

## WOMEN'S RIGHTS LOBBY DAY

February 4, 1981

To the Members of the 97th Congress:

The Equal Rights Amendment will grant constitutional equality to women, and thus provide a fundamental right to over half the population. Such equality is a basic bread and butter issue leading directly to economic independence for women.

ERA is needed now more than ever. With inflation and unemployment at high levels, economic inequities are an ever more serious and growing problem for women. Elderly women, for example, must often now choose between hunger or warmth.

The road of one law at a time is too slow and totally inadequate to bring equality. The equal rights laws which are on the books have too many loopholes, are not properly enforced, and can easily be repealed by legislatures.

Court decisions, without an Equal Rights Amendment, have not been the answer, for in spite of those who argue that females are covered by the 14th Amendment, the courts have held that sex discrimination is not a suspect class under the Equal Protection Clause. As stated by Justice Lewis Powell in delivering the opinion in the Bakke case:

"The Court has never viewed such classification as inherently suspect or as comparable to racial or ethnic classifications for the purpose of equal-protection analysis."

EQUAL PAY AND EQUAL EMPLOYMENT OPPORTUNITY DO NOT EXIST Over the past twenty-five years the wage gap between full-time men and women workers has widened. In 1955 women earned 64¢ to every \$1.00 men earned; by 1979 it was down to 59¢.

Low pay is for women, high pay for men. In 1978 of all full-time workers paid under \$100 per week, 71% were women. Of all paid over \$500 per week, 94% were men.

All males, except those with less than eight years of education earn more than women with a college degree. In 1979 women college graduates on the average earned \$13,430 per yr. for full-time work, while male high school dropouts earned \$15,205.

Women workers traditionally have been and continue to be concentrated in the lowest paying jobs. Women comprise 98% of all secretaries, 71% of kindergarten, elementary and secondary school teachers, but only 11% of doctors, 13% of lawyers and judges, and 32% of college and university teachers. In the Federal Government women are lumped together in the lower paying job classes with 77.6% of all women at or below GS-8, while only 26.9% of men are at or below that level.

Within occupations women are compensated at the low end of the pay scale. Women elementary school teachers earn 80% of male elementary school teachers, while women clerical workers' earnings are only 60% that of men clerical workers. Nurses, a traditionally female occupation, are paid less than tree trimmers and tire servicers - male occupations - even though far more education and training are required of nurses.

THE FEMINIZATION OF POVERTY, A FRIGHTENING PATTERN The National Advisory Council on Economic Opportunity, in its 1980 report to the President, pointed out that

"The feminization of poverty has become one of the most compelling social facts of the decade. Almost one female-headed family in three is poor; about one in 18 families headed by a man is poor." The Council theorizes that at the present rate the poverty population by the year 2000 will be "composed solely of women and their children."

Government programs to give welfare recipients training and skills necessary to obtain employment discriminate against women. In the Work Incentive Program, where 75% of the registrants are women, the law requires that placement of men be given priority. If women are placed in jobs through WIN, their positions and wages mirror society at large. Thus, in 1978 women who obtained employment through WIN received an average starting pay of \$2.97 an hour compared to \$4.01 for men.

THE PROBLEM FOR OLDER WOMEN

Because of sex discrimination in jobs and pay, and because women are penalized for motherhood and homemaking since retirement systems assign no economic worth to such roles, most women who reach the age of sixty-five are forced to live at a lower economic level than men of sixty-five or older. Unmarried and once married women comprise almost three-fourths of our nation's elderly who are living in poverty.

Men have a median pension income nearly twice that for women. Full-time homemakers, of course, have no employer pension plans and if they become divorced are usually deprived of any portion of pension benefits. This is true in both private and federal government plans.

Under Social Security a homemaker is entitled to no benefits for her contributions to the household, but only to benefits as a dependent of her husband. If she becomes divorced she is entitled to nothing unless she remains married at least ten years, and then she may not collect until her ex-husband retires. A woman employed in the paid labor force has the dilemma of choosing whether to take benefits based on her work history or forfeit her own contributions in favor of receiving benefits as a dependent of her husband. Because women are in lower paying jobs and take time out for child-rearing, dependent benefits are often higher than their own.

Working women receive when they retire, on the average, Social Security benefits of \$215 a month compared to \$325 for men. Disabled widows receive \$166 a month and dependent widows \$225.

THERE ARE NO EQUAL RIGHTS WITHOUT THE AMENDMENT

The American Bar Association has clearly stated the need for the Equal Rights Amendment: "No ordinary statute can provide the bedrock protection assured by a Constitutional Amendment. No court decision can provide that protection, for the courts may interpret, but they may not amend the Constitution." Only the Equal Rights Amendment will provide a durable guarantee to women and men of equal status and dignity under the law.

The undersigned organizations are united in their commitment to the ratification of the Equal Rights Amendment as the only permanent safeguard for women's rights.

National Organization for Women

League of Women Voters of the United States

American Association of University Women

National Education Association

Women's Equity Action League

ERAmerica

National Women's Political Caucus

Note: Statistics used come from government sources and are available upon request.