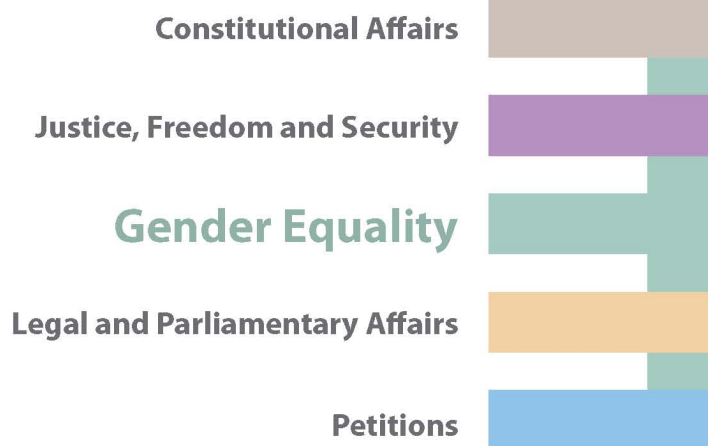


DIRECTORATE-GENERAL FOR INTERNAL POLICIES

POLICY DEPARTMENT **C**
CITIZENS' RIGHTS AND CONSTITUTIONAL AFFAIRS



Gender equality policies in the USA

NOTE



DIRECTORATE GENERAL FOR INTERNAL POLICIES
POLICY DEPARTMENT C: CITIZENS' RIGHTS AND
CONSTITUTIONAL AFFAIRS

GENDER EQUALITY

GENDER EQUALITY POLICIES IN THE USA

NOTE

Abstract

Even though the most obvious forms of sex discrimination have been considerably reduced in the USA society, discrimination takes much more subtle forms. This note offers an overview of the situation in the US (at federal level) regarding gender equality and is based on 5 themes: sex discrimination in the workplace; reconciliation of private and professional life; access to health care; equal representation in decision-making; eradication of all forms of gender-based violence. It appears that, depending on the issue at stake, the US situation can be comparable to the one of some of the EU countries or be particular notably because of cultural specificities.

This document was requested by the European Parliament's Committee on Gender Equality.

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INTRODUCTION

In Western societies, we distinguish between two sexes and two genders, or as some see it, two classes of people 'men' and 'women'; this leads to attributing certain characteristics to the given genders. However, such categories are not pure. Sex differences exist but are transformed through social practices into social facts (Lorber 2001).

Gender discrimination is defined as 'any distinction, exclusion, or restriction made on the basis of sex which has the effect or purpose of impairing or nullifying the recognition, enjoyment, or exercise by women irrespective of their marital status, on a basis of equality of men and women, of human rights and fundamental freedoms in the political, economic, social, cultural, civil, or any other field' (CEDAW 1979, Art. 1).

The Convention on the Elimination of All Forms of Discrimination against Women, or CEDAW, focuses on elevating the status of women to that of men in the area of human rights, building on the Universal Declaration of Human Rights and subsequent international covenants aiming at eliminating discrimination on the basis of gender. However, extensive discrimination against women continues regarding access to a number of resources ranging, from food and health, to education, training and opportunities for employment (CEDAW 1979, Reichert 2011).

By accepting the Convention, states agree to adopt measures that would eliminate gender discrimination, including measures in the political, economic and cultural fields to promote development of women, as well as regarding social and cultural patterns of conduct, so as to eliminate prejudices and associated practices based on the idea of inferiority of one of the sexes vis-à-vis the other or on stereotyped roles of men and women (CEDAW 1979, Art. 5[a], Reichert 2011).

Most countries have approved CEDAW, but the US have not. Although former president Jimmy Carter signed the treaty in 1980, the US Senate did not ratify the document. The US has anti-discriminatory legislation against women in the workplace and other areas, but the approval of CEDAW would introduce additional measures to ensure gender equality.

Opposition to CEDAW has been led by sovereigntists, with arguments that its emphasis on women as workers fails to respect their role as mothers, that it supersedes the states' legal powers and that it would require changes in US law. However, several states, counties and cities have called for the adoption of precepts of CEDAW, while others have enacted local laws to embody them, e.g. by adopting policies and practices that promote gender equity (Resnick 2007).

The 2011 Global Gender Gap Report ranks the US in the 17th position (among 135 countries), as far as the gender gap is concerned. The US score high in educational attainment and economic participation but is 39th in health/survival and political empowerment (Hausmann et al. 2012).

Now that the most obvious forms of sex discrimination have been considerably reduced, discrimination takes much more subtle forms.

1. SEX DISCRIMINATION IN THE WORKPLACE

1.1. Legislative background

Almost all states have adopted discrimination laws related to employment, with protection against discrimination based on various factors, such as race, gender, age, marital status, national origin, religion or disability. Many of the state laws are similar in nature to Federal Civil Rights Laws but may offer additional protections against employment-related discrimination. State laws may apply to public sector or private sector employment.

The right of employees to be free from discrimination in their compensation is protected under several federal laws, including the following enforced by the US Equal Employment Opportunity Commission: Title VII of the Civil Rights Act of 1964¹, the Equal Pay Act of 1963², the Pregnancy Discrimination Act (PDA), the Age Discrimination in Employment Act of 1967³, and Title I of the Americans with Disabilities Act of 1990⁴ (ADA).

The Civil Rights Act of 1964 was a comprehensive effort to prohibit discrimination in areas such as public accommodations, education and employment (National Partnership for Women and Families 2004). Title VII prohibits an employer's discrimination against individuals regarding hiring, promotion or demotion, transfer, firing, discipline, compensation, pay, leave, benefits, and the general terms, conditions, or privileges of employment, because of race, colour, religion, sex or national origin. The Fourteenth Amendment prohibits discriminatory conduct by the different states, while the Fifth Amendment prohibits such conduct by the federal government. However, it does not preclude individuals to be classified as different; it is only in cases of invidious discrimination that the Constitution is offended (Feder 2012b).

The US Equal Employment Opportunity Commission (EEOC) is responsible for enforcing federal laws regarding employment discrimination because of the person's race, colour, religion, sex (including pregnancy), national origin, age (40 or older), disability or genetic information. It covers most employers with at least 15 employees, as well as most labour unions and employment agencies.

The EEOC has the authority to investigate charges of discrimination against employers who are covered by the law and tries to settle cases. It also files lawsuits to protect the rights of individuals and public interests. Moreover, it works to prevent discrimination through education and technical assistance programs. It provides guidance to federal agencies regarding the equal employment opportunity programme and technical assistance to federal agencies concerning complaint adjudication. It also evaluates federal agencies' affirmative employment programs, develops and distributes federal sector educational materials and conducts training for stakeholders.

1.2. Men and women in the US workforce: current situation

The American workforce has had a number of major transitions throughout history, when societal, economic and technological trends transformed work, workers and workplaces. Current trends include increased employment opportunities for women, increased participation of men in home activities, growing global economic pressures and continually

¹ <http://www.eeoc.gov/laws/statutes/titlevii.cfm>.

² <http://www.eeoc.gov/laws/statutes/epa.cfm>.

³ <http://www.eeoc.gov/laws/statutes/adea.cfm>.

⁴ <http://www.eeoc.gov/laws/statutes/ada.cfm>.

improving communications technologies, which provide more opportunities for managing work and personal life (Matos and Galinsky 2011).

In 1950, 34% of women ages 16 and over participated in the labour force. By 2010, this percentage was 59% for women overall and 71% for women with children (US Bureau of the Census 2011). Women comprise half of the US force (49.8%), compared to only 35.6 in 1970. They also comprise 77.4% of workers in education and health services, which is the fastest growing sector in the US economy, while they also hold at least 50% of posts in government (Joint Economic Committee 2010).⁵

1.3. The Pay Gap and its causes

When the Equal Pay Act⁶ was introduced in 1963, women earned 59 cents for every dollar paid to men. In 2011, almost 50 years after the Equal Pay Act became law, women are paid an average of 77 cents for every dollar paid to men. The pay gap is even larger for African-American women (earning about 70 cents), and Latinas (about 60 cents on the dollar), as well as women with disabilities. The gender wage gap has narrowed, but almost no progress has been made since 2001 (White House 2011). Moreover, the actual gap is larger given that the most common way of measuring it restricts the comparison to those working full-time on a weekly or annual basis in a single year. This leaves out two fifths of women workers who do not work full-time or full-year (Hartmann, Rose and Lovell 2006, p.126).

The anatomy of the wage gap is both interesting and complex:

- Women have made progress in earning higher wages over the last three decades, but remain overrepresented among workers who earn low wages. Women made up an estimated 49% of the overall workforce in 2010, but constituted 59% of the low-wage workforce
- Across occupations there are wide differences: women earn 70.6 cents for each men's dollar in retail sales, 81 cents in management occupations, 89 cents in federal government

⁵ Women in different sectors in 2003: secretaries and administrative assistants (96.3% women), elementary and middle school teachers (80.6%), registered nurses (90.2%), nursing, psychiatric and home health aides (89%) and cashiers (75.5%) National Partnership for Women and Families (2004). Women at Work: Looking Behind the Numbers. Washington, DC, National Partnership for Women and Families.

⁶ **The Equal Pay Act of 1963 (EPA):** the Equal Pay Act requires that men and women be given equal pay for equal work in the same establishment. The jobs need not be identical, but they must be substantially equal. It is job content, not job titles, that determines whether jobs are substantially equal. All forms of pay are covered by this law, including salary, overtime pay, bonuses, stock options, profit sharing and bonus plans, life insurance, vacation and holiday pay and fringe benefits. If there is an inequality in wages between men and women, employers may not reduce the wages of either sex to equalize their pay. Specifically, the EPA provides that employers may not pay unequal wages to men and women who perform jobs that require substantially equal skills, effort and responsibility (the degree of accountability required in performing the job), and that are performed under similar working conditions within the same establishment.. Pay differentials are permitted when they are based on seniority, merit, quantity or quality of production, or a factor other than sex. These are known as "affirmative defences" and it is the employer's burden to prove that they apply. Title VII, the ADEA, and the ADA prohibit compensation discrimination on the basis of race, colour, religion, sex, national origin, age, or disability. Unlike the EPA, there is no requirement that the claimant's job be substantially equal to that of a higher paid person outside the claimant's protected class, nor do these statutes require the claimant to work in the same establishment as a comparator. It is also unlawful to retaliate against an individual for opposing employment practices that discriminate based on compensation or for filing a discrimination charge, testifying, or participating in any way in an investigation, proceeding, or litigation under Title VII, Age Discrimination in Employment Act, ADA or the Equal Pay Act.

- In terms of educational level, female high school graduates earn 69.6 cents, college graduates earn 70.9 cents, while those with a professional degree only 57.9 cents for every dollar earned by their male counterparts
- Among the less-educated workers, women tended to work in industries and occupations, such as health care and social assistance, characterised by lower wages than those in which men work
- Single women with children in the household had in 2010 the lowest annual household income, averaging about \$27,000
- The penalty for women becomes heavier when one considers that women are over-represented in part-time work (comprising 64% of part-time workers), which is on average paid at 58% of the full-time hourly wage (Joint Economic Committee 2010).

It has been estimated that, by the time the average woman reaches retirement at 64, she has lost over \$430,000 because of the wage gap (Joint Economic Committee 2010).

Survey research has shown that mothers suffer even more substantial wage penalty, but the causal mechanisms for this effect have not been fully revealed. Having children is often associated with losing job experience, being less productive at work, trading-off high paid for mother-friendly jobs, or being discriminated against by employers. Even after taking into consideration differences in work experience, education and other human capital aspects, and job characteristics, mothers pay a 7% penalty per child (Budig and England 2001). Gender division of labour in the home also contributes to the pay gap, with women remaining primarily responsible for child care and housework. Interestingly enough, inequalities among women in terms of economic status have increased and are parallel to those among men (Blau and Kahn 2006).

In a recent study involving employers, participants evaluated application materials for pairs of men or women equally qualified job candidates who differed on parental status. The study showed that employers discriminate against mothers, but not against fathers. Mothers were found to be penalised on a number of measures, including perceived competence and recommended starting salary. By contrast, men sometimes benefit from being a parent (Correll 2007).

The Obama administration views, at least in rhetoric, the problem as a serious economic and social one⁷, as mothers are either the primary breadwinners or co-breadwinners in almost two third of US families led by single mothers or two parents, while in two-parent families there is a even greater reliance on women's income due to increasing number of unemployed men. Lost wages, but also reduced social security benefits and pensions are signalled as crucial matters (White House 2011).⁸

⁷ In 2009, President Obama signed the Lily Ledbetter Fair Pay Restoration Act, which allows victims of pay discrimination to file a complaint with the government against their employer within 180 days of their last pay check. Previously, victims were only allowed 180 days from the date of the first unfair pay check.

⁸ Recently, an important bill seen to close the loopholes that enable employers to defend certain discriminatory types of conduct in the Equal Pay Act and give women more power to stop pay disparities – the Paycheck Fairness Act – was blocked by just two votes in the Senate. The Obama administration has declared commitment to passing this Act. In parallel, a National Equal Pay Task Force has been established, bringing together the Equal Employment Opportunity Commission, the Department of Justice, the Department of Labour and the Office of Personnel Management to address specific challenges preventing women from receiving equal pay for equal work, including enforcement of equal pay laws, as well as better information for employers and employees on the issue (White House 2011).

Corporate human resources personnel are charged with enforcement of anti-discrimination policies but often they are denied the authority to do so and enforcement becomes an 'ad hoc application of remedial measures' (Gregory, 2003, p. 206), inadequate for preventing further discrimination and for improving the work environment. Neither are corporate employers afraid of EEOC, knowing its ineffectiveness in the area of enforcement. The absence of a strong governmental enforcement policy has contributed to the continuous presence of sex discriminatory conduct and practice.

1.4. Sexual Harassment

The Supreme Court has addressed sex discrimination in the context of sexual harassment and pregnancy discrimination. Federal law in the domain of sexual harassment has been based on the interpretation of Title VII by the courts and the federal agency EEOC. Until the mid-1970s, federal courts were reluctant to impose liability on employers who had knowledge of, or were involved in sexual harassment.

The Supreme Court, as well as the EEOC, have recognised two forms of sexual harassment: a) the *quid pro quo*, which entails that an individual be subjected to unwelcome sexual advances as a condition of their employment, otherwise threatened by transfer, non-promotion, displacement etc. b) behaviour that interferes with an individual's performance or contributes to the creation of an intimidating and hostile working environment (Feder 2012b). In 1980, the EEOC issued administrative guidelines prohibiting both forms of sexual harassment.

In 1991 the Congress made amendments to the Civil Rights Act of 1964, which established jury trials and compensatory damages for Title VII violations. Plaintiffs can now seek monetary compensation for suffering sexual harassment. In recent years, the Court has also issued decisions that expanded the protections in Title VII against retaliation by employers and have made easier to sue employers who retaliate as a result of workers' complaints about discrimination. In federally assisted educational programmes sexual harassment is also prohibited by Title IX of the 1972 Education Amendments (Feder 2012a, 2012b).

1.5. Pregnancy Discrimination

Pregnancy discrimination involves treating a woman (an applicant or employee) unfavourably because of pregnancy, childbirth, or a related medical condition.

The Pregnancy Discrimination Act (PDA) of 1978 amended Title VII of the Civil Rights Act of 1964⁹ to make clear that such discrimination constitutes unlawful sex discrimination under Title VII, which covers employers with 15 or more employees, including state local governments and also employment agencies and labour organisations.¹⁰ Under the Act,

⁹ <http://www.eeoc.gov/laws/statutes/titlevii.cfm>.

¹⁰ Women who are pregnant or affected by pregnancy-related conditions must be treated in the same manner as other applicants or employees with similar ability or in ability to work. The Pregnancy Discrimination Act (PDA) forbids discrimination based on pregnancy when it comes to any aspect of employment, including hiring, firing, pay, job assignments, promotions, layoff, training, fringe benefits, such as leave and health insurance, and any other term or condition of employment. An employer may not single out pregnancy-related conditions for special procedures to determine an employee's ability to work. If an employee is temporarily unable to perform her job because of her pregnancy, the employer must treat her the same as any other temporarily disabled employee. Additionally, impairments resulting from pregnancy may be considered disabilities under the Americans with Disabilities Act (ADA). For more information about the ADA, see <http://www.eeoc.gov/laws/types/disability.cfm>. For information about the ADA Amendments Act, see http://www.eeoc.gov/laws/types/disability_regulations.cfm.

pregnancy leave is medical leave provided for a pregnancy-related disability and protects a woman from being terminated, refused a job, or denied a promotion because she is pregnant. The Act also prohibits an employer from forcing a pregnant woman to go on leave while she is able to work. It is also unlawful to retaliate against an individual for opposing employment practices that discriminate based on pregnancy or for filing a discrimination charge, testifying, or participating in any way in an investigation, proceeding, or litigation under Title VII.

Many states have expanded the coverage provided by the federal PDA. Legislation addresses various issues including: Duration of the leave; whether leave is paid or unpaid; provisions for "less strenuous work options"; if and how pregnancy should be treated as a disability; prohibitions of discrimination against pregnant employees; notification requirements; and reinstatement provisions.

In the decade before the introduction of the PDA, more than half of employed women quit their jobs because of pregnancy; by the early 1990s, this figure was only 26.9%. At present, more women work while they are pregnant, as well as work longer into their pregnancy (National Partnership for Women and Families 2004).

1.6. Discrimination Charges

Statistics released in January 2011 by the EEOC on the number of discrimination charges received in 2010 raise serious concerns about the persistence of on-the-job discrimination. The EEOC received 29,029 charges alleging sex discrimination, the highest ever number, representing a 17% increase since 2007. It also received 6,119 pregnancy discrimination charges, 10% more than 2007. As pointed out by the National Partnership for Women and Families, the annual number of pregnancy discrimination charge filings has more than doubled since the EEOC began tracking this category in 1997. Simultaneously, charges on retaliation for claiming job discrimination rose to 36,258 cases, i.e. 36% increase since 2007. Charges of discrimination based on race rose to 35,890, the highest ever number recorded by EEOC, 18% more than 2007. Race discrimination claims are increasingly filed by Hispanic and Asian/Pacific Islander women and men. Age discrimination charges also rose from 23,264 (19,103 in 2007, a 22% increase). The EEOC also received 25,165 charges for disability discrimination in 2010, compared to 21,451 in FY 2009 (National Partnership for Women and Families 2011). Out of these, only a very small number are litigated by the EEOC, and this is why plaintiffs often need to pursue discrimination suits on their own.

Apart from confirming the persistence of sex discrimination in the workplace, these data indicate that the combination of gender, race and ethnicity is important in understanding how different groups of women are treated in employment; it also highlights the need for Title VII to be enforced in an effective way as to address these complexities. 'Compound discrimination', involving a combination of two or more factors among race, ethnicity, age,

Pregnant employees must be permitted to work as long as they are able to perform their jobs. Any health insurance provided by an employer must cover expenses for pregnancy-related conditions on the same basis as costs for other medical conditions. An employer need not provide health insurance for expenses arising from abortion, except where the life of the mother is endangered. Employers must provide the same level of health benefits for spouses of male employees as they do for spouses of female employees. Pregnancy-related benefits cannot be limited to married employees. In an all-female workforce or job classification, benefits must be provided for pregnancy-related conditions if benefits are provided for other medical conditions. If an employer provides any benefits to workers on leave, the employer must provide the same benefits for those on leave for pregnancy-related conditions. Employees on leave because of pregnancy-related conditions must be treated the same as other temporarily disabled employees for accrual and crediting of seniority, vacation calculation, pay increases, and temporary disability benefits.

gender, and disability status is to be taken seriously, if the cases, elderly, immigrant or women of colour are to be fully addressed (National Partnership for Women and Families 2004).

The higher women's professional achievement is, the more willing they are to contest acts of discrimination because the higher their loss is going to be. Whether women decide to proceed to litigation or not, their status can be affected at work. In the former case, their act would influence the position of other women and eventually contribute to decreasing sex discrimination (Gregory 2003).

One of the flaws of anti-discrimination policies was that they were the product of the prosperous 1960s when the focus was on changing the composition of employment rather than its structure. Growing similarities and the fact that job structures no longer privileges male jobs renders a gendered analysis more relevant than ever, particularly in dealing with the issues in precarious and 'new employment' forms in the lower echelons of services. Economic and social policies need to be combined to deal with the dislocations ensuing from the flexibility and insecurity of the labour market (McCall 2001).

2. RECONCILIATION OF PRIVATE AND PROFESSIONAL LIFE

2.1. Pregnancy, maternity & parental leave

The percentage of couples with both partners employed outside the home has risen from 66% in 1977 to 80% in 2008. On average, these women in dual-earner couples provide 45% of their total household income (Matos and Galinsky 2011). By 2009 women were the sole job-holders in 34.2% of families with children. About 26% of working mothers are single mothers (Joint Economic Committee 2010).

The **Federal Family Medical Leave Act (FMLA)** of 1993, enforced by the US Department of Labour, provides for 12 weeks of unpaid leave during a 12-month period for employees who need to care for a newborn, adopted, or foster child, a family member (parent, child under 18, dependant adult child, or spouse) with a serious health condition, or attend to the own serious health condition. To be eligible, the employee must have worked for the employer for 12 months prior to taking the leave and the employer must have a specified number of employees. The FMLA applies to all public agencies, including state, local and federal employers, and to private-sector employers with 50 or more employees (US Department of Labour 2012).

At the federal level, the US do not guarantee any paid leave for mothers, nor any paid paternity or parental leave, the only OECD country in 2011. Five states, namely California, Hawaii, New Jersey, New York and Rhode Island, and Puerto Rico have Temporary Disability Insurance programmes to provide some pay when a worker is out of work due to a health condition, including pregnancy. Currently only two states, California and New Jersey, offer paid, or partially paid, family and medical leave.¹¹

¹¹ In California, paid leave is funded by an employee payroll tax and allows employees to participate in the temporary disability program. New Jersey has extended its temporary disability insurance system to administer paid leave, likewise funded through an employee payroll tax. Washington passed a paid family leave law in 2007 that was to take effect in October, 2009. However, due to budgetary concerns, the implementation has been delayed until 2015.

Current bills for addressing limitations of the FMLA, include its expansion to employers with 25 or more employees (currently covers employers with 50 or more employees), coverage of more parental activities, coverage of employees who need intermittent leave to care for an elderly relative, coverage of care for a domestic partner or his or her child, parent-in-law, adult child, sibling, grandparent, grandchild, son-in-law, or daughter-in-law, if such a person has a serious health condition. The argument for these proposals is that families need more flexibility in making care decisions.

The present reality is that less than 50% of workers have access to (unpaid) family leave granted by the FMLA. Many cannot afford to take it, while only 11% of workers in the US have access to paid family leave through their employers. Less than 40% of workers have access to personal medical leave through the temporary disability insurance programmes. This means that about 44 million private sector workers do not have a single sick leave day and this also puts pressure on them, due to caring obligations, which may necessitate their presence at home, e.g. when a child or an elderly member is sick (Institute for Women's Policy Research 2011).¹² This strain affects mostly women, who are the primary carers. At the same time, US people live longer and as a result there are more chronic conditions, which call for more caregiving.

Research has shown that flexibility in work arrangements, particularly in the current period of crisis, increases employee retention and has positive impacts on performance, as well as on the physical and emotional health of employees (Joint Economic Committee 2010). But this flexibility is currently limited, particularly for the lower-pay employees, who are those who seem to need it more, as they are more likely to be single parents, have a child with special needs or be caregivers for ill or elderly family members (Williams and Boushey 2010).

Pregnant employees may have additional rights under the Family and Medical Leave Act (FMLA). Nursing mothers may also have the right to express milk in the workplace under a provision of the Fair Labour Standards Act enforced by the US Department of Labour's Wage and Hour Division. However, this right to breastfeed is not guaranteed (Heymann et al. 2007).

US welfare reform with the 1996 Personal Responsibility and Work Opportunity Reconciliation Act (PRWORA) has been seen as a new model of social assistance with employment for all as a policy goal. The Temporary Assistance to Needy Families (TANF), which replaced the old welfare programme Aid to Families with Dependent Children (AFDC), presupposes employment, as the beneficiaries must take part in community service after two months of receiving benefits and must get employment within two years. Child care has increased for those in employment, but those not in employment have lost governmental support for child care. The individual entitlement to social assistance was eliminated. The new policies include also the expansion of Earned Income Tax Credit (EITC), which alongside TANF has been credited with raising the income of poor employed parents. Unlike AFDC, they reward those employed and being on low income and supporting children, rather than those poor and unemployed (Orloff 2002).

¹² The Healthy Families Act is a bill that would set a national standard and give workers the right to earn up to seven sick days per year to recover from illness or to care for a sick family member. It would apply to business with 15 or more employees and would provide paid sick leave to about 46 million employees who do not currently earn it. The National Partnership for Women and Families has been a driving force promoting this cause through a coalition aiming at increasing education and awareness of the issue.

The effects of the 1990s welfare reform on gender relations have been documented: a) the withdrawal of the social right of mother to care for their children, which affects more significantly the poor single mothers (predominantly African American, Latinas and residents in urban centres), i.e. those who used to depend more on social assistance and are more severely affected by poverty; b) the emphasis placed on the market for the provision of care arrangements, as support for caregivers becomes linked with employment while child care facilities, though expanded, cannot meet demand; c) the shift in institutionalised expectations about the gender division of labour, which derives from emphasising employment for both men and women, while disregarding care needs, which are still primarily conducted by women. Critics argue that the reform leaves the poorest out of the system, as EITC help those who are employed, while unemployment insurance can help only those recently employed for a specific amount of time (Orloff 2002). The American Recovery and Reinvestment Act of 2009 followed the same logic of providing some benefits to those in employment.

At present, care work, though significant, is undervalued, not only regarding women as primary caregivers but also professional carers, such as child care workers and early education workers. Affordable and quality early care centres and kindergartens are rare and this poses serious financial concerns. It has been estimated that the annual cost of (full-time) child care for an infant in a relevant establishment is almost half of the annual income for a two-parent family living at the federal poverty threshold (\$18,310 a year in 2009) (NACCRRA 2009). Child care appears to be even more of an economic necessity in 2010, compared to 2006, and the cost and availability of it an increasing concern particularly for dual-income families (NACCRRA 2012). The problem is even more serious for single mothers: While the Head Start and Early Head Start programmes provide subsidised child care for low-income families, in reality supply of these services is limited and demand cannot be met. Many families are caught into the trap of not qualifying for subsidised care but at the same time not being able to afford paying for good quality care. The overall federal spending on programmes for children has consistently decreased over the last 50 years (Joint Economic Committee 2010).

For a number of reasons, including the pay gap and career interruptions facing women, social security benefits are harder to obtain for women than men. Women earn over fifteen years about 38% of men's earnings, as they take time out of work to care for their families. Single mothers are particularly vulnerable as they have to support their families on lower earnings (Hartmann, Rose and Lovell: 2006, p.148). More public support for family benefits such as paid parental leave and child care would lead to increasing male participation in the domestic sphere. Tax policies favour men blatantly (Polachek 2006).

Policies that bring up the bottom of the labour market are in favour of women in the short and the long run, as they increase their attachment to the labour market. What would benefit both sexes would be the introduction of family-friendly policies at the workplace.

Despite their greater involvement in the workforce women have not substantially reduced their involvement at home, including involvement with children; the majority of married/partnered women report doing most of the cooking (70%) and cleaning (73%) in their households (Matos and Galinsky 2011).

Regarding men, from 1977 to 2008, the average workday time fathers spent with their children increased significantly from 2 to 3.1 hours and their time doing housework also increased significantly from 1.3 to 2.3 hours a day. In 2008, 49% of employed men with families reported experiencing work-family conflict to some degree, compared to only 34%

in 1977. This rise has been more prominent when it comes to fathers in dual-earner households –from 35% in 1977 to 60% in 2008, while for mothers the change has been small, namely from 41% in 1977 to 47% in 2008. As a result, traditional views about men's roles as breadwinners, combined with new gender roles which involve men's participation in family life, but which are not yet supported by workplace institutional arrangements, have created pressures on men (Aumann et al. 2011).

2.2. Care arrangements

Women continue to be the primary caregivers in families and also regularly manage healthcare decisions for children, elderly members, and often their spouses. A fragmented health care system creates considerable strains on these caregivers (Ness 2011). Furthermore, caregiving as a practice is often associated with physical and psychological strain. A recent study based on a sample of 1480 caregivers has demonstrated that 66% were women and 34% men, while in terms of race 72% are White, 13% African-American, 2% Hispanic and also 2% Asian-American (National Alliance for Caregiving¹³ 2009). An interesting finding is that out of the top 50 most powerful women in business in 2002, over twelve had a stay-at-home dad (Polachek 2006); the exact opposite of the norm, which signifies a complete reversal of roles.

In 2007, EEOC issued guidance explaining the circumstances under which discrimination against workers with caregiving responsibilities might constitute discrimination based on sex, disability or other characteristics protected by federal employment discrimination laws (EEOC 2007). Subsequently, the EEOC has continued providing suggestions for employers to avoid discrimination against caregivers, as well to provide equal employment opportunities. These suggestions reflect the acknowledgement that the combination of employment and caregiving (for spouses, children, but also the elderly and the disabled in families) is a significant challenge. The EEOC also recognises that though the caring responsibility falls disproportionately on the shoulders of women, particularly women of colour, men have also increasingly assumed caring tasks.

Employers adopting flexible workplace policies that help employees achieve a satisfactory work-life balance help benefit their workers and enhance their customer base and their bottom line, as reports indicate (e.g. Corporate Voices for Working Families¹⁴ 2005); others highlight increased employee engagement and retention, decreased turnover and absenteeism, increased customer satisfaction, increased productivity and reduced costs, enhanced innovation and creativity (e.g. Families and Work Institute¹⁵ 2008).

Flexibility can have a significant impact on work/life balance of employees across a variety of organisations, particularly those on low wages. As a two-thirds to three-quarters majority of wage and salary employees feel they do not have enough time for their children, spouses/partners and themselves, while younger ones lower their ambitions due to inability to manage work and family commitments, flexibility is seen as a way to provide employees with the resources they need to be engaged and successful at work and at home. The report also identifies the lagging behind of the culture of flexibility, which conflates flexibility with career damages and the need for management and daily processes to accommodate flexible arrangements. The benefits of these arrangements (increased

¹³ A non-profit coalition of more than 40 national organizations, established in 1996 and dedicated to family care giving to improve the quality of life for families and care recipients.

¹⁴ A non-profit, non-partisan national business membership organisation shaping conversations and collaborations on public and corporate policy issues involving working families.

¹⁵ A non-profit, nonpartisan research organization that studies the changing workforce, family and community

satisfaction and engagement, lower insurance costs) for both employees and employers are highlighted (Matos and Galinsky 2011).

The Working Families Flexibility Act, a bill that had been introduced before and was reintroduced in February 2012 would provide employees with the statutory right to request flexible work arrangements in terms of number of hours, times of work, place of work and work schedules. To be eligible, an employee would have to work at least 20 hours a week, or at least 1,000 hours per year, for an employer with at least 15 employees.

Desirable as they may be, policies aiming at work-life balance can have the side effect of enhancing occupational segregation, like in Sweden (Meyersson Milgrom and Petersen 2006).

The issue of care is of paramount importance. Women pay a very heavy price career-wise because of their caring responsibilities. Policies that would be of a 'take it or lose it' nature would perhaps increase the number of fathers who would take time off to care for their children and in so doing they would contribute toward erosion of gender stereotypes. In order for those to policies to be successful, subsidisation would be required.

3. ACCESS TO HEALTH CARE

The **Affordable Care Act (ACA)**, introduced in 2010, is intended to transform the US healthcare system from one shaped by providers to one serving the population (Ness 2011).

Due largely to the high cost of health coverage, especially for women without access to employer-based coverage, 19 million American women between the ages of 18 and 64 did not have health insurance in 2011. The ACA is expected to provide to millions more women access to high-quality affordable health care. It enacts a series of crucial reforms that are seen to improving the quality of care for women and their families while also reducing the financial burden of health care. It is intended to put an end to some of the insurance industry's practices such as dropping people from insurance plans when they get sick and refusing to cover maternity benefits in almost all individual market plans.¹⁶

As of 2014, it will no longer be legal to deny women or children coverage because of a pre-existing condition or disability. Moreover, US women citizens who are joining a new health plan, as well as Medicare beneficiaries, can receive preventive services such as mammograms, pap smears, new baby care, and well-child visits without any out-of-pocket cost-sharing expenses; they can also be covered for birth control purposes. The law is increasing Americans' access to care in other important ways, too. It includes more than \$200 million in funding to support and expand school-based health centres¹⁷, which provide

¹⁶ The National Women's Law Centre in a recent report documents how insurers on the individual market use discriminatory practices that make it difficult for women to obtain affordable health care. Gender rating—or generally charging women more for the same coverage—costs women in the individual health insurance market approximately \$1 billion a year, based on average current advertised premiums and the most recent data on the number of women in the individual market. In the 37 states that have not banned gender rating, 92 percent of best-selling plans charge women more than men, even though the vast majority of these plans do not cover maternity services. Huge variations exist in each state and across the country in the difference in premiums charged to women and men. Furthermore, in states where maternity coverage is not mandated (all but nine states), only 6% of health plans available to a 30-year-old woman provide maternity coverage (NWLC 2012).

¹⁷ <http://www.healthcare.gov/news/factsheets/2011/12/health-centers12082011a.html>.

primary care, dental care, behavioural health services, and substance abuse counselling services (Centre for American Progress 2012).

The Campaign for Better Care, which includes the National Partnership for Women and Families, Community Catalyst, the National Health Law Programme, and the Leadership Conference on Civil and Human Rights is working towards a positive impact of the ACA, particularly for those in greater need, namely the poor, the elderly, the chronically sick and the caregivers (Ness 2011).

4. EQUAL REPRESENTATION IN DECISION-MAKING

4.1. Women's representation in business

In the light of the emerging knowledge economy and the increasing presence of managerial posts and roles in organisations, the question of advancement of women to top management and governance positions has come to the fore. Such advancement promotes diversity and has an impact on decision-making and firm performance (Adams and Ferreira 2008). In the current financial crisis, where male values and practices are questioned, women's increased representation becomes even more salient. Significantly, diversity brings different values to corporate leadership and changes in management styles (Matsa and Miller 2011).

In 1962, Catalyst, a non-profit agency specialising in women's jobs, was founded with a dual mission: to assist women achieve their maximum professional potential and to help employers capitalise on their female employees' abilities. In 1977 Catalyst began its corporate Board Resource. There was a steady increase of women on boards of the top 1,300 companies and in 1996 their percentage rose to 10% (Zweigenhaft and Domhoff 2001, p, 183). Inequality in top positions, research has shown, is not due to differential promotion but rather to the fact that there are few women with seniority and qualifications for corporate top posts and they have to compete with many more men (Meyersson Milgrom and Petersen 2006).

Women who make it to the top are usually those that make their male counterparts comfortable, meaning similar to them. This means competitive and tough-minded but not too much but also not too attractive and caring. From the point of view of employers who hire such women, one of the aims is to create a buffer zone between themselves and the lower ranks of employees and to present an image of corporate diversity (Zweigenhaft and Domhoff 2001).

When men are asked why in their opinion women do not make it to the top, they refer to either lack of skills or work-family conflict. Men see them as primarily responsible for the domestic sphere and the upbringing of children, whereas single women without children are more suitable. By contrast women think that external barriers are there to hinder non-white males. There is a class between the individualist ideology which legitimises the status quo as seen by males and that of women who attribute the current climate to male networks. Elite males have completely different relationships than those between elite females. Women also admit to the need to develop similarities with their male colleagues to succeed (Davies-Netzeley 2001). Though recent studies have demonstrated that the increasing presence of women is associated with improved performance (McKinsey 2007, 2010), the general realisation remains that women are under-represented in management boards, particularly in executive roles. According to the recent Catalyst Census of the Fortune 500 US companies, in 2011 women held 16.1% of board seats (15.7% in 2010). In

both 2010 and 2011, less than one-fifth of companies had 25% or more women on their management boards, while about one-tenth had no women serving on their boards. Further, in both 2010 and 2011, more than two thirds of companies had no women of colour on their boards (Soares, Cobb et al. 2011a). Likewise, in both 2010 and 2011 women held less than 15% of executive seats. Nearly one fifth of companies had 25% or more women Executive Officers, but more than one quarter of companies had no women Executive Officers (Soares, Cobb et al. 2011b).

Moreover, women's representation in Fortune 500 leadership has remained stagnant over the last decades, and more so in the last six years (Joint Economic Committee 2010). This phenomenon can be explained by drawing on factors, such as the established structures that perpetuate male domination and segmentation in the labour market, or cultural stereotypes against women in leadership positions. These counteract the benefits of gender diversity in management that come out of empirical research. Representation of women on corporate boards is to some degree historically conditioned, differentiated by national context and influenced by social, economic and political environmental factors (Terjesen and Singh 2008).

The Dodd–Frank Wall Street Reform and Consumer Protection Act (signed into law in July 2010) is expected to make a difference regarding women as business leaders but also to protect consumers in general and women in particular from abusive financial services practices. As noted in a recent report, the establishment of Offices for Women inclusion at federal financial services agencies is expected to empower women in the corporate world, as they are supposed to give more opportunities to women-owned and minority-owned financial, accounting and legal businesses to participate in contractual opportunities which were previously monopolised by large firms (Joint Economic Committee 2010).

4.2. Women's political representation

According to the Gender Gap index 2011, the US is in position 39 (of 135 countries) regarding political empowerment of women. In particular, it occupies position 72 regarding the representation of women in parliament and position 15 regarding women in ministerial positions (Hausmann et al. 2011).

Currently women are still under-represented at all levels of US government:

- Women hold only 17% of the seats in Congress.
- Only 22% of all state-wide elective executive office positions are currently held by women.
- Women form only 24% of state legislatures.
- Only 6 out of 50 states have female governors.
- The United States trails behind much of the world, being 90th in the number of women in the national legislature.
- On average, male cabinet appointees outnumber women cabinet appointees in the states by a ratio of 2 to 1.
- 50% less women than men consider running for office. Of those, 30% less actually run, while only a fraction seeking higher office.

- Women constituted 54% of voters in the 2008 elections, but only 24% of state legislators.
- Women of colour represent only 4% of Congress and 23% of women members of Congress.

Given US women's first place in educational achievement worldwide, it is rather surprising that they are underrepresented in positions of political power. Quotas could be a way forward. However, in the US parity democracy has not become a dominant discourse like in Europe. Quotas have been rejected on the basis that they undermine formal equality and the Equal Protection Clause of the Fourteenth Amendment. Stronger US individualist traditions and faith in the free market also increases resistance to enactment of legislation to ensure women's access to power, as well as overall state intervention for welfare purposes, which has been the European tradition. Deep concern with essentialism in the US means that quotas are likely to be seen as rigid and essentialist, linked with a portrayal of women as different, something that would oppose the feminists' fighting against gender stereotypes (Rubio-Marin 2012).

5. ERADICATION OF ALL FORMS OF GENDER-BASED VIOLENCE

The United Nations defines violence against women as any act of gender-based violence that results in, or is likely to result in, physical, sexual or mental harm or suffering to women, including threats of such acts, coercion or arbitrary deprivation of liberty, whether occurring in public or in private life. The Violence Against Women Act of 1994 (VAWA) was an important step in addressing sexual assault, domestic violence, stalking, and other forms of violence against women. It provided \$1.6 billion to enhance investigation and prosecution of violent crimes perpetrated against women, imposed automatic and mandatory restitution on those convicted, and allowed civil redress in cases prosecutors chose to leave unprosecuted.

The first National Intimate Partner and Sexual Violence Survey communicates a clear picture that women are disproportionately affected by sexual violence, intimate partner violence and stalking.¹⁸

VAWA changed the legal landscape, creating powerful new criminal and civil enforcement tools for holding perpetrators accountable and for offering victims access to safety and justice. In addition, VAWA recognized that, given the social barriers that kept these crimes hidden, public support for specialized outreach, services, training, and enforcement was critically important to realizing the vision of a society that no longer tolerated violence against women. To this end, VAWA established within the US Departments of Justice (DOJ) and Health and Human Services (HHS) a number of formula and discretionary grant

¹⁸ 1.3 million women were raped during the year preceding the survey.
 Nearly 1 in 5 women have been raped in their lifetime (1 in 71 men).
 1 in 6 women have been stalked during their lifetime (1 in 19 men).
 1 in 4 women have been the victim of severe physical violence by an intimate partner (1 in 7 men).
 81% of women who experienced rape, stalking or physical violence by intimate partner reported significant related short or long term impacts, such as Post-Traumatic Stress Disorder and injury, while 35% of men reported such impacts (CDC 2011).

programs to help communities respond to the needs of women who had been, or potentially could be, victimized by violence.¹⁹

The Violence Against Women Act of 2000 (VAWA 2000) improved protection for battered immigrants, victims/survivors of sexual assault, and victims of dating violence. It established new programs to address the following: elder abuse; violence against individuals with disabilities; safe visitation and exchange of children in cases of domestic violence, child abuse, sexual assault, or stalking; and legal assistance for victims. Most recently, the Violence Against Women Act of 2005 (VAWA 2005) improved and expanded legal tools and grant programs addressing domestic violence, dating violence, sexual assault, and stalking.

The debate on domestic violence divides scholars into those who believe in gender being a central factor and those who do not, the feminist and anti-feminist ones. Depoliticisation and decontextualisation are not helpful in decreasing incidents of violence as they obscure its causes; nor is attributing it to communities which are marginalised in terms of race, socioeconomic status and class (Dragiewicz 2011).

The antifeminist stance in the US is more visible in the media through men's associations and activist groups. The low number of men reporting incidents of violence, however, proves the feminist stance right, in the sense that patriarchal relationships are at the root of both, as hegemonic masculinity is detrimental to both men and women (Gilligan 2001).

Representation of violence by the media focuses on the American language of 'choice' and ignores the socio-economic and cultural factors and the gendered hierarchies that shape choices. Repoliticising the discourse on violence is essential, so as to intervene effectively and address the causes of both women and men of colour who are victims (Davis 2000).

Fierce antifeminist attacks and resistance to policies and services against women's abuse only show the interrelationship between patriarchy and violence against women, which is tacit and invisible and needs to be exposed, as it is taken for granted (Dragiewicz 2011).

5.1. Sexuality-related issues

The way sexuality is linked with gender relations is very complex. It ranges from controlling female fertility through access to contraception and legalisation of abortion to recognition of homosexual relationships and new gender categories, like transgendered people, or attitudes to sexual violence. This section only refers to abortion and contraception policies and to homosexuality and same-sex couples, as they have been two very controversial issues and will briefly touch upon gender stereotypes in the US.

Abortion policy has been a contentious issue in the US since the Supreme Court's 1973 *Roe v. Wade* decision holding that the Constitution protects a woman's decision to terminate her pregnancy. The Court's rulings since, however, have continued to generate debate and have facilitated governmental actions at the federal, national and local levels, so as to counteract these rulings (Shimabukuro 2012). Some decisions have given greater leeway to the States to restrict abortion; others have limited the scope of abortion activities that would receive federal funding, notably Medicaid abortions under the annual

¹⁹ The Office on Violence Against Women was statutorily established within the United States Department of Justice following the passing of the reauthorization of VAWA in 2000. It has the authority to administer some the grants authorized under VAWA, as well as develop federal policy around issues relating to domestic violence, dating violence, sexual assault, and stalking.

appropriations for the Department of Health and Human Services (the so-called “Hyde Amendment”).²⁰ The Republican party opposes women’s reproductive freedoms.

Cost has been a central issue in the relevant debates, especially in health reform (Blanchfield 2012). The Affordable Care Act has set provisions that are controversial regarding the use of premium tax credits or cost-sharing subsidies for health coverage that includes abortion services (Shimbakuro 2012). A particular Court decision based on the “undue burden” idea has enabled the Congress to introduce statutory responses for abortion, such as the Freedom of Choice Act.

Emergency contraception is also a contentious issue, as the relevant medication is not available over the counter despite the problem of the US having one of the highest rate of unintended pregnancies in the industrialised world (Frost and Darroch 2008).

5.1.1. Homosexuality

In the 1950s homosexuality was a criminal offense in all the US but laws and attitudes have changed substantially since then. By the beginning of the 21st century almost all laws against homosexuals had been repealed and in 2003 the Supreme Court ruled that such laws were unconstitutional. Discrimination in employment against homosexuals is illegal and in 2009 many states introduced relevant anti-discrimination laws.

Human rights and citizenship help understanding the issue. In a society in which powerful religious institutions do not recognise same-sex marriage, same-sex couples will be reduced to second-class citizenship. Some see privatisation of marriage as the only solution for treating people of all sexual orientations equally. Alternatively, to mitigate discriminatory practices the state could recognise several relationships as marital to the extent they fit with the essential elements of marriage (Hartley and Watson, 2012).

There is a need to maintain the place of marriage but also to expand public support and recognition for other close relationships and family bonds. Another challenge would be to renew marriage culture and respect equal moral capacity and responsibilities of both men and women. Gains in sex equality are often seen by defenders of traditional marriage as being in tension with strengthening the family (McClain 2006).

5.1.2. Gender stereotypes

The Supreme Court has rejected the use of gender stereotypes and generalisations about women’s ability and in many cases, including the exclusion of women from courtrooms and military establishments, impediments to their promotion that relate to concerns about their skills.

Title IX of the Education Amendments of 1972 prohibits sex discrimination in educational programmes and activities receiving federal financial assistance, including sports programmes, classrooms and campuses. Recent decisions of the Court have addressed issues such as damages, the parties that are liable, and the scope of retaliation claims (Feder 2012b).

²⁰ Similar restrictions relate to appropriations for other federal entities, e.g. the Department of Justice not being able to use federal funds to perform abortions in the federal prison system, except in certain cases; likewise in the District of Columbia federal funds cannot be used for abortion except in certain cases (Shimbakuro 2012).

There has been progress in counteracting the essentialist approach and question its assumptions. Curricula and federal programmes have been developed to encourage girls to go for traditionally 'male' scientific fields and occupation and media also cast women in masculine roles (Blau, Brinton and Grusky 2006). Nevertheless, men are not equally represented in female occupations.

Men are traditionally seen as more dynamic, agentic and statusworthy, while women as more caregiving and communal. Such stereotypes operate often on the unconscious level and are very damaging to equality in the labour market, shaping people's behaviour (Ridgeway 2006). For middle-class North American white men, masculinities are different. In adolescence is very much physical but later job performance is paramount. Sport and mass culture give access to this male subculture that stresses gender differences and is misogynist. Heterosexual women as mothers and lovers play a role in either strengthening or recasting masculinities (Snider, 2001).

Sex segregation led to jobs becoming 'male' or 'female' and groups of men are reluctant to have women entering their occupations which are thus becoming less prestigious, what is known as 'pollution theory', especially when women's productivity is not observable by all (Goldin 2006).

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6. CONCLUDING REMARKS

Understanding the complex picture of inequality in the US requires a triptych of analytical tools, namely gender, class and race. Unless stratification along those lines is taken into consideration, no valid conclusions can be reached.

After almost sixty years of reduction in gender inequality there are two scenarios: one that sees the continuation of erosion of inequalities and a pessimistic one, according to which the situation has reached equilibrium and no further progress is to be expected. Some aspects of inequality (pay gap, representation in workforce) have changed more rapidly than others (representation in political organisations, top managerial positions and decision-making). The stance that scholars take is hued by their ideology and the focus of their research.

The US legislation and policy on equality are based on the principle of anti-discrimination, according to which all citizens are treated in the same way. Substantive equality, by contrast, operates asymmetrically in favour of the disadvantaged, takes into account racial background and focuses on equality of outcome. Preferential treatment, which redresses the balance in terms of equality of outcome, rather than 'equal' treatment, which exacerbates the current unequal dynamics, might be the way forward (Idris 2009). Parity democracy would be more difficult due to both racism and patriarchal structures opposing it. Moreover, due to the influence of religious fundamentalism, women's rights have historically been regarded as a threat to traditional family life" (with men being the head of the household and the single earner and women having children and working at home with no monetary compensation) (Rubio-Marin 2012).

It seems that gender equality won't be achieved soon. What is important is to maintain and continue anti-discriminatory policies, as well as increasing men's participation in the private sphere through education and media representation but also through family and labour market policies. An 'economic citizenship' approach has been advised by critical feminist thinkers, which would encompass measures enabling poor mothers to combine employment and caregiving, i.e. childcare services, paid parental leave and more generous social assistance (Orloff 2002).

In all suggestions about future policies, the role of forces which are decentralised and often outside public view should be taken into consideration. Resistance to discriminatory practices and individual efforts to change them in all their subtle and diffused forms is a prerequisite. Changes sometimes came about as a result of structural changes rather than of feminist activism (Jackson 2006). This is true enough but only if it is coupled with deep changes of traditional family roles and stereotypes of women as main carers and on a collective action level, which would guarantee enforcement of anti-discriminatory practices in the workplace (England 2006).

McCall (2001) argues that equality policies need to be supplemented with economic policies aiming at changing the underlying structure of wages for both male and female workers at the bottom end of the labour market.

In a globalised world it is inevitable that a world polity entails the diffusion of common values, including human rights and their application to women. Social exclusion, social inclusion and social cohesion constitute a major difference between the EU and the US policy –making (Walby 2004). Legislation of other countries, as well as international human rights norms, can be valuable in family policy formation. A fundamental question is whether legal, policy and other concepts travel for transnational and cross-cultural discourse (Solanke 2011). This is related with the propensity of the US law and policy to borrow concepts, but also practices adopted in other contexts, not least the EU.

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8. FEDERAL AGENCIES

National Conference of State Legislatures (NCSL) www.ncsl.org

The National Conference of State Legislatures is a bipartisan organization that serves the legislators and staffs of the nation's 50 states, its commonwealths and territories. NCSL provides research, technical assistance and opportunities for policymakers to exchange ideas on the most pressing state issues. NCSL is an effective and respected advocate for the interests of state governments before Congress and federal agencies. NCSL is your organization. The leadership of NCSL is composed of legislators and staff from across the country. The NCSL Executive Committee provides overall direction on operations of the Conference.

Women's Legislative Network of NCSL

The Women's Legislative Network of NCSL is the professional development organization that includes every female state legislator in the fifty states, United States territories, and the District of Columbia. The Network began when female legislators gathered at NCSL meetings in the late 1970s. It was formally organized in 1985 at the Annual Meeting in Seattle and later became a core program of the NCSL Foundation for State Legislatures.

The mission of the Women's Legislative Network is to promote the participation, empowerment, and leadership of women legislators.

The Network does not advocate for or against specific state policies, but sponsors informational briefings so legislators can better understand an issue and learn from one another. Recent topics addressed include: women's health, including issues of chronic disease, healthy pregnancies and access to care; women and financial asset development; affordable housing; the Earned Income Tax Credit; and women in the criminal justice system. The focus of Network programming this year is on what legislators can do to support the financial stability of women in their districts.

Department of labour women's bureau: <http://www.dol.gov/wb/>

Women in the workforce are vital to the nation's economic security. The Women's Bureau develops policies and standards and conducts inquiries to safeguard the interests of working women; to advocate for their equality and economic security for themselves and their families; and to promote quality work environments.

The Women's Bureau was established in the Department of Labour by Public Law No. 259 of June 5, 1920. The law gave the Bureau the duty to "formulate standards and policies which shall promote the welfare of wage-earning women, improve their working conditions, increase their efficiency, and advance their opportunities for profitable employment." It also gave the Bureau the authority to investigate and report to the U.S. Department of Labour upon all matters pertaining to the welfare of women in industry. It is the only federal agency mandated to represent the needs of wage-earning women in the public policy process.

Throughout its history the Bureau has been concerned not only with women's ability to obtain profitable employment, but also their contribution to family income and how they could be assisted to balance work and family, a concern that continues to this day. Balancing work and family is an area with a multi-faceted history within the Women's

Bureau. In the 1960s, the Department of Labour set an example for other employers by establishing a demonstration child care centre in a nearby building for children of low income Department employees. Later, the Department became the first Federal agency to have an on-site day care centre. In 1982, the Bureau was proud to announce the launch of a major initiative to encourage employer-sponsored child care, followed by the establishment of a multi-media Work and Family Clearinghouse in 1989, and pressure for the passage of the Family and Medical Leave Act of 1993.

White House Council on Women and Girls

To ensure that each of the agencies in which they're charged takes into account the needs of women and girls in the policies they draft, the programs they create, the legislation they support" and that the true purpose of our government is "to ensure that in America, all things are still possible for all people.

[White House Council on Women and Girls](#)

U.S. Agency for International Development (USAID)

Women in Development

Provides technical assistance to USAID missions and develops approaches to new and emerging issues; sponsors projects on education, economic growth, trafficking, and violence against women that promote women's development.

http://www.usaid.gov/our_work/cross-cutting_programs/wid/

U.S. Department of Agriculture

Women, Infants and Children Program

Provides Federal grants to States for supplemental foods, health care referrals, and nutrition education for low-income pregnant, breastfeeding, and non-breastfeeding postpartum women, and to infants and children up to age five who are found to be at nutritional risk.

<http://www.fns.usda.gov/wic/>

U.S. Commission on Civil Rights <http://www.usccr.gov>

Studies and collects information relating to discrimination or a denial of equal protection of the laws under the Constitution because of race, color, religion, sex, age, disability, or national origin, or in the administration of justice.

Appraises federal laws and policies with respect to discrimination or denial of equal protection of the laws because of race, color, religion, sex, age, disability, or national origin, or in the administration of justice.

Serves as a national clearinghouse for information in respect to discrimination or denial of equal protection of the laws because of race, color, religion, sex, age, disability, or national origin.

U.S. Department of Health and Human Services

The Office of Women's Health (OWH), U.S. Food and Drug Administration

Serves as a champion for women's health both within and outside the agency. Works to correct gender disparities in drug, device, and biologics testing and regulation policy; monitors progress of priority women's health initiatives; and partners with government and consumer groups, health advocates, professional organizations, and industry to promote women's health.

<http://www.fda.gov/womens/>

Office of Research on Women's Health, National Institutes of Health (NIH)

Serves as a focal point for women's health research at the NIH; promotes, stimulates, and supports efforts to improve women's health through biomedical and behavioral research on the roles of sex and gender in health and disease; works in partnership with the NIH Institutes and Centers to ensure that women's health research is part of the scientific framework at NIH and throughout the scientific community; advises the NIH Director and staff on matters relating to research on women's health; strengthens and enhances research related to diseases, disorders, and conditions that affect women; ensures that research conducted and supported by NIH adequately addresses issues regarding women's health; ensures that women are appropriately represented in biomedical and biobehavioral research studies supported by NIH; develops opportunities for and supports recruitment, retention, re-entry, and advancement of women in biomedical careers; and supports research on women's health issues.

<http://orwh.od.nih.gov>

The Office on Women's Health, Office of Public Health and Science, Office of the Secretary Provides leadership to promote health equity for women and girls through sex/gender-specific approaches. The strategy OWH uses to achieve its mission and vision is through the development of innovative programs, by educating health professionals, and motivating behavior change in consumers through the dissemination of health information.

<http://www.womenshealth.gov/owh>

U.S. Department of Justice

Office on Violence Against Women

The mission of the Office on Violence Against Women (OVW), a component of the U.S. Department of Justice, is to provide federal leadership in developing the nation's capacity to reduce violence against women and administer justice for and strengthen services to victims of domestic violence, dating violence, sexual assault, and stalking. This is accomplished by developing and supporting the capacity of state, local, tribal, and non-profit entities involved in responding to violence against women.

<http://www.usdoj.gov/ovw/>

Trafficking in Persons and Worker Exploitation Task Force (TPWETF)

(TPWETF) was established to provide a coordinated, government-wide effort to prevent trafficking in persons and worker exploitation throughout the United States. The Task Force is co-chaired by the Assistant Attorney General, Civil Rights Division, and by the Solicitor of the Department of Labor, and includes other federal agencies that encounter worker issues.

<http://www.usdoj.gov/crt/crim/tpwETF.htm>

Federal Bureau of Prisons, Correctional Program Division, Female Offender Branch

The Female Offender Branch develops activities and programs designed to assist female inmates in developing necessary skills to facilitate successful reintegration into the community and to ensure institution security, safety of staff and inmates, and orderly institution operations.

Civil Rights Division — Criminal Section

Has the primary enforcement responsibility for the involuntary servitude and peonage statutes. It works closely with the FBI, U.S. Attorneys Offices, and the Criminal Division's Child Exploitation and Obscenity Section to investigate and prosecute cases of trafficking in persons and worker exploitation. The Civil Rights Division also funds and staffs the national complaint line for reporting trafficking crimes.

Office for Victims of Crime

Offers victim support, protection services, prosecutorial and law enforcement strategies, and education resources to trafficking victims and victim service providers. OVC also offers funding to provide direct services to victims of trafficking under programs like the Trafficking Victims Protection Act Grant Program.

<http://www.ojp.usdoj.gov/ovc/>

U.S. Department of Labor**Women's Bureau**

Serves as a public policy advocate for working women to improve their status, improve their working conditions, increase their efficiency, and advance their opportunities for profitable employment.

<http://www.dol.gov/wb/>

U.S. Small Business Administration (SBA)**Office of Women's Business Ownership Entrepreneurial Development**

Promotes women-owned businesses through business training and technical assistance and provides access to credit and capital, federal contracts, and international trade opportunities.

U.S. Department of State**Office of International Women's Issues**

Serves as the Department's coordinating body for all foreign policy issues related to the political, economic, and social advancement of women in democracy worldwide. Recognizing that the full and equal participation of women in the political, economic, and social spheres of society is a key ingredient for democratic development, the mandate of this Office is to mobilize concrete support for greater women's empowerment, promote greater awareness of gender-based violence and discrimination, and to ensure that women's human rights are considered along with, not segregated from, other human rights in the development of U.S. foreign policy.

<http://www.state.gov/g/wi/>

Bureau of International Organization Affairs

Coordinates U.S. participation in U.N. bodies that deal with human rights, humanitarian relief and refugees, women's issues, trafficking in persons, and disability issues.
<http://www.state.gov/p/io/>

Office to Monitor and Combat Trafficking in Persons

Coordinates international anti-trafficking efforts across the U.S. government and publishes the Trafficking in Persons Report.
<http://www.state.gov/g/tip/>

U.S. Department of Veterans Affairs

Center for Women Veterans

Ensures that women veterans have access to VA benefits and services on a par with male veterans; VA programs are responsive to gender-specific needs; outreach is performed to improve women veterans' awareness of services, benefits, and eligibility criteria; and women veterans are treated with dignity and respect.
<http://www1.va.gov/womenvet/>

NON-GOVERNMENTAL ORGANISATIONS

WCF Foundation, founded in 2006 is dedicated to helping women build the skills and infrastructure they need to become more effective leaders in public life. WCF Foundation conducts action-oriented research and pilots targeted programs that prepare women to become more politically active, increase their engagement in key democratic processes, and ready them for public leadership roles. At WCF Foundation, we not only identify barriers to women's political equality - we find solutions.

The National Committee on Pay Equity (NCPE), founded in 1979, is a coalition of women's and civil rights organizations; labor unions; religious, professional, legal, and educational associations, commissions on women, state and local pay equity coalitions and individuals working to eliminate sex- and race-based wage discrimination and to achieve pay equity.

NCPE's purpose is to close the wage gap that still exists between women, as well as people of color, and men.

National organisation of women (NOW): the National Organization for Women (NOW) is the largest organization of feminist activists in the United States. NOW has more than 500,000 contributing members and more than 500 local and campus affiliates in all 50 states and the District of Columbia. Since our founding in 1966, NOW's goal has been "to take action" to bring about equality for all women. Both the actions NOW takes and its position on the issues are principled, uncompromising and often ahead of their time. NOW is a leader, not a follower, of public opinion.

A combination of structural factors contributed to the influx of mothers into the paid labor force, including women's greater employability due to higher levels of educational attainment and the rapid growth of jobs in "pink collar" and service sectors. Our nation also achieved historic increases in children's school enrollment, freeing mothers from child care responsibilities for a substantial portion of the work day. In addition, men's increased employment insecurity due to significant industrial and manufacturing changes and

stagnating wages increased the need for two wage earners in the family. The rising number of households headed by single mothers also contributes to the need for women to work outside the home (Heymann and Beem 2005). While a feminist outlook may have inspired many women to seek self-fulfillment through rewarding work outside the home, the vast majority of U.S. mothers seek outside employment out of financial necessity.

Institute for Women's Policy Research

The Institute for Women's Policy Research conducts rigorous research and disseminates its findings to address the needs of women, promote public dialog, and strengthen families, communities, and societies. It is the leading think tank in the U.S. focusing primarily on domestic women's issues.

Founded in 1987, IWPR's reports and other informational resources have informed policies and programs across the U.S., in each of its key program areas:

Employment, Education, & Economic Change - Employment and Job Quality, Economic Status of Women in the States, Pay Equity and Discrimination, Access to Higher Education, Unemployment and the Economy

Democracy & Society - The Status of Women and Girls, Immigration and Religion, Women in Unions, Women's Political Participation

Poverty, Welfare, & Income Security - Retirement and Social Security, Poverty, Katrina and the Gulf Coast, Welfare Reform

Work & Family - Early Care and Education, Family Leave and Paid Sick Days, Workplace Flexibility

Health & Safety - Women's access to health insurance, costs and benefits of preventative health services for women, costs of domestic violence

National Partnership for Women & Families

The **National Partnership for Women & Families** is a non-profit, non-partisan advocacy group that pushes for vigorous enforcement of employment discrimination laws and expanded job opportunities for women. We educate women about their legal rights, and inform the public about the severe costs of discrimination to families and our economy.

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Pregnancy: Working women's salaries are critical to their families' economic security. In this economy, no woman can afford to lose her job—that is especially true when she has a new baby on the way.

The National Partnership played a critical role in passage of the Pregnancy Discrimination Act of 1978. The law amended Title VII of the Civil Rights Act of 1964 to protect employees against discrimination that is related to pregnancy, childbirth, or pregnancy-related conditions.

We continue to educate the public about the rising trends in pregnancy discrimination, the rights that women and men have when they experience discrimination, and the laws that should protect them. And we work to increase enforcement of these laws.

Sexual harassment can have a devastating impact on victims' lives. Victims of sexual harassment report greater instances of alcohol abuse and mental health problems. Harassment is also a devious way to keep women out of the workplace or in traditional "women's jobs" with low pay and few benefits.

The key to eliminating sexual harassment in the workplace is for both employers and employees to be aware of what it is, for employers to have strong anti-harassment policies and training, for employees to know their rights, and for employers to take immediate action when an employee alleges that sexual harassment has occurred.

The National Partnership develops and distributes materials to raise awareness about sexual harassment in the workplace, and how to confront it. In addition, we work to improve and enhance the federal government's efforts to eliminate this harassment.

The National Partnership is a leader in the work to free workplaces of discrimination and make them responsive to the needs of low-income women, who are especially vulnerable to exploitation.

We devote special attention to protecting and advancing key civil rights laws to help make the promise of equality a reality for everyone. A key part of our commitment to fairness and equality is preserving programs that have helped women make substantial gains over the past three decades — and educating the public about the benefits of equal opportunity for every person.

Since passage and then reauthorization of the 1996 federal welfare law, people who need assistance from this program have had a tougher time qualifying for benefits. They are disproportionately women and children.

The National Partnership has focused special attention on making sure that government policies give low-income women and their families the best chance to escape poverty and achieve financial stability.

Our priority is to eliminate the persistent employment barriers so that TANF recipients are able meet their work and family responsibilities. We have:

In recent years, the Court has considered cases involving discrimination, sexual harassment, a woman's right to make her own reproductive health decisions, equal and full application of the Family & Medical Leave Act, and other critical issues.

The stakes are particularly high for women. Much of the progress that has opened doors for women in the workplace, in education, and in business could not have happened without judges willing to follow the law and extend its protections to all.

For four decades, the National Partnership has been working to educate decision makers and the public about the records of judicial nominees and the importance of confirming judges who demonstrate a clear commitment to equal justice and opportunity.

The *Americans for Quality Health Care* campaign is comprised of multi-stakeholder alliances and consumer advocates around the country working to improve the quality and safety of health care in this country.

Specifically, we aim to:

- Increase public awareness and demand for health care quality information;
- Advocate for the development of nationally standardized measures for quality and safety;
- Advocate for public reporting of health care quality, safety, patient experience, and cost information;
- Increase consumer/patient knowledge of their health conditions and ability to manage them, including making informed treatment choices;
- Inform consumers/patients that the quality of health care varies and encourage them to choose (whenever possible) providers based on information about their ability to deliver effective care;
- Advocate for performance-based incentives to reward quality care;
- Advocate for research and initiatives that reduce disparities in care; and
- Ensure the inclusion of the consumer perspective in national health care quality activities.

NARAL <<http://www.naral.org/>> & Planned Parenthood Action Center <<http://www.plannedparenthoodaction.org/>>- advocate for reproductive health at the federal and state levels.

NARAL

We are made up of pro-choice women and men across the United States.

- We lobby Congress to convince your elected representatives to support your right to choose.
- We organize women and men to make sure that lawmakers hear from the pro-choice people they represent.
- We connect what happens in Congress or in the states to how it affects your ability to make private decisions, like choosing legal abortion.
- We work with our **state affiliates** to advance ideas that are good for women's freedom. We fight back against the bad ideas that threaten our privacy.
- NARAL Pro-Choice America uses the political process to elect lawmakers who share our pro-choice values and defeat candidates who don't.

The Planned Parenthood® Action Fund

The host of www.plannedparenthoodaction.org, is a national not-for-profit organization with its main offices in New York City and Washington, DC. The Action Fund is the nonpartisan advocacy and political arm of Planned Parenthood Federation of America. The Action Fund engages in educational and electoral activity, including legislative advocacy, voter education, and grassroots organizing to promote the Planned Parenthood mission. The Planned Parenthood movement's extensive experience in providing community-based health care for more than 90 years informs Planned Parenthood advocacy efforts. These efforts include advocating for changes in public policy, with a sharp focus on ensuring access to comprehensive, affordable reproductive health care for all. In partnership with more than four million activists, supporters, and donors, Planned Parenthood organizations advocate for health care access, promote effective education and prevention policies, protect a woman's right to choose, and challenge government interference in the most personal decisions of women and their families. Planned Parenthood advocacy efforts also extend to some of the poorest nations in the world, where PPFA and some PPFA affiliates partner with local organizations to advocate for policies that promote women's health and improve their quality of life, including the provision of safe abortion.

National Women's Law Center

The Center has been at the forefront of landmark legal and public policy initiatives to improve the lives of women, girls and families since 1972. For example, the Center was instrumental in passing laws to prohibit pregnancy discrimination in employment and to provide compensation for victims of sexual harassment. The Center improved state and federal tax laws to help millions of families pay for child and dependent care and secured new federal remedies for women seeking child support. The Center has also been a leader in enforcing Title IX, the 1972 federal law that prohibits sex discrimination in education, including athletics, since it was enacted.

Equality now

Equality Now works for the protection and promotion of the human rights of women and girls around the world. Working with grassroots women's and human rights organizations and individual activists since 1992, Equality Now documents violence and discrimination against women and mobilizes international action to support efforts to stop these abuses.

In our global efforts to secure women's rights, strategies we use include:

- international advocacy through the **Women's Action Network**, with membership of over 35,000 groups and individuals in over 160 countries who call on governments to guarantee women's rights;
- campaigns to raise awareness by highlighting individual cases of pervasive and severe violations against women and girls;
- building partnerships and coalitions with grassroots women's rights groups to amplify local and global advocacy;
- strengthening international and regional human rights law and mechanisms that address the rights of women and girls;

- conducting strategic litigation at national, regional and international levels to establish legal precedents on women's and girls' rights;
- mobilizing financial and capacity-building support for partners on the ground;
- using the media to bring these stories to the public.

DIRECTORATE-GENERAL FOR INTERNAL POLICIES

POLICY DEPARTMENT CITIZENS' RIGHTS AND CONSTITUTIONAL AFFAIRS **C**

Role

Policy departments are research units that provide specialised advice to committees, inter-parliamentary delegations and other parliamentary bodies.

Policy Areas

- Constitutional Affairs
- Justice, Freedom and Security
- Gender Equality
- Legal and Parliamentary Affairs
- Petitions

Documents

Visit the European Parliament website: <http://www.europarl.europa.eu/studies>

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