REPORT V (1)

International Labour Conference

THIRTY-THIRD SESSION
GENEVA, 1950

EQUAL REMUNERATION
FOR MEN AND WOMEN WORKERS
FOR WORK OF EQUAL VALUE

Fifth Item on the Agenda

GENEVA
International Labour Office
1949
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INTRODUCTION

At its 107th Session, Geneva, December 1948, the Governing Body of the International Labour Office decided to place on the agenda of the 33rd Session of the International Labour Conference (June 1950) the question of equal remuneration for men and women workers for work of equal value. It was agreed that this item should include the consideration of what is meant by these terms, of the ways in which the principle should be applied and of the measures which should be taken to facilitate its application. The Governing Body also decided that this question should be considered under the double-discussion procedure, whose stages are prescribed by the Standing Orders of the Conference. The Standing Orders require the International Labour Office to prepare a preliminary report, setting out the law and practice in the different countries, together with a questionnaire. This report will subsequently be submitted to the Conference together with a further report based on the Governments’ replies to the questionnaire and indicating the principal questions which require consideration by the Conference, as required by the Standing Orders.

In points 1 and 2 of the questionnaire, which appears below in Chapter V, Governments are consulted as to the form the proposed international regulations should take. Subsequent points deal with those aspects of the subject which appear to be most useful for consideration with a view to framing international regulations. In accordance with the Standing Orders of the Conference, Governments are requested to give the reasons for their replies to the questionnaire.

As indicated above, the Office will also have to prepare, on the basis of the Governments’ replies to the questionnaire, a second report to the Conference. In order that the Office may have time to consider the replies and to prepare this second report so that it reaches Governments early enough for study and consultation, it is requested that the replies to the questionnaire should reach the International Labour Office in Geneva not later than 1 January 1950.
CHAPTER I

OUTLINE OF THE PROBLEM

The I.L.O. has, from the outset, accepted and, on several occasions, reaffirmed the principle of equal remuneration for men and women doing work of equal value, but the problem has yet to be examined as a whole and specific suggestions made as to how the principle should be applied in practice.

The question has been in the limelight particularly during and since the recent war, although the issue is by no means a new one. During the first World War, women replaced men in a great many occupations or were employed in new occupations, and large numbers of women were drawn into the employment market to meet urgent demands for labour, particularly in war industries. At that time, the problem of equal remuneration was primarily considered as that of protecting men’s wages and of preventing their being levelled down by the employment of women at lower rates. Recent war developments in such countries as Australia, Canada, New Zealand, the United Kingdom and the United States clearly show much greater recognition of the threat to men’s wages that is latent in the payment of lower wage rates to women. To a large extent also the distinction between “men’s” jobs and “women’s” jobs, with lower rates attached to the latter, has been fostered by men workers in order to protect their wage rates, thus freezing the employment market to a substantial extent, restricting the free choice of the individual worker and hampering a rational utilisation of the available labour supply. With the prevailing recognition that maximum production should be maintained or achieved by the most efficient utilisation of the labour resources of the country, it becomes apparent that equal treatment of men and women workers as regards remuneration would facilitate the distribution of the labour supply according to the capacities and abilities of workers and would promote labour mobility in the interests of production.

On the other hand, women represent an integral and, in some countries, a substantial part of the labour force. That this is not a recent development is shown by the examples given below.
In most industrialised countries the volume of the total female labour force has in the last few decades remained relatively stable with a slight upward trend. Noticeable changes have, however, occurred in the distribution of this labour supply among the various branches of activities and among the various levels of skills, though distribution according to skill is not always clearly indicated by available figures. The distinction between men's work and women's work has been maintained in some countries, but in many of them women have made inroads into men's trades or industries. The war experience of some countries has accentuated already existing trends towards a greater diversification in women's employment.

**GROWING IMPORTANCE OF FEMALE LABOUR**

In most countries, female labour forms a substantial proportion of the total labour force, whether the economy of the country be predominantly agricultural or industrial in character. Moreover efforts are being made in many countries, where industrialisation or economic planning is developing, to make better use of female labour either by drawing new supplies of such labour into the employment market, or by redistributing the existing supply, or by both methods.

In France the relative importance of the female labour force in non-agricultural occupations 1 has remained almost stationary since 1866, as indicated in the following figures:

**TABLE I. RATIO OF WOMEN TO TOTAL GAINFULLY OCCUPIED POPULATION IN NON-AGRICULTURAL OCCUPATIONS IN FRANCE**

<table>
<thead>
<tr>
<th>Year</th>
<th>Per cent.</th>
</tr>
</thead>
<tbody>
<tr>
<td>1866</td>
<td>33.8</td>
</tr>
<tr>
<td>1881</td>
<td>34.4</td>
</tr>
<tr>
<td>1896</td>
<td>34.8</td>
</tr>
<tr>
<td>1901</td>
<td>36.1</td>
</tr>
<tr>
<td>1906</td>
<td>36.6</td>
</tr>
<tr>
<td>1911</td>
<td>36.1</td>
</tr>
<tr>
<td>1921</td>
<td>36.6</td>
</tr>
<tr>
<td>1926</td>
<td>33.7</td>
</tr>
<tr>
<td>1931</td>
<td>33.8</td>
</tr>
<tr>
<td>1936</td>
<td>33.6</td>
</tr>
<tr>
<td>1946</td>
<td>34.8</td>
</tr>
</tbody>
</table>

The proportion of women employed in non-agricultural occupations has been consistently substantial, but a redistribution of female labour has been taking place in the last decades. While 57.7 per cent. of the female labour force was in manufacturing industries and in transport in 1906, this proportion has gradually, but steadily, decreased to 38.9 in 1946; in domestic service a comparable development occurred, the proportion decreasing steadily from 17.7 per cent. in 1906 to 13.8 in 1946. This movement has been counterbalanced by a movement towards commercial activities (the percentage ratio of women engaged in such activities to total female gainfully occupied population increasing from 17.9 in 1906 to 27.1 in 1936 and to 25.5 in 1946) and towards the professions and non-industrial civil service (corresponding percentages being 6.7 in 1906 and 21.8 in 1946).

The occupational distribution of women has also gradually changed in industry. Some industries now rely heavily on female labour, which accounts for not less than one third of that employed in each of the industries listed in the following table. Textiles and clothing are still predominantly feminine industries, but the volume of female labour employed in them has decreased since 1936 while in the other industries the volume has substantially increased.

**TABLE II. NUMBER OF MEN AND WOMEN EMPLOYED IN SELECTED INDUSTRIES IN FRANCE, 1 JULY 1946**

* (in thousands)

<table>
<thead>
<tr>
<th>Industries</th>
<th>Men</th>
<th>Women</th>
</tr>
</thead>
<tbody>
<tr>
<td>Food</td>
<td>320</td>
<td>165</td>
</tr>
<tr>
<td>Chemical</td>
<td>165</td>
<td>65</td>
</tr>
<tr>
<td>Rubber</td>
<td>32</td>
<td>17</td>
</tr>
<tr>
<td>Paper, cardboard</td>
<td>40</td>
<td>24</td>
</tr>
<tr>
<td>Printing</td>
<td>88</td>
<td>39</td>
</tr>
<tr>
<td>Textiles</td>
<td>225</td>
<td>295</td>
</tr>
<tr>
<td>Clothing</td>
<td>126</td>
<td>634</td>
</tr>
<tr>
<td>Leather, hides</td>
<td>173</td>
<td>69</td>
</tr>
</tbody>
</table>

In the United Kingdom, considerable efforts are being made to recruit women for employment or to prevent their withdrawing from the employment market, and the volume of the female labour force is considerably higher than before the war: 5,627,000 women were in civil employment in June 1948 as compared to 4,837,000 in
June 1939. In that country long-range trends have been accentuated by the stringency of the labour supply. To give just one example, it was estimated in the United Kingdom that the proportion of women to the total labour force increased from 14 or 15 per cent. before the war to about 23 per cent. in those industries where new techniques and new processes have developed considerably in the last few years, such as metal trades, electrical work, explosives, chemicals and engineering. Even in the inter-war period, while there was little variation in the general ratio of the female to the total labour force, the distribution of women workers showed considerable variations. The proportion of women workers increased considerably in industries such as the metal trades. Thus, women made up 32.3 per cent. of the total number of workers employed in factories in 1913 and by 1938 the percentage was 32.8. In metal trades, however, the corresponding percentage increased from 8.8 in 1913 to 18.2 in 1933.

In the United States, the proportion of women in the labour force has shown, in the inter-war period, a relative stability with a tendency towards increase, and, during the war, a remarkable increase which has been maintained to a certain extent until now. The percentage of women among gainfully occupied workers (10 years old and over) was 20.4 in 1920, 22.0 in 1930 (21.9 if calculated with reference to the total labour force) and 24.4 of the total labour force in 1940. By January 1949, women accounted for 28.2 per cent. of the total civilian labour force. Analysis of the occupational distribution of women workers shows that trends prevailing in the inter-war period have been accentuated as a result of the wartime experience of expanded employment opportunities for women. These tendencies may be summarised as (a) infiltration into occupations in which men had been predominantly employed, such as men’s apparel, electrical machinery and appliances, the knitted goods industries and light engineering trades, (b) relative stability of women’s position in occupations where

women's employment has always been extensive, and (c) some decrease in the segregation of men and women in occupations apparently suited to workers of both sexes.¹

Industrial and economic expansion under the five-year plans has had a direct bearing upon the relative volume and the scope of women's employment in the U.S.S.R., as existing and potential sources of labour supply were tapped to overcome labour shortages which hampered the economic development of the country. While no figures are yet available for post-war years, the following information on pre-war developments shows that in that country female labour has become an integral and substantial part of the labour force, with perhaps wider occupational diversity.²

In 1929, women constituted 27.2 per cent. of all gainfully employed persons; the percentage increased to 27.4 in 1932 and 35.4 in 1937. In industry, women represented 34.3 per cent. of all wage earners and salaried employees (35.1 per cent. of all wage earners) in July 1932; these percentages increased respectively to 39.8 (41.6 of all wage earners) in July 1937 and reached 41.6 (43.4 of all wage earners) in November 1939. In the heavy industries, the percentage of women rose from 28.4 in 1929 to 35.2 in 1937. The greatest increase occurred in the machine tool and metal working industries where women accounted for 8.9 per cent. of the labour force at the beginning of the first five-year plan, and reached 32.4 per cent. in November 1939. While women's employment opportunities expanded in new fields, the textile industry lost its predominant place as an industry employing women. In 1939, only 22.9 per cent. of all women engaged in large-scale industry were working in the textile industry, as compared with 64.5 per cent. in 1929.

Variations also occurred in the number of women employed as technical and skilled workers: thus in January 1933 the percentage of women among higher technical staff was 9.2; by 1939, they made up one fifth of this class. The following figures indicate

¹ Women's Occupations through Seven Decades, op. cit., passim. Few detailed statistics on occupational distribution of women relating to post-war years are yet available. The high level of women's employment, however, as well as significant partial figures, indicate that some of the expansion in women's opportunities during the war have been maintained. Monthly Labor Review, Jan. 1949, p. 88; see also, idem, Dec. 1947, "Women Workers and Recent Economic Change", by M. E. PIDGEON, pp. 666-671.
² Data on the U.S.S.R. are taken from E. OBLIKOVA: "The Soviet Woman in National Production", in Problems of Economics No. 7 (Moscow, 1940).
the importance of women’s employment in skilled occupations. In 1940, 45 per cent. of all linotypists and monotypists in the printing industry were women; 48 per cent. of the type setters, 50 per cent. of the printers; in binding, assembling, etc., the percentage of women was as much as 85 or more. In the shoe industry, 47 per cent. of the cutters and 66 per cent. of the purveyors, stitchers and sewers were women.

These few indications of the proportion of women in the labour force and some of the long-range developments in countries with different economic set-ups are supplemented by the following table relating to pre-war or war years.

**TABLE III. PERCENTAGE OF GAINFULLY OCCUPIED WOMEN IN THE TOTAL FEMALE POPULATION**

<table>
<thead>
<tr>
<th>Country</th>
<th>Year</th>
<th>Percentage</th>
</tr>
</thead>
<tbody>
<tr>
<td>Australia (1933)</td>
<td></td>
<td>19.2</td>
</tr>
<tr>
<td>Belgium (1930)</td>
<td></td>
<td>24.3</td>
</tr>
<tr>
<td>Canada (1941)</td>
<td></td>
<td>14.9</td>
</tr>
<tr>
<td>Czechoslovakia (1930)</td>
<td></td>
<td>30.5</td>
</tr>
<tr>
<td>Denmark (1940)</td>
<td></td>
<td>35.2</td>
</tr>
<tr>
<td>France (1931)</td>
<td></td>
<td>37.1</td>
</tr>
<tr>
<td>Germany (1933)</td>
<td></td>
<td>34.2</td>
</tr>
<tr>
<td>Ireland (1936)</td>
<td></td>
<td>24.3</td>
</tr>
<tr>
<td>Italy (1931)</td>
<td></td>
<td>18.6</td>
</tr>
<tr>
<td>Japan (1930)</td>
<td></td>
<td>33.0</td>
</tr>
<tr>
<td>Netherlands (1930)</td>
<td></td>
<td>19.2</td>
</tr>
<tr>
<td>New Zealand (1936)</td>
<td></td>
<td>18.9</td>
</tr>
<tr>
<td>Norway (1930)</td>
<td></td>
<td>23.0</td>
</tr>
<tr>
<td>Peru (1940)</td>
<td></td>
<td>27.9</td>
</tr>
<tr>
<td>Portugal (1940)</td>
<td></td>
<td>16.2</td>
</tr>
<tr>
<td>Sweden (1930)</td>
<td></td>
<td>28.7</td>
</tr>
<tr>
<td>Switzerland (1930)</td>
<td></td>
<td>29.0</td>
</tr>
<tr>
<td>(1941)</td>
<td></td>
<td>25.9</td>
</tr>
<tr>
<td>United Kingdom (1931)</td>
<td></td>
<td>26.9</td>
</tr>
<tr>
<td>United States (1940)</td>
<td></td>
<td>19.1</td>
</tr>
</tbody>
</table>


The principle of equal remuneration for men and women doing work of equal value implies, above all, equality of treatment. Non-discrimination should be achieved not only as a measure of social justice but to promote labour mobility and efficient utilisation of the labour force, since, as shown above, women have, for a long time, formed a substantial part of and are more and more being drawn into the labour force.

Considerable and increasing recognition has also been given to the principle in all spheres of organised public opinion and by Governments. In spite of this undeniable progress, factual data indicate that the application of the principle is by no means generalised. The question is, like all matters concerning the determination of wage rates, a complex one. It raises two series of problems, one directly related to wage problems, in particular, the wide variety of methods of wage fixing, and the other including the

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1 This point is discussed in Chapter II.
specific problems that bear indirectly upon the relative level of remuneration of women workers. It has been recognised that the extent of the differentials between men's and women's wage rates is often unwarranted by the respective efficiency and capacity of the two groups of workers but arises from historical developments and traditional attitudes towards women's work.

This report is intended primarily to elucidate the principal aspects of the question and to offer a basis for the consideration of (a) a definition on which international agreement might be reached as to the term "equal remuneration for men and women workers for work of equal value", (b) the scope of action which may be contemplated in fields where Governments may determine, control or influence conditions of remuneration, (c) methods by which the principle in question may be put into operation, and (d) complementary measures which may make it possible to deal with some of the problems inherent in the present position of women workers in the employment market and thus to raise the relative level of women's remuneration as compared to that of men.

PREVIOUS ACTION BY THE I.L.O. AND OTHER INTERNATIONAL ORGANISATIONS

The Constitution of the International Labour Organisation, as originally adopted in 1919, proclaimed the "special and urgent importance" of "the principle that men and women should receive equal remuneration for work of equal value" (Article 41). The Preamble of the amended Constitution which came into force in 1948 proclaims that "improvement (of conditions of labour) ... is urgently required ... by ... recognition of the principle of equal remuneration for work of equal value".

A first step towards the application of the principle was taken by the I.L.O., in 1928, in dealing with the question of creating or maintaining machinery whereby minimum wage rates may be fixed in trades or parts of trades in which no arrangements exist for the effective regulation of wages by collective agreement or otherwise and in which wages are exceptionally low. The Conference then called the attention of Governments to the principle affirmed in the Constitution of 1919.

1 Minimum Wage-Fixing Machinery Recommendation, 1928 (Part B), which supplements the Convention (No. 26) concerning the creation of minimum wage-fixing machinery.
In 1944, the International Labour Conference, discussing the principles and methods which should govern the organisation of employment in the transition from war to peace, further recommended that "in order to place women on a basis of equality with men in the employment market... steps should be taken to encourage the establishment of wage rates on the basis of job content, without regard to sex".\(^1\) To this end, it suggested that "investigations should be conducted in co-operation with employers' and workers' organisations, for the purpose of establishing precise and objective standards for determining job content, irrespective of the sex of the worker, as a basis for determining wage rates".\(^2\)

The principle of equal remuneration was also included in the Convention concerning social policy in non-metropolitan territories, adopted in 1947, which stipulates in Article 18, paragraph 1, that "it shall be an aim of policy to abolish all discrimination among workers on grounds of race, colour, sex... in respect of... wage rates, which shall be fixed according to the principle of equal pay for work of equal value in the same operation and undertaking to the extent to which recognition of this principle is accorded in the metropolitan territory". This Convention further provides in paragraph 2 of the same article that "all practicable measures shall be taken to lessen, by raising the rates applicable to the lower paid workers, any existing differences in wage rates due to discrimination by reason of race, colour, sex...".

As differentials between men's and women's wage rates have still prevailed, the International Labour Conference has on several occasions renewed the plea for the application of the principle of equal remuneration. In 1937, the Conference, considering that there was need to re-examine the general position of women workers and, in particular, that they should receive remuneration without discrimination because of sex, requested the Governing Body to draw this principle to the attention of all Governments with a view to its establishment in law and custom by legislative and administrative action. In 1939 and 1947, the Conference adopted further Resolutions reaffirming the importance of the principle as laid down in the Constitution of the I.L.O.

The question has also been raised before regional conferences of the International Labour Organisation. The Second Conference of American States Members, 1939, discussed and, in a resolution

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\(^1\) Employment (Transition from War to Peace) Recommendation, 1944, Paragraph 37 (1). See also Guiding Principle IX.

\(^2\) Idem, Paragraph 37 (2).
on conditions of work of women, suggested methods for applying the principle of equal pay for equal work. As regards the establishment of statutory minimum wages, the Conference suggested that the same principles should be applied in determining the rates for workers of the two sexes and that, in occupations where female labour is employed, care should be taken that in estimating the value of the work, the skill which it requires is assessed on the same basis as in the case of work done by men (paragraph 16). Methods for determining equality of remuneration were proposed, including investigations into cases in which men and women do the same job or similar jobs requiring equivalent qualifications. Thorough examination of the value of the work and of the equivalence of qualifications was recommended with a view to establishing standards sufficiently precise to permit comparison of the jobs and determination of corresponding wages. The resolution also urged that consideration be given by the services responsible for such investigations to the measures that should be taken, where necessary, to improve women's output by more advanced vocational training, the adaptation of tools and machines or any other means, in cases where it is found that wage differentials correspond to a difference, qualitative or quantitative, between the respective average outputs of men and women workers (paragraphs 20, 21 and 22).

The Third Conference of American States Members of the International Labour Organisation (Mexico, 1946), the Preparatory Asian Regional Conference of the International Labour Organisation (1947) and the Regional Meeting for the Near and Middle East (1947) adopted respectively resolutions by which the principle of equal remuneration was reaffirmed. Finally, it will be recalled that the problem of differentials as between men's and women's wages was brought before the International Labour Conference in 1948 in the general preliminary discussion of the question of wages, which constituted item VI (a) of that session of the Conference. The Conference studied the issue and thereupon adopted a Resolution which proposed to the Governing Body of the International Labour Office a programme of action in this field.

This recapitulation of the various decisions of the International Labour Organisation concerning the principle of equal remuneration

1 Comparable procedures, as indicated above, were also suggested in the Employment (Transition from War to Peace) Recommendation, 1944.
is intended to show not only the basic and continuous interest of the Organisation in this matter, but also that gradually, as a reflection of the actual trends in women's employment and of the attitude of organised public opinion, the International Labour Organisation has developed the general principle and has proposed certain methods for its application. It seems imperative however that the notion of equal remuneration for men and women doing work of equal value and the implications of that notion be further clarified and the various aspects examined, in the light of the considerable experience which has already accumulated in the application of the principle.

The principle has been implicitly included by the United Nations, in the Preamble of their Charter, in which they reaffirmed "faith... in the equal rights of men and women...". The Universal Declaration of Human Rights adopted by the General Assembly on 10 December 1948 formally stipulates that "every one, without any discrimination, has the right to equal pay for equal work" (Article 23 (2)). Action has been initiated by the Economic and Social Council of the United Nations on the question of equal pay for equal work, which was placed on the agenda of the Council's Sixth Session (February 1948), at the request of the World Federation of Trade Unions. After examining the problem, the Council adopted a resolution (10 March 1948)\(^1\) by which it approved the principle of equal pay for equal work for men and women workers and decided, in particular, to call upon States Members of the United Nations to implement the principle in every way, irrespective of nationality, race, language and religion; it also transmitted the memorandum of the World Federation of Trade Unions to the International Labour Organisation, inviting the latter "to proceed as rapidly as possible with the further consideration of this subject and to report to the Council on the action which it has taken". The action of the International Labour Conference at its 31st Session, as set forth in its Resolution concerning equal remuneration for work of equal value for men and women workers was received with satisfaction by the Economic and Social Council at its Eighth Session.\(^2\) The Economic and Social Council, "noting that the I.L.O., as the recognised specialised agency in the field, was making further studies and enquiries with a view to the development of one or more international conventions and recommendations",

\(^1\) Report VI (a) : Wages (a) General Report, *op. cit.*, pp. 97-98.

invited the I.L.O. "to report specifically on this subject to the
Economic and Social Council" after the first discussion of the
proposed international instruments.

The Commission on the Status of Women of the Council has
also formally expressed its support of the equal pay principle by a
resolution 1 adopted in January 1948. The question was again
placed on the agenda of the third session of the Commission (Beirut,
March 1949). The conclusions reached at this meeting were
embodied in the following resolution:

The Commission on the Status of Women—
Having considered, ... the problem of the principle of equal pay for
equal work for men and women workers,
Having heard the report of the I.L.O., presented by its representa­
tive, as to its progress and plans for work in this field, including plans
for its discussion at the thirty-third session of the International Labour
Conference,
Noting, from the report of the I.L.O., that although in recent years
the differentials between men's and women's wages have decreased in
some countries, such differentials are still substantial in many countries,
Considering that measures should be taken to eliminate some of the
factors which may account for the lower wages paid to women workers,
Reaffirms its support of the principle of equal pay for equal work
for men and women workers, without any distinction whatsoever, as
stipulated in Article 2 of the Universal Declaration of Human Rights,
and urges continued progress in its implementation,
Recognises that the I.L.O. is the specialised agency having particular
responsibility for the development of international conventions and
recommendations in this field;
Recommends that all Member States of the United Nations inform
the I.L.O. of legislative measures taken to implement the principle of
equal pay for equal work for men and women workers irrespective of
race, nationality; or religion,
Requests the Secretary-General to transmit to the I.L.O. all pertinent
information, statements, and other documentation which has been
brought to the attention of the Commission,
Requests the I.L.O. to include in its study of the question of equal
pay for equal work the following points:
(a) adoption of the principle of rate-for-the-job rather than rate-
based-on-sex;
(b) granting to women the same technical training and guidance
access to jobs, and promotion procedures as men;
(c) abolition of the legal or customary restrictions on the pay of
women workers; and
(d) provision of measures to lighten the tasks that arise from
women's home responsibilities as well as the tasks relating to maternity,
and
Requests the Economic and Social Council to recommend to the
States Members of the United Nations that they take action along the
lines indicated in points (a) to (d) above,

Requests the Economic and Social Council to continue to inform the Commission on developments in the field of equal pay for equal work.¹

One further international endorsement of the general principle of equal remuneration may be mentioned. The Ninth International Conference of American States held at Bogotá in May 1948 adopted an Inter-American Charter of Social Guarantees which states that “There should be equal compensation for equal work, regardless of sex, race, creed or nationality of the worker”.²

**ATTITUDE OF GOVERNMENTS AND OF EMPLOYERS’ AND WORKERS’ ORGANISATIONS**

The purpose of this report is to give an account of the prevailing situation and of present trends in the application of the principle of equal remuneration, but a brief indication of the attitude of Governments and of employers’ and workers’ organisations will serve to give a general impression of the interest that this question has aroused and of the extent of the support accorded to the principle.

A substantial number of Governments have recognised the validity of the claim for equal remuneration for work of equal value, and have either taken action to satisfy the claim or have pledged themselves to do so. Practical achievements or endeavours may be regarded as more appropriately indicating the attitude of Governments in this connection than statements of principle alone, and, as will be seen further in this report, a considerable body of national laws and regulations and of decisions of wage-fixing bodies tend to provide for the application of the principle, however limited in scope the approach to the problem may be.

It is also significant that in countries where, for various reasons, the principle is not, or is only partially, provided for, favourable views have been expressed by Governments, as appears from replies concerning the implementation of the resolution on equal pay for equal work for men and women workers adopted in 1948 by the Economic and Social Council of the United Nations.³ Moreover, with the trend towards inclusion of basic principles of social policy in national Constitutions, increasing recognition is being given, particularly in recent years, to the principle of equal


pay for equal work. The first country to establish the principle by constitutional provisions was Mexico, in 1917. Since that time, comparable provisions have been adopted in a number of countries, including: Albania (1946), Brazil (1946), Bulgaria (1947), Burma (1948), Cuba (1940), Czechoslovakia (1948), Ecuador (1946), France (1946), Guatemala (1945), Italy (1947), Panama (1946), Rumania (1948), U.S.S.R. (1936), Venezuela (1947) and Yugoslavia (1946). The Constitutions of the States of Hesse and Wurtemberg-Baden in Germany include equal pay provisions (1946). The principle of equal pay for equal work has been an integral part of the programme of the Department of Labor of the United States since the first World War and has been included specifically in the current basic programme sponsored by the Department to improve the economic status of workers.¹

A generally favourable attitude of a Government in this matter may, however, be qualified by reservations on account of temporary economic conditions, and support of the principle does not necessarily indicate readiness to deal immediately with the problems involved in its application. The position of the United Kingdom is a case in point. This Government has stated on a number of occasions that, while it accepts in regard to its own employees the justice of the claim that there should be no difference in respect of sex in payment for the same work, the principle could not be applied at the present time, mainly on account of the increased burden on the Exchequer and the inflationary effects that would result from application.²

As to workers' organisations, as already pointed out, it was on the initiative of the World Federation of Trade Unions that the question of equal remuneration for work of equal value for men and women was brought before the Social and Economic Council of the United Nations. The policy of the W.F.T.U. is both to support the principle and to continue actively to promote its application.³

² See, for instance, Parliamentary Debates, House of Commons, 11 June 1947, cols. 1075-1081.
The International Confederation of Christian Trade Unions has adhered to the principle, which was included in the programme adopted at its IXth Congress (Amsterdam, 1946). It is a fair statement that the workers' organisations generally favour the principle of equal remuneration for men and women doing work of equal value. In fact, since the attitude of the international organisations of workers reflects the viewpoint of the affiliated national organisations, it is unnecessary to list at great length the national trade unions which have gone on record in favour of the principle. A few examples will suffice.

The Australian trade unions have favoured the principle of equal pay for equal work and have given particular attention to this question since the beginning of the recent war. The Australian Congress of Trade Unions has given formal recognition to the Council of Action for Equal Pay which was set up in 1937 and has been active on this matter particularly in the last few years. The French General Confederation of Labour played a decisive part in promoting the application of the principle of equality of remuneration as between men and women workers and is keenly aware of the necessity for maintaining the progress already made and of securing the application of the equal pay law to women workers of all categories. This is indicated in a resolution adopted at its 27th Congress in October 1948. The British Trades Union Congress has for more than fifty years consistently maintained that where a woman is doing the same work as a man she should receive the same rate of pay. Statements of policy might also be quoted from trade union organisations in Czechoslovakia, Italy, Latin America, Poland, Sweden, etc. The American Federation of Labor affirmed the principle of equal pay as early as 1883 and has reaffirmed it on many occasions. The Congress of Industrial Organizations (United States) has since its establishment recognised the justice and taken action to secure

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implementation of the principle and in November 1948 resolved
to renew its efforts to obtain equal pay for equal work.¹

Employers' organisations, with certain exceptions, have not
favoured the application of the principle of equal pay for men and
women. It appears that only in the United States has the principle
of equal pay been accepted by a large majority of employers'
organisations, including the National Association of Manufacturers,
the American Management Association, the National Electrical
Manufacturers' Association, the National Metal Trades Association
and the Society for the Advancement of Management.²

In a memorandum sent to the Secretary-General of the United
Nations on 18 June 1948 concerning the question of equal pay
for equal work, the National Association of Manufacturers stated
that it heartily endorsed the principle, and that it has conducted
an active campaign to enlist the greatest possible employer support
of the principle resulting in the elimination or reduction of
previously existing inequities.³

The attitude of other employers' organisations as expressed
in various public statements calls for clarification. The employers
do not seem generally to challenge the validity of the principle of
equal remuneration for work of equal value. They have, however,
put forward arguments against the payment of equal wage rates
to men and women workers engaged in the same occupations;
in their interpretation of the principle, differential rates against
women workers were justified on the grounds that the over-all value
of the work is less for the employers in the case of work done by
women than in the case of work done by men. A note sent by the
International Organisation of Employers to the I.L.O. and to
the Economic and Social Council explicitly states that, in view
of the special costs to the employer resulting from particular
factors in the employment of women, “a differential between the
wages paid to men and women workers for identical work, even in
case of piece rates, is not incompatible with the principle of equal
remuneration for work of equal value”.⁴ The evidence presented
by the employers' representatives for the clothing trades before
the Royal Commission on Equal Pay in the United Kingdom
concurred to a large extent with the opinion of the International

¹ U.S. DEPARTMENT OF LABOR; Women's Bureau: Facts on Women
Organisation of Employers, although the factors mentioned as affecting the relative level of women's wage rates not unnaturally reflected the particular conditions of the country and of the industry and slightly differed from those listed by the international organisation.¹

The problem raised by the employers' organisations is of great importance and will be discussed in connection with the problem of defining the principle. The problem will be placed before the Conference, in order that a preliminary decision may be taken as to what is meant by equal remuneration for work of equal value as between men and women workers. As will be seen later, there is considerable diversity in the definitions used in legal texts, awards, court decisions and collective agreements; as well, indeed, as in statements and claims put forward by the workers' organisations in the various countries.

Conclusions

On the whole, the principle of equal remuneration for men and women workers for work of equal value is no longer openly challenged and the question seems ripe for consideration by the Conference with a view to the possible adoption of international regulations. The first point, therefore, on which Governments are consulted is the desirability of adopting international regulations on this matter. Since a majority of affirmative answers to this question may be expected, the problem then is to determine what should be the form of the regulations. The Office considers that a choice of two possibilities may be proposed. The international regulations might consist in a Recommendation which would deal in detail with what appear to be the principal aspects of the question. While a single Recommendation may have the advantages of presenting comprehensive practical suggestions and of dealing with the problem as a whole; it may be considered that the obligation imposed by a Recommendation upon Member States may not be such as will adequately ensure application of the principle. Alternatively it may be held that the international regulations should take the form of a Convention, with strict obligations upon Member States. This Convention might state the basic principles on which general agreement could

be reached and might be supplemented by a Recommendation offering more detailed suggestions on methods of application and related questions. Yet another division of subject matter as between a Convention and Recommendation might be considered, certain aspects of the question being dealt with by a Convention and others by a Recommendation.

The Office therefore has included the two following points in the questionnaire, reproduced in Chapter V, concerning the form of the international regulations:

1. Do you consider it desirable that the International Labour Conference should adopt international regulations on equal remuneration for men and women workers for work of equal value?

2. Do you consider that these regulations should take the form of—
   (a) a Convention and a Recommendation establishing supplementary provisions? and if so,
   (i) which of the points which follow should, in your opinion, be excluded from the Convention and included in a Recommendation? and
   (ii) do you consider that the subject matter of the proposed Convention is appropriate for federal action or appropriate in whole or in part for action by the constituent units of the federation?

or

(b) a Recommendation?
CHAPTER II

DEFINITION

In placing the question on the agenda of the Conference, the Governing Body indicated that it should include consideration of what is meant by equal remuneration for men and women workers for work of equal value. It appears indeed that both the terms, “equal remuneration” and “work of equal value”, require some clarification. While considerable efforts have been made to apply the general principle of equal treatment for men and women with respect to remuneration for work, divergences arise in the interpretation of the principle. One of the most important tasks of the Conference in this connection is therefore to reach international agreement upon the meaning of the principle. Thus, by defining the limits of the problem as precisely as possible and by devising a satisfactory test of comparability for the work of men and women, a sound basis may be established for considering methods of application.

While a growing number of countries have included in their national constitution or basic laws the principle of equality of remuneration for men and women, it will be fruitful to examine those cases only where efforts have been made to apply the principle, or where detailed provisions may serve to clarify the general idea, since in those cases the ambiguities of the general terminology have come to light. Study of attempts to deal with actual conditions in implementing the principle will, it is hoped, indicate the existing practice which will provide the basis for an international interpretation of the principle.

Moreover by presenting some of the typical definitions of the principle generally known as “equal pay for equal work”, it is intended to show some of the confusion that will have to be cleared away in the matter of equality of remuneration and as to the tests to be used to determine what constitutes equality of remuneration and what constitutes equality in the value of work.

In the first place, remuneration should be interpreted, as is done explicitly or implicitly in a number of regulations, as includ-
ing not only the wages or wage rates but also the various bonus or other allowances and seniority systems which are a part of the remuneration. Thus the Federal Labour Law of Mexico (1931) specifies in this connection that “wages shall include both the payments made at the daily rate and the bonuses, payments in kind, dwelling and every other allowance granted to an employee in return for his work”.\(^1\) Similar provisions are also included in the labour law of Costa Rica (1943)\(^2\) and Venezuela (1945).\(^3\)

It is also implied in the principle in question that since there should be equality of remuneration for work of equal value, remuneration should be proportionate to the value of the work. That is to say that differentials in wages would conform to the principle if they were based on an evaluation of the work including any discrepancy, if such appears, between the value of the work of women and that of men. It is all the more imperative therefore to establish a definition of the various aspects of the expression “equal remuneration for men and women workers for work of equal value”, in order to bring out the elements to be considered in any comparison of the value of men’s and women’s work and in establishing the differentials, if any, warranted by the relative value of the work of women.

Finally, in view of the various economic, social or historical conditions which affect each trade as regards the level of wages, occupations should not be compared which are different in character, such for instance as that of a woman weaver and that of a man solderer. The general level of wages varies from one industry to another: it would be irrelevant to raise the question of the relative value of the various occupations. Moreover, wages for a particular occupation and for related work are fixed by various types of measures, the scope of which may be, for example, the industry, the region or the plant. It thus happens that different wages are established for the same job in different circumstances. Comparison of the remuneration of women with that of men may be made therefore only in cases where their remuneration is established by the same procedure.

The various interpretations of what constitutes “equal remuneration for work of equal value” may broadly be classified in three main categories: (1) remuneration based upon the relative job

\(^1\) International Labour Office: Legislative Series (hereafter cited as L.S.), 1931, Mex. I, section 86.

\(^2\) L.S., 1943, C.R. I.

\(^3\) L.S., 1945, Ven. I.
DEFINITION

performance of men and women on work of comparable character; (2) remuneration based on the value defined with reference to costs of production or over-all value to the employer; and (3) wage rates based on job content without regard to sex. Experience in various countries with all three of these definitions will be examined in turn.

REMNUNERATION BASED ON RELATIVE PERFORMANCE OF MEN AND WOMEN ON COMPARABLE WORK

The first category covers the cases where men and women are employed indifferently on the very same job or where men and women are employed on work of the same nature and the value of the work is based on an appraisal of the job performance of women on such work as compared to that of men. In these cases various methods have had to be devised in order to evaluate the relation between the respective output and efficiency of these two groups of workers. This interpretation of the principle is a narrow one. The recent war provided the most typical cases of this kind.

During the war, it was necessary to recruit women workers to replace men who had been drafted into the armed forces and to man expanding war industries which suffered from an acute labour shortage. In a number of countries the principle was accepted that women thus replacing men should, since they were performing work which ordinarily was performed by men, receive remuneration according to the value of their work as opposed to remuneration based on the traditional distinction between "men's wages" and "women's wages". This development was urged by the trade unions in particular in order to safeguard the level of men's wages in certain industries by preventing a depreciation of wages on men's jobs. War-time experience, being limited to the remuneration of women employed on jobs hitherto held by men, is interesting because considerable efforts were made to devise satisfactory standards for the evaluation of the output of such women and because the problem of comparing the job of men and women was thus attacked on a broad scale. Some of this experience illustrates definitions of the principle as classified in the first category, i.e., implies an evaluation of the job performance of individual women or groups of women as compared with that of men. The wartime application of the principle of equal remuneration for men and women doing work of equal value, although it took place
during an emergency, may assist in clarifying the meaning that should be attached to this expression with a view to affording a basis for fair treatment of women workers under normal conditions.

Thus, in Australia, the Women's Employment Board established in 1942 was charged with fixing the conditions of employment of certain women employed during the war. According to the Regulations, the Board was, as far as practicable, to assess the rates of pay of the women concerned by reference to such factors as it thought fit, in particular, the efficiency of women in the performance of the work including any special factors which might be likely to affect the productivity of their work in relation to that of men. The rates of pay were required, however, to lie between 60 and 100 per cent. of the rates paid to men on "substantially similar" work. In one of its most important decisions, the Board defined the policy which it applied in subsequent decisions with respect to the evaluation of the respective output of men and women workers. While it found that in some instances women equalled, if they did not excel, men in productivity and efficiency, it concluded that, on the whole, women were less productive than men. The main reasons given were (a) the lesser physical strength of women and the statutory limitations on weight lifting, making it necessary either to increase the number of women employed or to engage a man to assist a group of women, (b) the periodical spells of lessened efficiency and productivity peculiar to women, and, above all, (c) the higher absenteeism among women workers. The value of the work performed by women in a variety of metal trades and engineering jobs was appraised at 90 per cent. of men's. A differential of 10 per cent. was accordingly established between men's and women's wage rates.

In Canada, during the war, the National War Labour Board, established for the adjustment of any differentials in existing wage rates and for the setting of rates for new occupations under a wage stabilisation policy, was called upon to make decisions concerning women's remuneration in relation to that of men. The Canadian war-time experience differs from that described in Australia in so far as it offers a more precise interpretation of the

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1 L.S., 1942, Austral. I.
2 Award on Application No. 9 of 1942 (Application of the Australian Ministry of Munitions on 17 July 1942).
3 Information on the Canadian War Labour Board, communicated to the International Labour Office by the Department of Labour, National Selective Service, Ottawa, 1945.
principle by introducing two standards, namely: (a) a new job classification was authorised within the body of established classifications with the requirement that each case be considered on its own merits without wholesale consideration of the relative value of women’s performance in general; and (b) two elements were defined which had to be considered in this evaluation—the skill and the ability required for the job.

The Board adopted the principle that wage rates were to be paid with respect to an occupational classification and not with respect to particular individual employees within a classification; its policy was that a new and lower occupational classification might be authorised in cases in which—

... the skill and ability called for is of a lower grade than those previously associated with the established classifications of the employer and/or where separate classifications are desirable for apprenticeship or learners' schedules provided that the single wage rate or range of wage rates requested is a fair and reasonable measurement of the relative skills and abilities required in connection with the new and lower paid classifications.

It will be noted that women workers were considered together with other groups of workers: youths and less experienced or less capable men who had to be engaged to perform work done before the war by experienced men. The Board had to take decisions on applications made by employers for the establishment of new and lower paid classifications within an occupation for which classifications had already been made. The important notion introduced thus by the Canadian War Labour Board was that, while the rates were in all cases based on an evaluation of the work done by women as compared to man’s performance, they called also for an evaluation of the relative skill and ability required in connection with a new and lower paid classification.

In the United Kingdom, conditions for women replacing men on their jobs during the war were agreed upon generally between employers’ federations and trade unions, although in some cases they were determined under the peace-time arbitration machinery for dealing with industrial disputes. The principle generally applied was that, after a probationary period, women were entitled to be paid the full rate for men provided that they were able to perform the work of the man equally well and without additional supervision. If additional supervision or assistance was required, women were to receive a rate of pay proportionate to the full
rate for men. Considerable difference of opinion between the parties was expressed however as to the correct interpretation and application of these provisions, particularly in the engineering and allied trades.¹

One other experience may be cited in this connection although it refers to peace-time rather than war-time conditions. In the United States, two identical Bills “providing equal pay for equal work for women and for other purposes” were presented in 1947 in the House of Representatives. They defined as an unfair wage practice discrimination between the sexes in the payment of wages by paying women at a rate less than the rates established for men—

(1) for work of comparable character on jobs the performance of which requires comparable skills; and

(2) for comparable quality and quantity of work on the same or similar operation.²

The opinion of the then Secretary of Labor on this point presented during the hearings before a subcommittee of the House Representatives should be recorded here since he outlined the difficulties which public authorities would encounter in trying to enforce subsection (2) which involves the comparison of individual performances along with the evaluation of the similarity of the job. He indicated that, for very practical reasons, he did not see the desirability of this provision and that he was in favour of the deletion of subsection (2). He said:

I do not think it is possible to write into a law and give to a Government agency the power or the skill to determine whether or not work being turned out is of comparable quality, ... It seems to me it is within the province of management to determine whether or not they are getting the quality of work that they want out of a worker. If they do not get the quality of work they want they should have and they do have the right of discharge, or they have the right of transferring to some other job, ... Quantity of work is about the same. If you have one person doing a complete job and another person doing a complete job you can figure out how much will be turned out by each one, but I do not think that in most of our manufacturing work, which is done in line production, you can tell who in that line is slowing up the work, who it is that is making the output less. No inspector representing either the Federal Government or State Government could come in and say: “It is John Smith here that is slowing up the work.”

It is going to take a supervisor who is there every day watching the work go out.¹

It is significant that the Bill presented before Congress in 1949 seems to have taken into account the difficulties thus outlined: in any case, this controversial issue has been eliminated from the Bill which defines only as a discriminatory practice the payment of a woman "at a rate less than the rate at which [the employer] pays wages to male employees for work of comparable character on jobs the performance of which requires comparable skills".²

It is clear that the procedures described herewith have shown the possibility of arriving at comparisons between men's and women's job performance when the jobs are actually identical. Where variations exist, however, no precise basis appears for determining corresponding differentials in wage rates.

Remuneration Based on Value of Work Defined with Reference to Cost of Production or Over-all Value to the Employer

It has been suggested that whether or not work is of equal value should be determined by whether one worker gives the employer a return of equal value to that given by another. In some countries, the effect of women's employment on costs of production has been allowed for when considering the application of the principle of equal pay for equal work.

Relevant Provisions or Statements of Policy

As was indicated above, with reference to the war-time experience of the Women's Employment Board of Australia, women's work, in that country, was generally evaluated at a lower rate than men's in important industries such as engineering, because it was held that certain general conditions increased costs of production where women were employed: lesser physical strength, limitation of hours of work, shorter industrial life, necessity of adapting machinery and tools to women, greater absenteeism, less adaptability to related operations and the need for special industrial welfare provisions for women.

In New Zealand, where the principle of equal remuneration is

¹ Equal Pay for Equal Work for Women, op. cit., p. 83.
² 81st Congress, 1st Session, H.R. 1584, 17 Jan. 1949. A Bill providing for equal pay for equal work for women, and for other purposes.
not generally applied, the Industrial Emergency Council, established to advise the Minister of Labour on matters relating to the war effort, dealt in a number of cases with applications concerning the determination of wage rates for women. The Council adhered to the principle of equal pay for equal work, but considered that the employer's costs should be taken into account in fixing wage rates for women. It decided that where women replaced men, the cost of handling a given volume of goods should be maintained at its existing level; the employer's costs should not be reduced as a result of employing women, but neither should they be increased as a result of his being forced to pay the same wages for less efficient work. The Council consequently recommended lower rates for women where it could be shown that a lower volume of work was inevitable or that the whole of a job could not be allotted to women. Thus, while considering the employer's costs, the Council took into account the quantity of work performed by, or the range of operations assigned to, women as compared to men.

In the United States in connection with the Equal Pay Law passed in 1944 in the State of New York, which prohibits discrimination in pay as between men and women workers because of sex, the New York State Department of Labor dealt with the question of extra costs to the employer in a statement of July 1944 on the principles which would guide them in the interpretation of the law in cases of replacement of men by women workers. The Department, while adhering to the principle of the "rate for the job", ruled that differential rates may be established inter alia upon consideration of the costs of production. It established that: (a) rate differentials for women may not be based on slight or inconsequential changes in job conditions where the replacement took place; (b) where additional costs are incurred for extra supervision, extra set-up men or extra maintenance personnel, such costs may be given appropriate weight in establishing an equitable rate for women; and (c) a differential in rate or classification may not be established for women where additional supervision or service is required if it does not increase labour costs. The conclusions, consequently, are that rates established for men for specific job classification should apply to women, unless, inter

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3 Communication to the International Labour Office from the New York State Department of Labor (1945).
alia, a definite change in the conditions under which the job was previously done results in additional labour costs for extra supervision or service, or where lower standards of production have to be established for women, reflecting differences in output on a particular job as compared with men. In this case, again, specific factors have been defined which may be taken into account in evaluating whether or not costs of production are increased as a result of employing women: i.e., the necessity of providing extra supervision or assistance or of fixing lower quantitative standards of production.

The same attitude was adopted in the United States by the National War Labor Board and its regional boards. The Board laid down the principle that, in cases where the employment of extra men was required to undertake heavy physical work which had been established as a part of certain jobs, and where this constituted a division of work and a specialisation of tasks that could be made without any increase in unit labour costs, even if the female employees continued to receive the established rate for the operation, there would be no sound basis for fixing a differential rate against women workers.\(^1\) A statement of policy approved by one of the regional boards, also, included consideration of costs of production in connection with the application of the principle. It provided that, where it was necessary to change the duties or responsibilities of the man's job and where the changes necessary were not extensive, an intermediate rate was to be fixed within a specified period, based on the cost of the product turned out by women as compared to men. In some of its decisions, the National War Labor Board permitted differences in wages based on the sex of the worker particularly where needed to meet the loss of production which, it was estimated, resulted from the provision of rest periods during working hours for women.

Towards the end of the war, the National War Labor Board of the United States reaffirmed the general principles on which it based its equal pay policy. It, then, formally stated that appropriate differentials for women may be made, particularly, when there are ascertainable and specific added costs to the company resulting from the use of women, such as provisions for extra helpers and for rest periods not provided for men. It pointed out that intangible alleged cost factors incident to the employment of women cannot legitimately be used to reduce the rate to which

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\(^1\) *The War and Women's Employment, op. cit., p. 218 et seq.*
women would otherwise be entitled on the basis of job content. This policy, it must be borne in mind, was based on an examination of the substantial number of cases involving the issue of equal pay which came before the National War Labor Board or its regional boards.

In the United Kingdom, the Royal Commission on Equal Pay made a distinction which seems to follow the same lines as the statement of the National War Labor Board of the United States, when it interpreted the meaning of the expression “over-all value” used in its report. It explained that—

In discussing the value of an employee to his or her employer, it will be necessary on occasion to distinguish between the value of the services rendered in relation to a given “unit” of work, whether the unit be a job or a time, and the over-all value of the employee’s services over the whole period during which he or she remains in employment. It is clear that the latter may be affected by factors irrelevant to the former.

The Royal Commission however proposed

... to leave inequality in respect of over-all value out of account in deciding whether work should or should not be called equal and, to this extent at least, “equal pay for equal work” will not, as used by us, have the same import as “equal pay for equal value to the employer”.

Already in 1919 the War Cabinet Committee on Women in Industry had defined the expressions “the rate for the job” and “equal pay for equal work” without regard to the factors of special overheads and over-all value, in dealing with the relation which should obtain between the wages of the two sexes.

Factors affecting Cost of Production

Thus, it seems that a distinction may be made as regards those special costs of production entailed in the use of women’s as com-

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2 The terms of reference of the Royal Commission were as follows: “to examine the existing relationship between the remuneration of men and women in the public services, in industry and in other fields of employment; to consider the social, economic and financial implications of the claim of equal pay for equal work; and to report”.
4 Women in Industry, report of the War Cabinet Committee on Women in Industry, 1919 (H.M.S.O. London, 1919), Cmd. 135, Chapter VI.
pared to men’s labour. The factors considered as resulting in such extra costs may be classified into two categories.

**Specific Factors immediately related to Particular Jobs.**

The first group includes those specific factors immediately related to particular jobs. The value of the work performed by men and women could not for instance be considered of equal value where a difference has to be made in the skill and abilities required for a job, where extra supervision or assistance is needed, or where lower standards of production are established for women, *i.e.*, in cases where women are not able to perform the same work as men. The value of the difference in the work which is expected from them respectively is ascertainable by an evaluation, through the method of job analysis, of the net additional costs which result from differences between the jobs concerned or by collective negotiation or otherwise. In this case, differential rates for women may be established by giving appropriate weight to the extra costs of production in establishing women’s wage rates. Such a situation was characteristic of war-time developments when women were recruited to replace men in industry.

The problem does not, however, ordinarily arise in exactly the same way in peace as in war, even in periods of acute labour shortage, when the supply of men workers is not depleted by abnormal contingencies. The basic principle of a manpower policy as well as of sound industrial management should be to get every task performed by the workers who are, in all respects, the most efficient for the purpose, in order to utilise economically the available labour supply for maximum production.

Women would in peace-time be employed on men’s jobs only if special conditions prevailed in the employment market or if their employment were profitable: it might be profitable either *(a)* if the work in question were reorganised with a view to more efficient operation, jobs being reclassified in consequence, or *(b)* if cost analysis were to show that, irrespective of any technical reorganisation of the work, the lower rates of pay women were prepared to accept would more than compensate for lower individual output.

Careful consideration should be given to those variations made in production operations as a result of the utilisation of women in jobs comparable to men’s jobs, since in certain cases the utilisation of women workers raises the general question of the dilution of labour and the reorganisation of work, which may in fact reduce
costs of production, as was implied in the statement of policy issued by the National War Labor Board of the United States.¹

While this general issue will not be examined here, it may be pointed out that in a number of countries industry has evolved procedures for dealing with situations of this kind and has formulated rules which permit the adjustment of men's wages to changed conditions of operation and to technological developments. It is not unreasonable to let women have the benefit of such procedures and to determine their wage rates according to rules applied under similar conditions to men, the operations performed by women being, in such cases, part and parcel of a wider process of industrial reorganisation. Further consideration will be given to these procedures under the heading "wage rates based on job content".²

**General Factors.**

The second group of factors comprises those that are deemed in general to increase costs of production and to involve special overhead costs, thus reducing in the long run the over-all value of women's work when women are employed on occupations similar or related to those performed by men, even when their efficiency and output is equal to that of men. These characteristics which attach to female labour generally include: lesser physical strength and resistance to fatigue, legal limitations of hours of work and of night work, shorter industrial life and higher turnover rate, inferior vocational training or experience, with consequent lower capacity for adaptation to emergency situations and to a variety of jobs, and the need for provision of special welfare facilities. To these factors may be added the cost of maternity benefits, which in a few cases constitute one of the special charges devolving upon the employer. All these factors have repeatedly been adduced as justifying differentials between men's and women's wage rates. When the employment market is unregulated, the belief that they indeed substantially affect costs of production has tended to lessen the demand for female labour and to belittle the work done by women.

The views of the employers on this point were given in a memorandum sent by the International Organisation of Employers to the Economic and Social Council and to the International Labour Organisation in connection with the question of equality of remuneration for work of equal value for men and women workers.³

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¹ Cf. p. 37 et seq.
² Cf. p. 27 and footnote 1 on p. 280.
The memorandum states:

The value of the work performed should be judged from the standpoint of production: equal value therefore implies equal value judged from the standpoint of over-all cost of production.

Consequently, the principle could be applied only in so far as (a) it involves equal remuneration for equal quantity and quality of work performed under identical conditions, and (b) all the factors affecting costs of production are taken into consideration in determining equality of remuneration. The memorandum then stresses the need to evaluate all the additional charges which increase costs of production where women replace men or are employed together with men, and gives a list of the permanent factors that account for these additional charges. Experience of these factors should therefore be considered in some detail.

Physical strength. The lesser physical strength of women tends obviously to exclude them from heavy industries and work involving strenuous muscular effort. This consideration therefore affects the utilisation of the labour force rather than the remuneration of women. Cases where women are incapable of performing the whole of a job because of their lesser physical strength and where assistance by additional men workers is consequently needed, have already been dealt with among the immediately ascertainable conditions affecting labour costs.

While it is uneconomical to assign women to jobs requiring great physical strength, the range of occupations within women’s capacity has expanded, particularly in new industries such as light engineering and metal trades, the manufacture of precision instruments and electrical apparatus, etc., where a large number of occupations require precision, patience, delicate finger work, etc. Moreover, even in so-called heavy industries, technological improvements tend to simplify and systematise operations and to spread the use of mechanical labour saving devices, thus making it possible to employ women on jobs which were hitherto considered too heavy for them but which they can now perform at least as satisfactorily as men, as was shown during the war in some belligerent countries.\(^1\) While these technological changes as well as the expansion of new industries, such as radio manufacture, extend employment opportunities for women and increase the demand for female labour, it is essential that the level of remune-

ration prevailing in these industries should not be undercut by the use of relatively cheap labour. These developments, therefore, raise the wider issue of dilution and reorganisation of work which has been touched upon above. It would seem that in these cases, also, the same rules that apply in the readjustment of wage rates of men workers where technical changes are made in industrial processes should obtain in the case of women workers; these rules generally take due account of costs of production.

Moreover, it has not always been found possible to reach agreement as to the relative value of the strength factor in comparing men’s and women’s work. One aspect of French experience since 1946 in applying the principle of equal remuneration is significant in this connection. When the application of the provisions abolishing the authorised differential of 10 per cent. against women workers employed on the same job as men was discussed by the French workers’ and employers’ representatives, great difficulties arose in connection with the evaluation of the requirements of the jobs. The employers argued in particular that differentials were in some cases justified because women were performing lighter work than men while the workers’ representatives contended that such qualities as dexterity, speed and precision should be rated as highly as sheer physical strength.¹ Negotiations on this point proving unsatisfactory, the Minister then decided that the permitted differential of 10 per cent. should be abolished² without modification of the established job classifications, except in cases where collective agreements regarding such modifications had been duly approved by the public authority.

To cite another instance, in the United States, a case concerning a claim that wage differentials were unjustified and involving evaluation of a classification of work traditionally performed by women came before a regional board of the National War Labor Board. The Board decided that a rate, based on the skill and difficulty of the work in question, should be substituted for the former one throughout the establishment concerned; it accepted the classification of work as “light” and “heavy” and wage rates were adjusted on the basis of job analysis, both men and women being employed on work of either description. Differentials based on the sex of workers were thus eliminated in a number of

cases when existing "women's" jobs were in actual content less exacting as to physical strength than "men's" jobs, but where the difference in rates between the jobs was greater than the difference in the job content warranted.¹

Legal and conventional restrictions. It is also argued that legal and conventional restrictions on the employment of women in certain occupations or at certain times ultimately reduce the value of women's work to the employers. Such restrictions are to a large extent based on health or related considerations and that their scope is closely linked to the stage of industrial development and to the conditions of work prevailing at a particular period or in a particular industry or region. As regards restrictions imposed upon hours of work for women, these would seem in theory to create difficulties in mixed occupations by limiting the extent to which women may be employed interchangeably with men in certain occupations. In practice, figures show that, on an average, the weekly or daily hours of work of women are less than those of men.

The question is, of course, primarily one of overtime. It is obvious that limitation of overtime has had a distinct effect on women's remuneration. It reduces their possibilities of reaching the level of men's total earnings. If it also reduces the value to the employer of women's work relatively to men's in certain mixed occupations, since women may not be available to work beyond normal hours in time of pressure, it may be pointed out that this inconvenience to the employer is in any case reflected in the remuneration since higher rates are established generally for overtime work, either on piece or time work.

Night work restrictions may likewise be of considerable importance in this connection in work organised on a basis of continuous shifts, in view particularly of the development of double day-shift work in industry.

In cases of continuous processes which require night work, the general practice in mixed occupations is increasingly to employ women on the two day shifts, reserving the night shift to men. While the job performed is the same, rates of remuneration may be equal for men and women. It remains that night work also is considered more arduous than day work and that it is frequently necessary to establish a premium rate for those employed on night work. It has thus been considered a fair wage practice to grant

night workers financial compensation for such work. It would not therefore seem appropriate that, as a further discrimination, women should receive lower rates for work by day because they can not be employed on night shifts.

This question was considered by the Royal Commission on Equal Pay in the United Kingdom, which made recommendations concerning the application of the principle of equal pay in the Civil Service. It recognised that—

So far as we can ascertain, it cannot really be questioned that the work (in Post Office services) is in all essentials the same for both sexes, subject to one qualification, namely, that the women are exempt from night duty, their attendance (in normal times) usually being confined between the period 8 a.m. to 8 p.m. . . . The question that here arises (and it is important also in industry) is, what significance has this discrimination between the sexes as regards night work? . . . \(^1\)

The Commission proposed three possible solutions in which the question of night work is taken into account in the establishment of remuneration rates as a difference in regard to the duties of the men and women respectively:

(i) that all the women would be eligible for and would accept night duty as required, and that in that case the existing pay differential would be completely abolished;

(ii) that none of the women would be eligible for or accept night duty, and that in that case the existing differential would be reduced but not completely abolished, leaving a margin to allow for the women being exempted from night work?

(iii) that the women would be given option, that some of them would and some would not undertake night duty, and that the former section would receive the full rate of the men and the latter section the new differential rate referred to in (ii). \(^2\)

Higher rate of absenteeism. Among the general factors which are singled out as reducing the relative value of women's work, one of the most important perhaps is the higher rate of absenteeism among women workers. Surveys have shown that, generally, the rate of absenteeism is higher among the younger age groups than among older workers, and also higher among unskilled labour than among skilled workers. As long as the median age of women workers is lower than men's and the proportion of women employed on unskilled operations is greater than that of men, it would seem that such a situation would be reflected

\(^1\) Royal Commission on Equal Pay: Report, op. cit., pp. 15-16.

\(^2\) Ibid., p. 145.
in higher rates of absenteeism for women. As yet, enquiries on absenteeism have failed, in general, to evaluate the bearing which the age composition and occupational distribution of the women's labour force have on their rates of absenteeism as compared to those of men workers.

It remains nevertheless that women are confronted with specific problems which may contribute to their rates of absenteeism. A considerable proportion of women in the labour market have family responsibilities and consequently are confronted with particular difficulties in their dual role of workers and home makers with its additional burden of work and worries. It is clear that rates of absenteeism for women in such a position tends to be higher than the rates for single women or for men. A number of surveys bear witness to the validity of this statement. These problems are of a permanent nature and, while for various reasons they have in the past failed to attract the attention which they merit, under the stress of conditions prevailing during the war and the reconstruction period, their importance has met with greater recognition from Governments, trade unions and employers' associations and a wide range of appropriate measures exist and are being developed.

The situation as regards women's absenteeism should be recognised, therefore, as twofold; on the one hand, absenteeism among women workers reflects the conditions which cause absences from work of men workers including psychological reasons, related, for instance, to dissatisfaction regarding conditions of work and reasons arising from the nature of the work performed and from the age distribution. On the other hand, special conditions tend to increase women's absenteeism. While this question cannot be overlooked or evaded, it has seemed impossible in practice to evaluate quantitatively the import of women's absenteeism upon costs of production in view, precisely, of the continually changing situation and of the efforts that are being made in order to equalise the conditions of men and women in regard to the discharge of their duties at work. It must be stressed that, in accordance with current trends in social policy, an ever larger share of the expen-

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1 Cf. The War and Women's Employment, op. cit., pp. 80-83 and pp. 225-226. While the data referred to were collected during the war and to a large extent reflect war conditions, the conclusions seem basically valid for normal times; cf. also International Labour Review, Vol. XLVIII, No. 2, Aug. 1943, p. 243 (Australia); Vol. L, No. 5, Nov. 1944, p. 659 (New Zealand).

diture involved in the provision of appropriate facilities is being borne by the community.

Maternity protection. Measures of maternity protection under social security or assistance schemes, in particular payments of benefits during legal absence from work, are of interest in this connection as they relieve the employer of certain costs which in some countries have been associated with the employment of women. The practice still prevailing in certain countries of laying the burden of these costs upon the employer has been recognised generally as economically and socially unsound. Remarkable progress has been made in this matter since the International Labour Conference adopted the Maternity Protection Convention, 1919, which provides, inter alia, that women employed in industry and commerce shall have pre- and post-natal maternity leave and benefits in cash and medical care payable out of public funds or a system of insurance. It has become the policy in most countries to regard the costs of these services as a public charge.

Welfare amenities. Another general factor which has been given some prominence as affecting costs of production has been the need to provide special welfare amenities in the plant for women workers, although a difference of opinion has been apparent as to the importance of this matter. The British Employers’ Confederation, in their written evidence before the Royal Commission on Equal Pay, stated “that the provision of additional welfare arrangements in the case of women involved additional costs which did not arise in the case of men and therefore reduced the net value to the employer of the women’s work”. The Royal Commission, however, concluded that it did not “feel able to attach great quantitative importance to this point especially in view of the growing tendency to assimilate the standards of welfare arrangements provided for the two sexes”. It added also “that in their oral evidence . . . the Confederation themselves assigned it a relatively low place in their list of causes reducing the value of women’s work”.¹ The fact is that it is hardly possible to assess with precision what percentage of the earnings of each individual in the factory each week is equivalent to the expenses (capital investment and running expenses) of additional or special welfare amenities. Moreover, in-plant welfare facilities such as locker rooms, sanitary installations, washing facilities, canteens, medical and nursing services, and pleasant workplaces are increasingly provided

for all workers. The following quotation from the annual report of the New Zealand Department of Labour is fairly typical. In reporting that there was still competition for women labour in 1946-1947, it was indicated that:

...Employers have been impelled to improve working conditions to no small extent. Cafeterias have been provided, industrial nurses and welfare officers engaged and hostels and day nurseries set up.... There seems little doubt that the improvements in working conditions will be permanent, and it is to be remembered that the advances resulting from the shortage of women workers will be consolidated and reinforced by the steady implementation of the Factories Act of 1946.

It must be noted that simultaneously the “principle of equal pay expanded the earnings of women employed in ‘men’s’ occupations”.¹

Lesser vocational training or experience. The other characteristics of women labour considered as affecting the over-all value of women’s work to the employer may be generally assigned to relatively lesser vocational training or experience, whether due to higher incidence of turnover among women workers, to shorter industrial life or to a narrowly specialised training. Closely related to this question is the argument that men workers are more adaptable and versatile than women and therefore of greater value to the employer. Again it has been found difficult to ascertain the value, in terms of over-all costs of production, of differences of this sort between men and women workers. It is not intended to deny that women workers may be inferior to men in such respects, but rather to point out that satisfactory means of assessing the cost of such differences have not been found. The more practical procedure, it has been suggested, is to determine the importance of the element of skill and experience in connection with each particular job and its requirements, as proposed by the third definition of equal remuneration for work of equal value.

Wage Rates Based on Job ¹

In an increasing number of countries and industries, the relation that should prevail between men’s and women’s remuneration has been dealt with from a different and more practical angle. On the principle known generally as “the rate for the job”, efforts

¹ New Zealand, Department of Labour, Report, 1947, p. 6; see also, for instance, United Kingdom, Annual Report of the Chief Inspector of Factories for the Year 1947, Cmd. 7621, passim.
have been made, as has already been indicated, to establish wage rates on the basis of the job performed, without considering the sex of the workers who may be assigned to it. Equal remuneration for work of equal value has been defined without reference to factors outside the job itself.

For men and women workers employed on identical operations, or for women who are replacing men, the same rates and bonus would therefore apply. Difficulties arise in cases where men and women are not employed on strictly identical work. Since the "value" of the work is represented by the rate (time or piece rate) established for the various job classifications without regard to the sex of the workers who perform those jobs, it has been necessary to devise methods for assessing fairly the relative value of the job performed, that is to say to fix rates of remuneration for men and women workers on the same basis. This would mean, for instance, that rates on piece work would be fixed for men and women workers on the basis of the same hourly rates, including the same percentage increase over the hourly rates, or, as the case may be, that any other basis on which piece rates are established would be the same whether men or women are employed. On time work, the solution has been found in the establishment of job classifications based on the description of the job.

Even, however, when rates are fixed according to the job without regard to the sex of the worker, discrimination against women workers may arise in different forms. Formal abolition of the classification of work as "men's" and "women's" in mixed industries may be a mere platonic gesture, if differences between the two categories of work are invoked to justify arbitrary or traditional differential rates. As was pointed out in the Memorandum of Evidence 1 of the General Council of the Trades Union Congress (United Kingdom), in a number of cases, owing to the widespread demarcation between men's work and women's work in industry, "the rate for the job", of which it has become customary to speak in order to describe the principle that there should be no discrimination in the remuneration of men and women, would not solve the problem, for it cannot be argued that even where there is a clear grading of operations as men's and women's work, the differences in the work always justify the existing differences in remuneration. In that connection, also, it may be

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interesting to mention the recommendations of the Cotton Spinning Industry Commission (Evershed Commission) for a recasting of the wage structure of the industry. The following quotation from their report is particularly significant:

... having regard to the characteristics of the industry and in particular to the fact that there must remain a number of occupations for which adults of either sex are equally appropriate, and having regard also to the fact that at the present time and so long as labour remains in substantially short supply, women will continue to be employed in very substantial numbers, it has seemed to us that the proper course is (a) to define those occupations which should be regarded as primarily occupations for men and those occupations which should be regarded as primarily occupations for women, (b) to fix rates of wages appropriate to the several occupations, and (c) to recommend that the wages so fixed should be payable whether the operative concerned is in fact a man or a woman; for in the circumstances we see no justification for paying different wages to male operatives doing a fixed task from the wages payable to a female doing the same task. Such wage arrangement will in practice tend towards the greater employment of male adult labour which, as already indicated, we regard as highly desirable in the interests of the industry.

This proposal implies that some over-all differential could be established for jobs which could be practically reserved for women.

The formula "the rate for the job" should therefore be further defined as the rate based on job content; such a proposal was already adopted, it will be recalled, by the International Labour Conference in the Employment (Transition from War to Peace) Recommendation, 1944 (general principle IX).

The most satisfactory methods used amount generally to an evaluation of specified elements of the various jobs and to a grading of the jobs either by objective techniques agreed upon by both employers and workers or by collective bargaining. The following is an example of the problems involved. During the war a dispute arose in Great Britain in the aircraft industry as to the interpretation of the agreement between unions and employers establishing that where a woman was doing a man's job, without additional supervision or assistance, and after a specified probation period, she should be paid the full rate for men. The difficulty was that so many new processes had been introduced and so many skilled jobs had been broken down that there was no appropriate rate set for the job. In giving its decision, the Court recognised that there

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were a number of operations in the factory for which neither the men's rate nor the women's rate was appropriate and it recommended that the processes should be graded and that suitable rates should be negotiated.¹

A substantial number of examples may be given of statements of policy and of practice in which the principle of equality of remuneration for men and women doing work of equal value has been interpreted as that of the remuneration of both men and women according to the same standards and on the basis of the same principles of occupational classification.² Incidentally, it is hardly possible to distinguish this interpretation of the principle from the methods used in its application.³

This approach to the problem is favoured by large sectors of public life including Governments, trade unions, and a few employers' groups, especially the employers of the United States. More important perhaps, that definition is the one that has proved most satisfactory for all concerned in the application of the general principle of equal treatment of men and women workers, which should be implied in the expression "equal remuneration for men and women workers for work of equal value".

Attitude of Workers' and Employers' Organisations

The trade unions, both national and international organisations, generally adhere to the principle of the rate for the job. The World Federation of Trade Unions affirmed it in its memorandum to the Economic and Social Council. It stated:

... the woman worker should be paid according to the real value of her work, not a rate based on prejudice against female labour. The problem is therefore to find a rate for the job and not for the individual who does it.⁴ ... The rates of remuneration for all labour, whether time

¹ The Economist, 17 June 1944, p. 817.
² The Commission on Status of Women of the Economic and Social Council of the United Nations adopted at its third session a resolution on equal pay for equal work (28-29 Mar. 1949) by which it "requests the I.L.O. to include in its study of the question of equal pay for equal work the following points: (a) adoption of the principle of the rate-for-the-job rather than rate-based-on-sex" (UNITED NATIONS : Doc. E/C.N.6/108, 30 Mar. 1949).
³ It is for that reason that the elements taken into account in determining the value of the work will be referred to in this chapter. Job analysis and evaluation, in particular the aspects of the jobs which have been taken into account in fixing rates, will be dealt with in greater detail later in the report.
work or piece work, should be fixed on a strictly identical basis for workers of both sexes. . . . A general reclassification of occupations, taking into account the skill and qualifications generally required for each type of work, would enable women's work to be valued at its true worth.¹

The General Council of the Trades Union Congress in its memorandum to the Royal Commission on Equal Pay in the United Kingdom ² pointed out that although there are variations in working capacity as between men engaged on similar jobs, wage rates are not established on such individual considerations, for this would be in contradiction to the principle of collective bargaining that wage rates should not be settled according to the varying capacities of individual workmen but for the whole of the workpeople employed in a particular industrial grade or occupation. There could therefore be no justification for ignoring this principle in determining rates of pay for men and women.

Trade unions of other countries have taken a similar stand. In the United States, many trade unions have enunciated policies favouring the rate for the job, with no classification by sex, and have succeeded in a number of cases in negotiating contracts including a special clause to that effect or providing for the classification of jobs regardless of sex.³ The French General Confederation of Labour has repeatedly proclaimed the principle of the rate for the job ⁴ and has had a decisive influence in securing wide acceptance and application under Government orders of the principle that occupations should be classified according to their inherent characteristics irrespective of the sex of the worker. The Australian Congress of Trade Unions adopted in 1941 the policy of equal occupational rates, including the raising of the women's basic rates (now about 54 per cent. of the male basic rate) to equality with the male basic rate.⁵ These few examples may be considered as representative of the general attitude of trade unions.

On the employers' side, as noted above, the principle of establishing wage rates according to job content has been accepted by the employers of the United States. The National Association

¹ Ibid., p. 343.  
of Manufacturers, for instance, issued in April 1942 an official statement of policy in which it upheld the principle that pay for the job should reflect the content of the job; it specifically declared:

In effectuating this policy it is essential that consideration be given to methods whereby "equal work" may be measured. In this connection, we recommend that industry give thought to the wider use of such techniques as job analysis and evaluation to determine the precise nature of the job and the elements comprising it.

During the hearings on the Equal Pay Bills in 1948, the representatives of the employers' organisations reiterated their position. The representative of the National Association of Manufacturers then declared:

The application of a method—such as job evaluation—which assures that the rate of payment is based on the requirements of the job rather than on the identity of the man and woman performing it—has come to be accepted as a fundamental tenet of sound management.1

Current Practice

The procedure in question has been used in fixing wages in collective contracts in a number of countries. Since this question will have to be raised again, in the discussion of methods of applying the principle of equal remuneration for men and women doing work of equal value, it will suffice here to illustrate the statement by reference to one country. In the United States, a study made in 1942 by the Bureau of Labor Statistics on wage provisions in union agreement showed that—

Many unions have faced the problem of displacement of men in certain occupations by women workers who do the same work for lower wages. Therefore some agreements include provisions forbidding wage differentials based on sex. In other cases, sex differentials are simply abolished in the course of the wage negotiations and specific prohibitions do not appear in the agreement.2

It can be said that, in practice, the principle of the rate for the job has raised relatively fewer difficulties for non-industrial workers than for production workers, and for highly skilled occupations than for semi-skilled or unskilled work. For instance, in the civil

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1 Equal Pay for Equal Work for Women, op. cit., p. 256.
service, a single scale of salaries has been established in a large number of countries; according to this procedure, men and women in the same grade are paid at the same rate. It is also significant that in France, while the application of the principle of rates based on job content has been a gradual process for manual workers, the orders passed in 1945 concerning the reorganisation of the wage structure after the liberation of the country did not make any distinction between "men's" and "women's" rates as regards the salaried workers and, generally, the technical, supervisory and executive staff.

The principle of equal remuneration for men and women workers for work of equal value has been interpreted in legal provisions or decisions of wage fixing boards, which provide explicitly for the establishment of wage rates on the basis of job content or job description and classification; a variety of job characteristics may be singled out for such evaluation but the same procedure is to be applied whether men or women are employed. Thus remuneration is fixed on the same basis for workers of both sexes. These examples are merely listed below as indicative of the extent to which this interpretation has been explicitly favoured. In some cases, moreover, the principle was adopted to overcome practical difficulties in achieving by other methods equitable treatment of men and women on the employment market.

In Costa Rica, the Labour Code of 1943 provides generally that in fixing the amount of the wages in each class of work, the quantity and quality of the work should be taken into account and that equal wages should be paid for equal work performed in equivalent posts, with the same working days, and the same conditions of efficiency; it is further prohibited to make distinctions on the ground of age, sex or nationality. The legal requirements of the Mexican Federal Labour Law and of the Brazilian Consolidation of Labour Laws also proceed by defining the elements to be considered in the fixing of wage rates and prohibit distinctions on the ground of sex.

In Canada, under the minimum wage regulations applying to men and women workers, rates are fixed in many cases by occu-

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1 See Chapter III for more details concerning the situation in public administrations and teaching.
2 La Revue française du travail, May 1947, loc. cit.
4 L.S. 1931, Mex. 1.
5 L.S. 1943, Braz. 1.
pation and are the same for workers of both sexes. The basic principles applied by the National War Labour Board in regard to the payment of wages to women, youths and less capable or less experienced men, engaged to do work formerly done by experienced men, within an anti-inflationary policy, were thus defined:

(1) basic rates, whether a range of rates or a single rate, are to be paid with respect to an occupational classification and not particular individual employees within a classification; (2) an employee in an occupational classification might not be paid more or less than the limits of the range of rates or the single rate established for such classification; (3) an employer might request a War Labour Board to permit the establishing of a new and lower-paid occupational classification within an occupation for which classifications had already been established.

The Board further indicated that the single wage rate or range of wage rates requested should constitute a fair and reasonable measurement of the relative skills and abilities required in connection with the new and lower-paid classifications.

In France, the abolition of the permitted differential between men's and women's rates raised the more general issue of the classification of jobs. Agreements between workers' and employers' organisations were easily reached as regards jobs allocated to workers irrespective of sex. Difficulties arose as regards jobs performed in general by women; in particular, employers considered in many cases that the abolition of the wage differential might lead to a reconsideration of certain decisions on the classification of jobs, and that it would be necessary to determine new scales corresponding to the occupations performed by women which, in their opinion, were simpler or lighter. Joint committees, acting by industry or occupation, discussed the problem, but no agreement could be reached, except in a few cases. The Minister of Labour then decided that the abolition of differentials for women's wages should apply without revision of the job classifications resulting from decisions in force, save in the case of agreements reached in application of the Order of 30 July 1946 and duly approved. It is significant that as regards skilled workers, the abolition of the 10 per cent. differential did not raise any
question. The employers’ representatives in the National Wages Commission formally agreed on 1 October 1946 that women having a certificat d’aptitude professionnelle (trade certificate) or knowledge and experience equivalent to those of men would receive the same rate as men in the same occupational category.¹

In the United Kingdom, the Wages Councils (formerly Trade Boards) have in a few exceptions listed a certain number of operations as being men’s work in which women may be employed and for which identical minimum rates (on the basis of men’s) are prescribed for the two sexes.²

In the United States, the Fair Labor Standards Act (1938) provides that industry committees, in determining minimum wage rates for the different classifications established in the various industries, should make no classification on the basis of age or sex.³ During the war the National War Labor Board, as indicated above, applied a policy of rate based on job content. The general statement of policy quoted below, which was issued on the occasion of two important cases that came before the Board in 1945, shows that differential rates were allowed only if justified by measurable factors.⁴

(1) Where women are working on the same jobs as men, or on jobs formerly performed by men, or on jobs performed interchangeably by men and women, or on jobs which differ only inconsequently and not in measurable job content from jobs performed by men, the women should receive the same rates of pay as the men unless (a) their output is less in quantity or quality than the output of men, or (b) there are ascertainable and specific added costs to the company resulting from the use of women, such as provision for extra helpers or for rest periods not provided in the case of men. In the case of (a) or (b) appropriate adjustments in rates may be made.

(2) Intangible alleged cost factors incident to the employment of women (such as absenteeism, lack of qualification for other work to which they are not assigned, relative impermanence in industry, legal restrictions, lack of prior training in industry, necessity of providing sanitary facilities, etc.) cannot legitimately be used to reduce the rate to which women would otherwise be entitled on the basis of job content.

² Royal Commission on Equal Pay: Report, op. cit., pp. 51-76.
³ L.S. 1938, U.S.A. I. Classifications should be fixed by the industry committees upon consideration of the following factors, among other relevant factors: (a) competitive conditions as affected by transportation, living and production costs; (b) wages fixed by collective contracts; or (c) paid for work of like or comparable character by employers who voluntarily maintain minimum wage standards in the industry. Wage rates fixed by these Committees should not substantially curtail employment in the various classifications nor give competitive advantage to any group in the industry.
(3) The rates for jobs which have historically been performed by women only, and which differ measurably from the jobs performed by men, are presumed to be correct in relation to the men’s rates in the plant, especially where they are of long standing and have been accepted in collective bargaining.

(4) This presumption can be overcome by affirmative evidence of the existence of an intra-plant inequity derived from a comparison of the content of the jobs in question with the content of the jobs performed by men. Some consideration, however, may be given in such cases, in modifying long-established rate relationship, to the collective bargaining history.

(5) In particular cases, under a proper evaluation, there may be women’s jobs which warrant a lower rate than the rate assigned to the lowest men’s job, depending entirely on the circumstances.

(6) . . .

In the United States, several State laws have been promulgated, tending to establish the principle of the rate for the job. The New York law, for instance, prohibits discrimination against any employee in the rate of his or her pay because of sex. It does not however prohibit variation in pay based on a factor or factors other than sex. The Pennsylvania law is perhaps more explicit. It prohibits discrimination in the payment of wages or salaries in any occupation as between the sexes, or payment to any female employee of rates less than the rates paid to male employees for comparable work; variations may be made in rates of pay on the basis of difference in seniority, experience, training, skill or ability, or difference in duties and services performed or shift or time of day workers, or any reasonable differentiation except difference in sex. The Equal Pay Bill before the Federal Congress in January 1949 establishes it as an “unfair wage practice” —

to discriminate in the payment of wages between the sexes by paying wages to any female employee at a rate less than the rate at which [the employer] pays wages to male employees for work of comparable character on jobs the performance of which requires comparable skills.

An exception is provided in cases where increments are granted for seniority or merit without discrimination as to sex.

One of the first attempts to apply systematically, on a large scale and on a permanent basis, the principle of the rate for the job was made in the U.S.S.R. soon after the Revolution. In 1918 a national minimum wage, regardless of sex, was established

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1 State of New York : Session Laws, 1944, Chapter 793.
3 81st Congress, 1st Session, a Bill providing equal pay for equal work for women, and for other purposes, H.R. 1584, 17 Jan. 1949.
by decree. At the same time, special commissions were set up within each trade union whose duty it was to revaluate the different kinds of work and to establish the wage categories in each trade according to the skill and hazard of the work performed. The principle of the rate for the job was thereafter established by law. Thus a General Wages Order promulgated on 17 June 1920 in the R.S.F.S.R. provides (Art. 33) that "women who perform the same work as men, as regards its amount and quality, shall receive remuneration equal to that of men". This Order, which set up a comprehensive wage system, further provided (Art. 47) that all wage-earning and salaried employees should be remunerated according to schedules approved by the People's Labour Commissariat. The elements to be taken into consideration in drawing up these schedules were: the time necessary for learning the trade thoroughly, the injuriousness and danger of the conditions under which the work is carried out, the arduousness of the work and the degree of responsibility for its performance (Art. 48).

CONCLUSIONS

The foregoing survey shows how necessary it is for the Conference to clarify the meaning of the expression "equal remuneration for men and women workers for work of equal value" and to reach agreement on a definition which will state the question in such a way as to eliminate the confusion which is found in theory and in practice in this field, and thus make possible the recommendation of effective methods for the application of the principle involved. The problem generally is to determine the conditions under which equality of treatment of men and women workers may be achieved as regards their remuneration, the term "remuneration" referring to rates per unit of time or production, including the various bonus and seniority systems.

The definition of the expression "equal remuneration for work of equal value" is essential also because the concept of the "value" of the work performed by a worker varies widely and many economic and non-economic considerations influence the wage rates established for specific jobs. These considerations are related to the question of equal remuneration for work of equal value for men and women workers because the heterogeneous nature of the

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2 L.S., 1920, Russ. 1.
factors utilised in the establishment of wage rates for the various occupations, leading often to very different levels of remuneration, shows that the question of defining "work of equal value" calls for careful statement. The problem is, in fact, one of finding some criterion for determining the comparability of occupations in which men and women are employed.

At once it is apparent that the principle could only apply to men and women workers whose occupations are within the scope of the same wage provisions, that is to say, who are employed in the same plant, industry or region, etc. It would be unjustifiable to compare the remuneration of the same or similar occupations when performed by men and by women if the conditions of remuneration established for these occupations are not covered by the same agreement, award, wage order or other instrument for the fixing of wage rates.

In addition, while the case of men and women employed in exactly the same job may not offer particular difficulties, there are cases where men and women perform similar or related operations. In such cases, it is necessary to consider on what basis the work assigned to women should be evaluated as compared to that assigned to men, and to what extent such comparison can be carried out, when the work is not exactly the same or closely similar.

Among the existing provisions for the application of the principle which is commonly formulated as "equal pay for equal work", broadly speaking, three types of practice as regards the conception of the value of the work are apparent. On the one hand, in occupations which are performed interchangeably by men and women, or in which women replace men, provision has been made for a certain evaluation of women's efficiency and output as compared with men's; while maintaining the existing job classification, women's rates are calculated as a proportion of men's rates, according to a general relation that the output of women workers may be thought to bear to the output of men in the occupation concerned. As has been shown, such procedures require a general evaluation of the performance of one particular group of workers as compared to another, and no objective rule has been found for precision in such an evaluation.

Another procedure has attempted to define the relative value of women's work by reference to its specific over-all bearing upon costs of production. In examining the possibility of defining the value of women's work in relation to the value of men's by reference
to costs of production, the factors that are generally deemed to reduce women’s efficiency have been divided into two groups.

The first group has included those conditions which are closely related to the particular job, such as, for example, the need to provide extra supervision or assistance, to set different standards of output, or to break down the job. These distinctions between men’s and women’s work may be immediately ascertainable. Similarly, it has been difficult to ascertain the value of the physical strength factor. It has nevertheless been possible, in cases where the difference between men’s and women’s jobs lies in the difference in these characteristics required in work performance, to evaluate by job analysis and/or by collective agreement, the relative importance of these elements where they have been appropriately included as a part of the job description or statement of job content.

In the second group were classified those factors of a general nature which are specific to women’s employment, such as legal limitations regarding hours of work and night work, higher rates of absenteeism, inferior vocational training or experience, or the need to provide special welfare facilities for women workers. It is proposed on practical grounds that consideration of these items should not be brought into the definition of “work of equal value”, since it has proved difficult if not impossible to determine quantitatively their importance in increasing the costs of production or in reducing the over-all value of women’s work in mixed occupations. In practice it would seem to have been impossible indeed to establish precise standards on such a basis. Moreover, experience in the application of a strict definition of the principle of equality of remuneration has been successful in the United States, during and since the war, and in France after the war, for instance, without consideration of these intangible factors. In both countries, equality of remuneration has been established without undue hardships to the enterprises concerned and without restricting employment opportunities for women workers.

A considerable body of evidence points to a third and more practical approach to the question of defining “work of equal value”. Generally, remuneration is based for men workers on the established rates for a particular job, including time or piece rates and various bonus systems and allowances. This means that workers are considered as performing work of “equal value” if they are capable of performing the job to which they are assigned and if their performance is within the limits of tolerance set for a particular job. This principle of remuneration, which often
applies to men workers, has been extended to apply to women in a number of countries, in particular establishments or industries or areas, and it is receiving increasing recognition.

The test to determine whether or not work is of equal value consists in these cases in a comparison of the requirements—or content—of the job to which the workers are assigned. Jobs are accordingly defined and evaluated by various procedures and corresponding wage rates are attached to each of them. Such job analysis and classification practically amount to setting up minimum standards which a worker must meet in performing his job and which thus afford a basis upon which the work can be judged and the worker evaluated in comparison with others in the occupation. This procedure has the advantage of rendering irrelevant the consideration of the sex of the worker, as of other characteristics unrelated to work performance, in the fixing of wage rates, which thus are established as representing the “value” of the work.

Such a procedure implies the abolition of traditional classification of jobs into “men’s work” and “women’s work” and a rating of jobs on the basis of their content. The most successful experience in applying the principle of equal remuneration for work of equal value has been obtained by this procedure which is consistent with the general trends in wage fixing. The Conference, moreover, has already given its support to this principle when it adopted the Employment (Transition from War to Peace) Recommendation, 1944, which states that—

In order to place women on a basis of equality in the employment market and thus to prevent competition among the available workers prejudicial to the interests of both men and women workers, steps should be taken to encourage the establishment of wage rates based on job content, without regard to sex.¹

It is proposed, therefore, that consideration be given first to the possibility of defining the expression “equal remuneration for men and women workers for work of equal value” as signifying the establishment of wage or salary rates according to job content irrespective of the sex of the workers. While, in principle, there are strong arguments for favouring this definition, it seems desirable at the same time to give Governments the opportunity not only of considering this proposal and the alternatives of accepting it, with possible modifications, or of rejecting it, but also of proposing

¹ Paragraph 37 (1).
other definitions which may reflect a different approach to the problem. It therefore seems appropriate to include in the questionnaire reproduced in Chapter V the following point in regard to the definition of the principle of equal remuneration for men and women workers for work of equal value:

3. Should the international regulations define the term "equal remuneration for men and women workers for work of equal value"—
   (a) as signifying that wage or salary rates should be established on the basis of job content and that no discrimination based on the sex of the worker should be made in the payment of wages and salaries; or
   (b) according to any other definition which you wish to propose?
CHAPTER III

SCOPE AND METHODS OF APPLICATION

RESPONSIBILITY OF PUBLIC AUTHORITIES FOR ENSURING APPLICATION OF THE PRINCIPLE

Implementation of the principle of equal remuneration for men and women workers for work of equal value will require action of various kinds, in view of the variety of ways in which wages are determined in different countries and for the various fields of activities or occupations. Since there is, however, general agreement as regards the principle, and since the present report and questionnaire are intended to pave the way for the adoption of international instruments to promote its application, it may be advantageous to set forth certain basic proposals for action which a large majority of Governments may be ready to accept.

In some countries, statutory regulations may affect one sector of the economy, while wages and salaries are determined for the remainder of the employed persons by individual or collective bargaining. In the regulated sector, statutory provisions may cover only minimum rates, by providing a single basic minimum or by fixing minimum rates for broad occupational classifications; or they may determine more comprehensive salary or wage scales. Regulations are also extremely varied as regards the authority which issues them, their nature and the extent of their application. They take such forms as awards of wage fixing boards or decisions of minimum wage authorities covering specified occupations; even provisions of collective agreements concluded under legal regulations making their extension compulsory, may have the binding effect of law. In other countries, the principle of equal remuneration for men and women workers for work of equal value may be established by law as a basic labour standard, comparable to the other basic standards which are included in regulations governing conditions of work and which set minimum standards such as those relating to hours of work, holidays with pay, or minimum age of admission to employment. In some of these countries, consequently, provisions of collective contracts may
be declared null and void under legal provisions if they establish unwarranted differentials between men's and women's wage rates.

Under certain systems of planned economy furthermore, the principle of equal treatment of men and women workers in respect to remuneration is embodied in the national constitutions and is recognised by public authorities and trade union organisations; it is, in some cases but not in all, provided for by a basic and specific legal provision. In such countries, the wide acceptance of the principle, the general principles underlying the establishment of wage rates and the procedures by which collective agreements are extended to cover all industries and take finally the place of legislative regulation of wages all make for practical application of the principle of equality of remuneration for work of equal value, the same norms being applied to men and women workers and wage provisions having the binding force of law.

It is proposed therefore to examine successively those areas where public authorities may exercise direct action on the determination of conditions of remuneration, and where, consequently, they are in a position to establish a sound basis for the application of the principle of equal remuneration for men and women workers for work of equal value, namely: (a) in the civil service, including to a large extent the teaching profession; (b) in industries and services where wage rates are fixed under public authority; (c) in industries and undertakings operated under public ownership or control; and (d) on work executed under the terms of public contracts. The desirability of providing by legal enactment for the general application of the principle will also be examined.

It must be recognised, nevertheless, that in many countries, conditions of remuneration are determined in broad economic sectors by collective bargaining which is the essential machinery for the establishment of wage rates and excludes intervention of public authorities. In some of these countries, the organisations concerned are eager to maintain complete freedom in the negotiation of wage rates, as in some Scandinavian countries, and in the United Kingdom. In such cases, Governments may consider it undesirable to pass legislation concerning non-discrimination in the remuneration of men and women. Since the desirability of applying the principle of equal treatment for men and women as to remuneration may hardly be questioned, public authorities in those countries may need to evolve means appropriate to the conditions prevailing in the country to ensure or to encourage voluntary compliance with this basic principle.
It is proposed, also, while examining the possibility of specifying the scope of action of public authorities, to suggest consideration of certain methods of applying the principle, including specific provisions for close co-operation with the representatives of employers’ and workers’ organisations. Finally, it will be appropriate to give further attention to the problem, already raised in Chapter II, of determining “the rate for the job” and to provide in the international regulations for the establishment of standards for evaluating job content in accordance with the principle as defined in that chapter.

Since the methods of application will necessarily be different in different countries, it might be agreed that the international regulations should include the statement of a first general principle, applicable to all situations, namely that Governments should take responsibility for ensuring or for encouraging, as appropriate, the application of the principle of equal remuneration for men and women workers for work of equal value either by direct action through legal requirements, administrative action, decisions of public wage fixing bodies, etc., or by such other procedures as may be desirable and appropriate to promote voluntary application by collective agreements or otherwise.

The Office, therefore, has included in the questionnaire reproduced in Chapter V, the following point which is designed to cover generally the question of the responsibility of public authorities to ensure or encourage the application of the principle of equal remuneration for work of equal value as between men and women workers:

4. Should the international regulations include provisions—suitable to the method of wage fixing in the occupations concerned—for ensuring, whether by legislation, administrative action, collective agreement or otherwise, application of the principle of equal remuneration for men and women workers for work of equal value?

Action by Public Authorities in Specified Areas Where Wages are Subject to Statutory Regulations or Public Control

Conditions of remuneration in the public service are established under the direct control of the public authorities since civil servants are paid out of public funds. In this field, therefore, direct action may be taken by public authorities to implement in respect of a considerable number of workers the principle of equal remuneration
for work of equal value. Moreover, the various occupations in the non-industrial public service seem to lend themselves to a classification according to the skill requirements of the various posts. The short survey of the situation made below as regards the application of the principle in the civil services of the various countries tends to show the substantial progress already achieved in this respect.

The problem of equal remuneration for work of equal value offers basic similarities in both the non-industrial public services and the teaching profession, since the system of public education is, to an ever larger extent, coming under State responsibility or control. The situation in these two fields of employment will therefore be examined in this section of the report. It may also be interesting to record briefly at the outset the practice in the international organisations since the principle of equal remuneration for work of equal value is applied generally to the international civil servants.

Public authorities are also in a position to exercise immediate action over remuneration in areas where wage rates are subject to statutory rules or public control, and they may thus implement or promote the application of the principle of equal remuneration for men or women workers for work of equal value. The examples given below of application, in certain countries, of the principle of equal treatment of men and women workers as regards their remuneration will illustrate some types of intervention of public authorities to that effect.

In view of the wide variety of statutory rules or public controls over the determination of wage rates within a given country as well as among the different countries, it is proposed to make a distinction between (a) the determination of minimum or other wage rates under public authority, (b) determination of conditions of remuneration in industries and undertakings operated under public ownership or control, and (c) requirements under provisions of public contracts.

In each instance consideration must be given to the general system of procedures for wage fixing in the country concerned. The existing differences between countries must be recognised. It is suggested that consideration be given to encouraging Government initiative and extending statutory rules designed to promote the principle of equal remuneration in certain branches of activities. It must be recognised also that the application of the principle of equal remuneration for work of equal value will be accomplished
gradually in many countries, and that whatever is done in one field may have a definite reaction in others. The examples given below must therefore be considered as typical procedures, which may usefully be applied in a large number of countries, and simultaneously, as integral parts of the complex picture of wage fixing in a given country.

Non-industrial Public Employees

International Civil Service.

The principle of the rate for the job has been formally accepted and is applied in the international civil service. It was enforced in the Secretariat of the former League of Nations from the time of the League's establishment and is now enforced in the Secretariat of the United Nations and its various specialised agencies. The International Labour Office has provided for it from the outset. A single salary scale is in force without any distinction as to the sex of the official. Equal treatment in respect of special allowances is provided for women officials.

It may be interesting at this point to indicate the other provisions by which it has been sought to apply in the International Civil Service, the principle of equal treatment of men and women. While the fixing of a single salary scale is a basic measure, it is supplemented by provisions affording to women (a) equal access to all posts existing in the Secretariat, including equality in promotion procedures, and (b) maternity leave with full pay, the standard applied being six weeks pre-natal and six weeks post-natal leave. Maternity benefits under the sickness insurance system are projected.¹

National Civil Services.²

In a number of countries, provisions for equal treatment of men and women civil servants have been inserted in the laws and regulations governing the employment of this class of workers.

¹ The I.L.O. sickness insurance scheme does not at present cover maternity; provision is made, however, for free attendance by a doctor or midwife for permanent women officials in the lower salary brackets. The system, however, is being overhauled and it is proposed, inter alia, to include maternity under the sickness insurance scheme.

A substantial number of countries have adopted salary policies based on job classification rather than sex as regards the public service, namely: the Argentine Republic, Austria (City of Vienna), Belgium, Brazil, Bulgaria, Canada, Chile, China, Cuba, Czechoslovakia, Denmark, Dominican Republic, France, Greece, Hungary, Italy, Mexico, the Netherlands, New Zealand, Norway, Peru, Philippines, Poland, Rumania, Sweden, Turkey, Switzerland (Federal administration), the U.S.S.R., the United States and Yugoslavia.

Relevant provisions are in some cases a brief and general statement of principles, and usually a single scale of salaries has been established according to which men and women in the same grade are paid at the same rate. Thus, the French law concerning public employees states that "no distinction may be made between the sexes in the application of the statutes with the exception of special provisions that are made in the Act". (The latter relate essentially to maternity protection.) In the United States, equal treatment of the sexes in the Federal Service is a rule of long standing; a relevant provision was introduced as early as 1870 when women were admitted to clerical employment in the civil service. The Civil Service Rules, as amended in 1934, contain the following provision: "Certification shall be made without regard to sex unless the sex desired is specified in the original requisition".

In some countries, however, the application of the principle of the rate for the job is subject to limited specified exceptions. In Norway, for instance, in some cases such as factory inspection, lower salary scales are fixed for women.

In countries where the principle of equality of remuneration for men and women civil servants is accepted and sanctioned by

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1 The Draft Constitution of India includes provisions according to which "There shall be equality of opportunity for all citizens in matters of employment under the State..." and "No citizen shall, on grounds only of religion, race, caste, sex, descent, place of birth or any of them be ineligible for any office under the State". CONSTITUENT ASSEMBLY OF INDIA, New Delhi, Draft Constitution of India, Sections 9-10.


3 UNITED NATIONS, Commission on the Status of Women, Document E/C.N.6/27, 16 Dec. 1947: Preliminary Report on the Political Rights of Women. In Denmark, this holds good as regards the basic salary; additional allowance for single women seems to be 2/3 of the amount provided for other categories.


6 United States Civil Service Act and Rules, Statutes, Executive Orders and Regulations, amended to 30 June 1939, p. 2.
legal texts, posts to which higher salary rates are attached are sometimes reserved to men either by custom or by administrative rules. In France, for instance, although the regulations concerning the Ecole nationale d'administration publique provide that women may apply for entrance examinations to the school in the same conditions as men, women may select for training only those branches which prepare for posts that are not in practice reserved to male civil servants. This corresponds to the rules applied in some ministries where women are debarred by custom from certain posts. In Canada and Spain, certain civil posts are not open to women. In many countries, women have no access to posts in the police and military forces, in the diplomatic service, in legal or financial Government departments, or to certain specialised technical posts or to ecclesiastical offices. In some, as in Switzerland, enjoyment of political rights or the fulfilment of military service is a condition for employment in certain posts, and women's access to these is consequently barred.

The marriage bar in countries, where it still exists in some form, not only restricts employment and promotion opportunities but also affects the remuneration of women since, in some cases, married women may remain in the civil service, but only in temporary posts for which lower salaries are fixed than those for the corresponding permanent posts. Married women are thus barred from permanent posts in Canada, Luxembourg, the Netherlands, New Zealand, Switzerland (Federal administration), and the Union of South Africa.

Only in a limited number of countries, including Australia, Switzerland (cantonal services), New Zealand, the United Kingdom and the Union of South Africa is the principle of equal remuneration for work of equal value not applied in the civil services. In these countries, however, sporadic application of the principle of the rate for the job may be found.

In Australia, both in the Commonwealth and State Services, rates of remuneration of women are generally lower than those for men. Before the war, the basic rate for women in the Commonwealth Service was about 73 per cent. of that for men but the supplements for responsibility or skill were identical for both sexes. Women are employed mostly in the lower grades, although

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no legal provision restricts women's access to the various posts or limits their promotion. In fact, the jobs of telephonist, typist and office machinist are reserved to women, and more than 80 per cent. of the women in the Commonwealth Public Service are employed in these occupations. Recruitment of women in practice is restricted to the younger age-groups. During the war, however, women replacing men in the Australian Commonwealth Civil Services obtained salaries equal to men's rates, as a result of the decisions of the Women's Employment Board 1, in particular in the Postmaster-General's Department, and in the Broadcasting Services. 2

In the central Government services of the United Kingdom, sex differentiation in pay is the rule. The maximum of the women's scale is, according to an agreement between official and staff representatives reached in 1937, to be not less than 80 per cent. of that of the men's scale or the actual difference at the maximum not more than £175. Equality at the minimum of the scale is required for a recruitment grade which forms the lower tier of a class, i.e., that grade, in any class, in which newcomers to the service are normally entered. In practice however the scales of the main "common established grades" first diverge in the younger and less experienced age groups (early twenties), as recruitment in these grades is by appointment, at the minimum of the scale, of candidates at or shortly after the age at which they acquire the prescribed academic or professional qualifications. Although information is lacking it may be assumed that the situation in local authority employment would be comparable. In some instances equal pay is enforced, as in the central services for women medical officers (and certain dental officers) and for women in the basic grade of the factory inspectorate. The London County Council applies equal pay for men and women in professional posts and by a recent national agreement it is sought to bring local authority practice generally into line with the London

1 The Women's Employment Board was set up in 1942 "to fix the remuneration, hours and conditions of employment of certain women in industry during the emergency created by the present war". Cf. INTERNATIONAL LABOUR OFFICE "L.S., 1942, Austral. 1; Statutory Rules, 1942, No. 548 of 22 Dec. 1942. Any employer who had employed women or wished to employ them on work usually performed by men or performed by men in the employer's establishment since the beginning of the war or on work which had not been performed by any person in Australia since the beginning of the war, was required to apply to the Board and was not allowed to employ women before the Board had issued its decision.

2 See, for instance, WOMEN'S EMPLOYMENT BOARD : Decisions No. 63, 59, 90, 96, 143, 86, 61, 262 of 1942.
County Council precedent. During the war, women ferry pilots and flight engineers of the Air Transport Auxiliary were granted equal pay.

In conjunction with the report of the Royal Commission on Equal Pay, the Chancellor of the Exchequer stated that, as a broad affirmation of the principle, the Government accepted in regard to their own employees the justice of the claims that there should be no difference in payment for the same work in respect of sex. They however rejected the immediate application of this principle on the grounds that it would have inflationary effects, would add a new and heavy burden on the Exchequer and on the finances of the local authorities. Proposals which were put forward by the Staff Side of the Whitley Council for a gradual application of the principle were rejected on several occasions by the Government.

In the Union of South Africa the system is one of complete or partial segregation with separate avenues of advancement for men and women. The salaries for men and women are the same only in the posts for which women are admitted in competition with men. Apart from these exceptions, which arise mainly on the higher levels, the salary scale applicable to women is lower than that of men. In practice, the lower salary scale is applicable to women when the maximum salary does not exceed £500 a year. Above this figure, a common scale is applied. Certain posts are reserved for women, as for instance, in the clerical division, where they are usually typists, and the general division, where they are telephonists, nurses, hospital assistants, etc. The great majority of women are employed in these classes of work.

*International Pronouncements concerning the Teaching Profession.*

Before analysing briefly the situation as regards the relation between remuneration of men and women in the teaching profession, it may be appropriate to recall the resolution adopted by the United Nations Educational, Scientific and Cultural Organisa-

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3 Post, 6 Mar. 1948, special issue; and *idem*, 11 Sept. 1948, pp. 368-370.
5 Unless otherwise stated, sources of information are: The Law and Women's Work, op. cit.; Bureau International d'Education, Pub. 29: *La Situation de la femme mariée dans l'enseignement* (Geneva, 1933), and a supplement: *The Married Woman Teacher and the Right to Teach* (Dec. 1946).
tion in 1947 in which the Director-General of U.N.E.S.C.O. was instructed—

to invite associations of teachers to prepare drafts for a Teachers' Charter and to recommend that, in such drafts, the principles, which it is U.N.E.S.C.O.'s task to propagate and preserve, be fully observed and especially that no bar founded on distinction of race, colour, sex or creed should operate in any way in any branch of the teaching profession.1

This subject 2 had already been examined in 1938 and 1939 by the International Conference on Public Education comprising expert representatives of the Ministries of Education of a large number of countries convened by the International Bureau of Education. In Recommendation No. 13, concerning the salaries of elementary school teachers, 1938, it is stated that "it would seem desirable that there should be no difference between the salaries of men and women teachers" (Art. 3), and that "It is desirable that a special allowance, proportional to their expenses, should be made to teachers having family responsibilities" (Art. 6). Comparable provisions are included in Recommendation No. 16, concerning the salaries of secondary school teachers, 1939 (Art. 5).

**National Regulations and Practice concerning the Teaching Profession.**

Information available at present to the Office indicates that a large number of countries have accepted and apply the principle of equal remuneration for men and women teachers, particularly in State schools, in the form of single salary scales. These include 3: Albania, Argentine Republic, Austria, Belgium, Brazil, Bulgaria, Canada (Province of Alberta), China, Colombia, Czechoslovakia, Denmark, Dominican Republic, Egypt, Finland, France, Guatemala, Haiti, Hungary, Iceland, Mexico, Netherlands, Norway, Panama, Poland, Rumania, Switzerland (regulations provide explicitly for equal pay in the cantons of Grisons and Thurgau, and do not make any difference as to the sex of the

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3 In 1933, the situation in India (Central Government and twenty provinces) was as follows: women's remuneration was generally lower than men's in the Indian Educational Service. It was equal to and even higher than men's in the Subordinate Service. In the Provincial Services, practices differed, and instances existed of equal, higher or lower salaries for women teachers.
teacher in fixing salary scales for the cantons of Geneva and Zurich), Sweden, Turkey, Uruguay, the United States \(^1\), the U.S.S.R. and Yugoslavia.

Regulations however provide for differentials in salary rates for men and women teachers in a number of countries, including Australia, Canada (some of the provinces), Ireland, the United Kingdom \(^2\), Luxembourg, New Zealand \(^3\), Switzerland (most of the cantons), and the Union of South Africa.

One of the handicaps for women in the teaching profession, the marriage bar, still exists in some countries, such as Australia, Ireland, the Netherlands, eleven Swiss cantons, and the Union of South Africa. This affects the relative level of women's remuneration in several ways. If the marriage bar is strictly applied, women teachers who marry may not reach the higher grades of the salary scales. In some Australian States and in the Netherlands, women teachers must resign from their posts if they marry; they may, however, be authorised to re-enter the profession after they are married but they are appointed only on a temporary basis and consequently receive lower salaries than in established posts. In some countries where the marriage bar is not legally sanctioned, there may be customary limitations to the employment of married women teachers. In Belgium, for instance, some of the private schools provide for such conditions in their contracts with women teachers, that the latter are obliged to resign their functions upon marriage. In Canada, the School Boards in some of the provinces prefer not to engage married women teachers if their husbands are able to support them; in Quebec, it is expected, although there is

\(^1\) In 1939, twelve States had legislation prohibiting salary discrimination on the basis of sex. In addition, the teachers' salary schedule fixed by Congress for the District of Columbia is such as to assign equal salaries to men and women. A number of other States have also fixed, if not inclusive salary schedules, at least scales of minimum rates which provide for equal salaries for both sexes. According to figures compiled by the National Education Association, considerable progress has been made in recent years. Thus, in cities of over 100,000 in population 15 per cent. of the salary schedules reported made differentials in salary scales between men and women in 1944-1945, by 1947-1948, the proportion had dropped to 2.4 per cent. For cities of from 30,000 to 100,000 in population corresponding figures were 31.6 per cent. and 11.4 per cent. See: National Education Association of the U.S., Research Division: Progress and Problems of Equal Pay (Washington, D.C.), June 1939; and U.S. Department of Labor: Labor Information Bulletin, July 1948.

\(^2\) See The War and Women's Employment, the Experience of the United Kingdom and the United States, op. cit., Part I, Chapter VI; and Royal Commission on Equal Pay, Report, op. cit., Chapter III.

\(^3\) Teachers' Salaries Regulations Amendment No. 2, Serial No. 1939. 149. For head and sole teachers of a school, however, the rates are, in principle, the same for both men and women.
no legal basis for it, that women teachers should hand in their resignation when they marry. There is, however, a definite tendency towards the lifting of the marriage bar, which has been abolished in recent years, for instance in Austria, New Zealand and the United Kingdom.

*Wage Rates Governed by Public Authorities in Other Employments*

Minimum or other Wage Rates determined under Public Authority.

In most countries, provisions exist for the determination of wage rates by public authorities, which are bound to apply specified principles. As indicated in the general report on wages submitted to the International Labour Conference in 1948—

Authoritative regulation of wages takes many forms. The wage rates may be fixed directly by legislation or by orders or regulations promulgated by an agency of Government under the authority of a Statute. They may be fixed by a wage board or other industrial tribunal consisting of representatives of employers, of workers and of the Government or the public. Or they may be fixed by a process of compulsory conciliation or arbitration which comes into operation when the parties directly concerned fail to agree among themselves.¹

It will be useful at this point to examine how Governments may apply the principle of equal remuneration where the intervention of public authorities is required by the law to establish minimum wage rates. Some types of practice will be indicated briefly as they relate to the application of the principle of equal remuneration for work of equal value.

In fields other than public service, wage rates determined under statutory rules are usually minima, except in the case of collective agreements which are extended statutorily to cover specified industries or trades. In practice, provisions covering minimum wages vary greatly. They may provide an absolute minimum rate—known as a basic wage or living wage, which sets a floor below which no wage rate may be established, or they may establish minimum rates for broad categories of skills or for specified occupations; they may even, as in the case of France, constitute a rigid system of minimum rates for every occupation and establish at the same time a maximum average rate for each. Minimum rates constitute to a large extent the foundation of the wage structure in a number of countries since wage rates are largely determined in relation to those minima.

In cases where minimum wage rates are fixed at the same level for both men and women workers, the general relation between men's and women's wage rates must obviously be affected by this fact, since the principle of equal minimum rates for all workers is officially recognised. Although such a provision covers only one aspect of the matter, it tends to promote the principle of the rate for the job. The converse is also true, that official sanction given to discrimination as to sex in fixing minimum rates encourages such discrimination in fixing other wage rates. Among the reasons put forward by employers to explain the differences in rates of wages paid to men and women on identical work, in the clothing trades in the United Kingdom, was the fact that payment of men and women in the firm was based in some cases on a combination of merit pay and the Wages Council minimum rates, and that the Wages Council's Orders differentiated between the rates of wages of men and women.\footnote{ROYAL COMMISSION ON EQUAL PAY: op. cit., p. 65.}

In the United States, the Federal Fair Labor Standards Act, 1938, which regulates conditions of work in employment for interstate commerce, provides for a single minimum wage rate for workers of both sexes.\footnote{L.S., 1938, U.S.A. 1, Section 8 (a).} In the U.S.S.R., a national minimum wage regardless of sex, was established by decree in 1918 before the establishment of a detailed wage policy. It applied to all workers, men and women, and was intended to cover essential food requirements, living quarters, light, heat, a certain amount of clothing and communal services.\footnote{S. Kingsbury and M. Fairchild: op. cit., pp. 80-81.} In France the minimum wage upon which the whole wage structure is based is the same for men and women. In Mexico, a general minimum rate is fixed under the Federal Labour Act of 1931; different rates are fixed for urban and rural localities but there is a single rate for both sexes.\footnote{L.S., 1931, Mex. 1.} In Cuba, minimum wage regulations cover practically all workers. A single minimum has been fixed for men and women workers not covered by awards of the National Minimum Wage Boards, while these awards all fix a single minimum rate for the occupations covered.\footnote{Legislative Decree No. 727, 30 Nov. 1934 (L.S. 1934, Cuba 6, and L.S. 1935, Cuba 3); see also International Labour Conference: Summary of Annual Reports under Article 22 of the Constitution of the I.L.O. (1939), p. 222.}

Other countries also provide for a minimum wage rate equal for both sexes and this practice seems to be expanding. Recently,
for example, a Labour Enquiry Committee in the United Provinces (India) recommended that, as regards their remuneration, industrial workers in the province should be classified into five main categories (unskilled, semi-skilled, skilled, highly skilled workers and clerks) to which specified minimum monthly wage rates should be attached. It was recommended that women should be paid at the same rates as men.¹

Some countries, however, provide for a basic minimum wage which is lower for women than for men. Thus, in Australia (Commonwealth) the basic wage for men has been calculated with reference to the needs of a man with a wife and two children. While Commonwealth law contains no legal provision discriminating between male and female workers, the minimum basic rates for women under Commonwealth decisions have usually been fixed at about 54 per cent. of the men’s basic wage. A specific provision to that effect was incorporated in the New South Wales Industrial Arbitration Act, 1940-1947. Differentials between men’s and women’s wages have thus been sanctioned by legal provisions and obtain in most occupations.² Similar principles regarding the basic minimum wage are to be found in New Zealand.

In Belgium, minimum wage rates covering workers of both sexes, as fixed by a legislative decree of 14 September 1945, were 7.20 frs. per hour for women who were not less than 21 years of age, 9.60 frs. for manual workers and 12 frs. for skilled workers. These rates were raised subsequently but the differentials remain relatively the same, the corresponding rates being, for instance, 9 frs., 12 frs. and 15 frs. in August 1946. In the case of salaried employees, minimum monthly rates were fixed for adult women employees at 80 per cent. of the men’s rates.³ In Luxembourg, minimum wage regulations covering industry, commerce and handicrafts and the professions provide that, under equal conditions of work and output, minimum rates for women wage earners and salaried workers should be 80 to 90 per cent. of those of men.⁴ In Peru, for women salary earners over 18 years of age the minimum rate was fixed at about 75 per cent. of that of men ⁵; it was reported,

² See however for information on war developments under the Women’s Employment Board, Chapter II, p. 22.
on the other hand, that a single minimum rate was negotiated for workers of both sexes in 1947. ¹

Another method of minimum wage regulation which is in force in some countries is that of fixing minimum rates for specified occupations or trades, particularly those in which wages are especially low. Some of the minimum provisions cover both men and women workers. A few examples of systems which have long been established and of their recent evolution indicate that public authorities are increasingly aware of the depressing effect of women's relatively cheap labour on wages in general and of the consequent unfair competition that prevails among workers of both sexes.

In certain Canadian provinces, minimum wage regulations, which applied at first to women workers only, provided for the establishment of minimum rates by Governmental boards. Many such orders covered the employment of women in factories, shops, hotels, restaurants, laundries, etc., i.e., in occupations in which employers' and workers' organisations were, with some exceptions, non-existent or embryonic. This wage fixing legislation was introduced by the public authorities at the request of certain important trade union organisations. In recent years, some Provincial Governments extended the legislation to include men workers, when it was found that the statutory provisions were evaded by the employment of men to replace women at lower rates than would be paid to women performing the same work. Rates fixed for both sexes are, therefore, now the same.² Moreover, this type of legislation has gradually been made applicable to all industry and commerce, and in some provinces it covers all gainful employment except domestic service, or domestic service and agricultural work. A large number of wage fixing orders have consequently been issued covering a wide variety of occupations. Where minimum rates have thus been fixed for both sexes, they are in some cases lower for women, but in numerous instances, rates are fixed by occupation and are the same for men and women.³

In France, wages are fixed under Ministerial Orders which establish for each job classification a minimum rate and a "maximum average rate" which is 8 to 15 per cent. above the legal minimum

¹ Communicated by the I.L.O. Correspondent in Peru, May 1947.
³ Department of Labour; Wages and Hours of Labour in Canada, 1929, 1940 and 1941, Ottawa, 1942, p. 153.
rate. While it is required that men and women in the same occupations should be paid at the same minimum rates, individual wage rates may lie between the minimum and the maximum thus established, in accordance with the general regulations governing wages, in order to make allowance for the differences in the capacity and ability of individual workers.\(^1\)

In the United Kingdom, the wage rates fixed by the various Wages Councils (formerly Trade Boards) are usually lower for women workers than for men; a few exceptions may be found, however, where the minimum piece rates are the same for men or women, or where a certain number of operations have been listed as being men’s work on which women may be employed and for which identical minimum rates (on the men’s basis) are prescribed for the two sexes.\(^2\)

Minimum wage laws for women are in force in a large number of States of the United States. While they are generally applied by Orders to women workers in low-wage industries, some of the laws have been made applicable to both men and women, as in Oklahoma, 1937.\(^3\) Since 1939, other States, Connecticut and Massachusetts for instance, have amended their minimum wage law to that effect.\(^3\) Significant provisions have been passed in the States of Rhode Island and New York in this connection. In view of the desirability of protecting the minimum wage standards fixed statutorily for women, these two States have determined that men should not be employed in the occupations covered by minimum wage orders at less than the minimum standards or rates of wages fixed for women.\(^4\) Thus while the Canadian orders fixed equal minimum wages for men and women employed on the same job in specified industries, the minimum wage provisions of the two last-mentioned States of the United States require only that men shall not receive lower wages than those established for women in specified industries.

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\(^2\) ROYAL COMMISSION ON EQUAL PAY : op. cit., pp. 51-76; see also International Labour Review, Vol. LII, No. 1, July 1945, pp. 78-79.

\(^3\) U.S. WOMEN’S BUREAU : Summary of State Labor Laws for Women, Aug. 1944 (p. 7), and State Minimum Wage Laws, 1948 (Leaflet No. 1).

\(^4\) New York : amendment (Section 536 a) to the New York Minimum Wage Law. RHODE ISLAND DEPARTMENT OF LABOR : Labor Laws Governing the Employment of Women and Minors, 1945, p. 25 (Section 16A).
Industries and Undertakings under Public Ownership or Control.

Various industries or undertakings are operated under direct public management or are under public control; certain industries or services in a large number of countries have been taken over as public services, while others are run under the control or with the participation of the State. Recent developments have brought large sectors of the economy of European countries, in particular, under nationalisation schemes. In some cases, employees in nationalised undertakings have been put on the same footing as public servants and are paid out of public funds appropriated for the purpose, while in others, conditions of remuneration and of employment are still fixed by collective bargaining. Those undertakings afford public authorities an opportunity to implement or actively promote the principle of equal remuneration for men and women workers for work of equal value. Remarkable progress has been made in the establishment of single salary scales for men and women employees in public administration. Extension of the principle to industrial workers in public services would be a logical step, and such action has been taken, as will be seen below, in a number of countries.

Nationalised industries raise some difficulties, since industries under public ownership, when they do not have a monopoly, must compete with private enterprises or foreign industries in which the principle may not be applied and whose products may, in consequence, be available at lower cost, particularly in cases where women constitute a substantial proportion of the labour employed. The cost of applying the principle of equal remuneration may therefore have to be met entirely—or to a large extent—out of public funds. However, in countries where industry has been largely nationalised, systems of remuneration by results applying to all workers, have operated without imposing an undue burden on public finance. Moreover, in countries where the law provides for general application of the principle of equal remuneration, no specific question arises as to application in nationalised industries.

Thus, in Czechoslovakia, where considerable sectors of the economy have been nationalised and the principle of equal remuneration for work of equal value for men and women was included in the 1948 Constitution, public funds have been appropriated for the specific expenditure involved in the application of this principle.

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1 See pp. 56 et seq., section on non-industrial public employees.
principle. In 1948, it was estimated that the cost of equalising women’s wages with men’s would involve the expenditure of 1,770 million crowns per year out of public funds.¹

In France, the economic activities of the State take various forms. In administrative offices (*Offices administratifs*), which for the most part are institutions of long standing, employees have, in general, been strictly assimilated to public employees and the principle of equal remuneration has been applied to the same extent as it has been applied to civil servants, before provisions for its general application were made in 1946. As to industrial and commercial offices (*Offices industriels et commerciaux*), it is reported that their employees were at the outset assimilated to public servants, but that they have now obtained wage rates comparable to those obtaining in private undertakings which are usually higher than those prevailing in the civil service.² It is not known, however, to what extent the application of the principle of equal pay has been promoted by Government action as distinct from collective contract provisions which, in some cases, established even before the war, equality of remuneration for the same work, nor is information available in this respect as regards the *Sociétés d’économie mixte* which have been created since 1935; as to nationalised industries or enterprises, since these were established in 1944, after the liberation of the country, conditions of remuneration have been covered by general provisions concerning the establishment of wage rates, including those abolishing differentials based on the sex of the workers.

In Poland, where the basic branches of the economy have been nationalised since 1946, wages are fixed by collective agreements which apply throughout the national territory in accordance with the decrees of the Ministry of Labour and Social Welfare, published in the list of collective labour agreements, and thus take the place of legislative regulation of wages. The principle of equal remuneration for work of equal value for men and women workers has not, to the knowledge of the Office, been incorporated in legal provisions but has been upheld by the Government and the trade unions and the considerable number of agreements concluded

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¹ According to information supplied by the Central Social Commission of the U.R.O. (Central Council of Trade Unions) and communicated by the I.L.O. correspondent in Prague, Feb. 1948.

in recent years contain a number of common clauses and establish some general principles applying to men and women workers, including, in particular (a) the abolition of unjustifiable differences in wages paid for the same work carried out in identical conditions by workers of equal qualifications, and (b) the fixing of remuneration on a clear basis of output and quality of work.¹

In the United Kingdom, the arguments put forward by the Royal Commission on Equal Pay against the introduction of the equal pay principle in public industrial establishments, prior to its recognition and application by private employers, implies a different approach to the question. Those objections included—

... doubt as to the precise extent to which men and women are employed on what is substantially the same work, differences of opinion as to how, when so employed, the efficiency, in the broadest sense, of the women compares with that of men, and the fact that not even the representatives of labour desire to see the principle of equal pay introduced in the industrial field by direct Government action.

The Royal Commission, while recognising the possibility of applying the principle of equal pay to the Civil Service, to local government officers and to the teaching profession, concluded that—

These considerations tell also against the probability that any Government, even if in general sympathy with the claim for a rule of equal pay, would feel able to take the initiative in introducing such a rule forthwith in its own industrial establishments; ... in this matter, it would be peculiarly inappropriate that the Government should take action independently of employers in the country at large.²

Work Executed under Public Contracts.

There is yet another case in which Governments may exercise direct action on conditions of remuneration by requiring compliance with specified labour standards, i.e., when Governments place contracts with private employers for the execution of public works or for the supply of goods or services. In some countries, legislation concerning public contracts include provisions as to the conditions of employment under which such contracts are executed. The general question of labour clauses in public contracts has been under consideration by the International Labour Organisation; it is however of special significance to the problem of Government action as regards the application of the principle of equal remuneration for work of equal value for men and women workers, since

² Royal Commission on Equal Pay: op. cit., p. 171.
some of the existing legal requirements tend to promote the application of the principle and may point to fruitful Government initiative on this matter.

In its reply to the questionnaire on fair wages in labour contracts, the French Government suggested such clauses should specify that women’s wages should be equal to men’s wages for equal work and production.¹ In this country, the decrees regulating conditions of work for contracts concluded on behalf of the State or of local authorities (départements, communes and établissements d’intérêt public) provide that such workers should be paid a “standard wage equal, for each occupation and, within each occupation, for each category of workers, to the wage rate prevailing in the locality or area where the work is performed”.² This provision, which implies the principle of the “rate for the job”, must be read however within the context of the legal provisions applying the principle of equal remuneration for work of equal value to wage and salary earners.

In a number of countries, work under public contracts is covered by the general statutory or conventional provisions applying the principle of equal remuneration for work of equal value. In a few cases, however, public contract laws provide specifically for it, particularly as regards minimum rates. Thus, in the United States, the Public Contracts (Walsh-Healey) Act of 1936 (the administration of which is now consolidated with that of the Fair Labor Standards Act) establishes minimum labour standards, including stipulations regarding the minimum wages which are to be incorporated in all Government contracts for supplies, articles, or equipment in excess of $10,000. It makes no distinction between men and women with regard to the fixing of a minimum wage by law. At the same time, it provides that minimum wages to be determined for each industry by the Secretary of Labor must not be less than the prevailing minimum wage for similar work in the locality. Moreover the Secretary of Labor may, after consultation with an ad hoc committee and the employers and workers concerned, determine fair and equitable standards for a given contract when the prevailing wage is regarded as inadequate.³

It is also significant that the Equal Pay Bills presented in January 1949 in the House of Representatives provide that no contract shall be awarded for three years by public agencies to any person found to have violated equal pay provisions, unless the Secretary of Labor otherwise determines.\(^1\) In the United States during the war, the War, Navy and Labor Departments, the War Production Board, the Maritime Commission, the Office of Defense Transportation and the War Manpower Commission officially endorsed the principle of "the rate for the job" in a joint statement of wartime labour standards (December 1942) to be applied, in particular, in war contracts.\(^2\)

It appears however that few specific provisions regarding the observance of the principle of equal remuneration for work of equal value are at present included in regulations governing conditions of work under which public contracts are executed. As already indicated, the standard prescribed for labour conditions in public contracts is in some cases tied to conditions of work which may be provided for in collective agreements or arbitration awards, or is based on "prevailing" standards, or is set by reference to existing general labour standards.\(^3\) These procedures tend to limit the scope of possible intervention of public authorities in requiring equal remuneration for work of equal value for men and women workers unless they already require the application of the principle. Public contracts laws may, however, provide, as in the case of the Walsh-Healey Act of the United States mentioned above, for the determination by public authorities of fair conditions to be required in public contracts if prevailing conditions are deemed inadequate. Such provisions would seem to afford public authorities an opportunity of requiring equal remuneration for work of equal value as between men and women employed on work performed under the terms of public contracts.

It is proposed, therefore, that the attention of Governments be called to the desirability of requiring observance of the principle of equal remuneration for work of equal value in the case of men and women workers engaged on work under the terms of public contracts, since the need has been recognised for establishing fair

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1 See, for instance, 81st Congress, 1st Session, H.R. 1584, 17 Jan. 1949 (Section 8).
3 See, for instance, Report VI (b) (1): Wages (b) Fair Wages Clauses in Public Contracts, op. cit., Chapter III.
labour standards to be observed by contracting employers, in view of the competition involved between the latter and the consequent tendency to economise on labour costs. Employment of women as a relatively cheap labour supply which may be detrimental to both men and women workers should be prevented. The expansion of public contracts may also afford public authorities an opportunity to influence, to no small degree, the general practice as regards women's remuneration.

Methods of Gradually Applying the Principle

The application of the principle of equal remuneration for men and women for work of equal value may entail increased wage costs, at least for an initial period, since discrimination against women with regard to their remuneration implies that their salary or wage rates are established at lower standards than men's rates.

Few figures showing the financial implications of the application of the principle are available but some indications may be given. Thus, as indicated in the previous section of this report the Czecho-Slovak budget includes a specific item for the equalisation of women's and men's wage rates—1,770 million crowns for industries and services under State control. In France, it was estimated in 1945 that the abolition of wage differentials as between men and women workers would result in an increase of at least 4 per cent, in the payrolls, in view of the fact that women workers represented about 30 per cent, of the gainfully occupied population. The proportion of increase would naturally vary in the different industries; in the textile industry for instance, where women are extensively employed and wages had remained at a relatively low level, the increase in the wage bill would be almost 15 per cent.¹

Estimates have also been made for Norway. The cost of applying the principle of equal remuneration in the case of women office workers performing the same work as men was estimated at 5 million crowns; in the case of shop assistants, 25 to 30 million crowns; in the case of women performing men's work in industry 2 million crowns. As regards women employed on women's jobs, an additional expenditure on wages of 50 to 60 million crowns would be necessary to increase women's rates from the present 60 per cent, to 80 per cent, of the men's rates. Thus, while the application of the principle to women office and industrial workers

¹ Droit social, Jan. 1947, p. 28.
in the same occupations as men would not entail a considerable increase in the amount paid in wages, its application to shop assistants and the raising of the level of women's wages in industry would involve a noticeable rise of 2 per cent. in the total wage bill in Norway.¹

In the United Kingdom, the Royal Commission on Equal Pay estimated, on the basis of figures for 1939, that the application of the principle of equal pay in the non-industrial branches of the civil service, including the Post Office, would have entailed additional expenditure of £3 million or about 3½ per cent. of the wage and salary bill of £80 million for that year. For 1945, the Commission thought it possible to evaluate the gross annual cost of establishing equal pay at between £5 million and £10 million.²

As regards women's auxiliary services in the armed forces, the Treasury indicated in 1945 that, on the basis of the numbers and proportions expected at the end of 1946, the cost would be roughly £3 million.³ For the teaching profession, extra costs were evaluated at £14.5 million for England and Wales, representing an increase of 11.6 per cent. on the salary bill in 1945 and 6.3 per cent. of the total expenditure which, it was expected, would otherwise prevail when the changes contemplated by the 1944 Education Act were to be complete.⁴ These figures for the United Kingdom do not allow for the proceeds of taxation paid on, or as a result of, the increases in pay, but they include, for the non-industrial civil service, increases in pensions, as well as in wages and salaries, and the cost of "sympathetic" increases in women's occupations. According to recent figures, immediate assimilation of women officers' salary increments in the civil service, local government service and teaching profession to those applicable to men of the same or similar grades would cost approximately £13 1/4 million in the first year rising eventually to £10 1/2 million.⁵

The estimates quoted above take into account only the gross cost of implementing the principle of equal pay, which incidentally, has somewhat different meanings according to the country con-

² Royal Commission on Equal Pay: op. cit., p. 183.
³ Ibid. The rates paid during the war to women in the Women's Auxiliary Services were about two-thirds of those of men in the corresponding ranks.
⁴ Royal Commission on Equal Pay: op. cit., p. 183.
⁵ Written answer by the Chancellor of the Exchequer to a question in the House of Commons, Parliamentary Debates, House of Commons, 1 Feb. 1949, col. 212.
cerned. They do not attempt to evaluate the possible beneficial consequences of such a measure, for instance increased output through greater occupational mobility. Notwithstanding the qualifications that should be attached to those figures, they illustrate roughly the order of magnitude of some financial implications of the principle. In view of the financial situation prevailing in some countries, it may therefore be necessary to envisage a gradual application of the principle of equal remuneration for work of equal value.

Various methods have been used in order to reduce the discrepancy between men's and women's wages as a preliminary step towards full implementation of the principle of equal remuneration. Two procedures, in particular, are noteworthy. On the one hand, there may be statutory limitation of the authorised differentials between men's and women's rates, with a consequent increase in the ratio of women's rates as compared to men's rates. On the other hand, where a system of increments is provided under statutory regulations, the same increases may be granted to workers of both sexes in the same occupational grades, thus, again, reducing the differential between men's and women's rates. Another procedure for the gradual application of the principle was used in some cases during the war; women were hired at lower rates than men, but received periodic increases until they reached the full male rates after a specified period. The latter method has also been used in private firms where an objective job evaluation indicated that some wage rates—irrespective of the sex of the workers—did not correspond to the value of the work. In one firm in the United States, for instance, in the course of a job evaluation programme, those employees, who were found to be underpaid, received increments over a period of six months until their basic wage rates corresponded with the minima of the labour grades in which their jobs were classified.¹

Some countries, as will be shown by the examples given below, have had recourse to one or more of these procedures for the gradual application of the principle of equal remuneration for men and women workers for work of equal value.

Thus, in Australia, the Women's Employment Board, set up during the war to regulate the conditions of employment of certain categories of women, was required under the statutory rules to fix rates of payment between 60 per cent. and 100 per cent. of the

rates paid to males on "substantially similar" work. In practice, wage rates for women in these categories were fixed in a number of cases at 80 to 90 per cent. of those of men a probation period being provided during which women were paid at lower rates. The basic wage established in various States for women workers are generally, it will be recalled, established at 52 to 54 per cent. of the basic wage for men; and women's rates under current awards represent about 60 per cent. of men's rates, except in those industries which in 1945 were considered as "vital industries", and where women's rates were raised to 75 per cent. of men's rates.

In France, while an order of August 1944 provided that under equal conditions of work and output, minimum wage rates for women should be equal to those applying to men, difficulties arose as regards the interpretation and application of that clause. A first step was taken by public authorities shortly after this decree was issued which reduced the gap between men's and women's wage rates by granting the same increase to all workers in the same category, although a differential between men's and women's wage rates still existed. Thus, the differential which was of 20 per cent. was reduced to 13.33 per cent. for women labourers in the metal industry.¹ The important Orders issued from March 1945 onward for the reorganisation of the wage structure in most branches of activity introduced a second step in respect to wage earners (the principle of the rate for the job was applied without difficulty to salaried employees, technicians and the supervisory and executive staff). In view, particularly, of the costs that the reform in favour of wage earners would involve, it was agreed, as a preliminary step, that a maximum differential of 10 per cent. would be authorised for women time workers.² This permitted differential was in fact systematically applied to women workers in the same occupational categories as men. Finally, in July 1946, the statutory provisions authorising the differential of 10 per cent. between men and women workers were abrogated.³

In the United Kingdom, a step in that direction has been taken recently by the Government which decided to increase the rates of pay in the Women's Services (now part of the Armed Forces of the Crown), so that the proportion of women's to men's rates

² *La Revue française du travail*, loc. cit.
in corresponding ranks should be raised from the wartime level of about two-thirds to about three-quarters.\(^1\) It may also be relevant to mention at this point some of the conditions which were established for women replacing men in their job during the war under the peacetime arbitration machinery for dealing with industrial disputes provided by the Industrial Courts Acts of 1919. Generally these conditions were based on the same principles as the industrial agreements between employers' federations and trade unions. Usually a probationary period was provided under which women were paid at a fixed proportion of the men's rate. After this probationary period, women were entitled to the full rate for men provided that they were able to perform the work of the men equally well and without additional supervision or assistance. If additional supervision or assistance was required women were to receive a rate of pay proportionate to the full rate for men; in many cases, however, it was provided that women's rates should not fall, even in these conditions, below a certain proportion of men's rates, usually 75 to 80 per cent.\(^2\) This proportion was considerably higher than the then prevailing ratio of women's to men's rates in overlap areas, as appears from the information available in the Report of the Royal Commission on Equal Pay.

**Conclusions**

It would thus appear that the State, as an employer, or public authorities, as determining agents, are in a position to exercise direct influence upon the implementation of the principle of equal treatment of men and women workers in regard to remuneration, by intervening in a variety of ways in the establishment of conditions of remuneration. Moreover, such action even when it is limited in scope may have considerable influence upon other sectors of the economy. It is therefore proposed to consult Governments as to the desirability of including in the international regulations proposals concerning public intervention of this type in the fixing of wage rates, with a view to applying and promoting the application of the principle.

As regards non-industrial civil services as well as the teaching profession, the principle of single salary scales without consideration of the sex of the employee is applied, as a rule, in a large number

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\(^1\) Parliamentary Debates, House of Commons, 15 Dec. 1948, col. 1212.

of countries. The application of the principle of equal remuneration for work of equal value raises some problems which still affect the relative level of women's remuneration in those countries, in so far as a career does not always offer the same economic advantages to a woman as to a man of equal capacity. Inequality of treatment in this respect may take such forms as less promotion opportunities, exclusion from certain grades, posts or branches of the services, inequality in respect of pension rights and various allowances, or penalisation of women on account of their marriage in those countries which still apply the marriage bar. Such factors will doubtless have to be examined by the competent public authorities to ensure that women's remuneration shall be equal to that of men for work of equal value.

In view, however, of the substantial number of countries which have already provided for equal remuneration for men and women for work of equal value in non-industrial public employment, it seems that international action may be initiated on the basis of the prevailing trends and that international agreement may be reached as to the desirability of applying this principle in public service in respect of which public authorities are empowered, as a rule, to fix conditions of work and employment. It may be appropriate at the same time to take into account the fact that State (in the case of Federal States), municipal or local authorities have, in some countries, the power to fix rates of remuneration for their own employees. In such cases, it would appear that the competent central Government authorities should take appropriate steps to promote the application of the principle in areas where they have no direct responsibility over rates of remuneration for public employees.

It may also be considered appropriate to specify broadly the various other forms that public intervention may take, as regards conditions of remuneration, namely: the establishment of minimum or other wage rates subject to public authority and the determination of conditions of remuneration in industries and undertakings under public control or ownership, or on work executed under the terms of public contracts. By setting a basis for the application of the principle of equal treatment of men and women workers as regards their remuneration in broad sectors of the economy, as in the case of minimum wage regulations, and by applying or requiring full application of the principle in certain branches of industries or in particular undertakings, public authorities may, in no small degree, promote general recognition of the principle.
and doubtless may exert considerable influence on the practice obtaining in areas where wage rates are not subject to statutory rules. In view of current trends as regards statutory provisions related to the question of equality of remuneration as between men and women workers in those various fields, it is proposed that Governments examine the desirability of explicitly providing in the international regulations for further Government action in this direction.

It may be desirable also to provide explicitly in the international regulations that action by public authorities in areas where conditions of remuneration are subject to statutory rules should be carried out in consultation with the workers' representatives or in co-operation with the employers' and workers' organisation, as the case may be. Proposals to that effect have been introduced in the points placed before Governments for consideration.

Moreover, in order to encourage and facilitate the application of the principle in those sectors where public authorities may exercise direct action on conditions of remuneration, it is suggested that consideration might be given to including in the international regulations provisions for the progressive application of the principle of equal remuneration for work of equal value for men and women workers, specifying certain methods for promoting gradual action.

The Office has therefore included in the questionnaire reproduced in Chapter V the following points for the consultation of Governments in regard to the scope of action by public authorities in areas where wages are subject to statutory rules or public control:

5. **Should the international regulations specify that—**

   (a) each Member should, after consultation with the workers or with representatives of the workers' organisations concerned, take appropriate action to ensure that the principle of equal remuneration for men and women workers for work of equal value shall apply to all employees of central government departments or agencies, and should encourage its application to employees of state, provincial or local government departments or agencies, where these have jurisdiction over rates of remuneration?

   (b) each Member should, in close co-operation with the representatives of the employers' and workers' organisations concerned, take appropriate action to ensure, as rapidly as practicable, that the principle of equal remuneration for men and women workers
for work of equal value shall apply in all other occupations in which rates for remuneration are subject to statutory regulations or public control, particularly—

(i) in any work in industries and services in which minimum or other wage rates are fixed under public authority;

(ii) in industries and undertakings operated under public ownership or control; and

(iii) on work executed under the terms of public contracts?

(c) where full and immediate implementation of the principle of equal remuneration for men and women workers for work of equal value should not prove feasible in these occupations, each Member should make appropriate provisions for its gradual application, in particular—

(i) by decreasing the differentials between men's and women's wage or salary rates for work of equal value; and

(ii) by providing equal increments for men and women workers performing work of equal value where a system of increments is in force?

Provisions for General Application of the Principle

Formal recognition of the principle of equal remuneration for work of equal value by constitutional provisions, while worthy of all consideration, does not guarantee that application of the principle in fact follows, in particular since the phraseology used in such provisions requires interpretation in the light of practical conditions to provide for effective methods of application. Application of fair principles of remuneration to men and women workers in the particular areas where public authorities are empowered to fix salary or wage rates or to intervene to a certain extent in the establishment of conditions of remuneration may, however, represent only a partial effective coverage of the working population. The situation therefore exists where the principle is applied to certain groups of workers and not to others. Obviously, difficulties arise, not only in the form of obstacles to the full utilisation of the existing powers of public authorities to intervene in determining conditions of remuneration, but also, from the confusion that springs from the application of divergent wage policies applied in the various fields of employment.
In consequence, legislation has been promulgated in a number of countries in order to establish principles as to the relation that should obtain between men’s and women’s remuneration for equal work, covering most fields of employment and providing means of enforcement. Such legal requirements are sometimes included in general labour laws, which establish minimum standards of social policy as to conditions of employment and of work. In other cases, special laws and regulations govern the question of the relation between men’s and women’s remuneration. Whether one or the other alternative is utilised, legal provisions not only clarify in many cases the interpretation to be given to the principle, but also provide for administrative control of its application, and penalties for infringement of the law. The following information relates to most of the existing general legal provisions establishing the principle of equality of remuneration of men and women workers. As indicated already in Chapter II, various interpretations of the principle have been used in legal provisions. It is intended to examine first the scope of the legal requirements, then the methods of application and the exceptions provided. No attempt will be made at this point to examine in detail the application of such general legal provisions. It is intended only to indicate the substantial efforts which have been made along those lines in a considerable number of countries and to point out certain questions which may require careful consideration by Governments in order to determine whether the question of providing by legal enactment for the general application of the principle of equal remuneration for men and women workers for work of equal value should be put before the full Conference, and, if so, in what form.

Scope.

As a rule, the scope of such legal provisions is very extensive, excluding in many cases however agriculture and/or domestic service. Usually civil servants are covered by separate rules and regulations.

In Australia, legal provisions requiring the payment of the same wages for the same work are included in the Queensland Industrial Conciliation and Arbitration Act, which deals with the settlement of labour disputes in industry.¹ In Bolivia,² all occupa-

¹ The Law and Women’s Work, op. cit., p. 390.
² Supreme Decree to issue the Labour Code, 26 May 1939, L.S., 1939, Bol. 1.
tions, except agriculture are covered. In Brazil, the principle must be applied by individual and collective agreement for intellectual, technical and manual work. In Chile, explicit provisions are included in the Labour Code of 1931 in respect to wage earners; similarly the Chinese Factories Act which applies to all factories using mechanical power and usually employing 30 or more workers, contains provision for the payment of equal wages to women performing the same kind of work as men with equal efficiency. In Czechoslovakia, equality of treatment for men and women as regards remuneration was first established by a special Government Regulation of 4 July 1945 prior to being included in the Constitution; while no further details are available, it may be safely assumed that it applies to most fields of employment.

Provisions in force in France are the outcome of gradual developments which began before the war and result from a series of measures taken since the liberation; they are intricately related to the rather complex system of wage fixing in that country. As from 1936, collective agreements were statutorily extended to the various branches of industry concerned and in some cases included provisions for similar pay for similar work. The progress which had thus been made was largely nullified however during the German occupation of the country. After the liberation, the Decree of 24 August 1944 concerning the provisional raising of wages established equality as regards minimum wage rates for salary and wage earners in all fields of employment, excluding agriculture. As already indicated, differential rates were allowed against women wage earners in cases where such differentials were justified and under the condition that they should not exceed 10 per cent. of the men’s rate for the occupation concerned. While such permission was granted by a decision of the Minister of Labour, it was actually applied by industry or occupation, i.e., by the various orders which fixed remuneration rates in the various industries and occupations, and which, as already indicated also, included provision for such differential as regards wage earners. The Decree of July 1946 which abolished this permitted differential

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1 Legislative Decree No. 5452, 1 May 1943, L.S., 1943, Braz. 1.
2 Legislative Decree No. 178, 13 May 1931, L.S., 1931, Chile 1.
5 Under the law of 24 June 1936, L.S., 1936, Fr. 7.
6 Journal officiel, 30 Aug. 1944. (Text reproduced in Salaires et classifications professionnelles, op. cit., p. 10.)
7 Droit social, loc. cit.
of 10 per cent, covered therefore only wage earners, since equality of remuneration had been achieved for the salaried employees, and the technical, supervisory and executive staff under the various orders which regulated rates of remuneration in most branches of activities. Equality of remuneration is therefore the rule at the present time in France.

Recent Iranian regulations concerning labour standards, which have been put into effect for a trial period, cover all fields of employment and provide inter alia for equal pay for equal work.¹ The Mexican Labour Code ² established the principle of non-discrimination on the basis of sex as regards remuneration, and applies to all individual and collective contracts of employees excluding State employees who are covered by separate Acts. In Peru, the Civil Code ³ includes the principle of equal pay for equal work irrespective of sex among the principles to which contracts of employment, individual or collective, are subject.

In the United States, special legislation on equal pay existed before the war but it made considerable headway during and since the war, particularly at the State level. State laws, which exist, at the time of this report, in nine States, vary somewhat as to their scope. All, however, except the Illinois and Michigan laws which apply to manufacturing only, are of a general scope. The Montana law applies to all public and private employment while the other laws cover all private employment, with specific exemptions (generally domestic service or farm work and, in some cases, non-profit organisations).⁴ On the Federal level, Equal Pay Bills were presented before the 79th and 80th Congress but failed to go through the whole of the parliamentary procedure in due time. Several identical Bills are now before the 81st Congress.⁵ They would apply to workers employed on activities affecting interstate commerce, excluding federal civil servants who are covered, as already indicated, by separate regulations.

In the U.S.S.R., a typical Order, which came into operation in 1920 in the Russian Soviet Federative Socialist Republic, provided

¹ Decree No. 8394, 5 June 1946, quoted in Year Book on Human Rights for 1946, op. cit., p. 157.
⁴ These States are: Illinois (1944), Massachusetts (1945-1947), Michigan (1919), Montana (1919), New Hampshire (1947), New York (1944), Pennsylvania (1948), Rhode Island (1946), Washington (1943). Cf. Equal Pay for Equal Work for Women, op. cit., pp. 161-164. Legal provision for the application of the equal pay principle has further been made in 1949 in the Territory of Alaska and in the State of Maine, since this report was prepared.
⁵ See, for instance, H.R. 1584, already referred to.
explicitly for equality in the remuneration of men and women for work of equal value to be applied "without exception to all state, civil and military and private undertakings, institutions and business".¹

The Venezuelan Labour Code provides that no distinction shall be made on the ground of sex as regards the establishment of wage rates, but excludes from its scope civil servants and agricultural workers in particular.²

**Methods of Application and Control.**

In so far as legal provisions concerning the principle of equality of remuneration as between men and women workers are established by general laws, control of their application is ensured by the measures established for their enforcement, including such devices as individual work books carrying particulars as to conditions of remuneration, labour inspection, and penalties in cases of infringement of the law.

Specific equal pay laws provide for methods of enforcement consistent with the system of control used for the application of statutory provisions in the country concerned. Enforcement may be achieved either by labour inspection or by way of claims to competent authorities, provisions being made, in either case, for penalties for infraction of the law.

As a general rule, collective or individual contracts must conform to such legal requirements. Some exceptions, may be noted, however. In the United States, the Illinois and Rhode Island equal pay provisions authorise wage differentials based on sex when these are established by contract between the employer and the recognised bargaining agent; the New Hampshire law permits such differentials where they are provided by a union contract or by a written agreement between the employer and not less than five of his employees.

**Exemptions.**

As already indicated above, legal provisions affecting the relation of women's to men's remuneration provide exemptions as to coverage. Where, as in many cases, conditions of employment of public employees are regulated under separate statutory provisions, they are excluded from the scope of general labour laws or specific equal pay laws. Exemptions also include agricultural

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work, domestic work, employment in non-profit institutions, and, in a few cases, salaried employees. The exemptions provided in cases of collective agreement containing contrary provisions need not be considered in this connection, since they seem in flagrant contradiction with the purpose of labour laws. The purpose of such laws being usually the establishment of minimum standards to be observed in private and collective contracts. The fact that such exemptions exist is due to particular circumstances which appear meaningless when considered at the international level.

In some countries, a few other interesting exceptions are to be found which are related to the definition of the principle and therefore serve to clarify it. Thus Brazilian law stipulates that work of equal value means work of equal output and the same technical perfection performed by persons whose period of service does not differ by more than three years. Comparison of the respective performance of men and women workers in a particular occupation may, therefore, be carried out as between workers having relatively the same experience on the job.

Differences in the remuneration of men and women performing work of equal value are also authorised in cases where systems of increments for seniority or of promotion by merit are in force without discrimination as to sex. In such cases, women and men workers performing work of equal value may not necessarily receive the same remuneration if they are not at the same level in the scale of increments. Such provisions are specifically made, for instance, in the Brazilian law. In the United States they appear in most of the State Equal Pay laws and in the Federal Bill on Equal Pay.


Legal enactment, however, may not be appropriate in countries where wages are fixed customarily by collective bargaining, according to principles which are evolved in the process of collective negotiations and which are not subject to statutory rules.

The principle of equal remuneration for men and women workers for work of equal value, however, is provided for by various collective agreements in a number of countries. Progress made in the recognition of the principle by the parties concerned is reflected in the provisions voluntarily agreed upon for the equal treatment of men and women workers as regards their remuneration. Public authorities, while abstaining from interven-
ing in the discussions of equal remuneration clauses, may promote the recognition of the principle and encourage its voluntary application through collective agreement, by various methods appropriate to the conditions of the country. The situation may therefore arise, where, without statutory provisions for general observance, the principle would be generally enforced and the proposed international regulations would be applied.

In the United States, for instance, in many industries, a basis for extending the principle of equal remuneration has been established by collective bargaining. The progress made in this field during the war has been largely maintained or even furthered in some sectors according to the statements of both unions and management. Various types of clauses have been introduced in collective agreements including (1) specific equal pay clauses; (2) general non-discrimination clauses; (3) clauses providing for the rate for the job regardless of sex; (4) clauses providing the same automatic progression from entrance to base rate; and (5) clauses providing that wage rates on new products or new jobs shall be set up by job content and not designated as "male" and "female" rates. In the absence of a comprehensive survey of collective contract clauses on this matter, it may be interesting to recall the conclusions of a study made by the U. S. Bureau of Labor Statistics, "... some agreements include provisions forbidding wage differentials based on sex. In other cases, sex differentials are simply abolished in the course of wage negotiations ..."1 The influence of collective bargaining on the application of this principle may be illustrated by the findings of an enquiry made in the State of New York in December 1943. Of the 143 plants which were visited, 98 had union agreements covering occupations in which women had replaced men; 73 of these contracts provided for equal pay for equal work or for specified job rates, without mention of the sex of the worker; equal entrance rates were paid to men and women for comparable work in two-thirds of the plants having union agreements and in less than one-half of the plants with no union agreements.2

In Italy, the principle of equal remuneration has been proclaimed in the Constitution of 1947, but its actual application is to be carried out by collective bargaining. Nation-wide collective

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1 Union Agreement Provisions, op. cit., p. 36.
contracts, such as the one for the Metal Trades, already provide for equal remuneration for wage earners for work of equal value.¹ National agreement had already been reached in December 1945, between the workers' and employers' organisations on the principle of equal remuneration for men and women workers for work of equal value, but its application will apparently require precise clauses in the contracts negotiated for the various industries.²

Conclusions

In a substantial number of countries, the principle which should govern the relation between the remuneration of men and women performing equal work is established by law. While only the provisions recognising the principle of equality of remuneration irrespective of the particular definition given to it have been mentioned, statutory regulations in some countries specifically authorise differentials as between men and women in rates of remuneration.

In view of the considerable efforts which have already been made to regulate the general application of the principle of equal remuneration, in view also of the necessity of achieving implementation in regard to as large a part of the gainfully occupied population as possible, it is proposed to afford Governments an opportunity to consider whether or not it is desirable to include specific references in the international regulations to provision by legal enactment for general application of the principle of equal remuneration for work of equal value, as defined.

If replies tend to be in the affirmative, it is further proposed to raise the question of exemptions from legal requirements. As already indicated, several types of exemptions have been provided in existing regulations. The Office, however, does not feel able at this stage of the discussion to make detailed proposals as to the exemptions that might be allowed under the proposed international regulations. The replies to this preliminary consultation of Governments may indicate, however, the possibility of making more specific suggestions to the Conference. It is conceivable that exceptions from statutory provisions requiring application of the principle might apply to categories of workers covered by separate provisions, as in the case of public servants. They might also apply to fields of employment where application

¹ Notiziario (C.G.I.L.) 20 June 1948, pp. 421-422.
² Nord-Sud, 31 May 1946, p. 40.
may present great immediate difficulties and, in many countries, may not affect large numbers of workers, as, for example, domestic service or agriculture. Finally, exceptions may merely assist in clarifying the general concept of equality of remuneration for work of equal value.

While the law should provide for control measures and sanctions in cases of non-compliance with its provisions, it appears that encouragement of voluntary observance, as in the United States, might be an effective means of facilitating extensive application. It is significant that considerable emphasis has been given to that aspect of the administration of the law, in the State of New York, even though in some cases there have been convictions for non-observance of the equal pay provisions. A special committee has been established in the New York State Department of Labor and regional advisory committees have been set up, principally to stimulate voluntary compliance with the legal requirements. The central committee is entrusted with formulating recommendations on a programme of education and information of employers, employees and public opinion generally; considerable efforts have already been made for achieving co-operation with the employers for the application of the statutory provisions.\footnote{\textsc{New York State Department of Labor: Industrial Bulletin, Oct. 1947, p. 3.}}

It is fully recognised, as already indicated at the beginning of this chapter, that it may not be possible to provide by legal enactment for the application of the principle of equal remuneration for men and women workers for work of equal value in countries where wages are largely fixed by collective bargaining without intervention by public authority. In such cases, the application of the principle would have to be ensured by collective agreements. Conditions in the country, however, may be such that the obligations imposed by the proposed international instruments may be accepted if public authorities are satisfied that actual practice is in accordance with the international provisions.

The Office has, therefore, included the questions in the following point, reproduced in the questionnaire in Chapter V, for the consultation of Governments as to the desirability of providing by legal enactment for application of the principle of equal remuneration for work of equal value:

6 (1) \textit{Should the international regulations specify that consideration should be given to the desirability of providing, where appropriate, by legal enactment for the application of the principle of equal remunera-}
SCAPE AND METHODS OF APPLICATION

(a) Should the international regulations specify that the competent authority may provide for exceptions from the scope of such legal provisions and, if so, what exceptions; and

(b) Should the international regulations specify that the competent national authorities should take all necessary and appropriate measures to ensure that employers and workers are given full information as to such legal requirements, and, where appropriate, advice on their application?

(2) Where such action is not appropriate to established procedures for wage fixing, should the international regulations specify that effect to such international regulations may be given—

(a) by collective agreements between employers and workers; or

(b) by a combination of legal provisions and collective agreements between employers and workers?

ESTABLISHMENT OF OBJECTIVE STANDARDS FOR EVALUATING JOB CONTENT

In defining the terms "equal remuneration for work of equal value", it was proposed to favour the definition which would require the establishment of wage rates according to job content irrespective of the worker's sex. The acceptance of such an approach to the problem entails the need to consider practical methods for rating job content in order to assess the relative value of the work of men and women assigned to similar or comparable jobs. Such procedures may conceivably be limited to assisting in the adjustment of grievances arising out of the application of the statutory provisions for equal remuneration for men and women workers for work of equal value. In fact, the principle of evaluating job content, without considering the sex of the workers, for the purpose of establishing corresponding rates of remuneration may have broader implications. Evaluation of job content may affect not only those men and women who work side by side on the same job, but also those who are employed in the various operations of one industrial process, in mixed or in different groups. It may thus cover those women's jobs included in a series of operations in which certain jobs are performed by women, in which others are performed by mixed groups of workers and in which others are carried out by men.

It is significant that where provisions for non-discrimination as to sex in matters of remuneration are included in general labour
laws, these generally deal with the whole question of wages and specify some criteria for the fixing of wage rates. Particular elements are singled out that are to be taken into account for establishing rates of remuneration. In special equal pay laws, provision is also made in some instances for evaluation of the relative importance of the various jobs, by inclusion of specific reference to the elements of the job which should be considered. Little information is available as to the actual application of these legal provisions in determining the relative value of women’s work as compared to men’s work, some of the provisions being, moreover, of a very general character. Thus the Mexican law, for instance, provides that—

in fixing the amount of the wages in each class of work, the quantity and the quality of the work shall be taken into account and equal wages shall be paid for equal work performed in equivalent posts with the same working day and the same conditions of efficiency.

Some of the State Equal Pay laws in the United States refer to specific characteristics of the occupation, including seniority, experience, training, skill or ability, the amount of duties or services performed, availability for other operations, or shift or time of day worked.

In examining the question of wage rates based on job content¹, the necessity was pointed out for defining ascertainable elements of the job and examples were given of cases where such specific elements were chosen to determine the relative value of women’s work where the principle of the rate for the job was applied. Differences between men’s and women’s work in the same occupations were mentioned, which served as a basis for differential rates of remuneration. Reference was made in that connection to such differences as the need to provide for extra supervision or assistance, to set different standards of output or to break down the job for women on men’s jobs.

The efforts, which have thus been made to recognise the principle of the rate based on job content and, furthermore, to specify those elements of the job which should be taken into account, constitute the first step to be taken in the establishment of the principle. Means must be found to evaluate quantitatively the relative value of these elements as has been done in many cases. It is possible to classify present practices concerning evaluation of job content into several groups. These practices are not always

¹ See Chapter II of this report.
carried out with special reference to the application of the principle of equal remuneration for men and women workers for work of equal value. They have developed as a result of social, economic and technological trends. It should be recognised that their extension as a method of applying the principle of equal remuneration for work of equal value for men and women workers, interpreted as signifying the establishment of wage rates based on job content, is in accordance with present developments, particularly with the importance given in recent years to job analysis and job classification and evaluation in various connections, including vocational training, placement, redistribution of manpower, or fixing of wage rates.

In the United States, employers are, to an ever larger extent, recognising the desirability of determining the requirements of the various jobs on a systematic and objective basis, and individual companies have evolved their own procedures for determining wage rates on the basis of job analysis and rating. According to a study recently made by the National Industrial Conference Board, the first serious movement toward formal job evaluation as an analytical approach to setting basic wage and salary differentials began around 1930. Job evaluation plans have increased remarkably however since 1930. In a survey conducted by the Board in 1939, only 13.3 per cent. of the companies covered were using job evaluation. At the end of 1946, the proportion had risen to approximately 57 per cent. The use of such procedures is at the same time much more prevalent for hourly paid jobs than for any of the salaried groups.1

These developments were given prominence in statements made by witnesses in the course of the hearings held in connection with the Equal Pay Bills presented before the House of Representatives in 1948. The representative of the National Association of Manufacturers, for instance, declared 2 that—

... the wisdom and necessity of establishing equitable wage structures based on job evaluation is being actively promoted by the National Association of Manufacturers, the American Management Association, the National Electrical Manufacturers' Association, the National Metal Trades Association, the Society for the Advancement of Management and many other management organisations.

1 National Industrial Conference Board, Studies in Personnel Policy, No. 86: Personnel activities in American Business (revised), p. 12 and tables 29 and 30. This study is based on replies from 3,498 companies, employing approximately six and a half million persons.

2 Equal Pay for Equal Work for Women, op. cit., p. 256.
In an increasing number of cases, employers and trade unions agree to include provision for job evaluation in their collective bargaining agreements.

The current attitude on this matter in the United States is that job analysis and classification is intended to determine systematically the relative value of one job to another, so as to establish wage rates and scales that correspond to the relative value of the work performed. Jobs have to be considered irrespective of the sex of the workers that perform them and, of the rates that are attached to them at the time of evaluation. Various techniques are used in actually carrying out the system.

It may be of interest to examine briefly one of these plans. One private company established a job classification in the form of a manual as a basis for collective negotiation. Each job in the plant was analysed with reference to eight factors which were weighted by a standard weighting value in order that a comparable numerical value might be given to each factor. This process is illustrated by the following table.

<table>
<thead>
<tr>
<th>Factor</th>
<th>Standard weighting value</th>
<th>Rating range</th>
<th>Maximum possible points</th>
</tr>
</thead>
<tbody>
<tr>
<td>Time required</td>
<td>15</td>
<td>0-10</td>
<td>150</td>
</tr>
<tr>
<td>Working conditions</td>
<td>15</td>
<td>0-10</td>
<td>150</td>
</tr>
<tr>
<td>Accident hazards</td>
<td>10</td>
<td>0-10</td>
<td>100</td>
</tr>
<tr>
<td>Physical effort</td>
<td>20</td>
<td>0-10</td>
<td>200</td>
</tr>
<tr>
<td>Manipulative skill</td>
<td>25</td>
<td>0-10</td>
<td>250</td>
</tr>
<tr>
<td>Judgment</td>
<td>20</td>
<td>0-15</td>
<td>300</td>
</tr>
<tr>
<td>Responsibility</td>
<td>20</td>
<td>0-10</td>
<td>200</td>
</tr>
<tr>
<td>Leadership</td>
<td>25</td>
<td>0-10</td>
<td>250</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td></td>
<td></td>
<td><strong>1,600</strong></td>
</tr>
</tbody>
</table>

A value is thus established for each job, and the total points for the job represent the comparative value of the jobs to the company. These comparative values are arranged in groups of equal or nearly equal value, with a view to establishing a limited number of wage classes, thus forming a basis for applying a wage scale of day rates. The various factors enumerated above have had to be further defined. "Time required" for instance, is meant to include practical experience or technical knowledge; "physical effort".

physical exertion and visual or mental concentration; "manipulative skill", dexterity and precision; etc.

In most other countries, the wage structure in the various industries or plants is still the outcome of historical factors and of the respective strength of the parties in the bargaining procedure. In France, for instance, the occupational classification used for the purpose of fixing remuneration rates is based on the results of the collective bargaining that took place on a wide scale between 1936 and 1939, with further modifications agreed jointly in most cases by employers' and workers' representatives and finally sanctioned by public authority. The application of the principle of equal remuneration for work of equal value has meant the assimilation of women's rates to the corresponding minimum rates applied to men in the same occupational category. The procedure used to determine the similarity of the work performed by men and women workers has been that of collective bargaining.

In countries with a planned economy the situation is, however, different. In those countries, the wage policy is part of the economic plan. Efforts are being made to establish wage rates on the basis of the quantity and quality of the work assigned to the workers and to introduce piece-work as an incentive to raise labour productivity and consequently the standard of living of the country.

In the U.S.S.R., in the course of the first quinquennial plans, endeavours were made to establish within each undertaking a "technical normalisation bureau" attached to the department of labour economics of the factory management. Its duty was to establish rates of production and rates of remuneration, i.e., to fix the standard time required for the accomplishment of certain work, with certain equipment, and the wage the worker was to be paid for it. The general system of grading, however, was decided upon by the central committees of the trade unions and their joint body, the All Union Central Committee of Trade Unions. The piece-rate schedules in force in the early 'thirties included special provision, on the one hand, for apprentices and beginners and, on the other hand, for specialist technicians and administrators; the main body of manual workers was divided into eight or more grades as might be found most suited to the industrial processes. The grades were established at first, not according to craft or function but according to degrees of skill or capacity, largely based, in fact, on relative scarcity. Co-efficients were attached to each wage grade. The actual rates had to be worked
out according to the concrete conditions of production in the individual undertakings. The principles of job evaluation on an objective basis applied in the same way to men and women workers.

Attempts to establish similar procedures for relating wage rates to productivity and to the social value of the occupation are being made in Czechoslovakia, Poland, and Rumania.

Conclusions

The establishment of standards for determining the relative value of a job on the basis of an objective analysis of its contents appears to be a procedure of major importance for the application of the principle of equal remuneration for men and women workers for work of equal value. While it has not been considered possible or desirable to enter into details as to the technical aspects of such practices, it would seem that Governments should be given the opportunity of examining the possibility of including in the international regulations specific references to the desirability of promoting the utilisation of objective methods for evaluating job content. A more and more favourable view is being taken of the technique of job analysis and classification, and the usefulness of such procedures in eliminating discrimination as regards remuneration is evident.

A corollary of the principle that the value of job content, as determined on an objective basis, should constitute the basis of rates of remuneration, is that wage differentials should correspond to intrinsic differences in the work performed and to a similarly objective appraisal of their relative importance.

The role of public authorities in that matter may be considerable. They may apply procedures of job analysis in establishing the system of remuneration of their own employees. They may also set up, in connection with the legal provisions for the application of the principle of equal remuneration, advisory bodies with staffs specialised in job analysis techniques. The Women's Bureau of the U.S. Department of Labor, for instance, has done pioneer

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2 Statement by the Minister of Social Welfare, 1 Jan. 1949, communicated by the I.L.O. Correspondent in Prague.
4 Buletinul Oficial, 18 Mar. 1949, p. 39, Decree No. 118 to regulate the systems of remuneration according to the quantity and quality of the work.
work in analysing the contents of women’s jobs. Furthermore, the work that is being done by public agencies in order to establish a comprehensive system of job classification in various countries for purposes of vocational training and apprenticeship, distribution of manpower or migration of labour indicates the considerable attention that is being given to defining the various occupations objectively.

In view of the importance of the technique of job evaluation as a method of facilitating the application of the principle of equal remuneration for work of equal value for men and women workers, in view also of the trends in favour of such procedures in countries where the basis on which wage rates are fixed vary widely, the Office has included in the questionnaire reproduced in Chapter V, the following point concerning this issue for the consultation of Governments:

7. (1) Should the international regulations specify that each Member should, in close co-operation with the representatives of the employers' and workers' organisations concerned, undertake or cause to be undertaken, where appropriate, the establishment of precise and objective standards for evaluating job content with a view to facilitating the determination of wage rates in accordance with the principle of equal remuneration for men and women workers for work of equal value?

(2) Should the international regulations specify that such differential rates between men and women workers as correspond to differences in job content so determined should be considered as being in accordance with the principle of equal remuneration for men and women workers for work of equal value?

CO-OPERATION WITH EMPLOYERS’ AND WORKERS’ ORGANISATIONS

The necessity for public authorities to co-operate with employers' and workers' organisations in formulating and applying a policy of equal remuneration for work of equal value as between men and

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1 The following examples may be given:
An occupational inventory was made in France in 1947. See: Institut National de la Statistique et des Etudes Economiques, Nomenclature analytique des métiers et des activités individuelles (Paris, 1947).
women workers has already been emphasised on several occasions in this report, as regards specified fields of Government action. Attention may be drawn, however, to the desirability of public authorities establishing co-operation with the parties concerned, namely, the employers' and workers' representatives, as regards all aspects of the question in order that they may take measures and promote methods of application that will be most appropriate to their situations and that will ensure the best conditions for the application of the principle in question.

In view of the complexity of the question of equal remuneration for men and women workers for work of equal value, it seems highly desirable that collaboration between public authorities and the employers' and workers' representatives should be achieved practically on as extensive a scale as possible. Action in this field, it seems, will bear fruitful results only if agreement as to the general programme to be followed may be reached between the parties concerned.

Indeed, co-operation with employers' and workers' organisations may be considered as one of the important means of lessening traditional resistance to the application of the principle. Support and assistance from employers' and workers' representatives may also ensure, to a large extent, that decisions taken by public authorities will be of a practical character.

As already indicated, recognition of the principle of equal remuneration for work of equal value must be supplemented by measures of application, i.e., standards and procedures must be developed to be applied in concrete cases. In job analysis and evaluation, the relative importance of the various elements in particular jobs has to be assessed, and this assessment must avoid depreciating the characteristics of work performed by women.

In more and more countries, methods of co-operation have been established between public authorities and employers' and workers' organisations. Various bodies with advisory or executive functions 1, are organised at various levels of operation, and wage questions fall within their terms of reference. In countries where the application of the principle of equal remuneration has made the most noticeable progress, tripartite or bipartite co-operation (in those countries where the State and the trade unions have

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assumed responsibility in the economic field) has been to no small
degree instrumental in bringing about such progress.

A few examples will illustrate this. In France, as indicated
already in various connections, the policy concerning women's
remuneration was discussed thoroughly by the National Wages
Board, which comprises employers' and workers' representatives.
The attitude of the parties concerned and the conclusions reached
by this national board, as well as the proposals of the joint com-
mitties for the various industries—in some cases, even the failure
to reach agreement in these joint bodies—served as a basis for the
decisions of the Minister of Labour, which finally resulted in the
prohibition of wage differentials against women workers. In the
State of New York, a tripartite committee has been established
to assist the Industrial Commissioner in preparing the programme
for the administration of the Equal Pay provisions. The com-
mitee was entrusted in particular with (a) analysing particular
types of occupations for the purpose of establishing a standard of
equalisation for the evaluation of wages; (b) formulating a pro-
gramme of education and information of employers, employees
and public opinion generally, and (c) recommending methods of
enforcement.\(^1\) In Eastern European countries including Czecho-
slovakia, Poland and the U.S.S.R., measures to apply the general
system of remuneration which, as already indicated, requires
non-discriminatory rates of pay for women workers, have been
taken as a result of close co-operation between the State and the
trade unions.

In view of the preceding general considerations, the Office has
considered it desirable to consult Governments as to the inclusion
in the international regulations of a specific reference to the desir-
ability of maintaining close co-operation with employers' and
workers' representatives for the purpose of applying the principle
of equal remuneration for men and women workers for work of
equal value. The following point has therefore been included in
the questionnaire, reproduced in Chapter V:

8. *Should the international regulations stipulate that each*
*Member should ensure the maintenance by competent public authorities of*
*close co-operation with the representatives of the employers' and workers' organisations concerned for the purpose of applying the principle of equal remuneration for men and women workers for work of equal value?*

\(^1\) *New York State Department of Labor: Press Release, 1 June 1944.*
CHAPTER IV

MEASURES TO FACILITATE APPLICATION
OF THE PRINCIPLE

The causes that make for differential rates as between men and women workers vary greatly. On the one hand, as already indicated, differential rates may be consistent with the principle of equal remuneration for men and women workers for work of equal value, provided they are based on a fair and objective appraisal of the relative value of the work assigned to men and women workers. On the other hand, historical developments as well as social and economic factors account for the fixing of lower rates for women workers, whatever the nature of their work. Development of adequate measures to improve the position of women on the employment market would reduce the effect of those factors that account for the relatively low level of women’s remuneration, thus promoting the general principle of economic equality between men and women workers.

Indeed, most of the problems of women’s employment have some bearing upon the relative level of women’s remuneration. As indicated in general terms in Chapter II, one of the specific and permanent factors in women’s employment which influence the level of their remuneration is that the vocational training of women is in many cases inferior to that of men, both because the available facilities are limited in the case of women and because women are less eager than men to improve their vocational skill. This lessens the demand for female labour when demand and supply have free play in the employment market and consequently makes for a lower level of remuneration among women. It is also true that the higher absenteeism and morbidity rate of women workers is, to a large extent, due to the fact that many women workers have to carry out a two-fold task which taxes their strength and reduces their efficiency and productive capacity. Moreover, the level of remuneration in industries and occupations in which

1 See, in particular, pp. 28 et seq.
women are traditionally employed is undoubtedly lower than in other fields of employment. Unquestionably, the existence of these groups of relatively low-paid women workers has favoured the payment of lower rates to women in mixed industries and occupations. It should also be recognised that prevailing social customs and preconceived notions about women's employment tend to favour the establishment of differential rates for women workers.

Efforts to bring about conditions that favour the application of the principle of equal remuneration are themselves closely connected with measures of social policy which are being taken with a wider objective than the achievement of equal treatment of men and women workers as regards remuneration. It must be emphasised that social measures tending to reduce the difficulties which frequently confront women workers are, at the same time, features of current trends in social policy. In other words, social developments such as progress in rational utilisation of manpower resources, in increasing labour productivity, in social security, and, generally, the improvement of social conditions in the various countries, have a direct bearing upon the position of women in the labour market and, consequently, upon their remuneration. Questions such as vocational training, guidance and placement, social security and maternity protection, welfare facilities for working people, and child-care facilities, are given consideration by the International Labour Organisation and national public authorities because of their importance for general welfare, but progress made in these various fields so modifies actual conditions as to facilitate, indirectly, the application of the principle of equal remuneration for work of equal value. The attention of public authorities taking action in these different domains may therefore appropriately be drawn to the specific impact of these measures upon the conditions of women workers. Conversely, it may be appropriate to specify some of the questions which are of particular importance in relation to the application of the principle of equal remuneration for men and women workers for work of equal value. It is consequently proposed to include a general reference to these questions in the international regulations, in order to stress the fact that efforts to apply the principle may hardly be disassociated from the general programme of improvement of social conditions and from the general employment policy in the different countries. It is further proposed to single out the questions whose consideration appears of special urgency.
Action that public authorities might initiate in order to facilitate the application of the principle would consist essentially \((a)\) in promoting the vocational capacity of women workers, \((b)\) in developing means to raise the efficiency of women workers by providing or encouraging the organisation of services and facilities to reduce the handicaps that maternity and home-making undoubtedly constitute for working women, and \((c)\) in following up the position of the question in their country by means of investigations and studies designed to clarify the problems involved in the application of the principle in their particular country and to define the methods of application that best suit national conditions and in providing public information and education on that matter.

It is widely recognised that among the factors influencing the level of women's remuneration, the fact that trade union organisation is less developed among women than among men ranks high. In many countries, the trade unions themselves have become keenly aware of this situation and are seriously trying to organise women workers. In some countries, special committees are set up within the trade unions to deal with women’s problems, such as recruitment and organisation of women members, trade union education and promotion of women as union officials, and also to define and to put forward the claims of women workers as to conditions of work. Considerable progress is being made in this direction. Such measures may, however, be considered as coming strictly within the responsibility of the trade unions. They are mentioned here principally to show that the situation of women in the employment market is gradually being consolidated and that the female labour force tends to be recognised by workpeople themselves as an integral part of the total labour force. Public authorities may examine in which way their action may foster the prevailing trends towards greater participation of women in trade unions, but the initiative as regards such participation will hardly rest with Governments.

It is proposed for reasons of convenience to examine in more detail the questions with which public authorities may deal directly, under the following main headings: employment policy and social measures; social security provisions; and research and publicity.
EMPLOYMENT POLICY AND SOCIAL MEASURES

Employment Policy

The International Labour Organisation has already adopted international regulations as regards vocational guidance and employment counselling, vocational training and the placement of workers, and is undertaking action for their implementation. These questions are all closely related to the application of the principle of equal remuneration for men and women workers for work of equal value.

Vocational Guidance.

The interest of the International Labour Conference in vocational guidance culminated in the decision to place this subject on the agenda of the 31st and 32nd Sessions. Final decision on the provisions of a Recommendation was taken at the 32nd Session of the Conference in 1949. The primary object of vocational guidance was defined as to give the individual full opportunity for personal development and satisfaction from work with due regard for the most effective use of national manpower resources.¹ This is of obvious importance to women, and particularly to the achievement of equality of remuneration for men and women workers for work of equal value.

The encouragement of women to engage in pursuits suited to their aptitudes and to their abilities would promote in a large measure the productive capacity of women, and would reduce the differences between men's and women's work performance since women would be advised to enter those particular occupations in which their employment would be advantageous from the point of view of production and efficiency.

It is clear, however, that vocational guidance of girls and women should take due account of recent developments particularly those which have expanded the potential range of women's occupations. In some countries, during the war, women have proved their ability to perform work which customarily was not assigned to them.² This experience is now proving useful for the expansion of new industries, particularly in countries with labour shortages.

¹ International Labour Conference, 32nd Session, Geneva, 1949, Provisional Record, No. 31, p. II.
² Evidence of such developments is given, for example, in The War and Women's Employment, op cit., Part I, Chapter II; Part II, Chapter II, and passim.
In Poland, for instance, a ministerial committee has been set up to study objectively the occupations which are suitable for women from a physiological point of view; the war experience of other countries in this matter will be considered by the committee. Experimental training for these new occupations will be given to small groups of women, and a placement policy will be formulated on the basis of these experiments. In other words, efforts are being made to break down preconceived notions and to introduce female labour in those occupations for which women are particularly well suited.\(^1\) In Czechoslovakia attention has been given to the problem of determining the occupations in which women's performance is satisfactory.\(^2\) The French plan for the modernisation and equipment of the French economy (the Monnet Plan) recommended the utilisation of wartime experience in the employment of women, especially in new occupations such as those which developed in chemicals and in the handling of goods.\(^3\)

**Vocational Training.**

The International Labour Organisation dealt with the question of vocational training by adopting the Vocational Training Recommendation, 1939 and the Apprenticeship Recommendation, 1939.\(^4\) The first Recommendation states principles concerning the right of men and women to equal opportunities as regards entry into vocational and technical schools and to obtain the same certificates and diplomas on completion of the same studies. In 1950, the International Labour Conference will have to examine in detail the question of vocational training of adults.\(^6\) It is to be expected that the principle of equality of opportunity as between men and women as regards training facilities will again be accepted without objection. The preliminary report prepared by the Office emphasised the point that women as well as men should be covered by the provisions of the proposed international regulations.

Adequate training of women increases their efficiency in the jobs in which they are employed and increases their chances of promotion. Moreover, application of the principle of equality of remuneration for work of equal value would be facilitated in so far

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as women, having the required training for the particular job, were considered on the same footing as men. It is significant that in France on 1 October 1946 the employers' representatives on the National Wages Board readily accepted the principle of equality of remuneration as between men and women workers in the same occupational category in cases where women possessed a *certificat d'aptitude professionnelle* or equivalent training and experience.¹

Among the factors which limit the employment of women to the relatively less skilled jobs and which account for their comparatively limited opportunities for upgrading, one of the most important is that they frequently lack adequate training. One of the reasons for fixing lower wages for women employed on the same jobs as men has been that women are less able to deal with all the aspects of the job, such as machine setting or light repairs, which may be important, particularly in emergencies or unexpected conditions. The experience of the recent war has also shown that opportunities for upgrading women were more frequent than was thought to be the case, provided training facilities were given, and that with adequate training, women were capable of equalling or even excelling men in some occupations which in normal times had been considered men's jobs, not only in the unskilled or semi-skilled grades but even as skilled workers.²

It has been argued that women were not willing to undertake vocational training which would require a relatively long period of time. Unquestionably this has been true in the past, and, in fact, women's trade union groups have, themselves, acknowledged the fact. But, while in many countries employment counselling for adults, where such a service exists, is conducted along fairly conservative lines as regards women, in many countries, training facilities have not generally been made available for women, on a peacetime basis, especially in the newly developing occupations that are suitable for women.

² In 1946 the meeting of experts of the Correspondence Committee on Women's Work recognised "that during the war considerable progress was made regarding the access of women to training facilities on an equal footing with men, in accordance with the principle established in the Vocational Training Recommendation, 1939. Where progress has been made along these lines it should be maintained, training opportunities being related to employment prospects. Nevertheless, in many areas, war experience needs to be further utilised, both to ensure opportunity for women and to induce them to use facilities that exist for providing them with thorough preparation." Cf. *International Labour Review*, Vol. LIV. Nos. 3-4, Sept.-Oct. 1946, pp. 202-203.
Two particular aspects of the question of vocational training are therefore of particular importance as regards the application of the principle of equal remuneration for men and women workers for work of equal value. There are fewer training facilities for women than for men and those there are largely prepare women for occupations which are traditionally women's. Since the question of equality of remuneration for men and women doing work of equal value arises principally where men and women are employed in the same or similar operations or in the various operations involved in a complex industrial process, it is important that men and women workers so occupied should be equal as to skill or training. On the other hand, considerable progress has been made since the recent war and there is a tendency to consolidate some of the progress made during the war years. At the same time, there is much evidence that women have not always been very eager to avail themselves of training facilities designed for them. Women applicants have not always been found for the occupations which are open to them especially the newer occupations for women and those where men and women are employed on the same work. Public authorities may therefore have to take action both to establish equal training opportunities for men and women workers and to encourage the utilisation of such facilities by women. The following examples illustrate current trends in some countries where conditions differ substantially.

In Belgium in 1947, out of 8,615 contracts of apprenticeship, 2,655 were concluded with women. Of these, the great majority, i.e., 2,236, were dressmakers; 288 were hairdressers and 132 milliners. As regards training courses organised for unemployed persons, those set up for women train them for typing and shorthand work and invisible mending.

In Czechoslovakia, considerable efforts have been made to train women for all the occupations they can perform successfully, including those which used to be practically reserved for men, and to raise the level of their skill. It is interesting to compare the number of skilled women workers needed under the Two Year Plan with that of skilled workmen. In some 12 basic industries 12,309 skilled women will be needed as compared with 29,266 skilled men, the corresponding estimates for unskilled workers being

8,228 women and 39,820 men. By November 1947, women constituted 25.7 per cent. of all skilled workers.

In France, the Minister of Labour has instructed departmental authorities to see that women and girls are not prevented from entering vocational schools and that female students are recruited for trades suffering from a shortage of skilled workers, such as the metal trades. Only one training centre for these trades has, however, yet been opened to women. The policy has been adopted primarily as a means of recruiting the labour force that is needed, but its significance for the promotion of the Government's equal pay policy is recognised. Progress appears to have been made in the chemical industries where out of 1,500 indentured apprentices in 1947, 400 were women. The fact remains, however, that in France, most women employed in mixed industries are semi-skilled workers with narrow and very specialised occupational capacities. Such training facilities as are available to women, mainly prepare them for traditionally feminine occupations such as dressmaking, hairdressing or secretarial work.

In Poland, as already indicated, after the vast destruction of manpower during the war and in view of the reconstruction needs of the country, the necessity for developing vocational training for women on a wide scale has been recognised, not only for women's traditional occupations, but also for other work which is suited for women. Efforts are also made to upgrade semi-skilled workers after a period of training and by appropriate reorganisation of industrial operations. Thus training courses for skilled and semi-skilled work in the glass industry, the electrical apparatus industry and in some building trades have been already organised for women.

In Switzerland, it is noteworthy that among the various occupations for which apprenticeship schemes exist, only in a few are both men and women accepted as apprentices, namely in cooking, gardening, hairdressing, catering and secretarial work. It is also significant that in 1948, for instance, only 62 women successfully passed the examination for master-craftsmen (maîtrise) out of a

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2 Czechoslovak Women To-day, op. cit., p. 9.
5 Communication of the Union des industries chimiques to the I.L.O., 26 Jan. 1948.
6 Communications from the I.L.O. Correspondent in Poland, 1946-1948.
7 Liste des professions, Répertoire des professions faisant l'objet d'un règlement fédéral d'apprentissage, 31 Jan. 1947, passim.
total of 1,307 graduates; these again were women trained for such occupations as hairdressing, dressmaking or office work.¹

In the United Kingdom, the post-war Vocational Training Scheme has retained some of the advantages of the experience gained during the war in the utilisation of female labour and in the training of women in Government training centres. The list of trades and occupations for which applicants will be considered, regardless of sex, includes a number in which women proved their capacity during war years.² Such training courses open to anyone who fulfils the prescribed conditions include, for instance, agriculture, glassware (scientific lampblown), ophthalmic, optical and surgical instruments, besides a considerable number of trades in which women constitute a substantial proportion of the labour force. Although progress may therefore be recorded, it is interesting to note the practice of one engineering firm; this practice clearly illustrates the differential treatment accorded to men and women as regards training, whether owing to custom, prevailing prejudice or lack of interest among the women themselves. In this firm, which is reported to have a progressive training policy, every boy up to the age of 16 spends one full day a week in the works school while all apprentices who show ability are allowed one full day per week at the local technical college to study for the national engineering certificate, and later the higher national engineering certificate. Three works scholarships a year are available which enable the winner to become a trained engineer at 21 for a variety of jobs the firm may have to offer. Pointing out the many openings for girls in a modern engineering works, the company provides every opportunity for advancement by means of one day per week at the girls' school for those under 18 and night classes for the older ones.³ Figures indicating the extent to which women avail themselves of training facilities provided by public authorities in the United Kingdom, are also of interest. From July 1945 to July 1948, the total number of trainees under the vocational training scheme (designed for fairly skilled work) which were placed in employment was 71,840, of whom 5,949 only were women.⁴ Under the “Further education and training scheme”, 14,366 women applied for assistance, out of a total of 176,133 applications, in the period between

¹ La Vie économique (Berne), Jan. 1949, pp. 30-31.
² Cf. International Labour Office, Vocational Training Monograph No. 1: Vocational Training of Adults in the United Kingdom (Geneva, 1948), Appendix I.
³ Industrial Welfare and Personnel Management, Jan.-Feb. 1949, p. 27.
the inception of the scheme in April 1943 and the end of February 1949.¹

In the United States, it is recognised that—

...in normal times, the major problem peculiar to the training of women has been to keep open the avenues to training for the minority of women who wish to enter occupations which have traditionally been filled by men in the local community.

It is also reported that as more women have entered men's occupations and vice versa, the general trend, accelerated by the recent war, has been towards complete co-education in vocational schools as well as in other types of secondary schools.² Figures tend to indicate, however, that women are still reluctant to train for new occupations. Thus, while there were 15,539 women trainees for the garment and textile trades under Federally aided all-day trade and industrial programmes, in the school-year 1946-1947, only 154 were in training for the electrical trades, 113 for the metal trades, and 12 for aircraft manufacturing and maintenance trades.³ These figures are, of course, merely indicative of a trend, since the training given by the enterprises should be taken into account, but it seems that a more complete analysis would not contradict the statement made above.

Placement.

General principles concerning the organisation of the employment service were laid down in Convention No. 88 which the International Labour Conference adopted at its 31st Session, 1948. The Convention postulates equality of treatment and service for men and women workers. The practical achievement of such equality may go a long way towards facilitating the placement of men and women workers in occupations for which they are best suited. The employment service should, indeed, endeavour to break down prejudices regarding women's employment and to modify the conservative attitude which women sometimes still assume.

During the war, the employment services in Canada, Sweden, the United Kingdom and the United States, for example, did much to promote effective utilisation of manpower, giving the same services to women as to men. In Czechoslovakia, in co-operation with

² See, in particular, INTERNATIONAL LABOUR OFFICE, Vocational Training Monograph, No. 3: Vocational Training of Adults in the United States (Geneva, 1948), pp. 192-197.
³ Handbook of Facts on Women Workers, op. cit., pp. 63-64.
the Council of Czechoslovak Women and the Women's National Front, a programme for the rational redistribution of women's labour, on a voluntary basis, was drawn up as early as 1946. Placement offices in that country are to give women priority for those occupations in which their employment would prove satisfactory, including new occupations in such industries as the chemical industry, electrical equipment manufacturing and others in which women's ability for dexterous and accurate work are an asset.

In France, in July 1948, in view of the shortage of manpower, the Minister of Labour and Social Security requested divisional inspectors and district directors of labour and manpower to seek information as to the posts which could be filled by women, including those for which vocational training would have to be organised. Likewise, in Poland, in post-war years, recruitment of women for new types of work has been undertaken systematically, with a view to extending the range of occupations in which women can be utilised effectively. The placement of women trained for new occupations is effected by the public services, which it is reported have had already to overcome certain obstacles arising from prevailing prejudices.

It should be recognised that the adequate distribution of female labour in the occupations in which women are productive and efficient would abolish some of the obstacles or the difficulties in the application of the principle of equal remuneration for men and women workers for work of equal value. It may therefore also be relevant in this connection to consider the question of the restrictions imposed conventionally and traditionally upon women's employment opportunities. In all countries where a shortage of manpower was experienced during the second world war, efforts were made under Government directives to lower barriers to women's employment whatever their cause. Under the stress of national emergency, it was relatively easy to secure the co-operation of all persons concerned in achieving the effective employment of women in what had hitherto been considered men's jobs. With the conclusion of the emergency, there has been a tendency to resume customary attitudes.

For example, in Australia, regulations covering war industries were issued as early as 1940 and were amended in 1943, which provided for the dilution of work in certain industries and trades where

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skilled workers were lacking, to give specified rights to newly trained men and women. Priority of tenure was given to previously qualified workmen under the amended regulations, in, for example, the engineering industries and the boiler-making trades. Newly trained men were given priority over newly trained women who, in a diluted trade, were always required to agree to give up their jobs to qualified men should the latter become available. The full tradesmen’s wages were prescribed for all workers alike, however, men and women.¹ In the United Kingdom, every effort was made during the war to utilise women in a wide range of engineering industries and in transport of various kinds. As already indicated, agreements were negotiated in a large number of industries, such as foundries, electrical trades, metal mechanics, boiler making, shipbuilding and road transport.

As already pointed out in this report, in most of the belligerent countries arbitration boards rendered decisions fixing women’s conditions of employment where women were substituted for men workers. The arrangements made were plainly suited to the emergency needs of war and could probably not be made in the same way in peacetime.

It may be of interest to recall at this point, some of the conclusions of the Committee of Experts of the International Labour Office on Women’s Employment, which, meeting in Montreal, in July 1946, pointed out several requirements for the rational use of women’s productive capacity. These requirements included adequate vocational training and preparation for and the lifting of restrictions on the entry of women into many fields of work, in peacetime as well as in war. Equal emphasis was placed upon the provision of employment counselling and vocational guidance to acquaint women with the fields of employment open to them, and to the need for opportunities for promotion and adequate remuneration to encourage serious application to the job.²

Social Measures

Social Security Provisions including Family Allowances.

The fact that, generally speaking, men have to assume greater family responsibilities than women, has had, and still has, a defi-
nite effect on the relation between men's and women's remuneration. Lower rates of remuneration have been fixed for women workers in some countries on the assumption that men are likely to have to support a family, whereas women are not required to maintain their husband or children.

This system and certain related problems are clearly illustrated by the following quotations from a decision issued by a Commissioner of the Commonwealth Court of Conciliation and Arbitration in Australia 1:

The main contention of the Unions is that women employed in this industry on work which is also performed by adult males, or is comparable therewith, in "many instances and perhaps as a general rule have greater manual dexterity and skill" and "are superior to men in particular jobs".

Assuming this to be so I should point out that the system of wage fixation in Australia is such that the wages of an unskilled male have been determined on the lowest rate necessary to provide the minimum needs of an adult male with a wife and (originally) three children. Later when it was discovered that the average family did not consist of three children but of about one child, the wage was not reduced, and as at present stated it is to provide such needs for a man, wife and one child.

This sum has come to be known as the "needs basic wage"... Upon this wage additional amounts known as marginal rates are superimposed according to the skill required for performing the particular classes of work covered by the award.

Time wages have never been fixed by the Court on a productivity basis.

That the same marginal rates should be prescribed for both men and women can be soundly argued, but that these rates should be paid to a woman in addition to a basic wage established as a family wage is quite another matter. It is true that a single male adult receives the benefit of the family basic wage and the reason for this is that the Courts have held that a single man should make provision for family responsibilities that he will almost certainly acquire.

Both Federal and State Courts have held that there is no justification for prescribing the full adult male rate (the basic wage or the basic wage plus margins) to females generally.

... The argument in favour of equality of wages irrespective of sex is a strong one if the wages are fixed on a true economic basis and the responsibility for a minimum family wage is transferred from employers to society generally. By adopting a system of universal child endowment we may have progressed far towards a fixation of wages on the basis that the wages should bear a proper relation to the value produced by the employee.

... I do not propose to express any opinion as to whether this asser-

1 Metal Trades Order, 8 Oct. 1948, on Applications by the Amalgamated Engineering Union and others for variation to provide that females shall receive the same rate of pay as male workers according to the classification covering their work—Commonwealth of Australia, Department of Labour and National Service, Industrial Labour Bulletin, Oct. 1948, pp. 856-857.
tion of equal productivity [of men and women workers] is justified as I do not regard comparative productivity of itself as being a proper basis for the fixation of wages.

The notion of a "family wage" justifying general differentials between the remuneration rates of men and women seems to prevail in a number of countries, where this notion is the basis of court decisions or is put forward by employers to justify differential rates. The employers or their representatives in the clothing industry in the United Kingdom, for instance, have explained the differences in rates of wages paid to men and women on identical work by various reasons, including the greater domestic responsibilities of men.¹

This system, however, penalises women who have to support a family, whether of children or of other dependants. While many married women enter employment to supplement their husband's earnings, a considerable proportion of women, widows, divorced or separated from their husbands, have to support themselves and their children. Others though unmarried, have a mother, a sister or other relatives dependent upon them. For example, in the United States, the number of married women among the female labour force increased by 50 per cent., the proportion rising from 36 per cent. in 1940 to 46 per cent. in 1947, and widows and divorced women accounting for 15 to 16 per cent. In 1946, 18 per cent. of the working women were heads of families.² Over-all differential rates of remuneration on the grounds that women have, on the average, less domestic responsibilities obviously make for unfair treatment of women who have to work in order to maintain children or other dependants.

Present developments in social security provisions further point to the necessity of reviewing this approach to the question of the relation between men's and women's remuneration. It is being recognised more and more that society ought to assume at least partial responsibility for the maintenance of children and for reducing the economic handicaps of parenthood, as well as for ensuring social security for all workers and their families. Social provisions, on a contributory or non-contributory basis, take such forms as medical care for the children of workers, children's allowances, various maternity and child welfare services or allowances, free schooling, school meals, subsidised rents for large families or other housing policies, etc.

¹ Royal Commission on Equal Pay, Report, op. cit., p. 65.
The expansion of such social provisions may be illustrated by the remarkable development of family allowances. Extensive schemes were in operation in 1947 in more than twenty-six countries. Of these, nineteen were in Europe, four in the Western Hemisphere, two in the Far East, and one in the Middle East. As indicated in the survey published in the International Labour Review:

This contrasts with the eight nations noted as having schemes... in 1940. The steady growth in recent years of the belief that society should intervene to assist in supplementing the income of families with children is strikingly manifested in this comparison. While there is much diversity in the nature of existing plans, they all appear to have the common objective of improving the economic position of families and especially larger families.

The International Labour Organisation has already formulated principles of social security, including income security and medical care. The principle of equal remuneration for work of equal value might be easier to apply if men's minimum rates were not systematically fixed with reference to the needs of a family.

Social provisions which tend to reduce the economic burden of maintaining a family are related in two respects to the question with which we are concerned at present. In the first place, the weight attached to the greater domestic responsibilities of men as compared to women may have to be reconsidered in so far as a proportion, at least, of such economic responsibilities are met by social provisions. Careful study may, therefore, be necessary, particularly where the system of "family wages" applies, to evaluate precisely the extent to which the burden of maintaining a family or dependants is compensated by social security provisions and need not be taken into account in fixing minimum rates of remuneration. In the second place, it seems that equal treatment should be afforded (where this is not already done) as regards social security provisions, for men and women in comparable family circumstances, such as heads of families or persons responsible for dependants as specified under the relevant regulations.

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1 Family Allowance Schemes in 1947: I (Vol. LVII, No. 4, Apr. 1948) and II (No. 5, May 1948). Such schemes are in operation in Australia, Belgium, Brazil, Bulgaria, Canada, Chile, Czechoslovakia, Finland, France, Hungary, Ireland, Italy, Lebanon, Luxembourg, the Netherlands, New Zealand, Norway, Poland, Portugal, Rumania, Spain, Sweden, Switzerland, United Kingdom, Uruguay and the U.S.S.R. More limited schemes apply in some other countries.

Maternity Protection.

Among the methods of raising the productivity of women workers by reducing the handicaps which they suffer in the employment market in comparison with men should be listed those which lighten the burden of maternity through the provision of maternity leave and medical and cash benefits of various kinds, at public expense. These provisions, in one form or another, are regarded by most countries today as an essential aspect of public policy to be undertaken not only in the interest of women’s welfare, but equally in the interest of child health and welfare and of a sound population. They have a very considerable bearing on the question of wage differentials based upon sex, however, and merit consideration in that connection.

The International Labour Conference adopted a Convention (No. 3) concerning the employment of women before and after childbirth, at its first session in 1919. The Convention provides that women employed in industry and commerce should have maternity leave before and after confinement and benefits (in cash and medical care) covering mother and child and payable out of public funds or a system of insurance. It provides job security (prohibits dismissal) for such women during the specified maternity leave.

The matter is one in which considerable progress has been made since the Convention was adopted. In 1919 not a single State could have ratified the Convention without amending its legislation in some respect. Less than a dozen States had any relevant legislation. Today 17 have ratified the Convention and another 32 have passed legislation that, in varying degrees, provides the services proposed by the Convention. Of the 49 countries paying maternity benefits for longer or shorter periods than the Convention calls for, all but a few provide that those benefits shall be paid from public funds of one kind or another. The great majority of these schemes provide for benefits under general social insurance, covering the health first of workers and then of the whole population: this development has been invaluable to the movement. Much remains to be done to raise the standards of the services rendered, but the principle has been accepted by the great majority of peoples today.

The relation of these services to the reduction of turnover, absenteeism and morbidity among women workers is self-evident. The steady improvement which is taking place in the extent, coverage and character of these provisions and their acceptance as a public
charge required in the interest of the practical welfare is a matter of considerable importance to the levelling off of the special burden upon women as workers, which biological and social necessities demand, but which inevitably have lowered the productive capacity of employed women.

These developments are of particular importance as regards the application of the principle of equal remuneration for men and women workers for work of equal value, since some of the costs involved are met by the community and therefore do not increase the cost of female labour to the employer.

General Welfare Measures.

While it is by no means intended to suggest that women should be induced to enter or to remain in the employment market, it is a fact that many working women have home responsibilities whether they are married and have children, are heads of families or otherwise have dependants. The extension of women’s employment during the war to a large extent merely accentuated the need for improving the well-being of women workers. The problem of women workers with domestic commitments is particularly outstanding when efforts are being made to draw into the labour force the maximum of the national manpower resources, including married women. Those problems, however, are of a permanent nature. It must be emphasised at this point again that a number of the provisions which alleviate the twofold task of women workers are not always intended exclusively for them; they are features of the welfare and social services developed under public or collective responsibility for all workers or for the population as a whole. The fact that financial charges devolve upon the community tends to promote economic equality between men and women workers. The World Federation of Trade Unions significantly emphasised this point in their memorandum to the Economic and Social Council.

The International Labour Conference itself expressed its concern in 1947 about the difficulties with which women workers with family duties, especially the care of children, are confronted. While the problem has a wide social significance, it is closely related to the question of equality of opportunities for men and women in the employment market and directly affects the remuneration of women since these difficulties imply an unavoidably impaired efficiency of women under present conditions.¹

¹ In fact, the International Labour Conference adopted at its 30th Session, Geneva, 1947, a resolution in which it expressed "the hope that the Govern-
The chief handicap of women workers is the care of children, particularly in the younger age groups. The most important measures, consequently, relate to the establishment of an adequate range of child care facilities. There is, moreover, a general tendency to organise such facilities under the auspices of central or local public authorities, voluntary associations, trade unions, etc., and thus to avoid burdening private enterprises individually with extra expenses related to the employment of women.

Day nurseries, as well as nursery schools are being established in many countries. In Czechoslovakia, day nurseries, nursery schools and “harvest day homes” are reported to be organised by all the big industrial and business concerns (which are nationalised). The network of these institutions is to be expanded under the five-year plan, and under the new school laws, i.e., within the framework of the education system of the country. In Denmark, increased subsidies from public funds are available for the establishment and running expenses of crèches and day nurseries. Private firms (in such industries as textiles, clothing, shoemaking, laundering, electrical apparatus) have provided such facilities for their women workers, and others are making plans to this effect. In France, day nurseries and nursery schools are being developed under the impulsion of the works councils, the municipalities, the education authorities and voluntary associations, and by the family allowances funds. In Poland, similar facilities are provided under local authorities or Government auspices. Likewise, in the United Kingdom, considerable efforts are being made to organise child care facilities under the responsibility of the local authorities. The official policy expressed \(^1\) by the Ministers of Health and Education is that mothers of children under two should be discouraged from going out to work, and that provision should be made for children between two and five years of age in nursery schools and classes; day nurseries and daily guardians should be regarded as supplements to meet the special needs of children whose mothers have to take up employment or whose home conditions are unsatisfactory.

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\(^1\) Circular No. 221/45.
factory. Such facilities are being expanded under the Education Act (1944). In some areas, however, considerable efforts are being made by local authorities to establish new nurseries, particularly in cotton and wool areas. In these areas, in particular, millowners also have provided nurseries. Considerable efforts are being made in the U.S.S.R. to reorganise and expand the child care facilities, such as day nurseries, to which great attention has been given since the beginning of the socialist régime. In Yugoslavia, efforts to recruit women for employment in industry and provision for the establishment of day nurseries and nursery schools have been made simultaneously.¹

School-age children also raise difficulties as regards supervision after school hours or during school holidays. In a large number of countries, arrangements have been made and are being developed to organise the leisure activities of children of school age. These may take the form of clubrooms—such as exist, attached to the schools themselves, in Czechoslovakia, for children and youths from 11 to 19 years of age; in Poland, and in the U.S.S.R., school clubs and children’s libraries are organised and the trade unions provide recreation activities for children in their culture and education centres. In the United Kingdom, the expansion of the Youth Service does, and will, play an important role in this connection; moreover, local authorities have powers to provide play centres for children of compulsory school age.

Holiday arrangements are made in an increasing number of countries for school-age children. While these were at first intended for the children of low-income families, they tend to become more and more a normal institution, particularly when they are organised by the workers’ organisations themselves, or when they are open without a means test to all school children and are subsidised by public funds. Such facilities are available in many countries, and are expanding appreciably in European countries, such as Czechoslovakia, Bulgaria, France, Poland, the Scandinavian countries and the U.S.S.R.

Other institutions, which are tending to spread in many countries at the present time incidentally alleviate the task of the woman worker. It is evident that the provisions of school meals free of charge or at low cost facilitates the task of the working mother. Similarly the establishment of factory canteens and similar arrangements where all workers may get proper food have a twofold

¹ Vjesnik Rada, Sept. 1948.
advantage for women workers: while housework is lightened by the provision of cooked food for the working members of the family, women also get a decent meal, which under the pressure of time and work they would not otherwise get. While in some countries, canteen facilities were developed on account of the food situation particularly during and after the war, they are tending, in a number of countries, to become part and parcel of welfare provisions in industry.

Other measures are also of interest; in Czechoslovakia and Hungary, for instance, benefits are paid to a mother who has to be absent from work, and consequently loses part of her wages, in order to take care of her sick child. In France, legal provisions have been made in 1948 so that wage earners who are mothers are entitled to two additional days’ leave per year for each dependent child under 15 years of age.\(^1\)

A particular development in the field of domestic service, which meets with growing attention and interest, would greatly facilitate the task of women workers with home responsibilities, namely: the expansion of home aid services.\(^2\) These services provide domestic help to households in cases of hardship or emergency. Most of the schemes being developed are organised or controlled by the State or other public authorities and the home aid tends to become a new type of welfare public servant. Such services now function in Australia, Canada, Denmark, France, New Zealand, Poland, Sweden, and the United Kingdom. In other countries, such as Belgium, Switzerland and the United States, comparable services are being organised under private auspices. The development of home aid services available at low cost or free of charge as they now are in most of the above mentioned countries might assist in lowering the rate of absenteeism among women workers who have children, by reducing the number of cases in which there is no alternative for these women but to stay away temporarily from work.

More specifically designed for women workers, but by no means exclusively for them, collective laundries, ironing and mending centres, and shopping facilities—in some cases run on a co-operative basis, in others by works councils—are being developed in such countries as Czechoslovakia, France, Poland, Sweden, and the

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United Kingdom. Their use, while being economical, greatly facilitates household chores and allows women workers more time for relaxation and leisure activities.

**Conclusions**

It seems desirable to include in the international regulations concerning the principle of equal remuneration for men and women workers for work of equal value at least general suggestions about the various questions that have been mentioned in the preceding sections. Some of these questions have already been dealt with in other international instruments or may be the object of separate instruments. The range of measures that may reduce the specific difficulties of women workers is very wide, however, and, as already indicated, general developments in social policy tend to equalise the conditions of men and women in the employment market. It may therefore be considered appropriate to make a general reference to the desirability of Governments taking complementary measures that may facilitate the application of the principle. Any such provision to be included in the international regulations, should, nevertheless, be as flexible as possible as regards the obligation to undertake specific measures.

While current trends in social and economic policies tend to create more favourable practical conditions for the application of the principle, public authorities should be kept aware of the importance of progress in those various fields. When taking action on these lines, they should recognise the fact that the problem of equal remuneration may be influenced by social measures limiting the effects of those factors which still account for the relatively low level of the remuneration of women workers.

The Office, moreover, suggests that special emphasis should be placed on the need for achieving equality of training opportunities as between men and women, and that this question may appropriately be included as a particular item in the international regulations among the measures designed to facilitate the application of the principle. It is only when men and women employed in mixed occupations will be in a position to avail themselves of training facilities of the same grade and quality, that the justification of wage differentials based on the assumption that the vocational skill of women is inferior to that of men may consistently be rejected. Economic equality implies that men and women enter the same fields of employment with the possibility of acquir-
ing equal qualifications and with equal facilities for improving their skills. Furthermore, men and women workers having the same diplomas or certificates or comparable experience and training may more easily be considered on a footing of equality for assignment to the various jobs. It is true that women may sometimes be reluctant to undertake the training required for the various occupations in the industries in which they are already employed mainly in unskilled or semi-skilled work after a period of narrow and very specialised training. Women similarly may not readily take advantage of the available facilities of vocational guidance, employment counselling and placement organised under public auspices. Public authorities may therefore consider it as one of their tasks to encourage women to take advantage of the available facilities in the interests of the country as well as in order to promote conditions favourable to the application of the principle of equal remuneration for men and women workers for work of equal value.

In view of these considerations, the Office has included the following points in the questionnaire reproduced in Chapter V for the consultation of Governments:

9. Should the international regulations stipulate that each Member should take all necessary and appropriate measures to raise, where necessary, the productive efficiency and capacity of women workers and to limit the effects of the factors accounting for the relatively low level of the remuneration of women workers?

10. Should the international regulations specify in particular that—
   (a) workers of both sexes should have equal access to vocational training facilities; and
   (b) women workers should be encouraged to utilise facilities for vocational training, vocational guidance and employment counselling and placement as appropriate to the aptitudes, capacities and interests of the individual and the needs of the economy?

Research and Publicity

Some of the confusion which frequently obscures discussion about applying the principle of equality of remuneration for men and women workers for work of equal value and some of the resistance with which the principle meets is due in part to the lack of objective and careful study of the problem as it actually arises
in the different countries. It is also due to lingering prejudice and traditional attitudes towards women’s work and to the un­awareness of public opinion, even organised public opinion, of the importance of the question to workers of both sexes as well as to the development of the productive resources of the country. Moreover, it must be recognised that social reforms may only be carried out effectively when their value is fully recognised by the parties concerned and by public opinion generally. Although the principle of equal remuneration for men and women workers for work of equal value has been proclaimed with particular urgency in recent years, consideration may nevertheless have to be given by public authorities to the questions of research and public information.

The work of this character, carried on in the United States by the Women’s Bureau of the Department of Labor, illustrates the type of action that may be needed. The Bureau has fostered the application of the principle by studies of trends in women’s wages and of the progress made in the application of the equal pay principle, by research concerning job analysis procedures and by publishing suggestions as to various methods of application based on careful studies of existing conditions, etc. It is also significant that, in the State of New York, particular emphasis has been placed on public information and education by the State Advisory Committee set up to assist in the administration of the legal provisions for equal pay.

The need for thorough study of the situation in the various countries is also illustrated by the appointment of the Royal Com­mission on Equal Pay in the United Kingdom and by its report. It is also noteworthy that a special study was made recently on behalf of the Norwegian Ministry of Social Affairs concerning women’s work and women’s wages, and that this report made specific suggestions about the problems involved in the application of the principle of equal remuneration.¹

Such action by public authorities may, of course, be carried out in conjunction with the obligations which are imposed upon Member States in the case of a Recommendation and which require, in particular, periodic reports on the position of the law and practice in their country as regards the matters dealt with in the Recomm­endation.² But it should be made clear that the investigations and enquiries proposed are not intended primarily to determine

² Constitution of the International Labour Organisation, Art. 19, para. 6(d).
whether the principle is being applied, but rather to pave the way for application.

One of the tasks of public authorities should be to study objectively the situation of the female labour force and its trends in relation to general developments in social and economic fields, in order to evaluate objectively the validity or inconsistency of current prejudice and to eradicate such prejudice by informing public opinion, thus securing recognition in the various sectors of public opinion for the principle of equal remuneration. Investigations may, furthermore, be useful in helping public authorities to understand the problems involved in the application of the principle of equal remuneration in their own countries.

The following point has consequently been included in the questionnaire reproduced in Chapter V for the consultation of Governments:

11. Should the international regulations specify that each Member should undertake such investigations as may be desirable with a view to the application of the principle of equal remuneration for men and women workers for work of equal value, and that Members should publish the results of such investigations and make every effort to promote public understanding of the equity and usefulness of the principle?
CHAPTER V

QUESTIONNAIRE

I. Form of the Regulations

1. Do you consider it desirable that the International Labour Conference should adopt international regulations on equal remuneration for men and women workers for work of equal value?

2. Should the regulations take the form of—

(a) a Convention and a Recommendation establishing supplementary provisions? and, if so—

(i) which of the points which follow should, in your opinion, be excluded from the Convention and included in a Recommendation? and

(ii) do you consider that the subject matter of the proposed Convention is appropriate for federal action or appropriate in whole or in part for action by the constituent units of the federation?

or

(b) a Recommendation?

II. Definition

3. Should the international regulations define the term “equal remuneration for men and women workers for work of equal value”—

(a) as signifying that wage or salary rates should be established on the basis of job content and that no discrimination based on the sex of the worker should be made in the payment of wages or salaries;

or

(b) according to any other definition which you wish to propose?

III. Scope and Methods of Application

4. Should the international regulations include provisions—suitable to the method of wage fixing in the occupations concerned—
for ensuring, whether by legislation, administrative action, collective agreement or otherwise, application of the principle of equal remuneration for men and women workers for work of equal value?

5. Should the international regulations specify that—

(a) each Member should, after consultation with the workers or with representatives of the workers' organisations concerned, take appropriate action to ensure that the principle of equal remuneration for men and women workers for work of equal value shall apply to all employees of central government departments or agencies, and should encourage its application to employees of state, provincial or local government departments or agencies, where these have jurisdiction over rates of remuneration?

(b) each Member should, in close co-operation with the representatives of the employers' and workers' organisations concerned, take appropriate action to ensure, as rapidly as practicable, that the principle of equal remuneration for men and women workers for work of equal value shall apply in all other occupations in which rates for remuneration are subject to statutory regulations or public control, particularly—

(i) in any work in industries and services in which minimum or other wage rates are fixed under public authority;

(ii) in industries and undertakings operated under public ownership or control; and

(iii) on work executed under the terms of public contracts;

(c) where full and immediate implementation of the principle of equal remuneration for men and women workers for work of equal value should not prove feasible in these occupations, each Member should make appropriate provisions for its gradual application, in particular—

(i) by decreasing the differentials between men's and women's wage or salary rates for work of equal value; and

(ii) by providing equal increments for men and women workers performing work of equal value where a system of increments is in force.

6. (1) Should the international regulations specify that consideration should be given to the desirability of providing, where appropriate, by legal enactment for the application of the principle of equal remuneration for men and women workers for work of equal value and, if so,
(a) Should the international regulations specify that the competent public authority may provide for exceptions from the scope of such legal provisions; and, if so, what exceptions; and

(b) Should the international regulations specify that the competent public authorities should take all necessary and appropriate measures to ensure that employers and workers are given full information as to such legal requirements and, where appropriate, advice on their application?

(2) Where such action is not appropriate to established procedures for wage fixing, should the international regulations specify that effect to such international regulations may be given—

(a) by collective agreements between employers and workers; or

(b) by a combination of legal provisions and collective agreements between employers and workers?

7. (1) Should the international regulations specify that each Member should, in close cooperation with the representatives of the employers’ and workers’ organisations concerned, undertake or cause to be undertaken, where appropriate, the establishment of precise and objective standards for evaluating job content with a view to facilitating the determination of wage rates in accordance with the principle of equal remuneration for men and women workers for work of equal value;

(2) Should the international regulations specify that such differential rates between men and women workers as correspond to differences in job content so determined should be considered as being in accordance with the principle of equal remuneration for men and women workers for work of equal value?

8. Should the international regulations stipulate that each Member should ensure the maintenance by competent public authorities of close cooperation with the representatives of the employers’ and workers’ organisations concerned for the purpose of applying the principle of equal remuneration for men and women workers for work of equal value?

IV. Measures to Facilitate Application

9. Should the international regulations stipulate that each Member should take all necessary and appropriate measures to raise, where necessary, the productive efficiency and capacity of women
workers and to limit the effects of the factors accounting for the relatively low level of the remuneration of women workers?

10. Should the international regulations specify in particular that—

(a) workers of both sexes should have equal access to vocational training facilities; and

(b) women workers should be encouraged to utilise facilities for vocational training, vocational guidance and employment counselling and placement as appropriate to the aptitudes, capacities and interests of the individual and the needs of the economy?

11. Should the international regulations specify that each Member should undertake such investigations as may be desirable with a view to the application of the principle of equal remuneration for men and women workers for work of equal value, and that Members should publish the results of such investigations and make every effort to promote public understanding of the equity and usefulness of the principle?

V. Other Points

12. Have you any proposal or suggestion to put forward on any point relating to the question of the application of the principle of equal remuneration for men and women workers for work of equal value, which has not been mentioned in the present questionnaire?