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Comparable Worth:
Pay Equity or Social
Engineering?

*A Debate Between S. Anna Kondratas
and Eleanor Smeal*



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COMPARABLE WORTH:
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GORDON JONES: Ladies and gentleman, let me welcome you to The Heritage Foundation. My name is Gordon Jones. I am Vice President for Academic and Government Relations of The Heritage Foundation. Our guests today are Eleanor Smeal, President of the National Organization for Women, and S. Anna Kondratas, Schultz Fellow and Senior Policy Analyst here at The Heritage Foundation who deals with social and economic issues.

This will not be a formal debate, but a relatively structured exchange of views. Each of our speakers will present an affirmative statement of her position for about 15 minutes. We will then have alternating rebuttal--5 to 7 minutes each--then each speaker will be given 2 minutes to sum up her case before we turn to questions and answers. The proposition is as follows: "Resolved: Comparable Worth is the Looniest Idea Since Looney Tunes." Anna Kondratas is the supporter of the positive case and she will speak first.

ANNA KONDRATAS: Let me begin by emphasizing that I am strongly in favor of pay equity for women. I know and you know that there is still an awful lot of discrimination and prejudice out there. That is why I am for strong enforcement of laws mandating equal pay for equal work and equal opportunity for women in hiring and promotions. I think we should push for the elimination of barriers to women in non-traditional occupations as well as encourage women to be active in pursuit of their equality.

It does not matter whether you are liberal or conservative. I think we all should be against comparable worth for some logical reasons. Comparable worth has about as much to do with pay equity as astrology does with astronomy. Calling comparable worth pay equity is a public relations ploy that amounts to false advertising. The General Accounting Office, for example, thinks that pay equity is a broader concept than comparable worth. The Washington Post says that pay equity is a narrower concept than comparable worth. Ask the average person on the street about comparable worth. He or she does not know what it is. Of course they are for pay equity because they think it means equal pay for equal work.

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Supporters of comparable worth do nothing to dispel this misconception because confusion works in their favor. When a comparable worth bill was being debated in the House of Representatives in 1984, the Majority Leader said he could not understand why anybody was against it because, he said, "it affirms the principle of equal pay for equal work." However, equal pay for equal work has been law since 1963. That and the Civil Rights Act of 1964 are all that women need to continue the remarkable progress of the last 20 years.

Some feminists say progress has not been fast enough. They also contend that discrimination is still the rule because most women are segregated in low paying women's jobs and therefore the Equal Pay Act is not sufficient. They think we need new laws, or at the very least, a reinterpretation of the old laws. But that is wrong. Real social progress is never fast because radical change inevitably has unforeseen consequences. Just recall how feminists pushed for no-fault divorce. Now we have ample documentation that that was one of the major causes of the impoverishment of women and children.

Comparable worth would also have many harmful side effects and we should consider them seriously. It is not going to move women any closer to equality. Saying that our present law is insufficient because discrimination still exists is like saying that our laws against murder are insufficient because murder still occurs. It is not the law that is the problem.

The theory of comparable worth says that our society does not value women's work, that scorn for their work runs so deep that any job category dominated by women will certainly and automatically be paid less than it is worth to the employer. There is absolutely no economic explanation for this kind of artificial wage depression. But supporters of comparable worth do not really need an explanation. It is proof enough for them that working women are clustered in certain occupations and that the overall pay gap between men and women has changed very little in the last twenty years. It thus seems patently obvious to comparable worth supporters that women's jobs are undervalued.

Let us look at this mysterious pay differential. In spite of the famous button that says 59 cents, the real pay gap is more like ten cents and it is mere pennies for younger women. The average annual earning of women is 64 to 65 percent of men's, but that figure is misleading because the analysis compares all jobs--which includes a lot of very high-paid doctors as well as a lot of very low-paid file clerks. It is also misleading because men who work full-time jobs tend to work much longer hours than women. Adjusting the study for hours worked reveals that women make 72 percent of what men earn. The figure is much better for younger women. It is close to 90 percent,

which shows the progress made in job integration which is the real progress that women need to make.

Not even the most radical feminists say that this very shrunken pay gap is the result of discrimination. About half of the pay gap, and maybe more, is explainable by differences in factors like the skills, education, and work experience of women. Upon analysis these factors are explainable and the pay gap shrinks and shrinks until we find that the part of the pay gap that is even potentially attributable to discrimination shrinks down to nickels and pennies depending on the age group. But the 41 cent gap implied in the slogan "59 cents" is a lot more dramatic. What it amounts to is a manipulative lie in order to elicit sympathy.

However, that is not the whole of it. The pay gap between married men and unmarried men is about the same as between men and women overall. Married men earn far more than unmarried men and married men with children earn even more than married men without children. There is almost no pay gap between single men and single women. Think about that. Married women, on the other hand, earn far less than single women, and married women with children earn less than married women without. Obviously this reflects not labor market discrimination, but the different roles of men and women in the family.

The burden of being the primary bread winner has generally fallen on the man in our society. Sometimes that means overtime and second jobs. Married women, whether they work out of financial necessity or for personal satisfaction, generally perceive themselves as the secondary wage earner. I want to stress that they perceive themselves to be the secondary wage earner in the family. They act accordingly and they plan their lives accordingly. Whether you consider that societal discrimination, as the radical feminists like to think, or simply a practical adaptation to biological reality, two things are very clear. The roles that a man and woman choose for themselves in a marriage are up to the two of them and no one else. Labor market discrimination is not the cause of the big pay gap. Even if we could accept what some feminists maintain, that the family is an oppressive social institution for women and that women are the helpless victims of social pressures in defining their roles, it would still be unfair to expect employers to pay reparations for the sins of husbands.

The second part of the comparable worth mystery is what I call the floating numbers game. I am talking about job evaluations. The comparable worth remedy for the pay gap problem is to have employers compare jobs by assigning points to various job characteristics and then totaling the points and seeing whether the pay scale reflects the point totals. Job evaluations are a very widespread and useful tool for employers. But no one, including job evaluators, claims that the process of evaluating jobs is objective. No one, that is, except the supporters of comparable worth. Giving numerical ratings to job

characteristics such as skills, education, responsibility, and working conditions does not establish any kind of mathematical relationship among those factors.

In dollar terms, for example, what is a year of college worth compared to working outside in the winter? The question is meaningless and it does not make it meaningful to express it in numbers. Court after court in this country has rejected the idea that numerical ratings in a job evaluation study can be proof of discrimination. The only exception is the Tanner decision in the Washington State case. But that was recently struck down--and with good reason: because whoever hires the job evaluators can get whatever result they want.

The original Washington State study--the one that supposedly found inequities among comparable jobs in Washington--was contradicted by a second study done by another reputable job evaluation firm which did not find any inequities in Washington State. A case involving a nurses union and the State of Alaska had both the plaintiff and defendant producing studies that came to different conclusions.

There is a case that really emphasizes how dangerous it would be to allow job evaluation studies to become proof of discrimination. Some months ago the Washington Post reported on a study that concluded women are paid fairly in Maryland State jobs. Another Washington Post story sometime later said that a study shows that women are not paid fairly in Maryland State jobs. Well you reread each article and suddenly realize that they are talking about the same study. The poor helpless consultants were faced with demands from labor union representatives in Maryland and were asked to reevaluate their data. They did, and the second time the consultants understood it much better. How is a poor consultant to earn a living after all? Conservatives really can believe the Washington Post, if not one day then the next.

But ironically, the best case that I have ever heard against using job evaluations to set fair wages came from a strong supporter of comparable worth. In an attempt to demolish the assertion of her opponents that you cannot compare apples and oranges, she proudly exhibited a chart in which she scientifically and objectively compared apples and oranges. She compared their carbohydrate content. She compared their sugar content. She compared their vitamin content. But what never seems to have entered her head is that none of those factors have anything to do with the relative price of apples and oranges.

My most serious objection to comparable worth, however, is that it can end up hurting more women that it will help. And conscientious feminists ought to reject it. Some already have. Emotional rhetoric about poor single women trying to raise a family, and sex discrimination as the reason for the feminization of poverty, makes it

sound like comparable worth is going to help poor women. Nothing could be further from the truth. The vast majority of the three and a half million poor female heads of households are poor because they do not work. They are not in the labor force at all. Most of them are on welfare. Only 7 percent of poor female heads of households have full-time jobs. You have read interviews recently with welfare recipients. You know that many of those women would dearly love to have one of those supposedly dead-end secretarial jobs. Very few working women in two-earner families are poor either. Those who are, are most likely to be employed in small retail businesses or as domestics or farm workers. And comparable worth is not going to help them one bit.

Unless America opts for socialism, and sets wages for the entire private sector, comparable worth remedies are not going to help nonpoor working women in low wage jobs either. Comparable worth on a firm-by-firm basis is possible only in the public sector and in large firms. Job evaluation studies for small businesses are not only very expensive, but do not make much sense. Can you imagine a little bakery employing a female bookkeeper, a male delivery man, and two male bakers, doing a job evaluation study? But small business is where the low pay for women is. Only 9 percent of full-time working women work in the public sector. Further, in the private sector 45 percent of women work in businesses that have fewer than a hundred employees. Only a third work for firms that have a thousand or more employees. Women's wages on average are highest in the large firms. In fact, women in large firms earn an average 37 percent more than women in small firms. That is greater than the entire male-female pay gap. Women are also more likely to have fringe benefits in large companies and unions to fight for them. So comparable worth has the perverse effect of helping those women who least need help while pretending to be the salvation of the struggling poor.

Some women in the public sector and large firms will suffer. Various studies show that comparable worth wage increases for female-dominated jobs are going to have a number of negative effects. I am going to leave aside for the moment all of the economic effects on men in male-dominated jobs and on blue collar workers. I will just concentrate on women.

Comparable worth pay increases will have disemployment effects. Even Heidi Hartman of the National Academy of Sciences, one of the godmothers of the comparable worth idea, admits this, but she hedges by saying that no one knows how big this disemployment effect will be. No one knew how big the poverty effect of the no-fault divorce law would be and now we are stuck with it. There is no doubt that either some women will be laid off as a result of comparable worth decisions or fewer will be hired in the future. Mayor Diane Feinstein is already threatening layoffs if a comparable worth measure is enacted in San Francisco. Naturally those women with the least skills and the least ability will be the ones laid off. Then they are going

to have a choice between going on welfare or unemployment. What a wonderful way to promote equality for women.

There are other serious economic costs to comparable worth. But I almost agree with the supporters of comparable worth that the economic considerations must be secondary to the moral and ethical ones. Nevertheless, they totally misinterpret the pay gap and they do not understand the limitations of job evaluation studies. They are proposing remedies that clearly will do nothing for the vast majority of low-paid women and they are going to hurt less fortunate ones. I do not see anything morally compelling about comparable worth. Calling it pay equity is simply unethical.

MR. JONES: Presenting the contrary view is Ms. Eleanor Smeal, President of the National Organization for Women.

ELEANOR SMEAL: The pay gap exists. To explain it away, to say it is 10 percent, to use a little hocus pocus, fools no one. But even if it did not exist, I would say that the idea of comparable worth would be a fair idea for the workers that it was serving. Let's deal with what the notion of comparable worth or pay equity is.

The basic premise is that you can measure productivity as well as measure what a person is worth to a company. Actually, the idea of job evaluation is very old. The federal government has had variations of the point factor system in operation for over a hundred years. In the United States today three-fourths of the major firms use job evaluation systems and two-thirds of all firms use them.

What is a point factor system? It is a system that is advocated by management. It is not an idea that was first fostered by unions at all. If you have lots of workers you figure out a wage scale. The scale is based upon factors that the employers think are valuable to their particular system and their particular work needs. Usually the factors include what education, skill, length of experience the job requires, and the difficulty of the job. The scale also takes into account subfactors of the four major units.

For Ms. Kondratas to say that we do not do any of this is to belie what we do. And to say that women do not work as long or as hard as men and therefore do not deserve comparable pay to men is irrelevant to the issue. Why is it irrelevant? Because when we determine in an evaluation study the salary for a particular type of job, we are determining the opening salary. In other words, what should a person be paid who is starting in that job? What kind of work experience, education, and skills do they need? It does not matter how long the average woman works throughout her lifetime. What is important here is what is needed to perform that job on opening day. And that is what the job evaluators are deciding when they determine comparability of pay. They are talking about opening wages for those jobs. They develop a classification system if you will. In

that classification system they then know what a secretary 4 is worth, what a nurse 3a is worth, what a delivery person is worth.

What is wage discrimination? What does this have to do with wage discrimination based on sex and race? Union people who were very skilled in using job evaluation systems began to think, "if we can measure what a job is worth, why can't we figure out if there is indeed wage discrimination based on race and sex within the classification system?" So they examined the classification system and looked at the difference between opening salaries in those jobs that females dominate versus those jobs males dominate, and those dominated by blacks, whites, Hispanics, etc. In doing so they found some interesting comparisons. Jobs that have the exact same point worth, but are done predominantly by women (over 70 percent) were paid significantly less than jobs performed predominantly by men. In fact, in the Washington State study, the amount difference averaged about 20 percent--a 20 percent wage gap. And they were measuring it on the same scale. You can say this is not objective. But human beings are what they are and they measure all kinds of things. We use scores for all kinds of things because we need to measure. There are limited spaces and many who want to apply.

That is the same reason employers decide on classification systems for jobs. They have to figure out how to pay people. They try to measure it in a way that makes sense for their particular system. Obviously there is nepotism within any system. But, by and large, there is some objectivity. Most job evaluation systems, including the point factor system, are trying to measure similar factors. In fact, they are quite standardized. Companies and management consultant firms--not Big Brother or government--determine and measure job evaluation systems. Management firms are hired to perform the service. Some companies use job evaluators from within, including a representative from non-management. The system is based upon what the employers believe is necessary for success on the job. All kinds of people perform these studies and they frequently show that there is race and sex discrimination.

One of the hopes of comparable worth or pay equity, and I use the two terms interchangeably, is that it can proceed on four levels. Number one, it can proceed through the legislative process at the city, state, and federal levels. Legislation has been put forth for pay equity studies to determine if there is indeed inequity in the system based on race and sex. After the study is done, implementation will take place.

Secondly, it can proceed through litigation. We believe that Title VII covers wage discrimination. It says under Title VII that you cannot commit sex discrimination by the wages you pay. So we think that Title VII does prohibit wage discrimination and further, we believe that job evaluation studies and the whole theory of comparable worth is a way of getting at wage discrimination. What good is a law

if you cannot implement it? We think comparable worth is a very good way of implementing the law.

Thirdly, it can proceed through the collective bargaining process. In other words, unions can say, "we believe, because we have contracted the study, or because you the employer have contracted the study, that there is wage discrimination and we want to settle this in our new contracts." So it can proceed through union negotiations, certainly a great part of our free enterprise system.

Lastly, it can proceed through strikes by both organized and unorganized workers. Striking is clearly the union's prerogative if they do not come to some agreement at the bargaining table. The reason I am also talking about unorganized workers is because the bulk of women are in unorganized jobs. I think union pressure leads to organization and a reasonable settlement.

We can call comparable worth "looney tunes," and we can call it "cockamamy," as the President did, but for those women who are getting pay equity settlements it is real money in their pocketbooks. Where are those settlements? Los Angeles settled. They did a study; a majority agreed to it and it resulted in an average of \$1,200 for every female worker.

Is it a panacea? No. Is it a way of reaching at sex discrimination? Yes. To say that you are for the elimination of wage discrimination, or you are for equal opportunity and pay equity, and then to say that you are not really for any tangible way of approaching it is a hypocritical statement. The feminist movement helped put some of these laws on the books. But we are also trying to enforce them to make sure that workers are not cheated.

One of the beauties of dealing with pay equity is that when you look at both sex and race discrimination, side-by-side, you see the hypocrisy of those who say we have none or that women really are not underpaid. They usually say the reason women are underpaid is that they do not work as hard, they have clean jobs, they work inside, they come in and out of the wage market, and so forth. When they talk about race, however, they say, "Well the reason those folks are underpaid is that they have dirty jobs, they do not need as much education, and so forth." White males are in the top jobs so it is a lie to say the reason women are underpaid is that they are in safe desk jobs, because a lot of well-paid men are in safe desk jobs. It also shows that blacks are exploited for the reverse reason white and black women are.

It has been said that if some women are paid more it will deny other women jobs. If anyone is paid differently, then you will reduce the number of jobs. That argument comes from the right wing of our society. The standard of living in our country has been improved by

not only raising wages, but also by increasing productivity and expanding jobs at the same time.

Bringing more women into the workforce will result in even more women entering the workforce because it creates more markets, higher productivity, and a greater need for that type of labor. I do not believe the number of jobs for women will decrease if more women are paid decently. On the contrary, I think it will increase the number of jobs for women.

In conclusion, the pay equity movement is only just beginning. The power of it lies in the idea. It shows the average woman how to measure if she is being paid fairly. The American Nurses Association brought a case in Illinois and they lost. They did a study within a mental institution there and showed how Nurses IV who needed an RN special training in psychiatric nursing, supervised 500 patients, had the responsibility of life and death, and risked their own life, made less than a boiler room operator in charge of four furnaces and needed only a high school education.

Even though those nurses lost in court, they know for sure they have been cheated. I am convinced those nurses will never stop in their pursuit of pay equity until justice is theirs. The miracle of the idea is that they now know it.

MR. JONES: Rebuttal by Anna Kondratas.

MS. KONDRATAS: Ms. Smeal's statement that women who get comparable worth pay increases are getting real money in their pockets is true. But she does not know what the effect will be and I am disturbed that she thinks it is irrelevant. Anybody who studies the economics of comparable worth seriously knows that it is bound to have some effect.

Comparable worth supporters also do not know who they are hurting. The women who are getting these pay increases are not underpaid and exploited. They are women who are better off than most women in the labor market. Secretaries in the public sector make about 4 percent more than in the private sector even before the pay increases. Due to comparable worth they are now making about 15 percent more. What about the poor secretary in the private sector whose taxes are paying for the increase in the pay of the secretary in the public sector? How do you know prices will not be raised and some poor mother on welfare will not have to pay more for whatever product the company produces? Money does not appear from thin air. Whenever anyone gets a settlement, the money comes from somewhere else. Comparable worth supporters have not been looking at the impact on people who are not affected by comparable worth or the evidence that the vast majority of women who need it the most will not benefit from comparable worth.

Job evaluation studies are used widely but they cannot determine discrimination. All they can show is somebody's opinion of what a job is worth. It is not reasonable to have a law that allows job evaluators and judges to determine that worth. The equal pay act sets a standard so the employer knows whether he is discriminating. As long as he treats workers with similar skills in the same way, he is following the law. If comparable worth is enacted, an employer will have no idea whether he is discriminating. A job evaluator or judge tells him. There will not be one standard because different job evaluations come to different conclusions. Therefore, I do not think that Title VII should be expanded.

I agree that comparable worth settlements have been reached in many areas due to union negotiations. However, that amounts to political pressure and blackmail. It has nothing to do with equity, rationality or any kind of economic analysis. When unions push for something, they want wage increases for their membership. They can call it comparable worth or anything else. It is no different than what has been going on before. As a woman I feel a little bit insulted that unions need to use that argument. Why don't they ask for a pay raise because their membership deserves it, not because Joe Schmo gets more so I deserve more?

MR. JONES: Ms. Smeal.

MS. SMEAL: Ms. Kondratas argues that comparable worth will not affect the women who most need it. Well, hopefully the issue will become contagious and reach a much larger segment of the workforce. There is no limitation to who it can reach. It does not have to deal only with union or government employees. In fact, it could reach the vast majority of the workforce. To say that a secretary who receives a payroll equity settlement does not help other secretaries is not to understand the issue. If one part of the job pool is paying more for secretaries, it tends to raise the pay of all secretaries. Secretaries will go to where the higher pay is, lowering the supply in other parts of the workforce. If one employer pays more, it will drain the supply from another place. If wages go up for those who are clericals in one area, the pay scale for clericals in the entire market will go up.

To say that comparable worth will affect only professionals is not to understand where settlements are being made. They have been made primarily on clericals, cleaning women, and people who work in large government agencies at all levels. I am not worried about where it would have a negative effect. I cannot imagine how it would hurt anyone if women are paid more. In fact, the more women advance in income, the more all women will.

The assertion that pay equity will increase taxes is not necessarily true. In all the pay equity settlements made thus far, the average has affected the budget by only 2 percent. Los Angeles'

budget was affected approximately 2 percent. It was not a huge amount of money.

There is an alternative to balancing the budget on the backs of women by underpaying them: pay workers fairly. A 2 to 4 percent increase is not that much of an impact on the budget, and the woman worker should not pay the price for balancing the budget.

The assertion that comparable worth would hurt women on welfare because it will make prices go up is an insincere statement. I do not think Ms. Kondratas' economic philosophy even supports welfare. What helps a woman get off of welfare is higher wages. One of the reasons women are on welfare is because they cannot support their children and make a living wage at the same time. Paying depressed wages to women will surely keep them on welfare until their children are beyond the age of eighteen. Women with dependent children must pay for child care and make adequate pay to support a family. The only way they are going to get off of welfare or AFDC is to make wages that the so-called prime workers make.

For the record, feminists were not for no-fault divorce. That is a myth. I was one of the people lobbying against no-fault divorce alongside the Catholic Church in my home state as President of Pennsylvania's National Organization for Women. We understood that no-fault divorce would lead to a situation where homemakers would have less to bargain with and would be denied equal financial protection.

Ms. Kondratas says she does not want job evaluators or judges to decide if wage discrimination exists. She says only employers can determine that. What kind of enforcement mechanism is that? Are employers so honest, so moral, or so perfect that they can police themselves? Why do we have discrimination if it does not pay? Somebody should be able to review what employers do. And if they are so good and so just and have tried to construct a system that is non-discriminatory, then they have nothing to fear from job evaluations.

Certainly there cannot be a uniform standard because different industries require different work skills. If we were arguing for one standard it could be said that we want a Big Brother or Big Sister. The reason why there are flexible standards is because different jobs require different types of skills and different types of needs.

Lastly, saying that collective bargaining is nothing but political pressure or blackmail is to denigrate the collective bargaining process. The reason we have collective bargaining is because workers need negotiation. If women were not being paid unjustly, why would unions be pushing for these settlements? Furthermore, women tend to be underrepresented in decision-making in unions. The women workers in Washington State have been awarded a pay equity settlement out of court. The reason they won is because

legislators believed that there were inequities. You can say that is political pressure or you can say that finally some people learned the facts. We have got to do something to make the system more just for women workers.

MR. JONES: Now a two-minute summation from Ms. Kondratas.

MS. KONDRATAS: I agree that women are heavily underrepresented in unions. I think that is one of the reasons unions are jumping on the comparable worth bandwagon--to increase their membership. We all know that unions have been having trouble attracting members recently.

Raising a secretary's pay in the public sector will not raise a secretary's pay in private sector. There will be waiting lines for people wanting to get into public employment. Small businesses will not be able to afford to pay their workers the same and will go out of business.

Under existing equal pay and employment laws, the definition of discrimination is clear. And employers who treat workers with the same skills the same way are complying. Under comparable worth, we are not going to have any such clear standard. Nobody will know what discrimination is and it will be in the eye of beholder. What is fair to one person is not fair to another.

Supporters of comparable worth are frighteningly blase about the legal and economic mess that it could cause. The remedy proposed does not address the problem they perceive. They believe that poor women are going to benefit most. Most poor women will not benefit from comparable worth because there is no trickle down effect from giving people in the public sector pay raises. We will make more progress if we pull ourselves out of the comparable worth morass and get back on the firm ground of equal opportunity and equal pay for equal work.

MS. SMEAL: I believe that comparable worth can help women and minority workers in both the public and private sectors. It is not a tool limited to the public sector; it is a tool that would be used and is used by private employers. It helps to measure and correct wage discrimination. If we are ever to have equal opportunity in our country or pay equity, we must have the tools to achieve that dream. We cannot say that we are for pay equity and then be against every suggestion and every known tool to reach this goal.

There is no question that Title VII and the Equal Pay Act by themselves are not enough. Right now they only measure, they do not enforce. I believe that the lawyers and job evaluators that designed comparable worth to measure wage discrimination based on race and sex have provided a worthwhile service to solving wage discrimination. We know it exists. We know it is difficult to root out. We know that employers profit from underpaying some workers. If we are ever to have pay equity for women, the 85 percent of women who work in jobs

dominated by women must have a tool by which it can be shown that they are being underpaid on the basis of their sex. If we are only going to give equal pay for the exact same work, then those women will be cheated. That is too high a price and that is why I think this solution of pay equity is a tool that can help close the gap and help women realize the American dream.

QUESTION: Ms. Kondratas pointed out earlier that unmarried men make 61 percent of the income of married men. Would you consider that discrimination against unmarried men? If so, what remedy do you propose?

MS. SMEAL: We know there is discrimination on the basis of marital status. The National Organization for Women is opposed to discrimination on the basis of marital status. I would have to know more about it, but if there is discrimination on the basis of marital status I would fight it with tremendous vigor. I think any kind of discrimination, be it on the basis of sex, race, ethnicity, religion, marital status or sexual preference, is all the same. It cheats us all because it denies people the use of their capabilities and denies society the use of their full resources.

MS. KONDRATAS: I would like to comment on Ms. Smeal's statement. If the pay gap between married and unmarried men was a result of discrimination then you would fight it. Here is a pay gap that is exactly like the female-male pay gap and you do not assume that it is discrimination. You say if it can be proved, you would fight it. Yet you look at the female-male gap--there is no economic proof that it is caused by discrimination--and say this is obviously discrimination and we have to fight it. That is a double standard of judging pay gaps.

MS. SMEAL: We have shown that sex discrimination exists in wages. In fact, where studies show that wage discrimination is only 20 percent then we worked toward a 20 percent solution. The average is caused by a lot of different forms of sex discrimination, not just wage discrimination. Every time I have analyzed the maleable and nonmaleable factors, I have not been as impressed. But I do feel that there is discrimination on the basis of marital status in our society and that is part of all discrimination that we want to wipe out.

MS. KONDRATAS: Ms. Smeal states that women have come a long way and still have a long way to go. I agree with that completely. On the other hand, I do not think that we had as little choice back then as she seems to indicate. A lot of things are based on women's choices and women's expectations about their lives. Women's choices are still a major factor in the pay gap and will be for some time to come. Sociological studies show that even today the majority of girls in high school do not think they are going to be in the labor market for the rest of their life. They think they are going to be secondary wage earners. A lot of them have the goal of getting married and not working. I do not care for that anymore than Ms. Smeal does. I would

like to educate girls into thinking that they have options and opportunities in the job market. They should prepare themselves for careers regardless of what they think about their marital status in the future. But the burden is on women to educate their daughters. I do not think you can blame society or institutions or consider women victims. We have a lot to say about the choices we make.

QUESTION: Why does the trickle down effect work when conservatives are for it but not when liberals put it forward?

MS. KONDRATAS: I consider the liberal welfare state to be sort of a system of "crumble down" because if you look at the money that we give to the poor through the welfare system and various social programs, most of it goes to very highly paid middle-class people who serve the poor and very little of it goes down to the poor themselves. The Commission for the Homeless in Massachusetts said that they get all sorts of applications from people that have never worked with the homeless before because money has become available in Massachusetts to set up programs for the homeless. I do not think that liberal crumble down is superior to conservative trickle down.

QUESTION: Is the fact that tall basketball players are paid more than fat wrestlers as an example of discrimination and, if so, is there a remedy?

MS. SMEAL: I like your facetious example, because it shows a lack of understanding of what pay equity is about. Studies are normally done within a unit that is providing some service. I gave you the example of a mental hospital. Employees were dealing with a product; namely, the hospitalization and treatment of people who had mental illnesses. The boiler room operator was working on that system as much as the nurse, so they were all providing necessary services for that one product in the system.

What you were talking about is something that would not be comparable because you have two different athletic teams probably under two different systems and you would not be measuring them in the same way. That is why there is no one standard. A portion of an employer's market or system is analyzed for pay equity. Everything is not comparable. You are not measuring football players against baseball players against movie stars. It is one employer making one product rather than everything in the United States measured by Big Brother. We have never proposed that.

A common argument used against pay equity is that there will be a big bureaucracy at the federal level that is going to measure every job in the United States and come up with a scale. That is not what has been proposed at all. When a labor union is negotiating, they are negotiating at one plant, not all the plants of a employer. There is a measurable unit within a system that you are comparing, not everything in the universe.

MS. KONDRATAS: I would like to comment. I agree that the example was very funny. I think the mental hospital example does not necessarily prove discrimination. That study said those people were paid unfairly. I am not sure that I would agree. Another study may have found something entirely different. The idea that discrimination is proved because one study showed it is not proof.

QUESTION: How will comparable worth motivate women to go off welfare and go into the workforce?

MS. SMEAL: We are not talking about motivating women. One of the things that keeps women on welfare is that there are not two workers in the household. One adult worker with minor children needs child care and transportation to a job. In addition, she must replace Medicaid with her own health insurance. To make getting off welfare worth her while, she has to make a better wage. If wages for women go up, it allows her to get off welfare because she is making enough money to replace welfare, Medicaid, and food stamps, as well as provide child care. The only way you will get people off welfare is if they can make enough money to support their children.

MS. KONDRATAS: I agree with Ms. Smeal's analysis of the welfare problem. That is why they are having great success in Massachusetts. A lot of the women on welfare need job training in addition to all these other things. In Massachusetts they are having success in getting women off welfare precisely because they are training them for higher paying jobs. That means there are no such things as women's jobs and men's jobs. I am really surprised that the women's movement keeps referring to such things. All jobs are open to all people in our society. In Massachusetts this program is working precisely because those women are being placed in jobs at wage levels that already exist which provide them with a living wage.

QUESTION: What role does Congress have in comparable worth and is it a more important role than should be played by the state?

MS. SMEAL: Right now, there are two bills in Congress on pay equity. The one that has passed the House of Representatives would mandate a pay equity study of the federal system workers. That bill, if it were passed, would at least give us room to study, but obviously we do not want just a study. We would like a federal government system that does not discriminate on the basis of sex with their employees. That would be a major step forward because--let us face it--it is the largest employer in the United States and it certainly is one that would help set a model and standard. We want the pay equity bills that are before Congress to pass.

Does it replace what the states are doing? No, because what the states are doing is primarily examining their own state employees. And it does not supplant what the locals are doing. I am hoping that

we get stronger and stronger legislation to make sure that people understand that Title VII does cover pay equity. We will take it a step at a time.

MS. KONDRATAS: I think it presumptuous to say that the federal government discriminates. I would like to make the suggestion that maybe if that bill does pass, we should get that Maryland firm to do it. They have the experience and I am sure they will know what decision to come up with.

MR. JONES: Thank you very much, ladies.