

The Strange New Equality and the Paycheck Fairness Act

By Teresa C. Younger

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So it's come to light that in this dire economic downturn, more women are not only cooking the bacon, they're bringing it home, too.

Men are being laid off at a much higher rate than women are; according to the non-partisan Center for American Progress, men account for three of every four layoffs, and The New York Times puts that number as high as 82 percent. One reason is obvious: since men make up the vast majority of workers in those industries being hit the hardest, including manufacturing and construction, they're bearing the brunt of the layoffs. Conversely, since women tend to dominate in the more stable fields of healthcare and education, they're retaining their jobs at a greater rate than men are. And while the U.S. Department of Labor puts the percentage of women in the workforce at about 47 (and slightly higher here in Connecticut), the media are widely reporting that women may soon comprise the majority of workers for the first time in history.

It might be tempting to see this societal shift as good for women's status. After all, numbers mean power, right? Here's where simple math and notions of social progress collide: it's crucial to ask whether these new breadwinners will be given the same salaries, promotional opportunities and decision-making authority once given to the men they replace. And even if we do ask, finding the answer may be a lot harder because most discussions about salary are veiled in secrecy. Lack of transparency is the main reason pay inequity continues to exist: even as we strive for success, few Americans are comfortable talking about how much they make. And in far too many companies, employees are actually prevented from discussing or comparing their salaries.

Old habits die hard, and none dies harder than sexism, and so transparency about salary levels is critical. While women may be emerging as the main wage-earner in many American families, only transparency will reveal whether they are assuming any of the long-term security or authority associated with that role.

A tanking economy might end up pitting men against women in the battle for jobs. In this contest, no one wins, because women are merely taking on the men's work without really taking their places -- whether on the assembly line or in the boardroom.

Since women still make, on average, only 78 cents for every dollar a man earns, it stands to reason the entire family's income is dramatically lowered; not only does the family suffer the loss of the man's wages, it must learn to live on a single salary that is only 78 percent what it should be. Even the most enlightened company is unlikely to raise its female employees' salaries to equal that of the male employees it just let go, so father and children suffer along with the mother.

If there is any silver lining to this economic cloud, it's that the emergence of women as major breadwinners might be the factor that finally kicks Congress into passing the Paycheck Fairness Act of 2009. The bill (S. 182/H.R. 12) was introduced by Connecticut's Congresswoman Rosa DeLauro and co-sponsored by Connecticut's two senators, Christopher Dodd and Joe Lieberman. The bill expands the Fair Labor Standards Act of 1938 and makes it harder for employers to discriminate on the basis of gender. Significantly, the bill calls for ample data collection, without

which it's impossible to discover whether equally qualified women are getting equal pay. And while some lawmakers and business may balk at being asked to provide this data, we'd ask: what are you afraid of? Any company that does not discriminate on the basis of gender would surely have nothing to hide or to fear from such transparency.

Connecticut recently passed its own version of the pay equity bill, Public Act 09-101, An Act Concerning Penalties for Violations of Certain Personnel File Statutes and Equal Pay for Equal Work, which becomes effective on October 1. Despite its rather unwieldy name, the purpose of the bill is straightforward: it prohibits pay discrimination on the basis of sex, extends the period to make a claim of discrimination from one to two years following a violation and expands the whistleblower protections to include those who testify or assist in a gender wage proceeding.

The national Paycheck Fairness Act, which would significantly equalize the earnings of men and women whether they work at Wendy's or Wachovia, passed the House in January with a bipartisan vote of 256-163. But the Senate is dragging its feet. It's time to pass it now -- and with teeth -- so women can take their rightful place alongside men as fully equal partners in the workforce. It's the only way our nation's economy can get back on its feet -- and stay there.

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