same job when she returns from maternity leave?

Answer:

[     ]

h. Are there provisions in the law preventing the dismissal of women from their work upon return from maternity leave? If so, please explain.

Answer:

[     ]

i. Are there laws preventing pregnant women and nursing mothers from working the same amount of hours as men and other women?

Answer:  
[ ]

j. Are employers required to provide break time for nursing mothers who express breast milk at work?

Answer:  
[ ]

**Legal basis:**  
[ ]

## Referrals

Please help us expand our list of contributors by referring us to other experts in the private and public sector who can answer the Employing Workers Survey and Worker Protection Measures research.

	First name	Last name	Firm	Position	Phone	E-mail
Lawyers	[ ]	[ ]	[ ]	[ ]	[ ]	[ ]
Ministry of Labor officials	[ ]	[ ]	[ ]	[ ]	[ ]	[ ]
Employers/Workers Associations	[ ]	[ ]	[ ]	[ ]	[ ]	[ ]
Other	[ ]	[ ]	[ ]	[ ]	[ ]	[ ]

### Thank you very much for completing the survey!

We sincerely appreciate your contribution to the Doing Business project.  
The results will appear in *Doing Business 2012* and on our website: <http://www.doingbusiness.org>.  
Your work will be gratefully acknowledged in both.