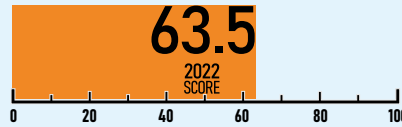




Benin



61 2020 SCORE

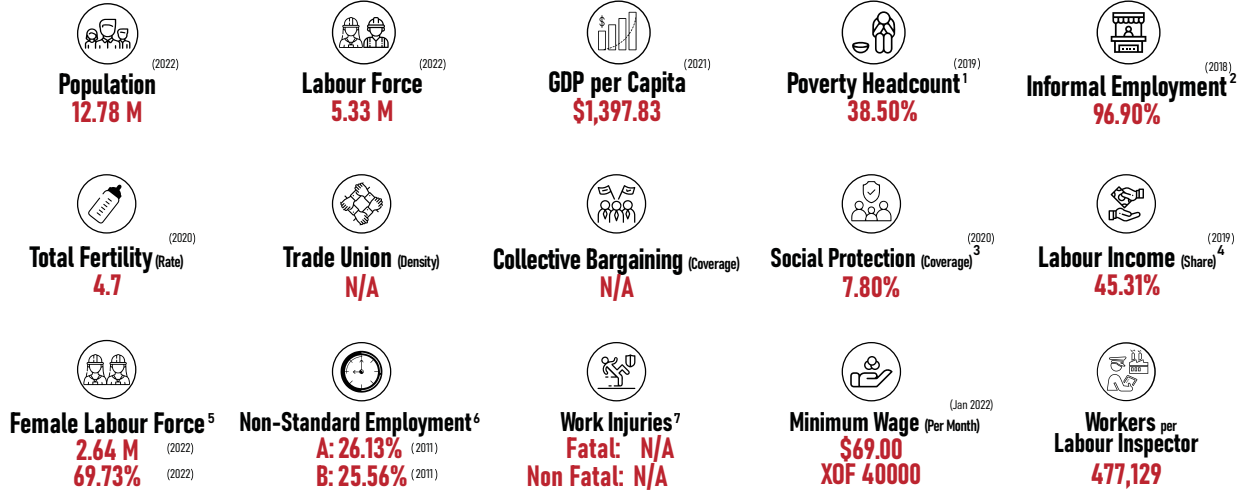
Sub-Saharan Africa

Lower-middle income

Limited Access to Decent Work

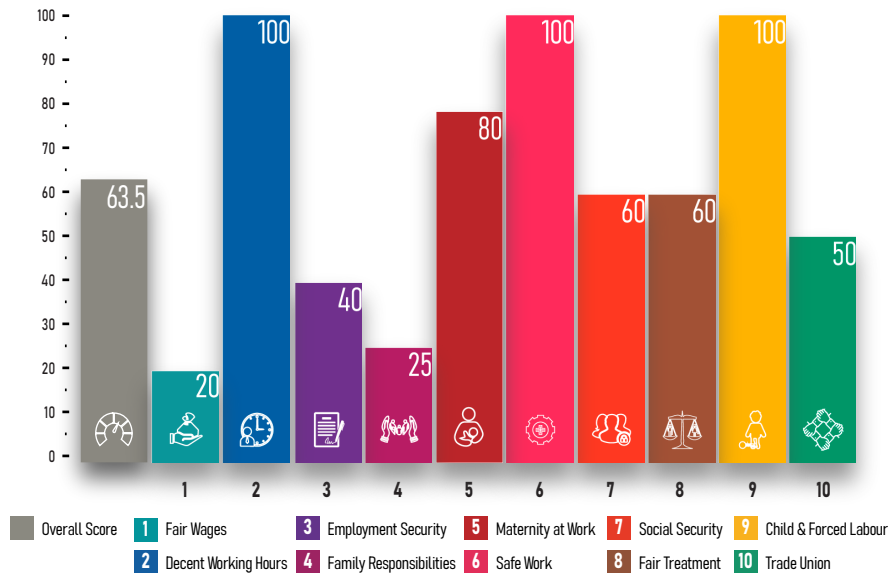


## Contextual Indicators



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.

Benin's overall score is 63.5 out of 100. The overall score for Benin is lower than the regional average observed across Sub-Saharan Africa (64.4). Within the Sub-Saharan Africa region, the highest score is observed for Guinea (80.5).

<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?	No	§30 of the Constitution of the Republic of Benin 1990; §210, 266 & 302 of the Labour Code, 1998	●
	Does the law require regular payment of wages?	Yes	§207-226 & 309 of the Labour Code, 1998	●
	Does the law require overtime compensation be at least 125% of the regular hourly rate?	No	§147 of the Labour Code, 1998	●
	Does the law require additional compensation for working on a weekly rest day?	No	§147 of the Labour Code, 1998	●
	Does the law require additional compensation for night work?	No	§147 of the Labour Code, 1998	●
2. Decent Working Hours	Does the law stipulate general working hours as 48 hours or lower?	Yes	§141-148 of the Labour Code 1998; §66 of Collective Labour Agreement 2005	●
	Does the law restrict maximum working hours including overtime to 56 hours per week?	Yes	§142 and 145 of the Labour Code, 1998	●
	Does the law require a weekly rest of at least 24 hours?	Yes	§156 of the Labour Code 1998, §1-4 of the Order on weekly rest period	●
	Does the law require paid public holidays?	Yes	Act on Holidays, 1990 (No. 90-019) & Act on the Annual Holiday for Traditional Religions, 1997 (No. 97-031)	●
	Does the law require at least three working weeks of paid annual leave?	Yes	§158-165 of the Labour Code 1998	●
3. Employment Security	Does the law require written employment contracts or at least written employment particulars?	No	§9-12 of the Labour Code 1998	●
	Does the law restrict the hiring of fixed-term contract workers?	No	§12-18 of the Labour Code 1998; §11-15 & 22-25 of Hiring, Workforce Placement and Termination, Employment Contract Law, 2017	●
	Does the law limit the length of probation period including renewals to a maximum of 3 months?	Yes	§19-22 of the Labour Code 1998; §9 of the Collective Labour Agreement 2005	●
	Does the law require a 30-day notice before contract termination?	Yes	§41-57 of the Labour Code 1998, §31 of Collective Labour Agreement 2005	●
	Does the law require severance pay at the rate of at least 2 weeks of wages for every year of service?	No	§28 of Collective Labour Agreement 2005	●
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	§54 of the Collective Labour Agreement, 2005	●
	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	§173 of the Labour Code 1998	●
	Does the law prohibit inquiring about pregnancy during recruitment?	No	No applicable legal provisions could be located	●
5. Maternity at Work	Does the law require paid maternity leave of at least 14 weeks?	Yes	§170 of the Labour Code 1998	●
	Does the law require cash maternity benefit be at least 67% of a worker's former wage?	Yes	§170 of the Labour Code 1998, §49-50 of Social Security Code 2003	●
	Does the law require maternity benefit be paid through contributory social insurance or universal benefits system?	Yes	§170 of the Labour Code 1998, §49-50 of Social Security Code 2003	●
	Does the law protect workers from dismissals during or on account of pregnancy?	Yes	§171 of the Labour Code 1998, §55 of Collective Labour Agreement 2005	●
	Does the law require provision of free personal protective equipment to workers from employer?	Yes	§182 of the Labour Code 1998, §4, 29-36 & 94-104 of the Arrêté n. 22 of 19th April 1999	●
6. Safe Work	Does the law require the employer to train workers on health and safety issues?	Yes	§183 of the Labour Code 1998	●
	Does the law restrict work that is prejudicial to the health of the mother or the child?	Yes	§55 of the Collective Labour Agreement 2005	●
	Does the law provide for employment injury benefit?	Yes	Social Security Code 2003; ISSA Country Profile for Benin	●
	Does the law provide for an old age pension?	Yes	Social Security Code 2003; ISSA Country Profile for Benin	●
	Does the law provide for a dependants/survivors' pension?	Yes	Social Security Code 2003; ISSA Country Profile for Benin	●
7. Social Security	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?	No	§38 & 53 of the Labour Code 1998; §9 & 22 of the Collective Labour Agreement 2005	●
	Does the law provide for invalidity benefit?	Yes	Social Security Code 2003	●
	Does the law require equal remuneration for work of equal value?	Yes	§126 & 208 of the Labour Code 1998; §61 of the Collective Labour Agreement 2005	●
	Does the law prohibit sexual harassment in employment?	Yes	Loi n° 2006-19 du 17 juillet 2006 portant répression du harcèlement sexuel et protection des victimes	●
8. Fair Treatment	Does the law prohibit discrimination in employment matters? <sup>10</sup>	Yes	§26 of the Constitution, 1990; §4-5 & 31 of the Labour Code 1998; §215 & 227 of Children Code (Loi n° 2015-08)	●
	Does the law allow women to do the same jobs as men?	No	§168 of the Labour Code 1998; Ministerial Order No. 132/MFPTRA/MSP/DC/SGM/DT/SST of 2 November 2000	●
	Does the law guarantee basic labour protections for gig economy workers?	No	No applicable legal provisions could be located	●
	Does the law prohibit employment of children?	Yes	§153-155 & 166 of the Labour Code 1998; loi de 2006; §210 of Children Code (Loi n° 2015-08)	●
	Does the law set employment entry age equal to or higher than the compulsory schooling age?	Yes	§24, Education Act, 2003; §4, Law on the Prevention of Violence Against Women, 2012	●
9. Child and Forced Labour	Does the law prohibit the employment of children in hazardous work under the age of 18 years?	Yes	Decret No 2011-029; §212-215, 227 & 353 of Children Code, 2015; §1, Hazardous Occupations List 2006	●
	Does the law prohibit forced labour?	Yes	§3 & 303, Labour Code, 1998; §212 & 353 of the Child Code, 2015; §4, Law on Trafficking, 2006	●
	Does the law allow workers to form and join unions of their own choice?	Yes	§31 of Constitution 1990; §79-84 of Labour Code 1998; USDOS CRHRP 2021	●
10. Trade Union	Does the law allow workers to bargain collectively with employers through their representative unions?	No	§122-128 & 286-289 of Labour Code 1998; Loi n° 92-010 du 16 Juillet 1992; USDOS CRHRP 2021	●
	Does the law provide for the right to strike?	No	§264 of the Labour Code 1998; Loi n° 2001-09 portant exercice du droit de grève; CEACR, C87, Obs. 2019	●
	Does the law prohibit employers from terminating employment contracts of striking workers?	Yes	No violative legal provisions could be located	●

## Covid 19 and Labour Market in Benin\*

Total Covid Cases	0.03 Million
Total Covid Deaths	163
Partial Vaccinated	27.00%
Fully Vaccinated	23.00%

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 Benin on SDG 8.8.2 is 0.87 (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