

A Selection of US Government Actions to Advance Women

Compiled by Heidi Hartmann and Ashley English

Institute for Women's Policy Research

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Updated by Cynthia Harrison, Professor Emerita, GWU

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Monitoring the Progress of Women

Between 1960 and 1981 there was always a government body tasked with monitoring progress for women across all spheres and making recommendations. The recommendations were frequently implemented. President Kennedy established the first President's Commission on the Status of Women and at the Commission's request he abolished the right of agency heads to select federal workers by sex. President Kennedy created two continuing entities, the "Interdepartmental Task Force on Women" and the "Citizens' Advisory Council on the Status of Women." His change in federal hiring practices became law in 1965. This had the effect of allowing more women to achieve high level appointments in the civil service. In 1967, acting on the recommendation of the Interdepartmental Task Force on Women with the cooperation of the Defense Department, Congress removed the 2% limit on women in the military. The Clinton Administration later opened most combat jobs to women. In 1966, the Women's Bureau of the Department of Labor hosted the third meeting of State Commissions on Women in Washington, DC, and the National Organization of Women was founded there. In 1965 the Atomic Energy Committee began a program of part-time employment for women in professional and technical jobs, an indicator of how long the US government has sought to make government careers more family-friendly.

The 1975 International Women's Year Commission (in response to the international women's year named by the United Nations) was funded by the Ford Administration and issued several reports including, *To Form a More Perfect Union* and *The Spirit of Houston*, that offered recommendations growing out of the conference held in Houston in 1977. Its recommendations encompassed improvements for women's participation in the arts, media, education, government, employment, and so on. One very influential recommendation, now widely implemented, is to use blind auditions and juries to judge candidates in the arts. Blind peer review is also now widely used in scholarly publishing. In 1978, the Carter Administration finally completely barred gender discrimination in the federal civil service.

During the Clinton Administration, a White House Office for Women's Initiatives and Outreach worked to call attention to important issues for women throughout government, and the President's Interagency Council on Women (first housed at HHS and then at the State Department) organized the US presence at the 1995 UN Fourth World Conference on Women and the US implementation of the Platform for Action resulting from the conference. Now in the Obama Administration, the White House Council on Women and Girls, also an interagency council, is highlighting women's programs in the various government agencies and plans to coordinate activities in several priority areas, including economic security, work and family life balance, violence against women, and health care. Also Secretary Hillary Clinton has appointed an Ambassador-at-Large for Global Women's Issues to highlight and coordinate the State Department's work on issues vital to women around the globe.

Employment Issues, Examples of Innovative Policy Implementation

The 1964 Civil Rights Act included sex in Title VII on employment from its inception. The Equal Pay Act, pertaining only to sex-based pay discrimination in the same or nearly the same jobs, dates from 1963. Title VII is still the most important single protection for women workers and is enforced by the Equal Employment Opportunity Commission (EEOC), which now also enforces the 1963 Equal Pay Act.

In 1967 President Johnson signed Executive Order 11375 adding sex to Executive Order 11246 (1965) which required nondiscrimination by federal contractors. Requiring affirmative action was subsequently required by regulation. HEW used the Executive Orders to hold hearings at US colleges and universities beginning in 1970. All Department and Agency efforts to make sure contractors are not discriminating and are using affirmative action are coordinated by the Office of Federal Contract Compliance in the US Department of Labor.

The EEOC developed the concept of sexual harassment as a form of employment discrimination covered by Title VII of the 1964 Civil Rights Act, during the tenure of Eleanor Holmes Norton as Chair of the Commission. Title IX of the 1972 Education Amendments also included sexual harassment due to the work of the National Advisory Council on Women's Educational Programs. In 1986, the Supreme Court deemed sexual harassment to be employment discrimination barred by Title VII.

The EEOC advanced the concept of comparable worth or pay equity (equalizing pay in different but comparable jobs typically held by men or women) through holding hearings and by supporting a study on comparable worth by the National Academy of Sciences issued in 1981 (by Eleanor Holmes Norton and her predecessor). The concept made some headway in the courts and in state civil services but has largely been halted by the courts for the private sector.

In 1972, the Women's Bureau took the lead in opening the first child care center for federal employees at the Department of Labor in its brand new building; they helped to form a nonprofit association of employee parents to run the child care center, which occupied the space especially designed for them rent-free. The WB then took the lead in helping other federal departments set up similar child care centers.

In the 1990s, the Women's Bureau developed tools for employees and employers to identify pay discrimination, identifying pay disparities, and achieving pay equity.

In the 1990s, the Women's Bureau's worked with scholars to identify "modern sweatshops" and then the Wage and Hour Division of DOL moved to hold clothing designers as well as manufacturers responsible for substandard working conditions.

In the 1990s, the Women's Bureau and others raised awareness of contingent and temporary workers falling outside labor protection laws and being undercounted.

During the Clinton Administration, the EEOC, DOL, and DOJ cooperated on the development of recommendations for the improvement of data collection from employers on EEO1. They also cooperated to field a survey on pay practices among employers designed to promote self-auditing.

OFCCP issued regulations to allow third party charges (advocacy groups rather than employees, for example) to initiate investigations in the 1970s.

At DOL, various training programs at various times have had set asides, appropriating specific sums, to women in various ways, for example, for formerly married and never married women, who came to be called “displaced homemakers,” for women seeking training in nontraditional jobs (the WANTO program), and for women in apprenticeships.

The EEOC issued guidance on the new concept of “family responsibility and caregiver discrimination” in 2007.

The Equal Rights Amendment

The Equal Rights Amendment (ERA), whose impetus came from outside the government, was first introduced in Congress in 1923. Because Title VII removed protective legislation for women only, which had been a major barrier to the passage of the ERA, Congress sent it to the states for ratification in 1972. It fell three states short of ratification but the campaign to ratify continues today. Despite its failure to enter the constitution the consensus it reflected, that there should be no discrimination on account of sex, gained wider support. In 1976, the Supreme Court declared that women were covered by the equal protection clause of the Fourteenth Amendment and ultimately that distinctions by sex had to be justified by an important state interest.

Title IX of the Education Amendments

Title IX forbids discrimination in all programs of all schools receiving federal funds. While separate sex sports teams were allowed, schools had to make an effort to have equal numbers of girls and boys/women and men participating in teams and were also to provide equal resources to female teams and male teams. Title IX led to the further opening of such programs as medicine, law, and engineering to women, openings that began under the OFCCP efforts addressing discrimination by federal contractors.

Sexual Harassment and Gay and Lesbian Rights in the Military

The Clinton Administration sought to make it more possible for gays and lesbians to serve in the military without harassment and without being discharged. He established the “Don’t Ask, Don’t Tell” policy, which suggested that discretion could solve the problem of discrimination.

Under President George W. Bush the 2003 defense authorization bill required the Secretary of Defense to establish a civilian and military task force to address sexual harassment and violence at the US Military and Naval Academies. In October 2004, expanded the mandate and required the Secretary of Defense to provide a proposal for changes regarding sexual offenses throughout military, under the “Defense Task Force on Sexual Assault in the Military Services.”

Health Issues

In September of 1990, under President George H. W. Bush, the Office of Research on Women's Health was established in response to congressional, scientific, and advocacy concerns that a lack of systemic and consistent inclusion of women in NIH-supported clinical research could result in clinical decisions based solely on findings from studies of men—without any evidence that they were applicable to women. Legislation passed in 1993 required women to be included in clinical trials. Numerous offices on women's health have spread throughout the federal government. During the Clinton Administration, Congress directed the Food and Drug Administration to ensure that FDA-sponsored clinical trials must include women and minorities.

Violence Against Women

In response to strong advocacy from women's groups focusing on violence against women, a bipartisan coalition of legislators passed the Violence Against Women Act in 1994, federalizing crimes against women based on sex; it has since been reauthorized and broadened. Under George W. Bush in 2002, Congress approved legislation to establish a permanent Violence Against Women Office within the Department of Justice.

Women's Entrepreneurship and Credit

In 1974 discrimination against women by lenders was prohibited. In 1979, an executive order created the Office of Women's Business Ownership in the US Small Business Administration.

Section 8-A set asides for small and disadvantaged businesses created opportunities for women's businesses, as well as those owned by minority men, to win federal contracts.

Under Clinton, interagency cooperation led to the adoption of a 5% goal across all agencies for contracting to women owned businesses.

The Federal Reserve and the SBA cooperated to encourage more access to capital under the Community Reinvestment Act, with the SBA establishing a pre-qualified loan program to facilitate bank loans to women business owners.

Unpaid Family Leave

The Clinton Administration, in its first major bill signing, passed the Family and Medical Leave Act (FMLA) which required employers with 50 or more workers to offer 12 weeks of (unpaid) leave to workers to care for new children, ill family members, or themselves when they become ill. The value of the unpaid leave is twofold: It guarantees a job of similar quality when the worker returns to work and it requires that employer-provided health insurance continued to be provided during the worker's absence at the same rate the employer would pay while the worker is at work. The law was later amended to provide longer leaves for those workers caring for wounded military veterans and added deployment of a family member as a covered reason for taking leave. Approximately 50-60% of the US workforce is covered by this law. Many states have passed similar legislation and a few have mandatory paid sick

days or paid disability for own illness and paid family care leave when newborns or other family members need care by a worker.

Advancing Women in Science

The National Science Foundation worked with the National Institutes of Health and the Department of Energy on a 2006 conference on improving academic chemistry departments through greater inclusion of women. More than 100 Chemistry Department chairs and national leaders in chemistry attended and issued recommendations for closing the gender gap in chemistry. Similar efforts were carried out in Physics and Material Sciences working with the Department of Energy in 2007 and 2008.

With funding from the NSF and NIH, the National Academy of Sciences convened a committee and issued a report in 2007, *Beyond Bias and Barriers*, analyzing gender disparities in science and engineering and providing recommendations to improve equity.

Since 2008, NSF, NIH, DOE, the Department of Defense, the Department of Agriculture, the Department of Homeland Security, and NASA have been participating in an interagency working group to carry out the recommendations in the National Academy of Sciences report.

In 2007, NIH created the NIH Working Group on Women in Biomedical Careers to maximize the potential of women scientists and engineers.

Women in International Development

The Peace Corps held quarterly meetings from 1987-1993 to facilitate networking among Peace Corps leaders and staff and NGO's. About 80 people attended each meeting and got help from each other with policy and legislative initiatives.

During the Clinton administration the President's Interagency Council on Women helped to highlight the problems of human and sexual trafficking and develop legislation on the issue.

Government Offices/Committees on Women mandated by Statute

1920 Women's Bureau, US Department of Labor

1951 The Defense Department Advisory Committee on Women in the Services

1973 Women in Development, Agency for International Development

1993 Office of Research on Women's Health, National Institutes of Health

1994 Office of Women's Health, Food and Drug Administration

1994 Center for Women Veterans, US Department of Veterans Affairs

1994 Special Assistant for Gender Equity in the Department of Education

2002 Office on Violence Against Women, US Department of Justice

The above examples of government action are but a small selection of a host of activities over the decades, and the list makes no effort to mention anything that occurred before 1963. The listing of statute-mandated women-related offices, positions, and committees is also likely incomplete. Those that were established and then abolished (eg. the National Advisory Council on Women's Educational Programs) are not included.

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