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**REPORT OF THE UNITED STATES  
OF AMERICA  
2010**

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**I. REPORT SUMMARY**

Our society has made tremendous progress in eradicating barriers to women's success. Women make up a growing share of our workforce, and more women are corporate executives and business owners than ever before. Today, women are serving at the highest levels of all branches of the United States Government. Despite this progress, certain inequalities and issues persist. As such, the following have been the guiding principles of the Obama Administration as they pertain to women's issues: ensuring economic security, promoting work-family balance, supporting reproductive choice, and preventing violence against women.

**II. FOLLOW-UP ON IMPLEMENTATION OF THE INTER-AMERICAN PROGRAM ON THE PROMOTION OF WOMEN'S HUMAN RIGHTS AND GENDER EQUITY AND EQUALITY AND THE STRATEGIC PLAN OF ACTION OF THE CIM**

**Legal, Political and Socio-Economic Situation**

In February 2009, President Barack Obama signed into law the [American Recovery and Reinvestment Act](#) of 2009, which includes a number of provisions of particular concern to women. The Act provides US\$325 million for the Violence Against Women Act (VAWA) and the Victims of Crime Act (VOCA). This funding will supplement the Federal VAWA and VOCA dollars that flow to communities every year, and enable States, local governments, tribes, and victim service providers to retain and hire personnel that can serve victims and hold offenders accountable. These funds will also bring relief to victims seeking a safe place to live for themselves and their children.

To help working mothers and fathers obtain quality child care, the Act includes an additional US\$1 billion for Head Start, and US\$1.1 billion for Early Head Start. The Act also:

- Boosts family incomes by expanding the Child Tax Credit to cover an additional 10 million children in working families and creating a new Make Work Pay tax credit.
- Includes unemployment insurance reforms that will particularly benefit women, such as incentives for states to ease eligibility requirements to cover part-time workers and those who recently reentered the workforce and workers who become unemployed because of domestic violence or sexual assault, care for an ill family member, or following a spouse whose location of employment has changed.
- Provides the US Department of Justice's Office on Violence Against Women much needed resources for organizing and supporting efforts to end violence against Indian women and provide technical assistance to member programs. This includes US\$20.8 million for the Indian Tribal Governments Program to decrease the number of violent crimes committed against Indian women, help Indian tribes use their independent authority to respond to crimes of violence against Indian women and make sure that people who commit violent crimes against Indian women are held responsible for their actions.

In June 2009, a **White House Advisor on Violence against Women** was appointed to work

with government agencies to ensure that violence against women was treated as a priority and that greater efforts are made to hold perpetrators accountable.

On March 11, 2009, President Obama signed an Executive Order creating the first **White House Council on Women and Girls**. The mission of the Council will be to provide a coordinated federal response to the challenges confronted by women and girls and to ensure that all Cabinet and Cabinet-level agencies consider how their policies and programs impact women and families. The Council's priorities will be:

- Improving women's economic security by ensuring that each of the agencies is working to directly improve the economic status of women.
- Working with each agency to ensure that the administration evaluates and develops policies that establish a balance between work and family.
- Working hand-in-hand with the Vice President, the Justice Department's Office of Violence Against Women and other government officials to find new ways to prevent violence against women, at home and abroad.
- And, helping to improve women's health care and build healthy families. For further information, go to [www.whitehouse.gov/issues/women](http://www.whitehouse.gov/issues/women).

At the Department of State, the position of **Ambassador-at-Large for Global Women's Issues** was established to prioritize the political, economic, and social empowerment of women around the globe. The office works to fully integrate women's issues into the formulation and implementation of U.S. foreign policy and focuses its efforts on five target areas: combating violence, education, economic empowerment, health, political participation, and climate change. ([www.state.gov/s/gwi](http://www.state.gov/s/gwi))

The **Directorate for Democracy, Human Rights and International Operations, National Security Council (NSC/Democracy)** advises the President and the National Security Advisor on global issues including democracy, human rights, and women's empowerment in U.S. bilateral and multilateral diplomacy.

On January 29, 2009 President Barack Obama signed into law the **Lilly Ledbetter Fair Pay Act of 2009**, an Act of Congress enacted by the 111<sup>th</sup> U.S. Congress. The law was a direct answer to the Ledbetter v. Goodyear Tire & Rubber Co., 550 U.S. 618 (2007), a U.S. Supreme Court decision holding that the statute of limitations for presenting an equal-pay lawsuit begins at the date the pay was agreed upon, not at the date of the most recent paycheck, as a lower court had ruled.

***An outline of public policies and progress made with respect to legislation; programs and activities designed specifically to bring about the integration of a gender perspective***

The U.S. government supports women's advancement through programs housed in many agencies, both in the United States and abroad.

**U.S. Department of Health and Human Services:**

***Office of Global Health Affairs:*** Coordinates Department's participation in meetings on women's issues sponsored by the UN and other international organizations.

In March 2010 the US Congress passed, and President Obama signed, the **Patient Protection and Affordable Care Act**. Under the Affordable Care Act, women's preventive health care – such as

mammograms, screenings for cervical cancer, pre-natal care, and other services for new health plans. For the first time ever, the Department of Health and Human Services has also begun the process for developing women's prevention guidelines, which do not exist in a comprehensive format today. These guidelines will be released by August 2011. The Act strengthens Medicare, the Federal health insurance program for persons aged 65 and older (who are disproportionately women). Finally, the Act established in statute, for the first time ever, Offices of Women's Health within the *Office of the Assistant Secretary for Health*; the *Centers for Disease Control and Prevention*; the *Food and Drug Administration*; the *Health Resources and Services Administration*; and the *Indian Health Service*

The *Administration for Children and Families* promotes the economic and social well-being of families, children, individuals, and communities through partnerships with individuals, front-line service providers, communities, American Indian tribes, Native communities, and states. It administers the **Family Violence Prevention and Services Act** (see Section II.d.), which was passed originally in 1984 and has been reauthorized by Congress several times since then.

The *Administration on Aging* works to develop a comprehensive, coordinated and cost-effective system of home and community-based services that help elderly individuals (who are disproportionately women) maintain their health and independence in their homes and communities. AOA programs also provide information and support to family caregivers.

#### **U.S. Department of Education:**

*Institutional Development and Undergraduate Education Service*—Provides grants to improve science education at predominantly minority institutions and to attract ethnic minorities, particularly women, into science and engineering careers. [www.ed.gov/about/offices/list/ope/ides/index](http://www.ed.gov/about/offices/list/ope/ides/index)

*Women's Educational Equity Act Equity Resource Center*—Supports and brings additional resources to efforts to improve the education of girls and women in the United States.

#### **U.S. Department of Labor (DOL)**

*Women's Bureau (WB)* - Develops policies and standards and conducts inquiries to 1) safeguard the interests of working women; 2) advocate for their equality and economic security for themselves and their families; and 3) promote quality work environments. The Women's Bureau was created by Congress in 1920 and is celebrating its 90<sup>th</sup> anniversary with the theme, "90 Years: Still Working." The Women's Bureau's four strategic goals are 1) higher-paying jobs for women – high-growth and high-paying jobs (green, nontraditional, and STEM (science, technology, engineer, and mathematics) occupations; 2) narrowing the wage gap; 3) promoting workplace flexibility; and 4) improving services for homeless women veterans.

*Employment and Training Administration (ETA)* – The WB and ETA jointly administer the Women in Apprenticeship and Nontraditional Occupations (WANTO) grant program, which aims to increase the number of women entering and remaining in apprenticeships associated with non-traditional occupations.

ETA's *YouthBuild* program is a highly successful alternative education program that assists youth who are often significantly behind in basic skills with obtaining a high school diploma or GED credential. YouthBuild also provides opportunities to increase the number of women in non-traditional career fields through its focus on expanding the supply of permanent affordable housing. The program

requires that all applicants for DOL YouthBuild funds make special outreach efforts to recruit eligible young women as participants.

***Office of Federal Contract Compliance Programs (OFCCP) and DOL's Civil Rights Center -***  
Please see page 8 for additional information about DOL's Office of Federal Contract Compliance Programs and Civil Rights Center

**Small Business Administration:**

Office of Women's Business Ownership: Promotes women-owned businesses through business training and technical assistance, and provides access to credit and capital, federal contracts, and international trade opportunities. [www.sba.gov/financing/special/women.html](http://www.sba.gov/financing/special/women.html)

**Other Agencies:**

There are multiple government agencies responsible for promoting the rights of women and preventing discrimination both at home and abroad. In addition to the newly established *National Council of Women and Girls*, most government agencies have policies and programs to promote the rights of women.

***An outline of public policies and progress in legislation, together with development programs aimed at implementing the Strategic Plan***

**Title VII of the Civil Rights Act of 1964** protects individuals against employment discrimination on the basis of sex as well as race, color, national origin, and religion.

It is unlawful to discriminate against any employee or applicant for employment because of his/her sex in regard to hiring, termination, promotion, compensation, job training, or any other term, condition, or privilege of employment. Title VII also prohibits employment decisions based on stereotypes and assumptions about abilities, traits, or the performance of individuals on the basis of sex. Title VII prohibits both intentional discrimination and neutral job policies that disproportionately exclude individuals on the basis of sex and that are not job related.

Title VII's prohibitions against sex-based discrimination also cover:

- **Sexual Harassment:** This includes practices ranging from direct requests for sexual favors to workplace conditions that create a hostile environment for persons of either gender, including same sex harassment.
- **Pregnancy Based Discrimination:** Title VII was amended by the Pregnancy Discrimination Act, which prohibits discrimination on the basis of pregnancy, childbirth and related medical conditions.

Title VII also prohibits compensation discrimination on the basis of sex. Unlike the Equal Pay Act, however, Title VII does not require that the claimant's job be substantially equal to that of a higher paid person of the opposite sex or require the claimant to work in the same establishment.

It is also unlawful to retaliate against an individual for opposing employment practices that discriminate based on sex or for filing a discrimination charge, testifying, or participating in any way in an investigation, proceeding, or litigation under Title VII.

The Equal Employment Opportunity Commission (EEOC) is the Federal agency responsible for Title VII enforcement.

**Section 188 of the Workforce Investment Act of 1998 (WIA) prohibits discrimination, and requires equal opportunity, in the workforce development system on the bases of race, color,**

**national origin, religion, age, sex, disability, citizenship, political affiliation or belief, and status as a participant in a WIA Title I-financially assisted program or activity.** The nondiscrimination regulations that implement WIA Section 188, which are enforced by the Department of Labor’s Civil Rights Center, are published at 29 CFR part 37.

**The Equal Pay Act of 1963** requires that men and women be given equal pay for equal work in the same establishment. The jobs need not be identical, but they must be substantially equal.

The Office of Personnel Management (OPM) mandates that each federal agency has a “**Women’s Employment Manager**,” usually located in the agency’s Office of Civil Rights, to promote women in government service. OPM also requires that federal agencies provide data on the status of women in federal employment and on efforts to identify barriers to women’s employment and advancement.

The vision of the Department of Labor, **Women’s Bureau** is to empower all working women to achieve economic security. One of its strategic goals is to connect women to high-growth, high-paying jobs: green jobs, nontraditional jobs, and STEM occupations. In 2009, the Women’s Bureau hosted 30 Women and Green Jobs roundtables around the country, which drew a diverse group of over 1,200 participants. According to roundtable participants, lack of awareness or information about green jobs is the key challenge women face. In response, the Women’s Bureau will issue a women’s guide to green jobs in late 2010. In conjunction with the development of the guide, the Women’s Bureau is hosting seven national teleconferences on women and green jobs in 2010. The Women’s Bureau has also funded nine regional green jobs pilot projects, developed in conjunction with experts in green industries, which serve as models for engaging and preparing women for high-growth and emerging green jobs over the next decade.

The Small Business Administration has an **Office of Women’s Business Ownership (OWBO)** to establish and oversee a network of Women’s Business Centers (WBCs) throughout the United States and its territories. Through the management and technical assistance provided by the WBCs, entrepreneurs, especially women who are economically or socially disadvantaged, are offered comprehensive training and counseling on a vast array of topics in many languages to help them start and grow their own businesses. [www.sba.gov/aboutsba/sbaprograms](http://www.sba.gov/aboutsba/sbaprograms)

### **Measures Undertaken to Prevent, Punish, and Eradicate Violence Against Women**

Violence against women and girls remains a global epidemic. The *Violence Against Women Act*, originally authored by Vice President Biden, plays a key role in helping communities and law enforcement combat domestic violence, sexual assault, and stalking.

The Violence Against Women Act of 1994 (VAWA) is a U.S. Federal law. It was passed as Title IV, sec. 40001-40703 of the Violent Crime Control and Law Enforcement Act of 1994 HR 3355 and signed as Public Law 103-322 by President Bill Clinton on September 13, 1994. VAWA was designed to improve criminal justice responses to domestic violence, sexual assault, and stalking and to increase the availability of services for victims of these crimes. It provided US\$1.6 billion to enhance investigation and prosecution of the violent crime perpetrated against women, increased pre-trial detention of the accused, imposed automatic and mandatory restitution on those convicted, and allowed civil redress in cases prosecutors chose to leave unprosecuted. Congress reauthorized the VAWA in 2000, and again in December 2005.

The Office on Violence Against Women (OVW) within the Department of Justice (DOJ) implements provisions of VAWA, VAWA 2000 and subsequent, related legislation, administers the grant programs created by the federal legislation and provides national leadership on issues such as domestic violence, sexual assault, and stalking. Since its inception, OVW has launched a multifaceted approach to implementing VAWA. By forging state, local, and tribal partnerships among police, prosecutors, the judiciary, victim advocates,

health care providers, faith leaders, and others. OVW grants help to build a coordinated community response to violence against women. The work of OVW is guided by two key principles: the importance of ensuring the safety of victims and holding perpetrators of violence accountable for their acts.

Within the US Department of Health and Human Services, Administration for Children and Families, the **Family Violence Prevention and Services Program** was authorized by the Family Violence Prevention and Services Act in 1984. The Program awards grants to State agencies, Territories, and Tribes for the provision of shelter to victims of family violence and their dependents, and for related services, such as emergency transportation and child care. These funds supplement many already established community-based family violence prevention and services activities. Services supported by the Program include Battered Women's Shelters and Services; National Resource Centers; and the National Domestic Violence Hotline.

**III. FUTURE ACTIONS TO IMPLEMENT THE INTER-AMERICAN PROGRAM ON THE PROMOTION OF WOMEN'S HUMAN RIGHTS AND GENDER EQUITY AND EQUALITY AND THE STRATEGIC PLAN OF ACTION OF THE CIM**

**At the national level, to enhance the status of women:**

As noted earlier, three of the strategic goals of the Department of Labor, Women's Bureau, are 1) narrowing the wage gap; 2) promoting workplace flexibility; and 3) improving services to homeless women veterans.

- To narrow the wage gap, the Women's Bureau will conduct forums educating employers about their obligations and employees about their rights to receive equal pay, and will host a national Equal Pay Research Summit.
- To promote workplace flexibility, the Women's Bureau will host a "National Dialogue on Workplace Flexibility," consisting of a series of dialogues around the country. Each dialogue will focus on a particular target group, such as small businesses, low-wage workers, manufacturing, or white-collar workers. The Women's Bureau will also sponsor a supplement to the Bureau of Labor Statistics' American Time Use Survey to gather more information on parental leave, child care, and family leave insurance program usage.
- To improve services for homeless women veterans, the Women's Bureau will produce a trauma guide containing resources for homeless women veterans service providers.

**At the regional level, to support any actions undertaken by the CIM in the short term**

*Bureau of International Labor Affairs-* DOL will be funding a Better Work Project in Nicaragua. The Better Work Nicaragua Project will work protecting labor rights in the apparel sector, where the majority of workers are women. The project will address discrimination issues, and train management in maternity protection. Impact data from the project will be disaggregated by gender. Additionally, DOL will be working with Argentina's Ministry of Labor on gender issues in support of the Letter of Understanding (LOU) signed by Secretary Solis and Minister Tomada of Argentina in October 2009 in Buenos Aires.