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Business, Advocates and Unions: Their Role in the Shaping of the Comparable Worth Issue Within the Government's Guidelines in the 1980's

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Business, Advocates and Unions:
Their Role in the Shaping of the Comparable Worth Issue
Within the Government’s Guidelines in the 1980’s

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Business, Advocates and Unions:

Their role in the Shaping of the Comparable Worth Issue

Within the Government's Guidelines in the 1980's

I. Introduction and Development of Comparable Worth

Comparable Worth. Two innocuous personnel words that have given equal rights in wages and salaries a new meaning. Taken separately, these two words are common parts of our everyday language.

"Comparable" is an adjective for capable of or suitable for a comparison. "Worth" refers to value as determined by money, quality or esteem.

When taken together, however, their definition does not become as clear. Some people define "comparable worth" as "a means of raising the income of working women."¹ Others say it is "a practice. . . designed to increase the pay of workers in female-dominated fields such as nursing to the level of men in a field requiring comparable labor."² For our purposes, the definition will be the one put forth by the U. S. Supreme Court which states, that comparable worth is "a comparison of the intrinsic value or worth of various jobs within an organization or
community.3

Whatever the definition, people's own ideas of comparable worth vary depending on their needs and ideas. This can be seen with businesses, advocates and unions as they develop their role in the comparable worth issue of the 1980's. Whether they take comparable worth to be an issue of economics or strictly a woman's issue; whether they think the issue will affect their profit, political position or membership and and the way in which these groups view everyone elses' positions affect how they deal with comparable worth.

With U. S. Supreme Court interpretations as the background, these three groups are interpreting their positions in the best possible light to protect themselves. Each group feels its survival is dependent on the defeat or survival of comparable worth and that no other group understands the others position. But all of these groups do have one thing in common: their information is founded in the government's and court's action or inaction in the comparable worth issue.

In this paper, I discuss each area: business, advocates and unions, separately. This enables us to see the strong points as well as the inconsistencies within a single argument. Furthermore, by understanding each of these groups within the context of political discussions in the 1980's, one can begin to see how effective each group
will be in defending their position.

With this in mind, I will begin this paper with a brief history of comparable worth, the laws it has been based on and the arguments presented by businesses, advocates and unions.

The Beginning

Comparable worth became a popular issue in the late 1970's as women in the public sector saw that the results of job evaluations performed previously showed women's jobs not being paid what they were worth in comparison to similar male jobs. To correct this wrong, women started to sue the government for compensation. The government in turn stated that the lower wages were not based solely on sex discrimination, but on a multitude of job factors such as skill and responsibility and then adjusted for job content, lost time, etc. With this basis, the fight for equal compensation began and has since travelled to the U. S. Supreme Court.

As the debate on wages continued, it began to receive attention as a "comparable worth" issue. What comparable worth was never became absolutely clear as many definitions of it were and continue to be around. One way in which comparable worth was explained is through an example such as the comparison of a secretary to a sanitation
specialist. The job's value to the company would be weighed and compensation would be based on this decision. An interesting point to note here is that neither the definition or the example discuss the value of jobs between sexes or job sectors.

Within the definition of comparable worth being used for this paper, four basic principles are assumed:

1. Jobs are not all of equal worth;
2. Workers should be paid in proportion to the worth of their jobs;
3. Non-market methods exist or can be developed for determining the worth of jobs; and
4. These non-market methods for evaluating jobs are preferable to the market because they can be based exclusively on measures of worth and can exclude the effects of sex discrimination.⁴

With the above principles beginning to take hold in the employee's mind and beginning to be the basis for deciding whether or not your job's wage was adequately set, the first employees began taking their dissatisfaction to the U. S. Supreme Court in the late 1970's. The Supreme Court in turn, began referring to the many available laws that have been in existence since the early 1960's to make their decisions. While these laws dealt with the general idea of wage discrimination, they became the basis for the more specific idea of comparable worth.
Then in 1980, Ronald Reagan entered the White House and an era of more business support began. Since 1980, the number of comparable worth cases reaching the courts have declined as well as all wage discrimination cases. Furthermore, with the decline of the economy, businesses have seen a need to become more competitive in the world market and part of this competitiveness has led to a decrease in wages, in employment of both management and laborers and a decrease in union support by the public and by its membership.

So here we are today. Female employees see their wages remaining below males while the courts decide cases based on laws 20 years old and the Reagan Administration is seen to favor business in all cases. With this in mind, I will begin my discussion of business, advocates and union's involvement in comparable worth by looking at the laws that have become the starting point for all comparable worth cases and then moving on to look at business, comparable worth advocates and unions.
II. Laws Used for Deciding Comparable Worth Cases

by the U. S. Supreme Court

The basis for many of the U. S. Supreme Court decisions on comparable worth are based on laws passed by the U. S. Congress in the 1960's. These laws include Title VII, the Equal Pay Act and the Bennet Amendment. Each of these interprete how discrimination based on sex is to be determined by employers and by the courts. In this section, I will discuss each law separately stating its purpose and application in wage discrimination cases, look at the Equal Employment Opportunity Commission and the role it has played in bringing comparable worth before the courts and conclude with a recent case U. S. Supreme Court decision on a "comparable worth" case.

Title VII is a section of the Civil Rights Act of 1964 and makes it illegal to differentiate wages because of sex. It also states that it is illegal to "limit, segregate, or classify his employees . . . in any way which would deprive or tend to deprive any individual of
employment opportunities or otherwise adversely affect his status as an employee, because of such individual's . . . sex."

Title VII prohibits discrimination on a wide base including discrimination where outwardly it appears fair, but inwardly is discriminatory. People bringing suits based on Title VII need to show that the employer:

1. had segregated its work force and

2. had taken its cue from the action of whatever outside forces are in play to set pay scales for females in the female-type jobs at a lower rate so that:

3. the differential in wages between men's occupations and women's occupations, though resembling the practice of most other companies (who currently discriminate), would be different from the differential a nondiscriminatory company might establish between the same occupations. 8

In reference to the Title VII clause above, the Equal Pay Act states in part that:

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 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.  

The main difference between Title VII and the Equal Pay Act is that jobs compared under Title VII do not need to be substantially equal for discrimination to be found in wages. However, this is the necessary criterion to be fulfilled under the Equal Pay Act to prevent wage discrepancies between men and women. Furthermore, the Equal Pay Act offers numerous protections to the employer as seen in the four exceptions above. Included in these exceptions is the idea that the courts are not allowed to substitute their judgement for that of the employer when the employer has an established job rating system as long as this system does not discriminate because of sex.

The intent of the Bennet Amendment, as seen by the Supreme Court of the United States, is to incorporate the protections of the Equal Pay Act into Title VII. The amendment states:

It shall not be an unlawful employment practice under this subchapter for any employer to differentiate upon the basis of sex in determining the amount of the wages or compensation paid or to be paid to employees of such employer if such differentiation is authorized by the provisions of section 206(d) of Title 29.
Section 206(d) of Title 29 refers to the segment from the Equal Pay Act which was passed in 1963 in conjunction with the Fair Labor Standards Act. The point of clarification that the U. S. Congress directed the Bennet Amendment towards was any disagreement that may occur between the Equal Pay Act and Title VII as to differentials in wages based on any other factor other than sex.

To provide the plaintiffs with an idea of whether or not they have a case against their employer, the Equal Employment Opportunity Commission (EEOC) is available to assist with cases.

**The Equal Employment Opportunity Commission (EEOC)**

The EEOC is a government commission designed to enforce and investigate cases of employment discrimination. It came into existence when the Civil Rights Act of 1964 was passed and now has the power to take employers to court to enforce its decisions. Under past administrations, it was at the forefront of sex-discrimination suits testing U. S. Supreme Court rulings and setting the boundaries for cases. Today, it has limited its involvement in these cases and has focused its attention on pension and pregnancy benefits and other areas, while leaving the sex-based wage discrimination issue untouched.

The basic process used by the EEOC when a charge is made under
Title VII is as follows:

Under Title VII a charge of discrimination against a state or local government is filed with EEOC, investigated by EEOC staff and if conciliation attempts fail, a finding of probable cause or not cause of discrimination is made by the Commission. If probable cause is found, the charge is then referred to the Department of Justice's Civil Rights Division for litigation.9

The EEOC's exact power in comparable worth cases has not been tested in light of the latest Supreme Court cases, so the extent of the EEOC's present power is unknown. Why they have not tested this power is also unknown. Many people would suggest that since Reagan has entered the White House, the power of the EEOC has been decreased. They feel that this has been accomplished by: decreasing the number of cases the White House will support the EEOC in; in the appointment of new directors who don't favor comparable worth; and by keeping the EEOC too busy with other matters to deal with comparable worth cases.

Finally, on the issue of comparable worth, the Supreme Court of the United States has chosen not to decide directly. Instead, any cases brought before it as of this date are looked at in light of the Bennett Amendment or Title VII. Therefore, the plaintiffs do not need to prove that they are performing substantially the same work as their male counterpart, but that the wage discrepancy is based on sex. The courts
will not decide on the "worth" of the job because this is a subjective area open to personal opinion and the court does not feel that its personal opinion of a job's worth should be the basis for the country. An example of this indecision can be seen in the 1981 case of Gunther v. County of Washington.

The case of Gunther v. County of Washington reached the U. S. Supreme Court in 1981. The basis of the case was that the female guards in the female section of the county jail were being paid lower wages than the male guards, though their jobs were substantially equal. In 1974, the county had undergone a job evaluation and had determined that the female guards should be paid at 95% of the wages of the male guards. The difference being allowed because of the number of prisoners and variety of duties. Upon completion of this job evaluation, the county then refused to pay the wage determined so the female guards sued.

The U. S. Supreme Court decided this case in favor of the female guards. However, they were adamant that they were not determining the comparable worth of the two jobs, but were using the Bennet Amendment and Title VII to enforce a predetermined wage scale and end a situation of obvious sex discrimination. Nevertheless, the opportunity for more cases to be decided in favor of the female employees was
greatly increased.

As can be seen, the comparable worth issue has been seen in the court system and has also been left undecided. Until such a time as either new laws are enacted or public opinion begins to be heard on this issue or U. S. Supreme Court Justices make a determination on the comparable worth issue, it will remain undecided and based in historical laws. From these laws and decisions, private businesses, comparable worth advocates and unions take their cues. I will begin with a look at private business.
III. Private Business and the Restrictions

Placed on Them by Comparable Worth

Private business has been functioning under Title VII and the Equal Pay Act for numerous years now. Most businesses with a legal department or which keep abreast of legal changes themselves, know how far they can take their wage system under the law. Therefore, they view the comparable worth effort as another means of putting legal restrictions on their ability to function in the free market. Their attitude seems to be that if the federal courts are upholding the Equal Pay Act and its many protections for the employer, then no one should try to change it. Furthermore, with the federal courts continued stance of not directly dealing with the comparable worth issue, businesses feel that they are in a position to have some control over their work place—including wages paid.

Continued Administration support of business in this issue will make it very difficult for comparable worth cases to reach the courts. Instead, with today’s emphasis on improving business in the world
market, business seems only to be found wrong in cases of blatant discrimination.

Private business not only disagrees with the concept of comparable worth but also has a disagreement with the principles on which comparable worth is based. As mentioned earlier, these four principles include:

1. Jobs are not all of equal worth;
2. Workers should be paid in proportion to the worth of their jobs;
3. Non-market methods exist or can be developed for determining the worth of jobs; and
4. These non-market methods for evaluating jobs are preferable to the market because they can be based exclusively on measures of worth and can exclude the effects of sex discrimination.  

Private business looks at the above principles and immediately runs into difficulties with the final two points. Principle three refers to "non-market methods" to determine job worth. Private businesses don't feel that this is true. They state that the worth of the job to the company is determined by supply and demand. Therefore, if one job pays a higher wage than another, that is simply a market adjustment.

Furthermore, many businesses set wages internally as a reward system or other means of promotion. By taking this principle literally, this perogative is taken away from the private businesses.
Finally on principle three, private businesses remind us that pay practices across the United States are not uniform. They refer to six basic examples of pay disparities:

1. Public versus Private pay.
2. Industry versus the Commercial sector.
3. Individual company's pay units differently because of the market they are drawn from.
4. Different functions command higher pay.
5. Geographical differences.
6. Negotiated pay scales.\(^1\)

These disparities must be considered because wages are set by each company as well as subsidiaries of companies in different areas. If these disparities are not considered and dealt with, a company may go under because wages are too high or even too low. Therefore, a single, non-market basis for determining wages does not appear to be feasible or practical by many businesses.

Principle four has been harder for businesses to dispute because of the lack of hard evidence. What they have done is remind the public that sex discrimination is not the sole factor that determines the male/female wage disparity. Instead, skill, training, length of time at the job and job areas must be considered. By adding in all of these factors, wage discrimination based solely on sex becomes smaller. Furthermore, employers state that many women have chosen jobs that
pay less because they prefer these jobs.

In the eyes of business therefore, the overall effect of these final two principles, coupled with pressures by the advocates on government to make these principles enforceable upon businesses, will make them even less competitive with foreign companies as well as lowering their profits.

A final note on these principles comes from the political arena. While these principles may seem practical and effective, their political impact is limited. This leaves these principles in the position of not being completely defended by legislators or by the enactment of new laws. This is the case because businesses and their views continue to be supported by the U. S. Congress while "women's issues" such as comparable worth are not considered as important.

Recently, however, private business has begun to acknowledge the advocates' points against business' position and so have looked for information to protect their position. Job checking is one means of protection available to employers.

One of the most complete lists of employer job checks is found in Public Personnel Management in an article discussing employer approaches to the wage gap issue. This article recommends that for employers to minimize their risk of liability they should ask
themselves:

--Are the jobs clearly documented either by a job analysis questionnaire or a job description? Are they reviewed and updated annually?

--When was the pay system last reviewed? If more than three years have passed, serious inequities could exist.

--Are there circumstances where the system indicates that jobs are comparable, even in the marketplace, but pay for jobs occupied by females or minorities is less than predominantly male and/or white jobs?

--When was the last time a statistical check was made showing the effect of the pay system on females and minorities? Could it be that there is discrimination in fact, though not in intent?

--Is the pay system clearly documented in salary administration manual? If not, the credibility and defensibility of the pay practices are ripe for challenge.

--If there is a formal performance appraisal system, what objective criterion are the ratings based upon? The government has challenged some systems as being too subjective. Is the job description vulnerable?12

According to supporters of comparable worth, by following steps such as these, the employer will begin to see the comparable worth issue as an opportunity to defend a reasonable pay scale and to change any discrepancies for the betterment of the employees. If the employees can accept the scale as reasonable, then less disagreement over pay will be heard, saving everyone involved a lot of wasted time in
arguing.

As the above list stated, an objective, formal appraisal system is one way by which the employer can guarantee the effectiveness and legality of their wage setting process. These types of evaluations can be done with a job evaluation in a variety of evaluation methods.

Job Evaluations

There are four basic methods of job evaluation which include classifying jobs by: ranking, classification, point system and factor scale.

The ranking method is the oldest and simplest job evaluation method. It is done by arranging jobs on the basis of their relative worth. It is not a refined measure because it looks at the overall job which means a single factor may weight the entire job giving it a biased ranking. This is a common problem because the ranking method is done by evaluators whose biases enter into any ranking of jobs.

The classification or job grade system groups jobs according to a series of predetermined wage classes or grades. It is a simple process, but less precise because it also looks at the job as a whole.
The point system is relatively simple to use and understand as well as being fairly refined. The jobs are evaluated quantitatively based on factors of the job such as skill, effort, responsibility and working conditions. The factors are divided into degrees, given a definition of what they cover, and then assigned points. The job is then assigned these factor points which are totalled. The total is the relative worth of the job. Finally, the factor system looks at the job components, but differs from the point system in that the job being evaluated is compared to key jobs within the company which serve as the job scale.

Problems with the job evaluation system cannot be overlooked when determining which method to use. The ranking and classification system are used mainly by government, not private business because of problems arising from employer bias. The last two methods have problems with the range of points designated by the evaluator. If the range is too narrow, lower jobs will be overstated in comparison to the higher jobs.

Because people do the job evaluations, it is impossible to completely rid any evaluation system of personal bias. So when an evaluation system is developed, this bias needs to be taken into account. One way of doing this is to hire an outside evaluation agency that will bring a more objective point of view to the value of each jobs. Also, the company may have multiple evaluations for each job sector. This makes
it impossible to compare jobs across sectors and keep all wages fair.

For job evaluations to remain effective and pertinent to each job, they need to be updated as the jobs change and responsibilities change. For the approximately 2,500 government job areas, re-evaluation every 5 to 10 years would become burdensome as well as extremely expensive.

Finally, wage disparity will not disappear as soon as a job evaluation is performed. To remain competitive, a business is still going to look to the market and foreign competitors to determine starting wages. Job evaluations to date deal with the wages received by other American workers. They do not consider foreign competition as a reasonable comparison because of differences in lifestyles, living costs, and production costs.

Furthermore, this wage disparity seems to be needed to continue to make people strive for something better, to seek new challenges and to remain a viable, movable resource. Wage changes due to new job evaluations do not seem to have greatly affected the general mix of applicants or employees in the predominantly male or female job areas. Instead, women remain in their present job, not moving outward to higher paying, more responsible jobs while men, seeing the increased wages, begin applying more heavily for these female job areas. It seems that for a woman to be effective in obtaining a higher wage via
comparable worth, she must also consider the possibility of greater competition for her job which may lead to greater competition for promotions. Her best approach appears to be one of looking outside of her present job area for advancement and opportunities in a new area.

With their political power, and their role as the determinants of our economic stability, business has a strong position entering the comparable worth dispute. They have the support of many government officials and agencies, the support of numerous people who need jobs at any wage and the support of fellow businesses as they try to compete on the world market. Because their position has been in place for so long and has remained unchanged, it is difficult for anyone or any group to dislodge them. However, groups and individuals still try and one of these ever growing groups is the advocates of comparable worth.
IV. Comparable Worth Advocates

and How They Support Unions in Comparable Worth

Comparable worth advocates begin their discussion from the same basic principles that the businesses disputed. These are:

1. Jobs are not all of equal worth;
2. Workers should be paid in proportion to the worth of their jobs;
3. Non-market methods exist or can be developed for determining the worth of jobs; and
4. These non-market methods for evaluating jobs are preferable to the market because they can be based exclusively on measures of worth and can exclude the effects of sex discrimination.

Advocates of comparable worth look at these four principles and see many reasons to agree with them. For example, when looking at principle three for determining non-market methods of determining wages, advocates immediately refer us back to the job evaluation. To them, the job evaluation is the most effective means of setting wages fairly. The advocates feel that an evaluator's bias can be adjusted for within the evaluation and that these evaluations will dispense with the use of the market for basing wages. Within this, the advocates see union efforts to
push for company-wide evaluations and for joint employer/union evaluations as one of the most effective means of obtaining wage equality.

Furthermore, say advocates, business has acquired a lot of misinformation about the working woman which they have tried to incorporate into job evaluations. For example, when businesses use the fact that women move in and out of the labor force more frequently and thus have less seniority and lower wages, it can be shown that these work interruptions account for only 14.6% of the wage disparity.\(^{14}\)

Finally, by requiring businesses to have a consistent job evaluation policy throughout their company, it will be possible to compare previously dissimilar jobs. For the advocates, the fastest and easiest way to accomplish these job evaluations across the United States is for the federal government to develop job descriptions for the 2,500 Department of Labor job listings. By doing this, the government will take away a businesses ability to adjust wages by discriminating against women and will also provide consistent evaluations allowing for job comparison between sectors. Then, each company will apply these descriptions to their job areas. Also, because the Department of Labor's job listing does not contain every conceivable job, there remains room for business to attract employees with special skills through wages.
Advocates of comparable worth strongly support unions in the comparable worth issue because unions are the most visible source of progress in the equality of male/female pay and are also the most effective in reaching employers with such information as: "80% of all women work in 25 occupations out of the 420 listed by the U. S. Department of Labor..." and "On average, ...whether college graduates or high school dropouts, women earned about sixty cents for every dollar their male counterparts were paid."\textsuperscript{15}

With the advocates support of union involvement, the two groups are able to form a strong coalition against the political power of the private businesses. By working together, they are reaching a large number of the previously unrepresented segment of the work force (women) and are also educating the general public as to the inequity of wage discrepancies.

But all is not perfect for the advocates of comparable worth. Many people argue that the advocates are forgetting the place of individual choice when looking for a job as well as the forces of supply and demand. Advocates see these arguments as defeatable by showing examples of occupations where this just isn't true, such as nursing.
Nursing has become the symbol of comparable worth problems because there is said to be a shortage of nurses within the United States. This shortage should then be reflected by supply and demand forces so that nursing wages increase thus attracting more people into the nursing field. Unfortunately, while this occurred in previous nursing shortages, it has not occurred in the present shortage in the majority of locations. Instead, hospitals and other institutions have begun recruiting in foreign countries for nurses or simply doing without.

With this example and many others, the comparable worth advocates are able to show that wage disparity seems to be a uniquely female problem. With this kind of evidence and the increased support between unions and advocates for women's issues, the two are beginning to make a dent in the business argument of the necessity of wage disparity due to economic factors. As the advocates and unions gain political power through continued Congressional hearings and lawsuits, their opinions will begin to carry more weight with the lawmakers of the country. When that time comes, say the advocates, the opportunity to do away with inequities may be here.
V. Union Support of Comparable Worth as a Women's Issue

Unions are becoming the female's pathway to higher wages. As overall union membership continues to decrease, the number of female members continue to increase. Women are the least unionized sector of the job market and to attract these members, unions are looking at the comparable worth issue as a membership blessing.

The AFL-CIO officially supported comparable worth in 1979 with a resolution representing 95 labor unions. Then two years later came a stronger position.

... The AFL-CIO calls upon its affiliated unions:

---To work through contract negotiations to upgrade undervalued job classifications, regardless of whether they are typically considered "male" or "female" jobs.

---To initiate joint union-employer pay equity studies to identify and correct internal inequities between predominantly female and predominantly male classes.16
This statement, while being in favor of job equity studies, was also careful not alienate any of the union's male members by referring to the upgrading of job classifications in both male and female areas. The unions are in a difficult position of needing to maintain their male membership while also showing the female workers that their problems are being addressed. One area where this problem can be seen is in the representation of the female worker in the union hierarchy. At this time, few women have been able to break into the upper union ranks where many of the decisions are being made. This lack of representation has been hard for women to accept as the union continues to expound on the virtues of its equity position.

Another problem the union has been forced to deal with is the economy of the late 1970's and early 1980's. As competition in the world market continued to increase and the United States also entered into a selective recession mainly in the basic manufacturing industries, unions were being forced to accept concessions in employment contracts. This inability to maintain wages and job security for everyone hurt the unions' image as a representative of the worker.

With these two problems facing the union, two groups for the advancement of women's issues began to develop. These groups not only educate women and the public, but also show the importance of the
unions in achieving pay equity.

One of these is the National Committee on Pay Equity which was founded in 1979. The goals of this organization are:

--Providing leadership, coordination and strategy direction to members and other comparable worth advocates;

--Providing assistance and information to public officials, labor unions, women's groups and other organizations pursuing pay equity;

--Stimulating new comparable worth advocates;

--Bring national and local attention to this issue.¹⁷

While this group is concerned with overall public knowledge and working to convert people to the comparable worth issue, another group was developed by union women for unions.

The Coalition of Labor Union Women (CLUW) is more concerned with using the collective bargaining issue to: demand plant wide seniority so women will have the opportunity to move up; demand re-evaluations of present job classifications; support female employee grievances; support reassessments of a company's hiring practices; as well as work for legislation to promote comparable worth.
This coalition is supported by such unions as the American Federation of State, County and Municipal Employees (AFSCME), the Service Employees International Union (SEIU) and the International Union of Electrical, Radio and Machine Workers (IUE). All of these unions are dominated by female workers.

Even with the support of these groups, unions still face the problem of meeting the businesses at the bargaining table to discuss comparable worth and pay equity issues. Because management is often in a defensive position to protect their profits or the status quo, such things as comparable worth are put on the back burner. Unions, however, see the necessity of getting issues on the table because these are the issues that will help to attract membership as well as gain equality for the worker. In order for an issue to reach the bargaining table, it must fit into one of three bargaining areas. These include:

1. Mandatory--includes wages, bonuses, pensions, etc.
2. Permissive--issues included if both sides agree.
3. Illegal--cannot discuss these issues even if everyone agrees.

Comparable worth is considered a mandatory issue because its purpose is to change wages. Though comparable worth is placed in the mandatory bargaining category, it does not mean that each side must
reach a set agreement, but only that the issue must be discussed. If an agreement cannot be reached, it is still possible to dismiss the issue without some agreement.

Another area that has caused a union-management disagreement is job evaluations. When employers perform their own evaluations they may be performed in such a manner as to support a current, possibly discriminatory pay policy or to change the payment system altogether. Job evaluations can also, however, be performed to adequately reflect changes in the business environment and the needs of the employees. To prevent businesses from changing job descriptions to their favor, unions want all evaluations to be performed in conjunction with the union. In this manner, the evaluation can always be conducted in the best interest of the employees. Also, by working on this type of an evaluation together, management and union can better work together to understand the needs and desires of the employee.

Overall, unions are working hard to promote pay equity in the work force. Though there are problems at the bargaining table and with female representation within the union hierarchy, their role as the ground breaker in new job problems make them well suited for this type of issue. As more women begin joining unions and as the wage gap persists for no justifiable reason, the role of the union in correcting
this wrong will become even more important.

Also, now that unions are getting the support of the comparable worth advocates, their base for achieving greater wage equality with the employer is broadened. The advocates provide the unions with a means of attacking the business system outside of union channel. Advocates also bring in people who are not union members to support union efforts.

By gaining more wide-spread acceptance, the union's position is becoming stronger and their influence on business greater.
VI. Placing the Comparable Worth Issue in Context

As you can see from the above information, the characters in the comparable worth drama are all revolving around the government and the actions each group is taking. Because the Reagan administration has remained mute on the subject of pay equity, the importance of these groups in bringing the comparable worth issue before the public is becoming even more important.

As a whole, I feel that the comparable worth issue needs to be discussed, needs to be looked at and needs to remain high on our list of problems. I do not feel, however, that present lawsuits, Congressional hearings or the like will solve the problem to anyone's satisfaction. Instead, I feel that unions should continue to press for reforms within the business community. It is here that the wages are set, it is here that women are hired or not hired and it is here that the opportunities for advancement into other fields are made available. By keeping the pressure on business to understand comparable worth as an issue that will not cost money, but will enhance worker productivity; to show them the equal worth of women in all areas of productivity and to
continue to educate future managers as to the necessity of having equal representation of all qualified people in their work areas, comparable worth will be achieved.

Business' position of justifying wage inequities via non-sex causes or the economy will only last as long as they can hold onto the support of the majority of the people. With Reagan's appointments to the Supreme Court and other positions across the country, the business stance may be able to withstand many years of controversy. But the strength of the female vote as well as the beginnings of a resurgence of union power will cause problems for business.

Women are realizing the power of organization and with the support of the National Committee on Pay Equity, the Coalition of Labor Union Women (CLUW) and of the unions themselves, women will begin to make a difference in the working world.

The advocates place themselves within this group, and rightly so. They have been the ones to go through the congressional hearings of 1983 and 1984 and have also broadcasted the position of women in the working world for many years. Furthermore, they are the ones supporting the National Committee on Pay Equity and CLUW to educate the public as to the causes of wage inequities.
But for the issue itself, all is not well. The comparable worth issue is trying to incorporate many years of inequities in the work place into one problem--a woman's problem. By not dealing with the inequities seen between job areas or between unlike occupations held by people of the same sex, they are missing a large part of the problem.

The free enterprise that America has been built on and continues to function from provides the necessary means to correct wrongs, but at the same time, admits that not all wrongs can be corrected to the best interest of all. For example, when dealing with pollution (though not an employee problem), we all see the need to correct it. However, we cannot all agree on the best way to deal with it nor can we agree as to the exact scope of the problem. Therefore, many times the pollution problem is only alleviated for a short time or put off until another time when resources and knowledge are better able to deal with it.

I see this same relationship occurring with comparable worth. I feel that all of us can see the wrong occurring because of unequitable wages being paid to people. But can we limit this wrong to only those cases of women who are being paid less than a man in a similar area or should it also include women being paid less than men in dissimilar areas but of equal importance to society? There is also the question of economics and of supply and demand. While we can see that this has not
always worked in the nursing profession, it has worked in other industries such as engineering which is now attracting many more female students than years past.

I believe that the comparable worth issue has been caught by a swing from the liberal to the conservative side of America. As administrations from 1974 to the present began to be more conservative, women's issues were placed on the back burner while such things as defense and opportunities for business growth became key issues. When the pendulum is ready to swing towards the more liberal side of politics, then women's issues may return to favor along with other human interest issues.

I do not feel that the presence of the Reagan Administration alone has stunted the growth of comparable worth. Since 1974, the EEOC has been sitting on over 250 cases--many of those against local or state government--so the Reagan administration alone cannot be blamed for EEOC inaction. Instead, I think we need to look at the pressures being placed on the EEOC by a variety of interest groups with substantial political power to see why they are reacting to current issues with such inaction.
Therefore, I believe that the arguments between business, advocates and unions with government as the referee will continue for many years and that as these arguments continue, the winner will never be clearly selected. Because I feel that comparable worth cannot be settled by making it a clearly women's issue or a clearly economic issue, it will be necessary for each side to begin to look at the other side before a resolution can be reached. This will not occur tomorrow, next month or even next year, but it will occur.
ENDNOTES

1 Carolyn Shaw Bell, "Comparable Worth: How Do We Know it Will Work?," *Monthly Labor Review* (December, 1985), p. 5.

2 Ibid.


5 Supreme Court of the United States, County of Washington et al., v. Alberta Gunther et al., No. 80-429, June 8, 1981, p. 4.

6 Ibid., p. 5.

7 Ibid., pgs. 4-5.


