Labor Market Regulation Questionnaire – «Survey_Economy_FullName»
www.doingbusiness.org

Dear Contributor,

We would like to thank you for your participation in the *Doing Business* project. Your expertise in the field of labor market regulation in «Survey_Economy_FullName» is essential to the success of the *Doing Business* report, one of the flagship publications of the World Bank Group that benchmarks business regulations in 190 economies worldwide. The labor market regulation indicator, which measures the regulation of employment, is one of the 11 indicator sets published by the *Doing Business* report.

The report attracts much attention around the world. The latest edition, *Doing Business 2017: Equal Opportunity for All*, introduced improvements in the paying taxes and protecting minority investors indicators, and included a gender component in 3 of 11 *Doing Business* indicator sets. It received over 7,000 media citations within just a week of its publication on October 25, 2016 and the report was downloaded almost 40,000 times within that same period. A record 137 economies implemented a total of 283 reforms. Low and middle income countries carried out more than 75% of these reforms, with Sub-Saharan Africa accounting for 80 of them.

Governments worldwide read the report with interest every year, and your contribution makes it possible for the *Doing Business* project to disseminate the regulatory best practices that continue to inspire their regulatory reform efforts. In 2015/16, 21 economies made changes to labor laws in areas captured by the labor market regulation indicator.

We are honored to be able to count on your expertise for *Doing Business 2018*. Please do the following in completing the questionnaire:

- Review the assumptions of the case study before updating last year's information in the questionnaire.
- Describe in detail any reform that has affected the areas of labor market regulation since June 1, 2016.
- Be sure to update your name and address if necessary, so that we can mail you a complimentary copy of the report.
- Kindly return the questionnaire to dblabor@worldbank.org

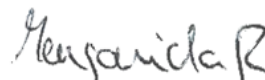We thank you again for your invaluable contribution to the work of the World Bank Group.

Sincerely,

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Primary Contributor Information: Please check the box next to information you **do not** want us to **publish**.

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Additional Contributor(s): If there are more people whom you would like us to acknowledge, kindly send us an e-mail.

Name	Occupation	Email	Phone	Address
[title] [first name] [last name]	[firm] [position] [profession]	[ ]	[phone] [mobile]	[street] [state/province] [city/country]
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☐ Please e-mail me an electronic copy of the report and my certificate of appreciation, rather than mailing me a paper copy.

Referrals: Please help us expand our list of contributors by referring us to other experts in the private or public sector (lawyers, notaries, public officials or any expert on this field) who can respond to the questionnaire.

First name	Last name	Position	Firm	Address	Phone	E-mail
[ ]	[ ]	[ ]	[ ]	[ ]	[ ]	[ ]
[ ]	[ ]	[ ]	[ ]	[ ]	[ ]	[ ]

1. CASE STUDY ASSUMPTIONS

The *Doing Business* indicators on labor market regulation measure the flexibility of employment regulation as well as important elements of job quality in light of the following assumptions:

The employee:

- Is a **cashier** who works in a supermarket or grocery store.
- Is a **full-time** employee, with a permanent contract.
- Has the pay period that is most common for workers in «Survey_Economy_FullName».
- Is **not** a member of a labor union, unless membership is mandatory.

The employer:

- Is a limited liability company (or the equivalent in «Survey_Economy_FullName»).
- Operates a supermarket or a grocery store in «Survey_City».
- Has **60 employees**.
- Is subject to collective bargaining agreements if (a) collective bargaining agreements cover more than 50% of the food retail sector **and** (b) such agreements apply even to firms which are not party to them.
- Abides by every law and regulation but does not grant workers more benefits than those mandated by law, regulation or (if applicable) collective bargaining agreements.

Definitions:

- **Fixed-term contract for permanent tasks:** an employment contract that has a specified end date and is used for a task relating to the permanent activity of the firm.
- **Probationary period:** a fixed-length monitoring period allowed by law for new employees to determine whether they have the skills and abilities needed to perform the assignment in their employment contract.
- **Sick leave:** paid or unpaid time off from work that employees take due to personal illness, disability, medical appointment with advanced approval, and/or, for illness of an employee's parent, spouse, children, sibling, or any other person who is residing in the employee's household.
- **Redundancy termination (also expressed as "making an employee redundant"):** dismissal allowed by law that is justified by economic, operational or structural reasons (not by other causes, such as personal grounds or faulty behavior of the worker).
- **Priority rules for redundancies:** rules on the order of priority for redundancy (*in order to terminate redundant employees, the employer must follow a specific order of seniority, marital status, number of dependents, or other specific priority criteria*).

In responding to the questionnaire, please take into account the case study assumptions as well as the definitions provided above.

2. REFORM UPDATE

Has there been any reform related to labor market regulation since **June 1, 2016** (e.g. amendments to the relevant labor laws, changes to the statutory minimum wage, etc.)?
-Click to Select-

If yes, please describe the reform and include information on the date of adoption, publication and enforcement of the new law or regulation.

3. APPLICABLE LEGISLATION

3.1. CURRENT LABOR MARKET REGULATION

	Last year	This year

Please provide the name of the main labor law applicable to the standardized case study.	«DB_ew_MainLaborLaw_s»	

3.2. COLLECTIVE BARGAINING AGREEMENTS

	Last year	**This year**
Do collective bargaining agreements at a national level apply to more than 50 % of the food retail industry?	«DB_ew_CBAsApplyMore50Text_s»	
Do these collective bargaining agreements apply to firms that are not party to the agreements?	«DB_ew_CBAsApplytoNonSignText_s»	
Please provide the name of the collective bargaining agreement that applies to most workers in the food retail industry.	«DB_ew_CBAsNameText_s»	

IMPORTANT: If collective bargaining agreements apply (i) to more than 50% of the food retail sector, and (ii) to firms that are not party to the agreements, please respond to the rest of the questionnaire in light of the applicable collective bargaining agreement(s).

4. EMPLOYMENT CONDITIONS

For your convenience, last year's answers are included in this questionnaire, when available. Please note that they represent a unified answer based on **all the answers** we received from **various contributors**. Please update the preexisting data taking into account the assumptions of the case study. Please describe in detail any change to the data and indicate when the change took effect. Please also specify whether the change is due to a **correction** (the data presented is erroneous) or a **reform** (amendment or enactment of legislation **after June 1, 2016**).

4.1. HIRING FRAMEWORK

4.1.1. Hiring of workers through fixed-term contracts

	Last year	**This year**
Are fixed-term contracts prohibited for permanent tasks?	«DB_ew_FixedtermContractsProhibitedText_s»	
What is the maximum duration of a single fixed-term contract (in months), **not** including any renewals?	«DB_ew_FixedtermContractsDurationText_s»	
What is the maximum cumulative duration of a fixed-term contract (in months), including all renewals?	«DB_ew_FixedTermContractsMaxDurationText_s»	
What is the legal basis for the answers to the questions above?	«DB_ew_FixedTermContractsLegalBasis_s»	

4.1.2. Probationary periods

	Last year	**This year**
What is the maximum probationary period allowed by law (in months) for a cashier holding a **permanent contract** in the food retail industry?	«DB_ew_ProbationaryPeriodText_s»	
What is the legal basis for the answer to the question above?	«DB_ew_ProbationPeriodLegalBasis_s»	

4.1.3. Wages

	Last year	This year
What is the minimum wage for an adult cashier (age 19, with one year of work experience) in the food retail industry?	«DB_ew_MinWageRegularWorker_s»	
What is the legal basis for this minimum wage?	«DB_ew_MinWageLegalBasis_s»	

4.1.4. Equal treatment and gender

4.1.4. A. Does the law mandate that women and men be given equal remuneration for work of equal value (in compliance with ILO standards)?

Equal remuneration refers to rates of all remuneration (including but not limited to overtime, cash value benefits, work materials, family allowances, scholarships, incentives) established without discrimination based on sex. *Work of equal value* refers not only to the same or similar work, but also to different work of the same value. For more information, see ILO Equal Remuneration Convention (No 100) and "Equal Pay: An Introductory Guide".

Answer and Legal Basis (please cite law and article)			
Last year	This year	Last year	This year
«DB_ew_Law-EqualPay4EqualWork ILO standard»	-Click to Select-	«DB_ew_Law-EqualPay4EqualWork ILO standard_LegalBasis»	

4.1.4. B. Are there laws mandating nondiscrimination in hiring on the basis of gender?

Answer and Legal Basis (please cite law and article)			
Last year	This year	Last year	This year
«DB_ew_Law-NonDiscrim in Hiring»	-Click to Select-	«DB_ew_Law-NonDiscrim in Hiring_LegalBasis»	

4.2. WORKING FRAMEWORK

4.2.1. Working hours

	Last year	This year
How many hours are there in a standard workday in the food retail industry (excluding overtime)?	«DB_ew_LengthWorkdayText_s»	
What is the maximum number of hours (including overtime) allowed in a workweek in the food retail industry?	«DB_ew_MaxHoursIncOvertimeText_s»	
What is the maximum number of working days allowed in a workweek in the food retail industry?	«DB_ew_MaxDaysWeekText_s»	
How many weekly rest days are required by law?	«DB_ew_RestDaysText_s»	
Is there a legally designated weekly day of rest (i.e. a customary weekly holiday)?	«DB_ew_SpecifiedDayHolidayText_s»	
What is the legal basis for the answers to the questions above?	«DB_ew_WorkSchedulingLegalBasis_s»	

4.2.2. Overtime, weekly holiday and night work

5

For each of the following questions, please assume that the cashier usually works 40 hours per week, from 9 AM to 6 PM, 5 days a week.

4.2.2. A. Assuming that, as an exception, the employer is requesting the employee to work **overtime** (8 additional hours, from 6 PM to 8 PM on 4 working days).

	Last year	This year
What are, if any, the restrictions on **overtime work** in the food retail industry? (i.e. limitation in the number of hours of overtime, restrictions applying to certain categories of workers, etc.)	«DB_ew_OvertimeWorkRestrictionText_s»	
What is the wage premium for **overtime work** in the food retail industry? Please specify if the compensation for overtime work can be provided in the form of an additional (compensatory) leave.	«DB_ew_OvertimeWorkPremiumText_s»	

4.2.2. B. Assuming that, as an exception, the employer is requesting the employee to perform some of his/her 40 hours during the employee's weekly rest day (**NOT overtime**).

	Last year	This year
What are, if any, the restrictions on **weekly holiday work** in the food retail industry? (i.e. limitation in the number of hours worked on weekly holiday, restrictions applying to certain categories of workers).	«DB_ew_RestrictionsWeeklyHolidayText_s»	
What is the wage premium for **weekly holiday work** in the food retail industry? (assuming this is NOT overtime work)	«DB_ew_PremiumWeeklyHolidayWorkText_s»	

4.2.2. C. Assuming that, as an exception, the employer is requesting the employee to change his/her schedule and work at night from 6 PM to midnight (**NOT overtime**).

	Last year	This year
What are, if any, the restrictions on **night work** in the food retail industry? (i.e. limitation in the number of hours worked at night, restrictions applying to certain categories of workers)	«DB_ew_RestrictionsNightWorkText_s»	
What is the wage premium for **night work** in the food retail industry? (assuming this is NOT overtime work)	«DB_ew_PremiumNightWorkText_s»	

4.2.2. D. What is the legal basis for the answers to the questions above?

Last year	This year
«DB_ew_IrregularHoursLegalBasis_s»	

4.2.2. E. Can women work the same night hours as men in the food retail industry? *This question only refers to non-pregnant women and non-nursing mothers.*

Answer and Legal Basis (please cite law and article)			
Last year	**This year**	**Last year**	**This year**
«DB_ew_NightHours_Same_Women»	-Click to Select-	«DB_ew_NightHours_Same_Women_LegalBasis»	

4.2.3. Paid annual leave

What is the mandatory paid annual leave for an employee in each of the following cases?

	Last year	**This year**
i. After **1 year** of continuous employment	«DB_ew_PaidVacation1yText_s»	
ii. After **5 years**	«DB_ew_PaidVacation5yText_s»	
iii. After **10 years**	«DB_ew_PaidVacation10yText_s»	
What is the formula for calculating the mandatory paid annual leave?	«DB_ew_VacationFormulaText_s»	
What is the legal basis for the answers to the questions above?	«DB_ew_PaidAnnualLeaveLegalBasis_s»	

4.2.4. Maternity leave

4.2.4. A. Does the law mandate paid or unpaid maternity leave?
Here the leave can be paid or unpaid, as long as the government explicitly mandates some form of leave.

Answer and Legal Basis (please cite law and article)			
Last year	**This year**	**Last year**	**This year**
«DB_ew_Maternity Leave»	-Click to Select-	«DB_ew_MaternityLeaveLegalBasis_s»	

4.2.4. B. What is the mandatory minimum length of **paid** maternity leave (in calendar days)? *This is the minimum number of days of leave that legally have to be paid for by the government, the employer or both.*

Answer and Legal Basis (please cite law and article)			
Last year	**This year**	**Last year**	**This year**
«DB_ew_Flipped_paid maternity»		«DB_ew_Flipped_paid maternity_LegalBasis»	

4.2.4. C. Would an employee on maternity leave receive 100 percent of her wages?

Answer and Legal Basis (please cite law and article)			
Last year	**This year**	**Last year**	**This year**
«DB_ew_MaternityFullWagesText_s»	-Click to Select-	«DB_ew_MaternityLeaveLegalBasis_s»	

4.2.4. D. If no, please specify the percent of wages paid during maternity leave.

Answer and Legal Basis (please cite law and article)			
Last year	**This year**	**Last year**	**This year**
«DB_ew_MaternityWagesSpecifiedText_s»		«DB_ew_MaternityLeaveLegalBasis_s»	

4.2.5. Sick leave

	Last year	This year
Assuming that the employee has been sick for 5 working days in a row, how many of those days off will be **paid** (regardless of the entity paying for the salary: health insurance, State or the employer)?	«DB_ew_FiveSickDaysPaidUnpaidText_s»	
What is the legal basis for the answer to the question above?	«DB_ew_FiveSickDaysPaidLegalBasis»	

4.3. REDUNDANCY FRAMEWORK

4.3.1. If applicable, for questions relating to requirements for notifying, consulting or obtaining the approval of a third party, please describe the requirement and specify the third party involved (e.g., labor inspector, labor union, labor department).

	Last year	This year
Is it legal for an employer to terminate the contract of an employee on the basis of redundancy only?	«DB_ew_RedundancyAllowedText_s»	
Must the employer **notify or consult** a third party before dismissing **one redundant employee**?	«DB_ew_NotificationThirdPartyDissmissalOneWorkerText_s»	
Must the employer **notify or consult** a third party before dismissing a **group of 9 redundant employees**?	«DB_ew_NotificationThirdPartyDissm9WorkersText_s»	
Must the employer obtain the **approval** of a third party in order to dismiss **one redundant employee**?	«DB_ew_ApprovalThirdPartyDissmOneWorkerText_s»	
Must the employer obtain the **approval** of a third party in order to dismiss a **group of 9 redundant employees**?	«DB_ew_ApprovalThirdPartyDissm9WorkersText_s»	
Are employers obliged to retrain or reassign an employee before making the employee redundant?	«DB_ew_RetrainReassignBeforeDissmText_s»	
Are there priority rules that apply in case of redundancy dismissals or lay-offs (i.e. specific order based on seniority, marital status, number of dependents)?	«DB_ew_PriorityDissmText_s»	
Are there priority rules that apply to reemployment *(before opening a new position to a wider pool of applicants, an employer must first offer any position that becomes available to workers previously dismissed for redundancy)*?	«DB_ew_PriorityReemployText_s»	
What is the legal basis for the answers to the questions above?	«DB_ew_RedundancyRulesLegalBasis_s»	

4.3.2. Length of notice period

What is the length of the notice period (in weeks) that an employer must provide before making an employee redundant in each of the following cases?

	Last year	This year
i. After **1 year** of continuous employment	«DB_ew_NoticeOneYearOfContinuousinuousEmployText_s»	
ii. After **5 years**	«DB_ew_Notice5YearsOfContinuousinuousEmployText_s»	
iii. After **10 years**	«DB_ew_Notice10YearsOfContinuousEmployText_s»	
What is the formula for calculating the notice period?	«DB_ew_NoticeFormula_s»	
What is the legal basis for the answers to the questions above?	«DB_ew_NoticePeriodLegalBasis_s»	

4.3.3. Amount of severance pay

What severance pay must an employer provide when making an employee redundant in each of the following cases?

	Last year	This year
i. After **1 year** of continuous employment	«DB_ew_SeverancePayOneYearOfContinuousEmployText_s»	
ii. After **5 years**	«DB_ew_SeverancePay5YearsOfContinuousEmployText_s»	
iii. After **10 years**	«DB_ew_SeverancePay10YearsOfContinuousEmployText_s»	
What is the formula for calculating the severance pay?	«DB_ew_SeverancePayFormula_s»	
What is the legal basis for the answers to the questions above?	«DB_ew_SverancePayLegalBasis_s»	

4.4. AVAILABILITY OF UNEMPLOYMENT PROTECTION

	Last year	This year
Assuming that the cashier is made redundant **after one year of employment**, would he/she automatically be eligible for unemployment protection and receive unemployment benefits?	«DB_ew_UnemploySchemeAvailableText_s»	
What duration of contribution period (months of employment, consecutive or not) is required before an employee can become eligible for unemployment protection?	«DB_ew_TimeForUnemployProtectionText_s»	
What is the legal basis for the answers to the questions above?	«DB_ew_SocialPFLegalBasis_s»	

Thank you very much for completing this questionnaire!
We sincerely appreciate your contribution to the *Doing Business* project.
The results will be published in the *Doing Business 2018* report and on our website: http://www.doingbusiness.org.