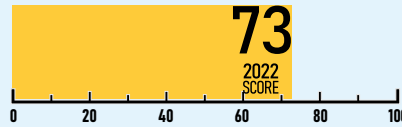


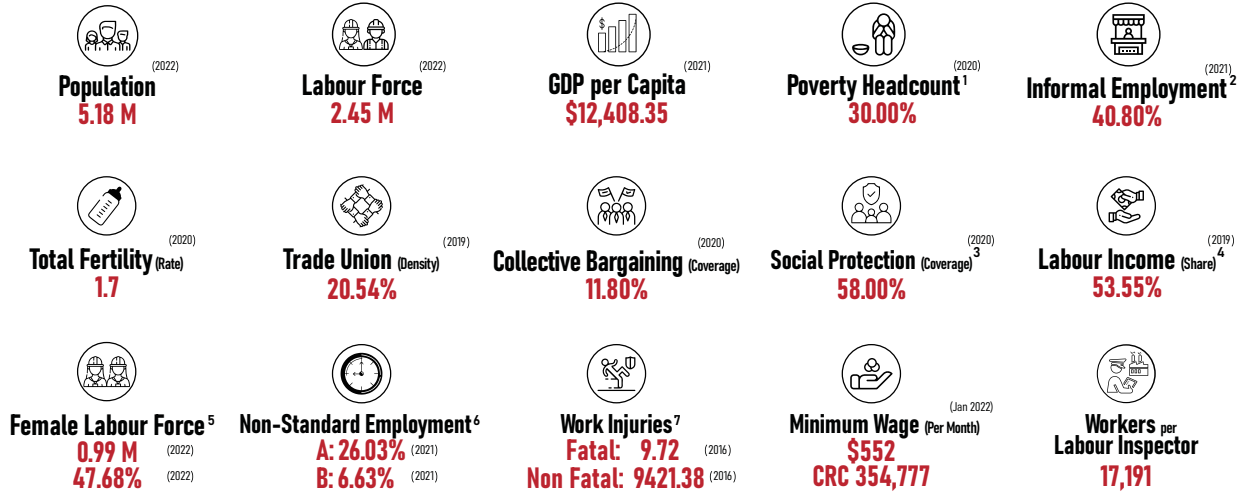


Costa Rica



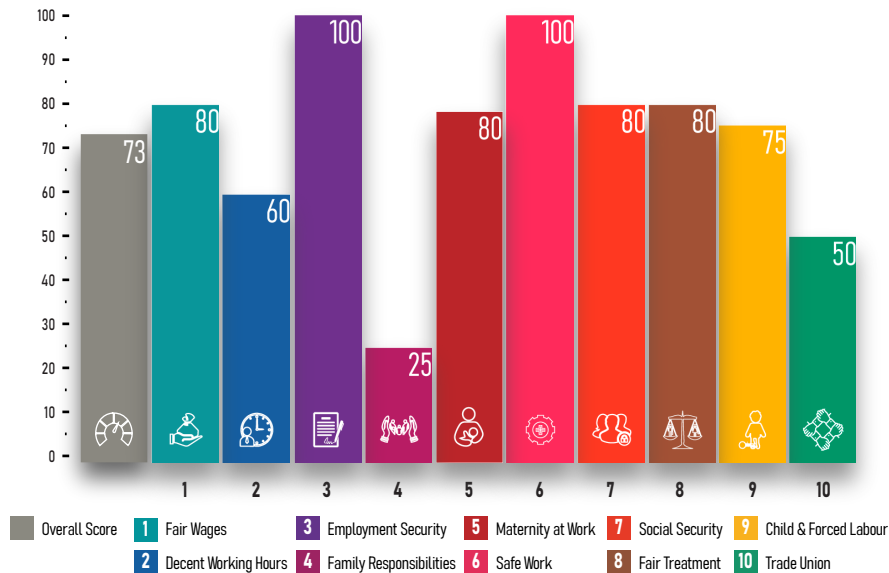
**73** 2020 SCORE  
Latin America and The Caribbean  
Upper-middle income  
Reasonable Access to Decent Work  
LRI RATING

## Contextual Indicators



Sources: World Bank  
International Labour Organization  
WageIndicator Minimum Wages and Living Wages Database  
M = Million

## Legislative Performance Indicators



## Introduction

The Labour Rights Index 2022 (LRI 2022) is a de-jure index covering 135 economies and structured around the working lifespan of a worker. In total, 46 questions or evaluation criteria are scored across 10 indicators. The overall score is calculated by taking the average of each indicator, with 100 being the highest possible score. The Index uses a rating system, ranging from "Total Lack of Decent Work" to "Decent Work". The Labour Rights Index aims at an active contribution to the Sustainable Development Goals, by providing necessary (complementary) insights into de jure provisions on issues covered in particular by SDG8 (Decent Jobs), SDG 5 (Gender Equality), SDG 10 (Reduced Inequalities) and SDG 16 (Strong Institutions). The Index is based on national labour legislation, applicable on 1 January 2022. The Index does not take into account COVID-19 related labour market measures in its scoring.

Costa Rica's overall score is 73 out of 100. The overall score for Costa Rica is higher than the regional average observed across Latin America and The Caribbean (71). Within the Latin America and The Caribbean region, the highest score is observed for Paraguay (82.5).

<sup>1</sup> Proportion of population living below the national poverty line (%), as measured under SDG 1.2.1

<sup>2</sup> Share of informal employment in total employment (%), as measured under SDG 8.3.1

<sup>3</sup> Proportion of the country population covered by social protection floors, as measured under SDG 1.3.1

<sup>4</sup> Labour income (income of employees + partly income of the self-employed) as a percentage of GDP, as measured under SDG 10.4.1

<sup>5</sup> The female labour force is shown in absolute number along with the female labour force participation rate

<sup>6</sup> Non-Standard Employment has been defined as Part-Time Employment (A) and Temporary Employment (B)

<sup>7</sup> Rate of fatal and non-fatal injuries per 100,000 workers, as measured under SDG 8.8.1

The country rating is based on the overall score of 0-100, with the following coding:

(90.5-100) Decent Work | (80.5-90) Approaching Decent Work | (70.5-80) Reasonable Access to Decent Work | (60.5-70) Limited Access to Decent Work | (50.5-60) Basic Access to Decent Work | (0-50) Total Lack of Decent Work

# LABOUR RIGHTS INDEX 2022

	Question <sup>9</sup>	Answer	Legal Basis	Trend <sup>12</sup>
1. Fair Wages	Does the law prescribe minimum wage rates in the country?	Yes	§177-192, 608 and 614 of Labour Code, 1943; §2, 4, 17, 18, & 19 of the Decree No. 832 concerning minimum wages	●
	Does the law require regular payment of wages?	Yes	§162, 164-166 & 168 of Labour Code, 1943; §1, 2 of Executive Decree No. 11324 of March 1980	●
	Does the law require overtime compensation be at least 125% of the regular hourly rate?	Yes	§139 of the Labour Code, 1943	●
	Does the law require additional compensation for working on a weekly rest day?	No	§148 & 152 of the Labour Code, 1943	●
	Does the law require additional compensation for night work?	Yes	§ 58 of the Constitution of Costa Rica 1949; §136-140 of the Labour Code, 1943	●
2. Decent Working Hours	Does the law stipulate general working hours as 48 hours or lower?	Yes	§137, 139 of Labour Code, 1943	●
	Does the law restrict maximum working hours including overtime to 56 hours per week?	No	§140 of the Labour Code, 1943	●
	Does the law require a weekly rest of at least 24 hours?	Yes	§136, 137 and 152 of the Labour Code, 1943	●
	Does the law require paid public holidays?	Yes	§147 & 148 of the Labour Code, 1943	●
	Does the law require at least three working weeks of paid annual leave?	No	§153-160 of the Labour Code, 1943	●
3. Employment Security	Does the law require written employment contracts or at least written employment particulars?	Yes	§06 and 18-48 of the Labour Code, 1943	●
	Does the law restrict the hiring of fixed-term contract workers?	Yes	§19-20 & 26-27 of the Labour Code, 1943	●
	Does the law limit the length of probation period including renewals to a maximum of 3 months?	Yes	§28-29 of the Labour Code, 1943	●
	Does the law require a 30-day notice before contract termination?	Yes	§28, 29 & 35 of the Labour Code, 1943	●
	Does the law require severance pay at the rate of at least 2 weeks of wages for every year of service?	Yes	§29, 83 & 85 of the Labour Code, 1943	●
4. Family Responsibilities	Does the law require parental leave for parents?	No	No applicable legal provisions could be located	●
	Does the law require at least one week of paid paternity leave for fathers?	No	No applicable legal provisions could be located	●
	Does the law require flexible work arrangements for workers with family responsibilities?	No	No applicable legal provisions could be located	●
	Does the law require paid nursing breaks?	Yes	§97 of the Labour Code, 1943	●
5. Maternity at Work	Does the law prohibit inquiring about pregnancy during recruitment?	No	No applicable legal provisions could be located	●
	Does the law require paid maternity leave of at least 14 weeks?	Yes	§95 & 96 of the Labour Code, 1943	●
	Does the law require cash maternity benefit be at least 67% of a worker's former wage?	Yes	§95 of the Labour Code, 1943	●
	Does the law require maternity benefit be paid through contributory social insurance or universal benefits system?	Yes	§95 of the Labour Code, 1943	●
	Does the law protect workers from dismissals during or on account of pregnancy?	Yes	§94 & 94-bis of the Labour Code, 1943	●
6. Safe Work	Does the law require provision of free personal protective equipment to workers from employer?	Yes	§284 of the Labour Code, 1943	●
	Does the law require the employer to train workers on health and safety issues?	Yes	§284 of the Labour Code, 1943	●
	Does the law restrict work that is prejudicial to the health of the mother or the child?	Yes	§87 & 88 of the Labour Code, 1943; § 7 of the Regulation No.33507-MTSS	●
	Does the law provide for employment injury benefit?	Yes	Labour Code, 1943; ISSA Country Profile for Costa Rica	●
	Does the law provide for an old age pension?	Yes	Law no. 7302 and Law no. 7092, of April 21, 1988 and its reforms; ISSA Country Profile for Costa Rica	●
7. Social Security	Does the law provide for a dependants/survivors' pension?	Yes	National Pension System Law No. 7302; Worker's Protection Act Law No. 7983	●
	Does the law provide for unemployment benefit?	No	No applicable legal provisions could be located	●
	Does the law require paid sick leave for the first 6 months of sickness?	Yes	§79 of the Labour Code, 1943; ISSA Country Profile for Costa Rica	●
	Does the law provide for invalidity benefit?	Yes	National Pension System Law No. 7302; Worker's Protection Act Law No. 7983	●
	Does the law require equal remuneration for work of equal value?	Yes	§167, 405 & 618-619 of Labour Code, 1943; §14-15 of the Law on Promotion of Women's Social Equality 1990	●
8. Fair Treatment	Does the law prohibit sexual harassment in employment?	Yes	Law against Sexual Harassment Employment and Teaching of 1995 (Law No. 7476)	●
	Does the law prohibit discrimination in employment matters? <sup>10</sup>	Yes	§33 & 68 of the Political Constitution of Costa Rica 1949; §404-406 and 619 of Labour Code, 1943	●
	Does the law allow women to do the same jobs as men?	No	§87 of Labour Code, 1943	●
	Does the law guarantee basic labour protections for gig economy workers?	Yes	National Pension System Law No. 7302; ISSA Country Profile for Costa Rica	●
	Does the law prohibit employment of children?	Yes	§89-93 of Labour Code, 1943; §3, 78, 92, & 101 of the Childhood & Adolescence Code, 1998	●
9. Child and Forced Labour	Does the law set employment entry age equal to or higher than the compulsory schooling age?	No	§78 of the Constitution, 1949; §57 & 59 of the Childhood & Adolescence Code, 1998	●
	Does the law prohibit the employment of children in hazardous work under the age of 18 years?	Yes	§87 & 88 of Labour Code, 1943; §94 of the Childhood & Adolescence Code, 1998; §1 & 5 of Law 8922, 2011	●
	Does the law prohibit forced labour?	Yes	§8, Labour Code, 1943; §7, 170-172, 189 bis, 192, 376, 381, & 383-384 of the Penal Code, 1970	●
10. Trade Union	Does the law allow workers to form and join unions of their own choice?	Yes	§25 & 60 of the Political Constitution of Costa Rica 1949; §339-346 of Labour Code, 1943	●
	Does the law allow workers to bargain collectively with employers through their representative unions?	No	§62, Constitution 1949; §54-60, Labour Code, 1943; Decreto N° 36157-MTSS; CEACR C98 Obs. 2020	●
	Does the law provide for the right to strike?	No	§61, Constitution 1949; §371-391 of Labour Code, 1943; Decree no. 143 of 8 October 2015	●
	Does the law prohibit employers from terminating employment contracts of striking workers?	Yes	§372 of Labour Code, 1943; USDOS CRHRP 2021	●

## Covid 19 and Labour Market in Costa Rica\*

Total Covid Cases	0.90 Million
Total Covid Deaths	8,525
Partial Vaccinated	88.0%
Fully Vaccinated	82.0%

Wage Subsidies	✘
Social Security Contributions (deferrals/waivers)	✔
Paid Sick Leave	✘
Add. Unemployment Benefits	✔

Protection from Dismissals	✘
Telework/flexible work	✔
Improved Health Access	✘
Training (activation measures)	✔

<sup>9</sup> The Index has 10 indicators and 46 evaluation criteria or questions.

<sup>10</sup> 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 1 is assigned only if a country has prohibited discrimination on at least 7 of the above 10 grounds.

<sup>11</sup> A country's score on LRI's Trade Union indicator must also be read together SDG indicator 8.8.2 which measures the level of national compliance with labour rights (freedom of association and collective bargaining) based on ILO textual sources and national legislation. It has a range from 0 to 10, with 0 being the best possible score (indicating higher levels of compliance with FACB rights) and 10 the worst (indicating lower levels of compliance with FACB rights). The score of Costa Rica on SDG 8.8.2 is 3.16 (2020)

The Index uses Observations/Direct Requests from ILO CEACR and the US Department of State's Country Reports on Human Rights Practices (US DOS CRHRP) to measure a country's compliance on the Trade Union indicator.

<sup>12</sup> In order to measure the trend in country's legislative performance over the last edition of the Labour Rights Index (2020), the legislative table indicates improvement or worsening of labour rights in country through the following colours.

- Score increase
- Score decrease
- Score adjustment
- No change