

EQUAL PAY: A feministic review

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Abstract:

Equality is considered as one of the fundamental rights in the Indian Constitution. This right of Equality is not a mere subject on the papers but something that has to be considered in real terms. Equal pay is a term of the labour rights and it means that each individual at the same place working in similar conditions must be paid equally. It has been observed at many places that the wage discrimination on the basis of sexes is found.

Today, more women are the main breadwinners for their families than ever before. Gone are the days when only the men earned for their families. A lot of development has taken place since the time human kind came into existence but still there's a lot of need for the development of the mindsets of many people around us. Because of the misconceptions of many around us, the women still face the wage discrimination, even after contributing equally at the work place.

If the world is to progress, mere development will not do. It is required that the development takes place at an equal pace with all the individuals treated equally.

Women have proved themselves well enough in almost all the fields one can name. It can be said undoubtedly that if given right opportunity, they lag behind nowhere then what is the reason that they are still not treated equally? No doubt the opportunities for women have improved but it's high time that we also reward them equally for the work they do.

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Introduction:

As the world is developing and growing and as we are getting more and more aware about our rights, there are many laws enacted for the betterment of every class of individuals including the class that was underrated for so many years since days beyond recall. The class we all known as the women class of the society, the class which since very long time was considered nothing much but a mere living human being to give birth to another living human being.

Slowly and gradually when women started considering their rights as their powers, started realizing their importance and started acknowledging their weaknesses and working upon them, there began the struggle of women to empower themselves. This feminist movement including number of political campaigns for the transformations and reforms on the most delicate issues related to the women class began in the late 19th and 20th century. Industrial Revolution, Demands for Political and economic rights of women were few of the main issues that contributed for the feminist movement to take a leap for the development of the weaker class of the society which was the victim of sexism.

Step by step and little by little women were seen to be participating in various fields, their work was started to be acknowledged, they began contributing, their contributions started mattering, the mindset of the people at large changed, it got progressive than conservative, the era had come wherein women lagged behind nowhere, there was no area where women made no impression. Today, in this most upgraded and the most modern 21st century, the women are walking shoulder to shoulder with men and even giving a tough competition to them in almost all the fields.

The world has now come to know how underrated the women were since ages. Today, the world has acknowledged the power of the women which was considered to be powerless. The women have indeed contributed rally very positively and have helped the world to grow, to progress, to evolve, to survive, to adapt the changes and also have proved it wrong for the way it thought about them.

The Fundamental Human Right to Get Equal Pay:

The Right to get equally paid has been declared and recognized as a fundamental right under the Universal Declaration of Human Rights. All the states which are binding by the Universal Declaration of Human Rights have to follow the same. Article 23¹ of the Declaration states that every individual is entitled to get an equal remuneration for the equal amount of work done by her/him. The main motive of this provision is to secure the right of equality among each and every individual. The Right to Equality is something that has to be considered as one of the basic right of all the human beings taking birth on this earth. It is not even mandatory to mention them on the legal papers but now as it has been done; it gets a legal and moral backing too. Getting equally paid for the equal amount of efforts and work put in by an individual is something that she/he deserves even according to the moral and ethical principles of mankind. The Constitution of various countries has adopted this right as one of the basic and fundamental rights now. This includes the countries like Denmark, Finland, France, Germany, Greece, Italy, Netherlands, Spain, etc along with many others.

The World has now by and large considered the issue of equality very seriously and has also tried improving and concerning the issues related to it but still the problem lies in its implementation. There are women that still face the problem of inequality. They say it is always easier said than done, I would say it is always easier planned than implemented. Many countries have well planned and addressed the issue of equal pay for the citizens of their states but still when it comes to the implementation, there come the hindrances, the obstacles, the barriers that bar the smooth implementation.

When we proudly flaunt of being a modern civilization of this 21st, we fail to betray the gross reality of being a way too conservative somewhere deep inside in the ways we still treat a certain class of this century. I would like to quote the words of Hillary Clinton who is an American Politician, here. She once said that:

¹ **Article 23. www.un.org**

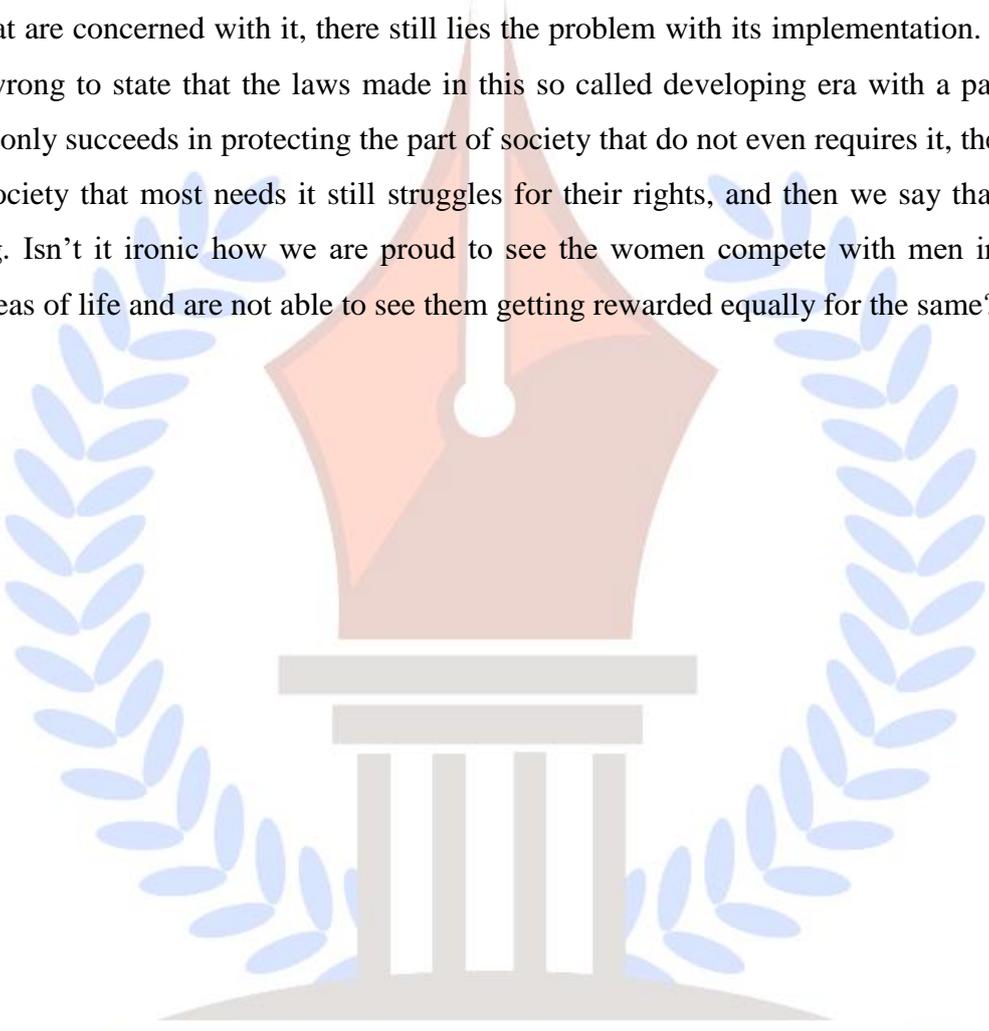
- (1) Everyone has the right to work, to free choice of employment, to just and favourable conditions of work and to protection against unemployment.
- (2) Everyone, without any discrimination, has the right to equal pay for equal work.
- (3) Everyone who works has the right to just and favourable remuneration ensuring for himself and his family an existence worthy of human dignity, and supplemented, if necessary, by other means of social protection.
- (4) Everyone has the right to form and to join trade unions for the protection of his interests.

“I believe that the rights of women and girls is the unfinished business of the 21st century.”

Tina Brown who is a journalist, magazine editor, columnist, talk-show host and an author once said:

“The rights of women are to the 21st century what civil rights were to the 20th.”

When the laws are put down in black and white and when they are made to be binding on all those that are concerned with it, there still lies the problem with its implementation. It would not be wrong to state that the laws made in this so called developing era with a patriarchal mindset only succeeds in protecting the part of society that do not even requires it, the section of the society that most needs it still struggles for their rights, and then we say that we are evolving. Isn't it ironic how we are proud to see the women compete with men in almost every areas of life and are not able to see them getting rewarded equally for the same?



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Human Rights Declaration and Right to Equal Pay:

The Universal Declaration of Human Rights has made it a fundamental right to get paid equally for the equal amount of work done. The Universal declaration of Human Rights and its principles are globally recognized and also protect the interests of public at large safeguarding their rights and protecting them from any unfair or biased actions taken by the government or any authority having powers over them. These principles not only limit unreasonable and unfair actions against the individuals but also protect and safeguard the rights of the individuals and promote equality and respect, dignity and fairness.

As stated above, Article 23 of the Declaration clearly states that everyone, without any discrimination, has the right to equal pay for equal work. Almost all the states of the world are binding with the provisions of this declaration. If in any case or circumstance, an individual faces any kind of injustice by non-payment of equal payment for the equal amount of work done, this would be the violation of the provisions of this declaration.

This Human Right Declaration has been established and formed for the welfare of the public, for the well being of humans, for the existing humanity. It is in the welfare of the humanity, human beings and kind men that we, as nations abide by these provisions. Good has never harmed anyone. Many nations of the world are parties to this declaration of Human Rights and thus it is the duty of these nations to see to it that they are not infringing its provisions and are strictly abiding by it. Even though nations are trying hard to abide by the rules and even getting success in the same, there are loop holes found in the smooth governance of the same. There are still found places and areas wherein women face the inequalities in the payment for the equal amount of work done by them.

For removing the problem of inequality in the payment there requires a lot of joint efforts from the people all over the world. This goal is not difficult to achieve but it will require the endeavours to be made but as the saying goes nothing is impossible and thus if right and appropriate efforts made, we can definitely combat the consequences of this problem. After all where there is Unity, there is always Victory.

Equal pay- The Statistics:United Kingdom:

As per the 2017 reports, for women working full time the average weekly wage stood at £12.82, 9.4 per cent less than the average of £14.16 earned by men working full time.²

America:

As per the statistics provided by Institute for Women's Policy Research³, in the year 2014, there was a 20 percent wage gap between full time male and female workers. Women are almost half of the workforce. They receive more college and graduate degrees than men. In 2015, female full time, year round workers made only 80 cents for every dollar earned by men, a gender wage gap of 20 percent.⁴

IWPR tracks the gender wage gap over time in a series of fact sheets updated twice per year. According to our research, if change continues at the same slow pace as it has done for the past fifty years, it will take 44 years- or until 2029- for women to finally reach pay parity.⁵

Australia:

Currently, Australia's national gender pay gap is 15.3%. In 2017, women's average weekly ordinary full-time earnings across all industries and occupations was \$1,387.10 compared to men's average ordinary full-time earnings of \$1,638.30.⁶

India:

Amid a raging debate over gender pay gap globally, a new report shows the figure for India stands as high as 27 per cent, where men earned a median gross hourly salary of Rs.288.68, while women earned Rs. 207.85 per hour.⁷

Women in India earn 25% less than men, proving that gender continues to be a significant parameter in determining salaries in India, according to the Monster Salary Index (MSI)⁸ on gender for 2016.⁹

² <http://www.telegraph.co.uk>

³ iwpr.org

⁴ iwpr.org

⁵ iwpr.org

⁶ www.wgea.gov.au

⁷ <http://www.thehindu.com>

→ The Key Findings of the Monster Salary Index:¹⁰

- Based on the data for the eight sectors¹ covered by the Monster Salary Index, the overall gender pay gap in India amounts to 25% in 2016. This is a 2 percentage points drop from the 27% gap in 2015
- Men earn hourly median gross wage of INR 345.8, whereas women only receive INR 259.8
- the gender pay gap was 24% in 2014 and 27% in 2015. The largest gender pay gap in 2016 was found in the Transport, logistics and communication sector (42.4%). The lowest was recorded in the Education and research, where women earned 3.4% more than men
- the gender pay gap at supervisory level dropped from 2015 to 2016 by 8.1 percentage points (from 28.1% to 20%). Contrary to this, the gap at nonsupervisory level has grown by 5.0 percentage point between 2015 and 2016
- Not only are women often put at disadvantage when it comes to filling supervisory positions, but also remain underpaid by INR 89.2 (30.1%) in supervisory positions

These Statistics clearly show how women face the wage gap or say wage discrimination all over the world. This is the reason why it is high time to address the issue of Equal pay for Equal work. It is now the time to let the women feel actually equal not just on the papers but in the reality. It is a long way to go and it will require a lot of efforts too. But when we have come so far, adopted so many changes, accepted so many evolutions, grown and progressed so much, we can have a certainty about removing this inequality too. After all, we humans are having tremendous energy and resources with us do the right and eliminate or stop the wrong.

⁸ <http://media.monsterindia.com>

⁹ <http://www.livemint.com>

¹⁰ <http://media.monsterindia.com>

Gender Wage Gap Select OECD Countries¹¹

Country	% Gender Wage Gap
Australia (2014)	15.4%
Germany (2014)	17.1%
Japan (2014)	25.9%
Mexico (2015)	16.7%
United Kingdom (2015)	16.9%

Different Categories of working women facing wage discrimination:

It is indeed surprising that the discrimination in the equal payment for the equal work done is witnessed not only in the labour class but also in various other categories like corporate sector, Education Sectors, Government Services, Organised and Unorganised Sectors, etc.

The main and crucial problem with the existing society is that the women are always the secondary and not the primary or the main earners of their family. But this is a myth, indeed a really gross myth! There are huge numbers of families wherein the women are the sole bread earners of their families. In such a situation facing wage discrimination or unequal pay creates problems for carrying out the smooth functioning of the families by them. Even if we suppose that they are not the only bread earners, how do we justify awarding them unequally for the equal amount of work put in by them?

In Canada, in 2008 18% of wives in dual-income families were their families' primary breadwinners (when measured in hourly earnings), bringing in more than 55% of the household income, up from 14% in 1997¹².

The hard truth either way is that women still make about 20% less than men for doing the same jobs. That adds up to a whopping *\$10,470 less per year* than men make for doing the exact same work. That's more than \$840 billion that women lose in wages every year.¹³

¹¹ OECD, "Gender Wage Gap Total, % of Male Median Wage, 2015 or Latest Available," OECD Data: Earnings and Wages (2017).

¹² Statistics Canada, "Table 6: Dual-Earner Wives Contributions to paid hours and earnings," Perspectives on Labour and Income, The Family Work Week (2015).

¹³ www.forbes.com

Women with master's degrees are paid just 72 cents per dollar than a man with a master's degree is paid. Women with doctoral degrees are paid less than men with master's degrees—and women with master's are paid less than men with bachelor's degrees! Specializing in your field also doesn't seem to make a difference. A recent study on medical professionals revealed that male ophthalmologists make an incredible 36% more than their female counterparts, and male cardiologists make 29% more. Even fields with the narrowest gaps still revealed major disparities—male anesthesiologists make 12% more than female anesthesiologists, male radiologists make 13% more, and male family practitioners make 14% more.¹⁴

This is how even education is not making a much difference. The women with higher educational level also are facing this treatment of unequal payment. Is this how we are growing, how we are developing, how we are progressing? Until and unless this world becomes a place of equality, it cannot be said to be a beautiful place to live. The problem of unequal payment exists not only in the developing countries but also in the developed countries like United States as the charts above already show. How in the world like this we are ever going to expect a better condition, if not we put in our efforts all unitedly to remove conditions like these?

The average gender pay gap in the United States is around 21%, meaning that, on average, a woman earns 21% less than her male counterpart. That gap can be larger or smaller depending on the state someone lives in¹⁵.

The only income source through which women age 65 and up make nearly the same as what men over 65 make is Social Security.

In 2014, women over 65 made about \$277 million, while men over 65 made about \$286 million, according to the report. However, since Social Security only accounts for a certain percentage of the aggregate income that people over 65 receive, women still continue to lag behind men when aggregate income is accounted for.

In total, women over the age of 65 collectively earned \$641 million, while men over 65 earned \$965 million. That means women earned 66% of what men made.

¹⁴ www.forbes.com

¹⁵ U.S. Census Bureau www.census.gov

When accounting for only earnings and excluding income accrued through Social Security and pensions, women over 65 made just 47% of what their male counterparts did.¹⁶

Women with children often earn less after returning to the workforce, while the opposite is true for working fathers.

During the 2012-2013 school year, women earned 57% of bachelor's degrees, 60% of master's degrees and 51% of doctorate degrees. Despite being better-educated than men, women with professional and graduate degrees still earn less than their male counterparts, and sometimes even less than men who are less educated than they are.

"Data suggest that women suffer a 'mommy penalty' after they have children, earning 3 percent less than women who do not have children. The opposite is true for fathers, who earn on average 15 percent more than men without children," the report says.

While this disparity can be attributed to differences in careers and work hours between men and women who have children and those who do not, the report says that there is also a difference in how working mothers and fathers are perceived by management.

Some employers may view motherhood as a "signal of lower levels of commitment and professional competence." Working fathers, on the other hand, may be viewed as having "increased work commitment and stability."¹⁷

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Nearly half the jobs on this list are in financial fields. It's also worth noting that 17 out of 25 are majority male in makeup, compared with half of the fields where the pay gap for women is the smallest.¹⁹

The Census bureau²⁰ tracks earnings by gender for more than 500 occupational categories; the table below shows 25 fields where, based on 2013 data, the difference in what she makes and what he makes is the biggest.

¹⁶ www.businessinsider.com/gender-wage-pay-gap-charts-2017

¹⁷ www.businessinsider.com/gender-wage-pay-gap-charts-2017

¹⁸ www.businessinsider.com/gender-wage-pay-gap-charts-2017

¹⁹ time.com/equal-pay-day-careers-biggest-wage-gap

Occupational Category	%Women in Field	Median Earnings, Men	Median Earnings, Women	%Women's Earnings to Men	%Margin of Error
1. Securities, Commodities and financial Services Sales Agents	30%	\$93,795	\$51,284	54.7	5.7
2. Financial Specialists, all other	55%	\$81,859	\$48,869	59.7	7.5
3. Morticians, Undertakers, and Funeral Dirs.	20%	\$51,129	\$31,023	60.7	10.5
4. Farmers, ranchers, agricultural mgrs.	11%	\$41,691	\$25,310	60.7	5.0
5. Personal Financial Managers	31%	\$98,126	\$60,359	61.5	5.5
6. Financial Clerks, all other	61%	\$67,732	\$42,122	62.2	5.8
7. Financial Analysts	32%	\$63,424	\$63,424	63.4	7.9
8. Financial Managers	54%	\$90,278	\$57,406	63.6	2.0
9. Supervisors Housekeeping/ Janitorial	33%	\$41,180	\$26,860	65.2	2.4
10. Production, planning and expediting clerks	57%	\$56,437	\$37,246	66.0	1.6
11. Credit Counselors	54%	\$69,726	\$46,394	66.5	4.2

²⁰ www.census.gov

and loan officers					
12. Insurance Sales Agents	45%	\$61,639	\$41,250	66.9	1.4
13. Photographic Process and Processing Machine Workers	45%	\$31,888	\$21,348	66.9	14.0
14. Jewellers and precious stone and metal workers	30%	\$36,494	\$24,657	67.6	17.5
15. Driver/ sales workers and truck drivers	4%	\$40,865	\$27,657	67.7	3.8
16. Dentists	24%	\$151,071	\$102,460	67.8	9.3
17. Tax preparers	52%	\$70,641	\$47,997	67.9	7.1
18. Artists and related workers	36%	\$54,669	\$37,261	68.2	9.0
19. Photographers	40%	\$44,513	\$30,455	68.4	7.0
20. Welders, solderers and brazers	5%	\$39,281	\$26,893	68.5	3.6
21. Tax examiners, collectors and agents	65%	\$66,754	\$45,704	68.5	9.5
22. Economists	29%	\$120,076	\$82,427	68.6	10.1
23. Credit authorizers, checkers and clerks	73%	\$50,853	\$35,037	68.9	10.9
24. Physicians and surgeons	33%	\$202,533	\$140,036	69.1	4.0
25. Cutting Workers	20%	\$31,113	\$21,516	69.2	3.5

This table clearly shows how the difference between what men earns and what the women earns is really very big. This is how in each and every sector we can observe and find the payment disparity and this is how the equals are still treated unequally. Even after so many enactments declaring and enforcing equality in sectors and for various rights, it is still seen, observed and found in existence. Inequality leads to many problems. Inequality slows down the process of development. Inequality sows the seeds of negativity among the individuals. Inequality is against the basic principles of human rights. The shocking fact is that this payment inequality exists in so many countries at the same time.

What Causes the Inequality?

There could be a lot of factors affecting and causing the wage gap. The women who are engaged in earning or the women who acts as the bread earners of their families are also at the same time are engaged in taking care of their children and family contributing their time and efforts at both the work place and their houses. Many a times it is observed that because of the reason that the women do not wholly contribute to the work place as being occupied by both the household and work place's chores, the employers pay lesser to them as compared to men. But this is a myth, because when it comes to workplace, there are no such conditions kept or fulfilled wherein any employee is allowed to work lesser than the other employees who are engaged in the similar kind of tasks assigned. In such a situation, it is impossible for any women to not work and contribute equally as the men do. It is sheer gibberish to think that women contribute unequally just because they also are the home makers for their families along with being an employee at the work place.

The women also face the problems of unequal pay because of the discrimination between the genders. Gender discrimination and gender biasness is observed in the hiring and rewarding the women for their work and positions. Many a times, usually in all the cases, the women are found working at a subordinate level than that of men in spite of having higher education qualifications; resulting into lesser payment than that compared to the men. Even in the pay decisions, promotions, salary hike, etc this type of discrimination is faced by the women. From the time, the women enter the workforce to the time she is out of the same; she faces

the gender pay gap for women's higher likelihood of part-time work for caring reasons also impacting their lifetime economic security.

Pay gaps within organisations²¹

- The WGEA encourages organisations to analyse their own pay data in different ways to uncover different pay equity issues and take action at all levels of the organisation.

Like-for-like: pay gaps between women and men in the same or similar roles could reflect bias in discretionary pay decisions such as pay rise and bonuses.

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By-level: pay gaps between women and men working in the same level of the organisational hierarchy may reflect that more men are clustered at the top of a pay band or manager category; or that male-dominated organisational functions are valued more highly than female-dominated functions.

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Organisation-wide: a gap between the average remuneration of women and men across the whole organisation may reflect barriers to women's access to senior and high-paying roles in an organisation – especially leadership, technical and specialist roles.

The Agency has developed a variety of resources to help employees undertake a pay gap analysis and address gender pay gaps in their organisations.

International Gender Pay Gaps²²

Gender pay gaps are an internationally established measure of women's position in the economy. Directly comparing international gender pay gaps is problematic due to differences in sources, definitions and methods used to calculate the gender pay gap in different countries. However, it is clear that gender pay gaps in favour of men are a common feature of economies world-wide.

Why Women must be paid equally:

²¹ www.wgea.gov.au

²² www.wgea.gov.au

It is such a disgraceful and deplorable situation that even in such an advanced era of the 21st century, the women face such a problem of inequality. The world is growing with an extremely high speed and at such a pace, this kind of issue only work as a hitch to stop or slow down the progress and nothing else.

There would be many reasons why women are still treated unequally like this but I am very much sure that none of them would be convincing enough to accept them. Most of the times, it is believed that the women are not always the main earner of the family. It is believed that the women are always dependent on their husbands and that they are not the primary bread earners of their families. This is not the problem with only few countries of the world but almost every country in the world live with myth.

It is such an unscrupulous practice that is going on in almost all the sectors of various countries of the world. Women are still paid unequally even after carrying out an equal amount of work as the men do. Continuing this practice of paying the women unequally is not only unfair and bigoted but also a blot on the human kind and a great restraint to the further development as a society.

Equal Pay system is just not only an obligation on the employer but also a way to ensure a satisfied employee group who will sincerely contribute for the organizational goals when they will be satisfied. The reward for the work has a far reaching effect on the employees. Being paid equally, justly and fairly will have an optimistic effect on the employees resulting into increased efficiency and productivity of the work done by them. The payment to the employees equally and justly is a duty of the employers. There are many laws enacted for the welfare of the labour class that makes the employers duty bound to make equal payment for the equal work done by the employees in his organization, industries or factories.

Now when it comes to the belief that the women are not the primary bread earners in the family, the ideology of this kind is totally baseless and unsubstantiated. There are many families wherein the women earn for the entire family singularly and unaided. There are families where a single mother has to take care of the entire family including her children, mother, father or say mother-in-law and father-in-law.

Conclusion:

The Right to get equally paid for equal amount of work done seems to be just an issue of ordinary nature but it is not. Somewhere, Somehow, directly or indirectly it affects the progress and the working of nation. Even if we do not consider it as a factor contributing to the development and progress of the nation, it definitely is a basic and fundamental human right of each and every individual taking birth on this planet.

Making and declaring it a right in the black and white is not going to help in removing the problems faced by the women. We need to be more stringent with regards to the following of the provisions made under the law. Then and only then can we achieve the goal of equality in regards of equal pay, then and only then can we proudly flaunt about being a world devoid of disparity, then and only then can we find no low-spirited being, cursing her own self for being a lady, then and only then can we see a happy world and make it a happy place to live in.

There is no more time to wait for some more time or some appropriate time. The right time is, the time right now to take few more effective steps in order to see that no woman face this disparity just because she is a woman. There lies no valid reason to tolerate any more inequality when the efforts put in are all equally deserving and rewarding. We, as humans have come a long way and have evolved a lot. It is high time now that we stop considering women as a weaker or less deserving class.

The objective of this paper is to look into the problems of equal payment from the women's perspective. We analysed the right as a basic and fundamental right, the actual positions in different countries and the cause and reasons of the same.

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