LABOUR RIGHTS INDEX 2024

Methodology & FAQs

Centre for Labour Research

WageIndicator

Assumptions

The WageIndicator Foundation and the Centre for Labour Research have developed the Labour Rights Index, which looks at the status of countries in terms of providing laws related to decent work for the labour force. The data set covers 10 indicators for 145 countries. The Index aims to provide a snapshot of the labour rights present in the legislation of the countries covered.

The following assumptions have been used while constructing the Labour Rights Index. The worker in question

- Is skilled;
- Is at least a minimum wage worker;
- Resides in the economy's most populous province/state/area;
- Is a lawful citizen or a legal immigrant of the economy;
- Is a full-time employee with a permanent contract in a medium-sized enterprise with at least 60 employees;
- Has work experience of one year or more;
- Is assumed to be registered with the relevant social security institution and for a long enough time to accrue various monetary benefits (maternity, sickness, work injury, old age pension, survivors', and invalidity benefit); and
- Is assumed to have been working long enough to access leaves (maternity, paternity, paternal, sick, and annual leave) and various social benefits, including unemployment benefits.

Methodology

The subtopics in a Decent Work Check (DWC) have been used to structure 46 questions under the indicators in constructing this Index. However, what differentiates the Labour Rights Index from the Decent Work Checks is that it is more specific, adds newer topics like pregnancy inquiry, comparison between minimum age for employment and compulsory schooling age, and scoring of freedom of association questions is not solely dependent on labour legislation in the country. Forty-six data points are obtained across 10 indicators, each containing four to five binary questions. Each indicator represents an aspect of work which is considered important for achieving decent work.

The scores for each indicator are obtained by computing the unweighted average of the answers under that indicator and scaling the result to 100. The final scores for the countries are then determined by taking each indicator's average, where 100 is the maximum score to achieve. Where an indicator has four questions, each question/component has a score of 25. Where an indicator has five questions, each question/component has a score of 20. A Labour Rights Index score of 100 would indicate that there are no statutory decent work deficits in the areas covered by the Index.

The Labour Rights Index, co-produced by the WageIndicator Foundation (Amsterdam, the Netherlands) and the Centre for Labour Research (Islamabad, Pakistan), analyses labour laws in 145 countries, as applicable on 1 January 2024. This is the third edition of the Index. The first two were released in 2020 and 2022.

Each indicator and its components are supported by the international legal framework set out in UDHR, five UN Conventions, five ILO Declarations, 35 ILO Conventions, and four ILO Recommendations. The 46 sub-indicators use different UN and ILO instruments as a benchmark.

Period covered: The Labour Rights Index 2024 analyses labour legislation as applicable on 1 January 2024. The earlier editions of the Index in 2020 and 2022 also analysed and scored local labour legislation on 1 January of that year. The coded and scored data under the Labour Rights Index is available from 2020 onward.

Approach to scoring: The Labour Rights Index has 10 indicators and 46 sub-indicators. Each indicator and its components start with the international regulatory standard (based on some international labour standard), and then sets out instructions or scoring methodology for the scoring process. The scoring is done by identifying the relevant provisions of the law.

The country's legislation was collected through online law libraries and ILO's NATLEX database. Wherever possible, the texts were consulted in the original language. Thanks to WageIndicator's extensive team network, the original texts were consulted for the following official languages (Arabic, English, French, Italian, Russian, and Spanish). With the work on WageIndicator DecentWorkCheck documents, WageIndicator already collects all labour legislation in these 145 countries. The scoring methodology was devised in 2020, with minor revisions in the methodology of the Indicators on Social Security and Freedom of Association (in 2024).

While we acknowledge the support of country teams and experts, the core team is solely responsible for the final scoring and any errors or omissions. Every humanly possible effort has been made to ensure that the scores assigned to countries are accurate, in the sense that relevant legislation was identified and the scoring methodology was correctly applied.

However, due to the scale and complexity of this work, it is still possible that some errors remain. Please share suggestions for corrections or improvements to our work with us.

Attribution of numerical values: A value of '0' or '1' is assigned to each component or sub-indicator. The resulting scores for each indicator and country are expressed in the Excel spreadsheet and are used to calculate a country's overall scores. '0' stands for non-compliance of local legislation with international labour standards (ILS), and '1' stands for meeting the standard set by the ILS. The indicators and components under the Labour Rights Index indicators use binary coding only. The indicators and components under the Labour Rights Index indicators use binary coding.

Areas of labour law coded and scored in the Labour Rights Index: Ten areas of labour law are coded and scored. These are: the law governing fair wage payments, the law governing working time, the law regarding employment protections including dismissals, the law regarding work-life balance and family responsibilities including maternity and work, the law on occupational safety and health, the law on social security, the law on fair treatment and equality of opportunity and treatment at work; the law on child and forced labour; and the law on freedom of association, collective bargaining and the right to strike. The 46 sub-indicators or components in the index cover these areas.

Statutory law and case law: The Labour Rights Index considers only statutory laws, including rules and regulations issued by the relevant Ministries/Departments. In rare cases where the government-issued legislation mentioned a court case (declaring certain provisions of legislation unconstitutional), the case law was considered.

Collective bargaining: Collective bargaining agreements are used for scoring in those countries where either Interprofessional Collective Agreements exist or where the minimum wages are collectively negotiated. According to the WageIndicator Minimum Wages Database, minimum wages are collectively negotiated in the following countries, and there is no statutory minimum wage: Austria, Denmark, Finland, Italy, Namibia, Norway, Sweden, and Zimbabwe. For Niger and Togo, Interprofessional collective agreements have been used to score these countries.

Federal systems: If labour law does not apply uniformly throughout the country (as in federal, confederal, or complex structure states), the legislation applicable in the most populous part or province or state is considered for scoring that country. The list below shows the name of a country and the most populated region/state/province in that country.

1. Australia (New South Wales)
2. Bosnia and Herzegovina (The Federation of Bosnia and Herzegovina)
3. Canada (Ontario)
4. China (Guangdong)
5. India (Uttar Pradesh)
6. Pakistan (Punjab)
7. United States of America (California)

Conceptual Framework

The Index consists of ten elements disaggregated into 46 components. These indicators and their components are presented below. Detailed description for each component can be found in the section on Indicators for Decent Work.

Fair Wages

1.1 The country has a statutory or collectively negotiated minimum wage
1.2 Wage payments are made in a regular and timely manner
1.3 Overtime premium is at least 125% of the regular wage
1.4 Additional compensation is provided for working on a weekly rest day
1.5 Additional compensation is provided for night work

Decent Working Hours

2.1 General working hours are 48 hours or lower per week
2.2 Maximum working hours, including overtime, are restricted to 56 hours per week
2.3 Weekly rest of at least 24 hours is provided
2.4 Public holidays are paid
2.5 Three working weeks of paid annual leave are guaranteed

Employment Security

3.1 Written employment contracts or particulars are provided at the start of employment
3.2 The hiring of fixed-term contract workers is restricted
3.3 The length of the probation period, including renewals, is set to three months
3.4 A 30-day notice period is required before contract termination
3.5 Severance pay (two weeks' wages per year of service) is provided proportional to service duration

Family Responsibilities

4.1 A four-month parental leave exists
4.2 One-week paid paternity leave is present
4.3 Flexible work arrangement exists for workers with family responsibilities
4.4 Paid nursing breaks are provided

Maternity at Work

5.1 Inquiring about pregnancy during recruitment is prohibited
5.2 Paid maternity leave of at least 14 weeks exists
5.3 Cash maternity benefits equivalent to two-thirds of the employee's former wage are required
5.4 Maternity benefits are paid through contributory social insurance or universal benefits system
5.5 Workers are protected from dismissals during pregnancy

Safe Work

6.1 Employers are required to provide free personal protective equipment to workers where necessary
6.2 The law requires employers to train workers on health and safety issues
6.3 The law restricts work that is prejudicial to the health of the mother or the child
6.4 The law provides employment injury and disease benefits

Social Security

7.1 The law provides for old-age benefits
7.2 The law provides for survivors' benefits
7.3 The law provides for unemployment benefits
7.4 The law requires paid sick leave for the first six months of sickness (sickness benefits)
7.5 The law provides for invalidity benefits

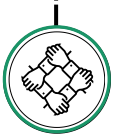
Fair Treatment

8.1 Discrimination in employment matters is prohibited
8.2 Equal remuneration for men and women workers for work of equal value is guaranteed
8.3 Sexual harassment in employment is prohibited
8.4 There are no legal restrictions on women restricting them from engaging in the same jobs as men
8.5 Basic labour protection (access to basic social protection) is guaranteed for platform workers

Child and Forced Labour

9.1 Employment of children is prohibited
9.2 Employment entry age is equal to or higher than the compulsory schooling age
9.3 Employment of children in hazardous work under the age of 18 years is prohibited
9.4 Forced labour is prohibited

Freedom of Association



10.1 Workers are allowed to form and join unions of their own choice
10.2 Workers can bargain collectively with employers through their representative unions
10.3 The right to strike is provided
10.4 Legislation prohibits excessive sanctions against striking workers, including their replacement

To illustrate the scoring process in the Index, Pakistan, for example, receives a score of 75 under the indicator of Child and Forced Labour. This signifies that the country generally has legal protections in place for children and young persons participating in the labour market, however the legislation allows employment of children before completion of compulsory schooling. Under the indicator of Family Responsibilities, Pakistan scores 25 since the legislation does not guarantee parental leave, flexible work arrangements for workers with family responsibilities, and paid nursing breaks.

Scoring along these lines for a country, the overall score of Pakistan is determined by taking the unweighted average of the scores for all 10 indicators on a 0-100 scale, where 0 represents the worst regulatory performance and 100 the best regulatory performance in the labour market. The overall score for Pakistan is 53.5. For a comparison with other countries, please refer to the overall scores table at the start of this report.

The labour legislation of the 145 countries, applicable on 1 January 2024, is the source of information used to answer questions in the Labour Rights Index. Strengths and limitations exist with this approach. While the Labour Rights Index has been designed to be an easily replicable tool to benchmark countries, there are certain advantages and limitations. To ensure comparability of data across 145 economies, specific assumptions have been made. The indicators in the Index are based on standardised assumptions to make the laws comparable across countries. For instance, an assumption used for this Index is that the worker in question who is affected by the labour laws has experience of one year or more at a workplace, as questions on annual leave and severance pay can only apply to this kind of worker. Hence, workers with temporary contracts of a duration of less than one year may not have access to such rights.

Another assumption underlying the Index is that the focus is on the labour legislation, which applies to the most populous province/state/area of a country.

This allows the Index to give a more accurate depiction of a country's labour rights as the labour laws affect most of its population, even though the legislation affecting workers in areas with lower populations may be different.

Furthermore, the Index is also based on labour legislation which applies to the formal economy in the private sector. Despite more than 60 per cent of the global workforce in need of transitioning from informal to the formal economy[33] focusing on the labour laws affecting the formal sector retains attention on the sector since the labour laws in the formal economy are more applicable and that is the ultimate goal. ILO Recommendation 204 also recommends gradual transition from the informal to the formal economy through the enactment of necessary legislation and reduction of barriers to transition. Focusing on the formal economy and its applicable legislation also indicates the kind of rights that will be available to the informal economy workers on successful transition to the formal economy.

Other than statutes, the Labour Rights Index also considers general or inter-professional collective agreements applicable at the national level. For countries where minimum wages are determined through collective bargaining, sectoral agreements (for major economic sectors) can also be considered.

Strengths and Limitations of the Labour Rights Index

Feature	Strength	Limitation
Standardised assumptions	Makes labour legislation comparable across countries and methodology uncomplicated	Limits legislation under review
Focus on workers having one year or more at a workplace	Allows maximum coverage of labour rights	Does not consider the rights of casual and temporary workers. Non-standard workers may not have access to some of the workplace rights and components under the Labour Rights Index
Coverage of most populous province/state/area	Makes labour legislation comparable across countries where different areas have different labour laws for their populations; Gives a more accurate picture of a country's labour rights	Can decrease representativeness of labour rights where differences in laws across areas exist
Focus on the formal economy	Retains attention on the formal sector where labour laws are more applicable	Does not cover the rights of the workforce in the informal economy, which could have a substantial part of the labour force in some countries
Use of codified national labour legislation only	Allows actionable indicators since the law can be changed by policymakers	Where lack of implementation of labour legislation, making changes solely in the law will not gain the desired outcome; Does not consider socio-cultural norms

Moreover, this report acknowledges the presence of gaps between legislation and its practice. For instance, gaps could stem from the lack of implementation of laws because of poor enforcement, weak design, or limited capacity. Still, observing differences in legislation helps give a clearer understanding of where labour rights may be limited in practice. This study also recognises the presence of social, economic and cultural factors affecting the practice of legal rights. For example, women may not be working at night, although legally allowed, as social and cultural norms could restrain such options. Or a lack of safe transport may limit women's employment during night hours. Poverty-stricken areas may have children under the minimum working age being employed for long hours and not in light work. Workers may be doing overtime exceeding the weekly hour limit because the culture at their organisations may view such workers as harder working and thus more deserving of a reward. The Labour Rights Index 2024 acknowledges the restraints of its standardised assumptions and focuses on codified law. Even if these assumptions do not cover all the labour force in the country, they ensure the comparability of data.

Unlike other indices, the Labour Rights Index does not consider ratification of international conventions in its scoring or rating system since mere ratification is not a good indicator of actual implementation of international labour standards.

It uses the standards prescribed in these Conventions (e.g., 14 weeks of maternity leave or the minimum age for hazardous work as 18 years) and scores countries on that basis. All the 10 indicators and 46 evaluation criteria of the Labour Rights Index are grounded in substantive elements of the Decent Work Agenda. The legal basis for all components (regulatory standards) emanates from the UN or ILO Conventions. Table explains in detail these legal sources.

In summary, the Labour Rights Index methodology has various useful features. The methodology:
- Is transparent and based on facts taken directly from codified laws.
- Uses standardised assumptions for data collection, thereby making logical comparisons across countries.
- Allows data to identify the labour rights and their presence (or lack of) in the legislation of 145 countries.

International Regulatory Standards and Labour Rights Index

Indicators and Components		Source of the Regulatory Standard
1. Fair Wages		
1	Minimum wage (statutory or negotiated)	Article 23 (3) of the Universal Declaration of Human Rights; Article 3 of Minimum Wage Fixing Convention 1970 (No. 131); Article 7 of the International Covenant on Economic, Social & Cultural Rights (Fair Wage clauses)
2	Regular wage	Article 12 (1) of Protection of Wages Convention 1949 (No. 95); Article 11 (6) and 12 of Social Policy (Basic Aims and Standards) Convention 1962 (No. 117)
3	Overtime premium (≥125%)	Article 6 of Hours of Work (Industry) Convention 1919 (No. 1); Article 7 of the Hours of Work (Commerce and Offices) Convention 1930 (No. 30)
4	Weekly rest work compensation (time-off)	Article 5 of the Weekly Rest (Industry) Convention, 1921 (No. 14); Article 8 (3) of the Weekly Rest (Commerce and Offices) Convention, 1957 (No. 106)[1]
5	Night work premium	Article 8 of Night Work Convention, 1990 (No. 171)
2. Decent Working Hours		
6	General working hours (≤48 hours per week)	Article 2 of Hours of Work (Industry) Convention 1919 (No. 1); Article 3 of the Hours of Work (Commerce and Offices) Convention 1930 (No. 30); Article 1 of the Forty-Hour Week Convention, 1935 (No. 47)
7	Maximum working hours (≤56 hours per week)	Para 17 of the Reduction of Hours of Work Recommendation, 1962 (No. 116); Article 6 (2) of Hours of Work (Industry) Convention 1919 (No. 1); Article 7 (3) of the Hours of Work (Commerce and Offices) Convention 1930 (No. 30)
8	Weekly rest (≥24 hours)	Articles 3-6 of Hours of Work (Industry) Convention 1919 (No. 1); Article 2 of Weekly Rest (Industry) Convention 1921; Article 6 of Weekly Rest (Commerce and Offices) Convention 1957
9	Paid public holidays	Article 5 of Working Conditions (Hotels and Restaurants) Convention 1991 (No. 172); Article 6 (1) of Holidays with Pay Convention (Revised) 1970 (No. 132); Article 7 (c) of the Part-Time Work Convention, 1994 (No. 175)
10	Annual leave (≥3 working weeks)	Article 3 of Holidays with Pay Convention (Revised) 1970 (No. 132)
3. Employment Security		
11	Written employment contract	Articles 7-8 of the Domestic Workers Convention, 2011 (No. 189); Part II (5) of the Private Employment Agencies Recommendation, 1997 (No. 188)
12	Fixed term contract (≤5 years)	Article 2 (3) of the Termination of Employment Convention 1982 (No. 158); Article 3 (2) of the Termination of Employment Recommendation, 1982 (No. 166)
13	Probation period (≤3 months)	Article 2 (b) of the Termination of Employment Convention 1982 (No. 158)
14	Termination notice period (1 month)	Article 11 of the Termination of Employment Convention 1982 (No. 158)
15	Severance pay (≥14 days per year of service)	Article 12 of the Termination of Employment Convention 1982 (No. 158)
4. Family Responsibilities		
16	Parental leave	Article 1 of the Workers with Family Responsibilities Convention, 1981 (No. 156); Paragraph 22 of the Workers with Family Responsibilities Recommendation, 1981 (No. 165); Paragraph 10 of the Maternity Protection Recommendation, 2000 (No. 191)
17	Paternity leave (≥1 week)	2009 ILC Resolution Concerning Gender Equality at the Heart of Decent Work
18	Flexible working arrangements	Article 1 of the Workers with Family Responsibilities Convention, 1981 (No. 156); Paragraph 18 of the Workers with Family Responsibilities Recommendation, 1981 (No. 165); Article 9 (2) of the Part-Time Work Convention, 1994 (No. 175)
19	Nursing breaks	Article 10 of the Maternity Protection Convention, 2000 (No. 183)
5. Maternity at Work		
20	Prohibition on inquiring about pregnancy	Article 9 of the Maternity Protection Convention, 2000 (No. 183)
21	Maternity leave (≥14 weeks)	Article 4 of the Maternity Protection Convention, 2000 (No. 183); Article 11 (2) of UN Convention on the Elimination of All Forms of Discrimination against Women (CEDAW)
22	Cash maternity benefits (≥66.67% of former wage)	Article 6 of the Maternity Protection Convention, 2000 (No. 183)

23	Source of maternity benefits (social insurance or state financing)	Article 6(8) of the Maternity Protection Convention, 2000 (No. 183)
24	Protection from dismissals (pregnancy/maternity)	Article 8 of the Maternity Protection Convention, 2000 (No. 183); Article 11 (2) (a) of UN Convention on the Elimination of All Forms of Discrimination against Women (CEDAW)
6. Safe Work		
25	Personal protective equipment (free of cost)	Article 16 and 21 of the Occupational Safety and Health Convention, 1981 (No. 155)
26	Training on health and safety	Article 19 (d) of the Occupational Safety and Health Convention, 1981 (No. 155)
27	Restriction on work (prejudicial to health of mother or child)	Article 3 of the Maternity Protection Convention, 2000 (No. 183)
28	Employment injury benefits	Part VI of the Social Security (Minimum Standards) Convention, 1952 (No. 102)
7. Social Security		
29	Old age benefits	Part V of the Social Security (Minimum Standards) Convention, 1952 (No. 102)
30	Survivors' benefits	Part X of the Social Security (Minimum Standards) Convention, 1952 (No. 102)
31	Unemployment benefits	Part IV of the Social Security (Minimum Standards) Convention, 1952 (No. 102)
32	Sickness benefits (≥ 6 months)	Part III of the Social Security (Minimum Standards) Convention, 1952 (No. 102)
33	Invalidity benefits	Part IX of the Social Security (Minimum Standards) Convention, 1952 (No. 102)
8. Fair Treatment		
34	Prohibition of employment discrimination	Article 2 of the Discrimination (Employment and Occupation) Convention, 1958 (No. 111); Articles 8 and 9 of the Maternity Protection Convention, 2000 (No. 183); Article 4 of the Vocational Rehabilitation and Employment (Disabled Persons) Convention, 1983 (No. 159); Article 1 of the Right to Organise and Collective Bargaining Convention, 1949 (No. 98); Article 5 and 27 of the Convention on the Rights of Persons with Disabilities
35	Equal remuneration for work of equal value	Article 2 of the Equal Remuneration Convention, 1951 (No. 100)
36	Prohibition of sexual harassment	Article 7 of the Violence and Harassment Convention, 2019 (No. 190)
37	Absence of restrictions on women's employment	Article 2 of the Discrimination (Employment and Occupation) Convention, 1958 (No. 111)
38	Basic labour protections for gig workers	Global Commission on the Future of Work 2019[2]; Tripartite Declaration of Principles concerning Multinational Enterprises and Social Policy (MNE Declaration), 2017
9. Child and Forced Labour		
39	Prohibition on child labour (<15 years)	Article 2 of Minimum Age Convention 1973 (No. 138); Article 32 (2) of the Convention on Rights of Child
40	Age (employment entry ≥ compulsory schooling)	Article 2(3) of Minimum Age Convention 1973 (No. 138)
41	Prohibition on hazardous work for under 18	Article 3 of Minimum Age Convention 1973 (No. 138); Article 32 (1) of the Convention on Rights of Child
42	Prohibition on forced labour	Article 2 of the Forced Labour Convention, 1930 (No. 29); Protocol of 2014 to the Forced Labour Convention, 1930; Article 8 of the International Covenant on Civil and Political Rights
10. Freedom of Association		
43	Right to unionise	Article 2 of the Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87)
44	Right to collective bargaining	Article 4 of the Right to Organise and Collective Bargaining Convention, 1949 (No. 98), Article 2 of the Collective Bargaining Convention, 1981 (No. 154)
45	Right to strike	Para 751, Compilation of Decisions of the Committee on Freedom of Association, 2018
46	Sanctions against striking workers	Article 1 of the Right to Organise and Collective Bargaining Convention, 1949 (No. 98)

Data Sources and Collection

While the Index is essentially based on Decent Work Checks, the 2024 Index has 10 new countries for which Decent Work Checks are yet to be developed. For all countries, labour legislation, including various decrees, amendments and collective agreements, was revisited to score each component and provide a direct legal basis. The legal basis has been provided in individual country profiles. The cut-off date for all data collection is 1 January 2024. Any legislation or change in the law that occurs after said date, where the effective date is set later than 1 January 2024, or where the effective date is not yet precisely known, is not reflected in the Index. However, the situation in individual countries might have shifted.

The Scoring System

We use a dichotomous scoring system for the 46 indicators (1 for a yes and 0 for a no). Non-binary scores (such as a scale of 1 to 5) introduce difficulties in defining meaningful and comparable standards or guidelines for each score. This can lead to arbitrary, erroneous and incomparable scores. For example, a 2 for one country may be a 3 for another, and so on. Alternatively, an expert may find a country- specific indicator that differs from another country. This violates a fundamental principle of measurement known as reliability — the degree to which a measurement procedure produces accurate measurements every time, regardless of who performed it.

Weights

The Labour Rights Index does not use weights. Each indicator features either four or five underlying components framed as questions. Every component contributes equally to the indicator, and every indicator contributes equally to the overall score. The overall score (from 0-100) is calculated from a simple unweighted average of scores from 10 indicators.

As pointed out at the outset, the indicators and components of the Labour Rights Index cover the employment lifecycle of a person. Consider the example of annual leave and sick leave. While annual leave is accessed by a greater percentage of workers every year compared with sick leave, giving them weights (whether equal or unequal) would be arbitrary and would not serve the purpose.

Similarly, consider the example of child labour and forced labour questions. While the majority of workers may not have to experience these menaces, it is a harsh reality for many, at least in developing countries. Giving weights would mean prioritising one component over the other.

Countries at different stages of development may also have different legal provisions. For example, as is evident throughout the study, work-life balance and gender equality related legislation is also linked with economic development. With certain exceptions, most high-income countries have instituted provisions on paternity leave and parental leave.

If these components are given higher weightage than the other, developing countries' scores will be comparatively much lower.

Greater weightage to certain areas of labour law can create an inherent bias and also lead to the agents' skewed efforts to initiate reforms in areas with higher weights. Countries will inherently target laws with greater weightage.

If giving weights were an option, fundamental principles and rights at work would be given higher weights. These are freedom of association and the effective recognition of the right to collective bargaining; the elimination of all forms of forced or compulsory labour; the effective abolition of child labour; the elimination of discrimination in respect of employment and occupation, and a safe and healthy working environment[34].

Even before the amendment of the 1998 Declaration in 2022, ILO had started giving importance to other workplace rights. The 2019 Declaration notes that "all workers should enjoy adequate protection following the Decent Work Agenda, taking into account:

1. Respect for their fundamental rights;
2. An adequate minimum wage, statutory or negotiated;
3. Maximum limits on working time; and
4. Safety and health at work."

Similarly, social protection, or social security (both terms are used interchangeably), is enshrined as such in the Universal Declaration of Human Rights (1948) and the International Covenant on Economic, Social and Cultural Rights (1966). ILO Recommendation 202 suggests that countries should establish and maintain national social protection floors as a nationally defined set of basic social security guarantees that secure protection to prevent or alleviate poverty, vulnerability and social exclusion.

Hence, instead of preferring one component or indicator over the other, the Labour Rights Index has been developed without assigning weights.

Ranking

The Labour Rights Index does not "rank" countries.

The ordinal ranking method (for example, "first", "second", and "third") is problematic as it leads to the naming and shaming of countries at the bottom of the list. Moreover, as argued by the World Bank's Doing Business Report in 2016, ranking may encourage the agents (countries being ranked) to "game the system". There is a risk that the agents may divert a disproportionate amount of resources and efforts to the areas that are measured/scored while leaving aside areas that are equally important but not scored. To deal with this issue, the Labour Rights Index does not use ordinal ranking, although it covers the whole gamut of labour rights.

The Index does not aim at producing a single number in the form of ranking. Rather it gives a run down on the local labour legislation, supported by detailed Decent Work Checks, updated annually.

The Index does not aim at producing a single number in the form of ranking. Rather it gives a run down on the local labour legislation, supported by detailed Decent Work Checks, updated annually.

The Labour Rights Index, however, does place 145 countries into six categories and rates these from "Access to Decent Work" to "Total Lack of Access to Decent Work.

	Component	Scoring question	International Regulatory Standard	Scoring Methodology
		**Indicator 1: Fair Wages**		
1.1	Minimum Wage	Does the legislation or collective negotiation set and determine the minimum wages in the country?	• Universal Declaration of Human Rights, 1948 • Minimum Wage Fixing Convention 1970 (No. 131) • International Covenant on Economic, Social and Cultural Rights (ICESCR) Article 23(3) of the Universal Declaration of Human Rights, Article 3 of the ILO's Minimum Wage Fixing Convention, 1970 (No. 131), and Article 7 of the International Covenant on Economic, Social and Cultural Rights, 1966 (Fair Wage clauses) require that all workers have the right to just and favourable remuneration so that workers are ensured fair wages and decent living. Convention No.131 further stipulates that while determining the minimum wages, the needs of workers and their families, as well as economic factors, must be considered.	**A score of 1 is assigned:** The minimum wages are determined under labour legislation, or bargaining at the sectoral or national level sets the minimum wage. The minimum wages must have been revised at least once during the past two years (with reference to 1 January 2022). **A score of 0 is assigned:** There is no provision on minimum wages in legislation, and in the absence of a statutory minimum wage, there is no sectoral or national level bargaining. The minimum wages have not been revised in the past two years.
1.2	Regular Wage	Does the law require regular and timely payment of wages?	• Protection of Wages Convention, 1949 (No. 95) • Social Policy (Basic Aims and Standards) Convention, 1962 (No. 117) Article 12(1) in the ILO's Protection of Wages Convention, 1949 (No. 95) and Article 11(6) of ILO's Social Policy (Basic Aims and Standards) Convention, 1962 (No. 117) state that wages should be paid regularly or at regular intervals (to reduce the likelihood of a worker becoming indebted). Such intervals must be fixed in national laws or regulations or by collective agreements, except where other suitable arrangements are provided that ensure wage payment at regular intervals. The legislation must set a time limit within which wages must be paid after the completion of a wage period.	**A score of 1 is assigned:** Labour legislation requires employers to ensure regular and timely payment of wages. Wage payment periods can be set at the hourly, daily, weekly, fortnightly or monthly levels. **A score of 0 is assigned:** Labour legislation does not require employers to ensure regular and timely payment of wages upon the completion of a wage period.
1.3	Overtime Premium	Does the law require overtime compensation to be at least 125% of the regular hourly rate?	• Hours of Work (Industry) Convention, 1919 (No. 1) • Hours of Work (Commerce and Offices) Convention, 1930 (No. 30) Article 6 of the ILO's Hours of Work (Industry) Convention, 1919 (No. 1) and Article 7 of the ILO's Hours of Work (Commerce and Offices) Convention, 1930 (No. 30) establish that workplaces which necessarily have to carry out work after general working hours due to certain reasons such as force majeure should develop regulations (by public authority and after consultation with employers' and workers' organisations, where these organisations are present) which fix the limit of additional hours in each instance and the rate of pay for overtime not to be less than one and one-quarter times (125%) the regular rate. Workers have a right to an increased rate of remuneration for overtime work.	**A score of 1 is assigned:** Labour legislation requires employers to provide monetary compensation for overtime at 125% or more of the regular hourly rate. **A score of 0 is assigned:** Labour Legislation does not provide overtime compensation at 125% of the regular hourly rate or if the legislation only requires compensatory rest/time-off for working overtime without additional monetary compensation.

1.4	Weekly Rest Work Compensation	Does the law require any additional compensation for working on a weekly rest day?	• Weekly Rest (Industry) Convention, 1921 (No. 14) • Weekly Rest (Commerce and Offices) Convention, 1957 (No. 106) Article 5 of the ILO's Weekly Rest (Industry) Convention, 1921 (No. 14) and Article 8(3) of ILO's Weekly Rest (Commerce and Offices) Convention, 1957 (No. 106) state that provision for compensatory rest periods should be granted, with certain temporary exceptions, except in cases where agreements or customs already provide for such periods. Article 8(3) of Convention No. 106 further requires that those working on weekly rest day(s) "shall be granted compensatory rest of a total duration at least equivalent to the period of weekly rest.	**A score of 1 is assigned:** The legislation requires the provision of a compensatory rest day, or workers are given both the substitute day off and a premium payment. **A score of 0 is assigned:** Working on a weekly rest day is compensated with only a premium payment, or employers can choose to either pay a premium or give a substitute day off.
1.5	Night Work Premium	Does the law require additional compensation for night work?	• Night Work Convention, 1990 (No. 171) • Night Work Recommendation, 1990 (No. 178) As per Article 8 of the ILO's Night Work Convention, 1990 (No. 171), compensation for night workers (in the form of working time, pay, or similar benefits) shall recognise the nature of night work. Paragraph 8 of the Night Work Recommendation, 1990 (No. 178) stipulates that "night work should generally give rise to appropriate financial compensation. Such compensation should be additional to the remuneration paid for the same work performed to the same requirements during the day and may by agreement be converted into reduced working time".	**A score of 1 is assigned:** Monetary compensation is awarded for work during night hours or general working hours for night workers are reduced through shorter shifts or an additional day off. **A score of 0 is assigned:** Night work does not lead to a premium payment or reduced working hours.

	Component	Scoring question	International Regulatory Standard	Scoring Methodology
		**Indicator 2 : Decent Working Hours**		
2.1	General Weekly Working Hours	Does the law stipulate general weekly working hours as 48 hours or lower?	• Hours of Work (Industry) Convention, 1919 (No. 1) • Hours of Work (Commerce and Offices) Convention, 1930 (No. 30) • Forty-Hour Week Convention, 1935 (No. 47) Articles 2 and 3 of Convention No.1 (C001) and Convention No.30 (C030), respectively, state that the working hours of employed persons should not exceed eight in the day and forty-eight in the week. Article 1 (C047) approves a forty-hour work week, which is applied in a way that does not reduce the living standard of workers due to reduced remuneration. C001 states the following exceptions: the provision on the forty-eight-hour threshold does not apply to supervisory, management, and confidential positions,or whereby law, custom or agreement between employers' and workers' organisations or employers' and workers' representatives vary the daily hours limit (but not more than nine hours) or where shift workers are employed in excess of eight hours in a day and forty-eight hours in a week if the average hours over three weeks do not exceed eight per day and forty-eight per week.	**A score of 1 is assigned:** General working hours do not exceed 48 hours per week. **A score of 0 is assigned:** No restriction on weekly working hours is found in law or if general working hours are more than 48 hours per week.
2.2	Maximum Weekly Working Hours	Does the law restrict maximum working hours, including overtime, to 56 hours per week?	• Hours of Work (Industry) Convention, 1919 (No. 1) • Hours of Work (Commerce and Offices) Convention, 1930 (No. 30) • Reduction of Hours of Work Recommendation, 1962 (No. 116) The regulatory standard on this component, maximum weekly working hours, is grounded in Para 17 of the ILO's Reduction of Hours of Work Recommendation, 1962 (No. 116), Article 6(2) of ILO's Hours of Work (Industry) Convention, 1919 (No. 1) and Article 7(3) of the ILO's Hours of Work (Commerce and Offices) Convention, 1930 (No. 30).Recommendation No. 116 mentions that the competent authority of every country should determine limits to the total number of overtime hours worked during a specified period, except for cases of force majeure. Convention No. 1 and Convention No. 30 make it necessary for regulations (only after consultation with the organisations of employers and workers concerned) to fix the maximum of additional hours in each instance, aside from temporary exceptions, and the overtime pay rate to be not less than one and one-quarter times (125%) the regular rate.	**A score of 1 is assigned:** Total working hours, including overtime, do not exceed 56 hours per week. **A score of 0 is assigned:** Total working hours (including overtime) are more than 56 hours per week, or no relevant provision is found in the legislation.
2.3	Weekly Rest Hours	Does the law require a paid weekly rest of at least 24 consecutive hours?	• Weekly Rest (Industry) Convention, 1921 (No. 14) • Weekly Rest (Commerce and Offices) Convention, 1957 (No. 106) Article 2 of the Weekly Rest (Industry) Convention, 1921 (No. 14) and Article 6 of the Weekly Rest (Commerce and Offices) Convention, 1957 (No. 106) stipulate that every seven days, a weekly rest (comprising at least 24 consecutive hours) be granted simultaneously to all workers in every establishment. The weekly rest should be fixed to coincide with the days already established by the traditions or customs of the country or region.	**A score of 1 is assigned:** Workers have the right to a weekly rest for a minimum of 24 consecutive hours. **A score of 0 is assigned:** Labour legislation does not require a weekly rest period comprising 24 consecutive hours.

2.4	Paid Public Holidays	Does the law require paid public holidays?	• International Covenant on Economic, Social and Cultural Rights, 1966 • Working Conditions (Hotels and Restaurants) Convention, 1991 (No. 172) • Part-Time Work Convention, 1994 (No. 175) It is stated in Article 7(d) of the International Covenant on Economic, Social and Cultural Rights, 1966 that it is the right of everyone to enjoy just and favourable conditions of work that entail rest, leisure and remuneration for public holidays. Article 5 of the ILO's Working Conditions (Hotels and Restaurants) Convention, 1991 (No. 172) requires that "if workers are required to work on public holidays, they shall be appropriately compensated in time or remuneration, as determined by collective bargaining or in accordance with national law or practice". Article 7 of the ILO's Part-Time Work Convention, 1994 (No. 175) also requires equal treatment of part-time workers, similar to the comparable full-time workers, concerning paid public holidays.	**A score of 1 is assigned:** Legislation regulates paid public holidays, and there is a list of public and official holidays to follow. **A score of 0 is assigned:** Labour legislation does not require employers to grant a fully paid day off on public holidays.
2.5	Annual Leave	Does the law require at least three working weeks of paid annual leave?	• Holidays with Pay Convention (Revised),1970 (No. 132) Article 3 of the ILO's Holidays with Pay Convention (Revised), 1970 (No. 132) requires that every person to whom this Convention applies shall be entitled to an annual paid holiday (leave) of a specified minimum length. Every Member who ratifies this Convention must specify the length of the holiday, with the annual holiday not being less than three working weeks for one year of service. Public and customary holidays, whether or not they fall during the annual holiday, shall not be counted as part of the minimum annual holiday.	**A score of 1 is assigned:** The labour legislation requires employers to grant workers at least three working weeks of paid annual leave after completing one year of service. **A score of 0 is assigned:** The length of paid annual leave is less than three working weeks. A score of 0 is also assigned when the qualifying period for annual leave is more than a year.

	Component	Scoring question	International Regulatory Standard	Scoring Methodology
		**Indicator 3 : Employment security**		
3.1	Written Employment Contract	Does the law require a written employment contract or employment particulars to be given to a worker on commencement of employment?	• Domestic Workers Convention, 2011 (No. 189) • Maritime Labour Convention, 2006 • Private Employment Agencies Recommendation, 1997 (No. 188). Under Articles 7 and 8 of the ILO's Domestic Workers Convention, 2011 (No. 189), measures are to be taken to ensure that domestic workers are informed of their terms and conditions of employment in an appropriate, verifiable, and easily understandable manner. Preferably, where possible, this should be done through written contracts (enforceable in the country where work is to be done) under national laws, regulations or collective agreements, and with written particulars. Similar provisions are found in the Standard A2.1 of the ILO's Maritime Labour Convention, 2006. Moreover, Part II (5) of the Private Employment Agencies Recommendation, 1997 (No. 188) suggests that workers employed by private employment agencies should, where appropriate, have a written employment contract specifying their employment terms and conditions. As a minimum requirement, these workers should be informed of their employment conditions before the effective beginning of their assignment.* *The two instruments provide necessary guidance on written employment contracts and written particulars: https://www.ilo.org/resource/qas-employment-relationship-and-labour-contracts	**A score of 1 is assigned:** The labour legislation requires employers to provide written employment contracts or at least written employment particulars to workers on commencement of employment. **A score of 0 is assigned:** No legal requirement on the part of employers to provide any such written document (in the form of employment contract or employment particulars).
3.2	Fixed Term Contracts	Does the law restrict the hiring of fixed-term contract workers?	• Termination of Employment Convention, 1982 (No. 158) • Termination of Employment Recommendation, 1982 (No. 166) Article 2(3) of the ILO's Termination of Employment Convention, 1982 (No. 158) states that adequate safeguarding measures should be provided against the use of fixed-term contracts (FTCs) of employment for a specified period of time. This is to ensure that employers cannot avoid the protections stipulated in this Convention. Also, Paragraph 3(2) of the ILO's Termination of Employment Recommendation, 1982 (No. 166) allows for a fixed or definite term contract, considering the nature of work or circumstances under which the work is carried out or the interests of the worker. Fixed-term contracts are considered indefinite-term contracts if they are renewed once or more than once, except in the above cases.	**A score of 1 is assigned:** The maximum length of fixed-term contracts, including renewals, is at most five years. **A score of 0 is assigned:** The labour legislation does not specify the maximum length of fixed-term contracts or allow the maximum length of fixed-term contracts, including renewals, to exceed five years.
3.3	Probation Period	Does the law limit the length of the probation period, including renewals, to three months?	• Termination of Employment Convention 1982 (No. 158) • Termination of Employment Recommendation, 1982 (No. 166) • Domestic Workers Convention, 2011 (No. 189). This component is grounded in Article 2(b) of the Termination of Employment Convention 1982 (No. 158). The Convention states that a member may exclude workers serving a period of probation or a qualifying period of employment, determined in advance and of reasonable duration, from all or some of the provisions of this Convention (in essence, the protections afforded under the Convention). The member countries may set a period of probation or a qualifying period of employment, which is determined in advance and of reasonable duration. During this period, the worker does not have access to all employment protections like notice period and severance pay.	**A score of 1 is assigned:** The labour legislation limits the maximum length of the probation period, including renewals, to three months. **A score of 0 is assigned:** The labour legislation does not refer to a probation/trial period or allows it to exceed three months.

			Paragraph 1 of the ILO's Termination of Employment Recommendation, 1982 (No. 166) and Article 7 of the ILO's Domestic Workers Convention, 2011 (No. 189) also refer to the probation period. In view of this, a probationary period of three months was set as a standard under the Labour Rights Index.	
3.4	Termination Notice Period	Does the law require a 30-day notice period before employment contract termination?	• Termination of Employment Convention 1982 (No. 158) Article 11 of the ILO's Termination of Employment Convention, 1982 (No. 158) states that a worker whose employment is to be terminated shall be entitled to a reasonable period of notice or compensation in lieu thereof unless the worker is guilty of serious misconduct - misconduct of such a nature that it would be unreasonable to require the employer to continue the employment during the notice period.* *For data comparability, a 4-week notice period is also considered equivalent to the 30-day notice period.	**A score of 1 is assigned:** a) Both the employer and employee can terminate an indefinite term contract after serving a 30-day written notice or paying in lieu of notice, except in cases of gross/serious misconduct; or b) where a termination notice required from employees is 30 days, but it is still less than the notice period required of employers; or c) where the notice period required from employers is 30 days, but for employees ranges between 14 to 30 days. **A score of 0 is assigned:** Both the employer and employee are required to serve a contract termination notice of either less than or more than 30 days. **For instance, both parties are required to serve a 14-day written notice or 45-day written notice before termination of employment.*
3.5	Severance Pay	Does the law require severance pay at the rate of at least two weeks of wages for every year of service?	• Termination of Employment Convention 1982 (No. 158) • Termination of Employment Recommendation, 1982 (No. 166) Article 12 of the ILO's Termination of Employment Convention, 1982 (No. 158) states that a worker whose employment has been terminated shall be entitled, in accordance with national law and practice, to a severance allowance or other separation benefits, the amount of which shall be based, among other things, on length of service and the level of wages. It is to be paid directly by the employer or by a fund constituted by employers' contributions, unemployment insurance benefits or assistance or other forms of social security, or a combination of such allowance and benefits. Workers who do not fulfil the qualifying conditions for unemployment insurance or assistance or those workers who are terminated for serious misconduct need not be paid any severance allowance or separation benefits solely because they are not receiving an unemployment benefit. Workers whose employment is terminated for serious misconduct are not entitled to any severance allowance or separation benefits. Similar provisions are found in Paragraph 18 of the ILO's Termination of Employment Recommendation, 1982 (No. 166).	**A score of 1 is assigned:** Labour legislation requires employers to provide severance pay (gratuity or end-of-service allowance) at the rate of two weeks' wages for each year of service* on contract termination in the event of individual dismissal or economic dismissals (redundancy) or on expiry of a fixed-term contract, except in cases of gross misconduct. **A score of 0 is assigned:** Severance pay is not required under the law or is provided at a rate lower than two weeks' wages for each year of service or the rate (for severance pay) is not specified under the law.*For data comparability, the standard of two weeks' pay per service year for severance pay was set.

	Component	Scoring question	International Regulatory Standard	Scoring Methodology
		**Indicator 4 : Family Responsibilities**		
4.1	Parental Leave	Does the law require a four-month parental leave for parents?	• Family Responsibilities Recommendation, 1981 (No. 165) • Maternity Protection Recommendation, 2000 (No. 191) Paragraph 22 of the ILO's Workers with Family Responsibilities Recommendation, 1981 (No. 165) and Paragraph 10 of the ILO's Maternity Protection Recommendation, 2000 (No. 191) insist that either parent should have the possibility, within a period immediately following maternity leave, of obtaining leave of absence (parental leave), without relinquishing employment and with rights resulting from employment being safeguarded. The parental leave period, its length, as well as payment of parental benefits and the use and distribution of parental leave between employed parents, should be determined by national laws or regulations or in any manner consistent with the national practice.	**A score of 1 is assigned:** Workers have the right to paid or unpaid parental leave of at least four months on exhaustion of maternity and paternity leave. **A score of 0 is assigned:** Labour legislation does not provide for the right to paid or unpaid parental leave of four months on exhaustion of maternity and paternity leave.* **Taking into account the fact that the first six months are vital for the healthy development of a child (UNICEF, 2019), the Labour Rights Index considers four-month parental leave along with compulsory post-natal maternity leave of 6 weeks. It is just 18 days short of 180 days.*
4.2	Paternity Leave	Does the law require at least one week of paid paternity leave for fathers*?	• 2009 ILC Resolution Concerning Gender Equality at the Heart of Decent Work • Quality Apprenticeships Recommendation, 2023 (No. 208)In line with para 42 of the 2009 ILC** Resolution Concerning Gender Equality at the Heart of Decent Work, Governments must develop, together with social partners, adequate policies for a better balance of work and family responsibilities for an equal sharing of these responsibilities. Other than parental leave, such policies should include paternity leave, with incentives for men to use such leaves.The only international labour standard which clearly refers to paternity leave is the ILO's Quality Apprenticeships Recommendation, 2023 (No. 208) which states that Members should take measures to ensure that apprentices have access to paid maternity or paternity leave and parental leave.	**A Score of 1 is assigned:** Labour legislation requires employers to grant paid paternity leave of at least one week on the birth of a child. Paternity leave might be an employer liability or paid by the social security system (social insurance or general tax financing). **A Score of 0 is assigned:** There is no provision for paid paternity leave of at least one week. ** "or, where and insofar as recognised by national law, equivalent second parents"* *** ILC refers to the International Labour Conference. Generally referred to as the international parliament of labour, the annual Conference sets the international labour standards and the broad policies of the ILO.*
4.3	Flexible Work Arrangements	Does the law require flexible working arrangements* for workers with family responsibilities?	• Workers with Family Responsibilities Recommendation, 1981 (No. 165) • Part-Time Work Convention, 1994 (No. 175) Paragraph 18 of the ILO's Workers with Family Responsibilities Recommendation, 1981 (No. 165) suggests that particular attention should be given to general measures for improving working conditions and the quality of working life. This includes measures aimed at progressive reduction of daily hours of work and of overtime, and more flexible arrangements as regards working schedules, rest periods and holidays, taking into account the stage of development and the particular needs of the country and of different sectors of activity. Article 9(2) of the ILO's Part-Time Work Convention, 1994 (No. 175) requires member states to take measures in order to facilitate access to productive and freely chosen part-time work which meets the needs of both employers and workers. Such measures should include the review of laws and regulations that may prevent or discourage recourse to or acceptance of part-time work. In employment policies, special attention must be given to the needs and preferences of specific groups such as the unemployed, workers with family responsibilities, older workers, workers with disabilities and workers undergoing education or training.	**A score of 1 is assigned:** The labour legislation allows flexible work arrangements for workers with family responsibilities. **A score of 0 is assigned:** The labour legislation does not provide access to part-time work or flexible work for workers with family responsibilities. ** "flexible working arrangements" means the possibility for workers to adjust their working patterns, including through the use of remote working arrangements, flexible working schedules, or reduced working hours*

4.4	Paid Nursing Breaks	Does the law require paid nursing breaks?	• Maternity Protection Convention, 2000 (No. 183) • Maternity Protection Recommendation, 2000 (No. 191) Article 10 of the ILO's Maternity Protection Convention, 2000 (No. 183) requires that a woman worker must be given the right to one or more daily breaks or a daily reduction of hours of work to breastfeed her child. The period during which nursing breaks or the reduction of daily hours of work are allowed, their number, the duration of nursing breaks and the procedures for reducing daily hours of work shall be determined by national law and practice. These breaks or the reduction of daily work hours shall be counted as working time and remunerated accordingly. Paragraph 7 of the ILO's Maternity Protection Recommendation, 2000 (No. 191) further states that based on medical certificates, the frequency and length of nursing breaks should be adapted to the particular needs of workers.	**A Score of 1 is assigned:** The labour legislation requires the provision of paid nursing breaks until the infant is six months old. These nursing breaks can either be during the working day or take the form of reduced working hours. **A Score of 0 is assigned:** Labour legislation does not require employers to grant fully paid nursing breaks to workers until the infant is six months old.

	Component	Scoring question	International Regulatory Standard	Scoring Methodology
		**Indicator 5 : Maternity at Work**		
5.1	Pregnancy Inquiry During Recruitment	Does the law prohibit inquiring about pregnancy during recruitment?	• Maternity Protection Convention, 2000 (No. 183) Article 9 of the ILO's Maternity Protection Convention, 2000 (No. 183) focuses on adopting appropriate measures to ensure that maternity does not constitute a source of discrimination in employment, including access to employment. Measures need to include a prohibition from requiring a test for pregnancy or a certificate of such a test when a woman is applying for employment, except where required by national laws or regulations in respect of work that is prohibited or restricted for pregnant or nursing women under national laws or regulations, or where there is a recognised or significant risk to the health of the woman and child.	**A score of 1 is assigned:** Labour legislation prohibits employers from inquiring about pregnancy (through pregnancy testing or other means) during recruitment. **A score of 0 is assigned:** There is no prohibition in the law on inquiring about pregnancy/family planning during recruitment or making it a recruitment condition.
5.2	Maternity Leave	Does the law require maternity leave of at least 14 weeks?	• Maternity Protection Convention, 2000 (No. 183) Article 4 of the ILO's Maternity Protection Convention, 2000 (No. 183) stipulates that a woman worker shall be entitled to a maternity leave of at least 14 weeks. With due regard to the protection of the mother's and child's health, maternity leave shall include a period of six weeks of compulsory leave after childbirth unless otherwise agreed at the national level by the government and the representative organisations of employers and workers.	**A score of 1 is assigned:** Women workers have the right to maternity leave of at least 14 weeks. **A score of 0 is assigned:** The length of maternity leave is less than 14 weeks.
5.3	Maternity Benefits	Does the law require cash maternity benefits to be at least two-thirds (66.67%) of a worker's former wage?	• Maternity Protection Convention, 2000 (No. 183) Article 6 of the ILO's Maternity Protection Convention, 2000 (No. 183) shares that cash benefits shall be provided, in accordance with national laws and regulations, or in any other manner consistent with the national practice, to women who are absent from work on leave. The maternity benefits shall be set at a level that ensures that the woman can maintain proper health and a suitable standard of living for herself and her child. The amount of such benefits, however, shall not be less than two-thirds of the woman's previous earnings or of such of those earnings as are taken into account for the purpose of computing benefits.	**A score of 1 is assigned:** Maternity benefit is two-thirds or higher than the pregnant worker's former wage. In cases where the maternity leave is over and above 14 weeks, the score will remain 1 if the payment for maternity leave through social insurance or universal benefits is at least two-thirds of the former wage for at least the first 14 weeks. In cases where workers are paid flat-rate maternity benefits, these must be at least two-thirds of the applicable minimum wage in the country.* **A score of 0 is assigned:** Maternity leave benefit is less than the above threshold (two-thirds of the woman worker's previous earnings). **The length of 14 weeks was set after an extensive review of national legislation. It allows a cross-country comparison.*

5.4	Source of Maternity Benefits	Does the law require cash maternity benefits to be paid through a contributory social insurance or a universal benefits system or such benefits are an employer's liability?	• Maternity Protection Convention, 2000 (No. 183) Article 6(8) of the ILO's Maternity Protection Convention, 2000 (No. 183) states that to protect the situation of women in the labour market, benefits in respect of the leave shall be provided through compulsory social insurance or public funds or in a manner determined by national law and practice. The employers shall not be individually liable for the direct cost of any such monetary benefit to a woman employed by them without that employers' specific agreement except where such benefit is provided for in national law prior to the introduction of this Convention, or it is subsequently agreed at the national level by the government and the representative organisations of employers and workers.	**A score of 1 is assigned:** Maternity benefits are paid through a contributory social insurance system or through a non-contributory universal benefits system financed through general taxation. **A score of 0 is assigned:** Maternity benefits are only employer liability, and employers are required to pay workers their wages during maternity leave.
5.5	Dismissals During Pregnancy	Does the law protect workers from dismissals during or on account of pregnancy?	• Maternity Protection Convention, 2000 (No. 183) Article 8 of the ILO's Maternity Protection Convention, 2000 (No. 183) stipulates that it is unlawful for an employer to terminate the employment of a woman during her pregnancy or absence on leave or during a period following her return to work, except on grounds unrelated to the pregnancy or birth of the child and its consequences or nursing. Moreover, a woman is guaranteed the right to return to the same position or an equivalent position paid at the same rate at the end of her maternity leave. Article 11 (2) (a) of the UN Convention on the Elimination of All Forms of Discrimination against Women, 1979 (CEDAW) states that to prevent discrimination against women on the grounds of marriage or maternity and to ensure their effective right to work, appropriate measures should be taken. This includes the prohibition on, subject to the imposition of sanctions, dismissal on the grounds of pregnancy or of maternity leave and discrimination in dismissals based on marital status.	**A score of 1 is assigned:** The legislation prohibits employers from terminating workers during or on account of pregnancy (e.g., medically certified sickness related to pregnancy) except in cases of gross misconduct. **A score of 0 is assigned:** The legislation does not protect workers from being dismissed during or on account of pregnancy.

Indicator 6 : Safe Work

	Component	Scoring question	International Regulatory Standard	Scoring Methodology
6.1	Free Personal Protective Equipment	Does the law require employers to provide free personal protective equipment to workers?	• Occupational Safety and Health Convention, 1981 (No. 155) • Occupational Safety and Health Recommendation, 1981 (No. 164) Article 16 of the ILO's Occupational Safety and Health Convention, 1981 (No. 155) states that employers shall be required to ensure that, so far as is reasonably practicable, the workplaces, machinery, equipment and processes under their control are safe and without health risk; and that the chemical, physical and biological substances and agents under their control are without health risk when the appropriate measures of protection are taken. Also, the employers shall be required to provide, where necessary, adequate protective clothing and protective equipment to prevent, so far as is reasonably practicable, the risk of accidents or adverse effects on health. Furthermore, Article 21 of this Convention states that occupational safety and health measures shall not involve any expenditure by the workers. Paragraph 10(e) of the ILO's Occupational Safety and Health Recommendation, 1981 (No. 164) also requires employers "to provide, without any cost to the worker, adequate personal protective clothing and equipment which are reasonably necessary when hazards cannot be otherwise prevented or controlled".	**A score of 1 is assigned:** Labour legislation requires employers to provide free personal protective equipment to the workers. **A score of 0 is assigned:** There is no requirement to provide free personal protective equipment to workers
6.2	Training - Occupational Safety and Health	Does the law require employers to train workers on health and safety Issues?	• Occupational Safety and Health Convention, 1981 (No. 155) • Occupational Safety and Health Recommendation, 1981 (No. 164) Article 19(d) of the ILO's Occupational Safety and Health Convention, 1981 (No. 155) requires that there should be arrangements at the level of the undertaking/enterprise under which workers and their representatives in the workplace are given appropriate training in occupational safety and health. Paragraph 10(b) of the ILO's Occupational Safety and Health Recommendation, 1981 (No. 164) requires employers to give necessary instructions and training, taking account of the functions and capacities of different categories of workers.	**A score of 1 is assigned:** The law requires employers to provide health and safety training to workers when they join work or are assigned new work. **A score of 0 is assigned:** The legislation does not require employers to provide training to workers on health and safety issues.
6.3	Restrictions on Work (for Pregnant or Nursing Women)	Does the law restrict work that is prejudicial to the health of the mother or the child?	• Maternity Protection Convention, 2000 (No. 183) • Maternity Protection Recommendation, 2000 (No. 191) From the ILO's Maternity Protection Convention, 2000 (No. 183), Article 3 states that after consulting the representative organisations of employers and workers, appropriate measures should be adopted to ensure that pregnant or breastfeeding women are not obliged to perform work which has been determined by the competent authority to be prejudicial to the health of the mother or the child, or where an assessment has established a significant risk to the mother's health or that of her child. Detailed provisions on health protection of a pregnant or nursing woman and her child are found in Paragraph 6 of the ILO's Maternity Protection Recommendation, 2000 (No. 191).	**A score of 1 is assigned:** The legislation restricts pregnant or nursing women from being obliged to perform arduous work and night work that is prejudicial to the health of the mother or the child. Based on the workplace assessment and medical certificate, legislation should require the elimination of risk, adaptation of working conditions, transfer to another post without loss of pay, and access to paid leave when neither of the above is possible. **A score of 0 is assigned:** Arduous work and any of its other forms* are not prohibited for pregnant or nursing workers, or there is a general prohibition only. **As noted in Paragraph 6(3) of the ILO Recommendation 191*

6.4	Employment Injury Benefits	Does the law provide for employment injury benefits in the event of an occupational accident or disease?	• Social Security (Minimum Standards) Convention, 1952 (No. 102) ILO's Social Security (Minimum Standards) Convention, 1952 (No. 102) stipulates the provision of employment injury benefits at the rate of at least 50 percent of a worker's former wage (40 percent for survivors). This applies to an accident or disease resulting from employment, and the contingencies should cover a morbid condition; incapacity for work resulting from such a condition and involving suspension of earnings, as defined by national laws or regulations; total loss of earning capacity or partial loss thereof in excess of a prescribed degree, likely to be permanent, or corresponding loss of faculty; and the loss of support suffered by the widow or child as the result of the death of the breadwinner. In the case of a widow, the right to benefit may be made conditional on her being presumed, in accordance with national laws or regulations, to be incapable of self-support. **Due to nonstandard calculations for employee injury benefits, the value of 50% and 40% cannot be easily ascertained for countries. This led to the use of a simpler scoring methodology for this component.*	**A score of 1 is assigned:** Employment injury benefits (in case of occupational accident or disease) are provided under the law and are paid through social insurance, or the employer pays a monthly premium to the private or public carrier (insurance provider) to provide employment injury benefits. **A score of 0 is assigned:** Employment injury benefits are not financed through the social insurance system or public or private carrier (is employer liability program only) or is not provided under the law. **Due to nonstandard calculations for employee injury benefits, the value of 50% and 40% cannot be easily ascertained for countries. This led to the use of a simpler scoring methodology for this component.*

	Component	Scoring question	International Regulatory Standard	Scoring Methodology
		**Indicator 7 : Social Security**		
7.1	Old Age Benefits	Does the law provide for an old age benefit?	• Social Security (Minimum Standards) Convention, 1952 (No. 102) Article 67 of the ILO's Social Security (Minimum Standards) Convention, 1952 (No. 102) stipulates the provision of old-age benefits at the rate of 40 percent of a worker's former wage, where the contingency covered shall be survival beyond a prescribed age of not more than 65 years or such higher age as may be fixed by the competent authority with due regard to the working ability of elderly persons in the country concerned. National laws or regulations may provide that the benefit of a person otherwise entitled to it may be suspended if such person is engaged in any prescribed gainful activity or that the benefit, if contributory, may be reduced where the earnings of the beneficiary exceed a prescribed amount and, if non-contributory, may be reduced where the earnings of the beneficiary or his other means or the two taken together exceed a prescribed amount. The benefit shall be a periodic payment.	**A score of 1 is assigned:** Legislation stipulates contributory old-age benefits, or old-age benefits are paid through a non-contributory universal benefits system (both administered by the state) or if there is a provision for non-state-administered old-age benefits* **A score of 0 is assigned:** There is no explicit provision for the old-age benefits or if the old-age benefits are only an employer liability. *Due to nonstandard calculations for old age pension, the value of 40% cannot be easily ascertained for countries. This led to the use of a simpler methodology for this component. **Provident Fund and Individual Mandatory Account* **** There is a minor revision in methodology here. The earlier methodology gave a country a score of 0 if old age benefits were means-tested. Although this condition was in line with Part V of Convention No. 102, this conditionality has now been removed, and scores are adjusted for some countries.*

7.2	Survivors' Benefits	Does the law provide for survivors' benefits?	• Social Security (Minimum Standards) Convention, 1952 (No. 102) Article 67 of the ILO's Social Security (Minimum Standards) Convention, 1952 (No. 102) stipulates the provision of survivors' benefits for wives and children of breadwinners at the rate of at least 40 percent of the worker's wage, where the contingency covered shall include the loss of support suffered by the widow or child as the result of the death of the breadwinner; in the case of a widow, the right to benefit may be made conditional on her being presumed, in accordance with national laws or regulations, to be incapable of self-support. National laws or regulations may provide that the benefit of a person otherwise entitled to it may be suspended if such person is engaged in any prescribed gainful activity or that the benefit, if contributory, may be reduced where the earnings of the beneficiary exceed a prescribed amount, and, if noncontributory, may be reduced where the earnings of the beneficiary or his other means or the two taken together exceed a prescribed amount. The benefit shall be periodic payment.	**A score of 1 is assigned:** • Social Security (Minimum Standards) Convention, 1952 (No. 102) Article 67 of the ILO's Social Security (Minimum Standards) Convention, 1952 (No. 102) stipulates the provision of survivors' benefits for wives and children of breadwinners at the rate of at least 40 percent of the worker's wage, where the contingency covered shall include the loss of support suffered by the widow or child as the result of the death of the breadwinner; in the case of a widow, the right to benefit may be made conditional on her being presumed, in accordance with national laws or regulations, to be incapable of self-support. National laws or regulations may provide that the benefit of a person otherwise entitled to it may be suspended if such person is engaged in any prescribed gainful activity or that the benefit, if contributory, may be reduced where the earnings of the beneficiary exceed a prescribed amount, and, if noncontributory, may be reduced where the earnings of the beneficiary or his other means or the two taken together exceed a prescribed amount. The benefit shall be periodic payment. The legislation provides for contributory social insurance or non-contributory universal benefits for the survivors' or dependents' benefits in the event of workers' or pensioners' death once they are eligible for old-age or disability benefits (both administered by the state) or if there is a provision for non- state-administered survivors' benefits.* **A score of 0 is assigned:** There is no explicit provision for survivors' benefits or if the survivors' benefits are only an employer's liability. *Due to nonstandard calculations for dependents'/ survivors' pension, the value of 40% cannot be easily ascertained for countries. This led to the use of a simpler methodology for this component. ***Provident Fund and Individual Mandatory Account* **** There is a minor revision in methodology here. The earlier methodology gave a country a score of 0 if survivors' benefits were means-tested. Although this condition was in line with Part X of Convention No. 102, this conditionality has now been removed, and scores are adjusted for some countries in 2024.*

7.3	Unemployment Benefits	Does the law provide for unemployment benefits?	• Social Security (Minimum Standards) Convention, 1952 (No. 102) Article 67 of the ILO's Social Security (Minimum Standards) Convention, 1952 (No. 102) stipulates the provision of unemployment benefits at the rate of at least 45 percent of a worker's former wage, where the contingency covered should include earnings' suspension as defined by national laws or regulations, due to inability to obtain suitable employment in the case of a person protected who is capable of, and available for, work. The minimum duration of the benefit shall be a periodical payment for 13 weeks in a period of 12 months or periodic payment for 26 weeks within 12 months where all residents whose means during the contingency do not exceed prescribed limits.	**A score of 1 is assigned:** The legislation provides for unemployment benefits, when a worker loses employment, either through a contributory social insurance system or a noncontributory universal benefits system.* **A score of 0 is assigned:** There is no explicit provision for a state-administered unemployment benefits system or where only severance pay is provided in the event of unemployment. **Due to varying standards, the value of 45% cannot be easily ascertained for countries. This led to the use of a simpler methodology for this component.* *There is a minor revision in methodology here. The earlier methodology gave a country a score of 0 if unemployment benefits were means-tested. Although this condition was in line with Part IV of Convention No. 102, this conditionality has now been removed, and scores are adjusted for some countries in 2024.*
7.4	Sickness Benefits - Duration	Does the law require paid sick leave (and sickness benefits) for the first six months of sickness?	• Social Security (Minimum Standards) Convention, 1952 (No. 102) Article 67 of the ILO's Social Security (Minimum Standards) Convention, 1952 (No. 102) stipulates the provision of sickness benefits at the rate of at least 45 percent of a worker's former wage, where the contingency covered should include incapacity for work resulting from a morbid condition and involving suspension of earnings, as defined by national laws or regulations. The benefit shall be a periodic payment for the whole of the contingency and limited to 26 weeks in each case of sickness, in which event it need not be paid for the first three days of suspension of earnings.	**A score of 1 is assigned:** The legislation allows paid sick leave or sickness benefits for a minimum of the first six months of illness. The paid sick leave/sickness benefits must have been funded through a contributory social insurance system or a universally accessible system.* **A score of 0 is assigned:** The duration of paid sick leave/sickness benefits is less than six months or if the paid sick leave is only employer liability. **Due to varying standards, the value of 45% cannot be easily ascertained for countries. This led to the use of a simpler methodology for this component.* **** There is a minor revision in methodology here. The earlier methodology gave a country a score of 0 if sickness benefits were means-tested. Although this condition was in line with Part III of Convention No. 102, this conditionality has now been removed. The earlier methodology also gave a score of 0 if the waiting period (before payment of sickness benefits by the social security system) exceeded 10 days. This conditionality has also dropped since longer waiting periods were found for those countries where the length of sickness benefits is longer than six months. Scores are adjusted for some countries in 2024.*

7.5	Invalidity Benefits	Does the law provide for invalidity benefits?	• Social Security (Minimum Standards) Convention, 1952 (No. 102) Article 67 of the ILO's Social Security (Minimum Standards) Convention, 1952 (No. 102) stipulates the provision of invalidity benefit at the rate of 40 per cent of a worker's former wage, where the contingency covered shall include the inability to engage in any gainful activity to an extent prescribed which inability is likely to be permanent or persists after the exhaustion of sickness benefit. The benefit shall be a periodical payment, and it shall be granted throughout the contingency or until an old-age benefit becomes payable.	**A score of 1 is assigned:** Invalidity benefit is provided under the law and is paid through a contributory social insurance system or through a non-contributory universal benefits system financed through general taxation (both administered by the state) or if there is a provision for non- state-administered invalidity benefits.* **A score of 0 is assigned:** The invalidity benefit is only an employer's liability, or if there is no explicit provision for an invalidity benefits system. **Due to nonstandard calculations for the employee invalidity benefits, the value of 40% cannot be easily ascertained for countries. This led to the use of a simpler methodology for this component.* *** There is a minor revision in methodology here. The earlier methodology gave a country a score of 0 if invalidity benefits were means-tested. Although this conditionality was in line with Part IX of Convention No. 102, it has now been removed, and scores are adjusted for some countries in 2024.*

	Component	Scoring question	International Regulatory Standard	Scoring Methodology
		**Indicator 8 : Fair Treatment**		
8.1	Equal Remuneration	Does the law require equal remuneration for men and women workers for work of equal value?	• Equal Remuneration Convention, 1951 (No. 100) Article 2 of the ILO's Equal Remuneration Convention, 1951 (No. 100) stipulates that the principle of equal remuneration for men and women workers for work of equal value should be promoted and ensured for all workers by means appropriate to the methods in operation for determining rates of remuneration. This principle may be applied through national laws or regulations, legally established or recognised machinery for wage determination, collective agreements between employers and workers, or a combination of these various means. The principle of equal remuneration is applied through objective appraisal of jobs on the basis of the work to be performed. The Convention further states that the "differential rates between workers which correspond, without regard to sex, to differences, as determined by such objective appraisal, in the work to be performed shall not be considered as being contrary to the principle of equal remuneration for men and women workers for work of equal value".	**A score of 1 is assigned:** The legislation mandates equal remuneration for male and female workers for work of equal value without discrimination on the grounds of sex. **A score of 0 is assigned:** The law limits the principle of equal remuneration to the same work, similar work, equal work or work of a similar nature, or there is a general prohibition for discrimination in wages or the labour legislation does not even address this issue.
8.2	Sexual Harassment in Employment	Does the law prohibit sexual harassment in employment?	• Violence and Harassment Convention, 2019 (No. 190) Article 7 of the ILO's Violence and Harassment Convention, 2019 (No. 190) states that without prejudice to and consistent with Article 1 (definitions of violence and harassment as well as gender-based violence and harassment), each Member shall adopt laws and regulations to define and prohibit violence and harassment in the world of work, including gender-based violence and harassment. Article 10 of the Convention suggests that members may impose sanctions, where appropriate, in cases of violence and harassment in the world of work.	**A score of 1 is assigned:** The legislation protects against workplace sexual harassment, with criminal penalties (either fines or imprisonment) or civil remedies (monetary compensation for victims and recovery of damages) or a combination of both. **A score of 0 is assigned:** There is no prohibition of sexual harassment in legislation or if the legislation addresses workplace sexual harassment in general terms and has a general prohibition on harassment only.
8.3	Discrimination in Employment	Does the law prohibit discrimination in employment matters?	• Discrimination (Employment and Occupation) Convention, 1958 (No. 111) • Vocational Rehabilitation and Employment (Disabled Persons) Convention, 1983 (No. 159) • Convention on the Rights of Persons with Disabilities, 2006 (CPRD) • Right to Organise and Collective Bargaining Convention, 1949 (No. 98) Article 2 of the Discrimination (Employment and Occupation) Convention, 1958 (No. 111) states that equality of opportunity and treatment in respect of employment and occupation, with the purpose of eliminating any discrimination, should be promoted. This regulatory standard is based on four different conventions. The ten prohibited grounds for discrimination are: ILO Convention No. 111: race, colour, sex, religion, political opinion, national extraction or social origin, age ILO Convention No. 159 and CRPD: disability ILO Convention No. 98 : trade union membership or participation in trade union activities	**A score of 1 is assigned:** The law prohibits employers from engaging in discrimination or mandates equal treatment of all workers in employment matters. A score of 1 is assigned only if a country has prohibited discrimination on at least seven of the following ten grounds. The prohibited grounds for discrimination are "race, colour, sex, religion, political opinion, national extraction or social origin, age, disability and trade union membership". **A score of 0 is assigned:** The law does not prohibit such discrimination on at least seven of the ten grounds or only prohibits such discrimination in one or limited aspects of employment, such as pay or dismissal, instead of all employment related matters.

8.4	Access to Same Jobs as Men	Does the law allow women to do the same job as men?	• Discrimination (Employment and Occupation) Convention, 1958 (No. 111) • International Covenant on Economic, Social and Cultural Rights (ICESCR) Article 2 of the ILO's Discrimination (Employment and Occupation) Convention, 1958 (No. 111) requires each ratifying Member to declare and pursue a national policy designed to promote, by methods appropriate to national conditions and practice, equality of opportunity and treatment in respect of employment and occupation, and to eliminate any discrimination in respect thereof. Article 6 of the International Covenant on Economic, Social and Cultural Rights requires the state parties to recognize the right to work, which includes the right of everyone to the opportunity to gain his living by work which he freely chooses or accepts, and to take appropriate steps to safeguard this right.	**A score of 1 is assigned:** The legislation does not restrict non-pregnant and non-nursing women from working in the same jobs as men. **A score of 0 is assigned:** The law prohibits or restricts women from working in jobs deemed hazardous, arduous, morally inappropriate and during night hours.
8.5	Basic Social Protection - Platform Economy	Does the law guarantee basic labour protection to the platform workers?	The Global Commission on the Future of Work 2019 recommended the development of an "international governance system for digital labour platforms", requiring platforms (and clients) to respect certain minimum rights and protections. The Maritime Labour Convention 2006 (MLC, 2006) can be used as an example. The ILO Governing Body decided in March 2023 to place on the agenda of the 113th and 114th sessions of the International Labour Conference (June 2025 and 2026), a standard-setting item on decent work in the platform economy. Necessary questionnaires on the form, scope and content of such a standard have been distributed and responses were sought by the social partners and relevant stakeholders. Similarly, provisions of the Tripartite Declaration of Principles concerning Multinational Enterprises and Social Policy (MNE Declaration) 2017 can be used as guiding principles.	**A score of 1 is assigned:** Considering the relatively new phenomenon of the platform economy, a score of 1 is currently assigned to all such countries providing access to basic social protection** (old age benefits, survivors' and invalidity benefits) to self-employed workers. **A score of 0 is assigned:** The basic social protection is not afforded to self-employed workers or where access to these benefits is linked to citizenship. **The basic assumptions of the Index are not applicable to the question on platform work.* ***To give equal treatment to workers, labour legislation must regulate the gig or platform economy and provide the following universal labour guarantees or basic labour protections to the platform workers: access to fundamental workers' rights (which inow includes safe and healthy workplaces), social protection, adequate living wages, and decent working hours.*

	Component	Scoring question	International Regulatory Standard	Scoring Methodology
		**Indicator 9 : Child & Forced Labour**		
9.1	Employment Age	Does the law prohibit the employment of children?	• Minimum Age Convention, 1973 (No. 138) • Convention on the Rights of the Child (CRC) Article 2 of the ILO's Minimum Age Convention, 1973 (No. 138) states that a minimum age for admission to employment or work shall not be less than the age of completion of compulsory schooling and, in any case, shall not be less than 15 years.However, a ratifying Member whose economy and educational facility are insufficiently developed may, after consultation with the organisations of employers and workers concerned, initially specify a minimum age of 14 years. Article 32(2) of the UN's Convention on the Rights of the Child, 1989 can be applied here as well. It states that the States Parties shall take legislative, administrative, social and educational measures to ensure the implementation of a minimum age or minimum age for admission to employment; provide for appropriate regulation of the hours and conditions of employment; and provide for appropriate penalties or other sanctions to ensure the effective enforcement of the present article.	**A score of 1 is assigned:** The legislation prohibits the employment of children under the age of 15 years (14 years in the case of developing countries). **A score of 0 is assigned:** The legislation prohibits the employment of children under the age of 15 years (14 years in the case of developing countries).The employment entry age is lower than 15 years (14 years in the case of developing countries).
9.2	Compulsory Schooling Age	Does the law set employment entry age equal to or higher than the compulsory schooling age?	• Minimum Age Convention, 1973 (No. 138) Article 2(3) of the ILO's Minimum Age Convention, 1973 (No. 138) specifies that the minimum age for employment shall not be less than the age of completion of compulsory schooling and, in any case, shall not be less than 15 years (14 years for developing countries).	**A score of 1 is assigned:** The legislation sets the employment entry age equal to or higher than the compulsory education age. **A score of 0 is assigned:** The employment entry age is lower than the compulsory education age or if the compulsory schooling age is not defined under the law.
9.3	Age for Hazardous Work	Does the law prohibit the employment of young persons in hazardous work under the age of 18 years?	• Minimum Age Convention 1973 (No. 138 • Convention on the Rights of Child (CRC) Article 3 of the ILO's Minimum Age Convention 1973 (No. 138) stipulates that the minimum age for admission to any type of employment or work which, by its nature, or the circumstances in which it is carried out, is likely to jeopardise the health, safety or morals of young persons shall not be less than 18 years. The types of employment or work shall be determined by national laws or regulations or by the competent authority, after consultation with the organisations of employers and workers concerned, where such exist. National laws or regulations or the competent authority may authorise employment or work from the age of 16 years on the condition that the health, safety and morals of the young persons concerned are fully protected and that the young persons have received adequate specific instruction or vocational training in the relevant branch of activity. Furthermore, Article 32(1) of the UN's Convention on the Rights of Child states that there should be recognition of the right of the child to be protected from economic exploitation and from performing any work that is likely to be hazardous or to interfere with the child's education, or to be harmful to the child's health or physical, mental, spiritual, moral or social development.	**A score of 1 is assigned:** The legislation prohibits the employment of young persons under the age of 18 years in hazardous work.* **A score of 0 is assigned:** The employment entry age for hazardous work is lower than 18 years or is not specified under the law. **Work which, by its nature or the circumstances in which it is carried out, is likely to jeopardise the health, safety or morals of a young person.*

9.4	Forced Labour	Does the law prohibit forced labour?	• Forced Labour Convention, 1930 (No. 29) • Protocol of 2014 to the Forced Labour Convention, 1930 • International Covenant on Civil and Political Rights (ICCPR) Article 2 of the ILO's Forced Labour Convention, 1930 (No. 29) specifies that forced or compulsory labour means all work or service (with some exceptions) which is exacted from any person under the menace of any penalty and for which the said person has not offered himself Voluntarily. Protocol of 2014 to the ILO's Forced Labour Convention, 1930 focuses on taking effective measures to prevent and eliminate the use of forced or compulsory labour, to provide protection to victims and access to appropriate and effective remedies, such as compensation, and sanction the perpetrators of forced or compulsory labour. It also refers to specific action against trafficking in persons for the purposes of forced or compulsory labour. Article 8 of the UN's International Covenant on Civil and Political Rights, 1954 states that no one shall be held in slavery or servitude; slavery and the slave trade in all their forms shall be prohibited, and no one shall be required to perform forced or compulsory labour.	**A score of 1 is assigned:** The legislation prohibits forced labour except in certain extraordinary circumstances. **A score of 0 is assigned:** The law does not prohibit forced labour or has only a general prohibition without any sanctions (monetary fines and/or term of imprisonment).

	Component	Scoring question	International Regulatory Standard	Scoring Methodology
		**Indicator 10 : Freedom of Association**		
10.1	Freedom of Association	Does the law allow workers to form and join unions of their own choice?	• Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87) Article 2 of the ILO's Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87) states that workers and employers, without distinction whatsoever, shall have the right to establish and, subject only to the rules of the organisation concerned, to join organisations of their own choosing without previous authorisation.	**A score of 1 is assigned:** The legislation allows workers to form and join organisations of their own choice, except for armed forces and police. **A score of 0 is assigned:** There is an explicit general prohibition in law on the right to establish and join organisations, or the law prohibits the establishment of more than one trade union in a single enterprise, or there is a state monopoly through the imposition of a single organisation to which workers and their representative organisations must belong.Workers are excluded from the right to form and join organisations of their own choice based on exclusionary criteria like race, political opinion, nationality, age or on the grounds of occupational categories (public or private sector) or type of employment (part-time or full-time work; workers are prohibited from joining more than one trade union even if they are engaged in work at different workplaces as part-time workers).The legislation places excessive requirements on the right to organise in an enterprise by setting a minimum number of workers in an enterprise for registration of a trade union (a minimum of 30 workers in a workplace to allow the establishment of trade unions). Restriction could also take the form of requiring a minimum number of workers to be trade union members (more than 20 members) or setting a high percentage of workers in a workplace to be trade union members (more than 10% of the total workers).* ** These must be considered jointly. The permissible registration requirement for a trade union could be that its members are "at least ten percent (10%) of the total workers employed in the workplace or twenty (20) workers engaged in such workplace, whichever is less".*
10.2	Collective Bargaining	Does the law allow workers to bargain collectively with employers through their representative unions?	• Right to Organise and Collective Bargaining Convention, 1949 (No. 98) Article 4 of the ILO's Right to Organise and Collective Bargaining Convention, 1949 (No. 98) states that measures appropriate to national conditions shall be taken, where necessary, to encourage and promote the full development and utilisation of machinery for voluntary negotiation between employers or employers' organisations and workers' organisations, with a view to the regulation of terms and conditions of employment by means of collective agreements.	**A score of 1 is assigned:** The legislation allows workers* and their representative organisations to negotiate and conclude collective agreements with employers to determine terms and conditions of employment. **A score of 0 is assigned:** There is an explicit general prohibition in the law on the right to collective bargaining. Workers are excluded from the right to bargain collectively based on exclusionary criteria like race, political opinion, nationality or on the grounds of occupational categories (public or private sector) except the public servants engaged in the administration of the state (civil servants employed in government ministries and other comparable bodies). There is an absence of objective, pre-established and precise criteria for determining and recognising trade unions entitled to collective bargaining. There are excessively high representation thresholds (higher than 20%) for trade unions to engage in collective bargaining at the workplace level.

10.3	Right to Strike	Does the law provide the right to strike?	• Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87) • International Covenant on Economic, Social and Cultural Rights (ICESCR) Article 11 of the ILO's Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87) states that each Member of the International Labour Organisation for which this Convention is in force undertakes to take all necessary and appropriate measures to ensure that workers and employers may exercise freely the right to organise.Para 751 of the Compilation of Decisions of the Committee on Freedom of Association, 2018 shares that while the Committee has always regarded the right to strike as constituting a fundamental right of workers and of their organisations, it has regarded it as such only in so far as it is utilised as a means of defending their economic interests. Para 754 further states that the right to strike is an intrinsic corollary to the right to organise protected by the ILO Convention No. 87. Article 8(d) of the International Covenant on Economic, Social and Cultural Rights (ICESCR) requires the state parties to ensure the "right to strike, provided that it is exercised in conformity with the laws of the particular country."	**A score of 1 is assigned:** The legislation guarantees workers the right to strike. **A score of 0 is assigned:** The right to strike is not provided in law or if there is an explicit general prohibition on strikes. There are excessive exclusions based on race, political opinion, nationality, or occupational categories (public or private sector). The right is jeopardised through many restrictions (e.g., limiting or stipulating the duration of a strike before initiation of strike action or where the list of essential services is broader than the approved list).* The right to strike is restricted by imposing a requirement that more than 50% of workers should be in favour of a strike (the requirement of an absolute majority). The legislation sets too long a period for previous negotiation, conciliation, and mediation (greater than 30 days) or unreasonable notice/cooling-off periods before calling a strike (greater than 14 days). The legislation allows either party (employer or worker organisations) or the government to refer a collective labour dispute to the arbitrator or labour court if parties do not reach an agreement on a collective bargaining agreement or to end a strike (compulsory arbitration). Recourse to compulsory arbitration is, however, allowed if both parties agree to it, or the Government could refer a dispute to the Labour Court for compulsory arbitration in the event of an acute national crisis. ** The score will, however, remain 1 in cases where the list of essential services is broader though the right to industrial action is not restricted and only a minimum service requirement is imposed.*
10.4	Sanctions against Striking Workers	Does the law prohibit imposing excessive sanctions against striking workers, including replacement of such workers?	• Right to Organise and Collective Bargaining Convention, 1949 (No. 98) Article 1 of the ILO's Right to Organise and Collective Bargaining Convention, 1949 (No. 98) states that workers shall enjoy adequate protection against anti-union discrimination in their employment. This protection specifically applies to actions that require a worker to either refrain from joining a union or relinquish their union membership as a condition of employment. It also safeguards against dismissal or any other form of prejudice due to a worker's union membership or participation in union activities, whether outside working hours or, with the consent of the employer, within working hours.	**A score of 1 is assigned:** The legislation prohibits imposing excessive sanctions against striking workers, including the replacement of such workers. **A score of 0 is assigned:** The law does not prohibit the dismissal or replacement of workers who are on legitimate and peaceful strikes, and excessive sanctions, including monetary fines and imprisonment, are imposed in case of strikes.There are excessive, disproportionate and/or penal sanctions (monetary fines and imprisonment) for organising or participating in a legitimate strike, regardless of whether the strike is lawful or unlawful under national legislation.

International Instruments Used in Scoring Methodology

UN Conventions and Covenants

1. Universal Declaration of Human Rights, 1948
2. International Covenant on Economic, Social and Cultural Rights (ICESCR)
3. International Covenant on Civil and Political Rights (ICCPR)
4. International Convention on the Elimination of All Forms of Racial Discrimination (CERD)
5. Convention on the Elimination of All Forms of Discrimination against Women (CEDAW)
6. Convention on the Rights of the Child (CRC)
7. Convention on the Rights of Persons with Disabilities (CPRD)

ILO Declarations

1. Philadelphia Declaration of 1944
2. ILO Declaration on Fundamental Principles and Rights at Work 1998
3. ILO Declaration on Social Justice for a Fair Globalization, 2008 (updated in 2022)
4. ILO Centenary Declaration for the Future of Work, 2019
5. Tripartite Declaration of Principles concerning Multinational Enterprises and Social Policy (MNE Declaration)

ILO Conventions

1. Hours of Work (Industry) Convention, 1919 (No. 1)
2. Right of Association (Agriculture) Convention, 1921 (No. 11)
3. Weekly Rest (Industry) Convention, 1921 (No. 14)
4. Forced Labour Convention, 1930 (No. 29)
5. Protocol of 2014 to the Forced Labour Convention, 1930
6. Hours of Work (Commerce and Offices) Convention, 1930 (No. 30)
7. Forty-Hour Week Convention, 1935 (No. 47)
8. Labour Inspection Convention, 1947 (No. 81)
9. Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87)
10. Protection of Wages Convention, 1949 (No. 95)
11. Right to Organise and Collective Bargaining Convention, 1949 (No. 98)
12. Equal Remuneration Convention, 1951 (No. 100)
13. Social Security (Minimum Standards) Convention, 1952 (No. 102)
14. Weekly Rest (Commerce and Offices) Convention, 1957 (No. 106)
15. Discrimination (Employment and Occupation) Convention, 1958 (No. 111)
16. Social Policy (Basic Aims and Standards) Convention, 1962 (No. 117)
17. Employment Injury Benefits Convention, 1964 [Schedule I amended in 1980] (No. 121)
18. Employment Policy Convention, 1964 (No. 122)
19. Invalidity, Old-Age and Survivors' Benefits Convention, 1967 (No. 128)
20. Medical Care and Sickness Benefits Convention, 1969 (No. 130)
21. Minimum Wage Fixing Convention, 1970 (No. 131)
22. Holidays with Pay Convention (Revised),1970 (No. 132)
23. Minimum Age Convention, 1973 (No. 138)
24. Collective Bargaining Convention, 1981 (No. 154)
25. Occupational Safety and Health Convention, 1981 (No. 155)
26. Employment Promotion and Protection against Unemployment Convention, 1988 (No. 168)
27. Termination of Employment Convention, 1982 (No. 158)
28. Vocational Rehabilitation and Employment (Disabled Persons) Convention, 1983 (No. 159)
29. Labour Statistics Convention, 1985 (No. 160)
30. Workers with Family Responsibilities Recommendation, 1981 (No. 165)
31. Night Work Convention, 1990 (No. 171)
32. Working Conditions (Hotels and Restaurants) Convention, 1991 (No. 172)
33. Part-Time Work Convention, 1994 (No. 175)
34. Maternity Protection Convention, 2000 (No. 183)
35. Promotional Framework for Occupational Safety and Health Convention, 2006 (No. 187)
36. Domestic Workers Convention, 2011 (No. 189)
37. Violence and Harassment Convention, 2019 (No. 190)
38. Maritime Labour Convention, 2006

ILO Recommendations

1. Reduction of Hours of Work Recommendation, 1962 (No. 116)
2. Minimum Wage Fixing Recommendation, 1970 (No. 135)
3. Occupational Safety and Health Recommendation, 1981 (No. 164)
4. Family Responsibilities Recommendation, 1981 (No. 165)
5. Termination of Employment Recommendation, 1982 (No. 166)
6. Night Work Recommendation, 1990 (No. 178)
7. Private Employment Agencies Recommendation, 1997 (No. 188)
8. Maternity Protection Recommendation, 2000 (No. 191)
9. Social Protection Floors Recommendation, 2012 (No. 202)
10. Transition from the Informal to the Formal Economy Recommendation, 2015 (No. 204)
11. Quality Apprenticeships Recommendation, 2023 (No. 208)

ILC Resolution

1. 2009 ILC Resolution Concerning Gender Equality at the Heart of Decent Work

Frequently Asked Questions

Frequently Asked Questions

What is the Labour Rights Index?

The Labour Rights Index is a de jure index that measures the major aspects of employment regulation affecting a worker during the employment life cycle (10 indicators, 46 sub-indicators or components) in 145 countries. It limits itself to the presence or absence of relevant labour legislation only.

What is new in the 2024 edition of the Labour Rights Index?

- It has 10 new countries, thus raising the number of countries from 135 in 2022 to 145;
- It now includes more contextual indicators to help understand the scores in a country;
- As before:
  - It gives a complete legal basis for each component score, adding to the transparency on how each country was scored and rated;
  - It shares relevant legislative trends since 2022, whether there has been a reform or if the legislation has remained the same.

How is Labour Rights Index data collected?

The Labour Rights Index has 10 indicators and 46 sub-indicators, components or evaluation criteria. The scoring is based on an analysis of thousands of pages of labour legislation. The work is done solely by the WageIndicator Labour Law Office, i.e., the Centre for Labour Research (Pakistan), with support from WageIndicator country teams.

How are the Labour Rights Index questions chosen?

The Index looks at every aspect of the working lifespan of a worker and identifies the presence of labour rights, or the lack of it, in national legal systems worldwide. It covers 10 topics/indicators and 46 components/evaluation criteria. All of these are based on substantive elements of the Decent Work Agenda. All these are grounded in UDHR, five UN Conventions, five ILO Declarations, 38 ILO Conventions, and four ILO Recommendations.

How are the questions scored?

The Labour Rights Index measures major aspects of employment regulation that affect a worker during the employment life cycle. The Index provides an overall score for each of the 145 countries covered. Forty-six (46) data points are obtained across 10 indicators of four to five binary questions, where each indicator represents an aspect of work which is considered important for achieving decent work.

The scores for each indicator are acquired by computing the unweighted average of the components under that indicator and measuring the result to 100. The final scores for the countries are then determined by taking each indicator's average, where 100 is the maximum score to achieve.

Certain assumptions for scoring exist in the methodology. The following assumptions are used by the Labour Rights Index. The worker in question:

1. Is skilled;
2. Is a minimum wage worker;
3. Resides in the economy's most populous province/state/area;
4. Is a lawful citizen or a legal immigrant of the economy;
5. Is a full-time employee with a permanent contract in a medium-sized enterprise with 60 employees;
6. Has work experience of one year or more;
7. Is assumed to be registered with the relevant social security institution and for a long enough time to accrue various monetary benefits (maternity, sickness, work injury, old age pension, survivors', and invalidity benefit); and
8. Is assumed to have been working long enough to access leaves (maternity, paternity, paternal, sick, and annual leave) and various social benefits, including unemployment benefits

How can Labour Rights Index findings be used?
The Labour Rights Index is essentially directed at governments and international organisations, targeting trade union federations, multilateral organisations, and national-level organisations such as government agencies. It is aimed to be a tool for policymakers. However, most of all, the Index can be used by workers to learn about their rights and guide them in making employment decisions.

National scores can be used as starting points for negotiations and reforms by civil society organisations. Ratings can be made prerequisites for international socio-economic agreements to ensure compliance with labour standards, similar to the EU's GSP+ and USA's GSP, which require compliance in law and practice with certain labour standards in order to avail certain trade benefits through reduced tariffs.

The Labour Rights Index is also a useful benchmarking tool that can be used in stimulating policy debate as it can help expose challenges and identify best practices. The Index provides meaningful input into policy discussions to improve labour market protections at the country level.

The Labour Rights Index is a repository of 'objective and actionable' data on labour market regulation along with the best practices which can be used by countries worldwide to initiate necessary reforms. The comparative tool can also be used by Labour Ministries to find the best practices within their own regions and around the world.

Does the study measure implementation?
The Labour Rights Index is a de jure index, and it measures the presence or absence of relevant legislation only. While recognising the existence of implementation gaps in legislative provisions, well-drafted and inclusive laws are still a precondition for attaining decent work. There is not a single country where workers have attained decent work without legislation. Implementation is critical; however, it is difficult to take a de facto approach and measure the labour rights situation across 145 economies and 46 evaluation criteria in a comparable and cost-effective way. The detailed country profiles provide a list of contextual indicators, including but not limited to the labour force, GDP per capita, the share of informal employment in the country, trade union density, work injuries, etc., to contextualise the scores given to a country. The scores must be interpreted and seen together with this contextual information.

Does the Labour Rights Index include information affecting workers in the informal sector?
The Index is based on labour legislation, which applies to the formal economy in the private sector. Despite the fact that more than 60 per cent of the global workforce is in need of transitioning from the informal to the formal economy, focusing on the labour laws affecting the formal sector retains attention on the sector since the labour laws in the formal economy are more applicable and that is the ultimate goal. Focusing on the formal economy and its applicable legislation also indicates the rights that will be available to the informal economy workers on successful transition to the formal economy. However, to recognise the new forms of work, legislation affecting gig economy workers has been made part of the Index.

How frequently are the scores updated?
The Labour Rights Index is a biennial flagship product and updated every two years. The first and second editions of the Index were launched in 2020 and 2022, respectively. The third edition of the Index in 2024 takes into account the labour legislation, in effect on 1 January 2024.

What when you work in the informal sector? How useful is the Index?
The Labour Rights Index shows the statutory labour rights for the workers in formal employment relationships because this is where the labour law generally applies. The informal economy, as defined by ILO Recommendation 204 on Transition from Informal to Formal Economy, refers to all economic activities by workers and economic units that are – in law or in practice – not covered or insufficiently covered by formal arrangements. A country's labour law, based on a minimum employee threshold, is not applicable to the informal sector. However, workers in the informal sector can use the country profiles in the Index to learn about basic labour rights that are available in the country and launch advocacy campaigns through their representative organisations to have access to the same or similar labour rights. The first step for the informal sector workers should be to get all those rights which have been guaranteed to the formal sector workers. The next step could be striving towards the rights set in the international labour standards.

Does the Labour Rights Index cover both public and private sector labour legislation?
The Labour Rights Index and its base document. i.e. the Decent Work Checks are mainly focused on legislation in the private sector. The public sector jobs are comparatively more secure and have access to many workplace rights. In many countries, the same labour legislation exists for both public and private sector workers, except for some differences in the right to collective bargaining and the right to strike. In countries where separate labour legislation exists for the public sector, e.g. India, the Index considers only the private sector labour law.

However, since the public sector comprises more than 10% of total employment in a country, the Index may in the future start covering the public sector legislation in WageIndicator countries and also analyse it. The legislation in the public sector may still not be used for scoring purposes but it can be shown how legislation differs in both sectors.

One of the assumptions in the Index is that the "worker is a full-time employee with a permanent contract in a medium-sized enterprise with 60 employees". Does this mean that the index does not cover small enterprises?
The Labour Rights Index covers all such enterprises, irrespective of their size, where private sector labour law is applicable. However, to ensure the comparability of data, such standardised assumptions are used. For example, in Pakistan, industrial sector workers are eligible for severance payment if they are working in an enterprise employing at least 49 workers. Pakistan and Sri Lanka are such countries where different legislation exists for industrial and non-industrial sectors. Standardised assumptions have been used to take such differences into account. The World Bank, in both its reports, The Doing Business Report and Women, Business and Law Report, uses a similar assumption.

Does the Index cover only labour law or rules and regulations as well?
The Labour Rights Index is based on Decent Work Checks, a product of WageIndicator, which summarises labour legislation on 13 topics and 48 sub-topics. These documents take into consideration all labour legislation, including labour law, as well as any rules and regulations notified under it.

In case of doubt about scores, where can one check the law?
The current version of the Index provides the legal basis for each of the 46 components for all 145 countries. In addition, the Labour Rights Index is based on Decent Work Checks which are available both as standalone documents and are also available on WageIndicator country websites as Labour Law pages. A user can access either of these resources and look into actual text. We also provide reference to actual law in these pages. At the same time, it is also recommended that the LRI methodology be looked at to better understand the scoring.

What are its uses for workers?
The Labour Rights Index can work as an efficient aid for workers to gauge the protection of labour rights in labour laws across countries. For migrants as well as posted workers, Labour Rights Index country profiles, along with WageIndicator Decent Work Checks, provide necessary information on workplace rights in both origin and destination countries. With increased internet use, the availability of reliable and objective legal rights information is the first step towards compliance. The Labour Rights Index helps in achieving that step.

LABOUR RIGHTS INDEX 2024

www.labourrightsindex.org

Centre for Labour Research

WageIndicator