



Equal Pay Rights for Women to Advocate Gender Equality at Workplace

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ABSTRACT

Equal gender pay is one of the major areas that can help in ensuring greater woman empowerment and connecting more women with mainstream business. It can help in facilitating a greater advantage by ensuring that more women representation in the top management of organisations being facilitated. In Indian society, multiple legislations that are aimed at equal pay rights for women and elimination of exploitation of women at the workplace. It has been noticed that at present, the gender pay legislation has failed to deliver, due to the fact that existing scenarios highlight a clear disparity in the pay of men and women. However, there is also a lack of understanding and knowledge about these legislations, which is impacting the overall ability of women to stand against such disparities.

KEYWORDS: Gender equality, Equal gender pay, Equal remuneration Act 1976, marketing campaigns, lack of awareness

I. Introduction

Background

Gender equality is crucial for companies not only because "it is the right thing" but also it is associated with the economic performance of the company. Workplace gender equality is associated with economic growth and improved national productivity¹. In the opinion of Hyland, Djankov & Goldberg (2020), gender diversity in the organisation means that men and women are hired at a consistent and similar rate, [aid equality and getting the same opportunity². The access to promotion, pay and resources are essential for getting development in business. Gender diversity in a company is having the equal opportunity that is available and is not limited by gender. Equality in the company ensures people are getting equal pay, opportunities and also accepted for the differences they have in their characteristics. According to

Verma, Qureshi & Kim (2019) equality in a business ensures removing discrimination chances in the workplace. Moreover, a conducive and inclusive working environment can be created by promoting diversity and equality in work. As a result, employees feel happy and secure in their company that motivates them in working hard for the organisation. Hence, a gender equal environment can make employees feel more valued and respected in the work place.

Problem statement

The women employees in India are earning less than the male counterparts on a regular basis in their careers that reflects a widening of gender pay gap in the country. A study of IIM Ahmedabad revealed that women are earning 2.2% less than men working in the same role. Additionally, women managers and supervisors are getting 3.1% less payment and directors as well as senior executives are getting 4.9-6.1% less salary than men(George, 2023). This article was based on the responses of 4000senior executives in 109 NSE companies. In addition to this, the gender pay gap in India can vary across companies and sectors. On an average, senior women employees in India are getting "Rs.85 for Rs.100 that men" are earning in the same position. Moreover, women are facing gender pay gap issues but it is less visible, hence the problem is existing so widely³. Women are working in less numbers in companies than men which gives a power to the men to decide the pay structure of the women.

The study of IIM revealed that women's position in senior and top management in the country is significantly lower than the number of women within the board of directors. According to the study, the women in the post of senior management position is merely 7%. Even further in the top position the number of women in 5%(George,2023). Moreover, the women director numbers in the NSE

¹ Submitted To Pima Community College

² Submitted To The College Of Bahamas

³ Economictimes.indiatimes.com



500 firms have been enhanced by 16% in the year 2020 from 4.5% in the year 2014 because of the regulatory needs. The number of women at board level has not increased in the last few years due to the discrimination in the country.

Aim and objectives

Aim: The prime aim of this organisation is to analyse the importance of equal pay rights for advocating gender equality in India⁴.

Objectives:

- To analyse the current issues faced by women in workplace due to discrimination and unequal pay
- To determine the laws and regulations of equality act in India for gender equality in an organisation
- To find out the importance of gender equality and equal pay rights in growth and development
- To recommend effective strategies to modern businesses to avoid discrimination and provide equal rights to all.

II. Literature Review

Equal pay rights for women in India

According to the “**Equal Remuneration Act 1976**”, women and men in India need to get equal pay in their organisation for preventing discrimination on gender basis. This act is important for employment as well as employment opportunities in India. This legislation provides a right to the women to demand equal pay. Hence, inequality in recruitment method, job training, transfer and promotion within a company can be challenged under ‘Equal Remuneration Act 1976’. Moreover, the scope cannot extend to situations where i) a woman is granted any special treatment for giving birth to a child, marriage, retirement or death and ii) a woman is applied for complying with the need of regulations or laws giving women any special treatment. According to section 15 of this act, individual employers and companies can be held accountable in order to follow the standards of this Act (Equal Remuneration Act 1976). Furthermore, the supreme court of this country has held that the discrimination based on gender arises while men and women are performing similar work in a similar nature. Thus, a flexible strategy is essential to be followed by companies in order to avoid these kinds of issues.

According to the Articles 14, 15 and 16, employees should get equal pay for their equal work. As per the “**Maternity Benefit Act 1961**”, and “**Factories Act 1948**” do not have details regarding equal pay for the act. The Maternity Benefit Act is applied for all companies with more than 10 employees. Pregnant women have the right for not performing physically arduous activity that is effective on their pregnancy and the company has no right to deduct the wages due to this cause. As per “**Factories Act**” workers are required for providing childcare for all children below the age of 6 years old at any organisation that has 30 workmen.

Challenges associated to gender discrimination at workplace

Women struggle in finding the mentors and role models in the leadership designation that make it more critical to advance their work life and navigate the corporate landscape. As opined by Sarkar, Sahoo & Klasen (2019) companies are advocating for the designation of “**Women Specific L & D Programs**”. It is beneficial for becoming a successful corporate leader in the company. Companies have realised that L & D modules that are created for women managers are essential for improving talent management in companies. Women are encouraged to take leadership roles due to these roles women are getting 20% less than men in the global region as per the study of “**International Labour Organisation (ILO)**” in 2018 (George, 2023)⁵. Furthermore, the ILO’S average gap in India is a far wider 34%. A professor of IIM-A named Promila Agarwal stated that the idea of gendered leadership, negative behaviour towards women managers, insufficient sponsorship and lack of opportunities, micro expression of discrimination and glass partition are the main reasons for poor leadership of women in India.

Few women in the position of the top management are the main reason for the gender pay gap in the country. In my opinion Basole (2019), unconscious biases are another reason for gender discrimination in India. Thus, women are feeling less valuable in the workforce which is creating a lack of opportunities for them. However, it affects their salary structure and pay rises. The study of IIM Ahmedabad stated that several biases as well as stereotypes are existing in organisations. Moreover, gender inequality in companies is the most complex phenomenon which could be seen in the company processes, structures as well as practices. HR practices such as decision making, policies and

⁴ Submitted To University Of Stirling

⁵ Vvgnli.gov.in



enactment after recruiting, tracking, pay as well as promotion of workmen are different from men. The sexism of decision marks in the organisation affects in creating gender bias in the HR related decisions. Institutional discrimination in the organisation is reducing the innovation and growth of some companies. Most importantly, institutional discrimination in the company processes, structures as well as practices are essential in maintaining gender equality in the company.

Implementation of law and regulations

“National Policy for the Empowerment of Women” was adopted in 2001 in order to empower women and developing people. This policy helps in fostering overall development for women and allows them to achieve full potential. In addition to this, ensuring equal opportunity for women in decision making and participation in the political, economic and social life of the country (Graff, Kapur&Walters,2019)⁶. Furthermore, “The Equality Bill 2021” is created in order to prevent discrimination against caste, ethnicity, sex, colour, gender identity, pregnancy, disability and others. According to “Equality (Prohibition of Discrimination) Act 2021” adverse effects involve withholding of an advantage given to others, along with symbolic, minimal as well as nominal adverse impacts. Ethnicity refers to the minority groups with a common distinct national, kinship network. Moreover, direct discrimination should be deemed for occurring while a person is treated less favourably than the other person. Moreover, this act is created in order to protect the rights of men and women in the organisation⁷. Intersectional, indirect and direct discrimination in the workplace should be avoided by following these regulations.

Gender inequality is the primary issue faced by women in worldwide regions. There is a specific legal framework under Article 53 in the Constitution of India, that the represents that social equality is the fundamentals of the Indian Constitution (Raj & Agarwal, 2019). In the year 2013, the parliament has approved “Sexual Harassment of Women at Work place Act 2013”. This regulation is developed in order to help women in the fight against gender associated mistreatment.

Benefits of equality in workplace

Equality in an organisation helps in reducing the recruitment cost by decreasing employee turnover. In the opinion of Boris (2019),

maintaining business ethics and regulations can be helpful in training skilled labour for a long time. Thus, employees prefer to work for an organisation where they feel comfortable and happy. A lot of companies in the modern generation have taken an initiative to maintain diversity and inclusion in their company to improve the organisational culture. Additionally, the company can also attempt to get innovation in business by following proper strategies of employee motivation. Providing proper training to all the employees equally can boost their talent and skills that helps the organisation in getting more financial opportunities. The business reputation of a firm can be increased by embracing diversity and equality in the organisation. Companies which are not following proper regulations of avoiding discrimination, suffer from reputational damage.

Equal rights and opportunities for men and women in the companies of India can boost their motivation level and create a proper brand image in the company⁸. On the other hand, the gender pay gap in a business can dramatically impact the motivation level of employees. As said by Chanf & Milkman (2020), negative publicity as well as poor reputation can impact on the sales rate of the company. The relationship with business partners, investors and other stakeholders of the company can be influenced by the decision of an organisation. Thus, following proper regulations of maintaining equality in an organisation is essential for having a diverse talent pool in the company. Progressive mindset provides a lot of opportunities to a business that helps in hiking people with proper experience and various skills. In addition to this, the company can get an advantage of multiple skills, ideas and perspectives by working together in a company.

Diversity enhances the performance of an organisation in a new market. Hence, companies need to welcome employees of all gender, races, ages and cultural background. Different people have multiple types of abilities, ideas and perspectives that can be brought together in an organisation (Alon et al.2020). Moreover, if a company is entering a new market, then hiring local people can be beneficial for the company to get new customers. Customers as well as clients can be supported by the organisation through diversity and equality in the company. Therefore, providing equal rights to women in organisations can help in improving the perception of justice. Creation of a better country is possible by providing equal opportunities to people

⁶ Eprints.soas.as.uk

⁷ Link.springer.com

⁸ Eprints.soas.ac.uk



against their gender, culture, race, ethnicity and other characteristics.

There was a statement “equal gender pay is a concern in India”, 54.84% of the total respondents have strongly agreed to the statement⁹. Apart from this, 32.26% of the respondents have agreed whereas only 9.68% of the respondents have disagreed with the above statement. This is indicative of the fact that in India, gender pay issues still persist. As the survey has been conducted among women of various age groups and occupations, a diverse set of data has been able to be collected. The results have clearly suggested the fact that there are concerns related to equal gender pay of the fact that women are getting lower wages in comparison to men in India (Sivakumar & Manimekalai, 2021). Therefore, a need to ensure greater legal assistance in this regard is a crucial requirement in the case of this domain. Appropriate legislation or enhancement in this existing legislation can be beneficial in this regard.

Implementation of Equal Remuneration of Act:

The Equal Remuneration Act, 1976, is a legislation that has aimed at ensuring equal gender pay to women. The results of the survey have indicated the fact that there are major disagreements with the aspect of implementation of the equal remuneration act. It is essential to note that without appropriate implementation of any legislation, the results were deemed to be negative (Venugopalan, Bastin & Viswanathan, 2021). Therefore, with 25.81% of the respondents strongly disagreeing to the fact along with 19.35% disagreeing to the fact that the implementation of the act is proper, it can be stated that there is a need to take a look at the overall implementation process. Otherwise, the end results of the act or the law is negative, which means that gender pay equality might not be generated in the fashion that is required in Indian society.

Impact of lack of top management women

There has been a major agreement with the fact that the lack of women in the top management in the companies of India have resulted in the gender pay issues that are being faced. The inappropriate implementation of the existing legislations can also be largely attributed to the same. There have been significant issues pertaining to these areas, which must be mitigated to ensure a better future. It has been noticed that 29.03% of the respondents have either strongly agreed or agreed to the fact that gender pay issues in organisations are being faced due to the lack of representation of women in the top

management) Choudhari & Desai, 2020). This has been indicated to be a crucial factor that must be impacting the gender pay equality aspect and therefore, greater representation of women in the top management is one of the essential requirements that can drive higher levels of success in this direction.

III. Conclusion:

Gender equality is one of the major areas that have been considered across the world as an essential requirement. The growth and development of a society is dependent on the enhancement of gender equality. Equality gender pay is one of the major areas that has been a hot topic across the globe in the current times. It has been noticed that advocating equal gender pay rights has become a major and common affair. With the implementation of appropriate legislation in this direction, better results can be attained when it comes to the facilitation of equal pay rights to women.

In India, legislations pertaining to equal gender pay are already available, and have been implemented. However, the issue is in the implementation of such legislations, which is faulty as per the results of this study. Besides, there is a lack of awareness among women about these legislations, which makes it even more difficult to implement the same in an appropriate manner. Further, there is a lack of representation of women in the top management of businesses, which is also impacting the equal gender pay rights of women. Therefore, appropriate steps must be taken, which can help in ensuring that better results in this direction are being generated.

IV. Recommendations

The first major recommendations that can be given in the area of equal gender pay rights of women in India is to ensure a greater level of awareness about the existing legislations. There are multiple legislations in the Indian Constitution, which advocate equal pay rights. However, due to a lack of appropriate knowledge about such legislations, there have been major faults or gaps in the implementation of such legislation. Therefore, raising awareness about these legislations is strongly recommended and this can be done through the use of appropriate marketing strategies and channels of communication.

In this direction, another crucial recommendation is to make use of various social media and mass media platforms to generate a

⁹ Dspace.unza.zm



greater awareness. Further, ensuring diverse channels of marketing, communication in this regard can be beneficial in spreading awareness more rapidly. Apart from these, there is a need to spread awareness about the benefits of equal pay for women and the punishments that can be incurred in case of failure to facilitate the same. Further, a greater reporting system which can allow women to report such issues with ease and confidentiality can also be beneficial in generating better results.

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