

## **Issue**

- I. Equal Rights Amendment—securing guaranteed equality under the law for women and men.
- II. Social Security Reform—providing equitable treatment of women.
- III. Pension Reform—economic justice for women.
- IV. Non-Discrimination in Insurance.
- V. Electoral Politics—increasing women's participation.

## **Background**

### **I. Equal Rights Amendment**

It is only through an amendment to the United States Constitution that women and men both can be permanently guaranteed equal status and protection under the law. Currently numerous statutes and regulations treat women and men unequally in situations in which they should be treated equally. On June 30, 1982, the deadline for ratification of the Equal Rights Amendment which passed the United States Congress in 1972 expired. On July 1, 1982, and in January 1983 a new Equal Rights Amendment was introduced into Congress.

### **II. Social Security Reform**

The Social Security system was established in 1935 to provide economic protection for workers in covered employment (employment for which contributions to Social Security are deducted from the wages of workers and/or paid by the employer) upon their retirement. In 1939 the program was amended to provide benefits for workers' wives and widows as dependents, not as participants entitled to the same benefits as their husbands. The system which protected women as dependents was predicated on a tradition of life-long marriages when women worked within the home and men provided economic support. Although the roles of women in the home and in the workplace have changed dramatically since the 1930's, the Social Security system has remained basically unchanged. Among the proposals now being considered to correct this inequitable treatment of women is one called "earnings sharing." Earnings sharing is based on the premise that each spouse is an equal partner in a marriage and therefore each person should have an equal credit in the Social Security system for total family earnings. Essentially this pools the earnings of a married couple and credits one-half the total to each for Social Security protection and status in his or her own right.

### **III. Pension Reform**

Women are discriminated against under many pension systems. Women's work and women's intermittent work patterns rarely fit the various rules and provisions of pension systems now in effect. Under current United States federal law pension plans are not required to cover employees until they are 25 years old. Three-fourths of the women between 18 and 25 years of age work. At approximately age 25, many women interrupt or cease employment for child bearing and homemaking responsibilities. Many existing pension plans provide that a break in service of 1 to 3 years results in a disallowance of any credits earned prior to the break. Women who spend most of their lives as homemakers have no pension benefits of their own. Only a few collect survivor benefits. Less than 40% of all private pension plan participants elect to receive benefits in the form of a joint and survivors' annuity.

Women often approach old age expecting that they are protected by their husband's pension. Wives do not have to be consulted when the wage-earner husband makes elections under pension plans as to whether he wishes to have survivor benefits for his wife or payment solely in the form of an annuity during his life. Women are most

often not even aware that such a choice may be made by the husband or that a failure to make a choice will frequently result in an automatic annuity instead of a plan which provides survivor benefits.

Divorced women rarely share a spouse's private or government pension even though the pension is often one of the most valuable assets accrued during the marriage.

#### IV. Non-Discrimination in Insurance

Insurance discrimination occurs on the basis of race, color, national origin, religion and sex in the United States. The most overt form of unfair treatment is associated with a person's gender. Insurance companies practice sex discrimination when they limit women's access to certain types of insurance coverage and set different rates, terms and conditions for women and men seeking identical coverage. Private insurers use sex-based actuarial tables that result in separate and often unequal treatment and consider gender a necessary risk classification. All of these discriminatory practices influence both the types and cost of policies sold to women, especially in the areas of life, auto, health, disability and retirement annuities.

Federal legislation to prohibit discrimination in the writing and selling of insurance has been introduced in both Houses of Congress. Hearings have been held on both bills. These legislative proposals, which constitute Title III of the Economic Equity Act (S. 888 and H.R. 3117) would establish a national policy that would prohibit any insurer from refusing to make insurance available to any applicant, or treat any applicant or insured person differently with respect to terms, conditions, rates, benefits and requirements on the basis of race, color, religion, sex or national origin. This legislation would not affect the responsibility and authority of the fifty states to regulate the business of insurance assuming compliance with the federal standard. National legislation is necessary because very few states have enacted nondiscriminatory insurance laws on their own.

#### V. Electoral Politics

The Washington Post in July 1982 quoted pollster Lou Harris as saying, "one of the major developments of the 1980's would be the emergence of women as a 'powerful force in American politics;... and as they come into their own in the world of employment, they are becoming more political than ever. Their political weight will be felt more influentially throughout the 1980's."

Census data and election results as well as public surveys clearly show that women are voting in greater numbers than men and women's votes on key issues are substantially different from men's votes.

Women in the past pleaded with male legislators, many of whom were insensitive to women's needs, to vote for programs or issues that addressed women's needs. The struggle for the Equal Rights Amendment and its defeat in spite of the popular support for it charged women committed to social and economic justice to become more actively involved in the electoral process and politics.

### **Resolution**

#### I. Equal Rights Amendment

Since 1971 the National Federation of Temple Sisterhoods has endorsed the Equal Rights Amendment to the Constitution of the United States which would make discrimination on the basis of sex unconstitutional. As members of the Reform community, which has espoused and implemented equality of rights and responsibility long before the general society, we reaffirm our obligations to work towards equality for women and men in all respects. Therefore, we urge United States Sisterhoods to communicate with their legislators asking for their support, endorsement and adoption of the Equal Rights Amendment.

We urge Sisterhoods and members to write letters to the editors of their local newspapers publicizing Reform Judaism's position and its support for the Equal Rights Amendment.

*For more information about WRJ and Social Justice, visit [www.wrj.org/social-justice-home](http://www.wrj.org/social-justice-home)*

## II. Social Security Reform

Systemic reform of the gender-based Social Security system is necessary. Therefore we call upon U.S. Sisterhoods:

- 1) To provide education and information to their members about the Social Security system, their present rights and limitations and take the necessary advocacy steps to enact reforms needed to redress present inequities.
- 2) To work toward the inclusion of a provision for “earnings sharing” during marriage. This views marriage as an economic partnership of equals, and it would allow a woman in cases of divorce or death to build a separate account created during her marriage as well as credits for earnings prior to marriage.
- 3) To eliminate the current discrimination against two-spouse wage-earner families.

## III. Pension Reform

The National Federation of Temple Sisterhoods supports:

- 1) Lowering the age for pension-plan participation to allow men and women workers to count labor force participation before the age of 25.
- 2) Provisions for carrying pension benefits from one job to another (known as “portability”).
- 3) Liberalized break-in-service rules, so that leaving the work force temporarily would not wipe out prior years of service.
- 4) Benefits for divorced spouses in private and government pensions, on a pro-rata, case-by-case basis, as part of property settlements.
- 5) A shorter period of time to achieve vesting.

## IV. Non-Discrimination in Insurance

The National Federation of Temple Sisterhoods supports:

- 1) Efforts to eliminate actuarial tables which are exclusively gender based.
- 2) Legislation and reform at the national and state level to prohibit discrimination on the race, sex or marital status in insurance rates, access, benefits and coverage.

## V. Electoral Politics

As a part of our tradition “to seek and pursue justice” we must utilize available means, including participation in the electoral political system, to achieve this objective. Therefore, we encourage Sisterhood women to become more actively involved in the electoral process by creating programs which train women in electoral politics activity; volunteering for local, state and national campaigns of candidates who support the broad spectrum of issues that NFTS supports; and cooperating with other organizations working in the area of women and electoral politics.