



September 19, 2019

Testimony for the Pay Gap Hearing, NYC Commission on Gender Equity

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By **Mary M. Luke**, she, her, hers, Co-President, UN Women USA NY, Vice President, PowHerNY, and Vice Chair, Steering Committee, NYC4CEDAW Act

We are fortunate to be living in New York City, one of the world's most progressive cities. New York is the home of the United Nations and hundreds of multinational businesses. With its strong leadership, New Yorkers benefit from laws and policies that address gender equality, family leave, sexual harassment and the gender pay gap. I am proud to be a member of the PowHer NY Coalition which worked closely with the Commission on Gender Equity to publish *Leveling the Playing Field, Best Practices for Gender Pay Equity in the Workplace*. PowHer NY is a member of the Equal Pay International Coalition to share ideas and best practices globally to improve the work and lives of women, girls, all gender identities and expressions.

A Vision for 2030

Women's economic empowerment is central to realizing women's human rights and gender equality across all gender identities and gender expressions. By the year 2030 women and all gender identities are paid equally for work of equal value; businesses are more profitable because of the diversity of its workforce; parents/partners have equal access to and fully utilize pregnancy, parental and family leave; parents have access to quality affordable care arrangements for their children. Care work and domestic work is valued and paid comparable to men's labor. Poverty for families with working women is reduced in half. Women hold at least 50% of executive, leadership positions in government and business. Government has passed and enforces laws and policies to protect workers from discrimination and harassment; systems are in place to monitor and report on the gender pay gap and other goals. Unions and management work together to support and protect employees. Managers utilize objective hiring and promotion practices without reference to salary history, and workplace cultures are women, gender and family centered. There are innovative flex-time and part-time working arrangements, and women of all ages returning to work, or entering the workforce are supported. Girls and women are motivated and supported to train and work in technology fields.

What is equal pay for work of equal value?

Currently in the U.S. the standard is equal pay for equal work. This has been expanded in NY to mandate equal pay for substantially similar work. However, the majority of men and women work in different fields. Equal pay means that women and men have the right to receive equal remuneration for work of equal value. It also means that women and men should get equal pay when they do work that is completely different but can be shown to be of equal value, when evaluated based on objective criteria. These objective criteria consider factors such as skills, qualifications, working conditions, levels of responsibility and effort required by the job.

UN Women

As the global advocate for gender equality and women's empowerment, UN Women is a partner with the International Labour Organization (ILO) and Organization for Economic Co-operation and Development (OCED) in the **Equal Pay International Coalition (EPIC)**. UN Women has pledged to reduce the gender pay gap by 2030 by raising awareness and advocating at the highest levels of government to advance this agenda. UN Women will focus on the achievement of equal pay for work of equal in the Beijing Declaration and Platform for Action review. UN Women's *WE EMPOWER through Responsible Business Conduct in G7 countries (We Empower G7)* is a program funded by the European Union (EU) and implemented by UN Women and the ILO to exchange strategies and global lessons.

What will it take to make gender pay parity a reality for women around the world?

1. Strong government commitment to gender equality and laws and policies that support equal pay and an enabling environment to protect women's rights at work.
2. Strong leadership to change cultures and norms for a gender-equal and safe workplace.
3. Plan of action required based on assessment, KPIs, monitoring, performance review.
4. Unions working with employers to obtain the best benefits for employees.
5. Government and business supported parental, family leave and childcare policies.
6. Systems in place to train and guide managers on gender blind hiring and promotions.
7. Promotion, training and sponsorship of women to higher levels of management and boards.
8. Programs to motivate girls and women to enter STEM training and continue in technology jobs.

CASE STUDY 1

The Gap, San Francisco *

2014- first Fortune 500 company to confirm it paid men and women equally across all locations

Gender-friendly environment

- A supportive culture of collaboration, inclusion, close relationships
- Policies that support women, mentorships, family friendly, psychological barriers reduced

Management systems

- Managers get clear criteria to position employees appropriately in the pay range based on performance and contribution.
- Managers get data to make informed decisions and reduce unconscious bias.
- Promotion/ equity budget can be used to address equity issues.
- Performance ratings eliminated since they can have gender bias built in.
- Managers have more frequent conversations about performance and goals.

Hiring and recruitment

- No salary history required.
- Impact especially on salaries of women and minorities.

Transparency

Compensation practices available on company's intranet so employees can access.
Methodology for annual gender compensation analysis verified by third party firm.

*WeEmpower: Responsible Business Conduct in G7 countries, WeEmpower 2018

CASE STUDY 2

Capacent, Iceland* (from a webinar on parental leave)

Key points: A 360-degree process for gender equality workplace that includes: survey and analysis; transformative projects with KPIs, monitoring and annual review.

Government Policy and funding

1946 Maternity leave paid up to 3 months; in 2000 changed to:

3 months maternity (non-transferable), 3 month paternity (non-transferable)

and 3 months divided or taken by either parents

Important factors

Paid leave for both parents – must provide equal opportunities for both parents.

It matters how the parental leave is used. Women take longer leave (250-300) days but men take shorter leave (round 55-60 days (although entitled to 90).

Salary matters- Men have higher salaries in general and therefore its more practical that the mothers stay at home and fathers keep working when it comes to the 3 months that can be split.

The culture is hindering men- Company culture is not always accepting men to leave for 3-6 months for paternal leave. Older men do not understand or agree with millennial men who want to spend more time with their children.

* Parental Leave: Smart Companies Taking a Stand, We Empower G7 Webinar, September 13, 2019

Summary and Recommendation

We have been hearing stories of how women have been discriminated against and treated unfairly by employers and peers; how culture contributes to and perpetuates gender bias and norms leaving women behind while men rise in positions of power and authority; how men do not take full advantage of paternal leave policies (when they exist) because of social norms in the workplace. We also heard that equal pay will **reduce poverty by half** for families with working women. We are seeing changes- with new generations of leaders – younger men and women- who believe in gender equality at work and at home- but the pace of change is too slow. We cannot wait **40 years for white women** to earn the same as white men; Black women will have to wait **100 years** and Hispanic women 205 years till **2224** for equal pay. **UNACCEPTABLE!**



New York City for **CEDAW Act**

The **NYC4CEDAW Act** Coalition is calling for strong policies and laws as the foundation for gender equality, led by champions who are willing to create lasting and sustainable change. CEDAW - The UN Convention on the Elimination of All Forms of Discrimination Against Women - is a global human rights treaty that has been signed by all developed nations except the US. CEDAW 's Article 11, states 10 times that women have 'equal rights with men', which includes pay, promotions, training, health, education, and safety.

Pay equity is a human rights issue that affects all New Yorkers regardless of race, ethnicity, religion, health, disability, marital status, age, class, immigration status, sexual orientation, gender identity or gender expression. **The time is NOW** for New York to pass a **CEDAW Act** – and affirm its commitment to human rights and gender equality for all in New Yorkers.

We thank the NYC Commission for Gender Equity, the NYC Commission on Human Rights and New York City Department of Consumer and Worker Protection for this opportunity to give voice to these important issues of gender equality and gender pay equity .

As UN Women prepares for the 25th anniversary of the Fourth World Conference on Women and Platform for Action, we welcome city agencies and partners to join the **Generation Equality Campaign** to mobilize and continue the fight for human rights. And we'll be proud to announce that **NYC is a CEDAW city** to the 10,000 women who are expected to arrive in New York City en masse to the Commission on the Status of Women in March 2020.

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