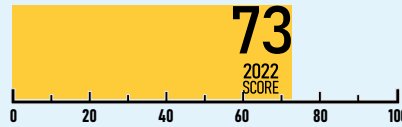


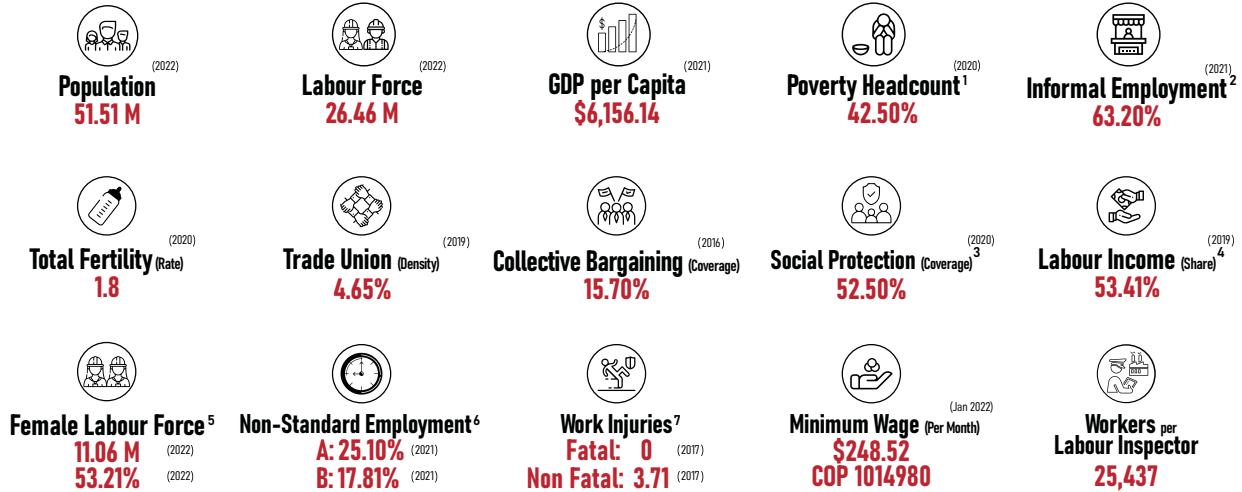


Colombia



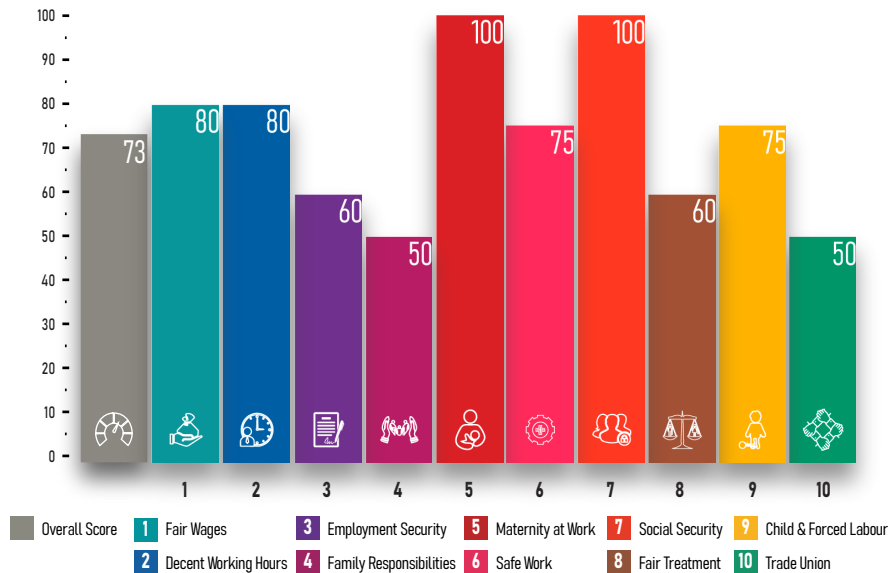
**73** 2020 SCORE  
Latin America and The Caribbean  
Upper-middle income  
Reasonable Access to Decent Work  
LRI RATING

## 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.

Colombia's overall score is 73 out of 100. The overall score for Colombia 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	§53 of the Constitution of Colombia 1991; §1, 4, 145-148 & 486 of the Substantive Labour Code 1950	●
	Does the law require regular payment of wages?	Yes	§134-140 & 149-153 of the Substantive Labour Code, 1950	●
	Does the law require overtime compensation be at least 125% of the regular hourly rate?	Yes	§168 of the Substantive Labour Code 1950	●
	Does the law require additional compensation for working on a weekly rest day?	No	§180 & 181 of the Substantive Labour Code, 1950	●
	Does the law require additional compensation for night work?	Yes	§160 & 168 of the Substantive Labour Code, 1950	●
2. Decent Working hours	Does the law stipulate general working hours as 48 hours or lower?	Yes	§161-168 of the Substantive Labour Code, 1950	●
	Does the law restrict maximum working hours including overtime to 56 hours per week?	No	§161 and 164 of the Substantive Labour Code 1950	●
	Does the law require a weekly rest of at least 24 hours?	Yes	§179 of the Substantive Labour Code, 1950	●
	Does the law require paid public holidays?	Yes	§177 of the Substantive Labour Code, 1950	●
	Does the law require at least three working weeks of paid annual leave?	Yes	§186-192 of the Substantive Labour Code, 1950	●
3. Employment Security	Does the law require written employment contracts or at least written employment particulars?	Yes	§22, 37-39, 45 & 49 of the Substantive Labour Code, 1950	●
	Does the law restrict the hiring of fixed-term contract workers?	No	§46 of the Substantive Labour Code, 1950	●
	Does the law limit the length of probation period including renewals to a maximum of 3 months?	Yes	§76-80 of the Substantive Labour Code, 1950	●
	Does the law require a 30-day notice before contract termination?	No	§47, 61 & 62 of the Substantive Labour Code, 1950	●
	Does the law require severance pay at the rate of at least 2 weeks of wages for every year of service?	Yes	§64 of the Substantive Labour Code, 1950; §67 of the Law No. 50 of 1990	●
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?	Yes	§236 of the Substantive Labour Code, 1950; §2 of the Ley 2114 de 2021	●
	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	§238 of the Substantive Labour Code, 1950; Law 1823 of 2017	●
5. Maternity at Work	Does the law prohibit inquiring about pregnancy during recruitment?	Yes	Resolution No. 4050 of 1994; §241 of the Substantive Labour Code, 1950; §3 of Law No. 2114 of 2021	●
	Does the law require paid maternity leave of at least 14 weeks?	Yes	§236-237 of the Substantive Labour Code, 1950	●
	Does the law require cash maternity benefit be at least 67% of a worker's former wage?	Yes	§236 of the Substantive Labour Code, 1950; §157 & 207 of Law no. 100 of 1993	●
	Does the law require maternity benefit be paid through contributory social insurance or universal benefits system?	Yes	§236 of the Substantive Labour Code, 1950; §157 & 207 of Law no. 100 of 1993	●
	Does the law protect workers from dismissals during or on account of pregnancy?	Yes	§239 of the Substantive Labour Code, 1950	●
6. Safe Work	Does the law require provision of free personal protective equipment to workers from employer?	Yes	§122-124 of the Ley núm. 9 del 24 de enero de 1979 por la que se dictan Medidas Sanitarias	●
	Does the law require the employer to train workers on health and safety issues?	Yes	§21 of Decree 1295 of 1994; §54 of the Constitution of Colombia 1991; §24 of the Decree No. 614 of 1984	●
	Does the law restrict work that is prejudicial to the health of the mother or the child?	No	§242 of the Substantive Labour Code, 1950	●
	Does the law provide for employment injury benefit?	Yes	§02-13 of the Law No. 776 of 2002; ISSA Country Profile for Colombia	●
	Does the law provide for an old age pension?	Yes	§33-37 of the Law No. 100 of 1993; ISSA Country Profile for Colombia	●
7. Social Security	Does the law provide for a dependants/survivors' pension?	Yes	§46-49 of the Law No. 100 of 1993; ISSA Country Profile for Colombia	●
	Does the law provide for unemployment benefit?	Yes	§12-17 of Ley 1636 De 2013; §249 of the Substantive Labour Code, 1950	●
	Does the law require paid sick leave for the first 6 months of sickness?	Yes	§227-228 of the Substantive Labour Code, 1950	●
	Does the law provide for invalidity benefit?	Yes	§38-45 of the Law No. 100 of 1993; ISSA Country Profile for Colombia	●
	Does the law require equal remuneration for work of equal value?	Yes	§53 of the Constitution of Colombia 1991; §10 & 143 of the Substantive Labour Code 1950	●
8. Fair Treatment	Does the law prohibit sexual harassment in employment?	Yes	§134B & 210 of the Penal Code (Law 599 of 2000); §1-12 of the Law No. 1010 of 2006; Resoluciones 652 y 1356 de 2012	●
	Does the law prohibit discrimination in employment matters? <sup>10</sup>	Yes	§134A & C of the Penal Code, 2000; §22-34 of the Law 361 of 1997; §239 of the Substantive Labour Code, 1950	●
	Does the law allow women to do the same jobs as men?	No	§26 of the Constitution of Colombia 1991; §11 & 242 of the Substantive Labour Code, 1950	●
	Does the law guarantee basic labour protections for gig economy workers?	No	Law no. 100 of 1993; ISSA Country Profile for Colombia	●
	Does the law prohibit employment of children?	Yes	§35 of the Code on Childhood & Adolescence, 2006	●
9. Child and Forced Labour	Does the law set employment entry age equal to or higher than the compulsory schooling age?	No	§28 & 35 of the Code on Childhood & Adolescence, 2006; Decree 4807 of 2011	●
	Does the law prohibit the employment of children in hazardous work under the age of 18 years?	Yes	§117 of the Code on Childhood & Adolescence, 2006	●
	Does the law prohibit forced labour?	Yes	§17 of the Constitution, 1991; §141 & 188A of the Penal Code, 2000	●
10. Trade Union	Does the law allow workers to form and join unions of their own choice?	Yes	§39 of the Constitution of Colombia 1991; §353-367 of the Substantive Labour Code, 1950	●
	Does the law allow workers to bargain collectively with employers through their representative unions?	Yes	§55 of the Constitution of Colombia 1991; §467-480 of the Substantive Labour Code 1950	●
	Does the law provide for the right to strike?	No	§56, Constitution of Colombia 1991; §429-449, Substantive Labour Code 1950; CEACR C87 Obs. 2020	●
	Does the law prohibit employers from terminating employment contracts of striking workers?	No	§450(2) of the Substantive Labour Code 1950; CEACR C87 Obs. 2020	●

## Covid 19 and Labour Market in Colombia\*

Total Covid Cases	6.22 Million
Total Covid Deaths	140,365
Partial Vaccinated	84.0%
Fully Vaccinated	72.0%

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 Colombia on SDG 8.8.2 is 4.84 (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