



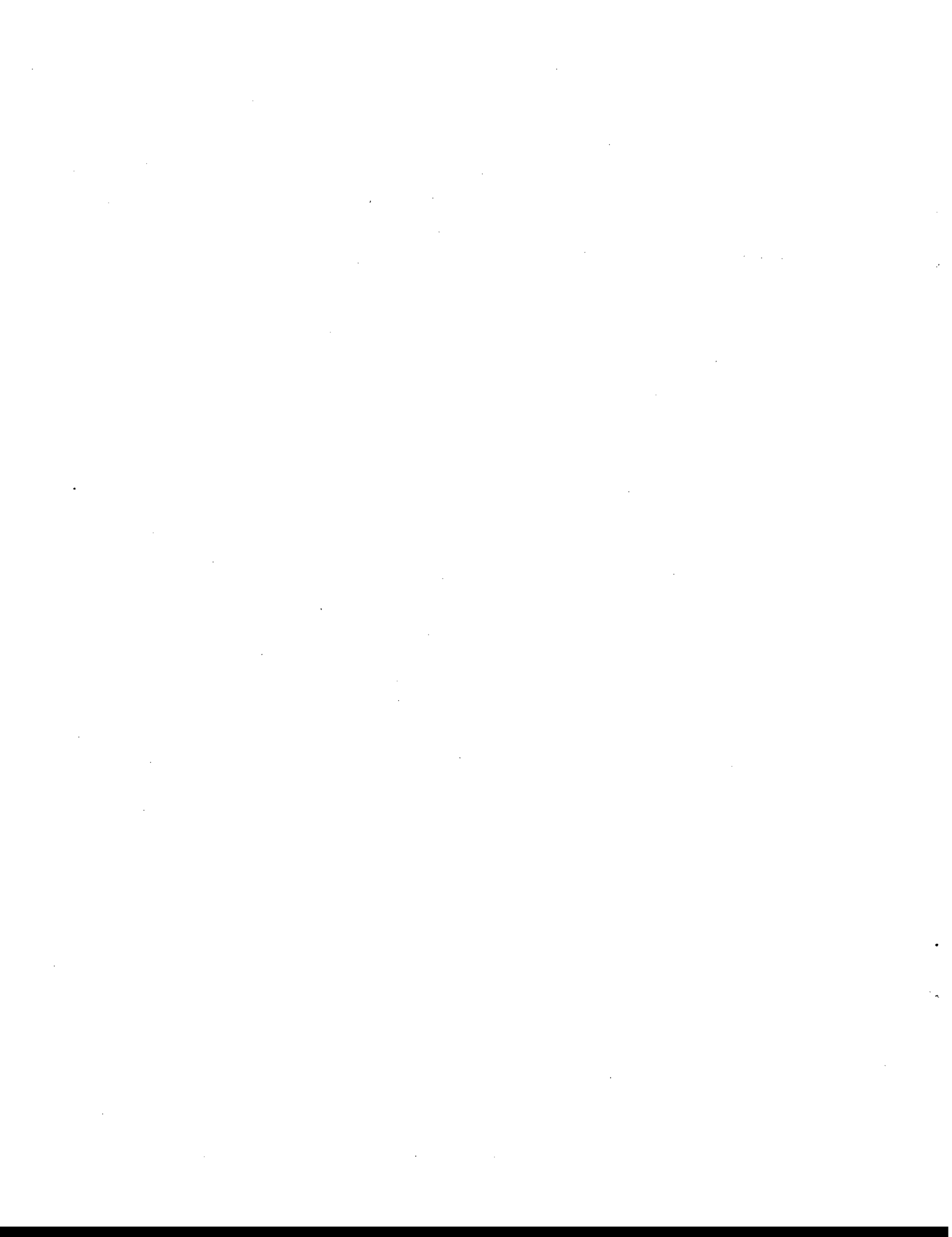
**Florida Commission
on the Status of Women**

**Annual Report
1992**



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1992

Dear Floridians:

This first annual report of the Florida Commission on the Status of Women makes recommendations in the hope of improving the lives of women and men of our great state. These recommendations are based on significant existing data and research that were reviewed for this report.

The Commission recognizes that real solutions to the problems women face will only occur when both the attitudes and behaviors of women and men change. Our ultimate goal is genuine change and the realization of a society where women are full social, economic and political partners.

Attitudes, and ingrained stereotypes that women and men have of each other and their roles in society, too often result in women not achieving their full potential. Therefore, the need for examination is clear. The policies of government, business and the military must provide for equal opportunity. No special privileges...just equal opportunity.

Let the State of Florida step up to the challenge to create change by committing its vast resources to guaranteeing equal opportunity in today's diverse workplace, marketplace and classroom. The Commission strongly hopes that by providing justice equally for all its citizens, the State of Florida will inspire the private sector to follow.

Sincerely,


Susan Glickman, Chair

Florida Commission on the Status of Women History

The 1991 State Legislature created the Florida Commission on the Status of Women in the Office of the Attorney General to act as an advisory board to the Governor, Cabinet and Legislature. The Commission consists of 22 members who are appointed to staggered terms by the Governor, Secretary of State, Attorney General, Comptroller, Commissioners of Insurance, Education and Agriculture, President of the Senate, and Speaker of the House of Representatives. The appointees represent rural and urban interests and the ethnic and cultural diversity of Florida.

The Commission is charged by Florida Statute § 14.24 with "the study of the changing and developing roles of women in American society. This study shall include, but not be limited to...the development of individual potential, the encouragement of women to utilize their capabilities and assume leadership roles, the coordination of efforts of numerous women's organizations interested in the welfare of women, the identification and recognition of contributions made by women to the community, state and nation, and the implementation of 'statutory programs' where working conditions, financial security, and legal status of both sexes are improved."

The Florida Commission on the Status of Women had previously existed during then-Governor Bob Graham's administration, within the Governor's Office and by executive order.

Florida Commission on the Status of Women 1991-1992 Members

Susan Glickman, Chair
The Honorable Rosemary Barkett
Roxcy Bolton
Conchy Bretos
Yvonne Burkholz
Jennifer K. Crock
Elsie Crowell
Marilyn J. Dewey
Barbara Effman
Susan Gilbert
Chief of Police Donna Hansen
The Honorable Edward J. Healey
The Honorable Sally Heyman
Mohinder "Mona" Jain, M.D., Ph.D.
Navita James, Ph.D.
Marty Pinkston, Ed.D.
Barbara A. Carey, Esq.
D. Anne Terrell, Esq.
Doris L. Weatherford
Judy K. Wilson, Ph.D.
Susan D. Wilson
Karen Woodall
Sandi Beare, Executive Director

Introduction and Accomplishments

The Florida Commission on the Status of Women is directed under Florida Statute 14.24 to submit an annual report to the Governor, the Attorney General, the Cabinet, the President of the Senate, Speaker of the House of Representatives, and the Minority Leaders of the Senate and House on issues affecting the changing and developing roles of women in American society.

This past year, the Commission has:

- Met in full Commission on 11/6/91, 2/10/92, 5/20/92, 9/10/92 and 11/17/92. The Executive Committee also met on 12/9/91.
- Monitored legislation affecting the well-being of women in the 1992 legislative session.
- Reinstated the Florida Women's Hall of Fame, which will be on permanent display on the Plaza Level of the State Capitol recognizing women whose extraordinary leadership and lifetime achievements have earned them a place of honor among Floridians.
- Created an office and hired a full-time staff person.
- Secured funding for projects and administration.
- Created a Women's Appointments Committee to assist the Governor with recommendations of qualified women to serve on advisory boards, commissions and in the judiciary.
- Co-authored a brochure on sexual harassment with The Florida Bar's Special Committee for Gender Equality in the Profession.
- Developed a Florida Women's Directory (a compilation of women's organizations throughout the state) to be published in 1993.
- Developed an intern program with universities and colleges.
- Initiated a speaker's bureau which is active and available to all groups and organizations in Florida.

For the first annual report, the Commission has focused on the long-standing barriers that impede the advancement of "WOMEN IN THE WORKPLACE." This report is not intended to be all-encompassing but seeks to identify areas where government leadership and commitment to progress could improve the lives of women in Florida.

Florida Women's Hall of Fame

The 1992 Legislature re-established the Florida Women's Hall of Fame in Chapter 92-48, with the intent to "recognize and honor those women who, through their works and lives, have made significant contributions to the improvement of life for women and for all citizens of Florida."

The Women's Hall of Fame was originally created during the administration of then-Governor Bob Graham, with the following 27 women inducted during 1982, 1984 and 1986:

1982: Dr. Mary McLeod Bethune, Helene Coleman, The Honorable Elaine Gordon, Wilhelmina Harvey, Dr. Paula Mae Milton, Barbara Palmer.

1984: Roxcy Bolton, Barbara Landstreet Frye, Lena Smithers Hughes, Zora Neale Hurston, Dr. Sybil Mobley, Helen Muir, Dr. Gladys P. Soler, Julia DeForest Sturdevant Tuttle. **1986:** Annie Ackerman, The Honorable Rosemary Barkett, The Honorable Gwendolyn Cherry, Dorothy Dodd, Marjory Stoneman Douglas, Elsie Jones Haire, Elizabeth McCullough Johnson, Dr. Francis Bartlett Kinne, Arva Jean Moore Parks, Marjorie Kinnan Rawlings, Florence Barbara Siebert, Marilyn Kay Smith, Eartha Mary Magdalene White.

In 1992, the Commission recommended the following women to Governor Lawton Chiles for his consideration: Marjorie Silver Alder, Blanche Armwood, Mary Lou Baker, Nikki Beare, The Honorable Susan Black, Jacqueline Cochran, Harriette S. Glasner, Doris Leeper, The Honorable Carrie P. Meek, The Honorable Ruth Bryan Owen, Betty Skelton, Silvia Unzueta.

Governor Chiles inducted Jacqueline Cochran, The Honorable Carrie P. Meek, and The Honorable Ruth Bryan Owen into the 1992 Women's Hall of Fame in a memorable ceremony at the Governor's Mansion on November 17, 1992.

Jacqueline Cochran of Pensacola (1910-1980): Ms. Cochran was an internationally known aviator, the first woman to break the sound barrier, and the first woman to receive the U.S. Army's Distinguished Service Medal. During World War II, she flew for the British until the U.S. entered the war. She then commanded over 2,000 pilots for the Women's Airforce Service Pilots (WASPS). After the war, she became a reporter for *Liberty* magazine, and then re-joined the military, becoming a Lieutenant Colonel. Ms. Cochran, the recipient of many aviation honors, died in 1980.

The Honorable Carrie P. Meek (1926-): U.S. Representative Carrie Meek was the first black woman in the Florida Senate in 1982 and the first black Congresswoman elected from Florida. Then-Senator Meek introduced legislation in the 1991 Senate creating the Florida Commission on the Status of Women and was the prime sponsor of the Civil Rights Act of 1992. In 1986, she sponsored the

Minority Business Enterprise Act, which paved the way for women and minorities to do business with the State of Florida.

The Honorable Ruth Bryan Owen (1885-1954): Ruth Bryan Owen was Florida's first congresswoman and the first congresswoman from the South. Owen introduced legislation creating the Florida Everglades National Park, was a diplomat appointed as Minister to Denmark by President Franklin Delano Roosevelt, authored travel and international affairs articles, and was one of the architects of the United Nations. She also was the mother of four with a disabled husband. Owen died at the age of 68 in Copenhagen where she was to receive the Order of Merit from the King of Denmark.

Issues Statements

The following issues represent areas of interest and concern which were approved by the Florida Commission on the Status of Women at its February 10, 1992, meeting:

1. Funding

Statement: The 1991 Legislature appropriated only \$50,000 to fund the Commission, far less than that received by boards and commissions of comparable stature. Later that year, Commission funding was reduced to \$15,000 as part of the statewide budget cuts. This level of funding is totally inadequate to support the functions of the Commission. In 1992, the Legislature reinstated the \$50,000 budget for this Commission. This amount is less than half of comparable Commissions which represent a much smaller portion of the state's population, more than 50% female. Funding sufficient to enable the Commission to accomplish the important objectives assigned to it by the Legislature is a top priority.

2. Florida Women's Hall of Fame

Statement: The Florida Women's Hall of Fame recognizes those women whose extraordinary leadership and lifetime achievements have earned them a place of honor among Floridians. It is important that the Hall of Fame be recognized and established by statute so that a permanent record will exist of these women whose accomplishments have served to enhance the quality of life for all of us.

Note: The 1992 Florida Legislature created the Florida Women's Hall of Fame to be a permanent display in the plaza level of the Capitol. The project is being facilitated by the Florida Commission on the Status of Women. Funding for the display will be in part through public and private donations. Lack of public funding necessitates that funding for the display be obtained through private donations.

3. Domestic Violence and Abuse

Statement: Each year, many Florida women are victims of violence and abuse in their own homes. Unfortunately, until recently little has been done to protect the victims or to punish the attackers. The recommendations developed by the Gender Bias Study Commission are now being addressed through legislation. The Florida Commission on the Status of Women believes that such legislation must continue to receive a high priority.

Domestic violence/abuse is but one facet of the problem, however. Women are subjected to sexual assaults and violence throughout Florida in ever-increasing numbers. The Commission believes that it is imperative that the criminal justice system address these concerns in a strong and effective manner with sensitivity training for law enforcement personnel and the judiciary, and better funding of abuse centers.

4. Civil Rights Reform

Statement: Our nation is founded upon principles of equal justice. Through the years, civil rights legislation has been enacted to help secure these basic freedoms. In 1992, the Florida Legislature approved a new civil rights law designed to remove some of the barriers which have in the past prevented victims of discrimination from obtaining adequate relief in the court system. (Under the federal law, victims of sex discrimination are treated differently from victims of other forms of discrimination, and are not afforded an opportunity for full justice.) The Commission believes that in keeping with the spirit of the new civil rights law, the cap on damages should be removed so that all victims of discrimination stand on equal footing before the courts.

5. Sexual Harassment

Statement: Recent studies show that a majority of women have been victims of sexual harassment in the workplace at some point in their careers. Despite the fact that sexual harassment is an illegal form of sex discrimination, some employers ignore this behavior or fail to take adequate steps to remedy the problem. The Commission urges the adoption of any legislation which would prevent sexual harassment. This legislation would serve to publicize the fact that sexual harassment is illegal and will not be tolerated in Florida.

6. Gender Balance

Statement: A recent survey conducted by the Commission found that most of Florida's regulatory boards are composed mainly of men. Women are thus essentially shut out of decisions which affect them in their professions, educational institutions and other aspects of everyday life. The Commission believes that the systemic failure to include women on these significant boards must end; gender balance is a fair and equitable way to ensure that both men and women are fairly represented.

Note: House Bill 1699 and Senate Bill 742 will be under consideration in the 1993 legislative session.

7. Private Club Discrimination

Statement: Each day, important business decisions are made in private establishments which are closed to women and minorities. Private clubs which discriminate against women and minorities are effectively closing the door to

equal participation in business. The Commission believes that such practices should be prohibited in order to allow all Floridians an equal opportunity to compete in the marketplace.

Note: The 1992 Florida Civil Rights Act included a provision to prohibit discrimination in large (more than 400 members) clubs where business activity is prevalent.

8. Pay Equity

Statement: Despite all of the gains made by women over recent years, wages paid to women continue to lag behind those paid to men for comparable work in many cases. Pay equity is basic to our system of values and must be a fundamental part of the workplace. Equal pay for equal work is the hallmark of a free enterprise system, and the Commission believes that this right must be secured by law for all Florida women.

9. Child Support

Statement: For many single mothers, each day is a constant struggle to raise children without support from an absent father. Child support laws must contain meaningful provisions to address this problem, and must provide more effective measures to compel a delinquent parent to regularly pay child support. It is unacceptable that women and children live in poverty because they are unable to obtain the fair and reasonable child support to which they are entitled.

10. Family Leave

Statement: For many women, the joy of becoming a new parent is tempered by the fact that she must choose between her job and her new baby. Family leave serves as an affirmation of the importance of the family in our society by allowing employees to take leave to provide necessary care to children or elderly parents. The ability to provide such care without jeopardizing one's job security should be an established feature of a society which recognizes the fundamental role of the family and its values represented in our lives.

Note: A federal family leave policy with 12 weeks of unpaid leave for businesses with more than 50 employees was signed into law by President Clinton.

11. Affordable and Accessible Health Care for Women

Statement: The spiraling rise in health care costs is widely recognized. For many women, the result is that health care is an unattainable dream, and a serious illness is a nightmare. The consequences are tragic and ultimately far more costly than if adequate care had been provided when needed. For example, if an indigent woman is unable to afford prenatal care, the result is often a lengthy and expensive hospital stay for her critically ill newborn. The Commission believes that we can no longer afford to ignore this problem. Quite simply, if we

cannot find a way to provide adequate care today, it is likely that the cost will be even higher tomorrow. Thus, the availability of affordable and accessible health care is not only the response of a caring and compassionate society, it will probably be the more cost-efficient approach in the long term.

12. Right to Privacy

Statement: The Florida Constitution guarantees that each individual's right to privacy shall be protected from governmental interference. This provision means that government cannot dictate basic personal issues which are an intrinsic part of every individual's right to privacy. The ability to make these fundamental decisions is a part of our heritage as Floridians. The Commission supports this right and opposes all attempts to weaken or restrict this constitutional safeguard.

13. Elderly Women

Statement: Studies indicate that in the future, the elderly will comprise a substantially larger segment of society than is the case today. Statistics also tell us that the majority of these older Americans will be elderly women. Older women face distinct economic problems relating to financial needs and health care. The Commission believes that the quality of life for older women is a priority worthy of special recognition and consideration.

14. Women at Home

Statement: For many women, the workplace is also the home; raising children and maintaining a home are a full-time occupation. However, the significant contributions of these women are often ignored or undervalued. The Commission believes that consideration of the needs of women at home is an important part of its agenda.

15. The "Glass Ceiling" Effect

Statement: Several studies of the business community have documented the existence of a "glass ceiling" that effectively prevents women from rising above middle management to upper management echelons. It is recognized that while there may not be overt barriers to women achieving these goals, subtle prejudices and other negative factors combine to keep women from reaching their potential. The Commission finds that the "glass ceiling" results in the under-utilization of talented women in the corporate community, and thus can have a detrimental impact upon our economy. Solutions must be found to address and ultimately eliminate this problem.

Women in the Workplace

A Status Report

"No special privileges...just equal opportunity."
Susan Glickman

Conclusions

Many of the barriers that exist for women in the workplace today have not changed substantially over the past decade. This lack of progress affects women's economic well-being, their families and all our lives. Much research indicates that while there has been change for women, not much has been done to actually improve the situations that exist for women in today's workplace. The consideration of policies that address pay equity, day care, family and medical leave, flexible scheduling, job sharing, promotions, sexual harassment, gender-neutral language, gender fairness in promotions, education, and training and hiring are discussed and recognized, but rarely instituted. Therefore, our collective challenge is to work together to alleviate some of the problems identified here.

The Florida Commission on the Status of Women makes the following recommendations based on the study of the growing number of women competing in today's work force.

Recommendations

1. *Education:* The Commission recommends that gender equity be a component of the reforms undertaken in the implementation of the 1991 Education Accountability Act.
2. *Education:* The Commission recommends that the Commissioner of Education open dialogue with the business community and the education community to discuss better ways to adequately educate women and minorities—groups that will constitute the majority of America's work force in the next century. Business leaders, the Commission and the education community should combine forces to exert their influence on state and local education boards and colleges, as well as to make gender-equitable education a priority. It is recommended that the Commission work with the business community to develop model programs and fund school development sessions that focus on gender equity.
3. *Education:* The Commission recommends that the Florida Legislature provide adequate and fair funding of programs affecting girls and women. Funding is the critical component that is all-too-often missing.
4. *Equity in Sports:* The Commission urges the Legislature to adopt the recommendations of the Report of the Florida Study Commission on Women's and Girls' Participation in Athletics and Extracurricular Activities.

5. *Family Responsive Policies:* The Commission recommends that the Legislature consider the encouragement of consortium lending efforts to encourage economic development; creation of and funding for a state office dedicated to provision of child care as a small business; establishment of entrepreneurial programs targeting low-income women; and creation of loan and loan guarantee programs. The State of Florida should be commended for providing child care assistance to some employees, and be encouraged to expand these programs.
6. *Family Responsive Policies:* The Commission recommends that the Florida Legislature pass a family and medical leave policy that applies to all state employees.

Note: In 1991, the Florida Legislature passed legislation (Section 110.221 F.S.) allowing career service employees to access a family and medical leave policy.

7. *Health Care in the Workplace:* The Commission recommends that the Florida Legislature support universal access to health care that is not tied to employment, is portable, provides quality, comprehensive coverage, and is not contingent upon one's ability to pay.
8. *Health Care in the Workplace:* The Commission recommends that the Florida Department of Management Services, which administers and regulates state employees' health plans, publicize the availability of mammogram coverage and issue employee fact sheets on periodic tests that are covered. Contractors and vendors doing business with the state should also be encouraged to include mammogram coverage in their insurance contracts. Self-insured companies should be required to cover mammograms. The State must seek a waiver from federal ERISA (Employee Retirement Income Security Act) in order to affect self-insured companies.
9. *Health Care in the Workplace:* The Commission recommends that chambers of commerce, trade associations, and other business groups in the State of Florida add mammogram coverage to their self-insured plans.
10. *Pay Equity:* The Commission recommends that the State of Florida recognize the inequities in the wage structure and job classification system currently in place, and address these inequities, including wage adjustments.
11. *Sexual Harassment:* The Commission recommends that the Florida Legislature pass legislation defining sexual harassment. This legislation would publicize that sexual harassment is illegal and will not be tolerated in Florida.

12. *Sexual Harassment*: The Commission recommends that the Florida Senate establish and implement Sexual Harassment Policy and Procedures, as has the Florida House of Representatives. Senate employees and Senators should be required to attend seminars discussing the policy and procedures.
13. *Sexual Harassment*: The Commission recommends that the State of Florida encourage the Florida Chamber of Commerce, Associated Industries of Florida, the National Association of Independent Business Owners and other business groups to create an awareness campaign within their membership, and to implement model policies regarding sexual harassment and how to avoid it.
14. *The "Glass Ceiling"*: The Commission recommends that a study be conducted in conjunction with the Florida Department of Labor and Employment Security to identify the impact when women are denied access and full participation in all forms of development and training throughout a private or public organization. Discrimination limits the public and private sectors' ability to compete.
15. *The "Glass Ceiling"*: The Commission recommends that the State develop a statistical report similar to U.S. Equal Employment Opportunity Commission reports as one of the criteria to be used in awarding state contracts. The Commission would like to encourage and foster voluntary efforts among the private sector to remove barriers that impede the full participation of women.
16. *Gender Equity in Appointments*: The Commission recommends and encourages the Speaker of the House of Representatives, the President of the Senate, and the Governor to actively seek passage of legislation requiring equity in appointments. The Commission believes that passage of this legislation will ensure women a more equal voice, and set the standard that discrimination must not be tolerated.

Note: House Bill 1699 and Senate Bill 742 will be under consideration in the 1993 legislative session.

The Florida Commission on the Status of Women hopes this report is a resource toward building a state of equal opportunity for all Floridians.

For additional data and reports, please refer to the associate bibliography.

Education

American education has ALWAYS failed sizable segments of the population, particularly women and minorities. Now, demographic studies are showing that by the year 2000, the labor force will be 47% female and 26% minority. This suggests that reversing the decline in competitiveness will depend not only on educating all workers to a higher degree, but upon closing the gap in education achievement between these groups and white male students.¹

Research suggests that gender-role socialization accounts for most of the differences between girls' and boys' academic performance. Gender roles are defined as the range of activities, attitudes and emotions considered socially appropriate for men and women.² The messages girls receive in the classroom must be changed. Too often, classroom dynamics are laced with unconscious sex stereotyping. The subtle, discouraging messages girls receive every day about their roles and potential choices must be altered to messages of possibility and achievement.

The Florida education system K-12 has just begun implementing the 1991 Education Accountability Act. The Commission is concerned that gender-fair techniques and teaching applications will be unintentionally lost in this process. The Commission believes that gender equity must be one component of the reforms if the school system is to be reshaped to meet the needs of women—many of them minorities—who will constitute a considerable percentage of the 21st century work force.

RECOMMENDATION: The Commission recommends that gender equity be a component of the reforms undertaken in the implementation of the 1991 Education Accountability Act.

RECOMMENDATION: The Commission recommends that the Commissioner of Education open dialogue with the business community and the education community to discuss ways to adequately educate women and minorities—groups that will constitute the majority of America's work force in the next century. Business leaders, the Commission and the education community should combine forces to exert their influence on state and local education boards and colleges, as well as to make gender-equitable education a priority. It is recommended that the Commission work with the business community to develop model programs and fund school-development sessions that focus on gender equity.

RECOMMENDATION: The Commission recommends that the Florida Legislature provide adequate and fair funding of programs affecting girls and women. Funding is the critical component that is all-too-often missing.

Equity in Sports

Gender discrimination in education-related athletics is a pervasive and very serious problem, at both the secondary and post-secondary levels. More than anything else, it defines the athletic experience of more than half of the students nationwide who are not male.³

In January 1993, the Florida Department of Education released a two-year study of athletic programs for women and girls in the secondary and post-secondary levels. The study clearly validates an enormous failing in our schools to treat women and girls equally in funding and access to athletic programs. It has been twenty years since Title IX, and ten years since the Florida Educational Equity Act was passed. We have failed miserably in our quest to provide athletic opportunities for women and girls. It is clear that a mechanism for enforcement needs to be identified and incorporated into the Florida Educational Equity Act.

RECOMMENDATION: The Commission urges the Legislature to adopt the recommendations of the Report of the Florida Study Commission on Women's and Girls' Participation in Athletics and Extracurricular Activities.

Family Responsive Policies

Families are vulnerable. The United States is the only developed country in the world, except South Africa, without a comprehensive family support structure that assures that the basic needs of families are universally met. Poor nutrition, insufficient early childhood education, lack of supports for caring for the elderly, poor health care and inadequate income for women and their families put them at serious risk.

Increasingly, families need two incomes to assure at least a minimum standard of living. However, current public policy does not reflect the fact that today's American families do not fit the stereotype of a two-parent, single wage-earner family. By 1995, it is estimated that three-fourths of school-aged children and two-thirds of preschool children will have mothers in the work force.⁴ More and more families are headed solely by women, and these families are disproportionately likely to be impoverished; forty-two percent of female-headed households with children under eighteen live in poverty.⁵

Working families also face the problem that child care has not kept up with the increasing demand for affordable, accessible, and quality care.

Florida can be instrumental in stimulating the growth of quality child care through employer-supported programs and public/ private initiatives.

Under the Community Reinvestment Act (CRA) of 1977, financial institutions are required to meet the credit needs of their communities. Employment, business development, and social services, including child care, all require infusions of capital. Child care financing offers a unique opportunity to apply the community lending strategies developed under the CRA to an emerging community credit need beyond housing. While Florida communities have not historically used CRA funds for child care financing, it is an avenue that needs to be explored to meet the expanding child care needs of communities.

RECOMMENDATION: The Commission recommends that the Legislature consider the encouragement of consortium lending efforts to encourage economic development; creation of and funding for a state office dedicated to provision of child care as a small business; establishment of entrepreneurial programs targeting low-income women; and creation of loan and loan guarantee programs. The State of Florida should be commended for providing child care assistance to some employees, and encouraged to expand these programs.

The United States is expected to experience a dramatic need to provide support for aging parents. At any one time, there are approximately 13 million spouses and children that are facing long-term care decisions for family members.⁶

Today, too few companies have developed family and medical leave policies, flexible schedules, employer-supported child care centers, and job sharing policies in response to our changing work force.

Family leave policies ensure that workers can remain productive members of the labor force while providing care for family members in critical times. These policies are rational and essential to balancing the conflicting needs of work and family.

Metro Dade County recently passed a leave policy that applies to businesses with 50 or more employees which do business with the county. Recognizing that eighty percent of businesses in Florida have less than 50 employees, this policy applies to only a very small percentage of companies. But it is a beginning in addressing the needs of the changing work force.

RECOMMENDATION: The Florida Legislature should pass a family and medical leave policy that applies to all state employees.

Note: In 1991, the Florida Legislature passed legislation allowing career service employees to access a family and medical leave policy. A federal family leave policy of 12 weeks of unpaid leave for business with more than 50 employees was signed into law by President Clinton.

Health Care in the Workplace

"In today's medical economy, to be without health insurance is to be without health care. And women, over-represented in jobs without fringe benefits, are very much at risk. Two-thirds of all part-time workers are women, usually not receiving health insurance and earning less than \$13,000 a year.

Working women are less likely than working men to be covered by their own employer. Women are more likely to work in sales, service or clerical jobs which tend to pay low wages and do not pay good benefits. They also are more likely to work in more non-traditional smaller businesses. Insurance companies "experience rate" small companies. This means that the insurance company charges the small business an amount that takes into account claims that its employees make or are likely to make in a year. Rates are higher for women because insurance companies assume that women will use more service than men. A small company that employs a high percentage of women, especially at low wages, may be reluctant to pay the high cost of the coverage for its employees. Ninety-five percent of Florida's businesses employ fewer than 25 people.

Income and work disparities often cause women to rely on their spouses for employer-provided health insurance, seek coverage through private insurance or medicaid, or in the absence of either of these, go without health insurance entirely.

The majority of family caregivers are women—both of children and elders—paid and unpaid. As nurturers and caregivers, women's state of health affects their families as well. Women comprise three-fourths of the unpaid caregivers of older people. This is why family leave policies are so important. Women who are able to work outside of the home frequently must accommodate their caregiving responsibilities by seeking part-time employment instead of full-time jobs. This often means no access to insurance. In addition, the interruptions in employment necessitated by caregiving responsibilities make it difficult for women to retain health insurance coverage. Interruption of insurance often leads to difficulty in obtaining comprehensive coverage because of pre-existing condition exclusions."⁷

RECOMMENDATION: The Commission recommends that the Florida Legislature support universal access to health care that is not tied to employment, is portable, provides quality, comprehensive coverage, and is not contingent upon one's ability to pay.

Breast cancer affects one in every nine women each year, and killed over 44,000 women in 1990. A recently-passed law requires that mammograms be covered by insurance. However, the law does not apply to self-insured plans. Approximately 60% of Florida employees work in businesses that self-insure.⁸

RECOMMENDATION: The Commission recommends that the Florida Department of Management Services, which administers state employees' health plans, publicize the availability of mammogram coverage and issue employee fact sheets on periodic tests that are covered. Contractors and vendors doing business with the state should also be encouraged to include mammogram coverage in their insurance contracts. Self-insured companies should be required to cover mammograms. The State must seek a waiver from federal ERISA (Employee Retirement Income Security Act) in order to affect self-insured companies.

RECOMMENDATION: The Commission recommends that chambers of commerce, trade associations, and other business groups in the State of Florida add mammogram coverage to their self-insured plans.

Pay Equity

"Pay equity" and "comparable worth" are terms that describe a philosophical and practical approach to equitable compensation for all employees within a particular institution—public or private.⁹ Pay equity has evolved as a remedy to address the wage disparities between male and female workers that have persisted despite marked increase in women's participation in the workplace.

The key element in any discussion of pay equity is to recognize that women and men who perform jobs that require equal or comparable skill; effort, responsibility and working conditions should be compensated equally. Traditionally, wages are low for the jobs that women and minorities tend to perform because our society has historically "undervalued" women and minorities as workers.

In 1986, a coalition of fifteen major constituent organizations from within Florida raised \$76,000 to fund a "comparable worth" study to analyze the existing career service classification and compensation program. Their goal was to determine if, and to what extent, gender inequities existed within the career service system in Florida.

The study found that pay inequities between women and men were present in the state work force. An estimate of the cost to implement the recommendations in this study was \$78 million.

While it recognizes that this study is more than seven years old, the Commission has found no evidence to suggest that the underlying assumptions in the study have changed considerably. In fact, recent figures show women earning 70 cents for every dollar earned by men in 1991.¹⁰

RECOMMENDATION: The Commission recommends that the State of Florida recognize the inequities in the wage structure and job classification system currently in place, and address these inequities, including wage adjustments.

The underlying question goes beyond the notion of equal pay for equal work. Are American women systematically and illegally underpaid for work that is different from, but is just as demanding as, that done by men?

The time has come. The state government must assume its leadership role in creating wage equity between women and men. In the words of a former President of the United States:

America is in trouble today not because her people have failed, but because her leaders have failed. And what America needs are leaders to match the greatness of her people.¹¹

Sexual Harassment

"The American Psychological Association estimates that 71 percent of working women will be subjected to sexual harassment during their careers."¹² This is a frightening statistic when examined in terms of the cost to business and the cost to the employee's job performance. Sexual harassment is not about sex. It is about power, and who has it and who does not. To sexually harass is a violation of state and federal law. It is defined as any form of unwelcome conduct of a sexual nature or conduct which creates an intimidating, hostile or offensive work environment.

The Department of Education, the Florida House of Representatives, Florida Department of Labor and Employment Security, Department of Insurance, Florida Game and Fresh Water Fish Commission and other agencies have implemented policies and created ongoing programs to educate employees on this important issue. They are to be commended.

The Commission recognizes that prevention and awareness are the best tools for the elimination of sexual harassment. An employer should take all steps necessary to prevent sexual harassment from occurring, such as educating employees and developing policies and sanctions for offenders. These may include proactively discussing the subject, expressing strong disapproval, informing employees of their right to raise the issue of harassment, and developing methods to sensitize all concerned.

RECOMMENDATION: The Commission recommends that the Florida Legislature pass legislation defining sexual harassment. This legislation would publicize that sexual harassment is illegal and will not be tolerated in Florida.

RECOMMENDATION: The Commission recommends that the Florida Senate establish and implement Sexual Harassment Policy and Procedures, as has the Florida House of Representatives. Senate employees and Senators should be required to attend seminars discussing the policy and procedures.

RECOMMENDATION: The Commission recommends that the State of Florida encourage the Florida Chamber of Commerce, Associated Industries of Florida, the National Association of Independent Business Owners and other business groups to create an awareness campaign within their membership, and to implement model policies regarding sexual harassment and how to avoid it.

Sexual Harassment in the Workplace



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necessary to prevent sexual harassment from occurring, such as affirmatively raising the subject, expressing strong disapproval, developing appropriate sanctions, informing employees of their right to raise the issue of harassment, and developing methods to sensitize all concerned. Suggested strategies for preventing sexual harassment include the following:

- (1) Develop a written sexual harassment policy statement. This policy statement should begin by stating that sexual harassment is illegal and will not be tolerated. The policy statement may further include the employees' right to work in an environment free from harassment and from retaliation for reporting harassment, the fact that sexual harassment is a violation of state and federal law, identification of specific behaviors that constitute sexual harassment, and an outline of consequences for engaging in harassing behavior.
- (2) Communicate the policy by posting it in the workplace and including the policy in employee handbooks or policy manuals.
- (3) Develop procedures that will be followed upon filing a claim of sexual harassment and identify the person(s) to whom the employee should report the harassment.
- (4) Charge employees with the responsibility to report harassment or discriminatory practices.

A VICTIM OF HARASSMENT CAN SEEK RELIEF

There are a number of options available for seeking relief from sexual harassment. An employee may wish to resolve the complaint informally through use of the employer's established procedures. However, if no complaint procedures have been established in the workplace and the employee feels unable to report the harassment to supervisory personnel, the employee may seek relief in an external forum such as the United States Equal Employment Opportunity Commission, the Florida Commission on Human Relations or the judicial system.

**UNITED STATES EQUAL EMPLOYMENT
OPPORTUNITY COMMISSION**
1-800-669-3362

**FLORIDA COMMISSION ON
HUMAN RELATIONS**
1-904-488-7082

"The American Psychological Association estimates that 71 percent of working women will be subjected to sexual harassment during their careers."

SEXUAL HARASSMENT IS ILLEGAL AND SHOULD NOT BE TOLERATED BY EMPLOYERS OR EMPLOYEES

Harassment on the basis of sex is a violation of state and federal law. Sexual harassment is defined as any form of unwelcome physical conduct of a sexual nature.

WHAT IS SEXUAL HARASSMENT?

The most extreme form of sexual harassment occurs when an employee loses a job, benefit or other privilege of employment, or is fired or loses a benefit or opportunity because the employee has rejected sexual demands.

However, a determination of sexual harassment does not depend on whether the victim was threatened with the loss of a job or other benefit. Conduct which unreasonably interferes with an individual's work performance or which creates an intimidating, hostile or offensive work environment is also prohibited by law.

Finally, retaliation by an employer against one who resists sexual harassment or who reports acts of sexual harassment involving co-workers is also illegal.

Examples of conduct which may be prohibited by law include but are not limited to, the following:

- Unwanted sexual advances, flirtations or propositions.
- Demands for sexual favors in exchange for favorable treatment or continued employment.
- Unwanted sexually oriented jokes or remarks.
- Verbal abuse of a sexual nature.
- Graphic verbal commentary about an individual's body, sexual prowess or sexual deficiency.
- A display in the workplace of sexually suggestive objects, pictures, posters or reading materials.
- A coerced sexual act or assault.
- Physical contact of a sexual nature such as pinching, grabbing, patting or brushing unnecessarily against another person's body.
- Leering, whistling or gestures of a sexual nature.

AN EMPLOYER CAN PREVENT SEXUAL HARASSMENT FROM OCCURRING IN THE WORKPLACE

Prevention is the best tool for the elimination of sexual harassment. An employer should take all steps

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The "Glass Ceiling"

The term "glass ceiling" refers to obstacles that inhibit the advancement of women and minorities through the management ranks in the private and public sectors.¹⁴ These obstacles in the private sector include, but are not limited to: lack of access to the "old boys' network," lack of a mentor, recruitment practices, and necessary cross-training. Research indicates that public sector barriers are very similar.

In the year 2000, America's work force will be vastly different, reflective of the growing percentage of women and minorities. To ignore the realities of this diversity for the private or public sector encourages expanding costs. Companies with programs that recognize the diversity of the work force are motivated by business necessity as they realize that the labor force and their customers are becoming more diverse. They do not want to "let a valuable talent pool go untapped," and they want a multi-racial work force which can serve all their customers.¹⁵

RECOMMENDATION: The Commission recommends that the State develop a statistical report similar to U.S. Equal Employment Opportunity Commission reports as one of the criteria to be used in awarding state contracts. The Commission would like to encourage and foster voluntary efforts among the private sector to remove barriers that impede the full participation of women.

RECOMMENDATION: The Commission recommends that a study be conducted in conjunction with the Florida Department of Labor and Employment Security to identify the impact when women are denied access and full participation in all forms of development and training throughout a private or public organization. Discrimination limits the public and private sectors' ability to compete.

Gender Equity in Appointments

The Florida Commission on the Status of Women encourages women to seek appointments to state boards, committees, commissions, councils and the judiciary in Florida. Last year, the Commission supported legislation requiring gender equity on all such boards. The Commission is encouraging the passage of this legislation during the 1993 session.

RECOMMENDATION: The Commission recommends and encourages the Speaker of the House, President of the Senate, and the Governor to actively seek passage of legislation requiring equity in appointments. The Commission believes that passage of this legislation will ensure women a more equal voice, and set the standard that discrimination must not be tolerated.

NOTE: In December, Governor Lawton Chiles announced the makeup of appointments made during the first two years of his administration. Of 2309 total appointments to boards and commissions, 32% were women, 14% African-American and 7% Hispanic. Of judicial appointments, 19% were women, 11% African-American and 10% Hispanic.

Endnotes

- 1 American Association of University Women Issue Briefs
- 2 American Association of University Women Issue Briefs
- 3 Ellen J. Vargyas, *Women's and Girls' Participation in Athletics and Extracurricular Activities*, January, 1993.
- 4 Talbert, "A Women and Family Agenda," August 1992.
- 5 *Ibid.*
- 6 Talbert, "A Women and Family Agenda," August 1992.
- 7 "The Campaign for Women's Health; Principles" Working Document, February 27, 1991.
- 8 *A Blueprint for Health Security; Interim Florida Health Plan*, Agency for Health Care Administration, December 1992.
- 9 Revco & Cohen, *Research on Comparable Worth*, March 1986.
- 10 Salaries, *Delray Beach News*, December 17, 1992, p. 10.
- 11 Acceptance Speech of Richard M. Nixon, Republican National Convention, Miami Beach, August 8, 1968.
- 12 *Business Week*, "Ending Sexual Harassment," November, 1991, page 99.
- 13 *Business Week*, "Ending Sexual Harassment," November, 1991, page 99.
- 14 Levine, Linda, *The "Glass Ceiling:" Access of Women and Minorities to Management Positions*, CRS Report for Congress, August 19, 1991, p.3.
- 15 Gleckman, *Race in the Workplace*, p. 53.

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The Florida Commission on the Status of Women welcomes public input and recommendations for action on these problems. We urge you to contact the FCSW and your legislators. Send your comments to the Commission either in writing, or on (non-returnable) 3.5 or 5.25 disks to:

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If you wish to be put on the mailing list of the Florida Commission on the Status of Women, please send your contact information to the above address.

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