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The Persistence of Inequality for Women Workers in the U.S.A.

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Judging by the rate at which women have joined the labor force in recent decades, we are tempted to call female employment the new social "revolution" in today's America. Both structural and behavioral changes in American society have encouraged women to seek greater economic independence. Starting in the late fifties, the steady growth of the service sector has raised the demand for women workers to a level that has required the massive participation of women in economic production. The shift from industry to the services, a phenomenon that has been labelled the "deindustrialization" of America, has resulted in a greater supply of jobs for which women have traditionally opted. The other major component of the new economic structure has been the substitution of electronic equipment for heavy industry. Automation, among other things, has helped free homemakers from many household chores, thereby increasing their availability for paid work.

Along with these structural changes in the economy, new attitudes toward gender roles sustained by two decades of feminist challenge have created an incentive for women to seek self-fulfilment. Triggered by *The Feminine Mystique* of Betty Friedan and the social reform movement of the 1960's, feminism has re-emerged to emphasize and demand sex equality in such basic arenas as education and employment. Government has responded to the push for equality through a legal arsenal directed chiefly at eliminating differential treatment in the workplace. The Equal Pay Act (1963), Title VII of the Civil Rights Act (1964), Executive Order 11246 and affirmative action have no doubt helped eradicate what is commonly known as "overt" discrimination against women. Employers

now find it less easy to argue that women should not be entitled to equal wages because they need not earn a "family wage" — even though men continue to reap the higher wages.

Emphasis on equal economic opportunity has raised women's expectations about work and facilitated their entry into fields previously reserved for men. Many have stayed longer at school and sought training in traditionally male fields such as law, business and engineering. Many have questioned the primacy of the domestic role in women's lives and have pursued careers that leave little time for family responsibilities. And though the advocates of sex equality may not be satisfied with the pace of change in women's lives, the change has been effective enough for the New Right to attribute the current breakdown of the American family to women's quest for economic equality.

Increasing protest from the right does not mean, however, that the battle for sex equality has been won. Despite significant achievements in non-traditional fields, available data still show that the majority of women continue to choose and train for occupations which they can match with family commitments, and the wage gap remains wide enough to cast doubts on women's economic gains.

Because the Equal Pay Act has proved irrelevant to the reality of women's work (women's work is generally different from men's) and because affirmative action has failed to reduce the wage gap to any significant degree, a new theory has been evolved to tackle the question. Comparable worth, or equal pay for work of equal (or comparable) value, has had so much appeal with advocates of sex equality that it has been called the "civil rights" issue of the 1980's. While proponents of the theory argue that comparable worth is the only way to ensure that women's work is not undervalued by employers and that occupational differences between men and women do not necessarily involve differences in value or productivity, detractors question both the feasibility and the efficacy of job evaluations in a highly decentralized, free market economy. While emphasizing the impact of family on women's work choices, they disapprove of anti-discrimination policies that interfere with market forces and are likely to cause more harm than good.

If occupational segregation is held responsible for women's lower earnings, should not those who favor sex equality in employment come to terms with the roots of this occupational segregation rather than perpetuate it through comparable worth? Studies of female employment systematically reveal that women's work commitments are conditioned by their family-related activities. If, in addition to this, women's own choices are recognized as a more powerful determinant of occupational segregation than employers' presumed "taste for discrimination",

then should not the move toward economic equality take into account those natural and cultural differences between men and women so as to minimize their effects on employment opportunities? Furthermore, considering that feminist policy, centered as it is on equal rights, has deliberately neglected the issue of difference, may not the quest for economic equality now be better served by a new feminist agenda which by recognizing sex differences may help secure special benefits for women and bring them closer to the ideal of sex equality? Before attempting to provide answers to these questions, this study will first focus on women's position in the labor market and the extent of the wage gap.

Women's Labor Market Position and the Extent of the Wage Gap:

In 1950, approximately 19 million women aged 16 and over were in the labor force; in 1960, they were 23 million.¹ By 1986, the number of employed women exceeded 53 million: women constituted 45 per cent of the total labor force.² It was also estimated that women would be the major source of new entrants into the labor force over the next thirteen years. As the figures show, women increased their labor force participation in the 1950's, but the pace at which they have joined the work force has obviously quickened since the 1960's. In 1966, 26 million women worked and they accounted for approximately 35 per cent of the labor force.³ Thus, the proportion of employed women more than doubled from 1966 to 1986. The most dramatic shift has probably occurred among working mothers with children under 18. Indeed, in 1988, 65 per cent of all mothers with children under 18 were labor participants.⁴ In 1967, only 38 per cent of all such mothers worked.⁵

This unprecedented influx of women into the labor market is commonly attributed to three major factors: the increase in the proportion of unmarried women, the higher incidence of marital break-up, and lower fertility. The same upward trend is expected to continue into the 1990's: labor forecasts show women will continue to meet the demand for workers in the fast-growing service

1. "Women in the Workforce" in *Editorial Research Reports on the Women's Movement: Achievements and Effects*, Washington: Congressional Quarterly, inc., 1977, p. 25.

2. *Women and Workforce 2000*, U.S. Department of Labor, Women's Bureau, 1987.

3. *1969 Handbook on Women Workers*, U.S. Dept. of Labor, Women's Bureau, 1969, p. 10.

4. National Commission on Working Women, Fact Sheet, *Women, Work and Childcare*, The Need, May 1989.

5. *Ibid.*, p. 37.

sector. According to these forecasts, women will comprise nearly half of the paid labor force by the year 2000.⁶

The fact that the rise in female employment is associated with the steady growth of the service sector is highly significant. By definition, jobs in the service sector are the ones that require the lowest level of skill and yield the lowest incomes; and generally speaking, this is women's share of the labor market. Increasing demand for food workers, nursing aides, and cashiers is thus expected to reinforce the "pink-collar ghetto" to which a significant proportion of women in general, and of black and Hispanic women in particular, have been confined. Actually, despite substantial inroads into fields that require post-secondary education and high skill training, women continue to be over-represented in low-status occupations traditionally labelled as "female".

More women than ever before have moved into executive administrative and managerial occupations. In 1975, women constitute only 22 per cent of this group. In less than a decade, the proportion rose to 34 per cent.⁷ By 1986, women held 43 per cent of managerial and professional speciality jobs,⁸ which signifies a clear rise in the proportion of women accountants, managers, lawyers, college teachers, physicians, architects and engineers. Thus, the proportion of women physicians rose from 9 per cent in 1970 to 17 per cent in 1985. During the same period, the proportion of women lawyers rose from 4.7 per cent to 18 per cent.⁹ Women have also increased their presence in the skilled trades which for a long time were totally reserved for men. Among other things, carpentry and automobile mechanics are no longer male preserves. Another non-traditional area of work for women has been business ownership. Entrepreneurship has recently emerged as an economic attraction for an increasing number of women.

Starting in the late sixties, the shift to non-traditional fields underlies women's quest for equality through occupational integration. Historically, male occupations have been more valued and have yielded higher earnings than female ones. By breaking away from the "female job ghettos", many women have not only proved they are as good as men at "male" jobs, but have also substantially increased their earnings.

However, prevalent employment patterns among women tell a different story: the majority of women continue to enter fields that have traditionally been dominated by women. Statistically, nursing, teaching below the college level and

6. National Commission on Working Women, Fact Sheet. *Women, Work and the Future*, January 1989.

7. U.S. Department of Labor, July 1985.

8. U.S. Department of Labor, 1987.

9. *1975 Handbook on Women Workers*, U.S. Department of Labor, Women's Bureau, 1975, p. 93.

apparel sales still constitute the core of the female labor market. Secretarial work is still the largest occupation of women just as it was in the 1960's. In 1985, half of working women made up 99 per cent of nursery and kindergarten teachers, 98 per cent of secretaries, stenographers and typists, 96 per cent of child care workers, 97 per cent of registered nurses, 89 per cent of telephone operators and 87 per cent of librarians.¹⁰ As recently as 1988, 77 per cent of working women were employed in female-dominated occupations. Such occupational segregation will very likely be maintained in the 1990's as women in 1988 continued to be disproportionately enrolled in education and training that lead only to low-paid jobs in predominantly female fields.¹¹ Even when men and women work in the same field, a gender-based difference is built into the occupational hierarchy within the field. Thus, in computer work, whereas the overwhelming majority of data-entry keyers are women, most systems analysts are men.

The fact that women operate in one labor market and men in another largely accounts for the wide gap between male and female earnings. This earnings differential is an old phenomenon in the history of market work in the U.S.: women workers have traditionally earned lower wages than men workers, regardless of their skills or the nature of their jobs. But given the tremendous changes in sex-role perceptions in recent decades and the subsequent increase in women's labor force participation rates, we find it odd that the wage gap remains nearly as wide as it was 50 years ago. In 1939, women workers earned 63 cents for every dollar earned by men.¹² By 1988, the gap narrowed by only 2 per cent: women workers, employed full time, year round, earned 65 per cent of men's wages.¹³ And while black women received approximately 90 per cent of the median for white women, Hispanic women did not even earn as much as black women.¹⁴

After being corrected for inflation, women's wages now are still much higher than they were in the 1930's and 40's, but that is due to the higher price of market work in general, rather than to any effective attempt to reduce the pay disparity between the sexes. Even assuming that women have increased their earnings, the rate of increase for men has been much faster.

10. Business & Professional Women's Foundation, "Women in the Workforce", in *Information Digest*, May 1986, p. 2.

11. National Commission on Working Women, January 1989.

12. Hewlett, Sylvia Ann, *A Lesser Life. The Myth of Women's Liberation in America*, New York: Warner Books, inc., 1986, p. 71.

13. National Commission on Working Women, January 1989.

14. *Earnings Gap Narrows*, U.S. Department of Labor, Office of Information and Public Affairs, February 1988.

A closer examination of the male/female earnings differential, however, reveals some new positive trends which may result in greater economic equality for women. After remaining constant for at least two decades, the wage gap actually widened in the 1960's and 70's. In 1956, the median salary income of women employed full time, year round was 63 per cent of the median income of men. By 1973, that median fell to 57 per cent.¹⁵ Employers' discrimination against female workers has always worked to keep women's wages down, but it is unlikely that this discrimination was stronger in the 1960's and 70's than it was in the 1950's. How then can this puzzle be explained?

Some economists have attributed the downward trend in women's earnings relative to men's from 1960 to 1980 to the massive entry of women into the labor market, including women with relatively low educational levels and limited work experience. As women's labor force participation rates increased sharply, Claudia Goldin argues, the ratio of years of schooling for working women to working men declined, even though years of schooling increased for both groups. In other terms, the wage gap tended to widen because less educated women in the different age cohorts joined the work force, thus bringing down the average educational level of working women.¹⁶ The fact that the wage gap started to narrow significantly around 1981 lends some truth to Goldin's conclusions. Since the late 60's, women have been more inclined to pursue graduate studies and advanced professional training. The greater educational attainment and work experience of these women are now reflected in their higher earnings. In view of their training, more women have made less traditional occupational choices, a trend which has helped narrow the wage gap.

The differences in earnings between women in the different age cohorts can be regarded as further evidence of continuous change. In 1987, whereas the highest earnings for men occurred in the 45-to-54 year age group, the highest earnings for women were in the younger 35-to-44 brackets.¹⁷ This implies that as women continue to opt for high level education and training, they can expect to achieve greater pay parity with men, which will further reduce the wage gap.

The new favorable evolution in women's earning, however, continues to be undermined by the persistence of occupational segregation. Obviously, this segregation has been maintained despite official attempts ostensibly designed to eradicate it. How can this be explained? The next section addresses this question.

15. *1975 Handbook on Women Workers*, pp. 131 and 127.

16. Claudia Goldin, "Understanding the Gender Gap" in *New Perspectives*, U.S. Commission on Civil Rights, Fall, 1985, p. 13.

17. U.S. Department of Labor, February, 1988.

Women's Work Choices as a Determinant of Occupational Segregation and Lower Earnings:

An increasing proportion of women are entering "male" fields, but in so far as the majority of women continue to make traditional job choices, they obviously help reinforce occupational segregation. While liberals emphasize the impact of market discrimination on women's occupational aspirations, conservative economists argue that women's share of the labor market reflects their own choices and commitments rather than any presumed employer discrimination. This means that if women continue to operate within a restricted labor market, this is largely the consequence of their poor work investments. These economists also contend that wage rates in a free market are determined by the laws of supply and demand and that women's lower earnings are merely an index of lower productivity.

The truth probably lies somewhere between the two positions. Sex discrimination being a traditional feature of the workplace, women no doubt find it easier to choose jobs within the range of occupations usually open to them. Unlike men, women also expect to bear — and rear — children, which they know will impose constraints on their work commitments. Historical prejudice against female workers on the one hand and biological and cultural differences in sex roles on the other hand reinforce one another and lead to occupational segregation and inequality in earnings.

Despite dramatic changes in sex role perceptions and attitudes in recent decades, women's occupational aspirations and preferences still differ from men's. Studies conducted in the 70's reveal a marked decline in the proportion of young women who expect to make traditional job choices.¹⁸ But stereotypical notions of gender roles continue to shape women's expectations through socialization by the family, the school and the whole cultural environment.

Just as differential treatment of boys and girls by parents reinforces stereotypical behavior, teachers' and counsellors' sex bias may result in traditional choices of school majors. Boys and girls in the U.S. spend nearly the same number of years at school, but to the extent that they continue to choose sex-typed fields of study, the traditional separation between male and female occu-

¹⁸. Barbara Reskin & Heidi Hartmann, editors. *Women's Work, Men's Work: Sex Segregation on the Job*, Washington, D.C.: National Academy Press, 1986, p. 59.

pations will consequently be maintained. Quality or type of education has thus been stressed as a major variable in the persistence of occupational segregation.¹⁹

Even when women receive education and training in non-traditional fields, marriage and family are likely to restrict their career choices. Regardless of the value of their paychecks, wives are still expected to do the housework, and despite a growing tendency among younger husbands to share household duties with their wives, these duties are still disproportionately borne by women. Considering the division of labor in the home, Solomon Polachek argues, "it is the wife who is shackled with the family responsibility, and it is the wife who forgoes wages and job opportunities to take on these responsibilities."²⁰ The fact that most men can bring home a higher pay than most women provides another rationale for the expectation that women, not men, will sacrifice career advancement. In other terms, women earn substantially less than men because they do the housework, and they do the housework because they earn substantially less than men. Caught in this vicious circle, women find it difficult to achieve economic equality with men.

Faced with a double burden, women will seek jobs which they can accommodate with their family obligations. Instead of competing for rewarding positions in prestigious occupations, they tend to choose routine jobs which require less time and effort. Because of their family commitments, they may not be ready to engage in work that involves unpredictable hours or travelling. For mothers of young children, taking a part-time job may well be the only way to continue working. Women pay a considerable price for the flexibility that part-time work gives them. Part-time workers are typically viewed as "migrant labor": they are not entitled to fringe benefits, are not considered for promotion, and may be easily laid off. In 1988, more than 25 per cent of women workers held part-time jobs; and when we realize that the overwhelming majority of part-time workers are women and that these workers average only 59 per cent of the hourly earnings of full time workers,²¹ we hardly wonder at women's failure to attain earnings parity with men.

Because they know they may face interruptions in their worklives, women may be reluctant to invest as much time and energy in a job as is necessary for future advancement. Discontinuity in work experience has another negative effect

19. "The Comparable Worth Controversy", An interview with Heidi Hartmann and June O'Neill, in *New Perspectives*, U.S. Commission on Civil Rights. Spring 1985, p. 32.

20. Solomon William Polachek, "Women in the Economy: Perspectives on Gender Inequality". Paper presented at the U.S. Commission on Civil Rights Conference on Comparable Worth, June 6-7, 1984, p. 24..

21. National Commission on Working Women, January 1989.

on women: in so far as women move in and out of the labor force much more frequently than men, they typically achieve shorter job tenures than men, which again results in less benefits and lower wages. Since 1980, women in their child-bearing years have shown a stronger attachment to the labor market, but women as a group still change jobs more frequently than men and they still constitute the majority of temporary workers. Studies concerned with the impact of work experience on earnings indicate that nearly half the earnings gap between men and women can be accounted for by this difference in "human capital".²² Apart from job tenure, the total number of hours worked also affects earnings. Not only are women more likely than men to choose part-time work, but even women who work full time may not put in as many hours of work per week or per year as similarly employed men. The premiums men receive for longer regular hours and overtime further reduce the female to male earnings ratio.

The depressing effect of marriage on female earnings can easily be seen in the difference between married and unmarried women. While single women have earned nearly as much as their male counterparts, married women with spouse present, including those working full-time year round, have earned less than 40 per cent of what married men earn. When adjustments have been made for the differences in "human capital" investments between male and female workers, Paul Weiler argues, the wage gap reduces itself to what he calls a "marriage gap".²³ Marriage and children usually enhance men's earning power; by contrast, they systematically depress that of women. After comparing the earnings of women with children with those of women without children, Victor R. Fuchs draws nearly the same conclusions. Focusing on the earnings of white women who worked at least 1000 hours in 1983, Fuchs finds that women with children earn considerably less per hour than women without children and that wages drop with each additional child.²⁴

The dichotomy between family roles and work roles largely accounts for occupational segregation and the wage gap. Unequal responsibility for housework and child care not only forces specific job choices on women, but it also helps maintain employers' traditional prejudice against women workers. The feedback effects between women's attitudes and employers' attitudes make it difficult to assess the degree to which women or employers are responsible for the persistence of occupational segregation.

22. Paul Weiler, "Wages of Sex: The Uses and Limits of Comparable Worth", in *Harvard Law Review*, Volume 99, 1986, p. 1783.

23. Paul Weiler, *Ibid.*, p. 1785.

24. Victor R. Fuchs, "Sex Differences in Economic Well-Being", in *Science*, Vol. 232, 1986, p. 463.

The Failure of Federal Policies to Curb Employers' Discriminatory Behavior:

Despite anti-discrimination legislation, occupational segregation still persists through gender-based job classifications. To the extent that they provide jobs, employers play a decisive role in classifying employees and giving job titles; and if women's job titles rank lower than men's, this partly reflects employer's prejudice against female employees. Although Title VII of the 1964 Civil Rights Act forbids employers to "limit" or "classify" employees in any way which may deprive them of employment opportunities, women are still likely to experience differential treatment. Given the provisions of the law, employers now find it difficult to tell female applicants that the job is for men only, unless sex is a "bona fide" occupational qualification necessary to the job performance. And given the more recent legislation concerning the treatment of pregnant women, employers can no longer terminate pregnant employees whenever they think it desirable.²⁵ The same employers, however, may still institute a requirement or impose a test carefully designed to screen women out; and they still deny pregnant women health insurance and sick leave for childbirth or else withhold reinstatement privileges.

Such elusive discrimination reflects entrenched attitudes toward "women's work" which have remained unaffected by federal legislation. Occupational segregation, rooted as it is in deep-seated beliefs about sex roles, has proved a stubborn phenomenon. Employers continue to treat women workers as a "special group" partly because they share society's views of women's "place".

The sharp distinction in people's minds between "men's work" and "women's work" is reproduced in the labor market through firms and establishments that usually hire "all men" or "all women." Not only are men and women within the same firm assigned different tasks, but they may also work in different industries and for different employers. Thus, even clerical workers, a typically female category, are more likely to be male in some industries than in others.²⁶ Segregation between firms, which implies separate pay scales for men and women, is obviously harder to correct than segregation within firms.

When men and women work within the same firm, women rarely have the opportunity to climb the occupational ladder as fast as men. This may reflect

²⁵ U.S. Department of Labor, 1979.

²⁶ Reskin & Hartmann, p. 8.

employers' "taste for discrimination",²⁷ but in discriminating against women, employers have also been found to be responding to customers' and employees' expectations or preference for men in positions involving a high degree of responsibility. In a 1982 poll by Louis Harris of 600 executives (top management of large corporations), 41 per cent said men don't like to take orders from women.²⁸ This partly explains employers' reluctance to promote women to high positions in the occupational hierarchy.

The existence of gender-specific mobility ladders has been stressed as another major obstacle to economic equality for female workers. Paula England and George Farkas see mobility in the job as part of an "implicit contract" between employers and employees in which differential treatment is reinforced through the provision of job opportunities. Sex discrimination being a constant factor in the labor market, "one remains on either a short 'female ladder' or a longer 'male ladder'."²⁹

Because women's work experience is traditionally less continuous than men's, and because women are viewed as primarily concerned with family obligations, employers tend to underestimate women's contributions and restrict their chances for occupational advancement. Instead of allocating jobs on the sole basis of individual merit, employers frequently ascribe to female employees group characteristics which are not applicable to all women. By indulging in what has been called "error" or "statistical discrimination,"³⁰ employers bar women workers from accumulating as much "human capital" as they need to compete with men on an equal footing. When it comes to investing in expensive on-the-job training, men are usually preferred to women, because statistically men continue to show greater work commitment than women. Those women who happen to be more achievement-oriented than the average female worker may find it difficult to improve their skills or secure higher-status, better-paid positions. And when a woman succeeds in working her way up to a non-traditional position, sexual harassment from male coworkers may well discourage her from pursuing her ambitions.

27. Gary S. Becker, *The Economics of Discrimination*, Chicago: University of Chicago Press, 1957. p. 1.

28. Quoted in Andrey Freedman, "Women's Work: Current and Future Trends" in *Proceedings of Emerging Issues in the Workforce: The Female Perspective*, Sponsored by Corsi Institute Labor-Management Relations, Pace University, New York, June 1983, p. 9.

29. Paula England & George Farkas, *Households, Employment, and Gender: A social, Economic and Demographic View*, New York: Aldine Publishing Company, 1986, p. 163.

30. England and Farkas, *Ibid.*, pp. 125-26 and Barbara R. Bergmann, *The Economic Emergence of Women*, New York: Basic Books, inc., 1986, p. 113-4.

Such practices highlight the failure of federal legislation to eliminate sex discrimination in employment. As is often the case in the U.S., this failure is more relevant to enforcement procedures than to the provisions of the law proper. By resorting to legal action, groups of women workers have sometimes succeeded in securing their rights. Yet neither Title VII of the Civil Rights Act of 1964 which makes sex discrimination illegal nor affirmative action which aims at integrating women into male fields can be said to have equalized women's status.

After the passage of the Civil Rights Act, the Equal Employment Opportunity Commission (EEOC) was set up to receive complaints of discrimination from disadvantaged groups, mainly blacks and women. With the help of this federal agency, many women workers, seeing themselves as victims of discrimination, have sought redress through legal action and have won their cases. A good example of this is the agreement reached by the EEOC with the American Telegraph and Telephone Company in 1973. As soon as AT & T's discriminatory practices were legally conceded, the firm was ordered to award women and minority men \$15 million in back pay and up to \$23 million in pay increases.³¹

Another important landmark in the history of female employment is the 1981 Supreme Court decision in *County of Washington, Oregon v. Gunther*. The Gunther case was brought by four female prison matrons who guarded female prisoners of a county jail in Oregon. According to the county's evaluation of the matrons' work, these matrons should be paid approximately 95 per cent of what the male guards were paid. As a matter of fact, the matrons received only 70 per cent of the guards' wages. The Supreme Court concluded that female matrons could sue under Title VII of the Civil Rights Act, even though their jobs were not identical to the male guards' jobs (*Wider Opportunities for Women*).

Similarly, affirmative action programs which originated in Executive Order 11246 issued by President Lyndon Johnson in 1967 have sometimes helped improve employment opportunities for women. By setting employment quotas for women and minorities, affirmative action has forced employers with government contracts to recruit women and blacks for positions from which they have long been excluded. The Office of Federal Contract Compliance has thus required each federal contractor to formulate an affirmative action plan. In theory, firms that do not comply with this policy are prohibited from selling their goods or services to the government. In practice, however, only a few firms have ever lost their contracts because of failure to submit affirmative action programs.

Implementation inside the EEOC has proved even less effective, and the highly publicized cases in which some groups of women workers succeeded in

³¹. *Editorial Research Reports*, p. 37.

establishing their rights cannot be said to have changed employment conditions for the vast majority of women workers. For one thing, an enforcement strategy that only relies on complaints cannot cover all cases of discrimination. Some women may not be aware either of the provisions of Title VII of the Civil Rights Act or of affirmative action plans. Other women may be reluctant to engage in extremely expensive and time-consuming lawsuits whose results remain uncertain. Fear of retaliatory action by employers may also deter female employees from filing complaints: these employees may be anticipating promotion or they may simply need their jobs and are willing to settle for less money than their skills are worth. As Barbara Bergmann points out, while "a complaint-oriented enforcement strategy might be a good choice against burglary or murder,... it turned out to be a poor choice for an agency like the EEOC."³² Unlike burglary or murder which affect relatively few people, sex discrimination in employment is a widespread phenomenon: by simply netting a few law-breakers, the EEOC is unlikely to alter long-established patterns of discrimination against women.

By focusing on major trends in the women/men wage ratio, Victor R. Fuchs supplies further evidence of ineffective legislation. "It was only in the 1980's that the ratio started to climb", he argues, "but these were the 'Reagan Years' — a period not noted for vigorous enforcement of anti-discrimination and affirmative action legislation."³³

While advocates of affirmative action believe that the failure lies in ineffective enforcement, detractors see it as "reverse discrimination" that can benefit neither firms nor employees. And while the former consider affirmative action as a temporary expedient that helps include women in non-traditional occupations in fair numbers, the latter reject numerical goals that result in the exclusion of more competent employees.

Considering that sex discrimination in employment is still rife, we may question the relevance of affirmative action plans. On the other hand, there is no denying the fact that without affirmative action fewer women would have gained access to the best jobs and occupational segregation would have been reinforced as more women joined the work force. Both Title VII of the Civil Rights Act and affirmative action have helped create a work environment that leaves little room for overt discrimination. But the deeply embedded practices that place barriers to the advancement of women have scarcely been affected.

³² Bergman, *Ibid.*, p. 158.

³³ Victor R. Fuchs, *Women's Quest for Economic Equality*, Cambridge, Mass.: Harvard University Press, 1988, p. 27.

Economists may not agree on the degree to which employer discrimination is responsible for the gender wage-gap. While some of them (Hartmann, England, and Bergmann) see segregation by employers as a major factor, others (Weiler, O'Neill, and Fuchs) insist on women's lower work commitment and may go as far as to question the benefits to employers of sex discrimination. All agree, however, that the interaction between family and employment puts women at a severe disadvantage. Women do make occupational choices that differ from men's, but the difference is often traceable to the constraints imposed by child care and home maintenance which husbands, fathers, and society at large continue to view as women's special realm. Because this difference is likely to persist and because occupational segregation still remains a "fact of life" for the majority of employed women, advocates of pay equity have been induced to shift the emphasis from affirmative action to the movement for comparable worth which they hope will raise wages in female occupations to male levels. But will it?

Comparable Worth:

The concept of equal pay for work of comparable worth dates back to the World War II era, but it reappeared in policy debates only in the mid-seventies. In 1980, Eleanor Holmes Norton, chairwoman of the EEOC, proclaimed comparable worth "the issue of the 80's." Although the Reagan administration actively opposed it, "by 1987 more than forty states and seventeen hundred local governments had taken major steps toward implementing a comparable worth policy to raise the wages of female-dominated job classes."³⁴

Since the AFL-CIO endorsed the concept at its 1979 convention,³⁵ organized labor has become an ally in the pay equity campaign. Implementation of comparable worth policies has occurred under the influence of public-employee unions and in some cases has led to improvements in women's wages. This not only points to a major shift in unions' attitudes toward female workers, but it also stresses the potential gains that unionization can help women achieve in the battle for economic equality.

Apart from union pressure, political pressure has similarly been exercised by women's rights groups to make state and local governments adopt comparable worth policies. Democrats' and liberals' support of comparable worth also stems

34. Sara M. Evans, *Born for Liberty: A History of Women in America*, New York: The Free Press, A Division of Macmillan, inc., 1989, p. 310.

35. David Kirp, Mark G. Yudof, & Franks, Marlene Strong. *Gender Justice*, Chicago: The University of Chicago Press, 1986, p. 168.

from growing concern at a serious social phenomenon publicly known as "the feminization of poverty." First used in 1978 by sociologist Diana Pearce, the phrase refers to the increasing impoverishment of women through both divorce and unequal employment opportunity.³⁶ While divorce has robbed millions of women of middle-class status, employment conditions for them have not been sufficiently improved to offset the losses resulting from marital instability. An immediate realignment of wages in the traditionally female occupations is expected to raise living standards for the "nouveau poor," namely women and children in female-headed families.

The following assumption underlies the argument for comparable worth: if women's jobs are underpaid, this is not because these jobs have less value than men's, but because they are performed by women. It is also argued that women who work differently from men should not be regarded as necessarily less productive. Hence the contention that if a secretary's services are as crucial to the firm as a truck driver's, it makes no sense to pay him more than her. This sums up the philosophy behind the call for comparable — or equal — pay for work of comparable value.

Comparable worth in the workplace involves careful evaluations of job qualifications and requirements which should lead to objective rates of pay. Factors such as "knowledge and skills," "mental demands," "accountability," and "work conditions" are assessed and rated so as to determine the real value of each job. In theory, comparable worth sounds perfectly suited to the millions of female nurses, secretaries and waitresses whose jobs have long been undervalued. In practice, however, the comparable worth claims of women may not so easily be established as is shown by the relative failure of lawsuits involving pay equity demands. Not only is it difficult to determine and evaluate objectively every single compensable factor in a job, but the notion of paying employees market wages also frequently interferes with any system of job evaluations that firms might have. In fact, job evaluations as comparable worth policies stipulate tend to be viewed as an unnecessary — if not harmful — intrusion in a system of wages traditionally determined by market forces.

June O'Neill thus argues that "in a free market, wages and prices are not taken as judgements of the inherent value of the worker or the good itself, but reflect a balancing of what people are willing to pay for the services of these goods with how much it costs to supply them."³⁷ This means that there is no

³⁶. Quoted in Barbara Ehrenreich & Karin Stallard, "The Nouveau Poor". in *MS.*, August 1982, p. 218.

³⁷. June O'Neill, "An Argument for the Marketplace" in *Society*, July/August 1985, p. 55.

scientific method of setting wages and that wage rates can only result from the interaction between supply and demand. O'Neill concludes that if implemented, comparable worth "would lead to capricious wage differentials, resulting in unintended shortages and surpluses of workers in different occupations with accompanying unemployment."³⁸ Faced with substantial wage adjustments, employers will eventually seek to reduce their female labor, which is bound to hurt women.

This view of comparable worth prevails among *laissez-faire* economists. Other economists argue, however, that there is no evidence of any comparable worth interference with a market equilibrium created by the operation of supply and demand. But they still admit that substantial increases in female wages could adversely affect women as employers cut back the quantity of labor in female occupations.³⁹ Comparable worth not being a national norm, many of the least skilled, lowest-paid workers run the risk of being thrown out of work. Employers might find it more profitable to engage more skilled labor or substitute capital equipment. For marginal workers, the majority of whom are women, comparable worth could make things worse.⁴⁰

When Reagan appointee Clarence M. Pendleton, chairman of the U.S. Civil Rights Commission, called comparable worth "the looniest idea since 'Looney Tunes' came on the screen,"⁴¹ he no doubt had in mind the impossibility of enforcing pay equity decisions on every single firm in a country traditionally dedicated to the principles of free enterprise and non-intervention. He may also have imagined a centrally planned government board making arbitrary decisions on the value of every job. Or else he may have taken sides with employers who dismiss comparable worth as a threat to the profitability and the competitive power of American firms in both domestic and foreign markets.

Yet, many of those who worry less about employers' interests than about women's have not shown much enthusiasm for comparable worth. Economist Nancy Barrett, for instance, has argued that comparable worth destroys the incentive for women to move into non-conventional fields.⁴² To others (Francine

³⁸. O'Neil, *Ibid.*, p. 55.

³⁹. Francine D. Blau & Marianne A. Ferber, "Women in the Labor Market: the Twenty Years." in *Women and Work: An Annual Review*, Vol. 1. Editors: Laurie Larwood, Ann H. Stromberg, & Barbara A. Gutek, Beverly Hills, California: Sage Publications, inc., 1985, p. 45.

⁴⁰. Kirp, Yudof, & Franks, *Ibid.*, p. 171.

⁴¹. *New York Times*, April 9, 1984.

⁴². Nancy Barrett, "Obstacles to Economic Parity for Women", in *American Economic Review Papers and Proceedings*, 72, May 1982, 164-65.

Blau and Marianne Ferber), comparable worth is too reminiscent of the "separate but equal" policy to provide an effective remedy for inequality in the workplace.⁴³

Like federal legislation and affirmative action regulations, comparable worth does help destroy the motivation for discriminatory behavior. It does foster new attitudes among both employers and employees which in the long term may produce a favorable impact on female employment. But because inequality in the workplace is such a complex phenomenon and because recognizing differences is just a step in the long struggle for economic equality, comparable worth is no panacea, as its proponents may suggest. Furthermore, given the highly decentralized character of both the economic system and the legal enforcement system, and given the traditional emphasis on market freedom and efficiency, comparable worth, which may have succeeded in Sweden and Australia, may not be as easily accepted in a country like the U.S.A..

In so far as it seeks to improve the earnings of women in predominantly female occupations, comparable worth fails to address the question of occupational segregation. It still presents the advantage of calling attention to basic differences between men's and women's occupations, differences which proponents of the theory attribute to discrimination. But is discrimination the only real barrier? Have the natural and cultural differences between men and women which have been shown to affect occupational choices received the attention that they deserve in that battle for sex equality? These questions will be the focus of the next section.

The Debate over Equality versus Difference: Policy Implications

What seems clear now is that two decades of affirmative action directed toward a greater sexual integration of occupations and of feminist emphasis on equal opportunity can hardly be said to have improved the occupational status of the majority of women workers. Stimulated by the egalitarian ideal of the 1960's and 70's, many white, young and single women have succeeded in achieving equality with men in both educational training and occupational advancement. These women have been able to increase their incomes to unusual levels. But women as a group have scarcely improved their economic position relative to men.

After calculating the women/men ratio of effective income by hour of work from 1960 to 1986, Victor R. Fuchs reveals that women on average have failed to make progress. "There is one special category of women that achieved a large increase in economic well-being relative to their male counterparts", he asserts,

⁴³ Francine Blau & Marianne Ferber, *Ibid.* p. 45.

"they are white, young (ages 25-44), not married, and well educated (more than twelve years of schooling) All other subgroups of women showed losses or very small gains."⁴⁴ And if economic well-being is defined as access to goods, services and leisure, women who are more likely than in the past to be family heads and workers are reported to have more financial responsibilities and less leisure.

One major criticism recently levelled at the women's liberation movement has been its failure to recognize differences between male and female roles. While pleading for sex equality, feminists have tended to ignore or underestimate such major aspects of women's lives as child bearing and rearing. Involvement with family and children has too often been emphasized as a barrier to individual achievement. Women have been urged to reject marriage and motherhood and to cater, instead, to their own needs. This may have been a reaction to what Sylvia Ann Hewlett calls "the aberrant fifties,"⁴⁵ a period of "ultra-domesticity" for American women. The fact remains that most women continue to want families and children even when they seek greater economic independence. American feminism, traditionally centered on equal rights, has hardly been supportive in this respect.

The deliberate omission of family-related issues in the feminist agenda has obviously been well exploited by the New Rights spokeswoman (and leader of the Stop Era campaign) Phyllis Schlafly who in 1985 proudly declared that "feminists may seek to shed the role of motherhood as an obsolete stereotype, but babies have not heard the call of women's liberation; they are as demanding in the 1980's as they were in the 1880's." This emotionally phrased truth should not conceal the fact that the New Right has not been any more successful in helping women face the dramatic changes that have occurred in American sexual morality and family life since the 1960's. The new emphasis on individuality and freedom of choice, backed by no-fault divorce laws has not only increased the likelihood of divorce for women (one in two marriages is now expected to end in divorce) but has often deprived women of alimony and child support. Besides telling women that homemaking is a rewarding occupation, the New Right has done very little that could help ensure compensation for the losses women have incurred. In short, neither radical feminists nor New Right adherents have had any social policy agenda that would have made it easier for women to adjust to social change. While the former with their "sisterhood is powerful" ideology have tended to focus on equal rights, career advancement and control over one's body,

⁴⁴ Fuchs, *Ibid.*, p. 82.

⁴⁵ Hewlett, *Ibid.*, p. 227.

the latter have urged have a domestic ideal which is constantly undermined by present day realities. Some feminists (Kessler-Harris; Rosenberg) now admit that failure to recognize differences between the sexes has harmed women and that a shift in emphasis from equality to difference may be needed to secure real improvements in the status of the American Woman Worker.

Equality versus difference is an old issue in the history of American feminism. In the 1920's and 30's, feminists who claimed equal rights for women were opposed by social feminists who asserted women's difference, an assertion which resulted in protective legislation and eventually undermined equality for women. Emphasis on the child bearing and rearing functions of women reinforced the notion that women constituted a "special group" and that they needed differential treatment. "The apparent lesson of the past," feminist historian Alice Kessler-Harris points out, "was that paying attention to the characteristics of one group of workers can overemphasize their special needs and result in discrimination." On the other hand, total adherence to equal rights in modern feminism has scarcely helped remove traditional barriers to the advancement of women workers. Even when women aspire to "male" careers, family roles and the persistent division between the private and public spheres are very likely to deter them from achieving their occupational goals. Alice Kessler-Harris thus concludes that "a second, and now overlooked lesson is that ignoring difference tends to perpetuate existing inequalities."⁴⁶

Unlike men, women bear children, a permanent difference which requires accommodation. Studies of women's family attachment have also stressed the fact that women feel a stronger desire for children than men and that they show a greater concern for their welfare after their are born. Despite tremendous changes in interpersonal relations and family life, maternal abandonment of children is still much less frequent than paternal abandonment. Divorced mothers are still far more likely than divorced fathers to demand and obtain residential custody for their children; and many of these fathers may not even care to see their children or contribute to their support.⁴⁷

This correlates with Carol Gilligan's findings concerning women's moral commitments and values: by comparing male and female responses to specific moral dilemmas, Gilligan perceives a contrast between a male identity that uses

⁴⁶. Alice Kessler-Harris, "The Debate Over Equality for Women in the Work Place: Recognizing Differences" in *An Annual Review*, Vol. 1. Ed.: Laurie Larwood, Ann H. Stromberg, and Barbara A. Gutek. (Beverly Hills, California: Sage Publications, ind., 1985, p. 144)

⁴⁷. Fuchs, *Ibid.*, p. 69.

"power and separation" to achieve success, and a female identity that expresses itself through "an ethic of nurturance, responsibility, and care."⁴⁸

These natural or cultural differences clearly affect employment patterns. In addition to child bearing, responsibility for child care is bound to constrict women's occupational choices, a constriction whose impact modern feminists have failed to minimize. Instead of lobbying for job-protected maternity leaves, subsidized day care, and flexitime, with their separatist strategy, have felt more concerned with abortion and lesbian rights.

Nearly a century ago, Charlotte Perkins Gilman pointed out that, in contrast with men, a woman who opted for the world of work had to "give up... the joys of love, motherhood and domestic service."⁴⁹ Economic expansion in post-World War II America, improved birth control techniques, technological progress and the reduction of the work week have since made it easier for women to combine homemaking and market work. But women as a whole still face painful dilemmas when they have to "choose" between work and family. To pursue a career, a woman may still find it necessary to give up such basic values as family love, emotional intimacy and companionship. Because neither the workplace nor the social structure have adjusted to the special needs of women, women still find it difficult to compete with men on equal terms. The fact that the traditional division of labor in the home has not been much affected by the changes in women's work roles is just another reason for occupational segregation and the wage gap. In the absence of social policies that would accommodate the unique functions of women, economic equality is unlikely to occur. This is probably the message that Rosalind Rosenberg wanted to convey when in *EEOC v. Sears, Roebuck and Company* she challenged the assumption that employer discrimination was the major reason for women's underrepresentation in certain jobs.⁵⁰

On February 3, 1986, the Federal District Court in Chicago ruled in favor of Sears which for 12 years had been accused by the EEOC of discriminating against female employees. The charge rested on statistical evidence: according to the EEOC, women were underrepresented in the Commission sales jobs because Sears had denied women applicants access to these higher paying positions. Sears obviously succeeded in persuading the Court that women were not as willing or qualified to sell big-ticket merchandise as men. Sears, Roebuck and Company is

⁴⁸. Carol Gilligan, *In a Different Voice*, Cambridge, Mass.: Harvard University Press, 1982, pp. 163; 159.

⁴⁹. Quoted in Hewlett, *Ibid.*, p. 401.

⁵⁰. Rosalind Rosenberg, "What Harms Women in the Workplace", in *New York Times*, February 27, 1986.

the largest retailer in the world and the largest private-sector employer of women in the U.S.. Had the EEOC won its case, Ruth Milkman argues, it "could have made a real difference in the position of women salesworkers."⁵¹ More important than the EEOC's defeat, however, was the historical testimony of Rosalin Rosenberg and Alice Kessler-Harris in this trial. These two well-known feminist historians testified as expert witnesses in the case, one for Sears, the other for the EEOC. Whereas Rosenberg insisted on the classic differences between men's and women's occupational aspirations and preferences, Kessler-Harris stressed the role of employers in shaping women's employment patterns.

Considering the political implications of the case, Rosenberg's testimony in favor of Sears was condemned by the scholarly community and by feminists. Yet the conflict between Rosenberg and Kessler-Harris is evidently more strategical than ideological. By publicly defending an employer's position, Rosenberg may not have adopted the right strategy in a conservative political context that does not favor the cause of women. Both Rosenberg and Kessler-Harris, however, recognize the power of ideology and culture over women and both acknowledge that the issue of difference should not be overlooked. Rosenberg still contends that by focusing on employer discrimination, Americans will continue to ignore what she calls "a host of social failings". Among other things, women, she says, "need guaranteed maternity leaves and subsidized child care if they are ever to compete with men on equal terms."⁵² By merely attacking employers, the argument runs, the EEOC will not change employment conditions for women. Rosenberg further points out that many feminists "public insistence that employer discrimination is the only significant factor in explaining the low number of women in certain jobs threatens to cripple the cause of working women, not advance it."⁵³ According to her, what women need is a whole range of social policies which by recognizing natural and cultural differences between men and women can help eradicate occupational segregation. This is precisely what American society has been reluctant to explore: new social arrangements that would remove the barriers to freedom of choice for women.

Fearing that special demands for women would again provide a rationale for unequal treatment in the workplace, feminists have been just as reluctant to press for policies that stress women's different needs. By the mid-eighties, however, some feminists were inclined to redefine or reassess the women's move-

⁵¹. Ruth Milkman, "Women's History and the Sears Case", in *Feminist Studies* 12, n° 2, Summer 1986, p. 376.

⁵². Rosenberg, *Ibid.*.

⁵³. Rosenberg, *Ibid.*.

ment position regarding the link between work and family. Some have become aware that stressing differences between men's and women's family roles, not just claiming equal rights in the workplace, might better serve the quest for economic equality. Experience to date has shown that as long as women are required to adjust to a work structure that ignores women's reproductive role, and as long as this reproductive role is culturally perceived as inconsistent with productivity in the workplace, women will continue to be segregated into the low-paid, low-status service jobs. The assumption that family roles and work roles are mutually exclusive also accounts for the fact that a growing number of career-oriented women are taking the decision not to marry or not to have children. For this category of women, childlessness is clearly a sign of strong career commitment; on the other hand, fewer of them would have renounced the joys of motherhood if family policies in the U.S. had caught up with what is generally acknowledged as "irreversible social change."⁵⁴

Unlike other advanced societies, American society which still regards child care as the exclusive responsibility of the biological mother has failed to provide family support systems which, by easing the tensions involved in combining housework with market work, would allow women to choose occupations more freely. And in so far as justice means enhancing choice and opportunity for individuals, women, whatever their professional skills, still need to fight for it. Meanwhile, the painful trade-off commitment and family commitment can only lead to what Sylvia Ann Hewlett has called "a lesser life"⁵⁵ for those women who happen to desire career success as strongly as they do families and children.

It may be that women, by nature or by culture, fear or dislike what Sears called the "dog-eat-dog" competition which is at work in most male jobs.⁵⁶ It may also be that women tend to prefer "cooperative" relationships to "competitive" ones⁵⁷ and that they tend to choose occupations that reflect family values or the propensity to "care for" and "help" others. In other terms, even if a sexual integration of occupations were easily obtainable or enforceable, many women might still opt for nursing, teaching and secretarial work. But women are still entitled to make "independent" choices, and those who are willing to compete for prestigious jobs should be able to do so without having to forgo meaningful family relationships.

⁵⁴ Kathleen Gerson, *Hard Choices. How Women Decide about Work, Career, and Motherhood*, Berkeley: University of California Press, 1985, p. 227.

⁵⁵ This phrase is the title of her book.

⁵⁶ Ruth Milkman, *Ibid.*, p. 384.

⁵⁷ Carol Gilligan, *Ibid.*, p. 140.

Economic equality for women does have immediate costs, but the long-term benefits are surely greater. Public policies aiming at greater pay equity should benefit the whole society, not just women. They can raise productivity through a better allocation of human resources, a worthy goal for a nation ostensibly concerned with achieving maximum economic output and efficiency. They can help improve living conditions for the millions of disadvantaged children in female-headed families whose plight is now a subject of public concern. They can help increase fertility, a potential gain for a nation whose population is not replacing itself. Eventually, they may strengthen family life through a more rational assignment of rights and duties within the household.

The "self-help" ideology which still shapes women's economic contribution cannot be expected to equalize their incomes. Enhancing economic opportunity for women requires active support from policy makers, Federal and State organizations, employers and unions. Unless political, social, and economic structures are readjusted to the sweeping changes in women's roles, equality for the increasing proportion of the female population that seeks employment will be hard to achieve. It is often argued that policies geared to employed women may prove unfair to those who choose homemaking as a full-time occupation. This is precisely where the challenge for policy makers lies. What is needed is a new set of supportive services which confirm the right for wives and mothers to pursue careers without discriminating against those who opt for the rewards of full-time homemaking.

The persistence of inequality for women workers in the U.S.A. shows that to become effective, individual change must be sustained by structural or institutional change, and that the interaction between the desires and expectations of women and existing economic and social institutions determines the pace of progress. Because the workplace is still organized around the needs of men and because government policies have failed to generate social structures that provide family support as fast as women enter the labor market, the status of the woman worker cannot be said to have been greatly improved. This study also calls attention to the fact that despite a strong feminist tradition, female workers in the U.S.A. still do not enjoy benefits which women in all other advanced societies now take for granted. Child allowances, job-protected maternity leaves, and day care facilities which in many Western countries have become commonplaces are still lacking in the U.S.A.. To some extent, this highlights the limitations of American feminism. On the other hand, it seems clear that unless American society is willing to face the profound changes that equal economic opportunity

inevitably requires, most women will continue to occupy a "special" place in the workplace.