

## **GENDER WAGE DISPARITY IN THE UNITED STATES: SOCIO-CULTURAL CONTEXT V. LEGISLATIONS**

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This study aimed at investigating the contributing factors to the persistence of gender pay disparity in American workforce despite decades of the enactment of progressive, federal legislations concerning on women's wage. This study employed sociological approach and utilized qualitative research to achieve its predetermined objectives. Utilizing library research, data were gathered and analyzed using gender theory, particularly the theory of devaluation of women's work. The results of this study indicated that prevalent American cultural values on gender roles and pay secrecy interfere with the federal legislations concerning on women's wage. Meaning to say, the socio-cultural context where the legislations are applied and enforced seems to be, in some ways, contradictory to the legislations. The data of this study showed that in the workplace, cultural values on gender roles affected the decisions in hiring and during the employment, which further resulted in gender discriminatory practices (in general) and gender wage discrimination (in specific). Meanwhile, the prevalence of cultural values of not talking about salary reinforced employer's policy against salary disclosure (PSC rules), which led to the hindrance of wage transparency that is in fact, in contradictory to what the legislations suggested. As a conclusion, gender wage disparity could not be cured solely with the enactment of federal legislations. Evolutionary changes in cultural values of the society are also significant in eliminating the gender wage disparity in American workforce.

**Keywords:** gender wage disparity, socio-cultural context, cultural values, federal legislations, pay secrecy

### **Introduction**

The succession of legislations prohibiting gender-based discriminatory practices at work has been in effect for almost half a century. However, female employees still fall behind men in pay. Studies indicated that women earn 77 cents for every dollar men earn (NWLC, 2012; US Bureau of Census Data, 2013). Several cases on gender-based discriminations brought to the courts affirmed that gender pay disparity is not only a myth, but facts. Among the prominent cases were the case against Price Waterhouse (1990), Lucky Stores (1994), the US Information Agency (2000), Wal-mart (2000), and Goodyear (2007). Surely, there were still a lot more gender discrimination cases occurred in American workforce in the past few decades.

Scholars note that gender wage disparity has not only affected women as individuals, but also affected children and families they live with, as well as the society at large.

Particularly, as the number of working single mothers is growing significantly and the number of women participating in the workforce is also increasing, gender wage disparity matters for serious study and deserves attention for solutions.

Efforts were made to close the gap between women and men's earnings, and one of the most ultimate was through the enactment of progressive legislative initiatives concerning on women's wage. However, women's earnings remain less than those of men's despite decades of the enactment of progressive legislative initiatives. Careful studies and court decisions were taken into account in making changes in the legislations, making them more protective and non-discriminative. Nevertheless, gender wage disparity keeps enduring. Question remains over why such legislations could not achieve the predetermined purposes. Instead of bringing about equity, prevention or protection from

discriminations, such legislations still fail to serve as a shield against gender pay discrimination at work.

As an alternative way to figure out the contributing factors to the persistence of gender wage disparity in American workforce, the writer proposes an investigation on the failure of federal legislations concerning on women's wage to protect women from wage discrimination. Considering the fact that legislations do not operate in a vacuum, it is then worth to consider that there might be any interference when the legislations are in touch with the socio-cultural context where they are implemented, leading to the ineffectiveness of their implementation and causing the persistence of gender wage disparity.

Referring to the line of reasoning mentioned above, there are several questions to answer in this study. They are, among others, (1) What are the prominent federal legislations concerning on women's wage and how did they develop? (2) What are the prevailing cultural values in American society which define the roles and position of women in the society and hinder equality in pay? and (3) Why does gender wage disparity continue to persist despite of the enactment of the federal legislation concerning women's wage in the workforce?

To answer research questions, sociological approach was employed in this study by focusing on utilizing gender perspective as the lens to investigate the phenomenon under investigation. As the study is to find out how preferences and what the society perceives to be male or female could contribute to the persistence of the phenomenon under investigation, gender theory, particularly the theory on the devaluation of women's work was utilized for analysis in this study.

Gender theory on the devaluation of women's work suggests that women's works are devalued due to the cultural ideas that

undervalue women and characteristics associated with women. All social roles and skills associated with women are devalued in relation to characteristics associated with men (England 1992a; Kilbourne et al. 1994) which also means that women are considered as less valuable, the weaker sex, compared to men. Such cultural ideas lead to the underestimation of women's abilities in the workplace (England, 2005, p. 278).

In the workplace, such undervaluation is then leading to the clustering of women in certain occupations or positions which are usually paid or make them paid less than men (England, 1992; England, Budig and Folbre, 2002; England and Folbre, 2005; Hill and Killingsworth, 1989; Kilbourne et al., 1994; Reskin and Roos, 1990; Steinberg, 1990). Additionally, some researchers notified the existence of gender bias in job evaluations. They stressed that skills and job demands in women's work are often invisible and given fewer points in the job evaluations used in wage setting processes (Reskin and Roos, 1990).

As suggested by Steinberg (1990), wages do not only depend on forces in the labor market or economic laws, but social values and institutional norms also supposedly affect wage systems. Occupational skills are thus viewed as socially constructed with the skills in women's work are often ignored and rewarded less than those of men. (England 1992; England, Budig and Folbre, 2002).

Some argue that women receive less than men because they typically choose low penalties jobs which are typically low salary occupations to fulfill their domestic responsibilities (Polachek, 1981, p. 64). However, it is important to consider that preferences do not represent individual choices free from social context. Individuals' choices to act or behave in certain manners are bound up by social norms, roles, and meaning (Edwards, 2005). Meaning to say, women's

choices do not stand apart from the social context; they do represent women's social and cultural contexts, instead.

In this research, qualitative research was employed to achieve the objectives of the study. As this study relied heavily on the secondary data, library research played major role in obtaining relevant data from both printed and digital materials (from online media) for the accomplishment of this study. Both quantitative and qualitative data were gathered from books, journals, papers, articles, reports, published court briefs, and statistics published by the US Census Bureau and Bureau of Labor Statistics (BLS). The relevant data were categorized, based on certain criteria referring to the formulated questions in this study. The data was then analyzed using content analysis, which according to Krippendorf (1980) is defined as a process of analyzing messages in any types of communication systematically by examining the presence, meanings and relationships of the concepts, and then making inferences about the messages within the texts and among the messages in different texts or sources.

To find out the contributing factors of the persistence of gender wage disparity, this study focuses on the reasons why the legislations could not bring about the intended results. To figure out the interfering factors which play roles in the ineffectiveness of the implementation of the legislations, socio-cultural context where the legislations are implemented is worth to consider. In part II, there will be the discussion on the socio-cultural context of gender and work-related issues in American society to provide insight on what cultural values and principles are in touch with the legislations concerning to pay. In part III, the writer provides the elaboration of the development of the federal legislations concerning to pay. Influences of the socio-cultural context on the implementation of the

legislations in American workplace are discussed in part IV and V. In the last part, there will be the conclusion of this study.

### **Socio-Cultural Context of Gender and Work-Related Issues in American Society**

Considering that legislations do not operate in a vacuum, there must be interfering factors influencing the implementation process of such legislations on the ground. Dealing with the context where the legislations are implemented, it is important to consider the cultural values the Americans hold as they do affect how people think and behave, especially ones on gender roles and work related issues, which further determine the effectiveness of the legislations.

### **Cultural Values on Gender Roles in American Society**

The discussion of such values is needed to gain insight on the roles and position of women in the society. Since the colonial era, Americans have held an understanding of sexes separate spheres; women should occupy the private sphere while men occupy the public sphere (Collins, 2009; Rhode, 1991). Such notion has legitimized the role of men as the breadwinners and women as the caretakers. As what Kulich, Trojanowski, Ryan, Haslam, and Renneboog (2010) argue, such legitimate roles repeatedly trained women to be caring, empathetic, understanding as good caretakers supposed to be, while men are repeatedly trained to be multitasking, high-risk taking as they are used to be exposed to more various challenges, which are oftentimes dangerous and risky as well, struggling outside the door as the breadwinners. This leads the society to continuously believe that women are more likely to be caring, empathetic, and understanding, while men are typically multitasking and high risk-taking, which then lead to sexual occupational segregation; women and men should belong to different

occupational divisions or positions according to the labeled characteristics attached to them (Kulich, Trojanowski, Ryan, Haslam, and Renneboog, 2010). Such separated fields lead to a belief that women are the weaker sex compared to men, who are assumed to have greater responsibility and tasks, struggling in the arena outside the house.

The sexual division of labor which starts from the smaller unit of the society (family) affects the perception of the importance of women's participation or contribution (England 1992; Kilbourne et al. 1994). Since financially speaking women give less contribution to the family survival, then they are often considered as the weaker sex compared to men (Collins, 2009; Rhode, 1991).

Overall, despite of the economic and social changes, such notion is prevalent in American society to the present time. Studies indicated that women still have to perform one and a half times more housework than men, confirming that women still play the major role in the domestic arena, holding most of the family responsibilities (Noonan, 2001). It suggests that generally men are still crowned the breadwinners, while women are the main caretakers.

In fact, economic and social changes could only broaden the scope of women's activities but fail to change the negative stereotypes attached to women. It is thus to conclude that the cultural values on gender which have been passed from one generation to another affect how the society views and treats women; they define the significance of women and their roles which further could affect their pay.

#### **Cultural Values on Work-Related Issues: Pay Secrecy as Norms and Workplace Policy**

In the United States, it is traditional etiquette not to discuss salary with coworkers. According to conventional wisdom, discussing about finances ("money talk") is considered as

the last conversational taboo in American life (Edwards, 2005; Lyons, 2013). In a study on pay secrecy, Lawler (1967) describes the social norms against salary discussion as a middle class phenomenon and clarifies the reasons why people are secretive about pay.

In short, Americans, especially the middle class, are got told since the early age that discussing or talking about pay is impolite; it is considered not nice, embarrassing and boastful. Since people are supposedly paid for performance in the workplace, sharing pay information is revealing something personal or private, letting others know how well the company or organization thinks you perform, or how much the company values you, which could be something that is inconvenient (Lyons, 2013, p. 379-381).

As argued by some experts, a strong social norm of pay secrecy, which is often referred to as "a code of silence" with respect to the issue of pay, is in large number of workplaces throughout the United States. It is reasonable to question the prevalence or strength of such social norm despite the "powerful intuitive appeal of this position." In accordance to such code of silence assertions, Gelly and Bierman (2003) summarize that majority are in favor of such social norm as it protects privacy. It reflects the idea that such social norm is "social regularities or behaviors that are widely adopted in the society, activities that the society holds and that the people should do". Gelly and Bierman's study strengthens the possibility that strong social norms concerning on pay secrecy really does exist in the society and continue to be brought in the workplace. It is argued that "a narrower and more accurate description of the [money-talk] norm is... that we are taught not to discuss money when to do so highlights inequality and conflicting fortunes" (Lyons, 2013, p. 50).

Pay secrecy, besides being recognized as strong social norms, usually also refers to workplace or employers' policies which prohibit employees from disclosing how much

money they earn with co-workers, which is often recognized as Pay Secrecy and Confidentiality (PSC) rules. In the other words, such rules can be simply understood as “a restriction of the amount of information employees are provided about what others are paid” (Colella et al., 2007, p. 56). These policies are sometimes written down in employees’ handbooks or stated in the contracts. In some cases, these policies are also implicit in the way that employees are urged through managers’ warning of not talking or discussing about salary among employees.

Although seems to be simple, pay secrecy could be very complex in practice. There are some issues to consider in relation to existence or availability of such policies. First, in terms of the availability of information, employers may keep pay information secret by not providing for its release or publication. Next, employers can make any restrictions regarding the types of pay information available for employees. As an example, employers only provide certain aggregate of pay information, such as pay ranges or pay raises but probably do not provide precise information of the individual-level information of the employees. Another possibility is that the employers may have some restriction on the way pay information is disseminated. Even if pay information is technically and publicly available, sometimes employers may convey some discouragement of disclosing pay information to the employees (in informal way). The employers may impose heavy sanctions against employees who engage in salary discussions (Colella et al., 2007, p. 56-57).

Since this study is intended on discussing pay as a general construct and reaching much broader audience, pay secrecy here deals with the lack of information the employees have about the level of other employees or co-

workers pay within the institution or organization.

### **Development of Prominent Federal Legislations Concerning Women’s Wage: From The Equal Pay Act of 1963 to The Lilly Ledbetter Fair Pay Act of 2009**

To eradicate gender wage disparity, efforts have been made ultimately by the enactment of federal legislations. Since 1960s, there have been several groundbreaking legislations attempting to prohibit such discriminatory practices. Among those groundbreaking legislations are Equal Pay Act of 1963, Title VII of Civil Rights Act of 1964, The Civil Rights Act of 1991, and The Lilly Ledbetter Fair Pay Act of 2009. Each of the legislations represents the progressive development it has come about through evolutionary process and incremental improvement by addressing the inherent weaknesses of its predecessor(s).

In 1963, EPA was enacted to prohibit classifying jobs and wages on the basis of sex and age (Ford, 2006). It served as an effort to terminate gender based wage differentials by prohibiting unequal pay for women doing equal work on jobs performed under similar working conditions (Equal Pay Act 1963).

Following the EPA was the enactment of Title VII of the Civil Rights Act a year later. This Act broadens the sense of the prohibition of discriminations as it came to include the prohibition of discrimination not only in compensation (as what its predecessor regulated) but also in hiring, firing, classification, promotion, and any other employment decisions (Crampton, Hodge, and Mishra, 1997). Besides prohibiting employment discrimination on the basis of sex, this act also forbids the discrimination in employment because of employees’ race, color, religion, and national origin (Civil Rights Act 1964).

To strengthen protection from discrimination and provide more effective deterrence, The Civil Rights Act of 1964 was amended in 1991. The Civil Rights Act of 1991 was born as the first act specifically addressing to gender based discrimination. Amending the predecessor, this act allows women to challenge discrimination based on seniority system in a more flexible clock and also allows them to gain punitive and compensatory damages in the cases of intentional discrimination (Seymour, 1992). This Act generally aims at providing more effective deterrent as ways to prevent gender-based discriminations occurrence or reduce them to the least.

The most recent legislation concerning on women's wage was The Lilly Ledbetter Fair Pay of 2009. This Act relaxes the statute of limitations (more relaxed period of filing lawsuits and recovery of back pay) under Title VII of the Civil Rights Act of 1964 and expands employees' rights to sue in wage discrimination cases (Lilly Ledbetter Fair Pay Act 2009).

In the development process of the legislations, there were regularities to maintain. In all those legislations, the provisions of seniority, merit, and productivity system—the circumstances under which gender-based wage inequality can be legally justifiable—were kept in existence. For one reason, these systems are continuously allowed to operate considering that Americans have capitalism as their economic system. Capitalism is directed toward making greater profits by maximizing productivity for successful organizations and people (Edwards et.al., 1978). Therefore, it sounds justifiable and acceptable if the best service/ the greatest productivity deserves the best payment and vice versa. Nevertheless, in the other hand, the provisions were ironically proven to weaken employees' positions as they provide employers with rooms for maneuvering to avoid wage discrimination charge.

In addition, United States does not comprise of single, homogenous society. In fact, three of those four legislations (EPA of 1963, Title VII of The Civil Rights Act of 1964, and The Lilly Ledbetter Fair Pay Act of 2009) were enacted under the administration of Democrat presidents, suggesting that progressive legislations were more likely to succeed to be enacted under the administration of those who favor changes for the sake of social welfare (liberal). Major changes in the legislations were less likely to occur under Republican president, meaning that they were more conservative, wanted to limit government's intervention by keeping governmental power and resources close to the society through state and community leaders (Parsley, n.d).

Passing laws was not a simple/easy job to do. It involved hard efforts, battles over, or persuasion with those who were conservative. Legislations are planned to be the ultimate weapon to eliminate gender wage disparity, to reinforce equality, protecting women from discriminatory practices which could result in pay inequality between men and women. Similar to the tough process of negotiation in passing the laws, it is also worth to consider that to whatever rules/laws or principles established or operated in the society, there would be those who are pros and against them.

### **Effects of Cultural values on Gender Roles in the American Workplace**

Cultural context defines gender roles. It provides the reinforcement of male and female roles through a lifelong process of socialization. What the cultural context says about what to be male and female is taught since the early age through different socialization of boys and girls, continues in education through “gender tracking,” and carries on to the workplace through various discriminatory practices (Jacob, 1989). It is believed that the different socialization of boys and girls and “gender tracking” in education maintain sex segregation. The cultural views

on male and female different spheres and roles lead to sexual division of labor (started in the family) which keeps women devalued and sorted into different positions.

In the workplace, cultural values affect how the employees think and behave, including whether they want to comply with the established laws related to the treatment toward women at work. According to Jacob (1989), cultural context which defines gender roles has been taught or learned since childhood in the smallest units of the society (family) and continued to be brought in the socialization in the society at large, including in the workplace.

Messages in childhood and pre-employment could guide and direct individuals' work choices, which further enable women to relatively cluster in certain occupations or positions constantly (Greene, 2006, p. 54). Education is one of among sensible reasons to cause the clustering of women in certain occupations. Society tends to channel boys and girls into certain educational fields according to cultural values on what the society perceives to be suitable for them. Women are most likely to be concentrated in college majors in humanities ( $\pm 74\%$ ), education ( $\pm 78\%$ ) and social sciences ( $\pm 65\%$ ) that lead to relatively low-paying occupations (see table 1). Meanwhile, degrees in mathematics, sciences, or engineering fields, which lead to relatively high paying occupations, are relatively received by men (Andersen, 2006, p.7; Siebens and Ryan, 2012, p. 4). A recent report published in 2013 affirmed that women still continue concentrating in low paying occupational categories. Although women are more likely than men to work in the second-highest paid occupations, they are not as well represented in the higher paying job groups within such occupational category (BLS, 2013).

In the workplace, such cultural values affect how female employees are treated at work and are often embodied in the decisions in hiring and during the employment, including promotions, classification, and compensation (Greene, 2006; NWLC, 2014). A study conducted to 17 women from 17 different states working in male-dominated occupations reveals that oftentimes hiring mechanism could possibly lead women to sexual occupational segregation (Greene, 2006). Hiring mechanism could either hinder women entering certain occupations or prevent them from occupying certain positions.

Even though legislations and affirmative actions had been legitimized women's rights to work in whichever levels and occupations available, including entering those previously male-dominated ones, women were not necessarily welcome (Heilman et al., 2004). Gender stereotyping was believed to be the great socio-cultural barrier of entering male-dominated occupations and hindering women to make progresses through promotions (Guy, 1993).

Such gender stereotyping did not only make women feel uncomfortable but also did affect their career (achievements) and further affect how much they could earn. In the society, images of leaders are closely associated with the characteristics of those of men (masculine), such as the ability to influence others and implement change (Kulich, Trojanowski, Ryan, Haslam, & Renneboog, 2010; Stivers, 1993). As a consequence, such gender stereotyping and socialization result in the concentration of women in relatively low(er) positions within the organizations, which are closely associated with lower pay.

Additionally, constraints were not only faced by female employees in male dominated (traditionally male) occupations but also in mix-gender occupations. In all occupations available, both traditionally male-dominated

and female dominated, or both high paying and low paying, median earnings of women were still lower than that of men (Day and Rosenthal, 2008; BLS, 2005).

Women felt that getting promoted or transferred was more difficult and less likely for them than for men. Women were given less challenging work assignments and less variety in work than men in similar jobs or at the same level jobs, making them less qualified and less visible for promotions (Greene, 2006). Besides, as promotions are frequently based on “whom you knew,” the leading managers tend to recommend candidates who share their own characteristics or are the part of the “boys club”-- an informal, exclusive system of mutual assistance and friendship through which men belonging to a particular group and are informally provided more access to promotions and better work assignments (NWLC, 2014).

The integration of women into male dominated field or vice versa would not necessarily close the gap in pay. Some cases brought to the court, such as *Miranda v. B & B Cash Grocery Store, Inc.* (1992), *Plemer v. Parsons-Gilbane* (1983), *Dukes v. Wal-Mart* (2000), *Mitchell v. Metropolitan Life Insurance Co.* (2003), and *Ledbetter v. Goodyear Rubber & Tire Co.* (2007), affirmed that despite of the enactment of legislations and affirmative actions prevented them from discriminations, women are still haunted by harmful gender stereotypes stem from American culture that influence what they do and earn at work.

In general, women rationally choose occupations that could accommodate their needs --as income earners and caretakers of the family as well. Therefore, they tend to decide having lower-penalty occupations to maximize their lifetime earnings even though they are likely to be in lower paying occupations. This implies the fact that women have rationality to prefer something good or

beneficial for them, but as individuals living in the society, their preferences on certain positions or occupations could not be detached from the social context—the cultural values the society suggests on their roles in the society.

### **Pay Secrecy Norm and Pay Secrecy and Confidentiality (PSC) Rules: Their Relation and Effects in American Workplace**

Besides cultural values on gender, there are values on work-related issues which interfere with the attempts to eliminate gender-based pay discrimination in the workplace. Such values are often recognized as a middle class phenomenon which prohibits discussing or talking about salary (Edwards, 2005; Lyons, 2013). In American society, discussing about pay is considered to be impolite, embarrassing, and boastful as it reveals something personal or private that others are not necessarily supposed to know (Lyons, 2013, p. 379).

In the workplace, such values are most likely continuing to be held through employer’s policy of not talking about salary with co-workers (PSC rules). Studies reported that either formal or informal policies/rules against salary disclosure are quite common to operate in American workplaces. More than 60% of American workers are claimed to be either formally or informally encouraged to not talking about their salary with co-workers (IWPR, 2011).

Some argue that the commonness of PSC rules in American workplace reflects the deliberate maintenance of the rules. Some academic researchers presented that there are four main benefits accounted for the maintenance of PSC rules in American workplace: (1) the maintenance of a peaceful workplace through the avoidance of workplace conflict; (2) increased privacy concern for both employers and employees; (3) a more stable wage regime through the avoidance of labor market mobility; and (4) facilitation of firm-specific



investment (O'Neill, 2010, p. 1234; Edwards, 2005, p. 44).

Despite of the advantages PSC rules might bring to the workplace, all cases brought to the court concerning gender wage disparity reveal the harm of having such rules in the workplace to the employees, especially female employees. For all gender wage discrimination cases brought to the court, the plaintiffs' workplaces have either formal or informal rules prohibiting salary disclosure among workers. Among the landmark cases are *Goodwin v. General Motors Corporation*, *NLRB v. Main Street Terrace Center* (2000), *Dukes v. Wal-Mart* (2000), *Ledbetter v. Goodyear Tire & Rubber Co.* (2007). Such rules set workers in situation in which they lack of knowledge on differences of their salary to other co-workers'. It is noted that the plaintiffs finally found out that they were discriminated in terms of the payment due to the chance of not deliberately knowing how much others earned through anonymous letter, coincidentally finding misplaced co-worker's W2 form (wage and tax statement), coincidental appearance of a printout salary list on the desk, or listening other male co-workers bragging about their pay. On this basis, therefore, there was hardly any chance for the plaintiffs to gain back-pay or win the case since the employer's confidentiality policy prevented the plaintiffs from learning of pay discrimination earlier. Being unable to notice pay discrepancies earlier means that there is a great possibility that by the time an employee learning that she is discriminated, it has already been time barred to file the charge.

The cases brought to the court are the learning points that wage transparency is, indeed, one of the important weapons to combat gender pay disparity at work. Efforts have been made to the enhancement of wage transparency. Seven states in the US, which include Vermont, Michigan, California, Illinois, Colorado, Maine, and New Jersey have committed to officially prohibiting the policies

preventing workers from disclosing their salary in the workplace as efforts to enhance wage transparency (Fetisova, 2014, p. 5).

Additionally, Lilly Ledbetter Fair Pay Act was signed in 2009 by President Barack Obama to enhance wage transparency and relax statutes of limitation (with regard of time and employees' rights). Unfortunately, in spite of the enactment of LLFPA, there are still greater number of states and companies allowing pay secrecy rules to operate in the workplace.

To conclude, despite of the wide acknowledgement of the importance of wage transparency in the workplace, the fact that pay secrecy rules are still widely acceptable in American workplace affirms that the prevalence of pay secrecy norm in American workplace could reinforce the existence of PSC rules and vice versa (Bierman and Gely, 2004; O'Neill, 2010). Therefore, pay secrecy norms can be the barrier to the elimination of pay secrecy rules and to the enhancement of wage transparency, which eventually hinder the achievement of pay equity in the workplace. Either PSC rules or pay secrecy norm prevents the discovery or the reveal of wage inequality in American workplace as it obscures differences in what individuals working on equal work, under similar working condition and the same establishment earn.

### **Conclusion**

Legislations have developed and tried to accommodate the needs of and project the efforts to eliminate wage disparity in the workplace. However, in their implementation, they have to deal with the cultural values prevalent in American society. Cultural values on gender considering women as not equal to men, and women as the weaker sex compared to men, are still prevalent in American society even though not applied to all population. In the workforce, they affect the decisions in hiring and during the employment which reflect the undervaluation of women's

work/ability. Such undervaluation results in pay disparity between male and female workers.

In addition to the values on gender roles, there are cultural values on not talking about money/salary with others (pay secrecy). The prevailing cultural values on not talking about salary are sometimes reinforced by the existence of employer's policy against salary disclosure. In fact, both cultural values and employer's rules on pay secrecy are likely to be in contradictory with legislation's aim at enhancing wage transparency since they prevent workers from being informed about how much the other employees earn, which also means that they have the possibility of not having the knowledge whether they are discriminated or not.

As individuals' behaviors are driven by the values they live, what individuals do in the workplace (especially men) could be possibly not in accordance with the attempts of eliminating gender wage disparity as written in the legislations. Therefore, it affirms that gender based discrimination cannot be solely cured with the enactment of legislations prohibiting gender discrimination practices in the workplace. Further, there need to be changes in the cultural values the society holds. Legislations and cultural values have to really go hand in hand if the efforts of eliminating gender based discrimination, including pay disparity are to succeed.

For the evolutionary changes in cultural values to occur, there need to be educative efforts which are conducted starting from the smallest units of the society (family) to the biggest ones in the society at large. Such efforts need the participations or collaborations of all parties in the society which reach not only women but also men, and involve not only public sectors but also private ones, including the media as well. These efforts could be useful to convey the messages on equality between men and women, internalizing and passing them from

generation to generation, so that further, they could bring about changes on how the society perceive and treat women (changes in cultural values on gender).

In relation to social norm on pay secrecy, society needs to be educated that such norm brings more disadvantages than advantages and ultimately could hinder the efforts to increase wage transparency. As wage parity could be achieved through the increase of wage transparency, which can be achieved through salary information openness, then the society has to realize that both formal and informal policies against salary disclosure need to be banned.

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