

THE IMPLEMENTATION OF COMPARABLE WORTH:
CHALLENGES TO SEX-BASED WAGE DISCRIMINATION

by

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ABSTRACT

In 1984, despite twenty years of equal employment policies and improved educational training women working on a full-time, year-round basis continue to earn roughly sixty percent of the wages earned by men. At the same time women work primarily in sex-segregated occupations. Recent research shows a significant correlation between these two phenomena. Comparable worth has emerged as one policy tool to eliminate that part of the wage gap due to sex-based wage discrimination.

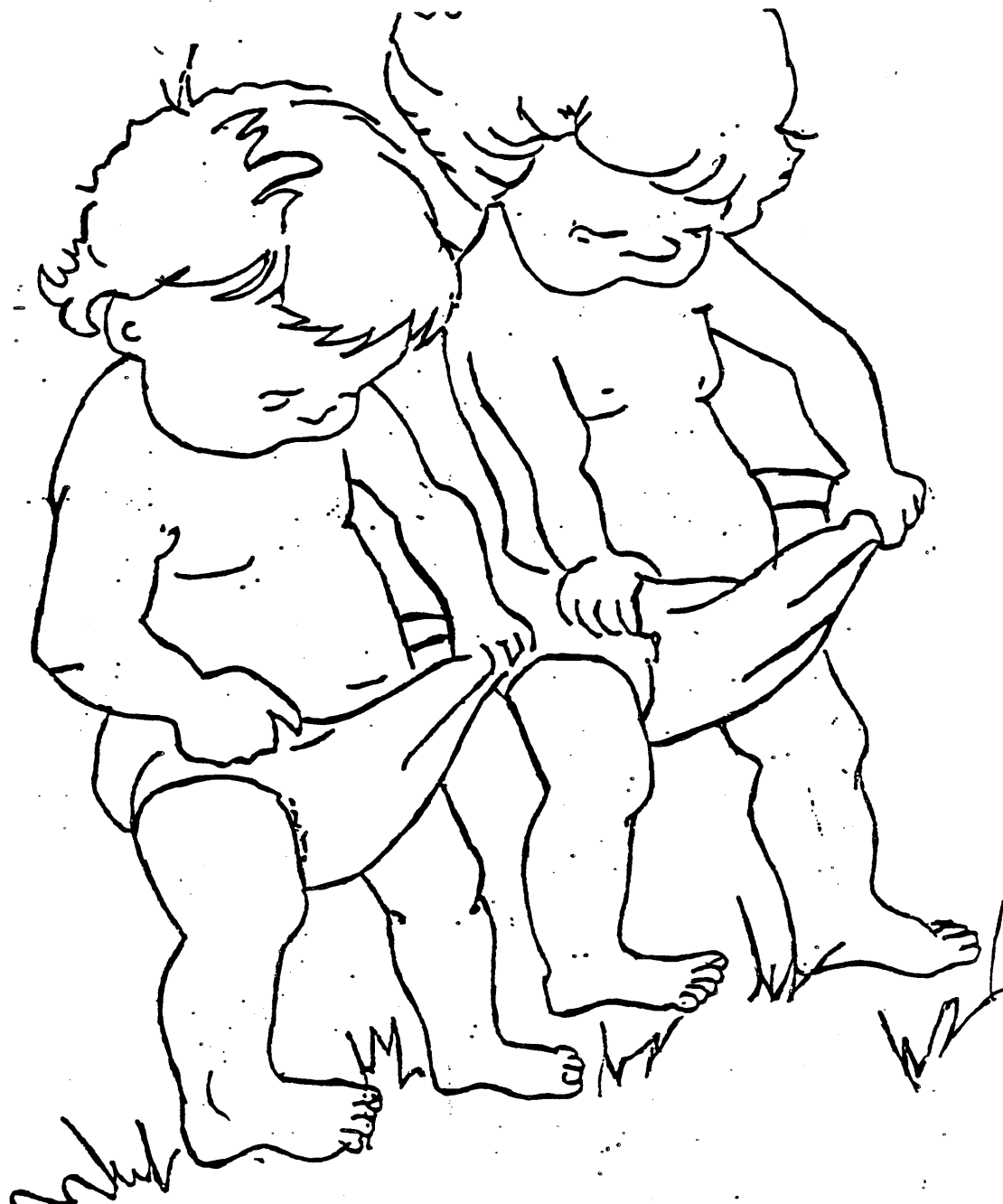
This thesis investigates the theoretical basis and historical background for a comparable worth policy and explores how this policy has been implemented. Trade unions, women's groups and some state and local governments have promoted comparable worth primarily in the public sector through collective bargaining and legislation. Legislation can effect a broad range of job categories. The legislative approach relies on the efforts of elected officials, and therefore, is vulnerable to political shifts in the government. The collective bargaining approach involves a higher degree of worker participation, and depends more on the strength of unions at the bargaining table. Regardless of method, comparable worth has effectively raised the wages for workers in underpaid female-dominated jobs. Research shows, however, that comparable worth has been limited in its scope and in its ability to fully identify sex-bias in wage setting practices. Still the achievement of comparable worth can alter the economic status of women and begin to challenge prevailing cultural attitudes which undervalue "women's work".

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oh, that explains the difference
in our salaries!

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"If anyone vows the value of a person and wishes to discharge the vow: a man shall be valued at fifty shekels...a women shall be valued at thirty shekels."

--Leviticus 27:3-4

Chapter 1: INTRODUCTION

Comparable worth has become one of the most talked about and debated public policy issues in the United States. Trade unions have made it one of their top bargaining issues; seminars for management personnel teach how firms can avoid this "human resource trap;" the former director of the Equal Employment Opportunity Commission called it the "civil rights issue of the eighties;" and a federal judge claimed it is "pregnant (sic) with the possibility of disrupting the entire economic system of the United States" (Feldberg, 1985). Comparable worth was an issue in the 1984 presidential campaign with the Democrats strongly supporting it, and the Reagan administration refusing to take an official stand but calling it "a nebulous idea at best". (New York Times, 1984). What is comparable worth? Why does it evoke such strong reaction?

Comparable worth is a policy which seeks to eliminate that portion of the wage gap between men and women that can be attributed to sex-based wage discrimination, i.e., that which occurs when the sex composition of job incumbents influences what an employer is willing to pay those who do the jobs. Rejecting a system which places a lower value, and, consequently, a lower wage, on the work done by women,

comparable worth advocates demand that jobs requiring comparable skill, effort, responsibility and working conditions be equally compensated. By challenging the systematic undervaluation of women's work, i.e. the artificial depression of women's wages relative to the wages that would be paid if the jobs were done primarily by men, comparable worth addresses a type of discrimination thus far unchallenged by existing equal employment policies. Comparable worth differs from the idea of equal pay for equal work because it recognizes that men and women work in different occupations. It differs from affirmative action programs because the goal of comparable worth is not to move women out of their current professions but to increase the wages of the "undervalued" work they are already doing.

In 1984, despite twenty years of equal employment policies, a woman working on a full-time, year-round basis earned approximately 64 cents for every dollar earned by a man (Smith and Ward, 1984, p. xiii). At the same time, the labor market continued to exhibit a high level of segregation by sex with men and women employed in different occupations. According to one study, two-thirds of all employed men and women would have to change jobs in order for their distribution across occupations to be similar. (Steinberg, 1984, p.4). In 1981, a major study by the National Academy of Sciences/National Research Council (NAS/NRC) concluded that men and women not only do different jobs, but that occupational segregation accounts for a substantial part of the wage gap. In fact, they found that

"the more an occupation is dominated by women, the less it pays." (Treiman and Hartmann, 1981, p. 28). While part of the wage differential can be attributed to education and training differences between men and women, there is an unexplained wage differential that is due at least in part to the fact that the jobs are done primarily by women.

In the last decade the idea of comparable worth has been translated into policy in a variety of ways. More than 30 states and over 100 localities have begun to address the problem of the wage gap among public employees. And pressure is mounting on private sector employers to address the issue as well. Advocates have raised the issue through public education, collective bargaining, and litigation resulting in comparable worth legislation, collective bargaining agreements that include "comparable worth" wage adjustments, and litigation over the validity of the comparable worth claim. Workers are beginning to let employers know that sex-based wage discrimination will no longer be tolerated. In a recent poll conducted by the National Committee on Pay Equity (NCPE), a coalition of labor unions and women's and civil rights groups working for comparable worth, 83% of the workers questioned supported the concept of comparable worth as one way of closing the wage gap. (NY Times, February 14, 1985).

The fight for comparable worth policies has evoked widespread controversy and ardent opposition. Comparable worth challenges one of the basic value systems in our

culture: the way in which compensation is determined and value is assigned to work. As Helen Remick explains:

"Most men use their earnings as a primary measure of their self-worth; women tend to use other measures because by this measure they are nearly worthless and certainly worth less. A proposal to alter fundamentally the manner in which wages are assigned is therefore likely to arouse some emotion in virtually everyone." (Remick, 1984, p. x).

By challenging prevailing cultural ideas about the relative value of different work activities, comparable worth raises many uncomfortable questions for employers. Arguing that comparable worth is not grounded in any legal rationale, employers have strongly resisted most comparable worth activities. (Livernash, 1980; BNA, 1984). Critics of comparable worth contend that it will destroy the free market as the basic mechanism for setting wages. Comparable worth does not, however, dismiss the importance of the market for setting wages; rather, it requires employers to pay fair market wages to women. Wages rates should be based on the content of jobs, not on the characteristics of workers. Comparable worth calls for removal of discrimination from the market, not the destruction of it. In the past, employers have used these same arguments to oppose other labor market reforms which seek to reinterpret compensation practices (e.g. the fight for a minimum wage law and an eight hour day). (Madison, 1983; Steinberg, 1984).

Opponents of comparable worth also argue that it is impossible to compare dissimilar jobs because it is like comparing apples and oranges. Yet, Remick and Steinberg

(1984) point out:

"Of course, any particular apple may not be equal to any particular orange, nor are all apples identical. Yet, there are general characteristics of fruit, such as the number of calories, the vitamin content, and so on, that make it possible to compare specific apples with specific oranges. Along some dimensions of comparison, the apples and oranges compared may, in fact, be equivalent, and therefore of equal value. Likewise certain dissimilar jobs may comprise functional tasks and characteristics that, from the employers point of view, are equivalent in value." (p.288).

Finally, critics charge that implementing comparable worth will be too costly to employers. While proponents do not deny that comparable worth adjustments may be costly, cost is no justification for letting discrimination continue. No one has argued that all wage discrimination be ended all at once. As with other labor market reforms, such as Title VII and the minimum wage laws, comparable worth is usually implemented in phases. Spreading the costs out over time can reduce the fiscal impact. Initial adjustments usually represent only a small fraction of an employer's total wage bill. (Remick and Steinberg, 1984, p.290; Cook, 1984, p.280).

As comparable worth activities proliferate around the country the controversy has gained national attention. Clarence Pendleton, chairperson of the U.S. Civil Rights Commission, recently called comparable worth "the looniest idea since Looney Tunes." (NY Times, date). This opposition from the present administration and from many employers has not altered the determination of trade unions, women's groups, and some state and local governments to put an end

to sex-based discrimination in wage setting practices. Rather it has shifted the locus of activity from the federal legislative and judicial arena to state and local legislation and the collective bargaining arena.

My thesis will investigate how the implementation of comparable worth has been achieved. Chapter Two will look at the theoretical and historical background of comparable worth, specifically investigating the explanations for the existence of the wage gap, theories of wage and employment discrimination, the link between the wage gap and occupational segregation, and how a policy of pay equity based on the principle of equal pay for work of comparable value addresses discrimination in wage setting practices that has thus far not been addressed by other equal employment policies. I focus specifically on sex discrimination. Although race discrimination in wage setting exists, the wage gap between men and women is larger, and the extent of occupational segregation greater, than that between minorities and non-minorities. Comparable worth policy can also serve as a basis for correcting race-based discrimination. In Chapter Three, I look at several case studies of comparable worth implementation. The cases illustrate how implementation is affected by the existing procedure for setting wages, by the degree of support for the comparable worth policy on the part of both the employees and management, and by the political context in which the events take place.

Chapter Four will analyze the case studies to see how the implementation of comparable worth challenges existing procedures for setting wages. Specifically, I will discuss how achieving comparable worth through collective bargaining differs from achieving it through legislation and how the political contexts of each shapes the process for questioning wage setting practices, i.e., how strong union support and the level of management cooperation affect the amount and type of wage supplement awarded; how it affects the mechanisms established to insure that comparable worth is achieved. Chapter Five will consider the limitations of comparable worth policy as it has thus far been applied; and explore what steps must be taken to insure that discrimination will not reenter the wage setting process. Chapter Six will summarize the findings of this thesis.

Chapter 2: THEORETICAL AND HISTORICAL BACKGROUND OF COMPARABLE WORTH

The Wage Gap

The most significant change in the United States labor market since the end of World War II has been the dramatic increase in both the number and the proportion of women workers. In 1950, roughly 33% of adult women were in the workforce, representing only 27% of all workers. By 1980, more than 50% of all women worked outside the home, accounting for 43% of the workforce. (Blau, 1984). Yet, over a period of time during which women have entered the workplace in record numbers, the earnings ratio between men and women has remained relatively constant. Over the last forty years it has fluctuated around sixty percent. See Table 1). What causes the wage gap? Why has it remained unchanged?

Two different sets of explanations have been offered as to why this differential between the earnings of men and women persists. The first argues that pay differences are due to the characteristics of workers. The second set focuses on characteristics of jobs.

The "worker characteristic" (supply-side) theories draw upon the neoclassical economic theory of wages. Starting with the concept that individuals are compensated based on their relative productivity, human capital theories posit that investments in individual productive skills earn certain payoffs in the labor market. In the absence of

TABLE 1

Comparison of Median Earnings of
Year-Round, Full-Time Workers
By Sex, Selected Years, 1939-1981

Year	Median Earnings		Women's Earnings As A Ratio of Men's
	Women	Men	
1981	\$12,001	\$20,260	59.2%
1980	11,197	18,612	60.2%
1979	10,151	17,014	59.7%
1978	9,350	15,730	59.4%
1977	8,618	14,626	58.9%
1976	8,099	13,455	60.2%
1975	7,504	12,758	58.8%
1974	6,772	11,835	57.2%
1973	6,335	11,186	56.6%
1972	5,903	10,202	57.9%
1971	5,593	9,399	59.5%
1970	5,323	8,966	59.4%
1969	4,977	8,227	60.5%
1968	4,457	7,664	58.2%
1967	4,150	7,182	57.8%
1966	3,973	6,848	58.0%
1965	3,823	6,375	60.0%
1964	3,690	6,195	59.6%
1963	3,561	5,978	59.6%
1962	3,446	5,974	57.7%
1961	3,351	5,644	59.4%
1960	3,293	5,317	61.9%
1959	3,193	5,209	61.3%
1958	3,102	4,927	63.0%
1957	3,008	4,713	63.8%
1956	2,827	4,466	63.3%
1955	2,719	4,252	63.9%
1946	1,710	2,588	66.1%
1939	863	1,356	63.6%

Source: National Committee on Pay Equity, "The Wage Gap: Myth and Facts," (NCPE): Washington, D.C., 1983, p.2.

discrimination, a worker is paid based on his or her economic contribution to the firm (i.e. their marginal productivity). Because a worker's marginal product is difficult to measure empirically, human capital theories have looked at differences in workers' productivity characteristics instead. If women earn less than men, it is because on average they have fewer years of formal education and training than men a result of from their decision to invest less time than men in their education and training. Women's lack of skills makes them less productive and hence, less well paid. (Blau, 1984; Stevenson, 1978; England, 1984; Treiman and Hartmann, 1981).

In an extension of the human capital theory, Polchak argues that acquired human capital may depreciate over time from non-use. Therefore, women earn less than men because they interrupt their careers for childrearing and homemaking, which lessens their seniority and deteriorates their productivity, resulting in lower paychecks. (England, 1984). Motivated by economic choice, women will choose to acquire skills that do not depreciate rapidly from non-use and subsequently will choose to enter jobs in which wages are not dependent upon the continuous accumulation of skills.

Empirically, human capital theories cannot entirely account for the persistence of the wage differential between men and women. Various studies (Stevenson, 1978; England, 1984) show that although the education gap between men and women has virtually been eliminated, significant pay

differentials persist. In 1981, a woman with a college degree earns an average of \$2000 less per year than a male high school drop-out (NCPE, 1984;) (See Table 2). Furthermore, in reviewing twenty-one major studies on the male-female earnings gap, Lloyd and Niemi (1979) found that variables influencing worker productivity and characteristics usually accounted for less than 25% and never more than 50% of the earnings differential, the residual being attributed to discrimination.

The second set of explanations about the existence of the wage gap focusses on job characteristics. Recognizing that different jobs require different skills and responsibilities, it is expected that earnings will differ among jobs. It may be that women are in jobs that require less skill, effort and responsibility. The difference in pay between men and women would then legitimately be based on differences in "productivity-related job content characteristics." (Steinberg, 1984, p.17). However, these job content differences can account for some, but never all, of the intra-occupational differences in pay. (Treiman and Hartmann, 1981).

While these theories address why jobs may be rewarded differently, they do not address the question of why men and women tend to work in different types of jobs. The NAS/NRC study found that the single biggest reason women earn less than men is that, overwhelmingly, women and men do not work in the same jobs. Rather, women work in a narrow set of

TABLE 2

Median Annual Earnings of Full-Time Wage
And Salary Workers* By Education, 1981

Level of Education	Men	Women
8 years or less	\$13,468	\$ 8,788
1 to 3 years of high school	16,328	9,724
4 years high school	18,876	11,544
1 to 3 years of college	20,696	13,468
4 years of college	23,868	15,548
5 or more years of college	26,364	18,824

* Excludes part-time workers and the self-employed.

Source: Helen Remick, "Comparable Worth: Economic Equity for Women". Manoa, HI: Industrial Relations Center, 1984, p.3

sex-segregated occupations (occupations in which at least 70% of the incumbents are of one sex). In 1982, more than 80% of women employees worked in only 20 of the 427 detailed occupations listed by the Bureau of Labor Statistics. (Madison, 1983, p.6). In comparison, men were much more evenly distributed among more than 300 occupations (Gold, p.6); less than 20% of men were employed in the ten largest male-dominated occupations. (Grune, 1984).

Recent work shows that over the last four decades the degree of occupational segregation, like the wage gap, has remained substantially unchanged. From 1950 to 1979, the percentage of women in sex-segregated occupations (over 85% single sex) has actually increased from 35.7% to 46.3% (Burris and Wharton, 1982). In fact, more than 80% of women working outside the home were in occupations which were 75% female, and 22% were in jobs which were 95% female. (NCPE, 1983, p.5) Today, a woman is actually more likely to be doing some type of "women's" work than a woman working in 1950. In 1950, one out of every four working women was a clerical worker; by 1980, that figure had grown to one out of every three.

Women are not only confined to different jobs, but they get paid less for their work. The NAS/NRC study, completed in 1981, concluded that the more an occupation is dominated by women, the less it pays. (Treiman and Hartmann, 1981). Neither the personal characteristics of the employees nor the difference in job requirements can explain the extent of the relationship between sexual composition of occupations

and the earnings of job incumbents. In fact, the sex of the worker doing a job is the single best indicator of the compensation of that job. (Remick, 1984; Treiman and Hartmann, 1981). What accounts for these phenomena? How do economists explain the apparent discrimination against women in the labor market?

The Wage Gap, Occupational Segregation, and Discrimination

The facts that the wage gap exists and that the labor market exhibits a high level of occupational segregation by sex are undisputed. Rather, the controversy surrounds the critical question: how much is the wage gap and occupational segregation due to women's choice of jobs, their restriction to low paying jobs, or the underpayment of some jobs because they tend to be held by women? Comparable worth advocates charge that the wage gap exists primarily because of wage discrimination against women. What does the empirical evidence tell us?

The first explanation is that women voluntarily choose certain occupations despite the fact that such jobs are relatively low paid. This preference for low paid work is attributed to a variety of reasons, among them: socialization (belief that only certain occupations are appropriate for women); education (lack of training or skills reduces job alternatives); lack of information; and conscious decisions to forego certain occupations in order to be able to fulfill the dual demands of work and family.

While it is difficult to assess the impact of choices,

because choices may be adaptations to constraints rather than choices between alternatives, empirical studies have attempted to measure the role of choice in determining women's position in the labor market by looking at the relationship between wages and continuity of work experience. The hypothesis was made that if women's skills depreciate over time due to the interruptions in their labor force participation, this would correlate with lower wages. In reviewing several studies (Mincer and Polchak, 1974; England, 1982; and Corcoran, 1979) Treiman and Hartmann (1981) found the results rather inconclusive. Certainly, the role of choice affects the distribution of women across occupations, but choice alone cannot explain the extent of the occupational segregation found in the labor market. (Treiman and Hartman, 1981, p.53-54).

The two other explanations of women's concentration in low paying occupations--exclusion from particular jobs and undervaluation of women's work--constitute different forms of employment and wage discrimination. Employment discrimination occurs when one class of workers is denied access to higher paying jobs solely or partly on the basis of sex, race, religion, or ethnic origin. Wage discrimination occurs when one group of employees is paid less than another for reasons unrelated to the work performed. There are two types of wage discrimination. One is when two workers performing the same work are paid differently; the other type is relatively harder to detect

and occurs when the job structure within a firm is substantially segregated by race or sex of the workers and the workers in one category are paid less than those in the other although the work performed is comparable based on job requirements. (Ibid, p. 9).

Exclusion occurs when employment or promotional opportunities are restricted to certain workers based on their race, sex, religion, or another social characteristic. Neoclassical economists offer several employment discrimination theories. One theory argues that some employers simply have a preference or "taste" for certain employees which are not economically motivated, and are willing to pay more to hire a particular group of workers, in this case, men. Statistical discrimination occurs when employers prefer to hire members of a particular group of workers because of prevailing stereotypes about this group that may or may not apply to the particular worker in question. The "crowding" theory states that women are denied access to high paying jobs, and instead "crowded" into certain occupations, creating an oversupply of labor. The separation of the sexes increases their productivity differences. Productivity differences together with an oversupply of women workers holds women's wages artificially low. (Blau, 1984; England, 1984; Stevenson, 1978; Wallace, 1982).

Radical theorists argue that the segregation of the workforce is a result of a segmented labor market wherein job characteristics and industrial structure combine to

funnel women into low paying, secondary jobs. Jobs in the primary market are characterized by high pay, stability, high skill level, and occupational mobility; secondary jobs, where women are concentrated, lack these qualities. Movement between the two tiers is virtually non-existent. This dual labor market in which jobs and workers are divided into distinct categories increases the power of employers by providing them with a low wage workforce and preventing worker solidarity through the artificial division of workers along sex and race lines. (For further discussions see Stevenson, 1978; Gordon, Edwards, Reich, 1982; England, 1984).

Treiman and Hartmann (1981) reviewed several empirical studies (Schlei and Grossman; Malkiel and Malkiel) that sought to document employment and discrimination patterns within firms. They concluded that although it is often difficult to detect employment discrimination, disparate treatment of men and women in job assignment, promotion, etc., based on their sex does exist. Title VII of the Civil Rights Act of 1964 outlawed this type of behavior, making it illegal for an employer to discriminate in any employment practice--hiring, firing, promotion, job assignment or compensation--based on the sex, race, religion, or ethnic origin of an employee. Still, such conduct has not been eradicated.

The other explanation of lower pay rates for women is that women's work is underpaid because it is done primarily

by women. When the work done by men and women is substantially similar, the discrepancy in pay is easier to detect, although there still remains the legal question of how similar jobs must be to be considered "equal". The Equal Pay Act, passed in 1963, made it illegal to pay different wages to men and women performing substantially similar work. Identifying differences in pay rates when jobs performed are substantially different in effort, skill, responsibility, and task content is harder to detect. Comparable worth policy is designed to eliminate such practices. While the empirical evidence is limited, there are several documented cases where job evaluation procedures were examined and it was found that the sex composition of the workforce influenced the pay rate. (See War Labor Board case (Newman, 1976); Washington State study (Remick, 1980)).

For example, a 1972 case against General Electric demonstrates how an employer violated its own criteria for determining relative pay rates and was found guilty of intentional sex-based wage discrimination. In a lawsuit, the International Union of Electrical, Radio and Machine Workers (IUE) was able to show that the wage rates for men's and women's jobs were set by the same job evaluation method and despite similar ratings the highest wage rate for women's jobs was below the lowest rate for men's jobs (Treiman and Hartman, 1981, p.58-60; Newman, 1976, p.270).

In reviewing the evidence on the link between job segregation and wage differentials, the NAS/NRC study concluded that theories focusing on women's choice of low

paying jobs and their exclusion from high paying jobs fail to fully explain the extent of the wage gap. The undervaluation of work because it is primarily done by women accounted for a substantial part of the observed wage gap:

"The committee is convinced by the evidence...that women are systematically underpaid...[and] that the strategy of 'comparable worth' merits consideration as an alternative policy intervention in the paysetting process." (Ibid, p.66)

Job Evaluation and its Role in Comparable Worth

Theories of occupational segregation and discrimination attempt to explain why men and women work in different jobs and why the pay differential between those jobs persists, yet they do not explain how wages are set within the firm. Comparable worth seeks to end sex-based discrimination in wage setting at the firm level, thus it is important to understand compensation procedures. Historically, employers have kept their systems for allocating wages secret (Beatty and Beatty, 1984, p. 59). Traditionally however, employers have relied upon some type of job evaluation plan to determine the relative worth or value of each job within an organization. Comparisons with market wages are then used to set pay levels.

Job evaluation systems are a hundred year old management tool used to evaluate and assess jobs. (Steinberg, 1984, p.19) Today it is estimated that 65% of employers in the public and private sector use some type of job evaluation plan (Walker and Grune, 1984, p.1). Employers who do not have formal plans use market prices for

certain "key" jobs to peg the wages of related jobs in the firm and, thereby, develop internal hierarchies without evaluating job content.

More systematic job evaluation plans commonly involve a two part process: first, job content is analyzed and described so that jobs can be ordered or placed within an internal job hierarchy. Then wages are assigned to jobs. Most often employers determine internal salary ranges through external valuing, i.e. employers survey salaries with same job families at other firms in order to determine the "prevailing wage." Usually there is no attempt to adjust wages among job families to establish equity. Such differences are considered by some to be acceptable reflections of market forces of supply and demand (Remick, 1980, p.406; Beatty and Beatty, 1984).

There are several methods of job evaluation used to determine internal job hierarchy and wage structures. The simplest one is job ranking. Jobs are ranked on the basis of overall worth or value to an organization. There is no breakdown of job content. Another method, the classification system, was originally developed by the federal government for civil service jobs. This process involves first establishing a number of pay grades or jobs classes. Broad descriptions are then written for the types of jobs which fit in each grade. Individual job descriptions are compared to the grades' descriptions and assigned accordingly. Ranking and classification systems are considered non-quantitative evaluation methods because

they do not produce precise scores for each job; rather employer's assess a job's overall value and determine a position for each job within the firm's hierarchy.

The point factor method is a quantitative approach to job evaluation in which the various segments of a job are analyzed to produce a job "score." This method provides explicit criteria for rating job factors. Although point factor systems vary, most share a common process: jobs are described; descriptions are rated based on "comparable" factors--usually effort, skill, responsibility, and working conditions. These ratings are added to create a job score; and scores are used to assign jobs to pay classes.

Traditionally assumed to be fair and neutral, the use of job evaluation may reinforce patterns of sex-bias and can be discriminatory in several ways. (Remick, 1984, p.99). First, an employer may use more than one evaluation plan to assess all jobs within the firm (i.e. one for the shop workers, another for office workers, another for management personnel). If this occurs, dissimilar jobs may be evaluated based on different techniques and never compared to one another. Due to the extreme sex segregation of the workforce, the use of separate evaluation plans could serve to reinforce the undervaluation of female-typed jobs.

Second, even if the same system is used on a firm-wide basis, job evaluation would still incorporate cultural and personal bias. The job evaluation process is based on the subjective judgements of those who rate the jobs. Employers

who stereotype workers may place considerable value on a job, but the identification of women with its performance may lower the jobs rating relative to jobs done predominantly by men.

Finally, the factors used in evaluation may reflect and reinforce sex biases in the market. For example, the lifting of heavy boxes, a task done in many male-dominated jobs, is usually considered more difficult and therefore worthy of greater value (i.e., given more points) than the lifting of people, a task required of many female-dominated occupations, such as nursing. Furthermore, certain skills may go unrecognized. Skills such as guidance and nurturing--often thought to be intrinsic skills of women rather than skills required to perform certain jobs--may not be formally included in job descriptions. For example, the Dictionary of Occupational Titles (DOT) rated zookeepers higher than daycare workers. Researchers found that DOT overlooked many job characteristics of female-dominated jobs, confusing job content with employee characteristics. (Steinberg, 1984, p.23; Treiman and Hartmann, 1981).

Despite the limitations of job evaluation methods, these plans do provide a systematic method for comparing jobs and analyzing whether jobs of comparable worth to employers are being consistently compensated. Indeed, these methods have played a pivotal role in implementing comparable worth in the wage structure of firms and winning compensation for women in highly-segregated undervalued occupations. As a technique used to identify sex-bias in

wage setting, job evaluation must fill two roles:

"First it must determine whether the salaries associated with female-dominated job titles accurately reflect an explicit and consistently applied standard of value or whether they are artificially depressed because women fill the jobs. Second, it must pinpoint job titles that may be undervalued and then develop estimates of potential costs of correcting for this wage discrimination." (Steinberg, 1984, p.19)

One aim of comparable worth policy is to eliminate discrimination in wage setting through the consistent application of a particular job evaluation system to all jobs in an establishment; a second is to change the choice and valuation of compensable factors to adjust for sex-biases in the assessment of job content. Because job evaluation systems are unscientific, they are fairly vulnerable to criticisms; it is difficult to actually validate that they measure what they say they do. Despite their drawbacks, they can be used to systematically assess jobs to see if they are being fairly compensated relative to other jobs within a firm. (Verma and Wallace, 1982). In most comparable worth cases, the point factor system has been used to critique existing job evaluation systems. The point factor method is used most often because its criteria are explicit and it is relatively easy to use, and hence, it may be more reliable. (Beatty and Beatty, 1984). While the quantification of this method may make it less subjective, it is still subject to the problems outlined above.

Job evaluation studies have served as the base for more than two dozen comparable worth claims. (Steinberg, p.21).

Despite differences in evaluation techniques, these studies consistently arrived at the same conclusion: predominately female jobs are paid less than predominately male jobs of comparable worth to the employer. Table 3 summarizes the findings of three separate studies done in Minnesota, San Jose, and Washington State.

History of Comparable Worth As Policy

The policy of comparable worth has evolved as one way to rectify the sex discrimination that results from the link between the wage gap and occupational segregation (Remick, 1984b). By calling for equal pay for work of equal value, comparable worth advocates are rejecting a system which places a lower value on and, consequently, pays a lower wage for, work done by women. Comparable worth demands the remuneration of work based on the relative value of the work to an employer, regardless of employee characteristics. (Feldberg, 1984; NCPE, 1983). The underlying principle is that jobs valued equally by an employer should be compensated on an equal basis. As with other equal employment policies, the focus is on correcting discrimination at the firm level. Comparable worth is specifically concerned with eliminating sex-bias within a firm's compensation system; it does not address problems of wage differences due to employment in different firms.

Although it may seem to be a relatively recent concept, the idea of comparable worth in wage setting has been raised and fought over before. Comparable worth policy

TABLE 3

Comparison of Worth and Salary of
Selected Jobs From Job Evaluation Studies

JOB TITLE	MONTHLY SALARY	NUMBER OF POINTS

MINNESOTA		
Registered Nurse (F)	\$1723	275
Vocational Ed. Teacher (M)	2260	275
Health Program Rep. (F)	1590	238
Steam Boiler Attendant (M)	1611	156
Data Processing Coord. (F)	1423	199
General Repair Work (M)	1564	134

SAN JOSE, CALIFORNIA		
Librarian I (F)	750	288
Street Sweeper Op. (M)	758	124
Senior Legal Secretary (F)	665	226
Senior Carpenter (M)	1040	226
Senior Accounting Clerk (F)	638	210
Senior Painter (M)	1040	210

WASHINGTON		
Registered Nurse (F)	1368	348
Highway Engineer 3 (M)	1980	345
Laundry Worker (F)	884	105
Truck Driver (M)	1493	97
Secretary (F)	1122	197
Maintenance Carpenter (M)	1707	197

*Points and salaries are not comparable across studies.

Source: National Committee on Pay Equity, "The Wage Gap: Myth and Facts." (NCPE): Washington, D.C., 1983, p. 5.

has evolved over the past sixty years primarily as an outgrowth of equal employment policy. The first stage of development involved the passage of state legislation and National War Labor Board Orders. More recently, comparable worth activities have been set into motion by several federal laws and regulations. (Steinberg, 1984; Dean, et.al., 1984).

The early history of pay equity focussed on the policy of equal pay for equal work, a demand which was articulated during the early part of the century among trade unions and women's rights groups. It was not until World War II, however, that the issue received widespread attention. At that time, as women moved into the workforce in large numbers to replace the men, several eastern states passed legislation prohibiting sex-based wage discrimination and the National War Labor Board heard thousands of equal pay complaints. (Steinberg, 1984; Blumrosen, 1979).

The first national-level case to challenge sex-based wage discrimination came during World War II. A 1945 case before the War Labor Board established that despite professionally evaluating jobs within their plants to determine level of skill, effort and responsibility, General Electric used separate scales one for men and one for women by which to set wages for all jobs. On average, wages for women's jobs were one third lower than men's jobs, although General Electric's own evaluation system showed the jobs were comparable in terms of evaluation points. In fact, the highest paid female job was paid less than the lowest grade

men's job. In a similar case, Westinghouse Electric paid women's jobs 18-20% less than "comparable" men's jobs. As a result of these findings, the War Labor Board granted an exception to the national emergency wage freeze, ruling that women's wages should be paid in accordance with value of job worth and not on basis of sex of employee. (Newman, 1976, p. 527; Treiman and Hartmann).

Following World War II, efforts to end wage discrimination focussed primarily on the call for equal wages for equal work. In the 1940's and 1950's, attempts to get national legislation mandating equal pay for equal work failed, due in part to anti-union backlash. (Steinberg, 1984). A decade later in 1963, the U.S. Congress finally passed the Equal Pay Act, which prohibits employers from paying different wages to men and women performing the same work.

Although the comparable worth standard was part of the original Equal Pay bill, it was deleted from the final bill after lengthy debate in Congress. Consequently, the Act stopped short of mandating comparable worth, calling instead for equal pay for men and women doing the same work. In interpreting the Equal Pay Act, the courts have ordered that only jobs with substantially similar content, i.e. a nurse's aide and an orderly, must be compensated on the same basis. By the late 1970's, the wage gap remained essentially unchanged. The Equal Pay Act only addressed wage discrimination in jobs with overlapping requirements. It

offered no specific provisions for jobs with dissimilar content and, therefore, did not affect the vast majority of women who continued to work in occupations that were overwhelmingly female-dominated and substantially different from men's jobs. The Equal Pay Act, applying only to those situations in which men as well as women are employed doing similar work, offers little protection to most working women.

In an effort to end employment discrimination, Congress passed the Civil Rights Act in 1964. Title VII of the Act specifically referred to equal employment opportunity and employment discrimination. Going far beyond the Equal Pay Act both in terms of coverage and types of behavior outlawed, Title VII made it illegal for employers to discriminate in any employment practice on the basis of a worker's race, religion, or ethnic origin, or sex (with certain limited exceptions). Therefore, employers could no longer institute separate pay scales for men and women. However, instead of blending the two pay scales in a more equitable fashion, employers often combined the wage scales for men's and women's jobs and simply assigned women's jobs the lowest wages. (See for example, Westinghouse case in Treiman and Hartmann, 1981, p. 58). Thus, rather than eliminate wage disparities employers just institutionalized them in a different format.

What followed from Title VII was an affirmative action program mandating quotas and timetables for training programs and hiring policies. Supporters of Title VII

believed that its implementation would open all jobs to qualified applicants regardless of sex, race, or ethnic background, and that eventually men and women would be evenly distributed among all occupations, thus closing the earning gap. (Lloyd and Neimi, 1979).

Twenty years later neither legislation to end wage discrimination, nor improved opportunities for education and training have significantly altered the economic situation of the majority of women. Women continue to earn, on average, roughly 60% of white male earnings. While equal pay laws and improved access to non-traditional occupations are important components of the effort to achieve economic equity for women, they fall short of their goal. The Equal Pay Act does not address the fact that men and women are found in sex-segregated dissimilar occupations.

Title VII and affirmative action programs directly addresses the problem of occupational segregation by working to expand the opportunities for women and minorities to enter male-typed occupations. However, while affirmative action programs have fostered the movement of some women into higher paying, male-dominated occupations, the pace of occupational integration is far slower than the growth of opportunities in female-dominated occupations. (Burris and Wharton, 1982). Today's economy is marked by a declining manufacturing sector (where many high paying male-dominated jobs are found), and a rapidly growing service sector. Low paying female-dominated occupations, including secretarial

and clerical work, and nursing, are among the fastest growing occupations in this emerging economy. (Bluestone and Kuhn, 1982). Thus, even if occupational integration could guarantee a narrowing of the wage gap for those women who move into higher paying male occupations, affirmative action neglects the fact that most women will most likely remain in female dominated occupations. Thus, such remedies offer limited relief to the majority of working women. As the NAS/NRC study concluded:

"Equal access to employment opportunities may be expected to be more effective for new entrants than for established workers and more effective for those who have invested less in skills than for those who have invested more. Since many women currently in the labor force have invested years of training time in their particular skills...access to other jobs may not be preferred." (Treiman and Hartmann, 1981, p.66)

The goal of comparable worth is not to move women out of their chosen professions, but rather to compensate them fairly for the work they are already doing.

Despite its drawbacks, Title VII does provide a conceptual, if not legal, framework for comparable worth efforts. (Steinberg, 1984). In the 1970's, as the struggle to close the wage gap continued, women's groups, civil rights organizations, and unions stepped up their efforts to achieve pay equity based on a broad interpretation of Title VII. Among the earliest activities was the successful campaign in 1974 by the American Federation of State County and Municipal Employees (AFSCME), with the cooperation of the Washington State Women's Council, to get the State of Washington to agree to undertake a comparable worth study of

state employees--the first such statewide study. (For further discussion of this case refer to chapter 3).

While these activities were taking place, the legal interpretation of Title VII remained unclear. Was the law broad enough to cover cases where unequal wages were being paid for dissimilar jobs of relatively equal value to an employer? In a precedent setting decision, the U.S. Supreme Court ruled in June 1981, in Gunther v. County of Washington that Title VII does have broader implications beyond equal pay for equal work. While not specifically judging the validity of the comparable worth issue, the Court held that Title VII could be applied to cases of wage discrimination in which men and women did not fill exactly the same job. (Treiman and Hartmann, 1981, p.5). This historic ruling laid the groundwork for further comparable worth campaigns.

Comparable worth has been promoted as an equal employment policy which specifically addresses that part of wage discrimination neglected by the Equal Pay Act and Title VII: whether the work women do is systematically undervalued either because job evaluation has not been consistently applied to dissimilar male and female jobs or because the content of women's jobs has been inaccurately assessed, or both.

Most comparable worth activity has occurred at the state and local level initiated by unions, or by commissions on the status of women. Currently, twenty-six states have initiatives dealing with sex-based wage discrimination.

Through legislation, collective bargaining, studies, and litigation, comparable worth advocates began to press for an end to sex-based wage discrimination--a practice which they believe violates federal law and is largely responsible for keeping women's wages artificially depressed. But how does the concept of comparable worth get translated into policy? What are the different strategies and tactics used to implement comparable worth in wage setting? In the next chapter, I review several cases of implementation.

Chapter 3: CASE STUDIES IN IMPLEMENTATION

Comparable worth activities are happening all around the country, primarily in the public sector at the state and local level. Currently, more than thirty state and over one hundred localities have initiatives dealing with comparable worth. Leaders in state and local governments, women's groups and unions are addressing the need for comparable worth through a variety of tactics including legislation, litigation, collective bargaining, job evaluation studies, and data collection. (NCPE, 1983; NCPE, 1984). The bulk of efforts to apply comparable worth standards to pay inequities has been in the public sector but sex-based wage discrimination has also been challenged in the private sector, although there are fewer cases. The public sector is the locus of action on comparable worth primarily because job descriptions and wage structures are public information, (generally speaking, this type of information is not readily accessible in the private sector (Bell, 1985, p. 289)), and because elected officials are more receptive to public pressure. Furthermore, comparable worth requires that an employer consistently value dissimilar jobs; as substantial employers state and local government have a wide spectrum of jobs well-suited for comparable worth evaluation.

Another reason that comparable worth activity has grown in the public sector is due to the changing nature of the labor market. In the post World War II era, the public

sector has experienced high growth. Women have entered the labor force at an increasing rate, and many have gone into public sector employment. At the same time, public sector unions were also growing and beginning to attract more women. Today, women in the public sector are twice as likely to be in a union than women in the workforce overall. (Bell, 1985).

This high level of public sector unionization and high level of women within those unions is significant. In each of the cases I will consider, unions have played an important role in promoting comparable worth. Indeed, the unions most active in comparable worth campaigns have a relatively high percentage of women and public sector employees in their membership: the American Federation of State County and Municipal Employees (40% female); the Service Employees Union International (45% female); and the American Nurses Association (nearly all female).

While unions have historically been involved in the struggle for pay equity, the effort to identify and eliminate sex-bias in wage setting of dissimilar jobs is a relatively new area of concern. (Portman, et. al., 1984). In the past, however, even when unions have represented sizable numbers of women, they have not necessarily addressed their concerns. (Blumrosen, 1979, p. 445). Rather, as these cases demonstrate, unions have begun to address the comparable worth issue because of women's increasing participation in positions of union leadership, and because addressing the issue might attract new workers

from the growing service sector to unions in a time of declining union membership. (Bell, 1985, p.280; Rondeau, 1985; Chernoff, 1985.).

Methodology

I have chosen six cases to illustrate how historical wage inequities have been addressed. I chose only cases where wage adjustments have actually been made, although in none of these cases were the initial wage increases enough to fully close the identified gap between the wages of male-typed and female-typed jobs. Five cases are in the public sector (three at the local level and two at the state level), and one is a private sector case. Two cases illustrate the legislative approach to comparable worth implementation, while four show the collective bargaining approach. Comparable worth is a policy still in formation. Thus, I also chose cases for which I could obtain enough information to make analysis meaningful. My sources of information include personal interviews, union materials, published case studies, state government publications, and newspaper and magazine articles.

WASHINGTON STATE

Comparable worth received an important boost in November 1983, when a federal judge in Tacoma, Washington ruled that the state of Washington had discriminated against female employees in not granting equal pay for work of comparable worth. The state was ordered to remedy the situation by paying back-wages and bringing present salaries up to pay equity levels--a \$600 million award. Although the state is appealing the case, the decision that the state was practicing "direct, overt and institutionalized discrimination" (Remick, 1984b) has been hailed as a major victory for proponents of comparable worth.

The Washington case began in 1974 when the Washington State Women's Council and the Washington Federation of State Employees (an AFSCME affiliate) requested that the governor initiate a study of the state's civil service system. The governor agreed, and Washington became the first state in the United States to evaluate public sector employment explicitly to see if pay differentials existed between jobs traditionally held by women and those traditionally held by men. The governor hired Willis Associates, a personnel consulting firm, to do the study and appointed a ten member advisory committee, including representatives from business, labor, women's groups, the governor's office, and the state personnel department, to monitor it.

Rather than look at all three thousand job classifications in the state, the committee chose to compare 121 "benchmark" job categories that represented sex-segregated occupations (i.e. jobs where the incumbents were at least 70% same sex). The evaluation process involved sending a questionnaire to a sample of 1600 employees. Using point rankings, the committee assigned points to the jobs based on the level of knowledge, skill, accountability, and effort the job required. Point levels were then compared with pay scales in the state's civil service system, which were based on elaborate salary surveys of employers throughout the states. (Remick, 1984, p.102).

The study's key finding was dramatic: female-dominated jobs were being paid, on average, only 80% of comparable male-dominated occupations. For example, a registered nurse, a female-dominated job with 348 points, earned \$1368 monthly while a highway engineer III, a male-dominated job with 345 points, earned \$1980. As Table 4 shows, there was virtually no overlap in salary between male and female job categories with the same point rankings.

These results were received enthusiastically by the women's groups and unions who had argued that systematic wage discrimination was widespread in the state. Others greeted the study's outcome more skeptically, arguing that the market would never permit such blatant discrimination.

TABLE 4

THE 1974 WASHINGTON STATE STUDY

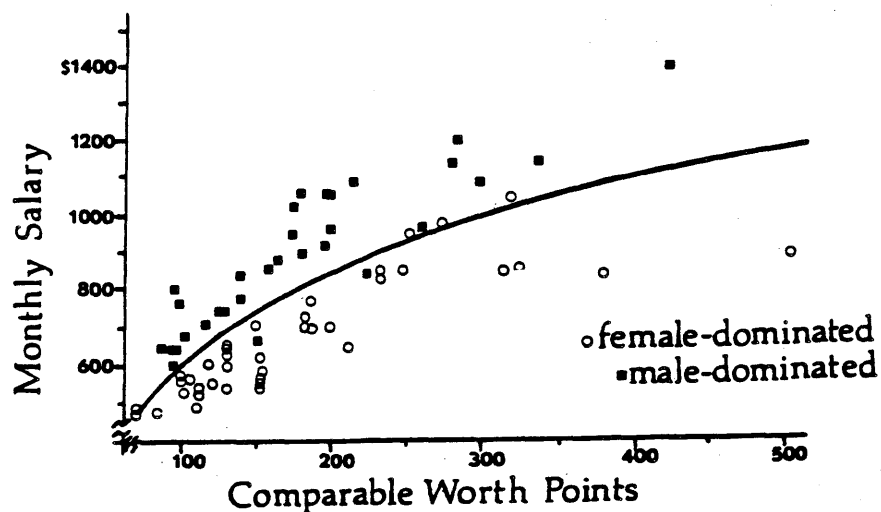


FIGURE 19-2
Willis Data, Classified Staff Only

Source: Helen Remick, "Beyond Equal Pay for Equal Work: Comparable Worth in the State of Washington". In Equal Employment Policy for Women. Edited by Ronnie Steinberg Ratner. Philadelphia: Temple University Press, 1980, p.411.

At this point, the task force disbanded and the implementation process moved to the legislative arena. The legislature, however, refused to appropriate any funds to correct the wage inequities.

Shortly before leaving office, the governor, a strong supporter of comparable worth, included \$7 million in his 1976 budget to begin implementation of initial comparable worth adjustments. The incoming governor, Dixy Lee Ray, campaigned on a platform which included support for comparable worth. Once in office, however, rather than accept the study, she challenged its methodology, claiming that comparable worth was like "comparing apples, pumpkins, and a can of worms" (Remick, 1984, p. 104), and refused to institute any raises. Throughout her four years in office, Ray actively opposed any implementation efforts.

Despite the governor's ardent opposition, the Washington Federation of State Employees continued to push the issue in the state legislature. In 1978, the legislature adopted a union-sponsored bill requiring the state personnel office to prepare comparable worth cost estimates in conjunction with its biennial salary recommendations to the legislature. These reports were to show the cost of equalizing salaries of jobs which appeared to be underpaid; but the statute failed to provide a mechanism for documenting the pay disparities. Such reports were prepared in 1979, 1981, and 1983.

During the 1980 gubernatorial election, both candidates supported comparable worth, but once in office

the new governor paid little attention to the issue. In 1981, the legislature again considered a bill mandating the implementation of comparable worth, but the opposition prevailed and the bill died in session. In July 1982, disgruntled by inaction on the part of the state, AFSCME filed a suit against the state with the Equal Employment Opportunity Commission (EEOC) alleging intentional discrimination in compensation. Shortly thereafter, the comparable worth bill was reintroduced into the state legislature. This time, with the strong lobbying efforts of AFSCME, SEIU, and the Washington Nurses Association, the bill passed. The new law included provisions calling for comparable worth salary increases to close the gap to be implemented over a ten year period, as well as actual appropriations for initial implementation. Employees in job classes paid at least 20% below the average compensation were awarded \$100 per year for two years (a total award of \$1.5 million) to begin closing the gap. Additional appropriations to further close the gap over the next decade are expected to be forthcoming. This affected some 8,000 individuals, all in female-dominated job categories.

Despite these actions, the AFSCME vs. State of Washington suit went to trial as scheduled. Judge Tanner handed down his guilty verdict in November 1983, ruling that the past and present state compensation practices were unfair towards women. He ordered the state to institute

immediate salary raises for state employees in female-dominated jobs, and ordered payment of back wages for the two years prior to the initial complaint being filed. The state is appealing this ruling. Had the state instituted pay increases at the time of the completion of the original study, the total cost of correcting the wage gap would have cost a total of approximately 5% of the annual payroll spread out over several years. The state's refusal to act resulted in the law suit and the back pay award. If the state loses its appeal, total implementation could cost approximately 25% of state payroll.

While the state's appeal may take several years, action on comparable worth continues in Washington. The \$100 award mandated by legislation is considered by the unions to be a downpayment on further efforts to close the wage gap. Presently, three groups are working on implementation plans. State legislators are expected to pick one of the plans by the summer of 1985. While the statute calls for a ten year implementation period, legislators and the unions are hoping to complete it in six. (Remick, 1980; 1984a; 1984b; NCPE, 1984; Turner and Wilson, 1984;).

MINNESOTA

In March 1982, the state of Minnesota authorized the first stage of implementation of comparable worth increases for undervalued female-dominated job categories amounting to \$21.7 million. The second phase of increases is expected to be awarded in 1985. Together the increases amount to only 4% of state payroll over a four year period and benefit more than 9,000 state employees, 90% female and 54% in clerical positions.

The largest state employees union, AFSCME, which represents approximately 60% of Minnesota state workers, working together with the Minnesota Council on the Economic Status of Women successfully lobbied the governor to deal with the issue of comparable worth. The governor set up a Pay Equity Task Force and appointed its members, including union representatives, legislators from both the House and Senate, members from the Council, representatives from the Office of Employee Relations, and several businessmen. The Task Force was charged with evaluating the state compensation system to see whether pay scales were in accordance with the findings of a statewide job classification study done by Hay Associates, an independent consulting firm, in 1979.

The Hay study included only executive branch jobs (90% of state employees work in that branch). Judicial and legislative jobs were exempt, primarily because their salaries were set by statute. The Hay study revealed that female-dominated job categories were undervalued by the

civil service classification plan by approximately 20%. The Task Force used these results to estimate the cost of the undervaluation of traditionally female jobs. The total cost of correcting pay inequities was calculated to be 4% of the state's annual payroll.

As in Washington, following the issuance of its report, the Task Force disbanded and implementation moved to the legislative arena. Due to widespread bipartisan support, the legislature passed the enabling legislation mandating comparable worth as state policy and providing for a phase-in of comparable worth adjustments. In 1982, the first appropriation of \$21.7 million was authorized by the legislature, and then distributed through collective bargaining.

The legislation requires the Commissioner of Employee Relations to report to the legislature on a biennial basis listing the job classes with wage inequities. Additionally, the Department of Employee Relations (DER) must provide a cost estimate for equalizing the pay of undervalued job classes.

While the initial pay equity increases were based on the Hay study, future job classifications and evaluations will be the responsibility of the DER. DER uses the Hay system with one modification: they give greater weight and compensation to jobs requiring repetitive tasks, including small muscular movements. Employees may be interviewed about their job requirements, but classification is not

bargained over. Any worker dissatisfied with his/her job classification can appeal to the DER for an audit.

Once wage inequities have been identified, the legislature must appropriate money to correct them. The funds are divided up among the various bargaining units based on the number of underpaid classes each represents. Actual distribution of funds is then collectively bargained; the money can only go to those job classes designated as underpaid.

The first installment of wage equity increases was made in 1983 through negotiations with the unions. The unions decided to distribute the \$21.7 million appropriation equally among all eligible classes; in addition, all workers got cost of living adjustments as well. Even though the state bargains with eight unions (11 units) with varying levels of female membership, inter-union equity has not been a problem because all state employees are on the same classification and pay scale system. Appropriations for the second two-year installment of pay equity will be decided on in 1985 by the Minnesota legislature. The total cost of implementation has been spread out over four years, making comparable worth adjustments only 1% of payroll per year, or 4% total.

Bonnie Watkins of the DER attributes the success of Minnesota's comparable worth program to several factors. First, the state already had done a job evaluation study when the comparable worth issue was raised by the unions. This eliminated any disagreements over whether or not to

order an evaluation study, rather, the issue was to apply comparable worth standards to see if the existing plan underpaid female-dominated job classes. Watkins explains:

"The study did show a 20% gap so we decided to use it. Our immediate concern was getting [wage] adjustments for women. Some comparable worth programs focus too much attention on the system of evaluation instead of on the inequity. Most systems, although done differently, do show a wage gap between the sexes. As my boss says, 'you don't need a microscopic instrument to see a gap a mile wide.'"

Second, the Task Force composition was broad and well-balanced, allowing for a smooth operation. The Task Force was able to reach an agreement before going to the legislature with its recommendations. The bi-partisan support for comparable worth was crucial in getting it through the state government. Finally, it was relatively easy to get the appropriations, because Minnesota was in good financial shape at the time.

Due to the success that the state government has had in implementing comparable worth at the state level, the legislature decided to implement comparable worth at the local level as well. In 1984, the legislature passed a bill mandating comparable worth standards in local governments' compensation systems. All localities, including cities, counties, and school districts, are expected to implement comparable worth by 1987.

SAN JOSE, CALIFORNIA

On July 14, 1981, the first collective bargaining unit contract incorporating the concept of comparable worth in the United States was signed between Local 101 of the American Federation of State, County and Municipal Employees (AFSCME) and the city of San Jose, California. (AFSCME, 1982). The two year, \$5.4 million contract included not only a 15% across the board pay increase for all employees, but also allocated \$1.5 million for "internal equity adjustments" to underpaid job classes. This marked the first time the issue of comparable worth had been successfully negotiated through the collective bargaining process. It also marked an end to the nation's first comparable worth strike by the AFSCME Local, representing approximately 2000 of the 3000 city employees in clerical, administrative, parks and recreation, library and airport refueling positions.

AFSCME first raised the issue of comparable worth in San Jose in the mid-seventies. Progress was temporarily stopped when the voters in California passed Proposition 13 and city wages were frozen. When negotiations between the union and the city reopened in 1981, the comparable worth issue resurfaced as a major bargaining issue. While refusing to address the comparable worth concerns of non-management employees, the city manager agreed to a wage study of management positions within the city, although not specifically addressing differences between male- and female-dominated job categories. Non-management positions

were excluded from the original study because the city manager insisted that those wages be set through the collective bargaining process. In response to management's refusal to address their concerns, some eighty union women staged a one day "sick-out." Finally, the AFSCME Local prevailed upon the city council to order a second study.

A task force was established, consisting of San Jose Personnel Department employees and AFSCME representatives. From the start, the comparable worth process in San Jose was a joint labor-management effort. By agreement between the city and the union, Hay Associates, an independent consulting firm, was hired to do a comparable worth study of the city's compensation system. Using their own point factor method, Hay reclassified city jobs into 225 job categories. The study excluded the police officers' and firefighters' bargaining units. Hay Associates found that after consistently evaluating all jobs, wages for women jobs were on average 15-20% below wages for comparable male-dominated occupations.

The city and the union agreed with the findings, but they disagreed over the solutions. While the two sides were negotiating over how to implement the study's findings, the Gunther decision was handed down by the U.S. Supreme Court (see Chapter 2). In the wake of this decision, and with talks at an impasse, AFSCME decided to file a suit with the Equal Employment Opportunity Commission (EEOC) alleging intentional discrimination.

With talks at a stalemate, and despite state laws prohibiting public unions from striking, AFSCME Local 101 finally went out on strike--the first strike in the United States over the issue of comparable worth.

Nine days later the strike ended with the signing of the new contract. The union also agreed to drop its suit with the EEOC. In addition to across the board cost of living increases, the contract provided "pay equity" wage adjustments of between 5% and 15% for some 62 undervalued job classes. When the city employees contract was renegotiated in 1983, San Jose employees in undervalued occupations received, on average, an additional 5% "pay equity" increase, bringing most underpaid jobs up to par with jobs of comparable worth. (AFSCME, 1984; Bunzel, 1982; McGuire, 1982; Koziara, 1983; Farnquist, Armstrong, Strausbaugh, 1983).

CONTRA COSTA COUNTY, CALIFORNIA

In August 1984, Contra Costa County in northern California became the state's first county to agree to comparable worth wage increases. The 3% increase, which came on top of general wage adjustments, was the result of a fourteen month bargaining struggle between the County and a union coalition including the Service Employees International Union (SEIU) Local 535, two AFSCME locals, and the California Nurses Association (CNA) local, which together represent more than half of the County's workforce. The hard won wage increase benefited not only coalition union members but also workers in all female-dominated classes in the county, including non-union management positions.

The fight for comparable worth was a constant uphill battle achieved through the persistent efforts of the union coalition. When the union coalition formed in the fall of 1982, there was one sympathetic politician on the County Board of Supervisors, who helped pass a resolution that the Board would include achievement of comparable worth as part of the county's affirmative action goals.

The Board charged the Personnel Department to prepare a report on the issue. Unlike the other case studies, no union members worked on the study. This contributed to the high level of dissatisfaction with the Department's study. According to Lee Finney, chief shop steward for SEIU Local 535, the union coalition expected that the study would examine comparable worth studies done in other localities

and do an analysis of the County's wage structure by "piggybacking" these other studies using similar methods to assess wage discrimination in Contra Costa County. In the end, the study fell far short of this goal; it contained a market survey of wages which showed that women's jobs were underpaid based on prevailing wages but it did not look at the question of internal wage equity. According to Finney, the report was "very fat and said very little. It did nothing to dramatize the existence of a male-female wage gap." Rather, the study reviewed other studies and contained a market survey showing the general gap between male and female jobs. As a result of the study, the County offered the unions a 1% comparable worth adjustment.

Believing a larger wage gap existed and dissatisfied with the management study, Finney undertook her own study of the County's pay structure using whatever data were available on the numbers of men and women employed and their wages. There were no data on compensable factors because the County had a general classification system. Wages were set through the collective bargaining process, a process by which average wages are set without regard for individual jobs. Using aggregate figures on the number of men and women within each job grade and the relative pay levels, Finney discovered a 30% wage gap between female- and male-dominated job categories. She explained:

"My results were dramatic. There really is no [explicit] classification system in Contra Costa County. That's why the Board of Supervisors didn't want us [the unions] poking around. They made it clear

from the beginning that they weren't going to do a job evaluation study. They were advised that the decision to study was a decision to implement. The Washington State case created a big fear of being sued."

When the County contracts expired in June 1983, the four unit coalition took a two-pronged approach to negotiations. Each bargaining unit agreed to negotiate separately over the general terms of its contract, while comparable worth would be bargained jointly. The County was reluctant to study the comparable worth issue fearing the costs of implementing pay adjustments in a time of fiscal crisis. The negotiations for comparable worth adjustments delayed the entire process, dragging on for over a year, but as Finney says, "We had the power of information. We knew more than they (management) did, because of my study. It was very powerful." As the negotiations continued, the coalition became more resolved in its effort to gain some adjustment towards rectifying the wage gap. The coalition of women stuck together despite management's efforts to break them up by offering large salary raises to only some of the units and particular union leaders; fourteen months of bargaining had solidified the group.

The comparable worth increases were won during a time of financial crisis for the county. The coalition strategy, therefore, was to get whatever increase they could from the County. The coalition realized that in the long run, a job evaluation study would be needed to fully and completely understand the nature and extent of the wage disparities. Understanding that a study could take as long

as three years to complete, and recognizing the County's willingness to bargain some comparable worth raises, the coalition decided to push for a reasonable initial raise which would help close the gap. The unions consider the 3% increase a downpayment with the expectation that additional concessions will be forthcoming in future contract negotiations. The Contra Costa County case is remarkable because the comparable worth adjustments were won based on an union study.

It is interesting to note that during the negotiation process, the management tried to get wage concessions from all unions and even threatened to cut hospital jobs due to the fiscal crisis. At one point members of Local 1, an unaffiliated union not involved in the comparable worth negotiations (in which men hold all leadership positions) stood up and argued that the coalition women should give up their comparable worth demand in order to save their sisters' jobs at the hospital. No one ever called on union brothers to give up any wage increases, although men were earning considerably more.

At the bargaining table, as part of the comparable worth negotiations, the coalition also demanded and won the establishment of a labor-management committee to do a study of benchmark job classifications and to recommend which job categories should be addressed at the next round of negotiations. A task force was set up with equal union and management representation. The Deputy Sheriffs' and Firefighters' unions did not oppose comparable worth, yet

they have not been actively involved with the committee; it is not yet clear whether or not they will be part of the proposed job evaluation study.

Negotiations are now scheduled to reopen in April 1985. It remains to be seen how much the County is willing to bargain further pay equity adjustments.

VACAVILLE, CALIFORNIA

During the November, 1982 school board elections in Vacaville, California, members of SEIU Local 614 successfully lobbied candidates on the issue of support for comparable worth. As a result, several board members were elected who actively supported the idea. Subsequently, through negotiations, a Comparable Worth Committee was set up, including two administrators from the District, two school board members, four SEIU Local 614 members and the union business agent. The Committee was responsible for studying wage inequities in the school district. A year and a half later when the union contract became effective, it included pay equity adjustments ranging between 2.5% and 22.5%, on top of across the board annual wage increases. How did the union successfully accomplish this comparable worth victory in a rather conservative, rural city? Carol Dorty, vice president of Local 614 and member of the Committee, believes that the steadfast efforts of the local union members, first in lobbying the school board and then persisting through many long, difficult meetings, were largely responsible for the success of this comparable worth drive.

The Committee's first task was to review comparable worth studies done in other states and localities. After reviewing some 18 studies done by other localities, the Committee unanimously agreed to adopt the job evaluation format developed in a nearby school district. This

"homegrown" job evaluation method, developed by the Sacramento School District and its union employees, used point rankings to evaluate jobs on the basis of knowledge, skill, complexity, responsibility, and working conditions, and it was specifically geared towards assessing tasks and skills of school district jobs. The Vacaville study included all 300 classified workers, except management personnel and teachers.

Rather than hire an outside consultant, the Committee conducted its own job evaluation study using this homegrown method. Job descriptions were circulated to every employee, asking them to review and update the descriptions as necessary. The updated descriptions were then used to do the job evaluation and draw up a draft study and recommendations, including job descriptions, point rankings, and recommended pay ranges for each position. The draft study was then circulated to all employees for further feedback. Several comments were received and reviewed, resulting in only two changes in the final study. Darty reported that "We (the Committee members) agreed upfront that if there was disagreement among committee members on descriptions, we would vote and the majority would decide. However, if the committee could not agree between two point scores for a job, we would adopt the higher figure."

The final study showed a wage gap of as much as 22.5% between comparable male- and female-dominated jobs and was accepted by the Board and the union. Previously, the

district used job descriptions to slot jobs into pay grades. Rather than change the pay ranges, the jobs were reslotted based on the point rankings, making the classification system more explicit. The resulting pay increases ranged from 2.5% to 22.5% to be instituted over the five years of the current contract. Raises went to all undervalued female-dominated jobs with clericals, instructional aides, and cafeteria workers getting the biggest raises.

One of the most important features of the Vacaville comparable worth program is that the ongoing process of implementation is the responsibility of the Comparable Worth Committee. They are in charge of reviewing the job evaluation process and hearing any appeals. The Committee meets every two months and is composed of union, district, and community representatives. The committee can handle grievances on job classifications and will work to regularly update the study. The Committee has also been assigned by the School Board to review any matters relating to reclassification. Dorty says,

"We will continue to meet every two months. We're determined because we worked hard and want to maintain what we won; but I tell others not to do it (a comparable worth study) unless they're willing to work. It takes lots of work, lots of homework, a lot of time...but look what we got!" (Dorty, 1985).

Sources: (Dorty, 1985; Vacaville Unified School District, 1984)

YALE UNIVERSITY

Twenty months after voting for union representation, Yale University clerical and technical workers overwhelmingly ratified their first contract in January 1985. For the 2600 (mostly female) members of Local 34, Federation of University Employees, the key issue in the contract was comparable worth. This contract marks one of the first major collective bargaining contracts in the private sector and the first at a university to incorporate the concept of comparable worth.

Ending a two year campaign, the majority of Yale clerical and technical workers voted to join the union in May 1983. While many thought the bulk of their work was behind them, the contract negotiations would turn out to be a long, difficult struggle as well; one which culminated in a ten-week strike. From the beginning, the union negotiating effort was a grassroots campaign in which the workers, predominantly women, played an important role. The Local's demands were worked out by a 35 member rank and file negotiating committee. With an average unit salary of only \$13,400, the membership's--82% women and 13% black--main concern was raising salary levels.

At the bargaining table the union's demands were two-fold. First, they were demanding across the board wage increases. A union survey of employers in the greater New Haven area found that Yale salaries were among the lowest. The union also charged that the bargaining unit as a whole was underpaid due to its primarily female membership.

Second, the union was able to document that both inter- and intra-unit wage disparities existed. Findings showed that within the Local 34 bargaining unit, blacks and women were being paid less than whites and men doing comparable work-- even though blacks and women had, on average, greater seniority. Similar wage disparities were also found through a selective comparison of jobs between Local 34 and the other major bargaining unit at the university, Local 35--a predominantly male, blue-collar unit. Part of the wage discrepancy was attributed to the earlier unionization of blue collar jobs, but the union claimed that the continued wage disparity was linked to sex-based wage discrimination.

While the administration recognized the problem of underpayment of women workers, they refused to bargain over the issue. William Brainard, Provost for the University, typified the administration's feelings, admitting that

"I know that one can't live the way one would like to, or the way one would like one's family to live, on a Yale clerical and technical salary. That's a national problem, which Yale can't be expected to solve." (Local 34, 1984, p. 1).

An additional concern to the union was the 'slotting' of jobs, or establishment of job grades. It appeared from the review of salaries that women at Yale were not being fairly compensated for their seniority. Promotion was done in an unsystematic, arbitrary manner. As one secretary put it,

"I started work with the man I still work for, 18 years ago. I started as a Secretary C. He started as an instructor. He's now a full tenured professor, and I have gone up one labor grade. In his latest book he thanked me, not for my typing, but for my wisdom and maturity in helping develop

the program. He deserves his professorship, but I deserve better too." (Local 34, 1984).

Negotiations began in October 1983. After more than 60 negotiating sessions, and with no agreement in sight, workers threatened to strike in the spring of 1984. Then, in March 1984 the two sides reached agreement on non-economic issues, including job security and health and safety issues, and a strike was postponed.

At the time, Yale management argued that their studies indicated that wage discrepancies between men and women clerical and technical workers disappeared when wages were analyzed by salary grade and years. The union disputed this contention charging that discrimination occurred both within and across job grades and bargaining units. Acting independently, Raymond Fair, a Yale professor of economics, conducted a regression analysis on Yale wages. While not addressing the differentials within the clerical and technical unit he determined that there was a statistically significant difference in the wages of men and women across job grades.

In May 1984, as negotiations continued, the Yale campus chaplain proposed that an impartial three member committee be set up to look at the charges of wage and job discrimination. The union readily agreed to the plan; the university opposed it. As the summer months passed, little progress was made. The union began to reconsider going out on strike. As an alternative to a strike, the union proposed to the Yale administration that the unresolved

issues be submitted to binding arbitration. Again the administration refused to submit to an impartial third party negotiator. Left with no alternatives, the union held a strike vote in early September. The workers voted overwhelmingly in favor of the strike. On September 22, just as students were returning to school, members of Local 34 went out on strike. In addition, eleven hundred workers, members of Local 35, honored the picket line and stayed off the job.

Although the university claimed to be doing "business as usual," the strike caused serious disruptions in the running of the university. Some 400 classes were held off campus as students and professors refused to cross the picket line. Several of the student dining halls were closed down, libraries were understaffed, and the absence of lab technicians delayed many experiments. Support for the union was widespread. About half the student body actively supported the strike, many withholding their spring tuition to protest the administration's refusal to settle; others resented the inconvenience but honored the picket line. A vocal anti-union group of students crossed picket lines, but their numbers were relatively small.

As the negotiations dragged on, the university remained stubborn in its refusal to discuss comparable worth. Shortly before Christmas vacation, the union surprised the administration by threatening to return to work; an unusual tactic. The union realized that the university would only be too glad to have the union out

over the long winter break when few students were around. Interestingly enough, the threat to go back to work brought the first, albeit miniscule, offer of a pay increase. Following through on its threat, and to the dismay of many, the union went back to work on December 5, claiming that they would walk out again when classes resumed on January 19, if a settlement had not been reached. January 19 was also the expiration date on Local 35's contract, which was being bargained concurrently.

Faced with a choice of reaching a settlement or facing another semester of disruption, the administration finally offered the union a serious proposal. On January 22, the union ratified its first contract. Its provisions went way beyond the union's initial expectations and included some comparable worth provisions. First, the contract provided present employees across the board increases averaging more than 20% over three and a half years. Because the raises were combined with a new classification structure the raises went disproportionately to women within the unit alleviating wage discrepancies between male and female jobs within the unit.

Second, the centerpiece of the new contract is the new job classification structure incorporating a "step progression system." One factor creating a wage discrepancy at Yale was that the technical and clerical occupations had no explicit progression of jobs; neither length of time at Yale nor in a particular position were not rewarded in any systematic way. The new system is

based on accrual of years with each of the seventeen steps representing approximately one year at Yale. In addition, the lowest salary grade will be eliminated as of July 1, 1985. The workers in this grade are exclusively female and predominantly black. Together with the across-the-board increases, the new system will provide, on average 35% increases for employees, bringing the unit's average salary up from \$13,500 to \$18,500. This will close about 50% of the wage gap between the male and female-dominated unions.

Finally, the contract establishes a Joint Committee to review Yale job classifications, review all relevant facts in light of comparable worth, and offer suggestions on amending or changing the classification system. In addition, the Committee will handle appeals from any employee dissatisfied with her or his job classification. The Committee consists of four management representatives and four union members, as well as one mutually agreed upon Yale faculty member. The work of this committee will be essential in the effort to bring pay equity to the clerical and technical workers. As one union member put it, "Our biggest task is in the next three years and the work of this committee." (Chernoff, 1985)

The new union contract at Yale does not completely resolve the comparable worth issue, but it is an important start. Comparable worth has been raised as an issue at the bargaining table. (Local 34, 1984; 1985; Chernoff, 1985; Consuelo O'Brien, 1985; Findlay, 1985)

SUMMARY

These are six examples drawn from the many cases around the country involving comparable worth. The cases reflect the fact that state and local governments are laying important groundwork in the area of comparable worth. The promotion and study of comparable worth by state and local officials is important in helping to educate workers about comparable worth and in helping to legitimize the concept. However, these cases also indicate that there is still considerable controversy about the concept and its application as a policy instrument to correct alleged wage discrimination. Management often opposes comparable worth because of the additional costs. In San Jose, Contra Costa County, Washington, and Yale, cost was one of management's major reasons for resisting implementation. Yet, action around sex-based wage discrimination can help challenge the widely held opinion that women's work is less valuable and as such is not being unfairly compensated.

Though some private sector cases have been won most accomplishments have occurred in the public sector through well-organized union efforts. It is the goal of pay equity advocates to reach all women workers both in the private and public sector, unionized and non-unionized. However, in the foreseeable future, the battle will continue to be fought primarily by unions for their members.

Despite the use of different evaluation techniques

each job evaluation study identified an approximately 15%-20% wage gap between the salaries of comparable male and female jobs. This is relative to research showing that on average women earn 60% of wages that men earn in the economy as a whole.

Identifying the gap is an important first step in achieving comparable worth. Once a wage gap is identified wage increases must be instituted and a new standard of equity maintained. In each case workers and management identified a wage gap and some money was awarded to close the gap. It remains to be seen whether the gap will be completely eliminated and whether a comparable worth standard of equity maintained in these employers' compensation systems.

Though some private sector comparable worth cases have been won, most accomplishments have occurred in the public sector through well-organized union efforts. It is the goal of comparable worth advocates to reach all women workers both in the private and public sectors, unionized and non-unionized. However, in the foreseeable future, the battle will continue to be fought primarily in the public sector by unions on behalf of their members.

Chapter 4: CASE STUDY ANALYSIS

At a time when wage increases in the public sector are being curtailed by reduced budgets and concession bargaining is commonplace in the private sector, these case studies illustrate how some groups of workers have been able to affect the terms of compensation through the implementation of comparable worth. Primarily through collective bargaining and legislation, employees in undervalued, female-dominated job classes have won "pay equity" wage adjustments .

Although the mechanisms for instituting changes in wage structures can vary, these cases show that in practice the implementation of comparable worth tends to involve a number of similar steps, though they are not always achieved in the same chronological order: 1) the recognition of sex-based wage disparities and the promotion by women's groups, unions, and politicians of comparable worth as one way to address wage discrimination; 2) the establishment of a task force to investigate wage setting procedures within the firm; 3) the conducting and/or reviewing of job evaluation techniques; 4) the achievement of wage adjustments; and 5) the establishment of a long term process to evaluate jobs over time, and make additional adjustments as needed.

In this chapter, I discuss the two general approaches most often used to implement comparable worth: collective bargaining and legislation. In each case study, employer and employees reached agreement recognizing that sex-based wage

discrimination was a potential problem and accepting the use of some type of job evaluation as a technique to identify the discrimination. They then agreed to begin rectifying sex-bias in wages through the payment of adjustments independent of other wage increases.

While both collective bargaining and legislation can be effective avenues for winning comparable worth pay increases, each process is shaped by political and institutional constraints which produce advantages and disadvantages for each and affect how implementation proceeds. I will use the cases to highlight the aspects of collective bargaining and legislation which seem important to achieving successful implementation, and explore the significant differences between the two approaches.

For the purpose of analysis, the cases can be divided into two groups: those achieved primarily through legislative procedures and those achieved primarily through direct labor-management negotiation. Implementation of comparable worth through the enactment of legislation has only been carried out in the public sector where the government is the employer. This process of implementation may or may not involve unions or collective bargaining, though unions can exert important political pressure through lobbying and litigation efforts.

The collective bargaining approach implements comparable worth through a negotiated settlement between employer and employees and, therefore, recognizes a particular role for unions in decision-making at each step of the way. The

focus is on labor-management relations rather than on activity within a legislative body. In the public sector the state or local government is the employer, in the private sector it is the firm. The Washington and Minnesota cases are examples of the legislative approach. The San Jose, Contra Costa County, Vacaville, and Yale cases are examples of the collective bargaining approach.

Legislation

Implementing comparable worth through legislation depends heavily upon the actions of elected officials. In both Minnesota and Washington, the governors responded to public pressure of unions and women's groups by establishing a special task force to oversee and monitor a comparable worth study. The governors retained responsibility for appointing the task force, determining the task force's role in the process, and hiring consultants to do a job evaluation.

These task force played a major role in influencing the implementation of comparable worth because they were responsible for studying the issue, evaluating or supervising the evaluation of the employer's current wage structure, and making recommendations on how implementation should proceed. In order to secure a firm base of support for the results, the task forces included representatives of management and labor. Labor delegates are usually from unions which represent employees in undervalued job classes. Because the passage of legislation requires broad-based

political support these task forces have a broader constituency than just labor and management and, therefore, usually include legislative representatives, private sector employers, and women's groups representatives, as well as state personnel officials and union officials.

In legislative cases, it appears that detailed systematic studies must be done before legislation can be passed and appropriations made. In Minnesota, the state hired Hay Associates to do a job evaluation study in order to update the state job classification system. The Minnesota task force had no role in choosing the consultant, but was charged with reviewing the consultant's study to identify whether comparable worth standards had been consistently applied in assigning wages to male and female-dominated job classes with equivalent points. In Washington, union and women's groups lobbied the government to do a study of non-management jobs after a study of management level jobs showed that employees in certain job categories were being underpaid. As in the Minnesota case, it was the governor who chose the consulting firm to do the study. When the studies were completed, the task forces made their recommendation to the respective legislatures and disbanded. Completing implementation then became primarily a responsibility of the legislature and the governor.

Implementation of comparable worth through legislation faces significant political hazards in fulfilling its targets because of the changing constituencies of

legislatures and the shifting balance of power between political parties within the legislative body. (Cook, 1984, p. 8). Support for comparable worth is required for two stages of implementation. Proponents must first push to have a task force set up and a study done. Once a study is completed, political support within the legislature is necessary to get legislation and appropriations passed.

If sympathetic politicians are in office, this process may be relatively easy to accomplish (e.g. Minnesota), but it takes ongoing personal commitment on the part of the governor and elected legislature to promote and support the issue. However, if elected officials are opposed to comparable worth or if supportive politicians are removed from office, the process may be difficult to start or continue. In Washington, although the governor supported the results of the comparable worth study, the legislature refused to act on it. Later, when Dixy Lee Ray became governor, she effectively blocked the implementation of the comparable worth study by deleting any appropriations from her state budget. (Remick, 1984). It was several years before legislation was enacted by a new legislature.

In any event, getting comparable worth implemented seems to require that political support be mobilized and sustained over a long period of time. If this support cannot be maintained, implementation may not occur. Bonnie Watkins, of the Minnesota Department of Employee Relations, claims that without bipartisan support and the strong endorsement of the unions and Women's Council throughout

the entire process, the legislation would never even have made it out of committee (Watkins, 1985). In contrast, comparable worth proponents in Washington were unable to generate lasting support and the legislature refused to approve the comparable worth study's results; and the incoming governor vetoed the comparable worth appropriations recommended by her predecessor.

When successful, legislation can provide a legal, institutionalized process for achieving comparable worth. The success of comparable worth laws seems to be dependent on the law including not only a method for identifying comparable worth but also specific guidelines for making comparable worth appropriations. The inclusion of a method for estimating the cost of implementation and for appropriating needed funds seems to be crucial to getting adjustments. Herein lies the key to Minnesota's successful implementation. First, the task force's recommendation to the legislature included a 'price tag' for implementing comparable worth. Second, the law enacting comparable worth as state policy included a method for identifying sex-based wage discrimination and the cost of eliminating it over time as well.

While the election of a legislature or a governor opposed to comparable worth and willing to veto comparable worth adjustments could halt or delay implementation, the inclusion in the legislation of the intent, the method, and the timetable for implementation may reduce the likelihood

that this could occur. Other states have conducted comparable worth studies and then failed to implement them because a method for pricing implementation was never included in the legislation. (For example, Kentucky and Illinois (Cook, 1984)). Several states, including New York and New Jersey, are currently conducting job evaluation studies. As a response to inaction in other states, these states have now included appropriations procedures in their comparable worth legislation as a way of insuring implementation. (Cook, 1984, p.272).

In contrast, the task force in Washington never presented the legislature with an estimate of the cost of rectifying the wage gap between male and female jobs. This is one of the reasons that contributed to the legislature's inaction on the study's results. When legislation finally passed in 1982, it included a method for implementing increases over time and an initial appropriation of funds.

The methodology used in a comparable worth study may also have an affect on its ultimate success. Remick (1980) claims that if Washington state's experience is generalizable, once an evaluation system is touted as eliminating sex-bias (i.e., benefitting women over other groups of workers), getting it implemented may be difficult. (Remick, 1980, p. 418). Implementation may be easier if the system presents some general benefit (i.e. making a previously chaotic compensation system more explicit) in addition to correction of sex inequities. Minnesota's experience supports this; the legislature accepted the

comparable worth study because it was based on a job evaluation study done originally as a way to modify and improve the state's civil service system. Only later were comparable worth standards applied to evaluate if inequities between male-dominated and female-dominated jobs existed.

If the achievement of wage adjustments through the legislative process is stymied by political changes or inadequate wording of legislation, one alternative for comparable worth advocates is to proceed with litigation. Litigation can, however, be a long, expensive process--both for the defendant and for the plaintiff. In the end, the results are uncertain. Because the legal interpretation of comparable worth is still in dispute, and the federal courts, in general, seem to be unsympathetic if not hostile, relying on litigation may turn out to be an ineffective way to achieve comparable worth. (Steinberg, 1980; See Lemons vs. City and County of Denver, 1978; Christensen vs. State of Iowa, 1977 in Blumrosen, 1979).

In Washington, where public unions are prohibited by law from striking, the union chose to proceed with litigation when the state refused to implement the comparable worth adjustments. AFSCME charged the state with intentional sex discrimination in compensation. At the same time, the unions and womens' groups continued to exert pressure on the legislature to implement adjustments. After several attempts, the legislature finally approved a comparable worth bill implementing adjustments over a ten year period.

(Some claim the law passed only when the 'gender gap' became an issue of such great concern that politicians supported the bill in order to attract women voters.) Later, a federal district judge ruled that these appropriations were too little, too late, constituting an inequity in itself and ordered the state to make large back-pay awards. The decision is currently being appealed, and the state has been granted a stay in implementing the awards.

In Minnesota and Washington, once legislation was approved, the state made initial appropriations and put responsibility for overseeing implementation in the hands of the state personnel office. This makes implementation a more top-down approach than that achieved through collective bargaining. Despite the fact that the personnel office is supposed to seek employee input, and that there is usually a grievance procedure, main decision-making for the process relies on the inclinations of the political personalities in power because in most state's, as in both Minnesota and Washington, the commissioner of employee relations is an appointed position.

Labor's formal role in the legislative process is usually limited to its work on the task force, and in these cases the task force was a temporary group which disbanded after completing the study. The inclusion of employees in the process is important because they are the ones ultimately affected by comparable worth, and it is the employees' unions who raised the issue in the first place; few states have acted on comparable worth without being

pressured to do so. In addition, the task force tends to have limited power in that it does not participate in choosing the consultant to do the job evaluation study. An outside consultant hired by the state may be beholden to the interests of the state, which may affect the outcome, although this does not seem to be the situation in these case studies.

Collective Bargaining

As with legislation, implementing comparable worth through direct labor-management negotiation, at least in the public sector, often begins with the unions lobbying politicians to address the issue. Unions can also raise the issue directly at the bargaining table. This method of implementation is less dependent on public officials initiating the process, and more focused on joint labor-management efforts. In the public sector, elected officials must approve the final contract, but what distinguishes this process from the legislative approach is the process of decision-making.

The relationship between management and labor shapes how implementation is carried out. By the nature of the negotiations process, unions participate in deciding how each step of implementation will proceed. When achieved through collective bargaining, implementation of comparable worth usually occurs where there are union locals with large female membership and where women are in union leadership positions. For example, Carol Dorty, Vice President of SEIU

Local 614 in Vacaville, was one of the the most active and outspoken advocates of comparable worth. In Contra Costa County, female union shop stewards were the most ardent proponents of comparable worth. At Yale, the issue was raised by the clerical and technical union which represents an overwhelmingly female labor force.

Employees tend to have a more direct role in determining the make-up and the responsibility of the task force in the bargaining situations than in the legislative ones. Task forces in collective bargaining are composed exclusively of representatives of labor and management, whose constituencies would be directly affected by the outcome. San Jose, Contra Costa County, Vacaville, and Yale all had task forces with equal labor-management representation, although Yale had a faculty member on the committee to act as a tie-breaker.

In the collective bargaining process, task forces may take on a greater role than they do in the legislative process. In certain situations, notably San Jose and Vacaville, the task force was responsible for not only conducting a job evaluation study but for choosing whether or not an outside consultant would be hired. If the task force does not have any labor representation, it could endanger the acceptability of its findings. In Contra Costa County, where the governing body assigned the Personnel Department to do the study without first forming a task force or consulting with the unions, the Department's study

was not accepted by the unions. In this case, the unions decided to conduct their own study. When a task force was later set up through collective bargaining, it contained equal labor and management representation.

While job evaluation studies seem to be essential to implement legislation, they do not seem to be as critical in initiating comparable worth wage increases through collective bargaining. Since job evaluation studies are often costly and time consuming, management can sometimes be pressured to begin rectifying sex-based wage inequities without them; if the union is strong enough, it can win comparable worth 'downpayments' i.e., initial corrections through the use of union studies. Enough data now exists to give unions and management a good idea of where underpayment may be present, even before a detailed study is completed. (Remick, 1984c, p.101).

The Contra Costa County and Yale cases show how detailed studies are not always necessary to begin implementing wage increases. Initial payments were bargained for and won on the basis of preliminary union studies of the employers' compensation structure which exposed the extent of undervaluation of female-dominated jobs. In other cases, point ranking methods were used to systematically expose the wage gap. However, it appears that the size of the wage adjustments will be larger when a thorough study has been completed. Contra Costa County workers got substantially smaller wage increases than workers in the other cases (only a 3% raise to start closing

a 30% gap).

At both Yale and Contra Costa County, union members conceded that detailed job evaluation studies would be needed in the long run in order to identify wage disparities on a job-by-job basis, especially since both employers previously used rather arbitrary i.e., implicit rather than explicit) methods for assigning wages. At Yale, the university administration paid clerical and technical jobs by "seat of the pants" comparisons with market surveys (Chernoff, 1985). The Contra Costa County system was similar. Realizing that setting up and instituting a bias-free job evaluation and compensation system takes time, these unions chose a pragmatic, short term approach: to get whatever raises could be won given that management was willing to negotiate some increase on the basis of the unions' preliminary job evaluation research. In the end, union contracts at Yale and Contra Costa County included provisions to establish a joint labor-management committee to conduct a more thorough comparable worth study. These studies were to serve as a basis for discussion of additional wage adjustments in future contract negotiations.

Should disputes between labor and management arise during collective bargaining, three alternatives exist for resolving them: mediation, arbitration and strikes. In attempting to implement comparable worth, these same avenues for resolving disputes are available for overcoming management opposition to implementation. While these

tactics offer no guarantees that management opposition can be overcome, they seem to have been very effective.

In San Jose, Vacaville, Contra Costa County, and at Yale, it was agreed at the outset that the parties would negotiate over what actions to take on the results of the comparable worth study. When management refused to bargain over wage changes or if the raises were not satisfactory to the union, the unions either refused to settle their contract or (when not prohibited by law) went out on strike.

In San Jose, despite laws prohibiting public employee unions from striking, workers staged a one day strike when management refused to address the comparable worth issue and later went out on a nine-day strike when the city refused to offer an adequate sum of money to close the wage gap. In Contra Costa County, when negotiations with the County were at an impasse the unions staged a "late-in" (with female workers reporting two hours late for work to demonstrate the amount of time they provide free to the County). The female-dominated unions then refused to settle contract negotiations until the County made initial wage equity adjustments and guaranteed discussion of future comparable worth pay increases. At Yale, where negotiations dragged on for over a year, the union offered to submit the dispute to arbitration. When the management refused, the union decided to go out on strike.

When comparable worth adjustments are bargained, the pressure tactics of striking and of refusing to sign contracts seem to have a better chance of actually getting

initial adjustments than litigation. In Washington, it took over eight years from the time the original comparable worth study was done to get initial payments. However, collective bargaining tactics require a great deal of union solidarity, which may be difficult to sustain over time. In Contra Costa County, negotiations lasted fourteen months, and at Yale they lasted twenty months. In many instances, management tried in vain to break union solidarity, but were surprised by the resiliency of the union members. They may have underestimated the determination of the workers to stick together. In Contra Costa County, management attempted to buy off particular union leaders with large pay increases (Finney, 1985), and at Yale the university refused to submit the negotiations to arbitration (Local 34, 1984). By resisting management attempts to stop comparable worth efforts, the unions discovered they actually could affect new areas of compensation.

Threats to union solidarity can also come from other workers who might oppose comparable worth because it threatens their relative status. In Contra Costa County, male leaders of Local 1, an unaffiliated union local with roughly half female membership, actually proposed at one point during the negotiations that the female-dominated unions drop their comparable worth efforts because of management threats to reduce the workforce in the face of budget constraints. The female-dominated unions prevailed and comparable worth adjustments were won in addition to

across the board increases and without any reductions in the workforce. In contrast, at Yale and in San Jose, male union members were actively supportive of the comparable worth efforts and went out on strike in solidarity with their union sisters. Such solidarity is not always easy to achieve.

In collective bargaining once initial comparable worth money is won, the task force is usually given responsibility for overseeing long term work on comparable worth. This is in contrast to the legislative arena where the task force is short-lived. Under legislation the implementation of comparable worth standard is legally instituted and usually carried out by the state personnel office. Wage increases are subject to legislative approval. Through collective bargaining the basis for future work--both restructuring the employer's wage-setting procedure and gaining wage increases is part of a contractual obligation. and thus it depends on continual renegotiation. It is then incumbent upon the unions to maintain constant vigilance and pressure. However, as long as women continue to be a significant force within unions, and the wage gap persists, it is likely unions will continue to fight for comparable worth. (Bell, 1985).

The strength of the collective bargaining process and the active involvement of union members is that having fought hard to win comparable worth, many union members are even more determined to see that the process continues. Carol Dorty of Vacaville claims that the workers realize how

difficult the process of implementing comparable worth was; they put much time and effort into achieving it and, having won, are now willing to fight to keep it. In Contra Costa County, the unions felt "very powerful" during negotiations and were very determined to safeguard their hard-won victories. Achieving comparable worth may require unions to exert their collective power to win settlements and, in this way, increase worker empowerment.

Summary

In analyzing these case studies, it is clear that there are several ways of achieving comparable worth in an employer's compensation structure. The primary ways are through collective bargaining and through legislation. Often these tactics must be combined with others (e.g. litigation) to overcome political and organizational obstacles. The choice of tactics depends on the legal, institutional, and political situation. In some states, such as Washington, collective bargaining over wages is not sanctioned between the state and its employees. Legislation or litigation may be the only route available to achieve pay equity. At the local level and in the private sector, collective bargaining is the primary method of implementation.

These cases studies highlight how a concept changes in the process of being translated into policy. The basic concept behind the policy is equal pay for jobs of comparable value based on skill, responsibility, knowledge and working conditions--but how that translates into actual

changes in wage-setting varies greatly, as these cases demonstrate. In some instances comparable worth involved the total reevaluation of an employer's job and wage structure; other times wage increases were instituted but it is uncertain how the employer's compensation system will be altered over time. The two goals of comparable worth are to increase wages for jobs done primarily by women and to reevaluate the standards of equity. While in each case the proponents of comparable worth try to achieve both, they did not always accomplish both in the short run.

Regardless, comparable worth must first be accepted as a legitimate concern in wage setting procedures. Once this was achieved efforts involved a job evaluation study. Although a thorough job evaluation must be not be conducted to initiate wage increases, where one was done the wage adjustments were larger.

In achieving comparable worth collective bargaining appears to be a more participatory form of implementation than legislation. Workers were included on task forces which actively reviewed compensation systems whereas fewer union representatives participated in legislative task forces. Furthermore, more women workers were involved in bargaining committees than is usually the case in collective bargaining. And there was some evidence of strong inter-union coalition building (e.g. Yale and Contra Costa County).

Collective bargaining relies on the strength of the

union to put the issue on the negotiating agenda and to persist in pursuing its implementation in spite of management opposition. As long as unions need to organize new women workers and keep those they already have, comparable worth will probably stay a priority for female-dominated locals. Legislation relies more on the efforts of interest groups exerting pressure on elected officials and on the efforts of politicians to then follow through. As long as legislators need to court votes and seek to avoid the high costs of the government being sued for discrimination, they may be expected to maintain some interest in achieving comparable worth. (Remick, 1984b).

Chapter 5: LIMITATIONS OF COMPARABLE WORTH IMPLEMENTATION

Comparable worth is a policy designed as an outgrowth of equal employment policy. Its aim is to achieve pay equity adjustments for undervalued female-dominated jobs within a work organization by redefining standards of equity. In this thesis I have examined how comparable worth had been implemented in five states and localities, and one private sector organization. These comparable worth efforts were carried out mainly through legislation and collective bargaining.

In each case, some type of job evaluation method was used by employers and employees to show that a wage gap existed between dissimilar, yet comparable male and female jobs. Despite the variety of methods, most studies revealed a wage gap of roughly 15-20%. In an effort to begin correcting for this wage inequity, employers allotted some money to raise the salaries of workers in the underpaid job categories. However, while these initial "pay equity" adjustments only partially closed the gap, future adjustments were expected to narrow the wage differential further. Though implementing comparable worth involves technical questions of how to measure and assess sex-bias in compensation, these cases demonstrate that achieving comparable worth is not only a technical issue but a political and economic one as well.

These implementation efforts represent an early stage

of implementation. In every instance money was paid out to rectify past inequities in the compensation of female-dominated jobs. But the attempt to redefine standards of equity was circumscribed in three ways. First, in each instance the scope of comparable worth was limited to a particular set(s) of jobs. No employer applied the job evaluation system to all jobs within the organization. Second, while comparable worth standards were applied to each employers' compensation system, no settlement included explicit guarantees that the evaluation methods would be reevaluated over time to incorporate changing job requirements and changing values of worth. Finally, where job evaluation was used to identify wage discrimination, the job evaluation scheme was never significantly altered in order to identify sex-bias in the description of jobs and the choice of compensable factors. It may take many more years experience to assess whether comparable worth mandated in law or in contract can expand to meet these conditions. Each of these will be discussed in detail below.

Scope of Study

One of the ways in which the use of job evaluation can be discriminatory is when an employer uses different job evaluation plans to assess different jobs classes within the firm. Since job categories covered by different plans tend to be highly sex-segregated, the ability to assess sex discrimination in compensation requires the ability to compare jobs among, as well as within, plans. Restricting the scope of comparable worth comparisons may lead to the

underestimation of the value of female-dominated jobs, particularly if the excluded jobs are highly-paid, male-typed jobs to which female jobs could theoretically be compared. The use of separate systems may only serve to reinforce historical sex-bias.

Many employers have justified the use of separate evaluation plans arguing that the vastly different nature of jobs requires the use of different evaluation schemes. Despite seemingly large differences in job requirements, one evaluation plan can be used to evaluate a variety of jobs. For example, the U.S. Department of Labor's Dictionary of Occupational Titles uses one set of consistent factors to assess over 35,000 jobs (Beatty and Beatty, 1984, p.63; Treiman and Hartmann, 1981, p.79). This guide has been the basis for the development of single evaluation plans for many large firms, and many state and local governments.

While the use of a single plan is technically possible, it was done in only one of these comparable worth cases. Every comparable worth study, except one, excluded management positions. In Contra Costa County, where management positions were reviewed, the job evaluation study was only a preliminary one; it remains to be seen whether or not management positions will be included in the long run as the joint labor-management committee undertakes a more thorough evaluation of the County's pay system.

While comparable worth studies have excluded management jobs, it is unclear why they did so. Management is not a

monolithic job category and usually has its own internal hierarchy of jobs. Lower level management positions may actually be comparable to higher level non-management positions (e.g. executive secretary or administrative assistant) on the basis of job content and requirements. In most instances the distinguishing characteristic between management and non-managements level jobs is the rate of pay (both in terms of wages and benefits) and the way those pay scales are determined.

Getting management level positions included in comparable worth studies may be difficult given the reluctance of workers to give up their relatively privileged position. In Minnesota, many lower level management employees now find that the workers they supervise actually make as much, and sometimes more, than they do. They have expressed their discontent, but management has not yet decided how and if they will address these concerns. In the cases reviewed, salaries may, by law, not be downgraded to rectify inequities. Still, comparable worth has the potential to alter the historical wage differential between management and non-management workers from which the former have, in part, derived their relatively higher status.

It may be easier politically, however, to extend the scope of comparable worth to include all non-management positions than to include management. Legislation may offer a particular advantage over the collective bargaining process in its ability to extend the scope of comparable worth standards. If the governor or legislature agrees to

review the government's compensation procedure, it may have the legal power, through civil service laws which supercede collective bargaining laws (Dean, 1984), to make the system inclusive of all non-management jobs and bargaining units. This allows for broad intra-unit comparison. In Minnesota and Washington, all non-management employees were on the same general classification system prior to the implementation of comparable worth. Consequently, when the comparable worth study was done, it was possible to evaluate and compare a large cross-section of dissimilar jobs.

At the bargaining table, employers may deal with bargaining units on an individual basis, thus it may be more difficult to get all jobs within an organization evaluated on the same basis. Sometimes, different compensation systems exist because separate pools of money are set aside to fund "critical" positions, i.e., firefighters' and police' wages in San Jose and Contra Costa County.

However, these excluded units are often male-dominated and higher paid. While often supportive of the comparable worth efforts of female-dominated units, these male unionists may be uninterested in participating in comparable worth studies because of fear of losing their relative bargaining strength. Many such units bargain with management separately and are able to secure higher salaries; participating in comparable worth could compromise this advantage. Further, they may fear that management will downscale their wages in order to correct wage

inequities. The cases suggest that prohibitions against downscaling of wages can be successful; comparable worth adjustments were awarded on top of standard, across-the-board wage increases. Comparable worth may bring about a major change in the relative salaries of these jobs, and similar to management workers, the male-dominated unions may resist any attempt to challenge the status quo.

When the unions excluded from comparable worth studies are either male-dominated or higher paid, comparable worth can only achieve limited success. In these cases, the amount of money awarded partially closed the wage gap between male and female jobs but the establishment of a bias-free standard of equity was limited by the exclusion of certain workers. Getting excluded units and management included in the process may depend upon two factors: the relative strength of the workers in underpaid female-dominated jobs and the nature of the classification system previously used by the employer. Perhaps more difficult may be the cultural problem of getting workers, particularly underpaid female employees, to understand that their jobs maybe comparable to other, quite dissimilar jobs. Women workers often see their jobs in relation to other female jobs, and not in relation to higher paid male jobs. (Newman, 1976). "Unfortunately, since women are not only workers...but also participants in the culture at large, they often share the undervaluation of women's work, whether done by themselves or other women." (Remick, 1984, p.91)

Relevant Evaluation Methods

Once comparable jobs are evaluated and wages realigned to reflect relative job value it does not guarantee non-discrimination over time. To do this a mechanism should be set up to ensure that discriminatory wage differences do not reappear. When a new job evaluation method is put in place as part of an effort to achieve comparable worth, it should be updated over time to reflect changes in job structure and changes in what an employer values. Remick (1984) states,

"job evaluation systems and prevailing wages are based on cultural value systems that are forever changing, a perfect evaluation system, good for all time is impossible."

Historically job evaluation systems were developed for private sector, manufacturing firms. Later, systems were developed for office jobs. Designers of these systems tended, however, to borrow factors from previously designed systems, so that the new systems reflected their industrial origins. Over time job content and skill requirements have changed. In addition, the societal view of the relative importance of certain jobs has changed. Many existing plans, therefore, may not correspond to the current nature of the labor market. Today's workforce is concentrated in technical and service jobs--jobs held by many women. Revised evaluation plans may be needed which consider the full range of skills demanded and credit them in accordance with their value to an organization's operations. (Treiman and Hartmann, 1981).

Evaluation systems must be continually updated in order

to incorporate the changing content of jobs and to reflect changes in what an employer values. For example, over time the nature of what is important to an employer has changed. Employers in highly product-oriented organizations may require and value manual tasks such as lifting and operating heavy machinery. Many of today's industries, though, are more service-oriented and rely on employees being able to operate light machinery (data processors; calculators) and to interact well with the public. This is particularly relevant for women, many of whom are employed in service sector jobs and whose jobs skills may not be well defined in manufacturing-based job evaluations. Job evaluation systems need to reflect these changes.

Through legislation, the responsibility for updating comparable worth is with state personnel office and open to high degree of political intervention. Through collective bargaining the task force may be charged with this task, allowing for a greater level of worker input. This may be important because it is workers who know what their jobs require and may be able to best assess how job content is changing.

Sex-Bias in Job Evaluation

Steinberg (1984) writes that comparable worth policy addresses the issue of wage discrimination which exists "where there is an inconsistent application of values or an inappropriate assessment of jobs" (p.22). Thus far the emphasis of comparable worth activity has been on the

former.

Although in some cases minor alterations were made to job job evaluation techniques, in none of the case studies did employers and employees attempt to significantly alter what aspects of jobs were given most weight by job evaluation techniques. Rather, comparable worth proponents were more concerned with getting higher wages for women. Reestablishing equity standards to reflect comparable worth was the tool used to obtain these wage increases. Making the job evaluation system as bias-free as possible was considered to be a separate goal, part of a more long term project (Bonnie Watkins, 1985; Lee Finney, 1985; Chernoff, 1985). Designing a new system takes time and may be costly. The comparable worth advocates in these cases realized that while current job evaluation methods may underestimate the extent of the gap, they can still help reduce discriminatory differences in the pay of jobs done primarily by men and those done primarily by women. (Treiman and Hartmann, 1981, p. 81).

There are two potential sources of sex-bias in evaluation systems: job evaluators may incorporate cultural stereotypes and prejudice in describing work traditionally done by men and work traditionally done by women; and the compensable factors chosen to evaluate jobs may be reflective of cultural bias. Because the evaluation process is inherently a judgmental one, a totally bias-free job evaluation system does not exist. However, if these evaluation systems were more closely scrutinized for sex-

bias, they could possibly identify an even larger wage gap between male and female-dominated jobs and set new standards for what is a fair and equitable wage.

For example, the nurturing and guidance skills required of nurses and teachers (both female-dominated occupations) may be considered intrinsic qualities of women rather than skills required to perform jobs effectively. Consequently they may go unnoticed by job evaluators. Ironically, while men may be rewarded for the things they are assumed to do better "naturally" (i.e., lifting heavy objects), women often receive little or no compensation for their "natural" talents (i.e., nurturing or counseling). Even if evaluators are sensitive to these biases, prevailing patriarchal views which underlie the undervaluation of women's work may be hard to detect. For example, many evaluation systems measure responsibility in fiscal terms. Many women's occupations carry a great deal of responsibility--but for people not for money (day-care workers, nurses, social workers), and thus these responsibilities may be overlooked and undervalued.

Under the legislative process in Minnesota and Washington, the choice of consultant (who in turn chooses the factors of evaluation) was in the hands of the governor. When the employer chooses the system they must be careful to watch for bias because they can be held responsible for any biases in their compensation system. The collective bargaining procedure puts the task force in charge of making the choice. For example, in Vacaville, the task

force carefully reviewed several studies to choose one which best met their needs. While not certain to eliminate sex-bias, allowing the unions to help choose the system (whether in the legislation or collective bargaining process) may insure a higher level of acceptability of the results.

One way to get a less-biased system is to design a job evaluation system which looks at what the standard of evaluation has been historically (based on white male related tasks) and to evaluate all jobs based on that standard. This is what is being done in New York state, where workers bargained for the development of a new job evaluation methodology. (Cook, 1984). The New York study asks workers to describe their jobs. Realizing that workers might describe what they think others consider valuable, the designers of the study have developed a new rating scheme for workers to use in evaluating their jobs, which includes job factors that may have been undervalued or disregarded in the past. As with other reforms, there are tradeoffs between achieving short run goals (obtaining more money for women) and long run goals (creating a less-biased standard of equity). If short term goals are pursued, it may be at the expense of the long run goals--management may realize that paying workers based on a consistent application of standards is cheaper than developing and instituting a more bias-free system.

There are no definitive tests of what constitute "fairness" in choosing factors. Treiman and Hartmann (1981) conclude fairness in this context can only mean "achieving a

consensus about factors and their weights among employers and employees." Whether through collective bargaining or legislation employees should be included because they are the ones most affected by the job evaluations.

Chapter 6: CONCLUSION

The purpose of this thesis was to investigate how the policy of comparable worth--equal pay for work of equal value--has been implemented. The wage differential between men and women is now widely recognized, as is the fact that the workforce is highly sex-segregated. Recent research supports the assertion that the two are significantly correlated. Disagreements exist, however, over the exact nature of the linkage. Comparable worth advocates claim that "women's work" is undervalued simply because it is done by women. Feminists and unions have advocated comparable worth as one policy which could potentially alleviate a large portion of the wage gap by rewarding women fairly for the work they do. Economists continue to argue over the evidence supporting comparable worth and private sector employers oppose it (Livernash, 1980), yet implementation of comparable worth has been widespread in the public sector.

In this thesis I have reviewed the efforts of womens' groups and unions to implement comparable worth through collective bargaining and legislation. Legislation relies to a great extent on the support of politicians in power. Legislating comparable worth makes the policy a legal responsibility of the state. As an employer of a large number of workers in a diverse group of occupations, the state can apply the policy to a broad set of jobs. The example set by the state has the potential to influence other employers. The spillover effect from implementation of comparable worth in the public sector, or by one large

employer in an area, onto other employers is something which has yet to be studied empirically.

While legislation can be effective, it is subject to significant political scrutiny which can make implementation a long, sometimes fruitless, process. In Minnesota, where implementation has been achieved relatively easily and at a relatively low cost to the state, there is an historically strong union environment and a commitment to progressive political issues. The Washington case exemplifies the opposite extreme--where union and women's groups had to struggle with a changing political environment and increasing resistance to implementation within the state legislature and governorship. In both Minnesota and Washington, the workers, through their unions served primarily as a lobbying force to get elected officials to institute changes in their wage-setting procedures.

On the other hand, when comparable worth is implemented through collective bargaining it appears to offer a greater degree of employee input in the entire process. As a direct result of labor-management negotiations comparable worth has been interpreted in a variety of ways. Most significant is that through collective bargaining a job evaluation study is not always necessary to begin implementation. Regardless of the details of implementation, once raised as a legitimate issue at the bargaining table comparable worth can expand the areas of employee input in wage setting practices. The

collective bargaining cases of San Jose, Contra Costa County, Vacaville, and Yale show how workers were more involved in job evaluations studies, negotiating committees, and oversight for ongoing implementation than when instituted through legislative procedures.

This worker participation has led to greater worker empowerment. Using their collective strength, workers have gone on strike or fought contract settlements until their comparable worth demands were addressed by management; women workers have been able to have their concerns addressed. In the years to come it will be important to see if this new found power can be effective in achieving further implementation of comparable worth as well as other issues of concern to women workers, such as childcare or part-time employment.

Despite the differences in approaches, both collective bargaining and legislation have been effective in winning higher wages for workers in female-dominated job categories. These wage adjustments are different from wage realignments that simply raise the pay of the lowest level jobs and collapse an employer's wage structure. In these cases wage adjustments went to all undervalued job classes not just the lowest paid jobs at the bottom of the wage scale. Jobs at the bottom of the wage scale are often disproportionately undervalued, and primarily filled by women, therefore, they are likely to receive a larger percentage of comparable worth adjustments. Thus, in closing the discriminatory gap between male- and female-typed jobs, comparable worth may

also collapse the overall wage structure.

In theory, comparable worth requires that there be fairness (consistency) in the application of job evaluation methods for ranking jobs and setting salaries. It also requires that there be a revaluation of women's work through a recognition of the tasks of jobs performed by women as distinct from the skills of the job incumbents. In practice, comparable worth does not always accomplish both of these goals simultaneously or completely. In fact, these case studies clearly indicate that the emphasis of comparable worth activity has been on the former. While proponents of comparable worth may recognize the desirability of achieving both goals, the pragmatic approach has been to achieve fairness and win wage increases in whatever way possible, and promote further revaluation of job evaluation methods as part of the longer term, ongoing process.

Still, much remains to be done in defining equity based on the standard of comparable worth. Comparable worth has been interpreted and implemented in a limited fashion. Expanding the scope of comparable worth to include the widest distribution of jobs and developing ways of identifying and eliminating sex-bias in job evaluation methods may eventually lead to the full elimination of sex-based discrimination in wage setting practices.

The implementation of comparable worth can begin to challenge cultural beliefs which undervalue women's work and

economic practices which exploit women by not paying them a wage which accurately reflects their contribution to an employer's operation. In doing so comparable worth may not only raise women's wage but also has the potential of initiating a more open discussion of the wage system within a firm. Since wages are influenced by how one perceives work and who does it, comparable worth by raising women's wages can raise the societal value of women's work and change Yet, one policy alone will not be enough to overcome major social inequities. Comparable worth must be part of a broader social justice program.

It is too early to draw any definitive conclusions on how much of the wage gap comparable worth will be able to eliminate, but it is clear that when applied it can reduce some of the discriminatory differences in the pay of men's and women's jobs. Economic forecasts indicate that during the next few decades sex-segregated occupations will continue to grow rapidly. Consequently, many researchers (Blau, 1984; Walker and Grune, 1984) believe that the wage gap between men and women is likely to remain relatively unchanged. Consistently applying job evaluation standards can begin to reduce that gap. Revaluating what it is employers and society values about work can close the gap even further, but this struggle will not be accomplished very easily or very quickly.

The recent rapid increase in the number of women living in poverty only heightens the urgency of achieving economic equity for women. The immediate economic interests

of women dictate that wage increases be won in the short run; and that the struggle to restructure wage scales be part of long term goals. The fact that comparable worth is never fully accomplished all at once, underscores the need for establishing a long term institutionalized process for handling comparable worth as part of any comparable worth policy.

Comparable worth is one policy intervention which could significantly alter the wage earning power of women. It can also begin to alter cultural perceptions of the value of women's contribution to the economy and lessen women's economic dependence on men's wages. Action is widespread and growing. Employers both in the public and private sector can no longer avoid the issue. If the concept is to spread, it will require workers to organize to exert pressure on employers to implement it either voluntarily or through collective bargaining, legislation, or litigation.

"As more firms adopt comparable worth, the resultant salary adjustments will permeate the wage structure of local labor markets. Through the process of pressure, innovation, imitation, and adjustment, the wages paid for work done primarily by women will catch up with the reality that women represent a large, permanent, and highly productive set of employees. These concrete actions will, no doubt, eventually transform a highly charged and controversial political demand into a routine and institutionalized feature of equal employment policy." (Remick and Steinberg, 1984, p. 301.)

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