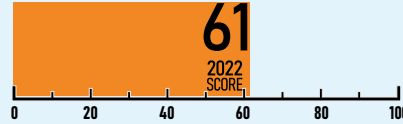




Kuwait



59 2020 SCORE

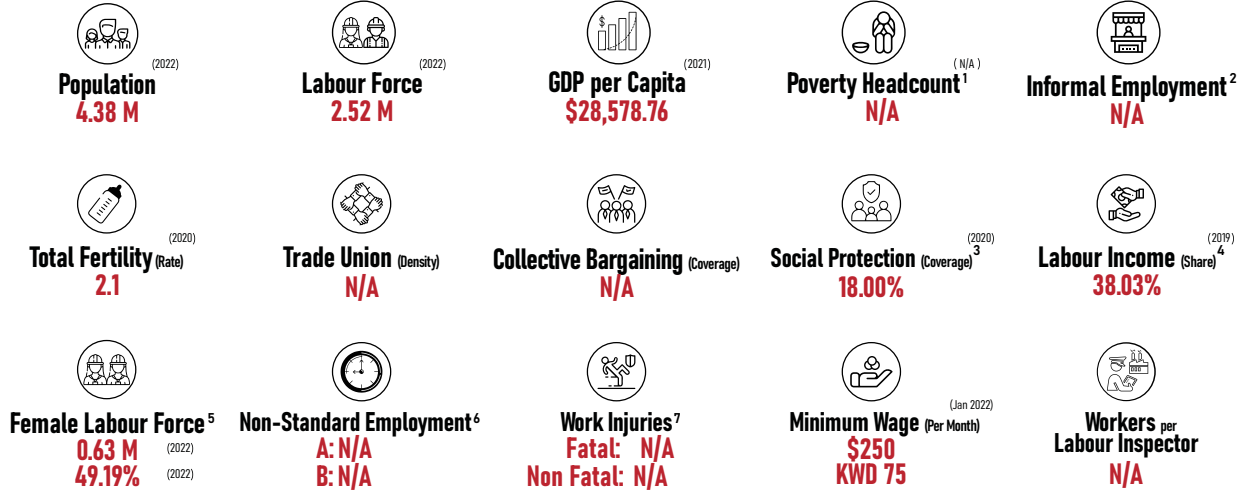
Middle East and North Africa

High income

Limited Access to Decent Work

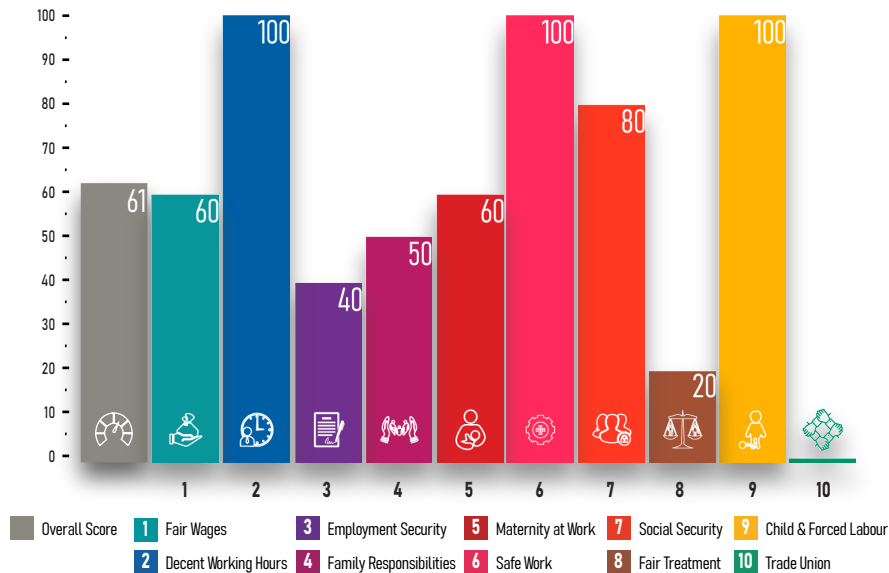


Contextual Indicators



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.

Kuwait's overall score is 61 out of 100. The overall score for Kuwait is lower than the regional average observed across the Middle East and North Africa (61.26). Within the Middle East and North Africa region, the highest score is observed for Morocco (79.5).

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

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

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

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

⁵ The female labour force is shown in absolute number along with the female labour force participation rate

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

⁷ 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 ⁹	Answer	Legal Basis	Trend ¹²
1. Fair Wages	Does the law prescribe minimum wage rates in the country?	No	§55 & 63 of the Labour Law for Private Sector (Law No. 6 of 2010)	●
	Does the law require regular payment of wages?	Yes	§38, 55-62 & 139 of the Labour Law for Private Sector (Law No. 6 of 2010)	●
	Does the law require overtime compensation be at least 125% of the regular hourly rate?	Yes	§66 of the Labour Law for Private Sector (Law No. 6 of 2010)	●
	Does the law require additional compensation for working on a weekly rest day?	Yes	§67 & 68 of the Labour Law for Private Sector (Law No. 6 of 2010)	●
2. Decent Working Hours	Does the law require additional compensation for night work?	No	§21 & 22 of the Labour Law for Private Sector (Law No. 6 of 2010)	●
	Does the law stipulate general working hours as 48 hours or lower?	Yes	§22, 64-66 of the Labour Law for Private Sector (Law No. 6 of 2010)	●
	Does the law restrict maximum working hours including overtime to 56 hours per week?	Yes	§66 of the Labour Law for Private Sector (Law No. 6 of 2010)	●
	Does the law require a weekly rest of at least 24 hours?	Yes	§67 of the Labour Law for Private Sector (Law No. 6 of 2010)	●
	Does the law require paid public holidays?	Yes	§68 of the Labour Law for Private Sector (Law No. 6 of 2010)	●
3. Employment Security	Does the law require at least three working weeks of paid annual leave?	Yes	§70-74 of the Labour Law for Private Sector (Law No. 6 of 2010)	●
	Does the law require written employment contracts or at least written employment particulars?	Yes	§28 & 29 of the Labour Law for Private Sector (Law No. 6 of 2010)	●
	Does the law restrict the hiring of fixed-term contract workers?	No	§30 & 31 of the Labour Law for Private Sector (Law No. 6 of 2010); Unified Labour Contract	●
	Does the law limit the length of probation period including renewals to a maximum of 3 months?	No	§30 & 31 of the Labour Law for Private Sector (Law No. 6 of 2010); Unified Labour Contract	●
	Does the law require a 30-day notice before contract termination?	No	§41-50 of the Labour Law for Private Sector (Law No. 6 of 2010)	●
4. Family Responsibilities	Does the law require severance pay at the rate of at least 2 weeks of wages for every year of service?	Yes	§51-54 of the Labour Law for Private Sector (Law No. 6 of 2010)	●
	Does the law require parental leave for parents?	Yes	§24 of the Labour Law for Private Sector (Law No. 6 of 2010); §52 of the Law on Children Rights (No. 21 of 2015)	●
	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	●
5. Maternity at Work	Does the law require paid nursing breaks?	Yes	§25 of the Labour Law for Private Sector (Law No. 6 of 2010); §55 of the Law on Children Rights (No. 21 of 2015)	●
	Does the law prohibit inquiring about pregnancy during recruitment?	Yes	Ministerial Decree No. 177 of 2021 on Prohibiting Discrimination in Employment and Prohibiting Sexual Harassment at Workplaces	●
	Does the law require paid maternity leave of at least 14 weeks?	No	§24 of the Labour Law for Private Sector (Law No. 6 of 2010)	●
	Does the law require cash maternity benefit be at least 67% of a worker's former wage?	Yes	§5 & 24 of the Labour Law for Private Sector (Law No. 6 of 2010)	●
	Does the law require maternity benefit be paid through contributory social insurance or universal benefits system?	No	§5 & 24 of the Labour Law for Private Sector (Law No. 6 of 2010)	●
6. Safe Work	Does the law protect workers from dismissals during or on account of pregnancy?	Yes	§24 of the Labour Law for Private Sector (Law No. 6 of 2010)	●
	Does the law require provision of free personal protective equipment to workers from employer?	Yes	§83 of the Labour Law for Private Sector (Law No. 6 of 2010); §25 of the Ministerial Decree No. 22 of 1974	●
	Does the law require the employer to train workers on health and safety issues?	Yes	§84 of the Labour Law for Private Sector (Law No. 6 of 2010)	●
	Does the law restrict work that is prejudicial to the health of the mother or the child?	Yes	§23 of the Labour Law for Private Sector (Law No. 6 of 2010); §54 of the Law on Children Rights (No. 21 of 2015)	●
	Does the law provide for employment injury benefit?	Yes	§89-97 of the Labour Law for Private Sector (Law No. 6 of 2010); §29 of the Decree No. 27 of 2021; §32-34 of the Social Security Law, No. 61 of 1976	●
	Does the law provide for an old age pension?	Yes	§17-25 of the Social Security Law, No. 61 of 1976	●
	Does the law provide for a dependants/survivors' pension?	Yes	§63-72 of the Social Security Law, No. 61 of 1976	●
7. Social Security	Does the law provide for unemployment benefit?	Yes	Unemployment Insurance Law No. 101 of 2013	●
	Does the law require paid sick leave for the first 6 months of sickness?	No	§69 of the Labour Law for Private Sector (Law No. 6 of 2010)	●
	Does the law provide for invalidity benefit?	Yes	Social Security Law, No. 61 of 1976	●
	Does the law require equal remuneration for work of equal value?	No	§26 of the Labour Law for Private Sector (Law No. 6 of 2010)	●
	Does the law prohibit sexual harassment in employment?	No	§191 & 192, Criminal Code 1960; §41 & 48, Labour Law for Private Sector 2010; §1 of Ministerial Decree No. 177 of 2021	●
8. Fair Treatment	Does the law prohibit discrimination in employment matters? ¹⁰	No	§29, Constitution, 1962; §46, Labour Law for Private Sector 2010; §1 of Ministerial Decree No. 177 of 2021	●
	Does the law allow women to do the same jobs as men?	No	§41 of the Constitution, 1962; §23 of the Labour Law for Private Sector (Law No. 6 of 2010)	●
	Does the law guarantee basic labour protections for gig economy workers?	Yes	Social Security Law, No. 61 of 1976; ISSA Country Profile for Kuwait	●
	Does the law prohibit employment of children?	Yes	§19 & 20, Labour Law for Private Sector, 2010; §43 & 46-51, Law on Children Rights, 2015	●
9. Child and Forced Labour	Does the law set employment entry age equal to or higher than the compulsory schooling age?	Yes	§2 of the Compulsory Education Law (No. 11 of 1965)	●
	Does the law prohibit the employment of children in hazardous work under the age of 18 years?	Yes	§19 & 21 of the Labour Law for Private Sector, 2010; §46-51 of the Law on Children Rights, 2015	●
	Does the law prohibit forced labour?	Yes	Ministerial Order Prohibiting Forced Labour, 2011; Law on Combating Trafficking in Persons, 2013	●
10. Trade Union	Does the law allow workers to form and join unions of their own choice?	No	§43, Constitution 1962; §46 & 98-110, Labour Law for Private Sector 2010; CEACR C87 Obs. 2021	●
	Does the law allow workers to bargain collectively with employers through their representative unions?	No	§111-122 of the Labour Law for Private Sector (Law No. 6 of 2010); USDOS CRHRP 2021	●
	Does the law provide for the right to strike?	No	§44 of the Constitution of Kuwait 1962; §129 of the Labour Law for Private Sector (Law No. 6 of 2010)	●
	Does the law prohibit employers from terminating employment contracts of striking workers?	No	USDOS CRHRP 2021	●

Covid 19 and Labour Market in Kuwait*

Total Covid Cases	0.65 Million
Total Covid Deaths	2,556
Partial Vaccinated	82.0%
Fully Vaccinated	79.0%

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)	✗

⁹ The Index has 10 indicators and 46 evaluation criteria or questions.

¹⁰ 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.

¹¹ 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). No score is available for the Kuwait on SDG 8.8.2

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.

¹² 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