



KENYA MODEL UNITED NATIONS

20TH SESSION

2ND MOCK DEBATE

ECONOMIC AND SOCIAL COUNCIL

BACKGROUND GUIDE

AGENDA :

**WAGE GAP : ADDRESSING THE DISPARITIES IN EARNING
BETWEEN WOMEN AND MEN WORKING IN THE SAME JOB AT THE
SAME LEVEL**

Letter from the Dais.

Greetings delegates. We hope you are well. The dais of the Economic and Social Council (ECOSOC) is honoured to have you as a participant in the 20th Kenya Model UN session, Second Mock Debate. We do understand that being part of such a convention virtually is not easy. We appreciate your presence and we hope you'll enjoy and learn a lot from the debate.

The ECOSOC dais in this session is composed as follows: Esther Mphande (President), Rebecca Muturi (Co-president), Neil Samuel (Secretary) and James Kanjeru (Rapporteur). Our topic of discussion will be on addressing **Disparities in earnings between women and men working in the same job at the same level.**

The quality of the debate will be commensurate to the input you give, through thorough research and preparation. We, therefore, urge you to do an in-depth study of the topic, so that we may have brilliant insights. You are also required to submit your position paper to ecosoc@kenyamodelun.or.ke on or before **Friday, 15th January 2021, 2359Hrs** . We look forward to this intellectual discourse.

Best wishes,

ECOSOC dais.



Background and Mandate of The Economic and Social Council.

The Economic and Social Council or ECOSOC was established in 1945 as one of the six organs of the United Nations. Its leadership falls under a president whose primary responsibility is to (with the help of ECOSOC bureau), propose agendas, draw up programs of work and organize sessions. The Council has a total of 54 member states whose members are elected by the General Assembly for overlapping three-year terms.

His Excellency Munir Akram is the 76th President of the Economic Social Council incumbent since July 2020.

The Economic and Social Council is the principal body for coordination, policy review, policy dialogue and recommendation on economic, social and environmental issues.

ECOSOC supervises subsidiary and expert bodies therefore it is the central mechanism for activities from specialized agencies that are in economic, social and environmental fields.

The mandate of the Economic and Social Council is to advance the three dimensions of sustainable development; economic, social and environmental. It also follows up major United Nation conferences and summits.

It promotes financing for Sustainable Development, raising awareness on emerging issues and building partnerships.

There have been reforms to ECOSOC to strengthen its leading role in identifying emerging challenges, promoting innovation and achieving a balanced integration.



STATEMENT OF THE PROBLEM

The gender pay gap or wage gap occurs when women are paid less than men for the same amount of work done. There is a large body of research that is clear and consistent that paints this unfortunate reality. There is contention on what metrics to use. However, all of them reveal the glaring disparity. Some of them include hourly pay for women against that of men, adjusted metrics to factor in education and area of occupation and wage gap in demographic subgroups.

According to data from the Organization for Economic Cooperation and Development (OECD) a woman earns 82 cents for a dollar earned by a man. OECD ranked some of its member countries based on the gap. Some of the countries with the worst gaps are; Japan (24.5%), Estonia (28.3%) and Korea which is the worst globally at (34.6%).

Women unfairly receiving lower remuneration than would mean they have less spending power. Less disposable income means that a woman will save less, invest less and may have to depend on others upon retirement.

A research by the World Economic Forum places the GNI (Gross National Income) per capita of a Kenyan man at \$3405 and that of a woman at \$2357. This speaks volumes. The wage gap can be implicit sometimes and requires contemplation to see clearly. In the United States, there is the equal pay day to create awareness among Americans. To bring into focus how implicit this may become, one may consider the *child penalty* which is the percentage by which women's pay falls behind men as they begin bearing children. A research in Denmark by the National Bureau of Economic Research on Children and Gender Inequality indicated that having children creates a gap in earnings of around 20%. In Korea the balance between child care and work is greatly skewed. Child penalty also affects men who become fathers but the fall in earnings for women is much steeper.

In developing countries, a woman's labour that is considered traditional like nurturing is undervalued. During these activities, women are regarded as less loyal to their employers, likely to exit work and hence are given less opportunity to advance to roles with greater responsibility.

Moreover, there are tendencies to employ women in areas that 'bring out' their innate characteristics. For instance, placing women in departments that involve customer interaction so as to make the workplace happier or friendlier. This may translate to less pay when an overqualified woman is employed on this basis. To navigate child bearing and childcare, women may take temporary jobs and end up

missing out on earnings growth associated with permanent jobs. They may work for smaller companies altogether because these companies may roll out flexible work plans.

Education plays a significant role in the wage gap. Despite the fact that in primary levels of education the gender gap in enrollment is negligible, as boys and girls continue to grow this gap widens due to early marriages and cultural biases. Countries falling behind in ranks of gender pay gap seem to also be having trouble with education attainment of women according to World Economic Forum sub-indexes. This shows that the gender pay gap is heavily intertwined with all aspects of gender inequality.

However there have been steps in the right direction by some of the countries, the Global Gender Gap Report by World Economic Forum gave the Gender Gap rankings showing countries strides in achieving gender parity. Nordic countries like Norway and Ireland are leading in trying to close this gap. In Africa Rwanda is spearheading this effort by ranking 9th globally while some fifteen countries have launched the Closing Gender gap accelerator, a model to build a global network that accelerates gender parity by 2020. Some of these countries include Columbia, Panama, Peru and Egypt.

Current Situation

Inequality between men and women is still prevalent on the labour market in 2020, the gender pay gap being wider for women of color, women in executive level roles, women in certain occupations and industries. Research shows that the uncontrolled gender pay gap, which takes the ratio of the median earnings of women to men without controlling for various compensable factors (meaning that women are still being paid less than men due to no attributable reason other than gender) has only decreased by \$0.07 since 2015. In 2020, women make only \$0.81 for every dollar a man makes.

Most factors that impact the gender pay gap are difficult to measure. These include unconscious bias and discrimination against women such as, assumptions that women will leave the workforce to have children or that women with children should earn less than men. In a 2017 survey, the Pew Research Center found that 42 percent of women said they have experienced gender discrimination at work compared to 20 percent of men who said the same. One of the most commonly reported forms of discrimination is earning inequality. Women with children also

make less than men with children or women without children. This is often called the motherhood penalty or the childbearing penalty.

In Europe, for instance, EU Parliament news reports that women in the EU earn an average of around 15% less than men do, per hour. Their pay disparities vary among member states. A narrower gender pay gap, however, does not necessarily mean more gender equality. It often occurs in countries with lower female employment. On average, women do more hours of unpaid work (caring for children or doing housework) and men more hours of paid work, so women do not only earn less per hour, but they also do fewer hours of paid work. This worsens the already bad situation, as fewer women are employed in the workforce as compared to men. A high gap in earnings of men compared to those of women may indicate that women are more concentrated in low-paid sectors or that a significant proportion of them work part-time.

The gender pay gap means women are at higher risk of poverty in old age. In 2018, women in the EU aged over 65 received pensions that were on average 30% lower than male pensions. The situation between member states differs here as well - from a 43% pension gap in Luxembourg to 1% in Estonia.

It will take more than a century to close the gap between men and women in sub-Saharan Africa, according to the World Economic Forum's 2018 Global Gender Gap index. North Africa fared even worse. If the current inequality between the genders persisted, it will take 135 years for men and women to be equal. As a region, the Middle East and North Africa fared worse: 153 years.

Assessing 149 countries according to economic participation, education, health and political empowerment, the index found that as a region, sub-Saharan Africa had worsened. This is compounded by the fact that in Africa, education is given more in favour of the boy child than the girl child and this reduces prospects for formal employment for women hence they are unable to rise to the competence and consequently the pay level of their male counterparts. On average, female employees receive lower wages than male employees in most sectors or occupations. Interestingly, this can also be the case in occupations and sectors that are over-represented in female wage employment. For instance, female employees in Namibia experience a wider gender pay gap in the public sector (10 per cent) than in the private sector (1 percent). In the social services, female employees receive on average lower hourly wages than male employees in all countries except Madagascar. In terms of occupation, unskilled female employees are on average paid less than male unskilled employees in all ten of the countries covered. The same is true for senior professional employees.



Credit: Veronica Grech

PREVIOUS UN ACTIONS

There have been various initiatives by the international community to reduce the wage gap and to eventually close it. Among these initiatives include:

- The adoption of the UN's Beijing Declaration aimed at the advancing of women around the globe
- The establishment of UN Women dedicated to Gender equality and empowerment of women
- The inclusion of an SDG on Equality of women and men in the workplace: Gender Equality
- The marking of Equal Pay Day.

However, even with these interventions, Unequal pay remains a stubborn and universal problem. In spite of significant progress in women's education and higher female participation in the labour market, closing the gender pay gap has been too slow. At the current pace, it will take 257 years to achieve economic gender parity.

The European Parliament has consistently called for more action to narrow the gap and adopted a resolution on 30 January (following a debate on the issue held earlier in the month). In its resolution, Parliament urges the European Commission to propose binding measures on the gender pay gap and pay transparency, applicable to both the public and private sectors.

This past July, **New Zealand** passed the *Equal Pay Amendment Bill*, although existing law guaranteed women and men would be paid equally for the same work. The new law makes sure that women and men are paid equally for work that's different but has equal value, including in chronically underpaid female-dominated industries.

A law passed last summer in Massachusetts holds that employers should be banned from punishing employees from talking to each other about wages and from asking job applicants about their prior salaries and in addition require employers to share their gender wage gap data with the federal government.

Much more in terms of legislation can be done to close the wage gap between men and women and end the gender bias against women at workplaces. During an Equal Pay International Coalition (EPIC) event held in New York, global leaders from governments, private sector companies, trade unions and civil society pledged to take concrete action towards closing the gender pay gap by 2030. The global commitments – to ensure women in every sector of the workforce are paid equally with men for doing work of equal value – were made and among them were governments from Peru to Jordan to Switzerland to Canada demonstrated their shared vision to accelerate progress to achieve equal pay. They pledged to implement legislation that prohibits unequal remuneration in the public and private sectors, establish National Commissions that monitor the compliance of equal remuneration laws and launch national awareness campaigns on the importance of equal pay

BLOC/ REGIONAL POSITIONS

a. European Union.

In order to combat the gender pay gap and ensure the full application of the principle of equal pay between women and men, the Commission adopted the 'EU Action Plan 2017-2019: Tackling the gender pay gap' in November 2017. The Action Plan takes a holistic approach and addresses the various root causes of the gender pay gap. It includes a total of 24 action points that have been distributed under 8 main strands of action, namely:

- Improving the application of the equal pay principle;

- Combating segregation in occupations and sectors;
- Breaking the glass ceiling: addressing vertical segregation;
- Tackling the care penalty;
- Better valorizing women's skills, efforts and responsibilities;
- Uncovering inequalities and stereotypes;
- Alerting and informing about the gender pay gap; and
- Enhancing partnerships to tackle the gender pay gap.

The actions are to be implemented by the end of the mandate of the current Commission in cooperation with various stakeholders and Member States. This is in line with the **European Pact for Gender Equality**.

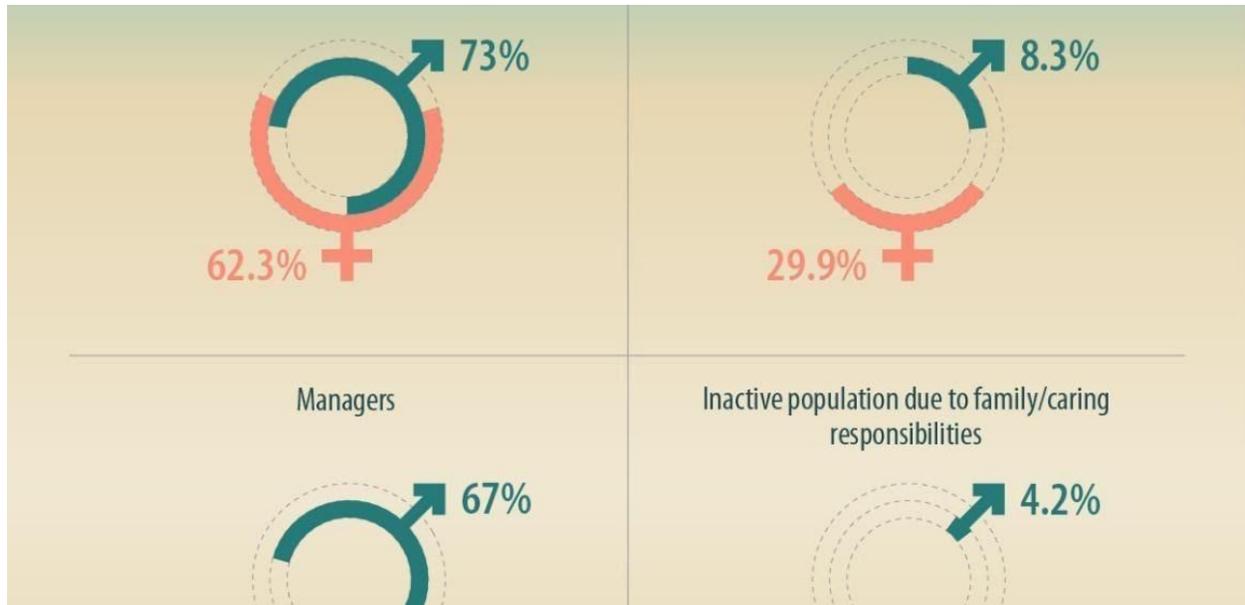
The gender pay gap in the EU as per 2019 stands at 14.1% and has only changed minimally over the last decade. It means that women earn 14.1% on average less per hour than men. Women in the EU even earned 39.6% less than men overall in 2014. One of the reasons is the fact that on average women spend fewer hours in paid work than men: Whereas only 8% of men in the EU in 2019 worked part-time, almost a third of women across the EU (30.7 %) did so.

There are considerable differences between EU countries. The gender pay gap ranges from less than 3% in Luxembourg, and Romania to more than 20% in Austria, Czech, Germany and Estonia. In most countries, the gender pay gap is decreasing, whereas it is even growing in a few.



The unadjusted gender pay gap is defined as the difference between the average gross hourly earnings of men and women expressed as a percentage of the average gross hourly earnings of men. It is calculated for enterprises with 10 or more employees.

However, a lower gender pay gap in certain countries does not automatically mean that women in general are better paid. A lower gender pay gap often occurs in countries with a lower employment rate of women.



b. Americas.

The first attempt at equal pay legislation in the United States, H.R. 5056, "Prohibiting Discrimination in Pay on Account of Sex," was introduced by Congresswoman Winifred Stanley of Buffalo, N.Y. on June 19, 1944. This was made into The Equal Pay Act that was passed twenty years later and it has been the guiding legislation in United States about payment discrimination based on sex under Title VII. This has led to an increase in the median yearly earning of women over the years.

The women's median yearly earning has increased from 60.2%-71.6% in 1980-1990 to 73.7%-82% in 2009-2019.

Taking industries and occupation into consideration, women's median weekly earnings is lower than men's with financial activities occupation having the highest gender pay gap of 70.5% while the construction industry having the least gender pay gap of 92.2%.

In light of education, while greater education increases women's overall earnings, education does not close the gender pay gap. In 2006, female high school graduates earned 69 percent of what their male counterparts earned, but women's earnings dropped to 66 percent of men's for those with advanced bachelor's degree or more.

(c) African Union.

As per the African Union, Third Ordinary Session, held in Addis Ababa held on 6th-8th July, 2004, the following resolution was agreed upon (numbering provided as per the operative clauses given in the original resolution);

“4. Extend the gender equality principle that we have adopted regarding the Commission of the African Union to all the other organs of the African Union, to the Regional Economic Communities, and to the national and local levels;

5. Mount, within the next one year, a campaign against the recruitment of child soldiers and abuse of girl children as wives and sex slaves, and thus bring an end to this inhuman treatment of our children;

6. Lead from the front sustained public campaigns against gender based violence for the protection of women at the national level;

7 Galvanize national legislative processes to promulgate and enforce specific laws relating to violence against women in all its forms;

8. Deploy all efforts to expand the gains already made in bridging the gender disparity in education and to meet that Millennium Development Goal which seeks to close the gender gap in primary education by the year 2005;

9. Actively promote the implementation of legislation to strengthen women's land, property and inheritance rights including their rights to housing;

10. ' Strengthen measures to reduce women's workload, expand employment opportunities for women, and ensure equal pay for work of equal value;

11. Sign and ratify, in the next one year, instruments aimed at promoting and protecting women's rights, especially the Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women in Africa Women, and ensure their implementation;

13. Consider the establishment of a Special Investment Fund for Women to support women entrepreneurship, possibly for management by the African Development Bank”.

This has been slow to achieve since African economies are fragmented, under resourced, small and don't expand fast enough which is a key reason for feminization of poverty. Far too many African women are trapped in the vicious cycle of poverty. In most of the countries in the continent, women constitute the highest proportion of the unemployed, while those employed are concentrated in low paying positions. Most women work in the informal sector; in casual, part time and non-permanent jobs. The gender pay gap in Sub-Saharan Africa is 30% compared to the global pay gap of 24%. There are only 22 countries in sub-Saharan Africa that meet or exceed the ILO standard of 14 weeks paid maternity leave. The privatization of essential services is impacting both on opportunities for decent jobs for women as well as opportunities to reduce women's unpaid.

Women are considered to contribute between 60 and 80 percent of their countries' food production. In Kenya, only six per cent of women hold title to land. In Malawi, only 3% of women are registered owners of commercial land. In Uganda, women own only 5% of the land. In Ghana, the monetary value of men's landholdings is three times greater than that of women's landholdings. In Ethiopia, more than 2 million women are registered land owners and several countries have laws permitting women's access to land.

It can easily be noted in Africa that women have been backed up by law in Statutes, but there is minimal actualization of the law.

d. United Nations.

International Equal Pay Day, celebrated for the first time on 18th September, 2020, represents the longstanding efforts towards the achievement of equal pay for work of equal value. It further builds on the United Nations commitment to human rights and against all forms of discrimination, including discrimination against women and girls.

Generally, the United Nations has been guided by Equal Remunerations Convention of 1951 that was adopted by the General Conference of the International Labor Convention in accordance with Article 6.

It should be noted that over the years, the gender pay gap has reduced but it is off-track vis-à-vis the Vision 2030 projection in light of SDG 5.

Globally, women only make 77 cents for every dollar men earn. This is a major cause of lifetime income inequality. At current rates, it will take 70 years to close this gap. Labour policies are a critical factor when it comes to this gap. For

instance, women face greater constraints in balancing paid work and family responsibilities. Restrictive policies, such as inflexible working hours and limited parental leave, can impede women's mobility in the workforce and force them into part-time employment. In turn, this exposes them to further inequalities, such as limited access to social protection, in particular old-age benefits. Women with children are more vulnerable to these inequalities — also known as the motherhood penalty. In sub-Saharan Africa and South Asia, the gender pay gap is 31 percent and 35 per cent, respectively, for women with children, compared to 4 per cent and 14 per cent for women without children.



The gender pay gap is rooted in systemic inequalities. Women, particularly migrant women, are overrepresented in the informal sector around the globe. They are in informal jobs that often fall outside the domains of labor laws, trapping them in low-paying, unsafe working environments, without social benefits. These poor conditions for women workers perpetuate the gender pay gap. Equal pay matters because it is a glaring injustice and subjects millions of women and families to lives of entrenched poverty and opportunity gaps. So the biggest question is, “What should be done”?

Questions A Resolution Must Answer.

1. What steps should countries take to ensure equal pay among women and men doing the same job at a similar level?
2. What role should men play, in reducing the pay disparities along gender lines?

3. How can workplaces support women to ensure they are not disadvantaged economically due to the reproductive role they play in society. (i.e. Child bearing as well as caring for their families.)

Resources.

- i. <https://www.un.org/ecosoc/en/about-us>
- ii. <https://www.un.org/ecosoc/en/a-brief-history>
- iii. <https://www.un.org/ecosoc/en/content/bureau>
- iv. <https://www.un.org/en/ecosoc/about/members.shtml#:~:text=The%20Council's%2054%20member%20Governments,for%20overlapping%20three%2Dyear%20term>
- v. <https://www.forbes.com/sites/nextavenue/2019/04/04/closing-the-gender-pay-gap-what-women-employers-and-government-can-do/>
- vi. <https://www.payscale.com/data/gender-pay-gap>
- vii. www.ilo.org
- viii. www.unwomen.org
- ix. <https://www.statista.com/statistics/641812/south-korea-gender-pay-gap/>
- x. <https://www.weforum.org/projects/closing-the-gender-gap-accelerators>
- xi. <https://www.epi.org/publication/what-is-the-gender-pay-gap-and-is-it-real/>
- xii. <https://www.europarl.europa.eu/news/en/headlines/society/20200227STO73519/gender-pay-gap-in-europe-facts-and-figures-infographic>
- xiii. [https://ec.europa.eu/info/policies/justice-and-fundamental-rights/gender-equality/equal-pay/gender-pay-gap-situation-eu_en#:~:text=Discrimination%3A%20In%20some%20cases%2C%20women,article%20157%20TFEU\)%20since%201957.](https://ec.europa.eu/info/policies/justice-and-fundamental-rights/gender-equality/equal-pay/gender-pay-gap-situation-eu_en#:~:text=Discrimination%3A%20In%20some%20cases%2C%20women,article%20157%20TFEU)%20since%201957.)
- xiv. https://au.int/sites/default/files/documents/36195-doc-au_strategy_for_gender_equality_womens_empowerment_2018-2028_report.pdf
- xv. <https://www.unwomen.org/en/news/in-focus/csw61/equal-pay>
- xvi. https://ec.europa.eu/info/policies/justice-and-fundamental-rights/gender-equality/equal-pay/eu-action-against-pay-discrimination_en
- xvii. <https://www.achpr.org/legalinstruments/detail?id=36>
- xviii. <https://www.ohchr.org/EN/ProfessionalInterest/Pages/EqualRemuneration.aspx>
- xix. <https://www.un.org/en/observances/equal-pay-day#>
- xx. <https://www.unwomen.org/en/news/stories/2020/9/explainer-everything-you-need-to-know-about-equal-pay>