Does Gender Discrimination Still Exist Today?

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Abstract

Women have battled gender discrimination in the workplace for years. Occupational segregation, pay discrimination, or bias against working mothers, are all battles women have fought in the past within the United States. These three areas of discrimination were the focus of the research in this article. Gender discrimination, for the purpose of this research, is defined as the unfair treatment of women compared to men and the targeting, creating some type of hindrance or injustice in their work or pay, of women in a corporation. Further research on discrimination in the workplace will bring the topic to light and push for policy change. A comparison of peer-reviewed archived data and newspaper articles from January 2000 to April 2020 was done with a table and bar graph depicting the results. The anticipated result is that gender discrimination against women within corporations does exist today based on cognitive and legal evidence uncovered by the articles researched.

Keywords: gender discrimination corporations, gender discrimination women, gender discrimination men, gender discrimination apple, gender discrimination google, gender discrimination walmart, gender discrimination nike, pay disparity, pay discrimination, occupational segregation, discrimination working mothers

Introduction

With laws put in place to prevent gender discrimination within corporations, many are skeptical of believing whether or not gender discrimination against working mothers, pay disparity, and occupational segregation exist today. Bias against working mothers refers to the issues within a corporation that women face due to specific circumstances such as sick leave, maternity leave, and discrimination in hiring due to being a mother (Glass & Fodor, 2018). Working mothers are viewed as a burden to companies. Women are put in difficult situations in the workplace due to their responsibilities to their children and families. Companies view these responsibilities as a burden as the time taken away from work increases. Pay disparity is the difference in pay between men and women. This is also referred to as pay gap (Watkins, 2018). Women have, statistically, been paid less than men for years and it is unfair. Equal work should be compensated for with equal pay. For most women who work for corporations however, this is not the case. Most companies use pay disparity as a cost saving tactic to help companies financially. Over the years, the difference in pay for men and women has become significant but the tolerance for such inequality has decreased. Occupational segregation is the passing up for promotions and inability to attain a job in a male dominated field simply due to their gender. Such forms of discrimination are common in fields such as engineering, firefighting, and business (Cohen & Huffman, 2003).

There are many negative effects of gender discrimination not only for women but for their families and on our economy. The issues of gender discrimination are especially significant for single mothers as they are the sole providers for their families. It also effects our economy as women, who contribute to the economy, are unable to contribute as much as men, due to less pay for equal work. When women are passed up for job opportunities to their male counterparts or paid less than male coworkers, this creates a decrease in morale for the corporation. This also creates more stress for women as they are constantly working harder than men to achieve what men can easily attain. Due to the skepticism over whether or not gender discrimination is an issue woman face in corporations today, research in this field will help the public identify whether or not this an issue. In the next section, a detailed explanation of the types of discrimination women have faced in certain well-known corporation is studied followed by the results of the study and a discussion of the impacts of such research on the public in the United States.

Literature Review

Pay Disparity: Why should it be eliminated?

Pay discrimination plays a large role in the outcasting of women by large corporations. Women are paid less than their male coworkers for completing the
same job with the same number of hours. There is no reasoning behind why this still exists, however, it is a problem that must be dealt with. Women should receive the same pay as do men, for completing the same jobs. Pay raises, management positions, and simply getting hired by a company should not depend on your gender but rather your qualifications (Watkins, 2018).

Gender pay gap is the sum of women’s total earnings divided by men’s total earnings. The resulting number is a percentage which shows the difference between what women earn versus what men earn. The number is usually quite significant which proves that women are indeed discriminated against due to their gender. While men complete the same tasks asked of women in their professions, they are paid significantly more than women. The reasoning behind this divide is unknown, however, there are many factors that could possibly play a part in why this still occurs (Watkins, 2018).

The Equal Pay Act of 1963, made it illegal for businesses to discriminate against gender. Men and women were paid equal pay for equal work. (Watkins, 2018) This doctrine was passed in order to eliminate the discrimination women faced in the workforce. This Act left many to believe that pay discrimination against women will no longer exist, however, it continues to be an issue today. In that time period, men were paid more than women for completing the exact same job. The doctrine also includes that no discrimination can be placed based on an employee’s previous salary, meaning an individual cannot pay employees according to their previous job salaries. As a method to cheat the system, many businesses turned to viewing women’s previous salaries of previous jobs. Due to a history of low earnings for women, this was another way for businesses to discriminate against women. Banning such an idea was a step in the right direction, as it would cut any form of discrimination out for women's equal pay rights (Watkins, 2018).

Women often find themselves in a Catch-22 when it comes to, Salary History Inquiries, on their job applications. Salary History Inquiries, are either required or optional forms to fill out in job applications, which asks for an individual's previous job salary (Watkins, 2018). Although the form is optional in some businesses, women noticed if they chose not to fill out the form, they earned less than everyone in the company, and women who did fill them out earned less than men. Either way, the situation is tough for women who must choose between trying to break the system by not allowing employers the chance to see their previous salaries and making the bare minimum, or settle for pay that is less than their male coworkers (Watkins, 2018).

Occupational Segregation for Women in United States

There are many jobs in large corporations, where men receive more job offers than women. The pay variation in those specific jobs is significant as well. There are many factors that contribute to the gender pay gap including local labor markets, national standards, and demographic composition.

“Beggs (1995) posits that the level of support for equality of opportunity in firms’ local institutional environment influences the degree of racial and gender inequality” (Cohen & Huffman, 2003). Slight changes in local labor markets contribute to gender discrimination, as it creates a burden of pressure for those at a higher level in corporate businesses. When situations such as this occur, businesses tend to cut costs and revert back to ideological methods. Through a study conducted by the National Organization, during specifically significant changes in the Local Labor Market, the data showed a close link between gender segregation and earning inequality (Cohen & Huffman, 2003). Specifically, “Our results support the hypothesis that higher levels of occupational segregation at the labor market level are associated with a strongly increased tendency for gender-based devaluation of women's work roles” (Cohen & Huffman, 2003). This shows that the stereotype of, no room for all women in the labor force, is indeed true (Cohen & Huffman, 2003).

In certain professions, women are especially targeted and underrepresented. “Occupational segregation, the historical concentration of women in a few occupations, including domestic work, clerical/secretarial work, sales, teaching, and nursing, has been described as “a crucial barrier to the attainment of economic equality for women” (Grube-Farrell, 2002). These job positions were commonly joined by women when starting in the workforce. As time went on, however, women progressed to finding positions in white collar jobs such as; attorneys, physicians, pharmacists. In specific blue-collar jobs, women were struggling to find jobs in certain fields such as; construction, mechanics, and firefighting. Due to this issue, more jobs were available to both men and women breaking the typical gender roles in those job types (Grube-Farrell, 2002).

“Continued segregation, however, has been linked with occupational niching/stereotypes, gender role socialization, and self-selection (women’s need to balance work and family and concerns about their lack of knowledge and skills and about problems such as harassment); men’s reactions to competition and in-group preference; employers’ bias; and inequality in work organizations” (Grube-Farrell, 2002). While men felt intimidated or skeptical of their female coworkers, women were dominating their roles in such positions
proving their strength and courageousness (Grube-Farrell, 2002).

While introducing changes legally for equal opportunities for men and women in such positions, men would create limitations to “women bureaus”, which only let women complete certain “easy” tasks (Grube-Farrell, 2002). With policy changes, these limitations decreased and women were allowed to choose any job type they wanted (Grube-Farrell, 2002).

Bias Against Working Mothers

Working women, specifically working mothers and recently married women, face discrimination in the workplace. Women are allowed to take maternity leave for the end of their pregnancy to the first two months with their baby. They are also allowed additional baby bonding time which is used for mothers to be able to bond with their babies (Glass & Fodor, 2018).

The issue with working mothers and recently married women is that, the training cost as well as the cost for paid leaves, is too much to hire them. The short amount of time women is given in the United States for maternity leave is significantly shorter than leave time in other countries. “To successfully navigate such jobs in the U.S. context, mothers must engage in extensive mothering whereby they outsource the day-to-day care of children to devote themselves fully to paid work” (Glass & Fodor, 2018). Due to the fear of losing their jobs over caring for their children as well as paid leave, women hire extra care for their children so they can focus strictly on work and earn a living for themselves and their children (Glass & Fodor, 2018). Some argue that men deal with the same issues when taking time off to balance their work life and raising their children. “Fathers mention fear of this resistance and negative career consequences as the main reason for not wanting to (or deciding not to vocalize their desire to) work fewer hours” (Vinkenburg, et al., 2012). Working fathers feel the same type of discrimination as do women therefore, the bias against working mothers is no more than that of working fathers. This argument is not fitting as women are discriminated against not only for leave, but in many other aspects as well.

Methods

For this research, I conducted case studies of four large well-known corporations using newspaper articles from reputable sources located through the ProQuest data base. I also used articles from trusted business magazine websites. The two used were Forbes magazine and Bloomberg. The articles used are “Wal-mart gender discrimination case will proceed, Women against wal-mart, Former Nike executives sue over discrimination, sexual harassment, Judge rejects apple's attempt to throw out gender, age discrimination, & whistleblower lawsuit by former female employee, and Google LLC: Battling gender discrimination allegations, Google Finds Gender Bias Against Men -- Really?, Nike Women Clear First Hurdle in Lawsuit Over Gender Pay Gap”. I compared the data to one another and detailed the forms of discrimination the women faced within the corporation. With this data we get a clear depiction of whether or not gender discrimination against women still exists today. The forms of discrimination which occurred were bias against working mothers, being passed up for jobs opportunities, denied pay raises, pay discrimination, and occupational segregation. Denied pay raises, passed up for promotions, and pay disparity all fall under the category of pay disparity when referring to the three main forms of discrimination being studied.

Design

In the experiments, the individuals and their gender discrimination situation will come from the articles. The two limitations placed on article collection were location of discrimination and time frame. The location was specific to the United States between January 2000 and April 2020. Participants from the newspaper articles will have faced some form of discrimination within the corporation whether it be pay disparity, bias against working mothers, or occupational segregation.

There are specific guidelines which must be met when deciding which research to look into and use for the purpose of this research. Research which includes the United States as a prime location, explains the bias of either working mothers, recently married women, occupational segregation, or pay discrimination is permissible. Anything that does not include such data will not be viable for this research. The articles that were allowed to be researched were peer-reviewed or newspaper articles. All methods and participants in the articles were already completed and I simply compared the research to decide whether there was enough evidence to prove that gender bias is still existent. The keywords used to search for articles were gender discrimination, gender bias, pay disparity, pay discrimination, occupational segregation, gender bias America, gender bias United States, gender discrimination in corporations, and bias against working mothers.

Results

Gender discrimination against women has been a topic of study for many years. Even after laws have been enacted to prevent the discrimination in corporations, however twenty years later women still face the same issues. These instances of discrimination require greater research to determine the types of discrimination women in corporations face today. In
In this paper, I studied four large companies, Apple, Google, Nike, and Walmart to compare the forms of discrimination for which women have reported against the corporations. These situations may give us a better understanding of the issue and where policy change, to benefit the women in these situations, can be beneficial.

United States Gender Pay Gap

The Equal Pay Act of 1963, made it illegal for businesses to discriminate against gender. Men and women were to be paid equally according to this Act (Watkins, 2018). This doctrine was passed in order to eliminate the discrimination women faced in the workforce. According to the US Census Bureau, in 2017, for every dollar a male earned, women were earning 79 cents. This shows that women all around the United States continue to battle issues of gender discrimination. Women who have children show a 3% decrease in earnings compared to women without children whereas men with children show a 15% increase in pay (Sheth & Gould, 2017). The study also shows that women with no children earn more than women with children but men with no children earn more than women with no children. Men with children however, earn more than men with no children and women in general (Sheth & Gould, 2017). The bias against working mothers is prominent today according to this article within the United States. Altogether, women earn $641 million where men earned $965 million (Sheth & Gould, 2017). This is a $324 million difference in pay. Social security shows men receive $286 million where women earn $277 million (Sheth & Gould, 2017). The difference, even in social security income shows that women overall have consistently been paid less.

Google: Is there a search engine for Discrimination?

In 2017, Google was sued with a class action lawsuit, by three female former employees, claiming the corporation discriminated against them by not giving women who work for the corporation equal opportunities to gain higher positions and also unequal pay for same work. The lawsuit was specific to California and raised concerns for the public as they were a corporation known to be fair to their employees. The U.S. Department of Labor sued Google after they discovered discrepancies between pay for males and females in 2017 (Gupta & Bisht, 2020). For Google as a corporation, this proves that gender discrimination, in the forms of pay disparity and occupational segregation, exist even today. Although the case is still open and Google has not been accused of the crimes, the evidence collected by the U.S. Department of Labor is enough to prove that pay disparity is a prominent issue within the corporation. Women are being unfairly treated for the same work (Gupta & Bisht, 2020). A recent 2019 Google pay equity study uncovered that men are actually payed less than women in the corporation. The study discovered discrepancies between pay for males and females in 2017 (Gupta & Bisht, 2020). The study claimed the one area where women earned significantly more than men was a Level 4 Software Engineer (Elesser, 2019). However the study was discredited as it did not “capture the true state of gender bias at Google” (Elesser, 2019).

Walmart: Is the Retail Giant Known for their Discrimination?

Starting in 2001, a group of women filed a lawsuit against Walmart, a retail giant, with claims of gender discrimination. These women were denied pay raises and promotions simply based on their gender. The first lawsuit was resolved in favor of Walmart due to an issue of differentiation in evidence and gender discrimination type across the national stores. The women decided to file again, but this time, only for California based stores. A panel of three judges assembled to deliberate on whether the case could move forward and decided it could (Post, 2012). Walmart would like to appeal the decision however, evidence points to discrimination against women within the corporation existing. About 1.6 million female employees have faced pay and promotion denials simply based on their gender (Wedekind & Himmelstein, 2007). This is what led to the 2011 lawsuit against them (Post, 2012). Pay disparity and occupational segregation seemed to be an ongoing issue with multiple women all throughout the United States moving forward to tell their story and sue the company for their unfair treatment.

Apple: Occupational Segregation within the Tech Giant

One field where occupational segregation is especially prevalent is technology. Women face discrimination in this line of work for multiple reasons. Age and gender are the main factors for which women are discriminated against. One instance of a corporation that has been faced with an issue of occupational segregation is Apple (Shegerian & associates, 2018). In 2016, a case was filed against the tech giant for wrongful termination and gender discrimination due to her age and gender. A judge in California ruled in favor of Levitan on the basis of substantial evidence for the case to move forward (Shegerian & associates, 2018). Levitan claimed that the corporation wrongfully terminated her by creating a hostile work environment. Her performance and impact within the company both prove that her termination had nothing to do with her quality of work, as Apple has repeatedly stated as the reason for termination (Shegerian & associates, 2018).
The battle of pay discrimination becomes very serious for all, diversity, and fitness at all levels has been under fire for discriminating against female employees on multiple levels. Women in the corporation have reportedly faced pay discrimination against male counterparts and were passed up for promotions (Garcia, 2018). Two former Nike employees filed a class action lawsuit against Nike due to pay discrimination they faced in the work place. They only expect the number of women to sue to increase by 500 (Blumberg, 2019). Allegedly, the women filed a lawsuit in August of 2018 due to prior salary discrimination. Prior Salary discrimination is the act of taking an employee’s past occupation pay and setting it as the starting salary for the new job. According to the Equal Pay Act, it is illegal to determine pay based on employee’s previous pay (Dorrian, 2018). With large corporations such as Nike discriminating against women through systematic pay discriminations, such as, “pushing women into jobs and assignments that similarly hurt their chances to get ahead and earn more”, the battle of pay discrimination becomes very serious (Dorrian, 2018). Forced ranking systems only allow certain individuals in a company to succeed (Dorrian, 2018).

According to these articles, discrimination against women does indeed exist today. As stated in the articles above, in each gender discrimination case filed by women within the corporations, judges found there was enough evidence to push the cases forward. The severity of the issue especially high in Walmart where over 1.6 million women have dealt with the discrimination in pay disparity and occupational segregation. Apple has also discriminated against women specifically through occupational segregation. Google has discriminated against women specifically through pay disparity and occupational segregation. Google also conducted a study in which they found the corporation was in fact discriminating against men rather than women. This was later proven to be false as the numbers were not accurate.

Nike has systematically discriminated against women through pay disparity and occupational segregation. Overall, in the United States women are discriminated against and paid less than men by $324 million.

Discussion

Bringing to light the injustices which prevent gender equality is necessary for our society today. Gender discrimination is unfair to women and in an evolving world, such as the one we love in today, it should no longer be an issue women are forced to deal with. Women can do anything and everything men can do and more. With research in such a topic, we can bring awareness to gender bias issues and demand strict action be taken against corporations which prevent women from reaching success simply due to gender. Awareness on the topic of occupational segregation, pay discrimination, and bias against working mothers is crucial for the united states economy to succeed as well.

The legal aspects of gender discrimination also need more research as there is not enough on the topic which can help women in filing legal cases against the corporations which do not allow them to flourish to their full potential. Consequences for committing these crimes must also be harsh so that they are held accountable for their actions. The laws have loop holes which are used by defense attorneys to silence the women speaking out against these corporations. Therefore, researching this topic can help bring awareness and demand law changes be made to prevent issues like this in the future.

Overall, women deserve equality. Research on this topic will help women land jobs in male dominated work forces, merge the gender pay gap so that women and men are payed the same for doing the same job, and working mothers have better benefits and are not seen as a burden for corporations. The time to change our societal issue of gender discrimination is now. Action must be taken. With this research, the goal is to push law makers, the general public, and corporations to advocate for change and help in the fight against gender bias. This would bring equality to men and women and allow women to flourish in the work force as they deserve.

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