

RUTGERS: THE STATE UNIVERSITY OF NEW JERSEY
SCHOOL OF PUBLIC AFFAIRS AND ADMINISTRATION

POLICY BRIEF

GENDER EQUITY IN THE WORKFORCE
THROUGH HUMAN RESOURCE STRATEGIES
To: U.S. Congress

CAROL CUADRADO
NICOLE FAIRBAIRN
Professor Dr. Lois Warner
December 5, 2022

Executive Summary:

For over a century, women began to fight for equality. Women made the case that they bring a new perspective to leadership positions, more specifically to the role of governance. Women are tipping the scales in legislative representation and are seeking more appointments on government boards. Building a human resource infrastructure geared toward creating new policies that include more opportunities for women and an increase in wages, can be more positively influenced by having more women in decision-making capacities like elected and appointed positions. Women in positions of power can also serve to motivate other women to excel in their work performance and to empower them to be more goal-oriented leading to professional growth.

Statement of the Problem:

Lack of gender equity policies within human resources continues to put a strain on the human capital for women. Women are afforded less opportunities to be placed in promotional leadership positions than men even though women may have the same educational background, skills, and qualities. The human resource strategy for creating job descriptions or promotional requirements creates an avenue for women to not be hired into specific leadership positions especially in organizations where leadership is predominately male. Within a vast majority of organizations, most leadership positions require experience of being in specific levels of leadership or managerial position in order to effectively perform within the promotional position. If women are not given the same opportunity as men to obtain various forms of leadership positions within an organization, they would never be able to obtain a desirable leadership position that would allow them the opportunity to effectively exercise authority.

Women have been overlooked regarding promotional positions due to the challenge that women face with having to perform the duties of their job while being in the family caregiving role. Women are placed in a position where they have to make the decision to start a family or obtain a successful career. Although both men and women make the choices to have a career while handling the responsibilities of caring for their family, women are mainly placed in the position of having to choose between having a career or caring for a family. Revamping the management of human resources and how those resources are strategized to create better human capital for women would increase gender equity and provide better economic outcomes for men, women, and families.

For many years, women were denied the opportunity to work remotely from home or have a telework schedule whenever faced with the issues of family leave. Given the various work options that have been created through modern technology and the recent global pandemic, women engaging in “double duty” should not be a method used through human resources to prevent from being placed in decision-making or leadership roles. Women have the ability to balance multiple tasks and avenues at the same time, therefore they should be given the opportunity to be placed in leadership positions. The slower advancement of career opportunities for women continues to vary throughout various races and ethnic groups.

Although laws and policies have been implemented to prevent gender inequity, there are organizations that are creating loopholes to prevent women from obtaining decision-making positions. Human resource strategies are normally created to securely maintain human resources in a format that produces the best vitality for an organization. Creating an opportunity for earning

Gender Equity In The Workforce

a fair process for promotional positions is an important aspect of gender equity. Implementing gender equity within the workplace starts with human resources creating a work culture where there are fair promotional opportunities and procedures. That same work culture should not have opportunities to create loopholes that prevents the organization from having a fair and inclusive work environment.

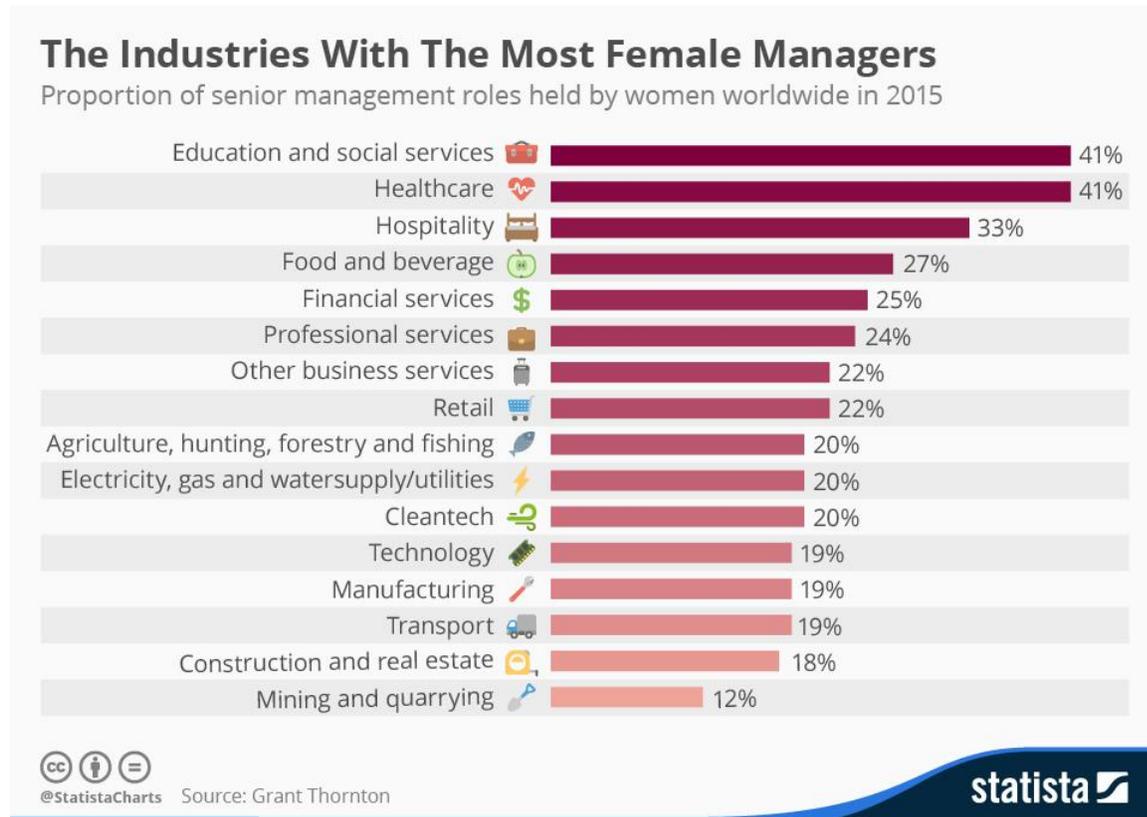
Not only are women being overlooked for promotional or decision-making positions, but there is also a gender pay gap that continues to occur, despite legislation that has been implemented to prevent the pay gap. Women continue to earn an average of 84 cents for each dollar earned by their male counterpart, while women in legal occupations are earning 60 cents for every dollar earned by their male counterpart. The main reason for the gender wage gap continues to be sex segregation by occupation. Women should not still be earning less than men when they are performing the same job duties and responsibilities. Legislation was created almost four decades ago to prevent such unequal pay, but yet today these practices are still being allowed to occur. Women are a great asset to the workforce as women on average participate in jobs or events that are geared towards improving the community.

When women initially began to fight for equality over a century ago, they also made the case that they bring a new perspective to leadership positions, more specifically to the role of governance. Women first fought to exercise their right to vote. Now, women are actually benefiting from their right to vote as many more women are serving in elective office and/or in appointed positions, including boards and commissions. The federal government has been working towards implementing regulations that create a balance on corporate boards, for example, while several state legislatures have either begun conversations on the topic or have passed legislation to accomplish the same. Women are also tipping the scales in elected legislative representation, as well as seeking more appointments on government boards. Educational institutions or other non-profit organizations are now collecting data to keep track of women elected and/or appointed to office and although studies will show an increase, there are still existing inequalities, as it relates to the number of male representatives serving at the same level of government. Private industries, nonprofits and government agencies need to revamp their human resource structure by appointing more women to boards for inclusion in decision making roles that impact women and families. These posts may not always include a direct supervision of employees, but any policies and procedures adopted by that board or commission that seeks to restructure the human resource infrastructure within the organization, will directly impact women. The issue remains that closing the gaps of gender inequality is moving at a slow pace and major changes are predicted to not be seen until the year 2030 or later.

Additionally, many arguments related to equal rights for women have played a key role in the legal system, whether on a federal, state or local level. Historically, rulings at the United States Supreme Court level have deliberated and adopted clauses protecting women from discrimination based on gender, but most cases have been heard by male appointed Justices. In the history of the United States, only 4 women have served in the Supreme Court out of 113. The courts have been known to both advance and hinder women's rights, including in the areas of the human resources infrastructure. If more women were appointed to the bench, there would be greater opportunity to weigh-in on decisions that have a tremendous impact on women's lives.

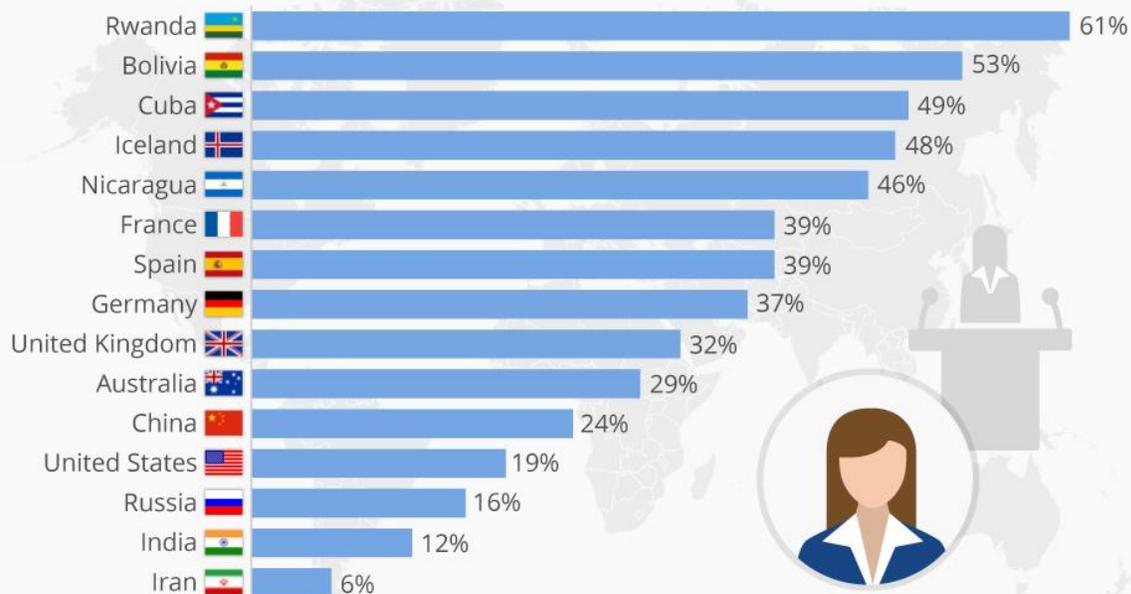
Gender Equity In The Workforce

The following chart demonstrates how women are being concentrated into particular types of jobs or being placed in leadership roles in gender specific organizations. The chart demonstrates how women are placed in more caretaking or gender-based leadership positions verses the graph below that shows women in leadership roles on a global scale:



Where Do Women Hold Political Office?

Proportion of seats held by women in national legislatures in 2017



@StatistaCharts Source: World Bank

statista

Educational institutions or other non-profit organizations are now collecting data to keep track of women elected to office and although studies will show an increase, the above graphs shows that there are existing inequalities, as it relates to how many women on a global scale are serving in leadership positions verses the number of women serving in leadership positions within the United States.

Background:

Gender equity legislations have been created throughout the past few decades to increase women empowerment and create economic stability. The first important legislation passed was the Equal Pay Act of 1963 which was created to restrict sex-based wage discrimination that occurred between men and women who perform the same jobs under similar work conditions. Despite this legislation, that was created to amend the Fair Labor Standards Act (FLSA) and require that employees pay women the same as men when performing the same work, organizations still found ways to create language in their policies or factors to justify gender inequity. To correct the gender inequity, the Title VII of the Civil Rights Act of 1964 which prohibits any employer from performing any discriminate acts against an employee based on their race, origin, color, religion, or sex.

To seal up any other loopholes that could continue the practice of inequity within organizations, the Equal Employment Opportunity Act of 1972 was passed. The act established the Equal Employment Opportunity Commission (EEOC) and gave them the legal right to enforce fair

employment practices through federal administrative proceedings. Even though the EEOC was deemed a necessary means to ending gender inequity, employers were still finding ways or loopholes to practice inequity through the human resource platform by withdrawing job offers if they became aware that a possible recruit was pregnant or fired employees that became pregnant. Women making a choice to become pregnant and start a family were having promotional or job opportunities taken away versus men who decided to start a family primarily because women on most occasions become the primary caregiver for a child. These acts of inequity against women who were pregnant led to the Pregnancy Discrimination Act of 1978. Although, these different laws were created, women were still faced with the challenge of caring for their family or contributing to the care of their family without any financial income. This challenge eventually led to legislators creating the Family Medical Leave Act (FMLA) of 1993 which provided employees with up to twelve weeks of unpaid, job-protected leave per year through a benefits program. FMLA for many years was seen as a solution to the financial challenges that women would face whenever starting a family, but FMLA only provides benefits in the form job protection and health insurance. Employees in the public sector usually have a benefits program arranged where funds are taken from each employees' paycheck to fund FMLA so that employees can receive some form of payment for their leave but not all women are afforded that opportunity. Relying on the 60% disability income that is obtained while being on FMLA is not enough to remain financially stable. Remaining financial stable through the 60% FMLA disability benefits depends on the employees pay grade. Women receiving less pay than men or not being forwarded the same promotional opportunities is a disadvantage for men, women, and their families. Women participating in the workforce demonstrates greater financial stability for the economy as a whole.

Employers have made excuses throughout the years as to why women continue to remain in lower ranked jobs or not given the same promotional opportunities as their male counterparts ranging from lower educational achievement to women not having the skill set to form effectively in leadership roles. Studies conducted in 2017, shown that 42% of women have experienced gender inequity ranging from earning less than males even though they were performing the same duties or being passed over for important assignments despite their skill sets. The American Dream has been to obtain higher educational opportunities in order to obtain higher job opportunities to have higher financial stability. The same 2017 studies have found that although women would obtain the same educational achievements as men in order to be allotted the same promotional opportunities, it did not prevent promotional segregation. Women with a bachelor's degree or higher (57%) have reported receiving more gender equity than women with lower education (39-40%). These percentages vary depending on what sector women are working in as well as their race and ethnicity. Not only are women being occupationally divided within specific areas of the workforce, but they are also being targeted to particular jobs that focus on paraprofessional occupations and being drawn away by occupations that have more of a decision-making aspect. Recent 2022 studies have shown that women address the decision-making approach through the use of decision validity by weighing the pros and cons of each circumstance placed before them while men have been shown to take quicker and less analyzed approaches driven by their reactions to the circumstance. These studies demonstrate that women are more prone This format of gender inequity will continue to have a negative impact on the human capital for women if measures are not taken to correct the human resource strategies that continue to prevent gender equity.

Recommendations:

The Equal Pay Act of 1963 is outdated and needs to be revamped to address the continued gender pay gap. This act was created to prevent and eliminate the gender pay gap but yet gender pay gaps are still occurring. This most likely is due to outdated language within the Act itself. For example, under the additional provisions of equal pay act in Section 206, the most current amended language states that the act is 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”. The act does not implement any other language that prevents gender pay gaps in which both women and men are performing the same job responsibilities. Furthermore, the act does not have any language that prevents occupational segregation based upon sex therefore women are not being protected against being denied promotional or leadership positions. Language should be implemented into the act to indicate that individuals shall be compensated through benefits, wages, or other compensations equally no matter their gender whenever performing in the same occupation and performing the same duties. Further language should be added to indicate that occupational segregation occurs whenever an organization continues to show patterns of promoting male counterparts over female counterparts who have demonstrated the same skills sets, same level of job performances, and have the same educational accreditation. The language will include promoting gender equity through all occupations that hold positions of authority. Implementing this kind of language into the act will work towards preventing any kind of occupational segregation.

New Zealand recently implemented the Equal Pay Amendment Bill in 2021, which makes sure that women and men are not only paid equally but are also paid equally for work that is different but equal in value. Executing a bill that adopts the same language would eliminate any loopholes in which companies could continue to practice unequal pay. The bill should also implement language that requires human resources to complete yearly audits to ensure that they are complying with any and all equal pay guidelines.

The recent inflation and cost of living has been difficult for families on a global scale. Having to go on leave and not having adequate financial benefits can be a challenge for most women, especially since studies have shown that more women take FMLA than men. A law should be implemented that allows an employee to still obtain 80% of their paycheck so there are no additional financial hardships when trying to care for a child. If employers do not want to provide 80% of the paycheck while an employee is on leave, then women should be allotted the opportunity to perform a certain percentage of their job through working remotely or a telework schedule. Women are productive and have the skill set to manage the responsibilities of work, taking care of their house, and addressing the needs of their family.

All of these recommendations require sponsors or proponents to introduce the proposals and for a majority of policymakers or board colleagues to support the measures. Having more women serving in elective or appointed office, increases advocacy and the willingness to ensure that new policies are adopted. The federal government and state legislatures should also consider passing legislations geared toward mandating a higher percentage of women to serve on boards and commissions, and more women should consider candidacy for elective office. Furthermore, United States Presidents while serving in office, should strongly consider appointing more women to serve as Supreme Court Justices as vacancies arise. Democracy, human and civil rights should

Gender Equity In The Workforce

always remain a priority for the administration, therefore closing the gap on gender inequalities on the federal bench would help to find long-term resolutions for generations to come.

Moreover, implementing gender equity within the workplace should start with human resources creating a work culture where there are fair promotional opportunities and procedures. That same work culture should not have opportunities to create loopholes that prevent the organization from having a fair and inclusive work environment.

Implementing new human resources strategies through current modern technology, e.g., increased telework options and remote work schedules, would set new directions for the workforce that would increase human capital. The COVID-19 global pandemic demonstrated that although we were using technology in the modern world, we were not utilizing modern technology to its full capacity. The pandemic forced the world to implement new work strategies through new technologies. Organizations should utilize modern technology to produce a tracking and adjusting system to ensure that gender equity is being maintained within the workforce.

Organizations and governments should also create a data collection plan focused on analyzing the patterns in hiring, promotion and wage increase practices based on job descriptions and gender, to aid in implementing corrective measures, when necessary. Collecting data on how many women are appointed to boards, commissions, and judicial benches, is as equally important. Appropriating funds to an independent entity to conduct the study will ensure a fair process and accurate results, which will help an organization when taking action to resolve gender inequities and to ensure a balance in the workforce or public representation, as it relates to gender.

In this new technology era and post-pandemic, more employees than ever before are now able to telework, although women were denied the opportunity for years when requesting family leave. New research may show that an increased number of women are able to work remote, care for family, and be as or more productive and efficient in work performance.

Although there have been laws created enforcing legal actions through the judicial system, a deterrent for organizations violating the laws protecting women's rights to equal pay and equal employment opportunities, could be to strengthen the penalties by including language in proposed legislation.

Advantages and Disadvantages:

Women in leadership positions or decision-making capacities, like elected or appointed positions creates motivation for effective changes on a global scale. Women being given the opportunity to be placed in respected roles, as their male counterparts, will create safer and healthier work environments which implements a strong positive social climate within the work force. Women in these roles, bring a more "maternal" value to the table. Women are able to display a more empathetic and sympathetic approach to employee needs and concerns and are able to implement effective conflict resolution strategies, as well as a more thoughtful process while deliberating promotional advancements and wage equality within an organization. Placing more women in leadership roles promotes more diverse problem-solving entities and increase organizational collaboration. Women have emerged since the global pandemic and demonstrated their ability to be strong leaders, be strong team players, and have keener abilities to collaborate with

Gender Equity In The Workforce

stakeholders and build coalitions to address barriers compared to their male counterparts. Female in managerial positions and decision-making positions have been reported to provide higher employee engagement which promoted emotional support, balanced work-life dynamics, created overall employee well-being, and helped to diminish work burnout. These skills demonstrate the women deserve to receive the same equal pay as their male counterparts, especially when they demonstrate the ability to implement stronger effective work environments.

Research shows that men continue to dominate in the areas of senior management such as CEO, senior official or as a legislator, but women have been making the transition into many of these types of professions proving that they are as capable regardless of gender. As a result, many legislators and industry officials have been advocating for more women to work in professions known to be performed by men. Industries are seeing the advantages of employing and promoting more women, as they continue to show their strengths, work ethic, motivation, productivity, and leadership skills.

Women bring more “maternal” values to the table, they can be more empathetic and sympathetic to employee needs and concerns and are able to implement effective conflict resolution strategies, as well as a more thoughtful process while deliberating promotional advancements and wage equality within an organization. Women in positions of power can also serve to motivate other women to excel in their work performance and to empower them to be more goal oriented leading to professional growth.

The disadvantages to not complying with the recommendations to implement equal pay and equal promotion opportunities for women would only lead to lack of motivation within the organization. Organizations could also have some hesitations and indicate that creating equal pay might produce financial hardship. This dynamic has big implications on female financial security and well-being and has a huge impact on lifetime earnings. Experts are indicating that women would have to work an additional 40 hours of work in order to earn the same wages as their male counterparts. Even in organizations where there are more female workers, women are still making less wages. The disadvantages to creating gender equity within the workforce can only lead to further economical distresses. Women bring a broader dynamic to the decision making and leadership attributes that are needed in this current financially fragile economy.

Disadvantages have been created through gender discriminatory policies within an organization denying women the opportunity of obtaining professional development and/or training leading to a lack of professional growth in the organization. Barriers created by management stunts female career growth and designs of a work culture in which leadership positions are only awarded to men.

Research has not shown that there are any disadvantages to women being placed in promotional or decision-making leadership positions. In fact, research and data has shown that women can perform in male dominated positions and that the lack of women in leadership positions can have a negative impact to the modern workforce. This is due to the fact that women bring new ideas, incentives, and perspectives to what skills or supports are needed to improve organizational processes and productivity.

Conclusion:

Should industries, government and non-profits decrease the gender pay gap and give women their deserved promotions, it would create a work environment in which the workforce becomes more productive and competitive in meeting the overall goals or missions of the organization.

Promoting gender equity within an organization, creates numerous opportunities for economic prosperities, safer communities, and more financial stability for families. Women in the labor force have already proven to be beneficial to the economy. Implementing policies and acts that create avenues where women are promoted into decision-making and leadership positions brings new skills and abilities that can bring improvements for any organization. Women have shown that they are capable of performing the same responsibilities as their male counterparts in leadership positions. As previously indicated, women are proven to be stronger decision makers as they are able to weigh pros and cons of economic circumstances through decision-making approaches. Organizations that promote more women into decision-making occupations have a higher success rate of obtaining profitability, productivity, and a more positive work environment. Studies continue to show that having an increase of women in leadership or decision-making roles leads to a healthier and trusting work environment.

Decreasing the gender pay gap and giving women their deserved equal pay creates a work environment in which the workforce becomes more productive and competitive in meeting the overall goals or missions of the organization. Women have demonstrated the ability to handle the demands of being in higher paying positions and therefore should be compensated for the assets that they bring to an organization. Women have also shown great understanding surrounding the best ways to utilize human resource strategies to promote greater human capital. Women bring a new perspective to the workforce because they are willing to weigh the pros and cons of implementing changes that would build a stronger organizational culture that promotes growth, resilience, and adaptability through new work practices and incentives.

Building a human resource infrastructure geared toward diversifying the organization would require new protocols and creating new policies that include increased opportunities for women to grow professionally. This can be more positively influenced by having more women in decision-making capacities, such as an elected or an appointed position. In these roles, women can and will be more vocal, proactive, and effective in proposing policies that empower more women to take on leading roles managing organizations.

REFERENCES

- Amore, M. D., & Garofalo, O. (2021). Pay inequality and gender dynamics in top executive positions. *Corporate Governance: An International Review*, 29(6), 526–540. <https://doi.org/10.1111/corg.12389>
- Barroso, A., & Brown, A. (2022, June 8). *Gender pay gap in U.S. held steady in 2020*. Pew Research Center. Retrieved November 30, 2022, from <https://www.pewresearch.org/fact-tank/2021/05/25/gender-pay-gap-facts/>
- Boxall, P. C. (1998). Achieving competitive advantage through human resource strategy: Towards a theory of Industry Dynamics. *Human Resource Management Review*, 8(3), 265–288. [https://doi.org/10.1016/s1053-4822\(98\)90005-5](https://doi.org/10.1016/s1053-4822(98)90005-5)
- Davtyan, L. (2022, September 21). *Council post: Recommendations for building a better HR infrastructure*. Forbes. Retrieved December 2, 2022, from <https://www.forbes.com/sites/forbesbusinesscouncil/2022/09/20/recommendations-for-building-a-better-hr-infrastructure/?sh=2b2cf76b24c5>
- El Arnaout, N., Chehab, R. F., Rafii, B., & Alameddine, M. (2019). Gender equity in planning, development and management of Human Resources for Health: A Scoping Review. *Human Resources for Health*, 17(1). <https://doi.org/10.1186/s12960-019-0391-3>
- Encyclopædia Britannica, inc. (n.d.). *Supreme Court Cases-Britannica Presents 100 Women Trailblazers*. Encyclopædia Britannica. Retrieved December 3, 2022, from <https://www.britannica.com/explore/100women/supreme-court-cases>
- The equal pay act of 1963*. US EEOC. (n.d.). Retrieved December 2, 2022, from <https://www.eeoc.gov/statutes/equal-pay-act-1963>
- Feldman, S., & Richter, F. (2018, August 9). *Infographic: Where do women hold political office?* Statista Infographics. Retrieved December 2, 2022, from <https://www.statista.com/chart/15027/where-do-women-hold-political-office/>
- Guy, M. E., McCandless, S. A., & Bishu, S. G. (2020). Gender Equity in the workforce. In *Achieving social equity: From problems to solutions* (pp. 15–23). essay, Melvin & Leigh Publishers.
- Hatcher, M., & Latham, W. (2020, May 12). *States are leading the charge to corporate boards: Diversify!* The Harvard Law School Forum on Corporate Governance. Retrieved December 1, 2022, from <https://corpgov.law.harvard.edu/2020/05/12/states-are-leading-the-charge-to-corporate-boards-diversify/>

Gender Equity In The Workforce

- Hendrickson, A. R. (2003). Human Resource Information Systems: Backbone Technology of Contemporary Human Resources. *Journal of Labor Research*, 24(3), 381–394. <https://doi.org/10.1007/s12122-003-1002-5>
- Iacurci, G. (2022, May 19). *Women are still paid 83 cents for every dollar men earn. here's why.* CNBC. Retrieved December 2, 2022, from <https://www.cnbc.com/2022/05/19/women-are-still-paid-83-cents-for-every-dollar-men-earn-heres-why.html>
- Jara, A. (2022, November 3). *4 business advantages of female leadership.* GetSmarter Blog. Retrieved December 2, 2022, from <https://www.getsmarter.com/blog/career-advice/4-business-advantages-of-female-leadership/>
- Kelley Griffin, K. F. (2022, March 8). *From Early on, Women Have Made Their Mark in State Legislatures.* National Conference of State Legislators. Retrieved December 1, 2022, from <https://www.ncsl.org/bookstore/state-legislatures-magazine/from-early-on-women-have-made-their-mark-in-state-legislatures-magazine2022.aspx>
- Male vs female in decision-making: Who is better?* London Premier Centre. (2022, January 8). Retrieved November 30, 2022, from <https://www.lpcentre.com/articles/male-vs-female-in-decision-making-who-is-better>
- Parker, K., & Funk, C. (2020, August 7). *Gender discrimination comes in many forms for today's working women.* Pew Research Center. Retrieved November 28, 2022, from <https://www.pewresearch.org/fact-tank/2017/12/14/gender-discrimination-comes-in-many-forms-for-todays-working-women/>
- Pew Research Center. (2017, December 13). *Roughly four-in-ten working women say they've experienced gender discrimination at work.* Pew Research Center. Retrieved December 1, 2022, from https://www.pewresearch.org/fact-tank/2017/12/14/gender-discrimination-comes-in-many-forms-for-todays-working-women/ft_17-12-13_genderdiscrimination_women/
- Rosenbrock, H. H. (1983). Human Resources and Technology. *Human Resources, Employment and Development Volume 2: Concepts, Measurement and Long-Run Perspective*, 345–354. https://doi.org/10.1007/978-1-349-17203-0_17
- S.181 - Lilly Ledbetter Fair pay act of 2009 - congress.* Congress.gov. (2009). Retrieved December 1, 2022, from <https://www.congress.gov/bill/111th-congress/senate-bill/181>
- Smart, J. C. (1991). Gender equity in academic rank and salary. *The Review of Higher Education*, 14(4), 511–525. <https://doi.org/10.1353/rhe.1991.0011>
- Supreme Court-Represent Women.* Represent Women Partially for Women in Politics. (n.d.). Retrieved December 1, 2022, from https://www.representwomen.org/women_on_the_supreme_court

Gender Equity In The Workforce

These occupations are dominated by women. ILOSTAT. (2022, August 23). Retrieved December 1, 2022, from <https://ilostat.ilo.org/these-occupations-are-dominated-by-women/>

Why equal pay matters in the workplace. HR Search & Rescue. (2021, June 8). Retrieved December 2, 2022, from <https://hrsearchandrescue.com/why-equal-pay-matters-in-the-workplace/>