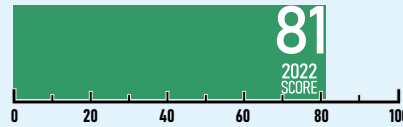


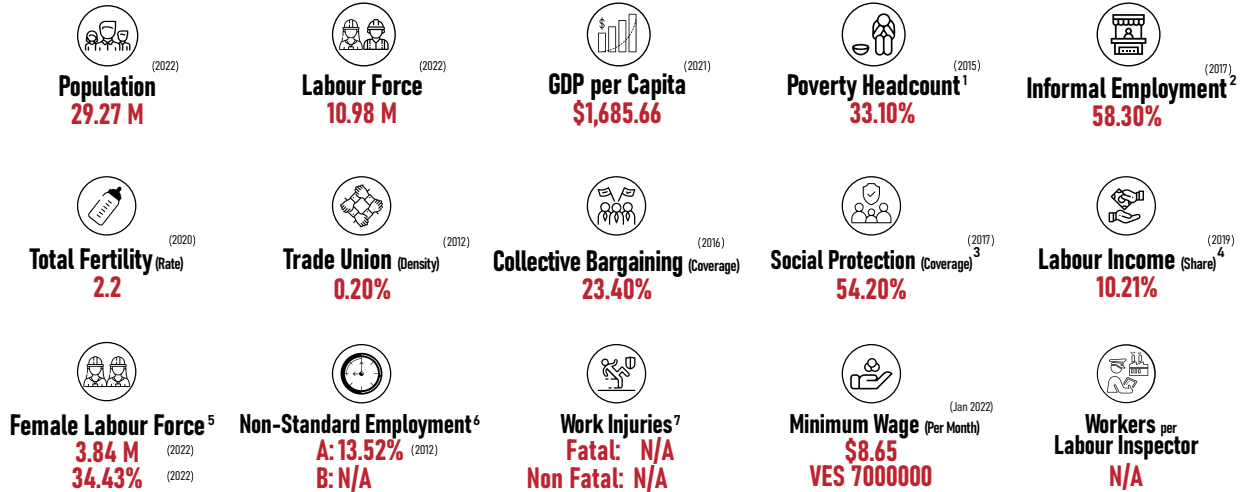


Venezuela,
Bolivarian Republic of



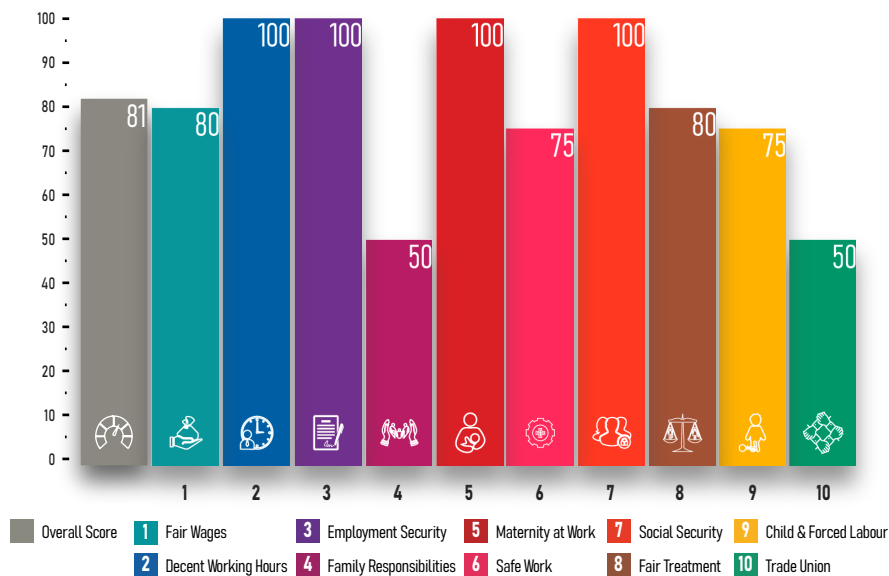
Latin America and The Caribbean
Upper-middle income
Approaching Decent Work
LRI RATING

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.

Venezuela, Bolivarian Republic's overall score is 81 out of 100. The overall score for Venezuela, Bolivarian Republic 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).

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?	Yes	§91 & 92 of the the Constitution, 1999; §129, 130 & 533 of the Organic Labour Law for Workers, 2012	●
	Does the law require regular payment of wages?	No	§98, 104, 126, 127, 129 & 533 of the Organic Labour Law for Workers, 2012; §92 of the the Constitution, 1999	●
	Does the law require overtime compensation be at least 125% of the regular hourly rate?	Yes	§118 of the Organic Law of Labours and Workers, 2012	●
	Does the law require additional compensation for working on a weekly rest day?	Yes	§188 of the Organic Labour Law for Workers, 2012	●
2. Decent Working Hours	Does the law require additional compensation for night work?	Yes	§117 & 173 of the Organic Labour Law for Workers, 2012	●
	Does the law stipulate general working hours as 48 hours or lower?	Yes	§90 of the Constitution, 1999; §118, 167-173, 178 & 179, OLLW, 2012; §102, Law on Protection of Boys, Girls & Adolescents, 2007	●
	Does the law restrict maximum working hours including overtime to 56 hours per week?	Yes	§178 of the Organic Law of Labours and Workers 2012	●
	Does the law require a weekly rest of at least 24 hours?	Yes	§173 of the Organic Labour Law for Workers, 2012	●
	Does the law require paid public holidays?	Yes	§119 & 184 of the Organic Labour Law for Workers, 2012	●
3. Employment Security	Does the law require at least three working weeks of paid annual leave?	Yes	§190, 192, 195, 196, 197 & 199 of the Organic Law of Labours and Workers, 2012	●
	Does the law require written employment contracts or at least written employment particulars?	Yes	§58, 59 & 60 of the Organic Labour Law for Workers, 2012	●
	Does the law restrict the hiring of fixed-term contract workers?	Yes	§62 of the Organic Labour Law for Workers, 2012	●
	Does the law limit the length of probation period including renewals to a maximum of 3 months?	Yes	§80 & 87 of the Organic Labour Law for Workers, 2012	●
	Does the law require a 30-day notice before contract termination?	Yes	§81-84 of the Organic Labour Law for Workers, 2012	●
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	§92, 95, 141, 142 & 195 of the Organic Labour Law for Workers, 2012	●
	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	§339 of the Organic Labour Law for Workers, 2012	●
	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	§343, 344 & 345 of the Organic Labour Law for Workers, 2012	●
	Does the law prohibit inquiring about pregnancy during recruitment?	Yes	§332 of the Organic Labour Law for Workers, 2012	●
	Does the law require paid maternity leave of at least 14 weeks?	Yes	§336, 337, 338, 340 & 534 of the Organic Labour Law for Workers, 2012	●
	Does the law require cash maternity benefit be at least 67% of a worker's former wage?	Yes	§11 of the Social Security Law 2008; ISSA Country Profile for Venezuela	●
	Does the law require maternity benefit be paid through contributory social insurance or universal benefits system?	Yes	§11 of the Social Security Law 2008; ISSA Country Profile for Venezuela	●
6. Safe Work	Does the law protect workers from dismissals during or on account of pregnancy?	Yes	§335 & 531 of the Organic Labour Law for Workers, 2012	●
	Does the law require provision of free personal protective equipment to workers from employer?	No	§53(4), & 54(3) of the Organic Law on Prevention, Conditions and Work Environment, 2005	●
	Does the law require the employer to train workers on health and safety issues?	Yes	§58 of Organic Law on Prevention, Conditions and Work Environment, 2005; §19-27, 49 & Principle IV of the Law No. 29783	●
	Does the law restrict work that is prejudicial to the health of the mother or the child?	Yes	§333 & 334 of the Organic Labour Law for Workers, 2012	●
	Does the law provide for employment injury benefit?	Yes	§13, 14 & 15 of the Social Security Law; ISSA Country Profile for Venezuela	●
	Does the law provide for an old age pension?	Yes	§16, 27-31 of the Social Security Law 2002; ISSA Country Profile for Venezuela	●
7. Social Security	Does the law provide for a dependants/survivors' pension?	Yes	§32-39 of the Social Security Law 2002; ISSA Country Profile for Venezuela	●
	Does the law provide for unemployment benefit?	Yes	§31 Employment Benefit Regime Law, 2005; ISSA Country Profile for Venezuela 2019	●
	Does the law require paid sick leave for the first 6 months of sickness?	Yes	§9, 10 & 13 of the Social Security Law 2002; ISSA Country Profile for Venezuela	●
	Does the law provide for invalidity benefit?	Yes	§13-19 of the Social Security Law 2002; ISSA Country Profile for Venezuela	●
	Does the law require equal remuneration for work of equal value?	No	§91 of the Constitution, 1999; §109 of the Organic Labour Law for Workers, 2012 (OLLW, 2012)	●
8. Fair Treatment	Does the law prohibit sexual harassment in employment?	Yes	§164, 165, 166 & 528, OLLW 2012; §15(10), 48 & 63, Organic Law on the Women's right to a Life Free from Violence, 2007	●
	Does the law prohibit discrimination in employment matters? ¹⁰	Yes	§21 of the Constitution, 1999; §21 of the Organic Labour Law for Workers, 2012	●
	Does the law allow women to do the same jobs as men?	Yes	§20 of the Organic Law of Labours and Workers 2012; §80 of the Law on Hygiene and Safety Conditions, 1973	●
	Does the law guarantee basic labour protections for gig economy workers?	Yes	Social Security Law 2008; ISSA Country Profile for Venezuela	●
	Does the law prohibit employment of children?	Yes	§32 & 305 of the Labour Law, 2012; §96 & 98 of the Law for the Protection of Children & Adolescents, 2007	●
9. Child and Forced Labour	Does the law set employment entry age equal to or higher than the compulsory schooling age?	No	§953, Law on Protection of Children & Adolescents, 2007; §3 & 6 of the Education Law, 2009	●
	Does the law prohibit the employment of children in hazardous work under the age of 18 years?	Yes	§18, 94 & 96, Law for Protection of Children & Adolescents, 2007; §80 of OSH Regulations 1973	●
	Does the law prohibit forced labour?	Yes	§30, Labour Law, 2012; §38, 40, 231, 232, & 266-268, Protection of Children & Adolescents Law, 2007	●
10. Trade Union	Does the law allow workers to form and join unions of their own choice?	Yes	§95, Constitution 1999; §353-356, 374, 376, 377, 412, 418 & 536, Organic Labour Law for Workers, 2012 (OLLW, 2012)	●
	Does the law allow workers to bargain collectively with employers through their representative unions?	No	§431, 435, 438 & 537, Organic Labour Law for Workers, 2012 (OLLW, 2012); USDOS CRHRP 2021	●
	Does the law provide for the right to strike?	No	§97, Constitution 1999; §486, 487 & 492, Organic Labour Law for Workers, 2012 (OLLW, 2012)	●
	Does the law prohibit employers from terminating employment contracts of striking workers?	Yes	§489 of Organic Labour Law for Workers, 2012 (OLLW, 2012)	●

Covid 19 and Labour Market in Venezuela, Bolivarian Republic of*

Total Covid Cases	0.53 Million
Total Covid Deaths	5,748
Partial Vaccinated	78.0%
Fully Vaccinated	50.0%

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). The score of Venezuela, Bolivarian Republic of on SDG 8.8.2 is 7.47 (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.

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