Pay Equity in the Reform Movement: An Unfinished History of Policy and Action

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One of the hallmarks of Reform Judaism, and one of the elements that made it unique among Jewish religious groups at the time it was founded, is the Movement’s commitment to women’s equality. This commitment extends to equality for women in the public sphere as well as to the role of women within Jewish life. Over the years, the Reform Movement has spoken out in support of women’s suffrage, the Equal Rights Amendment (ERA), equal rights, and equal pay for women in the secular arena. Within Jewish life, this principle led to women taking on leadership roles within the institutions of the Movement long before it was normative elsewhere and eventually to the ordination of women as rabbis and cantors.

This article will provide an overview of some of the significant resolutions and statements issued by the arms of Reform Judaism related to equal rights and pay equity for women. It is by no means a comprehensive review of actions taken to implement these policy positions. Over the years, the Reform Movement, often led by the Religious Action Center of Reform Judaism (RAC), has taken part in coalitions and advocacy efforts for specific pieces of secular legislation to implement these principles, joined in amicus briefs on related judicial matters, and orchestrated participation in demonstrations and marches on behalf of women’s rights. Through the leadership of Women of Reform Judaism (WRJ), the Reform Movement has also participated in global efforts to advance the rights of women in the international arena through the networks of Jewish and women’s non-governmental organizations (NGOs) at the United Nations.

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Alongside these efforts to change the reality for women in the secular world have been resolutions and statements related to the role of women within the Jewish community and, more particularly, within the Reform Movement. Over the course of many decades there has been a growing awareness of the challenge of equal pay for women within our Reform institutions and acknowledgment that more needs to be done to address that inequity.

“Women in Industry”

Following initial pronouncements of equal rights for women during the formative years of the Reform Movement, going back to its roots in the mid-1800s, there were no major policy statements or resolutions on employment issues until the early part of the twentieth century. The CCAR in particular became outspoken on labor rights issues, including recognition of the needs of working women. A 1918 CCAR resolution advocated for “workmen’s compensation for industrial accidents and occupational diseases, a fair minimum wage and regulation of industrial conditions with particular reference to the special needs of women.”

Among the earliest calls for equal pay for women was a brief statement by the CCAR in 1928 titled “Women in Industry,” stating: “Where women are employed, safe and sanitary conditions must prevail. There should be in industry a maximum of an eight hour day; they should receive equal pay with men for equal work.”

During the Depression and the political environment in which major social safety net programs of the New Deal were developed, the policy statements of the Reform Movement, particularly those of the CCAR, addressed the broad range of social justice issues being discussed within the larger American community. These social justice ideas were encapsulated in the CCAR’s Columbus Platform of 1937, with a major pronouncement under the rubric of Ethics. That statement did not specifically reference women’s rights; in fact, that is notably absent from the call for justice “irrespective of race, sect, or class.” Nonetheless, the statement significantly addressed the rights of “all” who work, and coupled with the 1918 and 1928 statements, might logically be seen to apply to women as well as to men:

*Social justice.* Judaism seeks the attainment of a just society by the application of its teachings to the economic order, to industry
and commerce, and to national and international affairs. It aims at the elimination of man-made misery and suffering, of poverty and degradation, of tyranny and slavery, of social inequality and prejudice, of ill-will and strife. It advocates the promotion of harmonious relations between warring classes on the basis of equity and justice, and the creation of conditions under which human personality may flourish. It pleads for the safeguarding of childhood against exploitation. It champions the cause of all who work and of their right to an adequate standard of living, as prior to the rights of property. Judaism emphasizes the duty of charity, and strives for a social order which will protect men against the material disabilities of old age, sickness and unemployment.4

As World War II resulted in a growing number of women entering the workforce, WRJ also began calling for employment rights for women as well as men. Throughout the 1940s WRJ repeatedly called for the U.S. government to make the Fair Employment Practices Commission permanent, stating that the organization believed that “every man and woman should have the right of earning a living without being hampered by race, creed or color.”5 At the end of that decade, WRJ used language similar to that of the CCAR in calling for passage of legislation “which will secure men and women against discrimination of employment for reasons of race, creed or color.”6

Over time, U.S. legislation aimed at fair employment practices was applied also to women in the workforce. One of the landmark civil rights bills signed by President Kennedy was the Equal Pay Act of 1963, which amended the Fair Labor Standards Act of 1938 to require employers to pay men and women equally for the same work. WRJ issued an official statement that year applauding the U.S. president for signing that legislation.7 It is noteworthy that during the same convention at which this resolution was adopted, WRJ also issued a statement demanding action on the ordination of women by the arms of the Reform Movement, following two years of intensive advocacy on that issue.8

The ERA, the Rise of Feminism, and the Decade of Women
Following several decades of silence on policies related to women, the activism of the 1960s and 1970s inspired by the women’s rights movement began to echo within the Reform Movement. Not surprisingly, WRJ was particularly outspoken in its policy development on
women’s issues during this period. The United Nations Decade for Women in the 1970s inspired international efforts to secure equality for women on a wide range of issues. As a recognized NGO at the United Nations, WRJ worked in broad coalitions focused on women’s rights during this period, including efforts on abortion rights, economic justice, and access for women to the full range of rights and opportunities enjoyed by men around the world.

In the 1970s, and early 1980s, activism around attempts to pass the proposed 27th Amendment to the U.S. Constitution, the ERA, became a focus of resolutions on equality for women. All of the major arms of the Reform Movement called for its adoption, which would have guaranteed that “Equality of rights under law shall not be denied or abridged by the United States or by any state on account of sex.” As efforts stalled in the state-by-state process of amending the U.S. Constitution, additional calls were issued by all the major arms of the Reform Movement to restrict meetings and conventions to states that had ratified the ERA.9

During this time, Reform Movement resolutions related to the internal issue of equality for women within Reform institutions focused primarily on the new phenomenon of women clergy, specifically applauding HUC-JIR for accepting women candidates, acknowledging the CCAR for placement efforts, and urging congregations to fairly consider and employ women.10 Equal pay was not the primary issue during this era; rather advocacy was aimed at guaranteeing access to employment for the growing numbers of women rabbis and cantors serving our community. Nonetheless, WRJ raised the issue of equal pay for women clergy in Reform congregations as early as 1979, calling upon Sisterhoods to:

participate actively in efforts to implement acceptance of women as rabbis, cantors, educators and other professionals in congregations and Jewish communal agencies. Full acceptance means equal recruitment and employment opportunities, equal salaries and nondiscriminatory conditions of work, and promotional opportunity at all levels of responsibility, based on ability, not sex.11

“The Ideals of Our Movement Have Yet to Be Fully Realized”

Despite the landmark civil rights legislation adopted in the 1960s and the increasing numbers of women professionals in Reform institutions, implementation of these policies and upholding the
principles underlying them within our own institutions remained challenges. As women clergy became more prevalent in congregations, the URJ and the CCAR joined WRJ in speaking out about the issue of wage disparity within our own institutions.

In 1983, the URJ, followed by the CCAR in 1984, addressed these issues in a forthright manner, acknowledging the existing economic injustices faced by women, both in the general society and within Reform congregations. Noting that, “built-in inequities in the present economic system discriminate against women and their dependents at every level of income,” the URJ and CCAR restated their support of the ERA and other legislation that would support economic equity for women and address discrimination against women in private and government employment, and also committed to “examine its practices and call upon the UAHC and individual congregations to do likewise so as to eliminate any sex discrimination while applying the principle of economic equity for all.”

In 1985, both the URJ and WRJ addressed the pervasive and insidious nature of pay inequity faced by women, moving beyond “equal pay for equal work” as addressed in the Equal Pay Act. While that law addresses wage disparity between men and women in the same positions, the broader concept of pay equity encompasses wage discrimination that occurs when female-dominated occupations are undervalued as compared to male-dominated jobs that require comparable skills, education, responsibility, and training. The WRJ policy statement clearly defined the concept of pay equity:

The Equal Pay Act of 1963 made it generally unlawful for employers to pay higher wages to employees of either sex who performed equal work in the same establishment. However, because men and women usually work in different occupations, the Equal Pay Act is unable to end wage discrimination against women. The concept of pay equity goes beyond equal pay for equal work. Pay equity would address the problem of sex-segregated employment which results in discriminatory underpayment of female-dominated jobs. It requires that wages be based on the skill, effort, responsibility, and working conditions required by an occupation. A National Academy of Sciences study concluded that women are concentrated in low paying jobs as a result of earlier traditions of discrimination against women that have become institutionalized, as well as current intentional discrimination.
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The URJ resolution addressed the impact of this type of discrimination on women and children and the resulting “feminization of poverty”:

This kind of wage discrimination is less blatant than the provision of separate pay rates for the same work but results in equally costly damage to our society. Many of the women working in traditionally female jobs are single heads of households and the damage to them is cumulative. Wage discrimination deprives them of adequate medical care and their children of adequate day care, nutrition, and education. Because of such wage discrimination, they save less for retirement and receive lower pension and social security benefits, making it more likely that they will need public assistance in their declining years. Thus wage discrimination perpetuates the cycle of poverty and contributes directly to its feminization.14

While not explicitly acknowledging wage discrimination within Reform institutions, the URJ resolution nonetheless called for Reform institutions to “set an example for the larger society by calling on our own national Reform organizations, as well as local synagogues and other Jewish agencies, to examine our compensation practices and implement recommendations that will insure equal pay for comparable work.”15

In 1991, WRJ forthrightly noted that elimination of gender discrimination and pay equity had yet to be fully realized within Reform institutions and called upon congregations to:

1. Implement a gender-free policy in interviewing, hiring and promoting rabbis.
2. Adopt a pay-equity policy regarding compensation of rabbis.
3. Extend the principles of economic justice to cantors and other synagogue professionals and employees without regard to gender.
4. Implement programs and workshops to generate congregational sensitivity to the changes necessitated by the increasing participation of women as rabbis, cantors, professional employees and lay leaders in synagogue life.16

The following year, the URJ Board of Trustees took up the issue again, conceding that wage discrimination could be documented
within Reform institutions, and that the URJ was failing to live up to its stated principles. Referencing the earlier resolutions of the 1980s, the URJ admitted that:

the ideals of our movement have yet to be fully realized. A recent survey of salaries in the rabbinate showed that in every congregational category in which women are serving as rabbis, they are being paid significantly less than men. Other data strongly indicate that similar disparities exist for cantors, administrators, and other synagogue professionals.17

It is worth reviewing, in full, the commitment made by the URJ leadership twenty-six years ago in response to the growing awareness of wage disparity within Reform institutions, and consider again whether or not we have lived up to these ideals:

THEREFORE, the Union of American Hebrew Congregations resolves to:

1. Call upon all UAHC congregations to actively uphold the policy of non-discrimination based on gender in all employment practices, including hiring and promoting rabbis, cantors, educators, administrators, social workers and other professionals.

2. Urge all UAHC congregations to compensate such professionals justly regardless of gender. Those congregations now served by women are asked to examine any conscious or unconscious gender discrimination in their compensation practices. Where any injustice surfaces, however inadvertent, we call upon the congregation to consider immediately and voluntarily raising compensation, even before the finish of present contractual periods.

3. Work in cooperation with the Central Conference of American Rabbis and Hebrew Union College–Jewish Institute of Religion through the Joint Commission on Placement to create workshops and disseminate educational programs on the congregational, regional, and national levels on “Women in the Rabbinate,” specifically focusing on issues of just and fair treatment of rabbis irrespective of gender. Similarly, work in cooperation with the other appropriate professional associations and bodies to take these actions with respect to cantors, educators, administrators, social workers and other professionals.
4. Call upon the leaders of the Central Conference of American Rabbis, Union of American Hebrew Congregations, and Hebrew Union College–Jewish Institute of Religion and the other appropriate professional organizations to address the problems outlined in this resolution, to develop mechanisms to monitor the progress of our movement toward full equality, to assure effective educational and consciousness-raising efforts in all parts of the movement, and to take steps necessary to combat all forms of discrimination in the professions of Reform Judaism.  

The following year, the CCAR adopted a similar policy in a 1993 resolution on “Women in the Jewish Workplace.” Referencing an earlier CCAR position on proper business practices within Reform and other Jewish institutions, the resolution stated, “The Central Conference of American Rabbis now urges congregations and other Jewish organizations to work toward compliance, implementing compensation policies which ensure equal pay for equal work and equal opportunity in their hiring practices.” Following suit, the URJ General Assembly reaffirmed, in truncated fashion, the 1992 URJ Board of Trustees statement, calling upon member congregations to “assure equality in compensation for comparably situated individuals regardless of gender.”

**Moving from Policy to Action**

Fast forward to the twenty-first century, the issue of pay equity continues to be a concern in society at large as well as within Reform institutions as little progress has been made in the intervening decades. The average wage disparity for women in society at large has not dramatically improved, and recent studies have documented that pay inequity similarly affects women professionals within the Jewish community. In recent years, Reform organizations have again addressed this issue with calls for renewed energy to reject the biases that allow this discrimination to continue.

While there have been numerous policy statements related to labor issues and worker rights, such as living wage campaigns, the right to organize and collective bargaining, and benefits such as mental health insurance, family leave, and paid sick leave, several resolutions in particular note the application of these principles to our own institutions. A 2008 resolution on Ethical Employment
Practices begins by noting that “the Talmud tells us that the first question a person will be asked by the heavenly court after he or she dies will be: ‘Did you deal honestly in business?’” (Shabbat 31a) and provides an overarching value proposition for our role as employers:

As a Movement dedicated to fair labor practices, evidenced most recently by the Resolution on Workers’ Rights adopted in Houston in 2005, we must routinely examine our own internal practices and policies. Our congregations are best served as sacred communities when our employment practices—including contracts, job expectations, training, family leave policies, hiring and transitioning procedures—reflect Jewish values. Employees and members are engaged in a sacred partnership with a shared commitment to maintain a thriving, vibrant, and holy congregation. The business operations of our institutions should reflect this holiness as well.21

This resolution calls on congregations and all arms of the Reform Movement to, “Systematically review and assess on an ongoing basis their existing employment procedures and practices and, when necessary, develop plans to bring their employment policies in line with existing Union recommendations for fair and equitable treatment for all employees.”22

At its 2015 Assembly, WRJ featured Lilly Ledbetter, for whom the Lilly Ledbetter Pay Equity Act is named, and renewed its called for a movement-wide effort to address pay equity within the Reform community and society at large:

Given the profound injustice of unequal pay, Women of Reform Judaism reaffirms its commitment to achieving pay equity and calls upon its sisterhoods to . . . urge the swift adoption of legislation that would provide women who face sex-based wage discrimination with a straightforward, accessible path for recourse . . . [and] work with synagogue leadership to enact just compensation policies for clergy and staff at all levels, or, where they already exist, to ensure that these policies properly guide the compensation, interviewing, hiring, firing and promoting of clergy and staff.23

The American Conference of Cantors (ACC) has also joined efforts to address pay equity, as recent salary surveys reveal similar gender wage disparity faced by women cantors as that faced by other
female professionals within the Jewish community. In a 2017 resolution, the ACC proclaimed:

For the Reform Movement, which was built upon a deep-rooted commitment to justice, egalitarianism and inclusivity, to be guilty of discrimination in any form, particularly against our female counterparts serving as spiritual leaders in our community, this is tantamount to a transgression of the highest order . . .

But just because the problem exists does not mean it is acceptable. There is simply no excuse in 2017 for not paying our female cantors and rabbis the same as their male counterparts for equal work. None.

Just as we speak out against injustice at home and abroad for everything from civil rights violations to gross inequality, so, too, must the gender pay gap be forefront on our personal and movement-wise agenda.

It is up to us as Jewish professionals and lay people to first acknowledge the problem, to advocate ways to correct it, and to lay down the groundwork so that when the time comes to pay our clergy, we do so fairly, justly and equally. Only then can we be proud to hold the mantle of Reform Jews and only then can we rest assured that we are doing our part to make our world fair and just for all.24

The historic Reform Movement positions of years past were reaffirmed most recently by the CCAR in 2017 in light of the #MeToo movement and the current political climate:

Many women today are speaking out more candidly about their experiences of discrimination, name-calling, and other forms of misogyny, especially when safe spaces are provided. Now, more than ever, men and women need to join together in speaking out about the particular concerns and challenges faced by women. The safe spaces and respect we show one another can galvanize our advocacy for the rights and consideration for men and women. In this current climate, it is critical that we reaffirm our commitment to women’s rights and continue the work that has been set forth in previous CCAR resolutions on women’s health (1992 and 1993), violence against women (1990), pay equity (1984), and international women’s rights (1994).25

While in many cases the Reform Movement has been ahead of its time on issues of civil and human rights, in retrospect one might
be critical of the lack of progress made by the arms of the Movement to implement its own policies as it relates to women. Isaac Mayer Wise articulated a commitment to women’s equality in the founding documents of the Movement, yet fair representation in leadership roles was only achieved decades later, after significant advocacy and agitation from women within the Movement. Similarly, despite decades of discussion and debate related to the ordination of women among Movement leaders, it was not until 1972 that the first woman was finally ordained at HUC-JIR. Given that history, it may not surprise us to find that despite statements calling for pay equity for women going back to 1918, that fundamental right remains elusive today, even within our Reform Movement institutions.

To attempt to implement these policies more strategically, WRJ and the Women’s Rabbinic Network (WRN) together formed the Reform Pay Equity Initiative (RPEI), convening all the affiliates and professional associations within the Reform Movement to address this issue in a holistic way, approaching it from the perspective of the employees who work within the Reform Movement as well as the organizations and congregations that employ them. With funding support from the Jewish Women’s Foundation of New York, the RPEI will consult on salary studies/surveys and provide analysis to establish a baseline to measure impact, create training opportunities to empower female employees to be more effective advocates for themselves, and provide educational tools to help search committees and hiring professionals address both implicit and explicit biases to assure more equitable policies and procedures.

Time will tell if the most recent round of policy statements will remain empty words on paper or will lead to the changes needed to achieve pay equity within our Movement institutions and in society at large. Statements of policy alone will not change the reality of the gender wage gap. Rather, inspired by these values, both employers and employees need to address their policies and alter their behaviors in order to achieve, finally, the vision of justice to which we have long aspired.

Notes

1. Statements and resolutions referenced are primarily from the Union for Reform Judaism (URJ), formerly known as the Union of American Hebrew Congregations (UAHC), the Central Conference of American Rabbis (CCAR), and Women of Reform Judaism
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(WRJ), formerly known as the National Federation of Temple Sisterhoods (NFTS). For consistency, this article will use the current acronyms for URJ and WRJ, even where resolutions were adopted under their prior names.


15. Ibid.
16. “Equality for Women in the Rabbinate,” WRJ Resolution, Baltimore, 1991. Curiously, this WRJ resolution references a resolution to be adopted by the URJ and CCAR that same year on the role of Women in the Rabbinate, yet neither adopted such a resolution. Over the course of the following two years, similar resolutions were adopted by the URJ and CCAR that more broadly raised the issue of pay equity for women in Jewish professional life, not exclusively the rabbinate (see below), http://www.wrj.org/sites/default/files/WRJ%20R%26S%201991%20Equality%20for%20Women%20in%20the%20Rabbinate.pdf.
18. Ibid.
22. Ibid.