Climbing the Mountain: Closing the Gender Pay Gap in West Virginia

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ISSUE BRIEF

OCTOBER 2018

Overview and Key Findings

Recent events have sparked national conversations about gender and the treatment of women, especially in the workplace. However, just because these discussions have become more visible in the past year does not mean women facing hardship in the workplace is a new development. One of the most prominent examples of women's struggle for gender equity comes in the form of the gender pay gap. The gender pay gap exists in every state. In 2017, a woman working full-time, year-round in the United States made only 81 cents to every dollar a man made.¹

In West Virginia, the pay gap is even larger. In 2017, women working full time, year-round made \$12,347 less than men, a gap of 26 percent. While women in the state have certainly made progress over time, they still face hurdles that make it difficult to be financially secure. In recent years the gender pay gap in West Virginia has narrowed because a higher percentage of women have bachelor's degrees and women are more likely to work in managerial or professional occupations.² Despite these important gains, women in the Mountain State are more likely than men to live in poverty and less likely to participate in the labor force.³ This brief will explore the gender pay gap's causes and consequences for women and families in West Virginia and offer policy solutions that could help narrow the gap.

- West Virginia has one of the largest gender pay gaps in the nation and the highest of all surrounding states.
- In 2017, women working full-time, year-round were paid 74 cents for every dollar paid to men, amounting to an annual pay gap of 26 percent.

• With the earnings that a woman lost in 2017 in West Virginia, she could have paid for an extra year and a half of child care⁴, nearly two years

One of the most prominent examples of women's struggle for gender equity comes in the form of the gender pay gap.

- of food for her and her family⁵, two years of tuition at an in-state community college⁶, or paid tuition a year and a half at a public four-year in-state college or university.⁷
- Women's earnings are less than men's at every level of educational attainment.
- When all people are included, regardless of worker status, the gender pay gap is 43 percent.
- Race exacerbates the gender pay gap: Black women only make 63 cents to every dollar a man makes and Latinas make just 60 cents.
- In 2017, the gender pay gap resulted in \$3.7 billion in lost earnings for women in West Virginia.
- The poverty rate for women in the state has consistently been higher than men's. The overall poverty rate in 2017 was 19.1 percent and for women it was 21 percent compared to 17 percent for men.

To eliminate the gender pay gap it is important to promote policy solutions like raising the minimum wage, eliminating tipped-worker cash wage, enacting a fair workweek provision, expanding affordable child care, enacting a statewide Earned Income Tax Credit (EITC), guaranteeing paid sick days, promoting women in male-dominated occupations, enacting a state-sponsored voluntary retirement savings program, and strengthening our state equal pay act.

The Gender Pay Gap in West Virginia

Since West Virginia has the highest gender pay gap among surrounding states and one of the highest in the nation, it is important to consider its consequences for West Virginians.

WHAT IS THE GENDER PAY GAP?

The gender pay gap, also called the gender wage gap, is the difference between what men and women earn in a given time. The most common way this is expressed is by looking at the median or typical earnings of women and men who work full-time, year-round. This can be expressed as an earnings ratio or a pay gap. The median earnings of West Virginia women who worked full time, year-round were \$35,078 in 2017 compared to men who earned \$47,425 (**Figure 1**).8 This means a typical woman earned 74 percent of what a man earned (earnings ratio) in 2017 in West Virginia, a pay gap of 26 percent or \$12,347.9 In 2017, the national earnings ratio was 81 percent and the pay gap was 19 percent (**Table 1**).

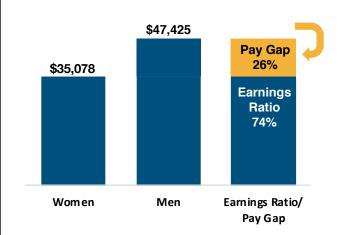
While the national pay gap is 19 percent, the size of the gap varies widely by state. New York has the lowest

gender pay gap at 12 percent, while Utah and Louisiana tied for the highest at a 30 percent pay gap in 2017.¹⁰ West Virginia has the largest pay gap and lowest median earnings for women of all our surrounding states (**Table 1**). The Mountain state also has the third largest gender pay gap in the nation behind Utah and Louisiana.¹¹

The gender pay gap statistic is usually only a comparison of men's and women's median earnings. However, it is important to consider people who do not identify with the gender they were assigned at birth. There are 1.4 million people in the US who identify as transgender and 0.42 percent of West Virginians identify as transgender, according to The Williams Institute.¹² Data from the National Transgender Discrimination Survey shows that people who transition from male to female gender expression experienced a drop in pay after transition and those people who transition from female to male gender expression see no difference in pay or even a small increase. 13 Unfortunately there is no available data on the impact of the gender pay gap on transgender or gender nonbinary people in West Virginia.



Median earnings in 2017 of full-time, yearround workers in West Virginia

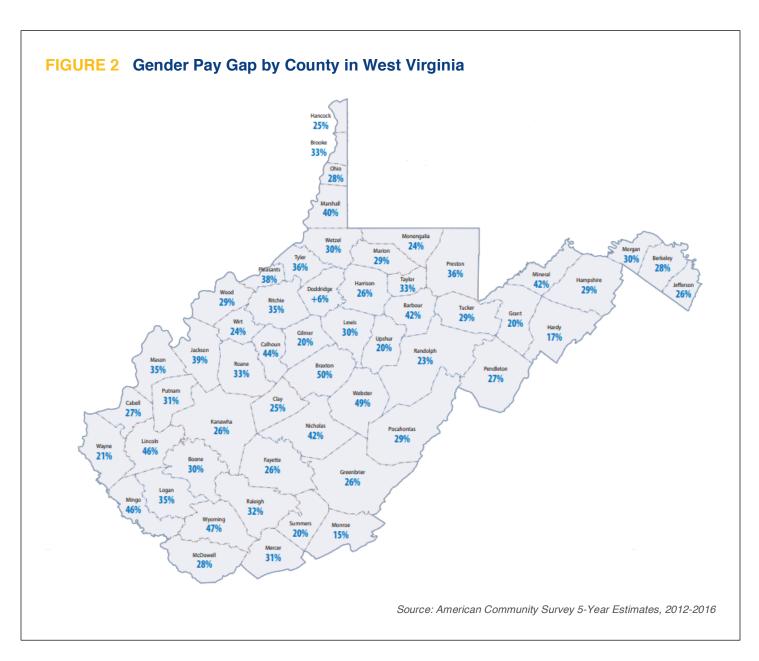


Source: American Community Survey 1-Year Estimates, 2017

TABLE 1 West Virginia Has the Highest Pay Gap Out of All Surrounding States

| | Men's Median Earnings | Women's Median Earnings | Earnings Ratio | Pay Gap |
|---------------|-----------------------------|-------------------------------|-------------------|------------|
| West Virginia | \$47,425 | \$35,078 | 74% | 26% |
| United States | \$51,284 | \$41,453 | 81% | 19% |
| Kentucky | \$46,289 | \$36,487 | 79% | 21% |
| Ohio | \$51,000 | \$39,774 | 78% | 22% |
| Pennsylvania | \$52,111 | \$41,929 | 80% | 20% |
| Virginia | \$57,690 | \$45,692 | 79% | 21% |
| Maryland | \$61,263 | \$52,381 | 86% | 14% |

Source: American Community Survey 1-Year Estimates, 2017



COUNTY GENDER PAY GAPS IN WEST VIRGINIA

Just as the pay gap varies between states it also varies within each state. The gap between median earnings for women and men working full-time varies widely from county to county in West Virginia, from no pay gap in Doddridge County¹⁴ to a pay gap of 50 percent in Braxton County **(Figure 2)**. ^{15,16} In Kanawha County, the state's most populous county, the gap is 26 percent. ¹⁷

GENDER PAY GAP BY RACE IN WEST VIRGINIA

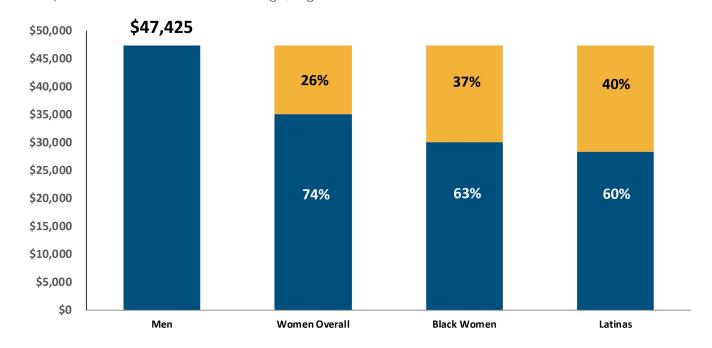
Race and ethnicity greatly impact the gender pay gap, with the median income gap being wider for women of

color.¹⁸ Compared to all men's median earnings, Black women earned only 63 cents to every dollar and Latinas earned 60 cents—a gap of 37 percent and 40 percent respectively. Latinas have the widest gender pay gap in the state, earning \$19,043 less than men (**Figure 3**).

While women of color experience larger gaps when compared to men's overall median earnings, they experience smaller pay gaps when compared to their own racial or ethnic group (**Figure 4**). Latinas make 73 cents to every dollar paid to a Latino, and Black women make 82 cents for every dollar paid to a Black man. This is partly because men of color tend to make less than their white male counterparts.



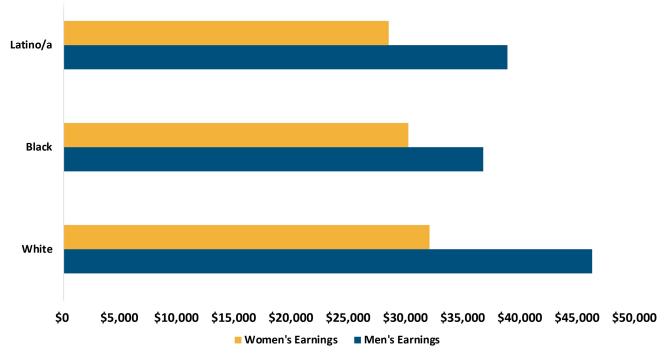
Compared to all men's median earnings, regardless of race



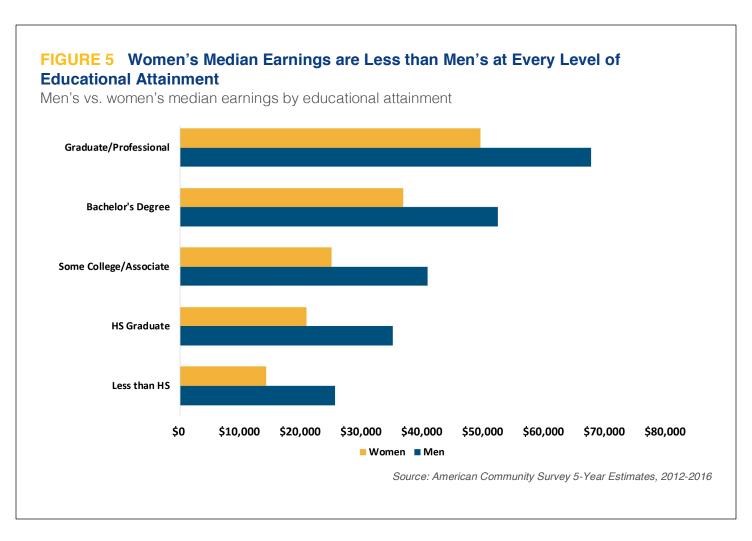
Source: American Community Survey 5-Year Estimates, 2012-2016

FIGURE 4 Women Earn Less than Their Male Counterparts Across Races

Median earnings of full-time, year-round workers by race, ethnicity, and gender



Source: American Community Survey 5-Year Estimates, 2012-2016



GENDER PAY GAP AND EDUCATIONAL ATTAINMENT

In general, education helps to narrow the pay gap as earnings tend to go up as years of education increase for both men and women. In 2016, though, West Virginia was ranked 51st with the lowest share of women with a Bachelor's degree or higher at 21.7 percent.¹⁹ Having higher levels of education, however, does not mean women will make the same amount as men. The pay gap affects women from all backgrounds, at all ages, and at all levels of educational attainment.²⁰ In West Virginia, men without a high school degree earn nearly two times more than women with the same level of education (Figure 5). Even when women have higher levels of education, they still earn less than men in West Virginia. The median earnings of women with a Bachelor's degree was \$2,000 less than men with an Associate's degree (\$48,000 v \$50,000).21

These numbers do not even take into account that the rising cost of college tuition in the state has put higher

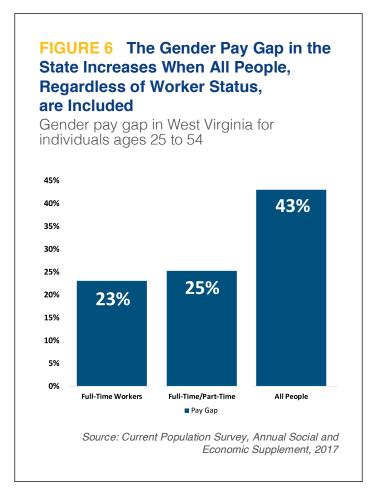
education out of reach for many women unless they rely on student loans. The average tuition for West Virginia's public colleges and universities increased by 147 percent since 2002 and the average debt of a college graduate has increased by 70 percent since 2005.²² Around 77 percent of all students in West Virginia have to take out some sort of loan to attend college—the highest of any state.²³ Nationally, women are more likely than men to take on student debt (41 percent to 35 percent in 2015-16) to attend college. Upon the completion of a bachelor's degree, women's average accrued student loan debt is about \$2,700 higher than men's, with black women taking on more student loan debt than any other group.²⁴

THE FULL GENDER PAY GAP AMONG WORKING-AGE POPULATION

While the above gender pay gap statistic is a helpful way to get an idea of how much women make in relation to men, the way it is calculated does not provide a complete picture. Generally, the earnings ratio and pay gap measures only compare the median annual earnings of full-time, year-round workers. This comparison overlooks that women are more likely to work part-time and more likely to be out of the labor market altogether, such as raising a child.²⁵ A more accurate calculation is including working age people across the nation (ages 25 to 54) who work less than full-time and also people who do not do any paid work in the labor market. When all people in the country are taken into account, regardless of whether they are full-time, part-time or even work at all, the national pay gap is worse—women earn nearly 40 percent less than men, not 19.26 When comparing how much women make in relation to men for the exact same work, then it is important to use controls in order to make sure the comparison is accurate. But to understand the bigger picture of how the labor market impacts women and limits their choices at every level, it is better to do an uncontrolled comparison.

When this method is used to calculate the gender pay gap in West Virginia, it grows even larger. When full-time, year-round workers between the ages of 25 and 54 are compared, women earn \$37,000 compared to men earning \$48,000, a pay gap of 23 percent (**Figure 6**).²⁷ When all people are compared in that age range regardless of their worker status, the median income for women falls to \$20,000 compared to \$35,000 for men. This means that women in the state make only 57 cents to every dollar a man is paid. The majority of men and women in the United States are employed in full-time positions, but women are nearly twice as likely as men to work in a part-time job.²⁸ Calculating the pay gap this way gives a better picture of the gap in West Virginia

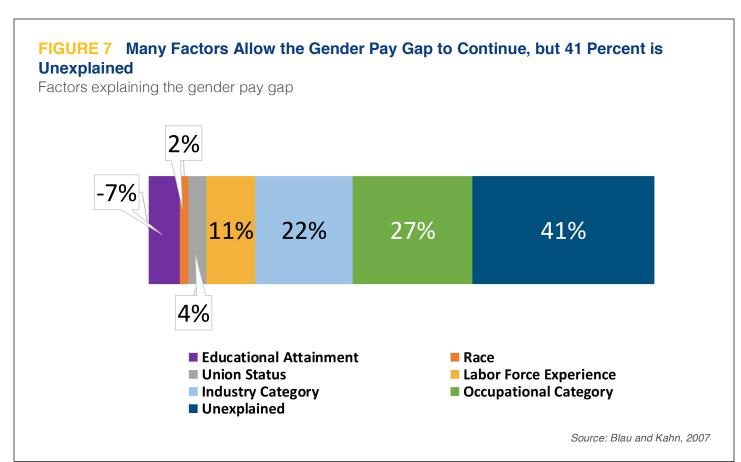
because it takes into account women who work parttime. It also reflects the fact that our state has one of the lowest labor force participation rates of women between ages 25 to 54 (69 percent) and the lowest overall women's labor force participation rate in the nation with less than half of women in the labor force (48.5 percent).²⁹

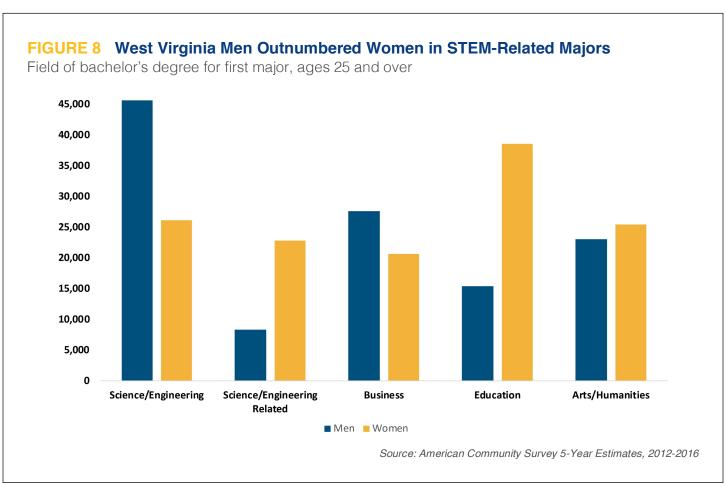


Causes of the Gender Pay Gap

The gap is the result of many factors, especially social norms and gender stereotypes about who should work, who should stay at home and what families should be like. This section will attempt to explain the persistent pay gaps by educational attainment, race, union status, and labor force experience (**Figure 7**). Two of the biggest reasons behind the gap are gender segregation by industry and occupational—taken together, these two factors represent 49 percent of the pay gap.³⁰

Women are disproportionately sorted into support-based jobs like education, office and administrative work and health care occupations while men are more represented in construction, maintenance and repair, and production and transportation jobs.³¹ Generally, jobs traditionally associated with men pay better than traditionally female-saturated jobs, even if when they require the same level of skill.³² However, 41 percent of the gender gap cannot be explained even when gender differences in education, experience, industries,





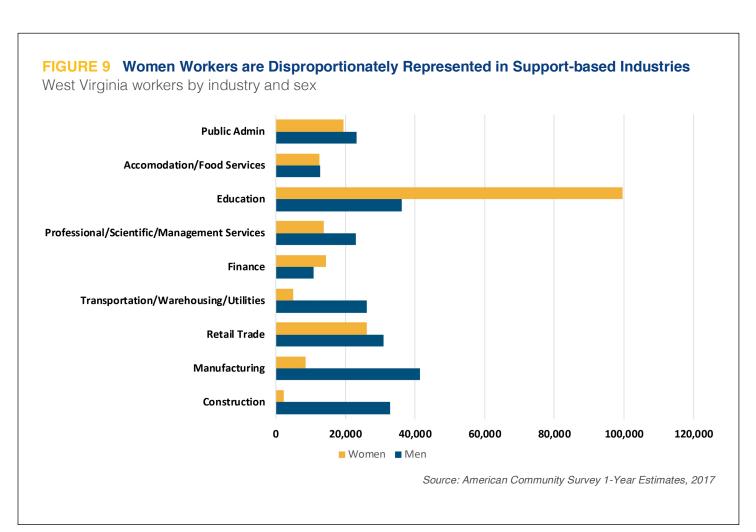
occupations and union status are taken into account.³³ Some of this unexplained gap may be due to persistent gender discrimination in the workplace.³⁴

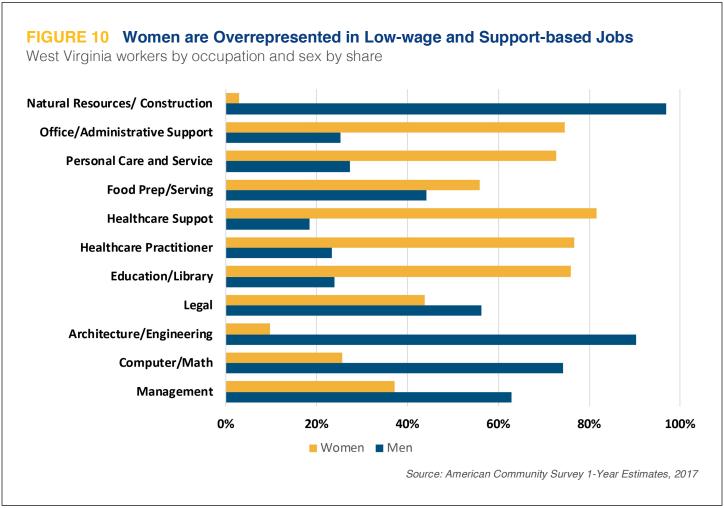
CHOICE OF BACHELOR'S DEGREE MAJORS

According to research, educational attainment lowers the pay gap by nearly seven percent.³⁵ However, the fields of study that men and women choose to enter in college have an impact on the earnings they will make throughout their career. Men tend to earn degrees in science, technology, engineering, and math (STEM) fields while women favor fields like education and the humanities.³⁶ Education and the humanities tend to lead to occupations that are disproportionately female and less well-paid that STEM fields. Between 2012 and 2016, men in West Virginia far outnumbered women in science and engineering majors while women overwhelming were more likely to major in education related fields (Figure 8).³⁷

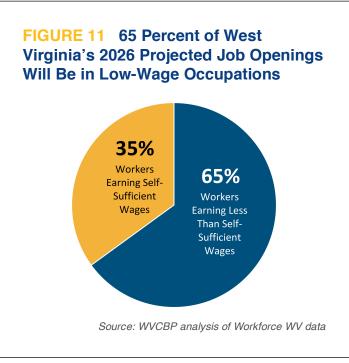
INDUSTRY AND OCCUPATIONAL REPRESENTATION

When women and men enter the workforce after college, women often disproportionately are represented lower-paying industries in occupations. Part of the reason for this is that certain occupations are seen as being "men's jobs" and "women's jobs."38 While women have made progress in accessing well-paying jobs that have traditionally been occupied by men, the share of women that make up certain industries and occupations still varies widely.³⁹ Women in West Virginia are overwhelming segregated bv industry and occupation. Women are disproportionately represented in education while being far outnumbered in other industries, like manufacturing and construction which have high pay especially for those lacking a four-year college degree (Figure 9).

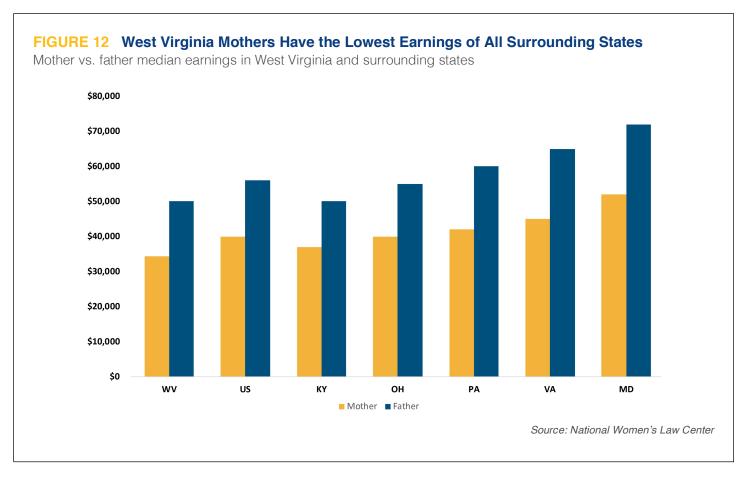




Women are not only segregated in the state by industry, but also segregated by occupation (Figure 10). Women are disproportionately sorted into support-based jobs like education, office and administrative work, and health care occupations while men are more represented in construction, maintenance and repair, and production and transportation jobs. 40 Generally, jobs traditionally associated with men pay better than traditionally female-saturated jobs, even if when they require the same level of skill.⁴¹ In West Virginia, men far outnumber women in natural resource and construction, architecture and engineering and computer and mathematical occupations. The median earnings in 2017 for architecture and engineering occupations in West Virginia were \$69,781, computer and mathematical median earnings were \$55,458 and construction and natural resource occupation median earnings were \$43,735.42 All of these male-dominated occupations have higher median earnings than femalesaturated jobs. Women overwhelmingly outnumbered men in lower paid occupational fields, including education (\$38,667), healthcare support (\$22,052) and personal care and service (\$14,383).43



Women are disproportionately represented in low-wage occupations and, according to projections, low-wage work will be the majority of the job growth seen in the state over the next decade.⁴⁴ Data from Workforce WV shows that through 2026, 65 percent of the projected job growth in the state will be in low-wage



occupations that would not allow a family of three to meet their basic needs (**Figure 11**).⁴⁵

DISCRIMINATION IN THE WORKPLACE & SEXUAL HARASSMENT

The Civil Rights Act of 1964 categorizes sexual harassment as a form of sex discrimination, but sexual harassment in the workplace persists despite being illegal under federal law.⁴⁶ In 2016, The U.S. Equal Employment Opportunity Commission released an indepth report on workplace harassment across the country, which concluded that anywhere from 25 to 85 percent of women report having experienced sexual harassment at work.⁴⁷ Despite the overwhelming presence of sexual harassment in the workplace, few cases actually get reported. In fact, around 90 percent of individuals who have experienced harassment in the workplace never file charges or a formal complaint.⁴⁸⁴⁹

While sexual harassment is not necessarily an industryspecific problem, certain job environments are worse than others. In industries that are very male-dominated, like construction, women tend to experience higher levels of harassment.⁵⁰ Women in the service-industry, where tips comprise a large portion of an employee's compensation, depend heavily on customer satisfaction and are also more likely to experience harassment. It is possible that a tipped worker feels like they must tolerate harassing behavior rather than lose a good tip. Since many women in the service-industry rely on tips to support themselves and their families, they could be even more likely to not report harassment out of fear of losing their already precarious income.

LGBTQ+ DISCRIMINATION

It is not only women that face discrimination and harassment in the workplace. The West Virginia Human Rights Act protects West Virginians from discrimination in employment based on "race, religion, color, national origin, ancestry, sex, age, blindness or disability" but not discrimination based on sexual orientation or gender identity.⁵¹ According to a national study, 90 percent of transgender people reported experiencing harassment, mistreatment, or discrimination at work⁵² In 2017, West Virginia Senate Bill 77 would have amended the Human Rights Act to include sexual orientation, gender identity and gender expression.⁵³ Since the bill did not pass, there are no statewide protections for LGBTQ+ West

Virginians, but there are 10 cities and towns in the state that protect LGBTQ individuals from discrimination based on sexual orientation or gender identity.⁵⁴

MOTHERHOOD PENALTY AND EXPERIENCE

Another form of workplace discrimination that women experience is called "the motherhood penalty," which describes the lowered wages and limited opportunities women face after they become mothers.⁵⁵ Women experience approximately a four to five percent pay penalty per child after controlling for human capital and occupational factors.⁵⁶ The median income of mothers in West Virginia is the lowest out of any surrounding state and is tied for having the largest pay gap between mother's and father's earnings (**Figure 12**).⁵⁷ In 2016, the median earnings for a mother in West Virginia was \$34,300 compared to \$50,000 in annual earnings for a father—meaning mothers in the state made \$15,700

less than fathers annually.⁵⁸ An American Association of University Women report cites that experimental studies have shown employers are less likely to hire mothers compared to childless women, and when employers do make an offer to a mother, they offer her a lower starting salary than other women.⁵⁹

Women are half the workforce in the United States and their families are more dependent on their incomes than ever before. Even when a woman does have a full-time job, she often carries the weight of domestic duties because of ideas and expectations about gender roles. Women are disproportionately responsible for tasks like child care, cooking and cleaning, even things like picking up the kids from school or taking their elderly parents to the doctor. Women do 2.6 times the amount of care and unpaid domestic work that men do, according to a recent United Nations report.⁶⁰

Consequences of the Gender Pay Gap

Not only do women lose money due to the gap annually, the impact of the gender pay gap adds up to hundreds of thousands of dollars in lost earnings over the course of a woman's career. Having lifetime pay losses becomes a barrier for women when they are trying to save for retirement and this is one reason why women often have little to no retirement savings. The pay gap is also a contributor to women's higher rates of poverty in the state. While the direct effects of the gap are experienced individually by women and families, it also greatly affects the state as a whole and their male counterparts. In 2017, West Virginia women who were employed full time, year-round lost a combined \$3.7 billion due to the pay gap.61 These lost wages hurt women and families, but it also means less money spent on goods and services in the state.62

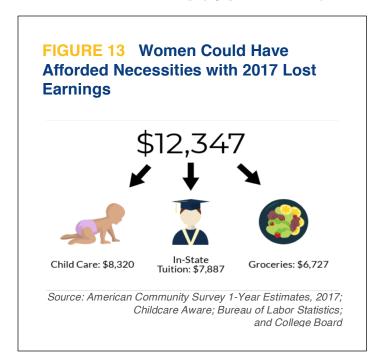
ANNUAL LOSSES IN PAY

Because of the annual loss in pay women experience in West Virginia, many necessities are often financially out of reach. With the \$12,347 in earnings that a woman lost in 2017, she could have paid for roughly an extra year and a half of child care⁶³, nearly two years of food for her and her family⁶⁴, paid for two years of tuition at an instate community college⁶⁵, or paid tuition a year and a

half at a public four-year in-state college or university (**Figure 13**).⁶⁶

EARNINGS LOST OVER LIFETIME

This lost pay adds up over the course of women's lifetime, resulting in long-term effects for women and their families.⁶⁷ The lifetime pay gap exists in every state

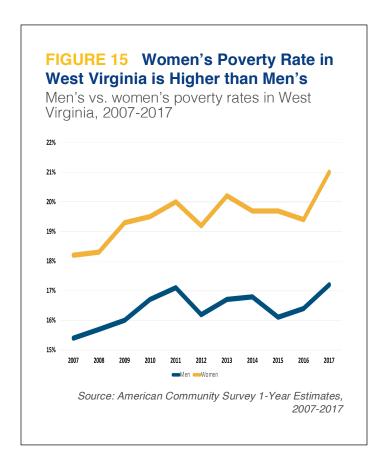


and in 2016, West Virginia ranked 46th highest overall with a woman losing \$512,040 over the course of her career (**Figure 14**).⁶⁸ At the current pay gap rate in the state, the career earnings of a woman in West Virginia would not catch up to a man's career earnings at age 60 until she is 75 years old.⁶⁹ She would have to work fulltime, year-round nine years past normal retirement age just to amass the same amount of career earnings of a man at age 60. The lifetime gap is even larger for women of color in the state. Black women would lose \$642,440 over the course of a 40-year career and for Latinas the losses amount to \$711,680.⁷⁰

The gender pay gap makes it especially hard for women to save, invest and use credit when they have to be concerned about making ends meet rather than planning for the future.⁷¹ The gap in wealth between men and women affect a woman's ability to pay for emergencies and unexpected expenses, her freedom to buy a home and the security of saving for retirement.72 The pay gap continues to have a negative impact on women even after they leave the workforce. Because women make less in their working careers and have longer life expectancies than men, their economic security in old age is of concern. Disability and widowhood are also two characteristics that make older women more prone to economic vulnerability.⁷³ Women are 80 percent more likely than men to live in poverty after retirement.7475 In 2017, the poverty rate for West

 Virginia women ages 65 and older was 12.3 percent while 10 percent of men over 65 were living in poverty.⁷⁶

Because of lower lifetime earnings, the average Social Security benefits for women 65 and over is around \$14,044 a year compared with \$18,173 for men at the same age.⁷⁷ Many retirement strategists assume that the span of a worker's career is 40 years and although neither men nor women tend to work that long, women often take time off to have children and also later in life to take care of elderly parents.⁷⁸ This time out of the workforce adds up-women work 75 percent of the years men work, which means they need to save a higher percent of their salary while working.⁷⁹ However, for many women saving enough for retirement is all but impossible. Automatic savings through employment is an important way to save for retirement, but this is very difficult if work is part-time, contracted, informal or temporary, which are all more common for women.80 Although women have recently been able to save more for retirement than in the past, there is still a large disparity when it comes to race. In 2016, the average white woman had around \$43,000 more in retirement savings than the average Black woman. However, the



typical value of retirement savings for women is zero, regardless of race.81

FEMALE POVERTY RATE

Not only does the pay gap affect women's ability to save for the future, it is also a direct contributor to women's poverty even before retirement. In 2017, 13 percent of American women ages 18-64 were living below the federal poverty line compared with 9.4 percent of men.⁸² In West Virginia, the poverty conditions women face are

even worse. The poverty rate for women in the state has consistently been higher than men's over the past 10 years (**Figure 15**). The overall poverty rate in 2017 was 19.1 percent⁸³ and for women it was 21 percent compared to 17 percent for men.⁸⁴ While the poverty rate overall for women is high, single mothers struggling to support their families are far more likely to be living in poverty. In West Virginia, over half (52 percent) of all single mothers with children under the age of 18 are living in poverty.⁸⁵

Policy Solutions to Help Close Gender Pay Gap in West Virginia

Women in West Virginia have a lot working against them and many of the structures that are currently in place nationally are not doing much to help. It might seem like an outsized task to change federal policies that directly affect women's lives here in West Virginia, but there are a number of policies that can fill the gaps left by federal laws and recognize the reality of women's lives in the Mountain State. Women continue to be paid less than men; often struggle to find affordable, quality child care; are more likely to be subject to unpredictable and unfair work schedules; lack benefits like paid sick and family leave; face obstacles in accessing higher education; and experience discrimination harassment in the workplace.86 Addressing these disparities is the first step toward building a more fair state for everyone. We can work toward gender equity by advancing public policies that lead to positive changes for women and families in West Virginia.

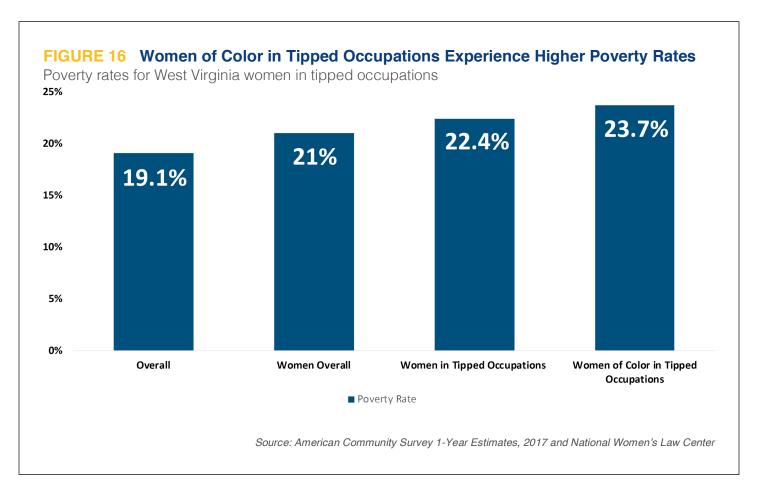
RAISE AND INDEX THE MINIMUM WAGE

Millions of people, mostly women and especially women of color, around the country are struggling to support themselves and their families on wages that are at or near the poverty level. In 2015, nearly one-fourth of the workforce—around 164,000 West Virginians—held low-wage jobs⁸⁷ and over half (56 percent) of these workers were women.⁸⁸ In West Virginia, 56.7 percent of low-wage workers earn at or below the state minimum wage of \$8.75 per hour, which means a single mother with one child working full-time, year round for minimum wage earnings would barely be above the poverty line.⁸⁹

One of the reasons the wage gap has persisted for so long is because of women's overrepresentation in lowwage jobs. Raising the minimum wage and indexing it to rise annually with inflation would ensure that all workers, not only women, would be better able to support themselves and their families. If the West Virginia minimum wage was increased to \$15 per hour, 244,000 workers would be affected and 57 percent of them would be women.90 Even a small increase in the state minimum wage would benefit many low-wage workers in West Virginia. Raising the minimum wage to just \$10 per hour would impact 75.8 percent of the state's workers in low-wage jobs.91 By raising the minimum wage, workers would receive a pay boost that could help our state improve its overall economy. Everyone wins when women make a living wage.

ELIMINATE TIPPED-WORKER CASH WAGE

In addition to making up the majority of low-wage workers, women are also most of the tipped-workers, like restaurant servers and bartenders. In West Virginia, 75 percent of tipped workers are women. P2 The federal minimum cash wage for tipped workers has been stuck at \$2.13 per hour for 27 years. That guarantees wages of only \$4,430 for full-time, year-round work. The cash minimum wage is higher in West Virginia but not by much. In West Virginia, the employer is able to use 70 percent tip credit against the minimum wage, meaning the current minimum cash wage for tipped workers in the state is \$2.62.93 With guaranteed wages of around only \$5,400 it is hard for many workers to pay for necessary expenses like food and rent for themselves let



alone when trying to support a family. Because of the unstable nature of pay in tipped jobs, the poverty rate for women in tipped occupations (22.4 percent) in West Virginia is higher than the poverty rate for all women (21 percent).⁹⁴ The poverty rate for women of color in tipped occupations is even higher at 24 percent.⁹⁵

Eliminating the tipped-worker cash wage could also help to cut down on sexual harassment in workplaces where employees rely mainly on tips. According to a Restaurant Opportunities Center report, 90 percent of women in the US restaurant industry report having experienced unwanted sexual advances at work.96 Sexual harassment is more common in occupations that rely on tips because tipped wages put the burden on customers rather than employers to pay server's wages. This creates a proprietary relationship where paying customers may be emboldened to make sexual advances because they feel as though they are paying for the right to do so. This dynamic can also result in female servers feeling like they may have to tolerate behaviors and situations that make them uncomfortable in order to get tips and make a living.

Eliminating the tipped-worker cash wage and making sure that tipped workers receive the full minimum wage before tips is one way to address these disparities and ensure tipped workers are financially secure. Tipped workers should have the same minimum wage as other workers so they will be able to rely on a steady income when tips slow down.

ENACT FAIR SCHEDULING PROVISIONS

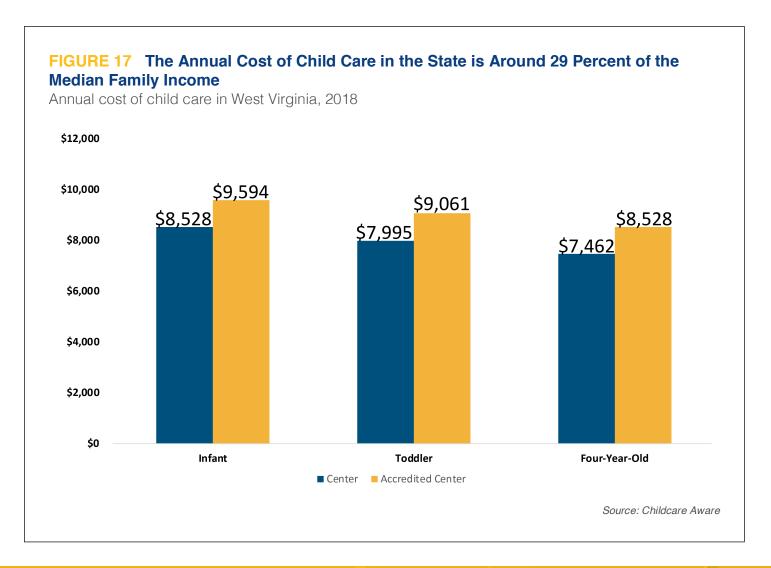
Unfortunately, the current policies that are in place have not struck a balance between women's work life and home life. Not only is it hard for many women to financially support their families through low-wage work, many times the low-wage jobs get in the way of women trying to fulfill their responsibilities outside of work. Workers in low-wage jobs often find it difficult, if not impossible, to schedule time off and women are disproportionately affected by scheduling challenges because they still shoulder the majority of caregiving responsibilities.⁹⁷

In order to make sure women have a fair shot at striking a balance between work and family life it is important to implement workplace scheduling practices that allow working people to better plan their lives. A number of locations have passed what is known as "right to request" laws, which protect employees who request flexible work schedules.98 For example, a 2014 law enacted in Vermont guarantees any employee the right to request a flexible work arrangement and the employer must consider this request in good faith.99 Oregon's Fair Workweek law passed in 2016 allows employees to identify limitations in their work schedules and to request to not be scheduled at certain times or places.¹⁰⁰ Policies that promote employee input into schedules encourage collaboration between employers and workers to create a fairer work environment. Other workplace policies that promote fair scheduling are advance notice provisions. These policies require employers to provide employees with a fair amount of advanced notice of their schedules rather

than scheduling last minute. For example, Oregon's Fair Workweek law requires at least 14 days advanced notice to all hourly employees working in retail, hospitality, and foodservice. Implementing policies such as these would ensure women have the opportunities to be successful at work as well as in their personal lives.

EXPAND AFFORDABLE CHILD CARE AND ENACT REFUNDABLE STATE EITC

In 2017, 59 percent of children under the age of six had all available parents in the labor force¹⁰² which means it is vital to facilitate access to affordable, high quality child care. The inability to access affordable child care is often a barrier to women's participation in the workforce. For many families, it makes more sense financially to have one parent stay home and care for the children. In 2018, the average cost of child care at a center for an infant is \$8,528, a toddler \$7,995, and four-



year-old \$7,462.103 For a West Virginia family with one infant and one four year old, the annual price of a child care center averages \$15,990 or 29 percent of the median family income in 2017.104 For a family that is already struggling to stay above water, child care is far less affordable. A married family with two children at the poverty line would pay over 64 percent of their income to child care alone.105

Advancing policies that help working parents access affordable child care is vital and helps women continue to participate in the workforce. When mothers get help affording child care, they are more likely to keep a job which means their families will be more financially secure. West Virginia could improve the economic well-being of families with children by providing a refundable state Child and Dependent Care Tax Credit (CDCTC). The CDCTC helps eligible families offset their child and dependent care expenses by lowering the income taxes families pay, and in certain cases, give refunds to families whose incomes are too low to owe taxes. As of 2018, 26 states including the District of Columbia have some CDCTC provisions with 12 of these states offering refundable credits.

In addition to the CDCTC, the Mountain State could provide a statewide Earned Income Tax Credit (EITC) to help lift women and their families out of poverty. The EITC is a refundable tax credit for low- and moderateincome workers that is designed to help struggling families. It is only available to those who earn income from work in order to help offset other taxes that hardworking families pay. 109 A statewide EITC would not only impact parents but lift children out of poverty as well. Based on a study of data from 2010-2014, if West Virginia were to adopt an EITC with a 30 percent federal match, the state's childhood poverty rate would have been reduced from 13.3 percent to 11.9 percent. 110 West Virginia could give much needed child care assistance to already struggling families. Tax provisions such as these could ease the large financial burden of child care expenses for West Virginia families' budgets and help lift families out of poverty.

PAID SICK DAYS

Guaranteeing paid sick days would allow women to balance work and caring for their families. Paid sick days would have the biggest impact on low-wage workers, who are often not able to afford to take unpaid time off from work and are mostly women in West Virginia. Because women are still more likely than men to be the primary caregivers in a family, they are more likely to need paid time off to meet their family's medical needs.111 Between 2016 and 2018, five states and 10 cities adopted paid sick days laws, and Washington state, Massachusetts, and the District of Columbia established paid family leave and medical policies. 112 In 2018, New Jersey passed legislation that allows workers to accrue one hour of paid sick time for every 30 hours worked, allowing workers to accrue up to 40 hours of sick leave per year. 113 Also in 2018, Austin, Texas passed a paid sick leave ordinance which allows employees to earn one hour of paid sick leave for every 30 hours worked for up to 64 hours annually.114 Other cities that also have passed paid sick leave legislation are Minneapolis and St. Paul, Minnesota, Cook County, Illinois and Santa Monica, California. West Virginia could implement a statewide policy in order to help ensure women never have to choose between work and taking care of themselves or family.

PROMOTE WOMEN IN MALE DOMINATED OCCUPATIONS

Women continue to earn less than men for a number of reasons, but one of the primary reasons for the gender wage gap is occupational segregation. Often employers still hire people based on gender stereotypes about the competence and commitment of women, especially mothers. Employers assume that women will be less interested in particular jobs or unable to perform tasks that require longer hours or physical strength.¹¹⁵ Due to these assumptions based on gender stereotypes, women are often underrepresented in the higher-paying occupations and industries. While West Virginia does have an Equal Pay for Equal Work law that requires employers to pay employees the same rate for comparable work that requires comparable skills regardless of sex, there is still more the state could do to prevent occupational segregation. 116 Washington recently passed equal pay legislation that finds equitable opportunities for career advancement that are key in reducing the gender pay gap. This legislation also prohibits employers from limiting an employee from career advancement opportunities based on gender.117

ENACT STATE SPONSORED VOLUNTARY RETIREMENT SAVINGS

Half of all female private-sector workers in West Virginia are not covered by a workplace retirement plan. Private-sector workers who work for small businesses, have lower incomes or lower levels of formal education also disproportionally lack access to a retirement plan at work. As discussed previously, women, and especially people of color, face a significant risk of poverty in retirement because they live longer and earn less than men, tend to work part-time and take more time out of the workforce to provide family care.

The lack of access to retirement savings is a growing problem for West Virginia, particularly as the population ages. To address the lack of access to retirement savings among West Virginia workers, the state could offer a state-facilitated retirement savings program to private-sector workers. ¹¹⁹ This would give workers an affordable and portable option to save for their retirement while providing businesses the option to offer more benefits, increasing retirement security, making the state a more attractive place to live, work and do business. So far, 10 states have passed legislation to ensure that workers in their state have access to an affordable retirement plan at work. ¹²⁰

EQUAL PAY ACT AND NONDISCRIMINATION POLICIES

Women have been making progress in closing the pay gap, but it is vastly important to advance policies that ensure women and their families are economically secure. Promoting a pay transparency law in West

Virginia would be a positive step forward for gender equity. Many employers enforce policies that prohibit employees from discussing their compensation with one another. These types of workplace policies have the ability to perpetuate pay discrimination by making it difficult for women to know about any unlawful pay disparities.121 Eighteen states and the District of Columbia have already implemented policies that are meant to stop employers from silencing employees and also prevent employer retaliation when it comes to discussing wages. In 2018, Washington enacted legislation that stops employers from requiring employees to agree to not talk about their wages as a condition of employment.122 This law also prevents employers from retaliating against employees who ask about or discuss their wages with other employees.

Another policy that would help women in the workforce is advancing legislation that prohibits use of salary history in hiring. When an employer is able to rely on the past salary of a potential candidate it makes it easy for pay disparities to be perpetuated. Five states currently have laws that prohibit employers from asking about or seeking information about a job candidate's current or former salaries. Advancing these policies here in West Virginia could help narrow the gender wage gap and help women, their families, and the state's economy.

While the gender pay gap has lessened over the last few decades because more women earned bachelor's degrees and found employment in managerial and professional occupations, policymakers must take action to ensure the gap continues to close.

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