











# Jamaica

WBL 2.0 legal frameworks score	WBL 2.0 supportive frameworks score	WBL 2.0 expert opinions score
<b>60.0</b>	<b>42.5</b>	<b>55.6</b>

*Women, Business and the Law 2024* (WBL 2024) identifies barriers for women’s economic empowerment in three areas: women’s legal rights, policy instruments designed to support the implementation of these rights, and how these rights are realized in practice. For that purpose, three new *Women, Business and the Law 2.0* indexes are presented for ten indicators: (1) legal frameworks, (2) supportive frameworks, and (3) expert opinions. For the WBL 2.0 legal frameworks index, 40 questions are scored across the ten indicators for 190 economies. For the WBL 2.0 supportive frameworks index, 30 questions are scored across the ten indicators for 190 economies. Overall economy level legal and supportive frameworks scores are then calculated by taking the average of each indicator, with 100 representing the highest possible score. The WBL 2.0 expert opinions index is created for a total of 164 economies. Expert opinion scores are not available for 26 economies due to an insufficient number of responses received from those economies during data collection. Individual responses at the economy level for 15 expert opinions questions across the ten indicators are scored by taking the median value of all responses per question. The economy level expert opinions index is equal to the simple unweighted average of the ten indicator scores.

For Jamaica, data refer to the legal frameworks, supportive frameworks, and expert opinions that are applicable to the main business city (Kingston). The scores for Jamaica are shown in the table below.

## Women, Business and the Law 2024 2.0 indicator scores

										
WBL 2.0 Legal frameworks score	25.0	100.0	25.0	50.0	100.0	25.0	75.0	25.0	100.0	75.0
WBL 2.0 Supportive frameworks score	50.0	66.7	33.3	50.0	66.7	0.0	75.0	0.0	33.3	50.0
WBL 2.0 Expert opinions score	0.0	100.0	87.5	50.0	81.3	50.0	25.0	37.5	75.0	50.0

In summary, the **WBL 2.0 legal frameworks score** for Jamaica (60.0 out of 100.0) is lower than the global average (64.2) and lower than the Latin America & Caribbean regional average (69.1). When it comes to constraints on freedom of movement, constraints related to marriage and laws affecting women’s property and inheritance, Jamaica obtains a perfect score (100.0 out of 100.0). As an example, one of the lowest scores for Jamaica is on the indicator measuring laws affecting women’s safety. To improve on the Safety indicator, Jamaica may wish to consider putting in place legislation on domestic violence, introducing legislation on femicide and introducing legislation on child marriage.

The **WBL 2.0 supportive frameworks score** for Jamaica (42.5 out of 100.0) is higher than the global average (39.5) and higher than the Latin America & Caribbean regional average (38.6). Jamaica does not attain a perfect score on any of the WBL 2.0 supportive frameworks indicators. There is room for improvement across all ten indicators. As an example, one of the lowest scores for Jamaica is on the indicator measuring supportive frameworks affecting women’s work after having children. To improve on the Parenthood indicator, Jamaica may wish to consider making it possible to apply for maternity

benefits through a single government application process, putting incentives in place to encourage fathers to take paternity leave on the birth of a child and publishing sex-disaggregated data on unpaid care work.

The **WBL 2.0 expert opinions score** for Jamaica (55.6 out of 100.0) is lower than the global average (65.7) and lower than the Latin America & Caribbean regional average (61.8). When it comes to expert opinions on freedom of movement, Jamaica obtains a perfect score (100.0 out of 100.0). As an example, one of the lowest scores for Jamaica is on the indicator measuring expert opinions on women's safety.

## WBL 2.0 legal frameworks data

QUESTION	ANSWER	LEGAL BASIS
<b>Safety</b>		
Does the law address child marriage?	No	No applicable provisions could be located
Does the law address sexual harassment?	Yes	Sexual Harassment (Protection and Prevention) Act, Secs. 2, 6(1), 9, 10, and 36(1)(b); Cybercrimes Act, 2015, Sec. 9(1)
Does the law address domestic violence?	No	No applicable provisions could be located
Does the law address femicide?	No	No applicable provisions could be located
<b>Mobility</b>		
Can a woman choose where to live in the same way as a man?	Yes	Matrimonial Causes Act, Sec. 34
Can a woman travel internationally in the same way as a man?	Yes	Passport Regulations, Arts. 4-6 and 9
Can a woman travel outside her home in the same way as a man?	Yes	No restrictions could be located
Do a woman and a man have equal rights to confer citizenship on their spouses and their children?	Yes	Constitution of Jamaica, Chapter II, Sec. 3, 4 and 7
<b>Workplace</b>		
Can a woman get a job in the same way as a man?	Yes	No restrictions could be located
Does the law explicitly prohibit discrimination in recruitment based on marital status, parental status, and age?	No	No applicable provisions could be located
Does the law prohibit discrimination in employment based on gender?	No	No applicable provisions could be located
Does the law allow employees to request flexible work?	No	No applicable provisions could be located
<b>Pay</b>		
Does the law mandate equal remuneration for work of equal value?	No	No applicable provisions could be located
Can a woman work at night in the same way as a man?	Yes	No restrictions could be located
Can a woman work in a job deemed dangerous in the same way as a man?	Yes	No restrictions could be located
Can a woman work in an industrial job in the same way as a man?	No	Factories Regulations 1961, Reg. 15
<b>Marriage</b>		
Is the law free of legal provisions that require a married woman to obey her husband?	Yes	No applicable provisions could be located
Can a woman be "head of household" or "head of family" in the same way as a man?	Yes	No restrictions could be located
Can a woman obtain a judgment of divorce in the same way as a man?	Yes	Matrimonial Causes Act, Secs. 5(1) and 17(2)
Does a woman have the same rights to remarry as a man?	Yes	No restrictions could be located
<b>Parenthood</b>		
Is paid leave of at least 14 weeks available to mothers?	No	Maternity Leave Act, Sec. 5
Are leave benefits for mothers paid solely by the government?	No	Maternity Leave Act, Sec. 5
Is paid leave available to fathers?	No	No applicable provisions could be located
Is dismissal of pregnant workers prohibited?	Yes	Maternity Leave Act, Sec. 7(2)
<b>Childcare</b>		

Does the law establish the provision of center-based childcare services?	Yes	Early Childhood Act, Secs. 2-3
Does the law establish any form of support for families for childcare services?	No	No applicable provisions could be located
Does the law establish any form of support for nonstate childcare providers?	Yes	Early Childhood Commission, Management and Administrative Guide for Early Childhood Institutions 2019, Secs. 12.1-12.1.2 and 12.2
Does the law establish quality standards for the provision of center-based childcare services?	Yes	The Early Childhood Regulations 2005, Arts. 3, 6 and 16(4)(a-e); Early Childhood Act, Secs. 5(5) and 23(2)(i)
<b>Entrepreneurship</b>		
Can a woman undertake entrepreneurial activities in the same way as a man?	Yes	No restrictions could be located
Does the law prohibit discrimination in access to credit based on gender?	No	No applicable provisions could be located
Does the law prescribe a gender quota for corporate boards?	No	No applicable provisions could be located
Does the law include gender-sensitive procurement provisions for public procurement processes?	No	No applicable provisions could be located
<b>Assets</b>		
Do a woman and a man have equal administrative power and ownership rights to immovable property, including land?	Yes	Property (Rights of Spouses) Act, Sec. 10
Do sons and daughters have equal rights to inherit assets?	Yes	Intestate Estates and Property Charges Act, Sec. 4, Table of Distribution, Item 1(d)(ii)
Do male and female surviving spouses have equal rights to inherit assets?	Yes	Intestate Estates and Property Charges Act, Sec. 4, Table of Distribution, Item 1(d)(i)
Does the law provide for the valuation of nonmonetary contributions?	Yes	Property (Rights of Spouses) Act, Secs. 13 and 14
<b>Pension</b>		
Are the ages at which a woman and a man can retire with full pension benefits the same?	Yes	The National Insurance Act, Sec. 10
Are the ages at which a woman and a man can retire with partial pension benefits the same?	Yes	No applicable provisions could be located
Is the mandatory retirement age for a woman and a man the same?	Yes	No applicable provisions could be located
Are periods of absence due to childcare accounted for in pension benefits?	No	No applicable provisions could be located

## WBL 2.0 supportive frameworks data

QUESTION	ANSWER	SOURCE
<b>Safety</b>		
Has the government developed comprehensive mechanisms to address violence against women?	No	Insufficient evidence located
Are special procedures in place for cases of sexual harassment?	Yes	The Sexual Harassment Tribunal
Is a government entity responsible for monitoring and implementing national services, plans and programs addressing violence against women?	No	Insufficient evidence located
Is an annual budgetary allocation devoted to violence against women risk mitigation, prevention, and response programs?	Yes	Head 46000 - Ministry of Culture, Gender, Entertainment and Sport (Budget)
<b>Mobility</b>		
Are passport application processes the same for a woman and a man?	Yes	Passport application form
Are the application processes for official identity documents the same for a woman and a man?	Yes	ID application procedures

Does a current policy or plan explicitly consider the specific mobility needs of women in public transportation?	No	Insufficient evidence located
<b>Workplace</b>		
Does a specialized body receive complaints about gender discrimination in employment?	No	Insufficient evidence located
Has the government published guidelines on nondiscrimination based on gender in recruitment?	No	Insufficient evidence located
Has the government published guidelines on flexible work arrangements?	Yes	Ministry of Labour and Social Security: Flexible Work Arrangements Booklet
<b>Pay</b>		
Are pay transparency measures or enforcement mechanisms in place to address the pay gap?	No	Insufficient evidence located
Have sex-disaggregated data on employment in different industries or sectors been published?	Yes	Statistical Institute of Jamaica: Labour Force By Industry Group Using Jamaica Industrial Classification (JIC)
<b>Marriage</b>		
Is there a fast-track process or procedure for family law disputes?	No	Insufficient evidence located
Are there specialized family courts?	Yes	Judicature (Family Court) Act
Is legal aid available for family law disputes?	Yes	The Legal Aid Council
<b>Parenthood</b>		
Is it possible to apply for maternity benefits through a single government application process?	No	Insufficient evidence located
Are incentives in place to encourage fathers to take paternity leave on the birth of a child?	No	Insufficient evidence located
Have sex-disaggregated data on unpaid care work been published?	No	Insufficient evidence located
<b>Childcare</b>		
Is there a publicly available registry or database of childcare providers?	Yes	Assessment Report of Early Childhood Institutions March 2022, Pgs. 12-101
Is there a clearly outlined application procedure to request financial support from the government for childcare services by parents?	No	Insufficient evidence located
Is there a clearly outlined application procedure to request financial support from the government for childcare services by nonstate childcare providers?	Yes	Early Childhood Commission, Management and Administrative Guide for Early Childhood Institutions 2019, Secs. 12.1.3, 12.2.1 and Appendix VI
Has the government published any reports on the quality of childcare services?	Yes	Official Website of the Early Childhood Commission; Assessment Report of Early Childhood Institutions March 2022
<b>Entrepreneurship</b>		
Have sex-disaggregated data on business activities, entrepreneurship, or women-owned businesses been published?	No	Insufficient evidence located
Are government-led programs supporting female entrepreneurs providing access to finance and training, coaching, or business development?	No	Insufficient evidence located
Does a current national government plan or strategy focus on women's access to financial services?	No	Insufficient evidence located
<b>Assets</b>		
Are mechanisms or incentives in place to encourage women to register immovable property (including joint titling)?	Yes	Property (Rights of Spouses) Act, Sec. 10(1)(a) and 10(9)
Are awareness measures in place to improve women's access to information about marital and inheritance rights?	No	Insufficient evidence located
Have anonymized sex-disaggregated data on property ownership been published?	No	Insufficient evidence located
<b>Pension</b>		
Are incentives in place to increase women's retirement benefits?	No	Insufficient evidence located



## WOMEN, BUSINESS AND THE LAW 2024

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Is a procedure in place for pension beneficiaries to challenge the decisions of the competent authority regarding their benefits?

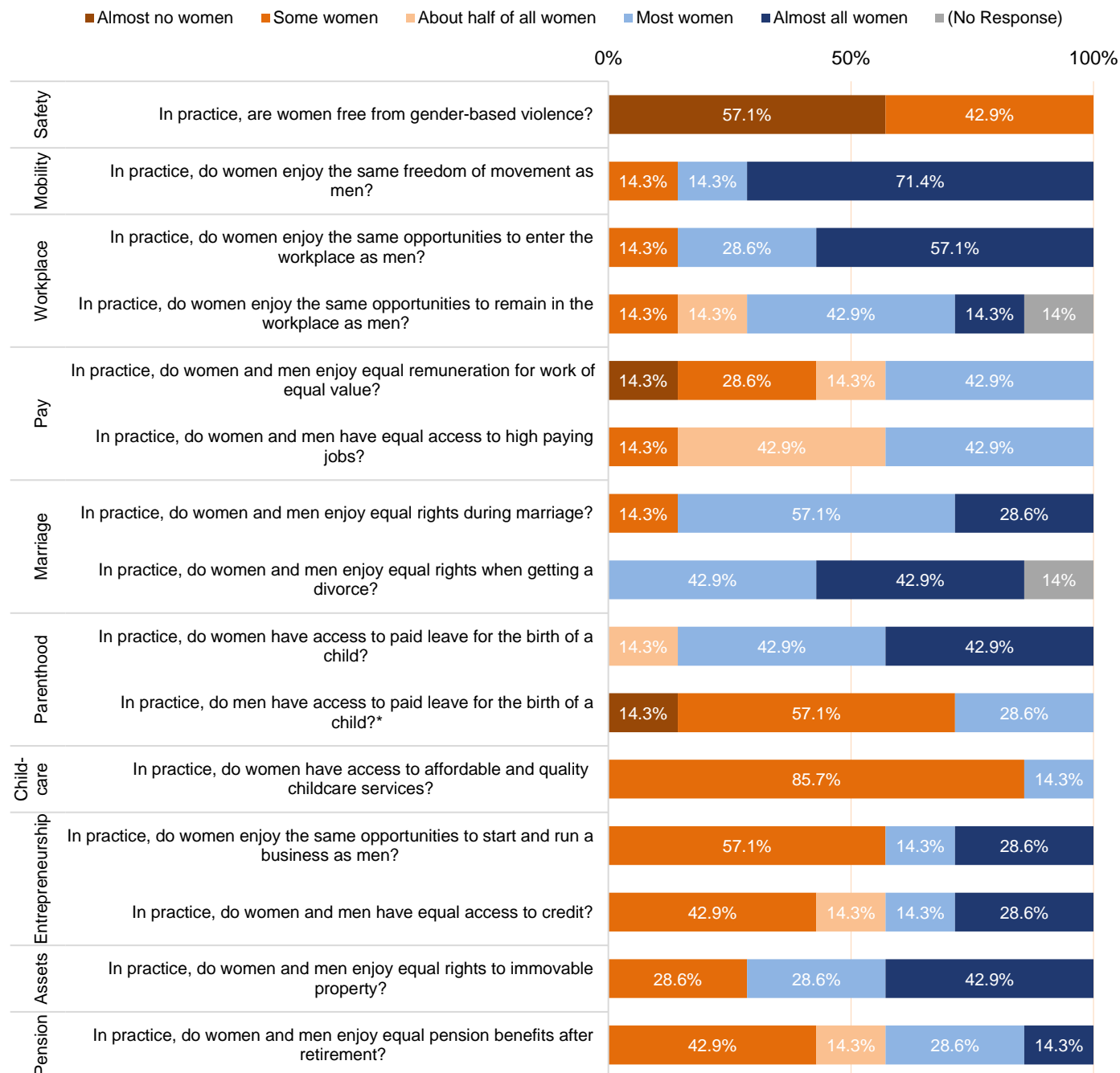
Yes

The National Insurance Act, Sec. 24

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## WBL 2.0 distribution of expert opinion responses



\*Note: The response options for the second Parenthood question above are formatted as almost no men, some men, about half of all men, most men, almost all men.