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The Federal Women's Program: Issues and Answers

*This article was written shortly before
Mrs. Saunders' untimely death last year*

The principle of equality has been one of the cardinal tenets of our national ideology since the envisioning of the Republic itself. Conversely, though, another article of belief in the sociopolitical system we designed, and have supported and vehemently defended for 200 years, is that intangible something generally referred to as "social control." Some have called it that wherewithal which any society, ours included, must have at its disposal at all times to channel people into the roles it finds necessary to maintain the *status quo*. (Translation: to keep in their places the traditionally excluded groups—Blacks, women, youth, other ethnic, social, and religious minorities, the physically handicapped, etc.)

A nation's legal system is an excellent example of a social control mechanism. Fortunately, our own legal system is one of the best-documented controls to study for anyone who wants to understand by what rationale certain sociopolitical caste boundaries have been, and are still being, prescribed for the American female who wants to work.

Part of the problem may be a throwback to the legal tradition of early Roman vintage which says that women, like children, are inferior, dependent, and without legal rights, and only men can be accorded independent status and the legal rights of adulthood—a tradition which, though modified, more or less enforced, and variously interpreted throughout Europe in the intervening years, has survived to influence some of our own legal beliefs. A trace of this archaic thinking is detected in the first major work on the legal rights of women, by Mansfield¹, who strongly endorsed the view that a husband has complete control, not only over the person of his wife, but also of her

¹Edward Mansfield, *The Legal Rights, Liabilities and Duties of Women*, Salem, Mass: Jewett and Co., 1845, p. 273.

real and personal property and income. (Shades of the Blackstone doctrine, a European import of 1765, but an offshoot of this same tradition, which says, "the husband and wife are as one and that one is the husband.")

Early in our history, legal guide posts for women who worked were hardly necessary. Custom and prejudice, alone, were enough to keep women in their employment niches (translation: servant, low-paid factory worker, governess, male's toy). In the aftermath of the Industrial Revolution, though, more women were being accepted, reluctantly, in schools of higher learning and were acquiring certain professional skills. With this new clout, many then began to seek employment in areas previously restricted to males. And that's when our national ideology and our legal system took on the appearance of Siamese twins.

"Protective" labor legislation began to mushroom everywhere: the undeclared objective to return these brash women to the home, and keep them there; the so-called "protection" no more than a ruse to protect business, trade unions and Government from giving women equal job opportunities with equal pay.

Much of the energy of our 19th Century feminists was spent chipping away at just such legal hanky-panky. But legal and sociocultural traditions die hard, and, seemingly, those found most useful to impede or control the mobility and progression of women in public service die hardest.

In 1773, the mere appointment of a woman as postmaster in Baltimore is said to have moved Thomas Jefferson to decay, "The appointment of a woman to office is an innovation for which the public is not prepared." While few today would challenge the right of a woman to cross caste boundaries and dare to be competent in that type of a "man's job," the current resurgence of interest in and concern about the opportunity gap for women in

10 UNCLASSIFIED

Approved for Release by NSA on
08-05-2018. FOIA Case # 83013

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UNCLASSIFIED

Government strongly suggest that many still nurture the same attitudes—the subtly of their manifestation notwithstanding.

Another interesting historical reference is this comment on an increase in promotions for women which the Civil Service Commission included in its annual report to Congress for the year ending 30 June 1891:

"The promotions have been won on the basis of the efficiency records kept in the departments and the close competitive tests which have supplemented those records, and show that when women in public service have a fair and even chance with the men, they win their full share of the more lucrative and responsible positions."²

With this kind of enlightenment in 1891, one has to ask, "What happened?" Why 80 years later the need for this umpteenth attempt—the Federal Women's Program—to achieve this "fair and even chance" in public service?

Unfortunately, it was not until the 1960's that any meaningful Federal legislation or Executive Orders addressed the subject of job equality for women. The scoreboard looks like this:

1961—President Kennedy by Executive Order established a Commission on the Status of Women, and an Interdepartmental Committee and a Citizen's Advisory Council on the Status of Women to carry out the Commission recommendations.

1962—Federal appointing officers, most of whom were men, were enjoined by law to stop specifying sex preferences in filling job vacancies.

1963—The Equal Pay Act, which required equal pay for equal work situations, was enacted—the *first* legislation affecting women enacted since the voting-rights law in 1920.

1964—The Civil Rights Act, Title VII, set forth a national policy of equal employment opportunity without discrimination because of race, color, religion, sex, or national origin. Curiously, though, this Act did not cover Federal employees!

1965—To bridge this gap, President Johnson, by Executive Order 11246, expanded the Government's position on equal opportunity to include its own workforce and to levy certain equal opportunity restrictions on Federal contractors and subcontractors. Even more curious, Johnson's Order spoke only of discrimination because of race, creed (religion), color, or national origin—sex wasn't even alluded to.

1967—President Johnson amended his previous Order with Executive Order 11375, specifically recognizing sex discrimination as a real deterrent to equal opportunity for over a third of the Federal workforce. Both Orders delegated supervision, leadership, and guidance and review responsibilities to the Civil Service Commission "in the conduct of equal employment opportunity programs for the civilian employees of, and applications for employment within, executive departments and agencies . . ." Further, that aspect of the Federal EEO program relating to women's interests was to retain its separate identity as the Federal Women's Program (FWP.)

1969—President Nixon, by Executive Order 11478, issued new and stronger guidelines on equal employment opportunity, as a result of recommendations submitted to him by the Civil Service Commission. This order superseded those parts of Executive Orders 11246 and 11375 applicable to Federal employment. And thereby hangs a tale. For Executive Order 11478 not only reintegrated the FWP with the overall Federal EEO Program, thereby depriving the FWP of some of its newly-found clout; it also assigned to an agency's Director of Equal Employment Opportunity (*in all of Government, only two females now hold this position*) the responsibility for program progress; the Federal Women's Program Coordinator on his staff acts as a point of contact in assuring that the program covers those areas having singular application to equal opportunity for women.

Despite this virtual legal revolution, at the end of the decade, many women long in the women's rights struggle felt that discrimination against women in hiring and promotion in the private sector was still a disgrace, and in the Federal Government, job discrimination was a national scandal.

And this condition still exists for good reasons. The Executive Order is the *only* legal weapon women have to fight discrimination in the Government, and yet, despite Commission guidance since early 1970 that "all actions agencies take to enhance opportunities for employees, minority or otherwise, must also be taken to enhance opportunities for women," few agencies can show any measurable results. Moreover, agency directors of EEO are still overwhelmingly male, the majority of whom appear to be no freer of traditional attitudes than their brothers of yesteryear; few women even have significant positions on EEO staffs; and, from the advent of the Federal Women's Program until early 1971, most FWP Coordinators and Committee Chairmen were men.

Recent Federal statistics do reflect some progress in equalizing opportunities for women, but the snail-like pace of this progress continues to turn women off. Many managers, directors of EEO, and women themselves,

²Quoted by Mrs. Daisy Fields, Hearings before the Special Subcommittee on Education and Labor, House of Representatives, 91st Congress, 2nd Session, on Section 805, H.R. 16098. U.S. Government Printing Office, Washington: 1970. pp. 459-469.

UNCLASSIFIED 11

UNCLASSIFIED

continue to view the concerns of women as something apart from those addressed in equal opportunity programs designed for minorities—hiring, training and development, placement, and promotions. Even though over one third of the Federal white-collar workforce are women, and more than half of all the people in the ethnic minorities are women, efforts to wipe out discrimination in Federal jobs continue to appear to be oriented toward the minority-group male who has not profited from the system. Women, as independent individual persons, continue to be almost invisible because Federal decision-makers still seem reluctant to bury the group stereotype.

A few comments on these bread-and-butter issues seem worth including here.

A. *Hiring*—While the total number of women in the Federal workforce continues to increase, most of the new hires are still being channeled into "women's jobs," (translation: secretarial, typists, clerical, etc., all the lower end of the grade/pay scales). How else to account for this statistic on male/female average GS-grade levels, 1961/1969:³

1961—Male: GS-9.0	1969—Male: GS-9.6
Female: GS-4.0	Female: GS-5.6

Despite the statements and promises of the past three administrations, the number of women being hired at the mid- and senior-grade levels is still nothing to shout about.

B. *Training*—Training opportunities for female employees in low grades remain scarce. The more rewarding training programs still seem to be designed for mid- and senior-level positions and most of the selectees are male.

The major thrust of Federal efforts in this area for employees in low grades is upward mobility—the Federal Government's term for an omnibus program designed to develop new career systems and eliminate dead-end jobs.

Further, all agencies are being pressed to increase substantially the management and executive training opportunities for mid- and senior-level women careerists.

C. *Placement*—There is still too little concern given to the potential of the female workforce; education, training, experience, and interests are generally overlooked. Hence, few women are assigned to supervisory, management, or decision-making positions. Appointive details are also often denied. The climate for acceptance of women in jobs long considered the male preserve is still very negative. Both the Commission and most Government agencies have a long way to go to bridge this gap.

³ U.S. Civil Service Commission statistics.

D. *Promotions*—Throughout Government, few women, despite their credentials, expect to be promoted into the mid- and senior-grade levels as regularly as their male co-workers. Executive-level promotions appear to be even more restricted. Money is no less powerful an incentive for female careerists than for men, yet jobs that offer more money, prestige, and influence continue to be offered to women on a token basis. As in the private sector, discrepancies between male and female salaries for Federal professionals, from first employment to retirement, still exist in almost every career field. Indeed, they are so commonplace as to be taken for granted by both managers and employees of both sexes. Recent breezes emanating from the White House on this subject and new thinking on the concept of goals and timetables as a means of alleviating this situation may make a difference. It's too early to tell.

To be sure, women in Federal employ today can, and some do, complain formally about inequities through the Commission's discrimination complaints-and-appeals system, established in 1969. Still, many more have complaints than complain, probably because many consider complaining an exercise in futility, since the reasons for sex discrimination antedate the Federal system itself. Further, many highly qualified distaffers opt to suffer in silence rather than become that social monster, the aggressive woman. Others would just rather spare themselves backlash—period.

On the other hand, many aspiring Federal careerists are beginning to vocalize their distaste for the roles tradition has cut out for them. They're beginning to question why opportunity is so equal for those jobs at the bottom, the ones usually reserved for ethnic minorities, and so unequal for those jobs on the upper rungs of the ladder, the unique talent or potential for which is found almost exclusively in males. More and more distaffers are beginning to say "enough of this homage to 'breakthroughs' into employment situations once reserved 'for men only'; tokenism by any other name is still tokenism."

No, the Federal Women's Program is not a euphemism for Women's Lib. The common denominator here is sex discrimination in employment, the pervasiveness of which cuts directly across all racial, religious, ethnic, economic, political, and social boundaries. And the rationalizations offered for denying women equal opportunities in the Federal service are the same as those confronting women in business and finance, trades and shop work, medicine, law and education.

While the revitalized Women's Rights/Women's Liberation movement leaves no area of rights and privileges unchallenged, the Federal Women's Program

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has only one basic goal: to achieve the acceptance of women in the Federal workforce as persons, as full and equal partners with men, not only in the context of respect and dignity, but also in the context of equal opportunity to be hired, to be trained, to be assigned, advanced, and paid to the fullest extent of their individual and unique potential.

Helen R. Saunders came to NSA in 1951 and she was serving as Federal Women's Coordinator for the Agency when she died April 10, 1972. She had worked as a research analyst and a linguist, and as a senior staff advisor in the Equal Employment Opportunities office. In 1969, she was awarded the NSA Meritorious Civilian Service Award.