



10:18:59 AM

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To: See the distribution list at the bottom of this message

cc:

Subject: Equal Pay Event Program

According to Leg Affairs we have invited 2 more speakers. Based on the current line up, here is the speaking order recommended, unless anyone has any other strong suggestions:

The First Lady
Congresswoman Norton
Congresswoman DeLauro
Senator Boxer
Mrs. Gore
Senator Ted Kennedy
Dr. Dorothy Height
Vice President
President

Please let others know that may be affected by this as they are constructing Principal remarks, acknowledgments or other important issues. Thanks.

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Audrey T. Haynes/WHO/EOP
Jennifer M. Palmieri/WHO/EOP
Thomas L. Freedman/OPD/EOP
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Minyon Moore/WHO/EOP
Chandler G. Spaulding/WHO/EOP
Mary L. Smith/OPD/EOP
Rebecca M. Blank/CEA/EOP
Michele Jolin/CEA/EOP
Kris M Balderston/WHO/EOP
Anne E. McGuire/WHO/EOP



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Anne E. McGuire/WHO/EOP

THE WHITE HOUSE
WASHINGTON

June 9, 1998

EQUAL PAY EVENT

DATE: June 10, 1998
LOCATION: Rose Garden
EVENT TIME: 2:30 pm - 3:30 pm
FROM: Bruce Reed
Gene Sperling
Audrey Tayse Haynes

I. PURPOSE

To commemorate the 35th anniversary of President Kennedy's signing of the Equal Pay Act, to call on Congress to pass Senator Daschle's and Congresswoman DeLauro's equal pay bills, to announce a Council of Economic Advisors report on the gender wage gap, and to announce a Department of Labor report that provides a historical perspective on the wage gap.

II. BACKGROUND

You will be making remarks to approximately 150 people, including equal pay and civil rights advocates, labor leaders, business persons, legislators, and persons from Cabinet agencies. This is an opportunity to highlight women's progress since the signing of the Equal Pay Act and to call for legislative action on the remaining wage gap.

The CEA report shows that a significant gap between the wages of women and men remains today although it has narrowed substantially since the signing of the Equal Pay Act. In 1963, the year that the Equal Pay Act was signed, women earned 58 cents for every dollar men earned. Today women earn about 75 cents for every dollar men earn, a 29 percent increase over the 1963 levels. Despite these gains, there continues to be a significant gap between men's and women's wages, even after accounting for factors such as educational attainment, work experience, and occupational choice.

III. PARTICIPANTS

Briefing Participants:
Gene Sperling
Elena Kagan
Audrey Tayse-Haynes

Janet Yellen
Rebecca Blank
Cecilia Rouse

Event Participants:

The Vice President
The First Lady
Mrs. Gore
Senator Barbara Boxer
Congresswoman Eleanor Holmes Norton
Dr. Dorothy Height, President Emeritus of the National Council of Negro Women
(Janet Yellen and Deputy Labor Secretary Kitty Higgins will be seated on the stage)

IV. PRESS PLAN

Open Press.

V. SEQUENCE OF EVENTS

- **YOU** will be announced onto the stage accompanied by the Vice President, the First Lady, Mrs. Gore, Senator Boxer, Congresswoman Norton, and Dr. Dorothy Height.
- The First Lady will make remarks and introduce Congresswoman Norton.
- Congresswoman Norton will make remarks and introduce Senator Boxer.
- Senator Boxer will make remarks and introduce Mrs. Gore.
- Mrs. Gore will make remarks and introduce the Dr. Height.
- Dr. Height will make remarks and introduce the Vice President.
- The Vice President will make remarks and introduce **YOU**.
- **YOU** will make remarks.
- **YOU** will then work a ropeline and depart.

VI. REMARKS

Provided by Speechwriting.

Attachments:

Background memo on Daschle Equal Pay Legislation and the CEA Report on the Wage Gap
Executive Summary of CEA Report
Photo of Signing of Equal Pay Act Legislation in Oval Office in 1963

**THE PRESIDENT CALLS FOR PASSAGE OF EQUAL PAY
LEGISLATION AND RELEASES COUNCIL
OF ECONOMIC ADVISERS' REPORT ON THE WAGE GAP**
June 10, 1998

Today the President will commemorate the thirty-fifth anniversary of President Kennedy's signing of the Equal Pay Act and will urge passage of legislation to strengthen the laws that prohibit wage discrimination against women. In addition, the President will release a Council of Economic Advisers' (CEA) report on the gender wage gap, and announce a Department of Labor report that provides a historical perspective of the wage gap. The President will be joined by Dr. Dorothy Height, President Emeritus of the National Council of Negro Women, who was at the signing ceremony of the Equal Pay Act in 1963.

Legislation to Improve Enforcement of Wage Discrimination Laws. The President will call on Congress to pass legislation, introduced by Senator Daschle and Congresswoman DeLauro, to strengthen laws prohibiting wage discrimination. The highlights of this legislation include:

- Increased Penalties for the Equal Pay Act (EPA). The legislation adds ^{full compensatory} ~~full compensatory~~ *cell damages p 85* and punitive damages as remedies, in addition to the liquidated damages and back pay awards currently available under the EPA. This proposal would put gender-based wage discrimination on equal footing with wage discrimination based on race or ethnicity, for which uncapped compensatory and punitive damages are already available.
- Non-retaliation provision. The bill would prohibit employers from punishing employees for sharing salary information with their co-workers. Currently, employers are free to take action against employees who share wage information. Without the ability to learn about wage disparities, it is difficult for women to evaluate whether there is wage discrimination.
- Training, Research, and Pay Equity Award. The Daschle-DeLauro bill provides for increased training for Equal Employment Opportunity Commission employees on matters involving the discrimination of wages; research on discrimination in the payment of wages, and the establishment of the "The National Award for Pay Equity in the Workplace," which will recognize and promote the achievements of employers that have made strides to eliminate pay disparities.

CEA Report on the Wage Gap. The President will announce a report by the CEA that shows that a significant gap between the wages of women and men remains today although it has narrowed substantially since the signing of the Equal Pay Act.

- Gender Pay Gap Has Closed. In 1963, the year that the Equal Pay Act was signed, women earned 58 cents for every dollar men earned. Today, women earn about 75 cents for every dollar men earn -- a 29-percent increase over the 1963 levels. The gender gap

has narrowed faster among younger women and among married women with children. And relative to all male workers, wage gains have been faster for black and white women than for Hispanic women.

- Rise in Work Experience And Move To Higher-Paying Jobs Explain Part of Narrowing of Wage Gap. Over the past 20 years, increases in women's average work experience and movement into higher-paying occupations have played a major role in increasing women's pay relative to men's. Changes in family status, in industry structure, and unionization have also worked to narrow the wage gap, while the rising returns to skills and increased wage inequality would have, by themselves, widened the pay gap.
- Much of Gender Gap Is "Unexplained." In the 1980s, about one-third of the gender pay gap was explained by differences in the skills and experience that women bring to the labor market and about 28 percent was due to differences in industry, occupation, and union status among men and women. This leaves over one-third of the gender pay gap "unexplained" by factors such as educational attainment, work experience, and occupational choice.
- Labor Market Discrimination Persists. The evidence is that labor market discrimination against women persists. One indirect and rough measure of the extent of discrimination remaining in the labor market is the "unexplained" difference in pay. And academic studies -- whether looking at pay differences between men and women in very similar jobs or by comparing pay to specific measures of productivity -- have consistently found evidence of ongoing discrimination in the labor market.

Department of Labor Report Provides a Historical Perspective on the Wage Gap. The President also will announce a Department of Labor report that provides a thirty-five year perspective on the wage gap. This report focuses on three periods since the signing of the Equal Pay Act -- 1960-1975, 1975-1985, and 1985-1997 -- and highlights the increased participation of women in the labor force, the changing occupations of women, and the emergence of more women-owned businesses.

- Women's Labor Force Participation Has Increased. Women's labor force participation rate rose from 37.7 percent in 1960 to almost 60 percent in 1997.
- Increased Contributions by Women to Family Income. Between 1995 and 1996 alone, the number of families with two working parents increased by nearly half a million, making equal pay even more of a family issue. In these years, both parents were employed in 63.9 percent of married-couple families with children 18 and younger, while 28.2 percent of these families had an employed father and homemaker mother.

EXECUTIVE SUMMARY

- Although the gap between women and men's wages has narrowed substantially since the signing of the Equal Pay Act in 1963, there still exists a significant wage gap that cannot be explained by differences between male and female workers in labor market experience and in the characteristics of jobs they hold.

GAP
exists
75%

After hovering at about 60 percent since the mid-1950s, the ratio of women's to men's median pay began to rise in the late 1970s and reached about 70 percent by 1990. The gender pay ratio is currently on the rise again, surpassing 75 percent in 1997.

- The gender gap has narrowed faster among younger women and among married women with children. The data that permit disaggregation by demographic groups show the overall gender pay ratio rising from 57 percent in 1969 to 68 percent in 1996 (the last year for which these data are available). In contrast, among women under 40, the gender pay ratio rose from 58 percent in 1969 to 74 percent in 1996. Among married women with children, the gender pay ratio (relative to all male workers) rose from 53 percent in 1969 to 68 percent in 1996. Relative to all male workers, wage gains have been faster for non-Hispanic black and non-Hispanic white women than for Hispanic women.

61% for
single women
Hispanics
least

- Over the last twenty years, increases in women's accumulated labor market experience and their movement into higher-paying occupations have played a major role in increasing women's wages relative to men's. In addition, the decrease in the pay gap that remains "unexplained" after controlling for measured differences between men and women has been a large contributor to the narrowing of the pay gap. Changes in family status, in industry structure and in unionization also worked to narrow the gender pay gap, while increasing economic benefits from skills and increasing wage inequality would have, by themselves, widened the pay gap.

12%
unexplained

- The most recent detailed longitudinal study found that in the late 1980s about one-third of the gender pay gap was explained by differences in the skills and experience that women bring to the labor market and about 28 percent was due to differences in industry, occupation, and union status among men and women. Accounting for these differences raised the female/male pay ratio in the late 1980s from about 72 percent to about 88 percent, leaving around 12 percent as an "unexplained" difference.

- The evidence is that labor market discrimination against women persists, although it is difficult to determine precisely how much of the difference in female/male pay is due to discrimination and how much is due to differences in choices or preferences between women and men. One indirect and rough measure of the extent of discrimination remaining in the labor market is the "unexplained" difference in pay. Some studies have tried to measure discrimination directly by looking at pay differences among men and women in very similar jobs or by comparing pay to specific measures of productivity. These studies consistently find evidence of ongoing discrimination in the labor market and support the conclusion that women still face differential treatment on the job.



EQUAL PAY: A THIRTY-FIVE YEAR PERSPECTIVE

U.S. Department of Labor
Alexis M. Herman, Secretary

Women's Bureau
Ida L. Castro

June 10, 1998

① photo
② one unit -
③ 1 (10)



In the John F. Kennedy Library Photo #DX65-27:7 10 Jun 1963



Public Law 88-38
88th Congress, S. 1409
June 10, 1963

An Act

To prohibit discrimination on account of sex in the payment of wages by employers engaged in commerce or in the production of goods for commerce.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may Equal Pay Act of 1963. be cited as the "Equal Pay Act of 1963."

DECLARATION OF PURPOSE

SEC. 2. (a) The Congress hereby finds that the existence in industries engaged in commerce or in the production of goods for commerce of wage differentials based on sex—

- (1) depresses wages and living standards for employees necessary for their health and efficiency;
- (2) prevents the maximum utilization of the available labor resources;
- (3) tends to cause labor disputes, thereby burdening, affecting, and obstructing commerce;
- (4) burdens commerce and the free flow of goods in commerce;
- and
- (5) constitutes an unfair method of competition.

(b) It is hereby declared to be the policy of this Act, through exercise by Congress of its power to regulate commerce among the several States and with foreign nations, to correct the conditions above referred to in such industries.

SEC. 3. Section 6 of the Fair Labor Standards Act of 1938, as Discrimination amended (29 U.S.C. et seq.), is amended by adding thereto a new prohibited. subsection (d) as follows: 52 Stat. 1062; 63 Stat. 912. 29 USC 206.

"(d) (1) No employer having employees subject to any provisions of this section shall discriminate, within any establishment in which such employees are employed, between employees on the basis of sex by paying wages to employees in such establishment at a rate less 77 STAT. 66. 77 STAT. 57. than the rate at which he pays wages to employees of the opposite sex in such establishment for equal work on jobs the performance of which requires equal skill, effort, and responsibility, and which are performed under similar working conditions, except where such payment is made pursuant to (i) a seniority system; (ii) a merit system; (iii) a system which measures earnings by quantity or quality of production; or (iv) a differential based on any other factor other than sex: *Provided*, That an employer who is paying a wage rate differential in violation of this subsection shall not, in order to comply with the provisions of this subsection, reduce the wage rate of any employee.

"(2) No labor organization, or its agents, representing employees of an employer having employees subject to any provisions of this section shall cause or attempt to cause such an employer to discriminate against an employee in violation of paragraph (1) of this subsection.

"(3) For purposes of administration and enforcement, any amounts owing to any employee which have been withheld in violation of this subsection shall be deemed to be unpaid minimum wages or unpaid overtime compensation under this Act.

"(4) As used in this subsection, the term 'labor organization' means 'labor organization of any kind, or any agency or employee representation committee or plan, in which employees participate and which exists for the purpose, in whole or in part, of dealing with employers concerning grievances, labor disputes, wages, rates of pay, hours of employment, or conditions of work.'

77 STAT. 57.

Effective date.

SEC. 4. The amendments made by this Act shall take effect upon the expiration of one year from the date of its enactment: *Provided*, That in the case of employees covered by a bona fide collective bargaining agreement in effect at least thirty days prior to the date of enactment of this Act, entered into by a labor organization (as defined in section 6(d) (4) of the Fair Labor Standards Act of 1938, as amended), the amendments made by this Act shall take effect upon the termination of such collective bargaining agreement or upon the expiration of two years from the date of enactment of this Act, whichever shall first occur.

Approved June 10, 1963, 12:00 m.

EQUAL PAY: A THIRTY-FIVE YEAR PERSPECTIVE

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LETTER FROM THE SECRETARY

Thirty-five years ago, President John F. Kennedy signed historic, landmark legislation to guarantee equal pay for women and men who held the same job. The Equal Pay Act changed the legal landscape for working women and laid a firm foundation for the beginning of their unprecedented movement into the paid labor force.

At the signing ceremony for the Equal Pay Act on June 10, 1963, special recognition was given to women's leaders, Members of Congress, and government officials, such as Business and Professional Women President Dr. Minnie Miles, National Council of Negro Women President Dr. Dorothy Height, Congresswomen Edith Green and Edna Kelly and Assistant Secretary of Labor Esther Peterson, who were lauded for their leadership and vision.

These leaders understood that the Equal Pay Act was necessary — not just for the many women who were already holding down jobs essential to their well-being and that of their families — but for the next generation of women seeking to expand their horizons beyond the familiar sphere of family and community volunteer work. They were visionaries who understood the dignity of work and the moral imperative of equal pay. They blazed a trail for a new generation of women. Women who would come of age in a world where social customs, workplace trends, and occupations would be vastly different from those in 1963.

The Equal Pay Act is as relevant today as it was on the day it was signed. The law provides a critical foundation for women seeking greater opportunities in the workplace and a paycheck free from stereotypes about the value of women's work.

The women who share their 35th birthday with the Equal Pay Act need and depend on the law as much as their mothers did in 1963. Although they have benefited from a generation of phenomenal progress for working women, there is still a wage gap — full-time working women between the ages of 25 and 35 earn only 84 percent of the weekly earnings of men their age.

This generation of women has invested greatly in education, returned quickly to the labor force after child birth, held more full-time jobs and sought more nontraditional jobs than any in our nation's history. Their mere presence in the labor force has transformed our work culture, spurred new industries, and infused the nation's labor force with a ready supply of educated and skilled workers. It is difficult to imagine our nation's economy without them.

The Equal Pay Act has lived up to the promise articulated by the great Esther Peterson when she said, "Most of our major legislation to meet human needs had to run the painful gauntlet of bitter resistance and attack. Yet in retrospect, we can see that these laws will serve the cause of freedom. Without them our nation would not be so strong or respected."

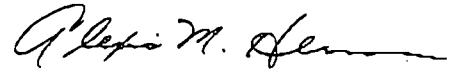
During an 18 year long effort to enact the legislation into law, the Equal Pay Act weathered intense criticism that the test of time has proven unfounded. The law is a basic foundation for women's economic empowerment that has served as a path for our progress and a model for other nations.

In the early 1960s, there were many who resisted the Equal Pay Act, and there are many today who question the motivation of those who seek to expand this law. In fact, the arguments against our progress today are frighteningly similar to those raised in the past.

There are three fundamental reasons why equal pay is in America's best interests.

First, this is a family issue. Today, nearly three out of four women with children work. In many cases, women are the sole breadwinners. When women aren't paid equally, the whole family suffers. Second, it's good business sense. Women make America work. They comprise nearly half of our workforce. Equal pay is essential to attracting good workers and keeping America competitive in this global economy. Finally, this is a kitchen table economic issue and an issue about simple right and wrong. Working women pay the same as men for goods and services — and should be paid the same for their work in producing goods and services.

This report presents a look at where we have come from, where we are today and where we need to go tomorrow to build on our commitment to equal pay and to continue to reap its benefits. We can make no greater investment in our future than valuing and rewarding all of our workers equally, regardless of our gender, race or other nonmaterial differences. Our challenge is to keep working for equal pay until every American can say they work for equal pay.

A handwritten signature in black ink, reading "Alexis M. Herman". The signature is fluid and cursive, with a long horizontal stroke at the end.

Alexis M. Herman
Secretary of Labor

INTRODUCTION

In June 1998, we commemorate the anniversaries of two very important events for working women — the 78th anniversary of the founding of the Women's Bureau and the 35th anniversary of the Equal Pay Act. In honor of these two occasions, we are pleased to present **Equal Pay: A Thirty-Five Year Perspective**. This report is a historical analysis of the economic trends affecting women workers from the years leading up to Equal Pay Act passage through the present. It is divided into three time periods to highlight important developments: Part I. The Early Impact of the Equal Pay Act: 1960-1975; Part II. Making Their Place in the Work Force: 1975-1985; and Part III. Moving Forward — Making a Difference: 1985-1997. Within each time frame, the report provides data on women's labor force participation, leading occupations and educational attainment. When available, it also includes data on wages, issues particular to women of color and other important trends.

In some cases, in order to frame an important issue or trend, the report presents statistics outside of the section in which readers would expect them. The conclusion, Part IV. Issues to Watch in the New Century, sums up these patterns and discusses trends to watch for in the future.

The report makes clear that the Equal Pay Act laid the foundation for massive changes not only in women's pay but in patterns of work and the nature of work itself. Working women were affected by these changes and they, themselves, were the agents of change.

When President Kennedy signed the Equal Pay Act, 35 years ago, the wage gap stood at 59 percent. Women earned 59 cents, on average, for every dollar earned by men. Job advertisements in newspapers nationwide listed separate openings — with separate pay scales — for women and men doing the exact same jobs. And women were explicitly discouraged from applying for many jobs, which fell only under the category "Help Wanted — Male."

In 1997, women earned 74 cents for every dollar men earned, on average. For the first quarter of 1998, the weekly wage ratio reached 76.3 percent. The gender-segregated newspaper ads, with their separate pay scales for men and women, are long gone. Equal Pay Act enforcement has ensured that employers understand the law, and working women understand their rights.

The Women's Bureau is extremely proud of the role of former Director Esther Peterson, who fought tirelessly for passage of the Equal Pay Act. And we honor all the former Women's Bureau directors — including our current Secretary Alexis M. Herman — for the many and significant milestones they have achieved for women workers. The Women's Bureau will continue to serve as a voice for working women and a partner with business, government and labor to further women's economic opportunity and security. As First Lady Hillary Rodham Clinton said at the Fourth World Conference on Women in Beijing, China, "If women have a chance to work and earn as full and equal partners in society, their families will flourish. And when families flourish, communities and nations will flourish."

PART I .

THE EARLY IMPACT OF THE EQUAL PAY ACT: 1960-1975

Passage of the Equal Pay Act Establishes A Critical Threshold for Working Women

For two years before the Equal Pay Act passed Congress, Assistant Secretary of Labor and Director of the Women's Bureau, Esther Peterson, traveled throughout the nation sharing poignant and passionate stories of women she had met throughout the nation who desperately needed this legislation. "I see the unequal pay problem not only nationally and economically, but I see it as reflected in the lives of women workers I have met throughout the country. I have seen its sharp and painful thrust in factories in which women and men stand side by side doing the same work but receiving different pay."¹

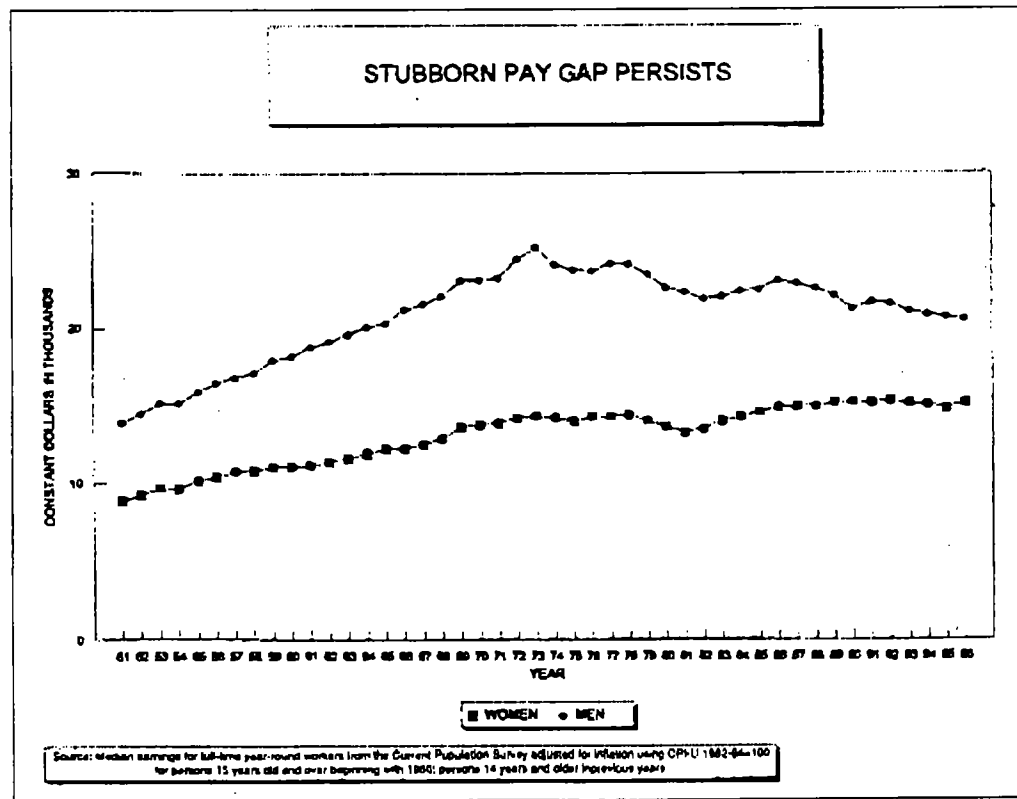


FIGURE 1

The Equal Pay Act set a basic labor standard that reversed the historical practice of paying women less than men for their work. Under the new law, employers could no longer pay women lower wages than men for doing essentially the same job, unless they could show that the wage differential was clearly based on seniority, merit, the quality or quantity of work or another factor other than sex.

Passage of the Equal Pay Act firmly supported women's economic rights, and improved earnings of those women who worked with men in a range of occupations. It was later expanded to cover employees in executive, administrative, professional and outside sales jobs.

In 1963, stereotypes about the appropriate role for women — particularly married women with children — made it extraordinarily difficult for women to obtain the types of jobs that men held. Women were discouraged from seeking education and training for fields such as medicine, law and business and restricted from apprenticeships for skilled trades. In 1963, among full-time, year-round workers, the average woman earned only 59 percent of the wages of the average man. (See Figure 1. Supporting data in Appendix B: Table 1.)

Increases in Women's Labor Force Participation and Education

After the law was passed, women's labor force participation rate (the combined percentage of women holding jobs and those looking for work) continued to increase while growing numbers of women sought to continue their education. Women's labor force participation rate rose from 37.7 percent in 1960 to 46.3 percent in 1975. (See Appendix A: Table 1.) The number of women in the labor force increased from 23.2 million in 1960 to 37.5 million in 1975 — a 61.3 percent increase.² (See Figure 2. Supporting data in Appendix B: Table 2.)

The expansion of the female labor force in the 1960s and 1970s largely reflected the entry of married women into the labor force, especially those with children. In 1960, only a quarter of married women with children worked or were looking for work. By 1975, 44.9 percent of married mothers were in the labor force. (See Appendix A: Table 1.)

The numbers of women graduating from college or graduate school grew as well. In 1960, 35.3 percent of all bachelor's and first professional degrees were awarded to women. By 1975, 45.3 percent of all bachelor's degrees went to women. (See Appendix A: Table 2.)

Women Remain Employed in Traditional Women's Occupations

Between 1960 and 1972, the top ten occupations held by women were in areas employing few male workers. (See Table 1.) In 1965, nearly two-thirds of women were employed in clerical, service or sales positions. Thirteen percent of women held professional and technical jobs, yet even these were likely to be traditional women's jobs, such as teachers or nurses.³

While women's participation in the paid labor force increased steadily from 1960 to 1975, the mix of occupations that women were employed in did not change significantly. By 1975, private household worker was no longer the

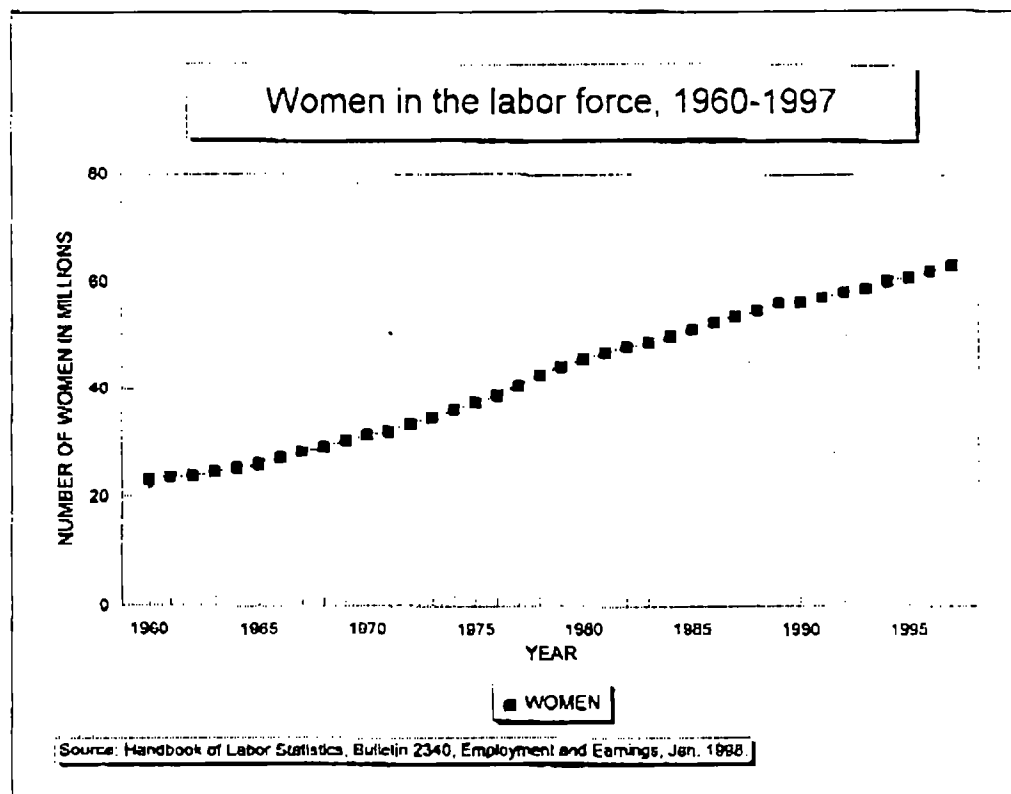


FIGURE 2

TABLE 1 10 LEADING OCCUPATIONS FOR WOMEN, 1960-1980

	1960	1972	1975	1980
Private household workers	1	3	4	8
Secretaries	2	1	1	1
Retail trade, sales clerks	3	2	2	3
Elementary school teachers	4	5	5	7
Bookkeepers	5	4	3	2
Waiters	6	6	6	5
Nurses, professional (RNs)	7	10	9	6
Sewers and stitchers, manufacturing	8	8	—	—
Typists	9	7	8	9
Cashiers	10	9	7	4
Nursing aides, orderlies, and attendants			10	10

Source: Department of Commerce, Bureau of the Census: *U.S. Census Population: 1960, Vol. 1 and Statistical Abstract of the United States: 1969, Table 305—Detailed Occupation of Employed Persons, by Sex: 1960*, pp. 237-236 and U.S. Department of Labor, Bureau of Labor Statistics, *Labor Force Statistics Derived from the Current Population Survey: A Databook, Volume 1, Table B-20—Employed Persons by Detailed Occupation, Sex, and Race, 1973-81*, pp. 655-667.

TABLE 1

number one occupation of women, but it was still among the top four jobs, trailing secretaries, retail trade sales clerks and bookkeepers on the top jobs list. Elementary school teachers ranked as the fifth most likely job for women, slipping below bookkeepers.

In 1975, the only two occupations to fall from the top ten occupations list were sewers/stitchers and cooks. They were replaced by two other predominantly female jobs, waiters and nursing aides/orderlies/ attendants. The decline of sewers/stitchers and the increase of waiters and nursing aides/orderlies/attendants were reflectors of the emergence of the service sector and the decline of the manufacturing sector. (See Table 1.)

Women who did work in the nontraditional occupations — those employing fewer than 25 percent women — mainly worked on farms, as janitors or in retail sales. (See Table 2.)

Women of Color in the Labor Force

Until the mid-1970s, when labor force participation rates for white women started increasing rapidly, black women had much higher participation rates than white women. In 1964, a higher proportion of non-white than white

TABLE 2. LEADING NONTRADITIONAL OCCUPATIONS FOR WOMEN, 1960-1980

Numbers in Thousands

Occupation	1960	1972	1975	1980
Farmers, managers, and tenant farmer	1	7	8	5
Farm laborers, wage workers	2	3	5	6
Accountants and auditors	3	1	1	
Janitors and sextons	4	4	3	2
Buyers and department heads, stores	5			
Stock clerks and storekeepers	6	6		
Salesmen & sales clerks, manufacturing	7			
Real estate agents and brokers	8			
Managers, food and dairy stores	9			
Postal clerks	10			
Nonfarm laborers -- stock handlers		5	4	3
Transport equipment operatives		4	2	1
Bank officials and financial managers		8	6	
Buyers and purchasing agents		9		
Engineering and science technicians		10	7	4
Computer specialist			9	8
Shipping and receiving clerks			10	
Protective service				7
Physicians, dentists, and related practitioners				9
Sales workers, except clerks, retail trade				10

Source: Statistical Abstract of the United States: 1961, Table 303. Detailed Occupation of Employed Persons, by Sex: 1960, pp. 232-236. U.S. Department of Commerce, Bureau of the Census, U.S. Census of Population: 1960, Vol. 1: (persons 14 years and over). Labor Force Statistics Derived from the Current Population Survey: A Databook, Volume 1: (persons 16 years and over), Table B-20 -- Employed persons by detailed occupation, sex, and race, 1972-81, pp. 655-667; and Table C23 -- Median weekly wage of full-time wage and salary workers by [Major] occupation, sex, and race, May, selected years, 1967-78, pp. 732-733. U.S. Department of Labor, Bureau of Labor Statistics, Bulletin 2096, September 1982.

TABLE 2

women were in the labor force, most strikingly among the 25 to 34 year age group, among which 53 percent of non-white women, but only 35 percent of white women held jobs. Data for wages by race and gender were not collected during this time.⁴

Title VII of the Civil Rights Act of 1964, which prohibited discrimination in employment on the basis of race and gender, was generally acknowledged to be more significant in furthering employment opportunities for women of color. Under Title VII, employers were prohibited from discriminating in hiring, promotion and wages.

Enforcement and Expansion of the Equal Pay Act

In the early 1970s there were a number of court cases and administrative actions that increased the effectiveness of the Equal Pay Act. A case that was decided in 1970, *Schultz v. Wheaton Glass Co.*, 421 F.2d 259 (3rd Cir. 1970),

affirmed that the Equal Pay Act was "intended as a broad charter of women's rights in the economic field," and that it sought to "overcome the age-old belief in women's inferiority and to eliminate the depressing effect on living standards of reduced wages for female workers and the economic and social consequences which flow from it."

This case clarified for the first time that jobs need only be "substantially equal" not "identical" to fall under the protection of the Equal Pay Act. This equal work standard strengthened the law by ensuring that employers could not simply change the job titles for women and men performing basically the same jobs to justify a pay differential.

Four years later, the court further clarified that employers could not justify lower pay for women through a defense that the "going market rate" for women's labor was lower than men's, or that employing women at different times of the day than men for the same jobs entitled the employer to pay lower wages to women. In *Coming Glass Works v. Brennan*, 417 US 188 (1974), the Supreme Court held that a wage differential arising "simply because men would not work at the low rates paid women" was illegal under the Equal Pay Act. (See Table 3.)

Between June 1964 and January 1971, under the Equal Pay Act, the Department of Labor found underpayments amounting to over \$26 million due to nearly 71,000 employees, almost all of them women. The Department filed over 200 lawsuits, about 75 percent of which were decided or settled, most of them favorably.⁵ (See Appendix A: Table 3.) At that time, the Equal Pay Act covered most employees who worked in manufacturing, processing, and distributing establishments; in telephone, telegraph, radio, television, and transportation industries; in banks, insurance companies, and advertising agencies; in laundries and dry cleaning establishments; most hospitals and nursing homes; and most schools (both public and private); in the larger hotels, motels, restaurants; and other retail and service establishments.⁶

The following year, the law was broadened to cover executive, administrative, professional and outside sales employees by the Education Amendments Act of 1972. In 1974, equal pay protections were further extended to public sector workers in the states and their political subdivisions by the Extension of Equal Pay Act.

**TABLE 3. IMPORTANT FEDERAL COURT CASES RELATED
TO THE EQUAL PAY ACT OF 1963**

Court Cases	Issue	Significance
<i>Schultz v. Wheaton Glass Co.</i> , 421 F.2d 259 (3rd Cir. 1970), cert. denied 398 U.S. 905.	Whether a defendant bears the burden of proving an alleged "factor other than sex" defense when the plaintiff has established a prima facie case under the Equal Pay Act.	The Third Federal Circuit Court held that once a plaintiff has clearly proven a prima facie case under the Equal Pay Act, the burden shifts to the defendant to establish his/her defense. Most notably, this case clarified that jobs need only be "substantially equal" and not "identical" to fall under the analysis and protection of the Act.
<i>Corning Glass Works v. Brennan</i> , 417 U.S. 188 (1974)	Whether the Corning Glass Company had violated the Equal Pay Act when it paid a higher wage rate to male night shift inspectors than it paid to female inspectors performing the same tasks as the day shift.	The Supreme Court held that the Equal Pay Act had been violated. The Court completely rejected the "Market Rate" defense used by businesses as a "factor other than sex" exception to the Act's applicability. This defense traditionally espoused that males were paid higher wages because they would not work at the rates paid to women.
<i>Los Angeles Dept. Of Water & Power v. Manhart</i> , 435 U.S. 702 (1978)	Whether the existence or nonexistence of "discrimination" is to be determined by a comparison of class characteristics or individual characteristics.	The Supreme Court determined that there was pay discrimination. The Court stated that the "...basic policy of the statute requires ...[a] focus on fairness to the individual rather than to...classes."
<i>County of Washington v. Gunther</i> , 452 U.S. 161 (1981)	Whether section 703(h) of Title VII of the Civil Rights Act of 1964 restricts Title VII's prohibition of sex-based wage discrimination to claims of equal pay for equal work.	Although this case did not require a ruling as to whether the Equal Pay Act had been violated, the Supreme Court clarified that issues of wage differentials can be brought under Title VII without having to show the "Equal Pay for Equal Work" standards under the Equal Pay Act.

TABLE 3

The expansion of the law brought needed protections to millions of additional women. For instance, in the latter part of 1971, a young woman professor at a small private college inquired at the Department of Labor, Wage and Hour Division about a possible equal pay violation. She had recently discovered that the college hired male professors in her department at an annual salary of \$13,000. The woman, who had been with the school for a year, was earning \$8,500. The case presented by this employee was

undeniably more clear cut than most situations the Division investigated under the statute. However, at that time, college professors and other professional employees were not protected by the Equal Pay Act.⁷

With the expansion, by 1975, total underpayments to employees under the Act reached more than \$125 million affecting nearly a quarter of a million workers.⁸

In 1975, among full-time workers, women's yearly earnings were 58.5 percent of men's earnings. (See Figure 1.)

PART II.

MAKING THEIR PLACE IN THE WORK FORCE: 1975-1985

Rise of Women in the Labor Force Continues, With Slow Movement Into Nontraditional Occu- pations

During the ten-year period between 1975 and 1985, women's labor force participation and education continued to increase. Also, this period marked the beginning of women's movement into more nontraditional jobs.

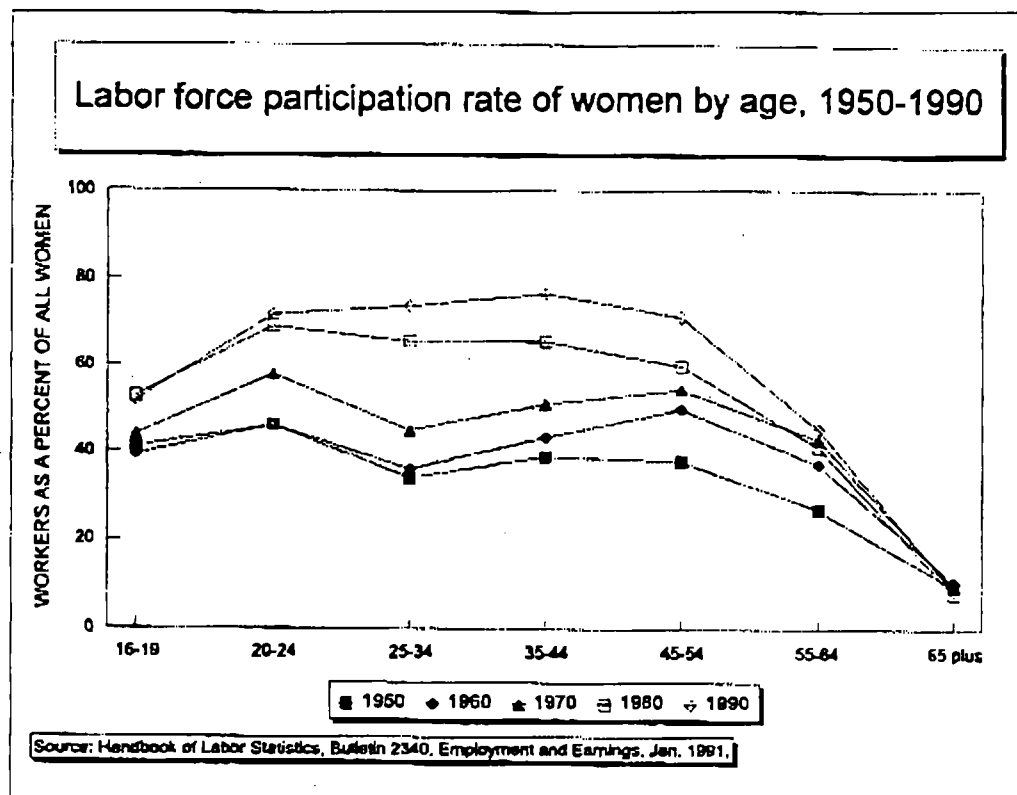


FIGURE 3A

The increase in the number of married mothers in the labor force continued to have a dramatic impact upon the overall labor force participation rates of

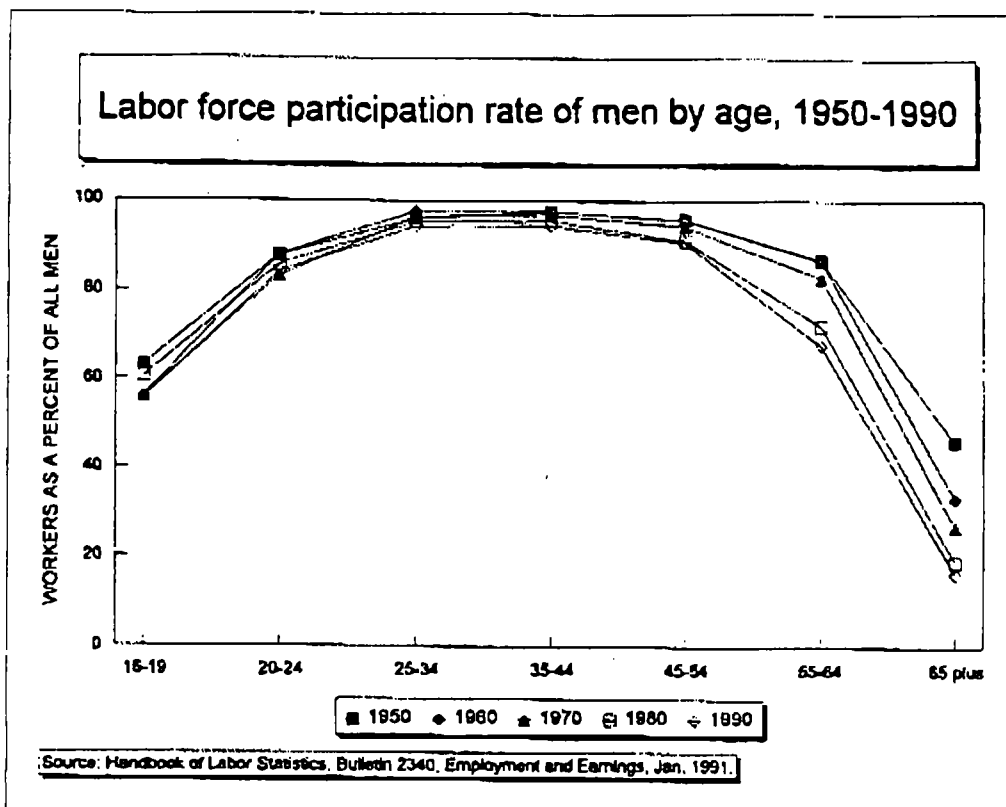


FIGURE 3A

women. The labor force participation rate of women over their life span began to resemble the pattern of men's — it no longer dipped down in the mid-career years, as it had previously when many women left the paid labor force to care for family. (See Figures 3a and 3b. Supporting data in Appendix B: Tables 3a and 3b.)

By 1980, private household worker had fallen to number eight on the list of top ten occupations for women, and by the close of 1985 it dropped completely from the list. At the start of the 1980s, the four most likely jobs for women were still secretaries, bookkeepers, retail trade sales clerks and cashiers. By 1985 a new occupational category made an appearance on the top ten list — managers and administrators, not elsewhere classified (n.e.c.). This job trailed secretaries as the second most likely occupation for women. (See Table 4.)

The appearance of managers/administrators among the top four women's occupations reflected a number of new trends, including the increased education and work experience of women and the growing "office economy," which

**TABLE 4. 10 LEADING OCCUPATIONS FOR WOMEN
WITH MEDIAN WEEKLY EARNINGS OF WOMEN AND MEN, 1985-1997**

Occupations	Median Weekly Earnings			
	Women 1985	Men 1985	Women 1990	Men 1990
Median Weekly Earnings, Total	\$277	\$406	\$348	\$485
Secretaries	1-\$279	—	1-\$343	—
Managers and administrators, n.e.c.	2-\$363	\$501	2-\$453	\$769
Bookkeepers, accounting/auditing clerks	2-\$267	\$331	4-\$335	\$391
Cashiers	3-\$172	\$209	3-\$210	\$242
Registered nurses	4-\$431	\$492	5-\$608	\$616
Waiters and waitresses	5-\$159	\$236	9-\$194	\$266
Elementary school teachers	6-\$403	\$468	8-\$513	\$575
Nursing aides, orderlies, and attendants	7-\$199	\$234	7-\$248	\$284
Sales workers, other commodities	8-\$179	\$272	10-\$225	\$314
Sales supervisors and proprietors	9-\$276	\$438	6-\$327	\$509
Typists	10-\$259	—		

Occupations	Median Weekly Earnings			
	Women 1995	Men 1995	Women 1997	Men 1997
Median Weekly Earnings, Total	\$406	\$557	\$431	\$579
Secretaries	1-\$406	—	1-\$409	—
Managers and administrators, n.e.c.	3-\$595	\$912	3-\$658	\$934
Bookkeepers, accounting/auditing clerks	6-\$382	\$445	7-\$418	\$446
Cashiers	2-\$233	\$256	2-\$248	\$269
Registered nurses	4-\$693	\$715	4-\$705	\$778
Waiters and waitresses	9-\$258	\$314	9-\$268	\$328
Elementary school teachers	8-\$627	\$713	8-\$655	\$719
Nursing aides, orderlies, and attendants	7-\$275	\$331	7-\$296	\$341
Sales workers, other commodities	10-\$270	\$317	10-\$280	\$381
Sales supervisors and proprietors	5-\$389	\$591	5-\$438	\$619

Medians are not shown where the base is less than 50,000. Such cases are indicated by dashes.
n.e.c. = not elsewhere classified.

Source: U.S. Department of Labor, Bureau of Labor Statistics, *Employment and Earnings*, January 1986, 1991, 1996, and 1998.

TABLE 4

demanding new workers with management, administrative and computer skills in government and the service sectors.⁹

The introduction of electronic typewriters and personal computers also had a tremendous impact on women's jobs during this time frame. In 1975, computers were not common office equipment. By 1985, desktop computers emerged as a popular tool for word processing, data analysis and internal communication. This advance in technology revolutionized clerical, administrative, managerial and professional jobs. The advance of the computer has had particular impact on jobs for women, over one quarter of whom held

administrative and clerical positions during this time period. The number of typists jobs started to decline in the mid 1970s, a pattern which continued throughout the 1980s. By 1985, typists had dropped to number ten on the list of top ten occupations of employed women. By 1990, typists had completely dropped off the top ten list.

Wage Gap Narrows

As the 1980s began, the wage gap, which had been fairly constant for nearly two decades, began to narrow. The wage ratio between men's and women's earnings improved, going from 56.6 percent in 1973 to 60.2 percent in 1980 and 64.6 percent by 1985. (See Figure 1.)

In 1973, both men and women had experienced a peak in their real earnings, and both felt the effects of a subsequent recession in their paychecks. While women were able to regain ground and increase their earnings, men's earnings have still not fully reached their 1973 heights. Real earnings for women slowly increased between 1973 and 1985 by almost 2 percent, while real earnings for men declined by 10.7 percent. The changes in the wage ratio during these early years reflect both the slow steady climb of women's earnings and the decline in men's earnings.

While women entered more nontraditional, higher paying occupations, they were still unlikely to earn the same wages as men holding those same jobs. For instance, in 1985, women comprised 29 percent of all workers in the category "managers and administrators n.e.c.," yet their wages were only \$363 per week, 72 percent of the \$501 that men in the same occupation earned. (See Table 4.)

Employment by Race

White, black and Hispanic women all experienced significant employment growth during the decade of the eighties. In 1979, the Department of Labor, Bureau of Labor Statistics began reporting weekly wages for black men and women. It showed that black women, who represented the largest female

minority group, earned 7.9 percent less than their female white counterparts, and 25.6 percent less than black men.

Over the next ten years, earnings for white women grew faster than for black women, particularly in comparison to black men. In 1985, white women earned just 7.8 percent less than black men, while black women earned 17.3 percent less than black men. This trend continued until 1991, when white women reached parity with black men, while black women were still earning 13.8 percent less than black men. (See Figure 4. Supporting data is in Appendix B: Table 4.)

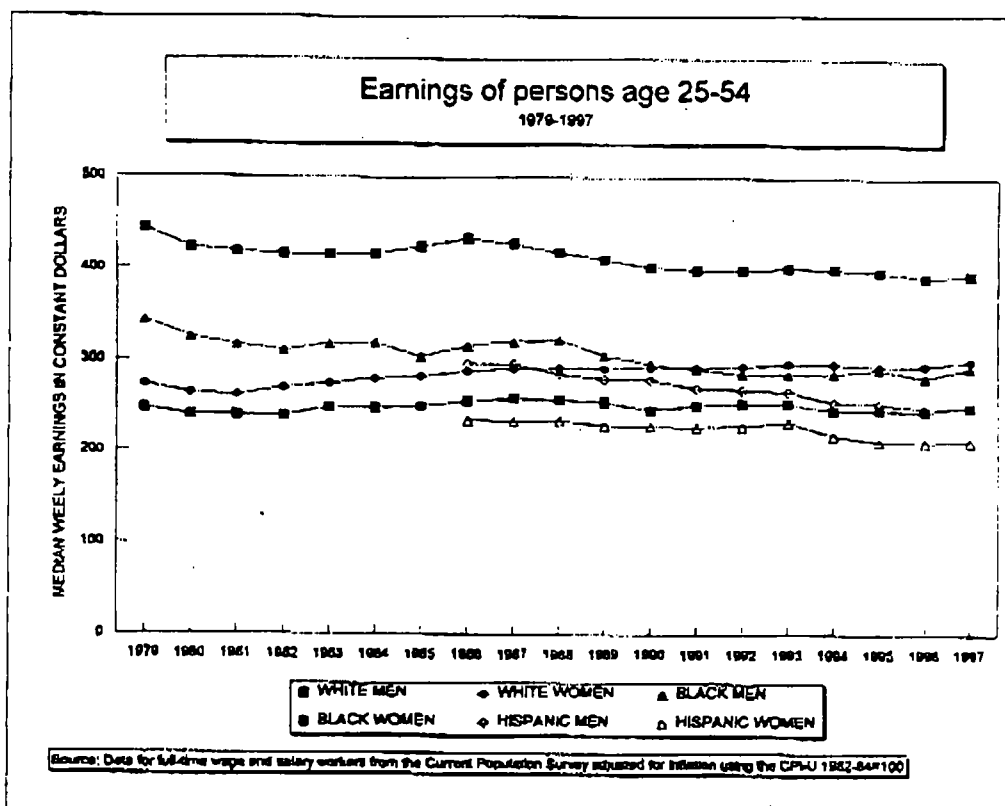


FIGURE 4

Growth in Educational Attainment

Another significant trend during this time frame was the growth in women's educational attainment. In 1975, women were earning 45 percent of all bachelor's and master's degrees — by 1985 they were earning fully half of those degrees. Growth was even more dramatic in the attainment of first professional degrees, which doubled between 1975 and 1980, from 12 percent to 25 percent, and continued to soar to 33 percent by 1985. (See Appendix A: Table 2.)

The slow gains in women's earning power were of particular concern to leaders in women's organizations and others who monitored women's economic progress. The Women's Bureau's 1975 Handbook on Women Workers published data showing that women with college degrees still earned less than the average man with only a high school diploma, suggesting that the occupations women held were still not compensated for the skills and education that women brought to their work. For instance, in 1979, men with just a high school education earned 8.4 percent more than women with five or more years of college education. Compared to men with similar levels of college education, the women earned 54.9 percent as much.¹⁰

Enforcement Issues

In the late 1970s and early 1980s, a number of important administrative and court actions strengthened enforcement of the Equal Pay Act and improved women's pay. First, on July 1, 1979, all functions related to enforcing or administering the Equal Pay Act were transferred from the U.S. Department of Labor and the Civil Service Commission to the U.S. Equal Employment Opportunity Commission (EEOC) pursuant to Reorganization Plan No. 1 of 1978. Between July and September 1979, the EEOC resolved 350 Equal Pay complaints.¹¹ (See Appendix A: Equal Pay Chronology)

Second, in 1981, the Supreme Court clarified in *County of Washington v. Gunther*, 452 U.S. 621 (1981), that Title VII of the Civil Rights Act was not limited by the equal work standard found in the Equal Pay Act. However, this decision did not lay out any new standards by which wage discrimination cases should be analyzed under Title VII. The Court left that discussion to lower courts as individual cases came before them. Many of these cases were lost when plaintiffs, bringing suit under Title VII of the Civil Rights Act could not provide evidence of intentional wage discrimination against women who held similar skills and responsibilities as men, but worked in different occupations. (See Table 3.)

After 1981, Equal Pay Act (EPA) cases were often combined with Title VII suits. A number of cases filed under the EPA were against public employers whom the Commission alleged paid their female employees less than male employees performing substantially equal work. Many of the EPA cases filed against employers in the private sector involved service-related or retailing jobs, such as public health nurses, physician assistants, customer service representatives, and managerial positions.¹²

P A R T I I I .

MOVING FORWARD — MAKING A DIFFERENCE: 1985-1997

Since the Equal Pay Act was passed, women have ensconced themselves firmly in the labor market. Between 1985 and the present, the equal pay issue has continued to resonate as greater numbers of women find themselves working side by side in the same jobs as men, yet earning less pay. A number of new issues related to pay have emerged also. In the late 1980s, a new term, the "glass ceiling" was coined to express women's frustration with their inability to break through to the top paying jobs in corporate America. Another significant issue to gain widespread awareness has been the difficulty in balancing work and family. More married mothers than ever before are working, and their earnings have become a significant factor in family well-being. Finally, as computer technology has continued to evolve, home-based businesses and telecommuting have grown and women's business ownership has risen dramatically. In 1994, the U.S. Department of Labor Women's Bureau released the *Working Women Count! A Report to the Nation*, which showed that improving pay and benefits was one of working women's three main priorities for change, alongside balancing work and family and gaining respect and opportunity on the job.¹³

Labor Force Participation of Women

In 1985, women's overall labor force participation reached 54.5 percent, while the percentage of married women with children in the labor force grew to 60.8 percent. A solid majority of married mothers were working, and their labor force participation rates continued to rise each year, reaching nearly three-quarters by the end of 1997. (See Appendix A: Table 1.)

Wage Gap Hits An All Time Low, As Women's Earnings Slowly Rise and Men's Wages Drop

Between 1985 and 1990, the wage gap continued to narrow. By 1990, the wage ratio hit the 72 percent mark — women who worked full time, year round earned 72 cents for each dollar a man earned, based on annual earnings. Yet during the next six years the annual earnings ratio began to follow the “one step up — two steps back” pattern of preceding years, and slipped back and forth between 70 and 72 percent until 1996, when it reached the current high of 73.8 percent. Weekly wages for women ages 16 and over experienced a similar pattern — they hit a high ratio of 77.1 percent in 1993, yet slipped down to 74.4 percent by the end of 1997.¹⁴ First quarter data for 1998 look promising for women — according to the Department of Labor, Bureau of Labor Statistics' median weekly earnings data, women who worked full-time earned 76.3 percent of men's earnings, on average.

In its September 1997 report, *Money Income in the United States: 1996*, the Census Bureau cautioned specifically that the drop in the wage gap was not necessarily cause for celebration. “Recent increases in the female-to-male earnings ratio have been due more to declines in the earnings of men than to increases in the earnings of women,” it said. The report further explained that women's real earnings have remained stagnant since 1990, while men's real earnings have dropped by 3.3 percent.¹⁵

Women's rising level of education and experience in the labor market, and their growing share of better-paying managerial and professional jobs have been critical in increasing women's real earnings during the 1980s and maintaining their level during the 1990s. Yet even within these good-paying jobs, women's average earnings have not reached those of men.¹⁶

1997 Bureau of Labor Statistics weekly wage data show that women earned less than men in 99 percent of all occupations for which data is available. For example, women in the prestigious executive, administrative and managerial occupations earned wages that were 69.7 percent of men's pay, while women in the professional specialty occupations averaged 75.0 percent of men's weekly wages.¹⁷ Even among medicine and health managers, 76.8 percent of whom were women, women earned 74 percent of what men earned.¹⁶

Enforcement at EEOC and OFCCP

From Fiscal Year 1985 through Fiscal Year 1997, EEOC filed 164 cases, resolved 251 lawsuits, and recovered over \$16 million either under the Equal Pay Act alone or under the Equal Pay Act in combination with Title VII of the Civil Rights Act.

While EEOC continued to hold enforcement authority for the Equal Pay Act, in the early 1990s the Department of Labor, Office of Federal Contract Compliance Programs (OFCCP) began meeting with much success in resolving instances of wage discrimination among federal contractors through the Executive Order 11246. Executive Order 11246 (issued in 1965 and amended in 1967 to include gender) requires that non-exempt federal contractors and subcontractors take affirmative action in employment and prohibits discrimination in employment on the basis of sex, among other things. OFCCP ensures compliance with equal employment opportunity laws through routine compliance evaluations and complaint investigations. Women have benefitted greatly as a result — since OFCCP implemented a specific focus on corporate management practices in 1993, there have been over sixteen compensation settlements, awarding women and minority workers over \$5 million to correct discriminatory wage practices.

Education Levels Soar, Pushing Overall Earnings for Women Up

Education levels for women at the undergraduate and master's degree level began to match those of men in 1981 and 1982. By 1990, women took home more than half of bachelor's and master's degrees and nearly 40 percent of all first professional degrees. This trend has held constant during the 1990s. Earnings for college-educated women finally began to surpass those of men who had not attended college. Yet for women of color, the gains were not as great as for white women. 1996 Census data show that earnings for white college-educated women were seven percent higher than for men who held high school diplomas and G.E.D.s; Hispanic college women earned only 5 percent more and African American college women earned less than one percent more than high school-educated men.¹⁹ (See Figure 5. Supporting data in Appendix B: Table 5.)

Young Women Still Fighting the Wage Gap

Even though young women still experience a wage gap, it is less than the gap faced by older women. In 1997, women under 25 years of age working full time earned 92.1 percent of men's weekly earnings as compared to 74.4 percent for women age 25 to 54.²⁰

Many economists have predicted that as women's education, experience and occupations come to match those of men, their pay will follow. Researchers have focused intently on the education patterns and labor force experiences of the youngest women to gauge their future impact on working women. In *Baccalaureate and Beyond*, the Department of Education surveyed college graduates from 1992 and 1993 and found an average wage gap of 15.7 percent between men and women. The report also documented differences in the fields of study chosen between women and men, with women more likely to prepare for and enter lower-paying occupations, such as teaching and clerical/administrative positions. However, such choices were hardly universal. The study found that more women majored in business than in any other specialty.²¹

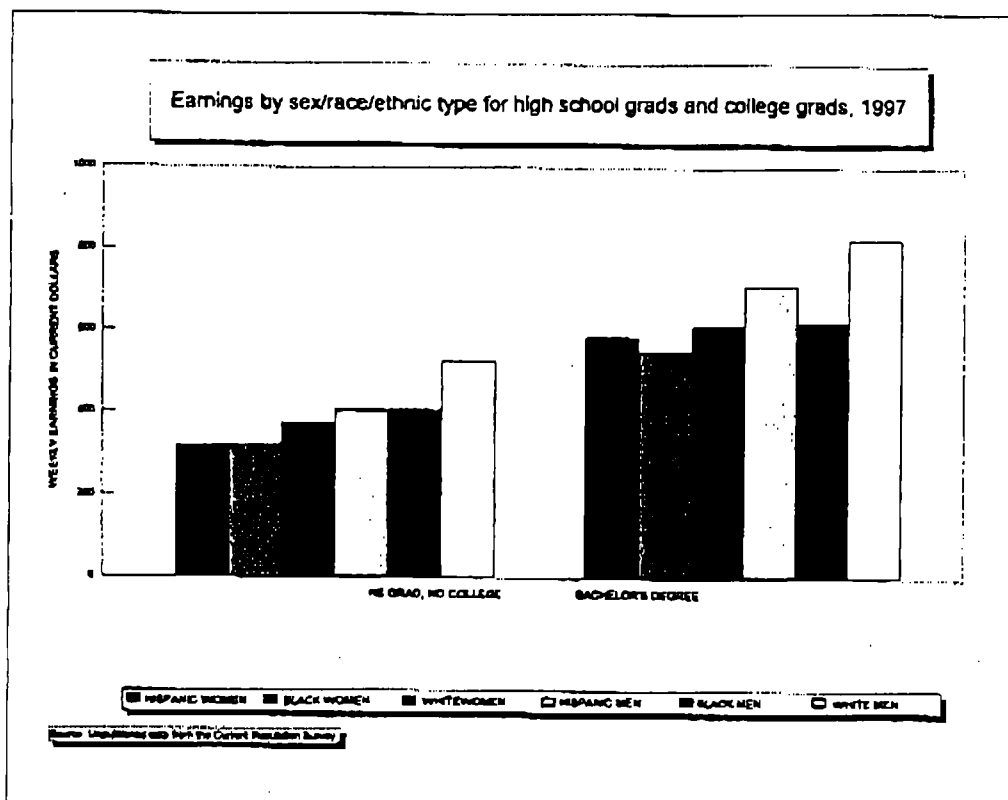


FIGURE 5

A recent article in the Department of Labor's *Monthly Labor Review* explored the effects of major fields of study and occupational choices on women's and men's earnings for 130 major fields. It compared earnings for women and men by college major, occupation and age, and found that while earnings differences were smaller for those with similar characteristics, they did not disappear completely. Women earned 100 percent or more of men's earnings in 8.5 percent of the major fields, representing only 2 percent of women's employment. In about half of the fields, accounting for almost half (48 percent) of employment, women's earnings were at least 87 percent of men's earnings. In the remaining 51 major fields, or 39 percent, accounting for the remaining half of employed women, earnings were less than 87 percent of men's pay.

Among women in the 25 to 34 year age group, the fields that led to the best earnings ratios within occupations were: accounting, chemistry, computer and information sciences, engineering, mathematics and pharmacy.

Of further interest, the study estimated how much of the wage gap would disappear if men and women were equally likely to study the same subjects and enter the same occupations at roughly the same age. It noted that the actual 73 percent ratio between college-educated women's and men's earnings would increase by nine percentage points to 82 percent, if men and women held the same degrees, chose the same occupations and were the same age.²²

Gains for young, highly-educated and motivated women without children have been impressive indeed. However, as economist Katha Pollitt has pointed out, "young men and women have always had earnings more comparable than those of their elders: Starting salaries are generally low, and do not accurately reflect the advantages that accrue, or fail to accrue, over time as men advance and women stay in place, or as women in mostly female kinds of jobs reach the end of characteristically short career paths."²³

Working Families Depend on Earnings of Women

It is also important to recognize that most working women in the United States do have children at some point during their prime working years. In 1997, 40 percent of all working women had children under age 18 at home. New mothers are returning to the workforce sooner after having children and

are more likely to continue working for pay than they are to become homemakers and care for their own children exclusively. In 1996, 54.3 percent of women were back on the job by their baby's first birthday, while 63.3 percent of moms with two-year-old children held paying jobs.²⁴

During the late 1980s and 1990s, the proportion of families maintained by women increased greatly. In 1997, 18 percent of all families were maintained by women.²⁵ In these families, women's earnings made up 75 percent of total family income.²⁶

In addition, the number of families with two working parents increased by nearly half a million between 1995 and 1996 alone, while the number of "traditional" families with a husband employed as breadwinner and wife engaged as homemaker remained unchanged. Both parents were employed in 63.9 percent of married-couple families with children 18 and younger, while 28.2 percent of these families had an employed father and a homemaker mother.²⁷

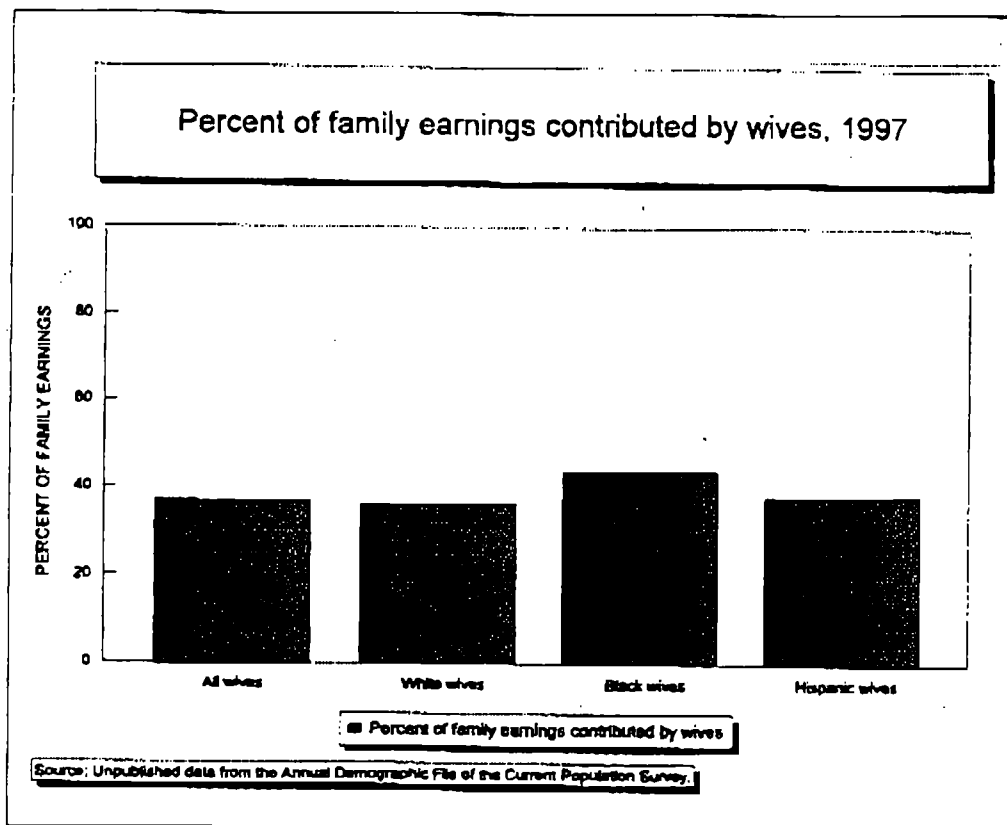


FIGURE 6

Women contribute substantially to family earnings. In 1996 working wives contributed an average of 36.5 percent of family earnings. White wives contributed 35.8 percent, black wives contributed 43.7 percent and Hispanic wives contributed 37.5 percent. (See Figure 6. Supporting data in Appendix B: Table 6.)

There is a strong connection between the earnings of working mothers and the economic well-being of their families, according to a recent *Monthly Labor Review* article. Wives' earnings reduced the poverty rate by more than half for U.S. born and immigrant Mexican families, by more than three-fifths for Cubans and blacks, and by three-fourths for white families.²⁵

Women Gain More Managerial/Professional Occupations, Yet Clerical and Teaching Fields Still Among Most Likely Occupations

The most significant changes in the order of top ten occupations for women between 1985 and 1990 involved the rise in sales supervisors and proprietors, and the dropping of typists from the list. Secretaries still topped the list, followed by managers/administrators, with bookkeepers, cashiers and nurses close behind. Waiters, elementary school teachers, nursing aides/orderlies/attendants and sales workers were still on the latter half of the list. By 1995, bookkeepers fell from its slot in the top four jobs, losing ground to cashiers, sales supervisors and proprietors. (See Table 4.)

Although elementary school teacher was not among the top five jobs for women, it should be noted that teachers (not including post-secondary teachers, those teaching in colleges and universities generally) numbered 3.6 million in 1997. This was the largest category of women workers in 1997, larger than the 3.0 million secretaries. Teachers have accounted for a consistently large group of women workers, but because statisticians divide teaching into the sub-categories of elementary, high school, kindergarten/pre-kindergarten, and special education teachers, the significance of the overall number of women teachers is hidden.

Nontraditional Occupations for Women Evolve

At the same time that women began increasing their presence in managerial and administrative occupations, they were also making their imprint on skilled technical and machinist positions. Women have joined the ranks of bank officials and financial managers, transport equipment operatives, engineering and science technicians and computer specialists. These occupations have shaped the post-industrial period and been the first indicators of a new age of information and technology. Women's educational gains, particularly at the graduate level, have led to such increases in professional fields that women now account for more than 25 percent of all lawyers and physicians — thus these once male bastions are no longer "nontraditional" jobs for women. Moreover, it is still true that weekly earnings of women working full time in the nontraditional occupations, such as precision production and high technology fields, are substantially higher than in traditional women's jobs, although somewhat less than those of their male counterparts. (See Tables 5 and 6.)

TABLE 5. LEADING NONTRADITIONAL OCCUPATIONS FOR WOMEN, 1985-1997

Numbers in Thousands

Occupation	1985	1990	1995	1997
Sales representatives, commodities, except retail trade	1	1	3	3
Freight, stock, and materials handlers	2	2	1	1
Protective service	3	3	2	2
Farm workers	4	6	—	—
Laborer, except construction	5	4	4	4
Farmers, managers, and tenant farmer	6	7	1	5
Engineering and related technologists, and technicians	7	8	10	10
Precision production, supervisors	8	5	5	6
Mechanics and repairers	9	9	6	9
Motor vehicles operators	10	10	9	8
Physicians	—	—	7	—
Engineers	—	—	8	—

Source: Labor Force Statistics Derived from the Current Population Survey, 1968-87, (persons 16 years and over). Abstracted from: Table B-11. Employed civilians by detailed occupation, sex, race, and Hispanic origin, 1983-87, pp. 673-692 and Table B-31. Median weekly earnings of full-time wage and salary workers by detailed occupation and sex, 1983-87, pp. 748-767, U.S. Department of Labor, Bureau of Labor Statistics, Bulletin 2307, August 1988. Employment and Earnings, Table A-11. Employed persons by detailed occupation, sex, race, and Hispanic origin and Table A-39. Median weekly earnings of full-time wage and salary workers by detailed occupation, U.S. Department of Labor, Bureau of Labor Statistics (monthly publication), January issues 1991, 1996, and 1998, annual average data for 1990, 1993, and 1997.

TABLE 5

**TABLE 6. MEDIAN WEEKLY EARNINGS OF WOMEN FULL-TIME WORKERS IN
NONTRADITIONAL OCCUPATIONS: 1985-1997**

Occupation	1985	1990	1995	1997
Sales representatives, commodities, except retail trade	\$364	\$501	\$568	\$582
Freight, stock, and materials handlers	205	227	281	289
Protective service	278	405	438	451
Farm workers	178	202	217	247
Laborer, except construction	207	258	285	307
Farmers, managers, and tenant farmer	2	—	—	—
Engineering and related technologists, and technicians	344	398	519	529
Precision production, supervisors	303	363	428	435
Mechanics and repairers	392	459	550	489
Motor vehicles operators	246	305	345	399
Physicians	—	—	806	—
Engineers	—	—	806	—

Source: Labor Force Statistics Derived from the Current Population Survey, 1948-87, [persons 16 years and over]. Abstracted from: Table B-11. Employed civilians by detailed occupation, sex, race, and Hispanic origin, 1983-87, pp. 673-692 and Table B-31. Median weekly earnings of full-time wage and salary workers by detailed occupation and sex, 1983-87, pp. 748-767, U.S. Department of Labor, Bureau of Labor Statistics, Bulletin 2307, August 1988. Employment and Earnings, Table A-11. Employed persons by detailed occupation, sex, race, and Hispanic origin and Table A-39. Median weekly earnings of full-time wage and salary workers by detailed occupation, U.S. Department of Labor, Bureau of Labor Statistics (monthly publications), January issues 1991, 1994, and 1998, annual averages data for 1990, 1995, and 1997.

TABLE 6

Glass Ceiling Commission Documents Barriers, Recommends Changes for Working Women and Minorities

Although women entered the managerial and professional occupations in record numbers during the late 1980s and 1990s, surveys of corporate leadership and senior government positions found that very few women were reaching the upper levels of management in corporations and public service.

This was especially true for black women. Historically, black women have worked longer in paid employment and have greater work experience than white women. In 1987, they accounted for a record 50 percent of total black employment and have represented the larger segment of black employment ever since. Black women were more likely than white women to work, but generally earned less and held lower status jobs.²⁹

In the late 1980s, Senator Robert Dole sponsored legislation to create a bipartisan Glass Ceiling Commission to study the barriers to advancement in the workplace for women and minorities, issue reports on its findings and share recommendations. In 1991, President George Bush appointed members to the Glass Ceiling Commission.

In 1995, the Commission issued two reports. The first, *Good for Business: Making Full Use of the Nation's Human Capital*, found that women and minorities had made some inroads into entry level managerial and professional jobs, but faced significant barriers to movement up the rungs of the corporate ladder. The Commission found that 97 percent of the senior managers of Fortune 1000 and Fortune 500 companies were white, and 95 to 97 percent were male. In the Fortune 2000 industrial and service companies, only 5 percent of senior managers were women. In addition, the Commission indicated that when women or minorities did achieve the top jobs, they were not able to collect the same paycheck. Its report included an analysis of the unique barriers faced by African American women, Asian women, Hispanic women and Native American women, as well as the problems for African American men, Asian men, Hispanic men and Native American men.³⁰

The second report, *A Solid Investment: Making Full Use of the Nation's Human Capital*, offered eight recommendations for business and four for government to help break through the glass ceiling and improve opportunities for all women and minorities. In addition, it listed societal initiatives to help change the attitudes that reinforce the glass ceiling. Many of these recommendations have been woven into Department of Labor strategies to ensure a secure workforce.³¹

Women-Owned Businesses Flourish

Finally, another important trend that emerged during this period was the phenomenal growth in women-owned businesses. Women owned fewer than one million firms in 1977. By 1992, they owned nearly 6.4 million businesses. Today, that number has increased to eight million (including C Corps) — one third of all firms. Women-owned businesses contribute more than \$2.3 trillion annually in revenues to the economy, more than the gross domestic product of most countries, and employ one out of every five U.S.

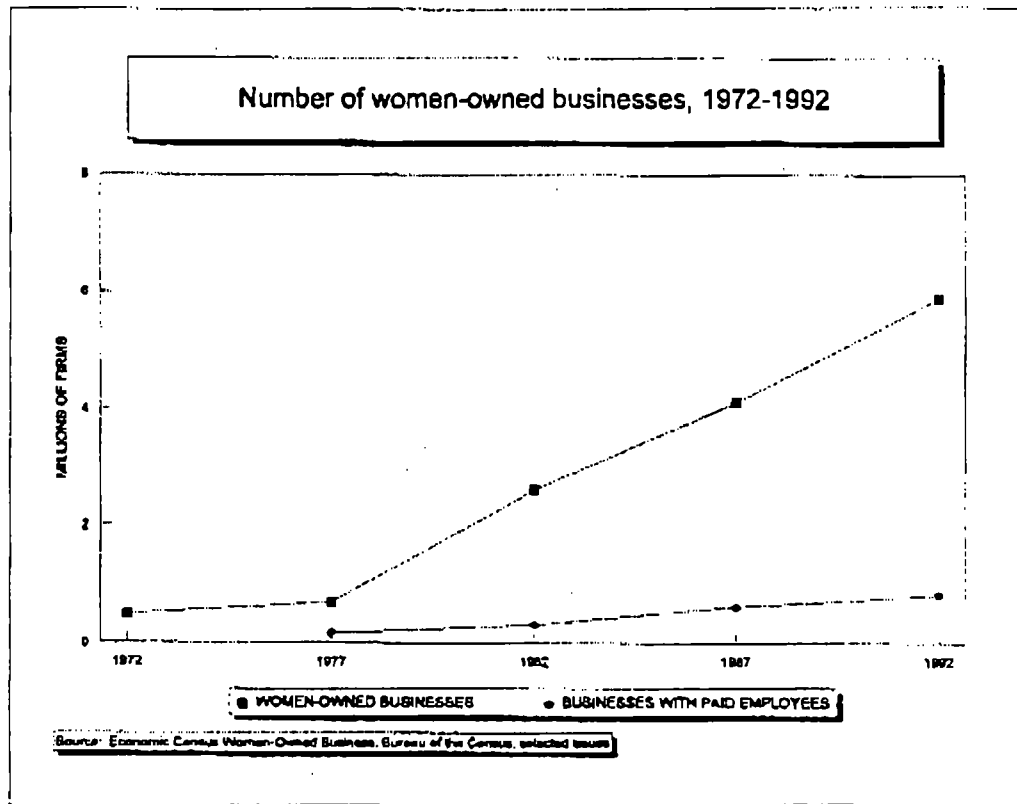


FIGURE 7

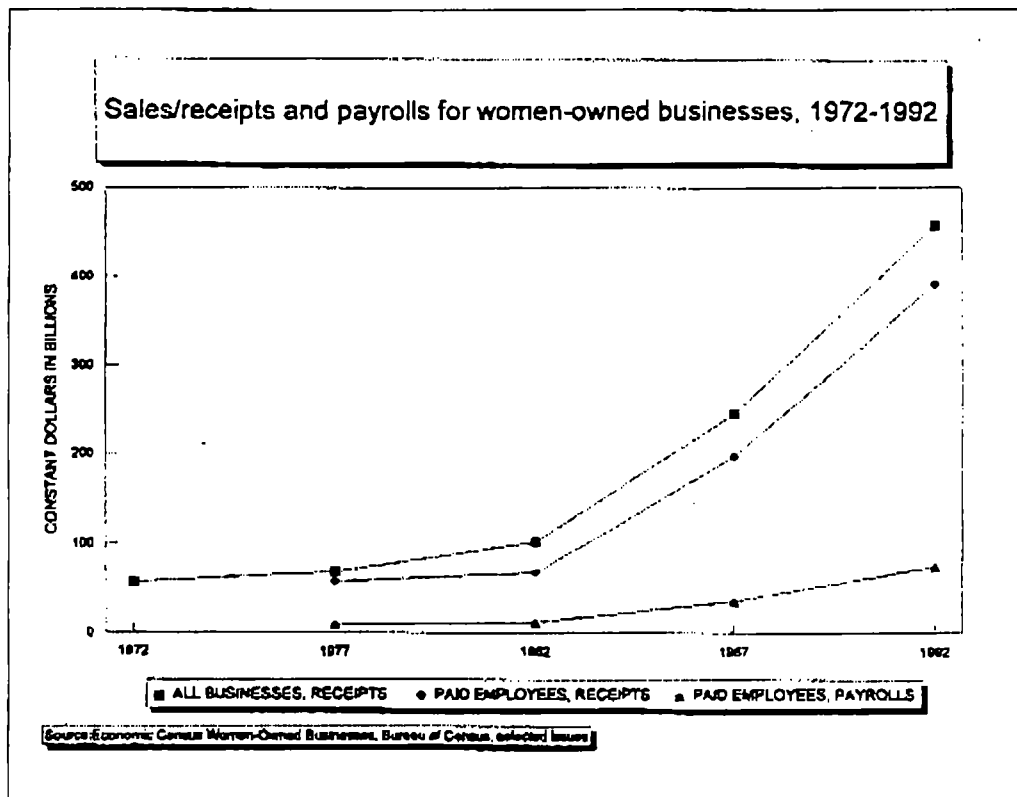


FIGURE 8

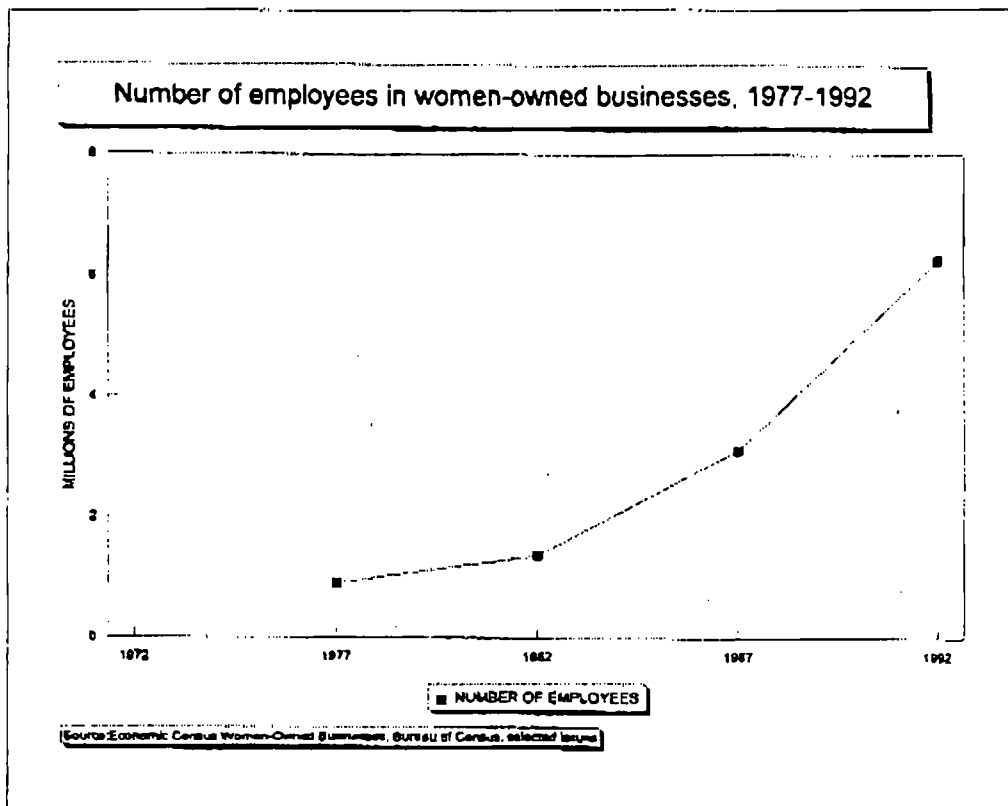


FIGURE 9

workers — a total of 18.5 million employees.³² (See Figures 7, 8 and 9. Supporting data in Appendix B: Tables 7, 8 and 9.)

In the last few years, some women's leaders have commented that the continuing existence of the glass ceiling has fueled the skyrocketing growth in women-owned businesses. A February 1998 study by the National Foundation for Women Business Owners found that 29 percent of women business owners with corporate experience said that "glass ceiling issues" were significant in motivating them to start their own companies.³³

Writer and women's rights activist Gloria Steinem has noted that the growth in self-employment and micro enterprise among women is similar to the entrepreneurial patterns of other minority groups, particularly immigrants to the United States, who have experienced language barriers, stereotypes and discrimination which limited access to jobs and hindered earning potential. "Owning your own business can give women freedom and equity, not just security and a salary. It isn't right for everyone, but women, like other minority groups before them, are discovering entrepreneurship including cooperatively-owned businesses," she said in a meeting of women's leaders with

government officials following the Fourth World Conference in Beijing, China.

Some have criticized the promotion of self employment, particularly micro enterprise and other home-based business as viable avenues to boost women's earning power because of their high financial risk, long hours and few health or pension benefits. Yet Ms. Steinem pointed out that in some communities, such as rural North Carolina, women who cooperatively own a handicraft business were averaging a \$9.00 per hour wage, much higher than the average hourly wage for workers in that State.

Home-Based Businesses and Telecommuting

In fact, the interest of women in home-based employment during the 1990s has been a significant factor in the dramatic reversal of the previous 20 year trend toward declining at-home workers. Home-based business employment declined from 4.7 million in 1960 to 2.7 million in 1970 and 2.2 million in 1980 before rising to 3.4 million in 1990. Commenting on the major factors contributing to the growth of at-home workers, the Daily Labor Report noted that women were a proportionately larger group of the at-home group of workers (52 percent) than they were in the "work away from home" group (45 percent.) In addition, the report predicted that "[g]iven the advancements in personal computers and Internet technology since these data were collected in the 1990 census, we expect more significant increases in the proportion working at home by Census 2000."³⁴

Even more dramatic estimates of at-home workers have already been reported by groups that study telecommuting. A Telecommute America survey found that in 1997 approximately 11 million workers performed some part of their jobs via a computer that was connected to an outside employer.³⁵

It is unclear what impact the home-based business and telecommuting trends will have on women's pay. Some have expressed fear that the lack of "face-time" in an office setting diminishes women's opportunities for promotions that lead to higher pay. Others have pointed to the blurring distinction between workplace and home and worry that employers will begin expecting more hours on the clock, yet will not make corresponding increases in pay.

Balancing Work and Family

The interest of many women and men in working from their homes is directly related to the stress that working parents feel trying to balance the need to earn an income that supports a family while still being available to meet the physical and emotional needs of their children, parents and community responsibilities. The 1990s have been marked by the growth in companies implementing formal policies to help workers meet their families' needs, the passage of the Family and Medical Leave Act, and the number of conferences and reports urging more action on the part of government officials and business leaders. Support for such benefits as child care, elder care, flextime and flexiplace has grown significantly while demand for greater attention to these issues continues to affect the bottom-line business success of employers.

While work and family benefits are generally not calculated as wages, the value of these benefits can help working women maintain jobs, and wages, that might otherwise be lost due to pressing needs of families. For instance, a paid family and medical leave policy has an obvious impact on the income of a working woman who takes such a leave. Unpaid leave protects wages as well, by making it possible for workers to take time off to care for a family member or their own health needs, while keeping the job and its accompanying wages on hold. This makes the transition back to work much smoother and ensures overall continuity of wages and an employment history or career path. Flexiplace and flextime programs often similar advantages to workers, helping them to maintain jobs which they may not otherwise be able to keep when family needs require greater flexibility. Some employers also offer assistance in purchasing dependent care services, which is a significant monetary benefit for some working women and men.

P A R T I V .

ISSUES TO WATCH IN THE NEW CENTURY

Advances in Technology, Expansion of the Service Economy and Increased Opportunities for Highly-Educated Workers

The last three decades have been marked by significant economic changes. High-wage manufacturing occupations, which accounted for nearly a third of all jobs in 1964, now make up only 15 percent of all jobs. The service producing industries, including government, education and retail trade, comprised two-thirds of all jobs in 1964 and four-fifths of jobs today.³⁶ Advances in technology have transformed the occupations available, the manner in which goods are produced and the basic living conditions of U.S. workers. These developments, combined with recent economic forces such as corporate downsizing and an economy soaring from record stock market gains, have led to a stratification in the workforce — a demand for highly-educated and skilled workers at one end of the spectrum and fewer good-paying opportunities for those without education and professional skills at the other.

Women Meet Demand For Skilled and Educated Workers, But Wage Gap Persists

The effects of such change on women workers have been complex. Women represent a growing share of the educated workforce and their skills have served the economy's need for more workers in health services, retail trade, education and government. This has led to the overall increase in women's earnings.

Most of the fastest growing occupations are concentrated in one or more of the rapidly growing industries of computer and data processing services;

Table 7. FASTEST GROWING OCCUPATIONS, 1996-2006
(numbers in thousands)

Occupation	Employment		Change	
	1996	2006	No.	Percent
Database administrators, computer support specialists, and all other computer scientists	212	461	249	118
Computer engineers	216	451	235	109
Systems analysts	506	1,025	520	103
Personal and home care aides	202	374	171	85
Physical and corrective therapy assistants and aides	84	151	66	79
Home health aides	495	873	378	76
Medical assistants	225	391	166	74
Desktop publishing specialists	30	53	22	74
Physical therapists	115	196	81	71
Occupational therapy assistants and aides	16	26	11	69

Source: U.S. Department of Labor, Bureau of Labor Statistics, *Monthly Labor Review*, November 1997.

TABLE 7

Table 8. INDUSTRIES WITH FASTEST EMPLOYMENT GROWTH, 1996-2006
(numbers in thousands)

Industry Description	Employment		Change	
	1996	2006	No.	Percent
Computer and data processing services	1,207.9	2,509.1	1,301.2	107.7
Health services, n.e.c. ¹	1,171.9	1,968.3	796.4	68.0
Management and public relations	873.2	1,400.0	526.8	60.3
Miscellaneous transportation services	204.3	327.4	123.1	60.2
Residential care	672.1	1,069.8	397.7	59.2
Personnel supply services	2,646.0	4,039.3	1,393.3	52.7
Water and sanitation	230.9	349.1	118.2	51.2
Individual and miscellaneous social services	846.3	1,265.9	419.6	49.6
Offices of health practitioners	2,751.4	4,045.9	1,294.5	47.0
Amusement and recreation services, n.e.c. ¹	1,108.6	1,565.3	456.7	41.2

¹ n.e.c. = not elsewhere classified.

Source: U.S. Department of Labor, Bureau of Labor Statistics, *Monthly Labor Review*, November 1997.

TABLE 8

health services; and management and public relations shown in Table 7. Since 1985, women have held about 28 percent of the computer system analyst/engineer and scientist jobs. In the fast-growing health care occupations, women continue to hold three-quarters of all therapist jobs — respiratory, occupational, physical, and speech —and have increased their share of physician's assistant jobs from 38 percent in 1985 to 63 percent in 1997.

Looking at the projections for the top ten fastest growing occupations from 1996 to 2006 in Table 7, women currently comprise the larger share of most of these occupations. Women have increased their employment in the growing occupations, yet their median weekly earnings still lag behind similarly employed men. For instance, men who worked as computer system analyst/engineers earned \$952 per week, while women earned \$850 in 1997. As therapists, where women outnumber men three to one, they still earned less than men — women's weekly earnings were \$686 compared with \$733 per week for men.³⁷

Continuing Inequity Squeezes U.S. Families

Continuing inequities in pay hurt not only women, but families as well. Trends such as corporate downsizing and the loss of high-wage jobs for high school-educated men have put much economic pressure on families. Families have come to depend on the earnings of working women to maintain middle-class living standards. In the 1960s, the majority of families with young children were supported by one earner, usually the husband. The Women's Bureau's testimony in support of the Equal Pay Act asserted that women who were in the workforce in 1960 were there for economic reasons.³⁸ Today, women are still working for economic reasons — the earnings of working wives in married-couple families provided 32.6 percent of family income in 1996.³⁹ The majority of married-couple families send two earners to the workplace, and there are higher numbers of single parent families.

Increase in Dual Earner/Single Parent Families Fuels Demand for Workers in the “Business of Caring”

While our working patterns and daily tasks on the job have changed, our social patterns and daily tasks off the job have been slower to evolve. Married women with children have shifted into the paid labor force, yet families still need the tasks that women have routinely performed in the home as labors of love. The “business” of caring for children, or sick and elderly family members and managing the needs of a household are often performed by women after a full day of paid work. Husbands do more “chores” than they used to, yet time use surveys show that the division of labor within the home is still not even.

Women’s presence in the labor force has given rise to a demand for paid workers to take on the tasks of dependent care and home management. Many families have turned to professional dependent care workers, cleaning services, take-out meals and other services to alleviate their stress and meet their many responsibilities to their families. This demand has led to the growth of businesses providing these services, and current projections show that the number of workers in these fields will expand further.

Equal Pay Good For Women, Families and the Economy

The Equal Pay Act laid the foundation for women to move into the workforce with dignity and to demand the rightful reward for their efforts. Since its passage, working women have made tremendous strides. There is still more ground to cover before the wage gap between men’s and women’s wages is eliminated — and this should be a goal for all of us.

As we move into the new century, we must wage a multi-faceted effort for equity. We must strengthen and enforce vigorously our laws against wage discrimination. We must shatter the glass ceiling so women can compete fairly for well-paying jobs in business, government and other arenas.

Finally, we need to recognize that work is a source of dignity as well as a source of income. Occupations which are projected to grow significantly, such as cashier, receptionists/information clerks, and home health aides, are traditional women's jobs where 75 percent or more of the workers are women. They are typically among the lowest paying positions. However, they, too, contribute to society and the workers who perform them deserve our appreciation and respect.

In the past thirty five years, women have joined the labor force in record numbers. Today, they account for nearly half of all workers and represent a significant segment of the educated and skilled workforce. Women have driven new ways of working and changed the way we think about the relationship between work and family. They have made our nation the world power it is. Our commitment to equal pay has been, and continues to be, not only the right moral action to take, but good for our nation's families and our nation's economy.

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- ¹ Statement of Ester Peterson, Assistant Secretary of Labor, Before the Subcommittee on Labor of the Senate Committee on Labor and Public Welfare on S.910, the Equal Pay Act, April 2, 1963.
- ² U.S. Department of Labor, Bureau of Labor Statistics, *Handbook of Labor Statistics*, 1989, *Employment and Earnings*, January 1998 and unpublished tables.
- ³ U.S. Department of Labor, Women's Bureau, Table 42. Major Occupational Groups of Employed Women, 1965 *Handbook on Women Workers*, p. 89.
- ⁴ U.S. Department of Labor, Women's Bureau, 1965 *Handbook on Women Workers*, p. 16.
- ⁵ Morag MacLeod Simchak, "Equal Pay in the United States," *International Labor Review*, June 1971.
- ⁶ U.S. Department of Labor, Workplace Standards Administration, Wage and Hour Division, "Equal Pay Under the Fair Labor Standards Act as Amended in 1966," Wage and Hour Publication 1179, Reprinted August 1970.
- ⁷ U.S. Department of Labor, Women's Bureau, "Equal Pay Benefits for White Collar Workers," Equal Pay Briefing Kit, August 1972.
- ⁸ U.S. Department of Labor, USDL 75-402. "Illegal Underpayments of Workers Rise 13 Percent in Fiscal Year 1975," July 1975.
- ⁹ U.S. Department of Labor, Women's Bureau, 1975 *Handbook on Women Workers*.
- ¹⁰ Anthony P. Carnevale and Stephen J. Rose, "Education for What? The New Office Economy," Educational Testing Service, 1998.
- ¹¹ U.S. Equal Employment Opportunity Commission, 14th Annual Report for Fiscal Year 1979.
- ¹² These suits included: *EEOC v. State of Delaware* (D.Del. 1983); *EEOC v. Madison School District*, (S.D.Ill 1983); *EEOC v. Memphis Mental Health Institute* (W.D.Ill. 1983); *EEOC v. Missouri Department of Corrections*, (E.D.Mo. 1983); *EEOC v. Von Hoffman Press, Inc. And Graphic Arts International Union Local III-B*, (W.D.Mo. 1983); and *EEOC v. Fremont Christian School*, (N.D.Cal. 1983).
- ¹³ U.S. Department of Labor, Women's Bureau, *Working Women Count! A Report to the Nation*, 1994.
- ¹⁴ U.S. Department of Labor, Bureau of Labor Statistics, Table 37. Median weekly earnings of full-time wage and salary workers by selected characteristics, *Employment and Earnings*, January 1998.
- ¹⁵ U.S. Department of Commerce, Economics and Statistics Administration, Bureau of the Census, *Money Income in the United States: 1996*, p.ix, *Current Population Reports*, Consumer Income, p. 60-197.
- ¹⁶ "Stall in Women's Real Wage Growth Slows Progress in Closing the Wage Gap," Institute for Women's Policy Research, February 1998.
- ¹⁷ U.S. Department of Labor, Bureau of Labor Statistics, Table 5. Median weekly earnings of wage and salary workers who usually work full time by detailed occupation and sex," 1997 *Annual Averages*.
- ¹⁸ See *Lemons v. City and County of Denver* (620 F.2d 228 (10th CIR. 1980) for an example of the difficulty that women in some of these administrative/managerial occupations face in using current law to raise allegations of wage discrimination. Since the jobs are not "substantially equal" they are outside the Equal Pay Act's protections, and since it is difficult to prove that employers are intentionally discriminating against women in pay, Title VII of the Civil Rights Act is not always effective.
- ¹⁹ U.S. Census Bureau, Table 15. Educational Attainment — Total Money Earnings in 1996 of Persons 25 Years Old and Over, by Age, Race, Hispanic Origin, Sex, and Work Experience in 1996, Median Earnings for Year-Round, Full-Time Workers.
- ²⁰ U.S. Department of Labor, Bureau of Labor Statistics, Unpublished data, *Current Population Survey*, 1997.
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- ²¹ U.S. Department of Education, Office of Educational Research and Improvement, National Center for Education Statistics, "Baccalaureate and Beyond Longitudinal Study: A Descriptive Summary of 1992-93 Bachelor's Degree Recipients 1 Year Later. With an Essay on Time to Degree," *Statistical Analysis Report*, August, 1996.
- ²² U.S. Department of Labor, Bureau of Labor Statistics, Daniel E. Hecker, "Earnings of college graduates: women compared with men," *Monthly Labor Review*, March 1998.
- ²³ Katha Pollitt, "Go Figure," *The Nation*, April 14, 1997.
- ²⁴ U.S. Department of Labor, Bureau of Labor Statistics, Table 6. Employment Characteristics of Families in 1996.
- ²⁵ U.S. Department of Labor, Bureau of Labor Statistics, Table 2. Employment Characteristics of Families in 1997.
- ²⁶ U.S. Department of Labor, Bureau of Labor Statistics, Work and Family Statistics, Annual Demographic File, *Current Population Survey*, Unpublished data from Table 26, 1997.
- ²⁷ U.S. Department of Labor, Bureau of Labor Statistics, Tables 2 and 4. Employment Characteristics of Families in 1996.
- ²⁸ U.S. Department of Labor, Bureau of Labor Statistics, "The effect of working wives on the incidence of poverty," *Monthly Labor Review*, March 1998.
- ²⁹ U.S. Department of Labor, Women's Bureau, 1983 *Handbook on Working Women*.
- ³⁰ *Good for Business: Making Full Use of the Nation's Human Capital*, Federal Glass Ceiling Commission, Washington, DC, March 1995.
- ³¹ *A Solid Investment: Making Full Use of the Nation's Human Capital*, Federal Glass Ceiling Commission, Washington, DC, November 1995.
- ³² U.S. Small Business Administration, "Statistics on Women Business Ownership," November 1996.
- ³³ Robert Schwab, "Women executives warn of female brain drain. Conference in May takes aim at Glass Ceiling," *Denver Post*, March 17, 1998.
- ³⁴ "Employment Increase in At-Home Workers Reverses Earlier Trend Census Says," *Daily Labor Report*, May 7, 1998.
- ³⁵ *Ibid.*
- ³⁶ U.S. Department of Labor, Women's Bureau, "Women's Jobs: 1964-1996: More than 30 Years of Progress."
- ³⁷ U.S. Department of Labor, Bureau of Labor Statistics, Table 5. Median Weekly Earnings for Wage and Salary Workers Who Usually Work Full Time by Detailed (3-Digit Census Code) Occupation and Sex, 1997.
- ³⁸ Statement of Esther Peterson, Assistant Secretary of Labor, to the Subcommittee on Labor of the Senate Committee on Labor and Public Welfare on S. 2494, the Equal Pay Act of 1962, August 1, 1962.
- ³⁹ U.S. Department of Labor, Bureau of Labor Statistics, Work and Family Statistics, Annual Demographic File, *Current Population Survey*, Unpublished data from Table 24, 1997.

APPENDIX A

EQUAL PAY CHRONOLOGY

November 24, 1942	The National War Labor Board issued General Order No. 16, which authorized employers voluntarily to make "adjustments which equalize wage or salary rates paid to females with the rates paid to males for comparable quality and quantity of work on the same or similar operations."
June 10, 1963	President Kennedy signed the Equal Pay Act, which covered some 27.5 million men and women. It requires that, regardless of gender, employees doing work requiring equal skill, effort and responsibility and which is being performed under similar working conditions, be paid equal wages.
June 11, 1964	The Equal Pay Act takes effect.
June 19, 1963	President John F. Kennedy calls for passage of Civil Rights legislation
July 2, 1964	Passage of the Civil Rights Act of 1964. Title VII of this Act, as amended, prohibits employers from engaging in employment actions adverse to their employees on the basis of race, color, national origin, sex or religion.
July 2, 1965	Effective date of the Civil Rights Act of 1964.
October 13, 1967	President Lyndon Baines Johnson extended anti-discrimination and affirmative action protections to women by signing Executive Order 11375, which amended Executive Order 11246 to prohibit employment discrimination on the basis of race, creed, color, national origin or sex, by federal contractors.
1970	In <u>Schultz v. Wheaton Glass Company</u> , the U.S. Court of Appeals for the Third Circuit ruled that jobs need only be "substantially equal" to be compared under the Equal Pay Act's provisions.
1971	From the effective date of the Equal Pay Act in June 1964 up to the end of January 1971, a total of back wages (i.e. underpayments representing illegal wage differentials) amounting to over \$26 million were found by Wage and Hour compliance officers to be due to nearly 71,000 employees, almost all of them women. Over 200 court cases had been filed under the Equal Pay Act by the Department of Labor's legal staff. About 75 percent of these were decided or settled, most of them favorably.
1972	The protection of the Equal Pay Act was extended to executive, administrative, professional and outside sales employees by section 906(b)(1) of the Education Amendments of 1972, effective July 1, 1972.

June 3, 1974	The U.S. Supreme Court handed down its decision in <u>Corning Glass Works v. Brennan</u> , rejecting the traditional "market rate" business defense.
1975	Since the Equal Pay Act became effective June 11, 1964, \$125,947,290 was found due to 220,333 workers.
July 1, 1979	All functions related to enforcing or administering the Equal Pay Act were transferred from the U.S. Department of Labor and the Civil Service Commission to the U.S. Equal Employment Opportunity Commission (EEOC) pursuant to Reorganization Plan No. 1 of 1978. Between July and September 1979, the Commission resolved 350 Equal Pay complaints.
1981	In <u>County of Washington v. Gunther</u> , the U.S. Supreme Court ruled that Title VII is not limited by the equal work standard found in the Equal Pay Act.
1985	A \$5 million consent decree resolved an EEOC Suit against Allstate Insurance Company for an alleged equal pay violation that affected 3,200 persons.
1991	Monetary benefits secured through litigation involving the Equal Pay Act totaled \$99,000. The EEOC and State Fair Employment Practice Agencies received 1,968 charges of wage discrimination based on gender.
February 5, 1993	President Clinton signed into law the Family and Medical Leave Act, which protects the jobs and wages of working women and men by guaranteeing the right of up to 12 weeks of unpaid leave per year when it is urgently needed at home to care for a newborn child, or an ill family member.
September, 1993	The Department of Labor's Office of Federal Contract Compliance Programs reaches a \$603,943 settlement with Fairfax Hospital, VA in the first of its corporate management reviews. Fairfax agreed to pay \$425,586 in back pay to 52 women employed in the top six grades of the hospital's personnel structure. In addition, 44 of the women received \$178,357 in salary increases.
April 1998	OFCCP reaches the largest wage settlement in its corporate management review program, with CoreStates Financial Institution, in Philadelphia, PA. The federal contractor agreed to pay \$1.5 million dollars to women and minorities to address past practices of pay discrimination. The agreement with OFCCP called for the contractor to pay \$1,150,434 in back pay, and \$334,115 in salary adjustments to 76 women and 66 minorities. OFCCP concluded that CoreStates did not apply its compensation policies and procedures uniformly, thus, leading to a pattern of discriminatory treatment.

TABLE 1. LABOR FORCE PARTICIPATION RATE OF WOMEN, 1960-1997

	1960	1965	1970	1975	1980	1985	1990	1995	1997
Labor force participation rate of women, 16 years and over	37.7	39.3	43.3	46.3	51.5	54.5	57.5	58.9	59.8
Percentage of married women in the labor force	30.5*	34.7	40.8	44.4	50.1	54.2	58.2	61.1	62.1
Percentage of married women with children in the labor force	27.6*	32.2	39.7	44.9	54.1	60.8	66.3	70.2	71.1

*For 1960, civilian non-institutional persons 14 years and over. Thereafter, 16 years and over.

Source: U.S. Department of Labor, Bureau of Labor Statistics, Handbook of Labor Statistics, 1989, Employment and Earnings, January 1998 and unpublished tables.

TABLE 2. WOMEN AND EDUCATIONAL ATTAINMENT, 1960-1997

	1960	1965	1970	1975	1980	1985	1990	1995	1997
Percentage of Bachelor Degrees Awarded to Women (includes first professional degrees)	35.3	42.8	43.1	45.3	49.0	50.5	53.2	52.6	55.4*
Percentage of Masters Degrees Awarded to Women	31.6	32.9	39.7	44.8	49.2	50.1	52.6	55.1	52.7*
Percentage of 1st Professional Degrees Awarded to Women	n.a.	3.6	5.3	12.4	24.8	32.8	38.1	40.8	39.3*

SOURCE: U.S. Department of Education, National Center for Education Statistics, *Earned Degrees Conferred*; *Projections of Education Statistics to 2007*; Higher Education General Information Survey (HEGIS), "Degrees and Other Formal Awards Conferred" surveys; and Integrated Postsecondary Education Data System (IPEDS), "Completions" surveys, April 1997.

**TABLE 3. 'UNDERPAYMENTS FOUND BY THE U.S. DEPARTMENT OF LABOR
UNDER THE EQUAL PAY ACT, NUMBER OF EMPLOYEES UNDERPAID AND
INCOME RESTORED, FISCAL YEARS 1965-1978**

Fiscal Year	Underpayments	Number of Employees Underpaid	Income Restored	
			Employees	Amount
1965	\$ 156,202	960		
1966	2,097,600	6,633		
1967	3,252,319	5,931		
1968	2,488,405	6,622		
1969	4,585,344	16,100		
1970	6,119,265	17,719		
1971	14,842,994	29,992		
1972	14,030,889	29,022		
1973	18,005,582	29,619	17,331*	\$4,626,251*
1974	20,600,000	32,792	16,768	6,841,443
1975	26,484,860	31,843	17,889	7,474,163
1976	17,900,000	24,610	16,728	7,881,502
1977	15,500,000	19,382		6,700,000
1978	16,000,000 (nearly)	18,376	14,929	8,700,000

*Does not include \$6,300,000 paid under the Equal Pay Act by American Telephone & Telegraph to 6,100 of its employees.

TABLE 4. EMPLOYED WOMEN: 1960-1997

	1960	1965	1970	1975	1980	1985	1990	1995	1997
Women as a percentage of total employed	33.3	34.8	37.7	39.6	42.4	44.1	45.4	46.1	46.2
Women as a percentage of all full-time workers (16 years and over)	n.a.	n.a.	32.8	34.4	37.4	39.2	40.1	41.1	41.6
Women as a percentage of all part-time workers (16 years and over)	n.a.	n.a.	65.1	76.7	67.3	67.6	66.2	68.0	68.0

TABLE 5. FULL-TIME/PART-TIME JOB STATUS OF WORKING WOMEN, 1960-1997

	1960	1965	1970	1975	1980	1985	1990	1995	1997
Percentage of employed women with full-time jobs (20 years and older)	n.a.	n.a.	76.6	75.6	76.4	76.1	77.4	75.3	76.3
Percentage of employed women with part-time jobs (20 years and older)	n.a.	n.a.	23.4	24.4	23.6	23.9	22.6	24.7	23.7

Source: U.S. Department of Labor, Bureau of Labor Statistics, Handbook of Labor Statistics, 1989, Employment and Earnings, January 1998 and unpublished tables.

APPENDIX B

Table 1. Stubborn Pay Gap Persists

Median annual earnings for year-round, full-time workers by sex, 1951-1996
(data reported in current dollars for 1951-1996 and adjusted for inflation using the CPI-U with 1982-84=100 to calculate real earnings in 1982-84 dollars for 1951-1996; data relate to persons 15 and over beginning with 1980; data reported for persons 14 and older in previous years)

Year	Earnings (current dollars)			Earnings (real dollars)		Women/men (percent)
	Women	Men	CPI-U	Women	Men	
1951	2,305	3,605	26.0	8,865	13,865	63.9
1952	2,448	3,829	26.5	9,238	14,449	63.9
1953	2,585	4,043	26.7	9,682	15,142	63.9
1954	2,598	4,064	26.9	9,658	15,108	63.9
1955	2,719	4,252	26.8	10,146	15,866	63.9
1956	2,827	4,466	27.2	10,393	16,419	63.3
1957	3,008	4,713	28.1	10,705	16,772	63.8
1958	3,102	4,927	28.9	10,734	17,048	63.0
1959	3,193	5,209	29.1	10,973	17,900	61.3
1960	3,257	5,368	29.6	11,003	18,135	60.7
1961	3,315	5,595	29.9	11,087	18,712	59.2
1962	3,412	5,754	30.2	11,298	19,053	59.3
1963	3,525	5,980	30.6	11,520	19,542	58.9
1964	3,669	6,203	31.0	11,835	20,010	59.1
1965	3,828	6,388	31.5	12,152	20,279	59.9
1966	3,946	6,856	32.4	12,179	21,160	57.6
1967	4,150	7,182	33.4	12,425	21,503	57.8
1968	4,457	7,664	34.8	12,807	22,023	58.2
1969	4,977	8,455	36.7	13,561	23,038	58.9
1970	5,323	8,966	38.8	13,719	23,108	59.4
1971	5,593	9,399	40.5	13,810	23,207	59.5
1972	5,903	10,202	41.8	14,122	24,407	57.9
1973	6,335	11,186	44.4	14,268	25,194	56.6
1974	6,970	11,863	49.3	14,138	24,063	58.8
1975	7,504	12,758	53.8	13,948	23,714	58.8
1976	8,099	13,455	56.9	14,234	23,647	60.2
1977	8,618	14,626	60.6	14,221	24,135	58.9
1978	9,350	15,730	65.2	14,340	24,126	59.4
1979	10,151	17,014	72.6	13,982	23,435	59.7
1980	11,197	18,612	82.4	13,589	22,587	60.2
1981	12,001	20,260	90.9	13,202	22,288	59.2
1982	13,014	21,077	96.5	13,486	21,841	61.7
1983	13,915	21,881	99.6	13,971	21,969	63.6

1984	14,780	23,218	103.9	14,225	22,346	63.7
1985	15,624	24,195	107.6	14,520	22,486	64.6
1986	16,232	25,256	109.6	14,810	23,044	64.3
1987	16,911	25,946	113.6	14,886	22,840	65.2
1988	17,606	26,656	118.3	14,883	22,533	66.0
1989	18,769	27,331	124.0	15,136	22,041	68.7
1990	19,822	27,678	130.7	15,166	21,177	71.6
1991	20,553	29,421	136.2	15,090	21,601	69.9
1992	21,375	30,197	140.3	15,235	21,523	70.8
1993	21,747	30,407	144.5	15,050	21,043	71.5
1994	22,205	30,854	148.2	14,983	20,819	72.0
1995	22,497	31,496	152.4	14,762	20,667	71.4
1996	23,710	32,144	156.9	15,112	20,487	73.8

Source: U.S. Bureau of the Census, Current Population Reports, Series p-60, selected issues;
U.S. Bureau of Labor Statistics, Consumer Price Index for all urban consumers
(1982-84=100); <http://www.census.gov/income/histinc/p13.html>

Table 2. Women in the Labor Force, 1960-1997
(Numbers in thousands)

Year	Civilian Labor Force
1960	23,268
1965	26,200
1970	31,543
1975	37,475
1980	45,487
1985	51,050
1990	56,289
1995	60,944
1997	63,036

Source: U.S. Department of Labor, Bureau of Labor Statistics, Employment and Earnings,
January 1998.

Table 3a. Labor Force Participation Rate of Women by Age, 1950-1990

Age	1950	1960	1970	1980	1990
16-19	41.0	39.3	44.0	52.9	51.8
20-24	46.0	46.1	57.7	68.9	71.6
25-34	34.0	36.0	45.0	65.5	73.6
35-44	39.0	43.4	51.1	65.5	76.5
45-54	37.9	49.9	54.4	59.9	71.2
55-64	27.0	37.2	43.0	41.3	45.3
65 plus	9.7	10.8	9.7	8.1	8.7

Source: Handbook of Labor Statistics, Bulletin 2340, Table 5 (1950-1980);
Employment and Earnings, January 1991, Table 3 (1990).

Table 3b. Labor Force Participation Rate of Men by Age, 1950-1990

Age	1950	1960	1970	1980	1990
16-19	63.2	56.1	56.1	60.5	55.7
20-24	87.9	88.1	83.3	85.9	84.3
25-34	96.0	97.5	96.4	95.2	94.2
35-44	97.6	97.7	96.9	95.5	94.4
45-54	95.8	95.7	94.3	91.2	90.7
55-64	86.9	86.8	83.0	72.1	67.7
65 plus	45.8	33.1	26.8	19.0	16.4

Source: Handbook of Labor Statistics, Bulletin 2340, Table 5 (1950-1980);
Employment and Earnings, January 1991, Table 3 (1990).

Table 4. Earnings of Persons Age 25-54

Median usual weekly earnings of full-time wage and salary workers, by sex, age, race and Hispanic origin, 1979-96 annual averages in real dollars

Age 25 to 54 Years	1979	1980	1981	1982	1983	1984	1985
Hispanic Women							
Black Women	247	239	239	238	248	247	249
White Women	273	263	262	269	274	279	282
Hispanic Men							
Black Men	343	324	316	310	316	318	303
White Men	444	424	419	417	416	417	425
	1986	1987	1988	1989	1990	1991	1992
Hispanic Women	234	232	233	228	227	227	228
Black Women	255	258	257	254	246	250	253
White Women	287	290	291	291	292	292	294
Hispanic Men	296	296	285	279	279	269	268
Black Men	315	320	321	305	296	291	286
White Men	433	428	418	411	402	399	399
	1993	1994	1995	1996	1997		
Hispanic Women	233	219	212	211	212		
Black Women	253	246	245	244	249		
White Women	297	296	293	294	299		
Hispanic Men	266	255	253	248	250		
Black Men	285	285	291	281	292		
White Men	401	400	397	391	393		

Source: Unpublished data from the Current Population Survey.

Table 5. Earnings by Sex/Race/Ethnic Type for High School Grads and College Grads, 1997

	HS grad, no college	Bachelor's Degree
Hispanic Women	316	583
Black Women	317	546
White Women	370	611
Hispanic Men	403	711
Black Men	398	618
White Men	517	826

Source: Unpublished data from the Current Population Survey.

Table 6. Percent of Family Earnings Contributed by Wives, 1997

	Wives contribution in percent
All wives	36.5
White wives	35.8
Black wives	43.7
Hispanic wives	37.5

Source: Unpublished data from the Annual Demographic File of the Current Population Survey.

Table 7. Number of Women-Owned Businesses, 1972-1992

	1972	1977	1982	1987	1992
All firms	486,009	701,957	2,612,621	4,114,787	5,888,883
Firms with emp.		167,733	311,662	618,198	817,773

Source: Economic Census Women-Owned Businesses, selected issues.

Table 8. Sales/Receipts and Payrolls for Women-Owned Businesses, 1972-1992

	1972	1977	1982	1987	1992
All receipts	\$56,186,483	\$68,491,294	\$101,856,490	\$244,839,892	\$457,936,103
Firms with emp.		\$58,069,888	\$67,717,564	\$197,188,572	\$392,320,111
Payroll		\$10,138,472	\$11,561,025	\$35,989,994	\$74,687,447

Source: Economic Census Women-Owned Businesses, selected issues.

Table 9. Number of Employees in Women-Owned Businesses, 1977-1992

	1972	1977	1982	1987	1992
Employees		894,591	1,354,588	3,102,685	6,252,029

Source: Economic Census Women-Owned Businesses, selected issues.