

Myth of Equality in the Workplace

CEDAW Update

"The Myth of Equality in the U.S. Workplace"

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Despite the United States' array of legal protections, women continue to face barriers to equality and the full enjoyment of their human rights.

Currently, the U.S. is the only industrialized country that fails to ensure workers are provided paid parental leave. As a result, only 12 per cent of the private sector workforce is eligible for paid family leave, offered voluntarily by their employer. Yes, that means the majority of working women do not have access to paid family leave when they have a baby. This has real and tangible psychological, physical, emotional, and economic consequences.

Human rights call for equal pay for men and women; for maternity leave with pay; for policies that enable parents to balance family obligations with work responsibilities; as well as for special workplace protections for pregnant women. These protections are laid out in the Convention on the Elimination of all Forms of Discrimination Against Women, a treaty on women's rights, also known as **CEDAW**. International human rights experts have also specifically called on the U.S. to introduce paid parental leave and to address the pay gap.

There is cause for optimism that the U.S. is moving in the right direction. In the absence of federal movement on paid family leave, paid sick time, and pregnancy accommodations, three U.S. states, namely New Jersey, California and Rhode Island have enacted legislation requiring employers to provide paid family leave insurance to their workers. Four states, Connecticut, California, Massachusetts and Oregon, the District of Columbia, and twenty localities now have paid sick time laws insuring a minimal amount of paid sick time to most workers. Additionally, sixteen states, the District of Columbia, and four localities have protections that offer at least some accommodations for pregnant workers.

These are positive steps, but further action is needed at the state and federal levels. Federal legislation that has been introduced such as the Paycheck Fairness Act, the Pregnant Workers Fairness Act, the Schedules that Work Act, the FAMILY Act, and the Healthy Families Act would contribute to improving gender equality in the workplace and provide better support for families. If enacted, these laws would bring the U.S. much closer to human rights standards for fair treatment in the workplace.

Grounding our thinking about gender equality in human rights terms offers us a framework to shape the types of laws that will better protect women, children, and families.