



Carla Sanchez

Gender Equality / Pay Equity

The American Convention on Human Rights approved by Costa Rica on February 1970, indicates in article 1: *"The States part of this Convention undertake to respect the rights and freedoms recognized in it and guarantee its free and full exercise to any person who is subject to its jurisdiction without discrimination..."*. Since April 1986 Costa Rica is part of the Convention on the Elimination of all Forms of Discrimination Against Women, that states in article 11 the right for women *"equal pay for equal work"*.

As part of the commitment, Costa Rica has taken firm steps within its legal system, such as the recognition of the right to equal pay, in article 57 of the Constitution, which indicates that *"the salary will always be the same for equal work under identical conditions of efficiency"*. This has been reinforced through the recent reform of the Law for the Promotion of Women's Social Equality, approved on March 2019.

After the entry into force of this reform, every employer is obliged to define the salary structures of their employees, based on objective criteria; therefore, it is forbidden to have salary differences that imply a lower remuneration for women for the sole fact of their gender.

In addition, this reform promotes the creation of the Interinstitutional Commission for Wage Equality between Women and Men, formed by the Ministry of Labor and Social Security (MTSS) and representatives of other institutions. The purpose of this commission, is to ensure that the wage equality indicator is incorporated in the current remuneration plans of the Company.

According to this wage equality indicator, it is proposed to periodically evaluate the reasons for wage inequality between men and women, in order to design policies that promote salary equity.

It is considered important that organizations evaluate existing salary structures to ensure they are established in accordance with demonstrable and objective parameters. In order to evaluate the compliance of these stipulations, the Ministry of Labor may audit the organizations to confirm

no gender discriminations are taking place, otherwise judicial cases could be opened for the breach of the labor legislation.

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