

### **Review Article**

## WOMEN, WORK AND INEQUALITY

A review of Jeanne Gregory, Rosemary Sales and Ariane Hegewisch (eds) Women, Work and Inequality: The Challenge of Equal Pay in a Deregulated Labour Market, London: Macmillan 1999. RRP \$137.91

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Structural transformations in the advanced industrial economies of the world over the past thirty years have been marked by some dramatic changes in the character of labour markets. Perhaps the most striking aspects of this has been the increased labour force participation of women and, more recently, the increasing flexibility within labour markets. These transformations, of course, reflect broader shifts in the political economy and particularly changes in family formations and patterns of parenting. As well, they reflect the pervasive restructuring of the advanced economies consequent upon the decline of manufacturing industry on the one hand and the increase in administrative work and expansion of the service sectors, including education, health and welfare, retailing and catering as well as more recently paid domestic labour.

It is also essential to acknowledge that the feminisation of labour markets has been politically and culturally impelled. The enhanced profile of women in waged labour reflects the concerted efforts of feminist activists to challenge women's marginal and subordinate place in labour markets. From the industrial arena, to the political arena, through to the arena of the household and family, feminism has contributed quite positively to recasting women's place within the political economy. Campaigns to redress the undervaluing of women's waged work and to promote employment opportunities have strengthened the position of women in labour markets and workplaces. Struggles to combat overt and covert forms of sex discrimination through legislation have underscored the protection of women in workplaces. Increasing flexibility in employment

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patterns has facilitated the re-entry into waged work of women with family responsibilities. Many more women now have access to career paths previously denied, underscoring improved material wellbeing and the greater economic independence.

The force of feminism has also effected changes in personal relations. Feminism has underpinned an enhanced confidence and opened up the space for many women to pursue aspirations hitherto foreclosed. More generally, feminism can be argued to have effected a change in cultural attitudes that has prompted a rethink of the place of women within familial organisation and the broader political economy. This has done much to counter women's historically subordinate status within the political economy, both as second class citizens within waged work and as financially dependent partners in relationships or welfare recipients.

Yet, for all the evidence of progress in women's position within the political economy, there has been a downside to the feminisation of labour markets which has both frustrated and undermined feminist endeavours to redress gendered economic inequities. flexibility in employment has been a double-edged sword. Whilst more women with family responsibilities now participate in waged work, there has been comparatively little change in the division of labour within the household. Women continue to assume the bulk of responsibility for domestic work and caring. As well, a growing and disproportionate number of women work in precarious, casual and part-time work, and other non-standard forms of employment. Evidence from throughout the advanced developed economies of the world points to a growing number of women for whom the economic experience is one of increasingly marginal labour market experience along with greater employment insecurity. Thus, whilst there are more women now employed among the ranks of the higher paid, impoverishment characterises the labour market experience of a disproportionate number of women. There is now an increased dependence upon state support which itself is marked by a political climate in which access to social security is more restrictive and

The feminisation of labour markets has become marked by a significant polarisation in women's economic fortunes. The benefits of the feminist challenge to women's subordinate status in the political economies of the

advanced industrial economies have been far from generalised. The material inequities of the current age have presented feminism with renewed challenge.

Within the academy, one can observe an invigorated engagement in researching this anomaly. Indeed the documentation of the growing inequality alongside the evidence of progress is now occupying much feminist discourse. But this is just not an academic exercise. The new energy being exhibited within feminist political economy is injecting a new momentum into not only feminist research but also a revived feminist politics that seeks to identify and to engage with, to contest, the institutions and forces that have contributed to the new material deprivation.

Understanding the successes and failures of the struggle to achieve pay equity has been one particular focus of this reinvigorated feminist discourse. That this has not been simply an academic exercise can be very clearly demonstrated by the way in which research has been underwritten by the organisation of forums that not only provide an arena in which the feminist political economy project might be debated, but also reinforce the potency of this feminism through its insertion in an activist politics. The conference organised by the Gender Research Centre at Middlesex University in conjunction with the UK-based Pay Equity Project is a case in point. The forum provided an opportunity for feminists to compare and debate experiences with a view to charting strategies for redressing economic disadvantage.

Some of the papers from this forum were published in the collection Women, Work and Inequality: The Challenge of Equal Pay in a Deregulated Labour Market. An appreciation of the scope of concerns addressed in this collection of essays provides an opportunity to contrast labour market and related institutional developments in the Australian context in at least two important respects. Firstly, reference to the key focuses of the forum provides a basis for briefly reflecting on the historical focus of feminists struggles to redress inequities within the political economy and the successes and failures of these struggles. Secondly, this also provides the opportunity to confront the range of new pressures engendered by economic restructuring and, importantly, to

explore the ways in which feminist interventions are finding that rehewed political momentum.

Feminist campaigns to redress women's subordinate material standing have been quite remarkable insofar as the struggles have secured some very significant legislative protections and institutional reforms. Three common developments stand out. Throughout much of the advanced industrial world, anti-sex discrimination legislation has introduced some clearly defined codes proscribing a range of conduct and practices. In many instances, the reach of such legislation has extended beyond providing protections for women in general to outlaw a range of discriminations, including those based on race, ethnicity, religion, sexual preference or orientation, and, in some nations, political preferences and membership of trade unions. A call for more proactive forms of intervention engendered the passing of legislation promoting equal employment opportunity and affirmative action programmes, especially within the state sector.

The third, and the foremost preoccupation of the forum, has been the efforts to counter gendered pay inequities through industrial arenas. In linking feminists who have studied and campaigned around equal pay, the editors remind the reader that it makes sense to locate this strategy in the context of the different levels of action pursued in the efforts to redress women's material disadvantage. Industrial strategies are best appreciated in the context of the broader political framework and the struggle for equality. Substantive equality, they contend, requires moving beyond pay anti-discrimination and equal employment opportunity strategies which are set in terms of securing the bases for formal equality. The focus has had to shift to combating the effects of labour market segregation, which has been manifest most strikingly in terms of the sex-typing of industries and occupations and, most importantly, in the undervaluing of women's waged work.

The focus on equal pay campaigns, however, is not intended to deny the importance of those struggles aiming to secure formal equality before the law. On the contrary, it is readily acknowledged in a number of the papers that the campaigns to achieve anti-discrimination legislation and affirmative action programs have been crucial in removing some obstacles to women's economic advancement. Such struggles have also

been significant in effecting the cultural transformation that helped to engender the pursuit of equal pay campaigns. Yet what is also made clear is that these particular focuses of feminist struggles have only been partially successful in narrowing the gap between men's and women's wages. It is the successes and failures of the struggles for equal pay that are the subject of most of the essays in Women. Work and Inequality. The collection of papers also provides a foundation for reflecting on the lessons to be learnt from these struggles, as well as how new strategies for intervening might be formulated to progress further substantive equity. With these objectives, the collection is worthy of critical reflection.

#### The Struggle for Pay Equity

Evaluating the different ways in which the struggle for pay equity has evolved provides a useful way for reflecting on how pay inequity might be redressed. The collection of papers draws upon the different equal pay legislation and mechanisms adopted in Britain, Europe, the United States, Canada and New Zealand. The story is much the same, with equal pay legislation generally being adopted to provide a more effective means for underwriting more substantive equality than that provided by affirmative action and equal employment opportunity legislation. Moreover, there has generally been a similar trajectory insofar as the focus on pay equity has moved from one emphasising 'equal pay for equal work' to 'equal pay for work of equal value' or 'comparative wage justice' to 'comparable worth'.

The Australian experience is thus not dissimilar. Indeed, the struggle for equal pay in Australia did, in many respects, set the pace for struggles beyond Australia. Thus the action taken in the Commonwealth Conciliation and Arbitration Commission, with the support of the ACTU, in 1969 for 'equal pay for equal work' was among the first in the advanced industrial world. Likewise with the subsequent action when with Labor Government support, the Commission broadened the concept to embrace 'equal pay for work of equal value' in 1972. This change of emphasis sought to break through the effects the wage disadvantage

resulting segregation of male and female employment by industry and occupation.

The examples of legislative developments in New Zealand (the 1972 Equal Pay Act followed by the Employment Equity Act 1990) and Ontario (the 1989 Pay Equity Act, which provides for job evaluation), or administrative developments, such as in Michigan (with the Equitable Classification Plan implemented over 1986-1996) highlight the possibilities of what can be achieved through the state (Coleman; McDermott; Kahn & Figart). But, in each of these instances, substantive progress has been frustrated or, worse, thwarted. This can be partly attributed to the difficulties in revaluing categories of work that are so defined by gender. As Arthurs argues in assessing the procedures for evaluating work under Britain's Equal Pay Act 1970, 1983, job evaluation methods used are themselves coloured by sex bias, and the legislation provides no means for resolving differences of judgement. A more incisive assessment of the way in which work valuation is coloured by masculine notions of what constitutes the skill and other attributes that go into the making of an occupation was elicited through the course of the New South Wales Equity Pay Taskforce inquiry conducted in 1998 (Cortis 1998; Hall 1999). And, even when some of these obstacles are surmounted, there has then been the further difficulty of translating the re-valuation of what is predominantly women's work into tangible wage adjustments (Kahn & Figart).

Several of the contributions to the forum emphasise the difficulties in implementing pay equity provisions in a meaningful way that have been

The setting up of the New South Wales Pay Equity Taskforce provided a unique opportunity for a more critical assessment of the bases of wage differentials. The inquiry was quite significant insofar as its terms of reference was predicated on an assessment of rates of remuneration, and not simply pay, and because it undertook a critical review of the historical bases of work valuing in seven occupations (clerical work: textiles, clothing and footwear; seafood processing; librarianship; metal trades; childcare workers; hairdressers and beauty therapists; motor mechanics; nurses; and, coal mining) as well as sought to compare the deifferent attributes that were, or were not, used in valuing respective male- and female-dominated occupations. The setting up of the Taskforce was also significant because it did not come about as a result of the judicious intervention of a Labor Government, but rather the product of the concerted campaign by feminist activists acting under the banner of the National Pay Equity Coalition.

apparent throughout most of the advanced industrial economies. The way in which legislation was framed has meant that work re-valuation was almost wholly undertaken on an industry-by-industry or even occupation-by-occupation basis. Progress in Australia has been frustrated for precisely the same reasons. Unions were tardy in bringing cases before the Industrial Relations Commission. While the anomalies and inequities provisions of the 1987 Labor Government's wage fixing provisions provided the first real opportunity to address pay inequities systematically, albeit a partial one, the opportunity was thwarted because the revaluation had to be undertaken on an award by award basis.

Resistance and opposition to change has also been a factor. Employers have been effective in blocking comparisons (Hastings). In Australia, the first really noteworthy endeavour for a comprehensive reassessment of the comparable worth of an occupation, launched by nurses in 1986 on the basis that the 1972 equal pay decision had not been applied, with employer support the Commission directed that the case be dealt with under the anomalies provisions. The case for a 'comparable worth' was in effect rejected (Meagher 1994). The Commission refused to consider any economy-wide adjustments to wage relativities. Thus, over the course of the 1980s, the very institutions through which feminists had sought to progress the cause of wage justice became bulwarks against any substantive change.

Studies also highlight the efforts of conservative governments to simply remove or emasculate progressive legislation (Coleman; Kahn and Figart). The Australian conservative Government's retreat from a commitment to equity is thus not unusual. Yet, while it is certainly in line with that of the former conservative New Zealand Government, the Howard Government appears to be wanting to be seen to be upping the ante, locking women out of representation at a UN Human Rights Committee meeting held earlier this year, with the male delegation led by the Minister for Workplace Relations rejecting a UN pact on paid maternity leave. (Australia was one of only 6 of the 167 signatory countries to do so.) This retreat has now been firmly consolidated with the later decision not to sign the protocol to the UN Convention for the Elimination of Discrimination Against Women (contradicting the efforts

of those Australian representatives who had been actively involved in the framing of the Convention).

# Labour Market Deregulation and Labour Market Restructuring

These manoeuvres reflect more pervasive changes governing the regulation of labour markets and industrial relations more generally, in the conservative Government's industrial relations agenda. Increased flexibility and the elimination of market rigidities, labour market liberalisation in a word, has become the modern mantra, and pay equity, along with other forms of employment regulation, is depicted as a barrier to competitiveness and labour market flexibility (Figart & Mutari 47-49). The hegemony of labour market liberalism has prompted a dramatic shift in public policy in most of the advanced industrial economies. It has been justified in terms of the necessity for facilitating economic restructuring in the face of globalisation (Bruegel).

There can be little doubt that the deregulation of labour markets has been a critical factor in undermining the struggle for pay equity. This is clear in Australia. The Workplace Relations Act, in limiting the number of allowable matters in awards, has weakened the scope for ensuring that equity provisions are incorporated into individual enterprise agreements. Notwithstanding arguments to the contrary by the Commonwealth Government's Employment Advocate, enterprise bargaining wage outcomes under the decentralised industrial relations system have been less advantageous for full-time women workers relative to their male counterparts (Long 2000).

In considering the place of migrant workers and the importance of ethnicity in the process of globalisation, the forum explored another important contributing element in the recent transformation of labour markets in the northern hemisphere. Struggles over the rights of ethnic minorities and migrant workers have resulted in the adoption of some noteworthy legislative developments, although these obviously do not go far enough. The regulatory frameworks governing the circulation of labour within the new Europe, for instance, provide some new

protections for citizens of Europe. By contrast, migrant workers and refugees have become subject to more stringent conditions not only with respect to working and employment conditions but also social rights (Sales and Gregory; Tacoli). Gender inscribes yet a further dimension to this, with many migrant women workers concentrated in sweatshops, or working as live-in domestics with very restricted freedom.

This points to another aspect of the effect that economic restructuring has had on the character of labour markets in advanced industrial economies. The feminisation of labour markets has not always been commensurate with the socialisation of women's waged labour, in contrast with our accepted understandings of labour market formation in which work is proletarianised and socialised. There are increasing numbers of women who are employed as domestic workers, cleaning and caring, and as outworkers. As Bhopal argues, much of this work occurs beyond the regulatory realm of the state. Similar arenas of employment have emerged in Australia. They partly reflect the successful career development of some women, enabling them to buy in domestic and other household responsibilities, whilst this structuring of the female labour market contributes to the polarisation of women's income.

Arguments that labour market efficiency requires the removal of institutional rigidities governing employment conditions and rights ignore the exploitative character of deregulated labour markets. The argument for efficiency obscures the exploitative power relations, class, gender and ethnic, that have framed the development of outwork. Bhopal's analysis of South Asian homeworkers in London highlights this. However, in Australia the issue is relevant in the context of the industrial campaigns undertaken to draw outworkers under the protection of industrial awards in New South Wales. An activist group has sought to bring moral suasion, and some consumer activism, to bear in developing the NSW Fair Wear campaign to pressure business to support award conditions of employment.<sup>2</sup>

The strategy has focused on getting retailers and manufacturers to sign an accreditation agreement that would permit them to attach 'no sweat' labels on clothing. Those retailers that failed to endorse the accreditation program would be targeted with negative publicity and protests (O'Malley 2000).

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Despite such efforts, the economic and labour market restructuring that has characterised most of the advanced industrial economies, while increasing labour market participation of women, has not broken down the segregation of male and female employment. In some sectors, such as health and community services for example, the rate of feminisation has actually increased, while new patterns of labour occupational segregation have emerged (Rake 2000: 40-43). The economic wellbeing of women working in these sectors is subject to a double disadvantage. Occupations in health and community services have historically been comparatively poorly paid, and efforts to remedy this through work value reassessments largely unsuccessful; and, because these sectors have been subject to severe government funding stringencies, the capacity to campaign effectively against the undervaluation of work has been frustrated. On the other hand, a disproportionate number of women working in the private sector are employed in small enterprises where union organisation is low and the ability to negotiate reasonable conditions of employment and rates of remuneration comparatively less. Moreover, in some of those areas of the private sector where there are large concentrations of women workers, such as in retailing, women have not been served well by unions.

The process of economic and labour market restructuring has also been associated with the increased employment of part-time and casual workers, and women are also disproportionately represented among such Most employment expansion throughout the advanced industrial economies has been dominated by part-time and casual work. Australia is no exception in this regard, which has meant that employment opportunities for women have been overwhelmingly restricted to such work. More often than not defined as unskilled or semi-skilled, the decentralisation of industrial relations has compounded their pay disadvantage. Enterprise agreements have invariably focused on preserving the entitlements of full-time workers and, in some instances, been concluded at the expense of part-time and casual workers. The introduction of performance-related pay systems has tended to disadvantage women workers (Rake 2000: 45) With decreased rates of unionisation across all sectors of the economy, the capacity for such agreements to protect the interests of workers is diminished. To make matters worse, there are a growing number of non-union

agreements which deliver lower wage increases which, because they are mostly in highly-feminised industries, institutionalise gendered pay inequities and more flexible working conditions to women's disadvantage (Heiler, Arsovska &Hall 1999: 117-119). We also need to be mindful that a growing number of workers exist beyond the protection of industrial awards and agreements.

It is in this context that the struggle for pay equity is confronted with new challenges. Contributors to the forum recognise the contradictory outcomes consequent upon the feminisation of labour markets. On the one hand, some of the barriers to women's entry into higher paidoccupations have been broken down. On the other, many of the longstanding obstacles in labour markets to women's economic advancement have remained while new barriers have emerged. The consequences have been quite striking. Recent research prepared by Ann Harding at the University of Canberra's National Centre for Social and Economic Modelling highlights the extraordinary polarisation of incomes. There has been a quite remarkable improvement in the earnings of the top ten per cent of female wage and salary recipients. Over the period 1982-1996/97, women in this income bracket have enjoyed a 22 per cent real increase in income (which, nevertheless, continues to place women below their comparable male counterparts). By contrast, average real incomes for lower income earners have declined significantly over this period (Hickman & Gunn 2000). The feminisation of labour markets has been associated with a quite dramatic increase in the disparity of women's earnings, and the gap between the haves and the have-nots is growing faster among women than men.3

The transformation of labour markets has underscored an impoverishment of labour, and women are disproportionately represented among the working poor throughout the advanced industrial economies of the world. But, as the various participants in the forum argue, labour market deregulation has not been the only feature of policy shifts framed by the pro-market ideology. The manoeuvring of states to free up labour

<sup>3</sup> It is interesting to note the net effect of this movement in income disparities. It has been estimated that average real incomes for all full-time women workers has declined by 9 per cent (Hickman & Gunn 2000).

markets has been one element in a broader program of neo-liberalism. Labour market deregulation has generally been combined with a host of welfare 'reforms', the most notable of which has been the more stringent provision of state support. Through the introduction of such provisions as 'mutual obligation' requirements, the welfare state has increasingly been refashioned as an institutional vehicle to feed the bottom end of the labour market. The construction of the 'workfare state' now presents a very serious obstacle to progressing the cause of economic justice.

#### Rebuilding and Relinking

It is this context that provides the important political edge to feminist political economy scholarship. The critique of labour market deregulation and the growth of the working poor has prompted a rethinking within the labour movement across the world. Feminist interventions have driven the new concern to develop an organising culture among many trade unions (McManus 1996). The significance of this new industrial spirit is illustrated by the concerted campaign engineered by the British public sector union, UNISON, to promote pay equity for some of the lowest paid groups of workers employed as schools meal services, clerical and administrative workers and ancillary health workers (Branney, Howes & Hegewisch; see also Mann, Ledwith & Colgan 1996). Through emphasis on organising, training and a preparedness to utilise every institutional means possible, including an appeal to the House of Lords, to advance their case UNISON has shown the benefits that can flow from the revitalisation of the fighting spirit of the labour movement.

This has meant a feminist-inspired refashioning of unions. However, as various contributors to the forum have argued, countering the force of neo-liberalism and its deleterious effects for women requires the rebuilding of an interventionist feminist politics. This necessarily challenges how the state has inscribed the feminisation of poverty as a pivot in the process of economic restructuring. Herein lies one of the strengths of Women, Work and Inequality. By providing a reassessment of the successes and failures of feminists' struggles for equality, feminist scholarship can highlight some of the contradictions and tensions not

only in these struggles, but also in conservatives' attempts to turn back the tide. In so doing, such critique provides the opportunity to explore what political spaces are, or might be prised, open. The object of the forum was to provide the platform on which to undertake this exploration. This is a timely reminder that academic conferences should not simply be curriculum vitae building exercises if they are to have integrity.

The struggle for pay equity is first and foremost a struggle to have the value of women's waged labour formally recognised. However, countering pay inequity cannot be restricted to a struggle within the industrial arena. Redressing the disadvantage of women in labour markets is but one element in the larger process of challenging the institutionalisation of discrimination and of its effects in terms of economic, cultural and political disadvantage. Disadvantage is not set in stone; it can and needs to be contested. As the editors and contributions by other participants, such as Hoskyns have observed, the opening up of the political spaces to redress disadvantage will be progressed by critique and by organisation. The struggles to give women a voice within the political and institutional forums of Europe highlights this. The struggles have not been without their contradictions, their defeats, but they have begun to turn the tide. The strength of Women, Work and Inequality lies in drawing upon these experiences to inform new ways of redressing the material disadvantage that women face in the political economy.

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