

Forum: Economic and Social Council

Issue: Broadening the economic scope of the female workforce in India

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INTRODUCTION

Throughout the past centuries, there have been enormous steps made in reducing the gender gap among civilized states. The participation of women in the electoral processes as well as their opportunities in the workforce are, among others, some of the greatest events that have stigmatized the role of women in modern society. Nevertheless, the stage of equality among the two genders has yet to be achieved, bearing in mind that the annual pay of a female worker is equal to 70% of the pay of a male in the same profession.

The issue of women's participation in Indian labour has been gaining even more popularity in the past few years. The unemployment rate of the country has risen as high as 6.1% during 2018, in contrast with the 2% in 2012. The percentage of females in the workplace is already low, with India in the 112th position in the Gender Gap Index in 2020, and the numbers are only doomed to decrease, due to social and cultural oppression that women face. Although women constitute almost half of India's population, they are underrepresented in the working industry, as they make up about one-fourth of the employees.

Stereotypes of women performing worse than men in higher positions, household and childcare responsibilities, but also the growing gender pay gap all contribute to the decline in women's workforce participation. Despite efforts to improve women's education and economic growth over the past few years the problem is still ongoing, with more and more women being left out of the workforce due to their socioeconomic status and male domination in high-paying professions. Since India is a consumer-based economy, though, studies have shown that inserting women in the working industry would only benefit the country, as there would be an increase in consumption and demand of products, creating additional jobs in the household economy.

In order to insert women into the workforce, India needs to tackle the social stigma and social injustice against women. Shortening the pay gap, though, will not be efficient. Attention needs to be drawn to ensuring safety in the workplace, tackling unequal pay and reducing discrimination towards women in hiring and paying.

DEFINITION OF KEY-TERMS

Wage

¹All remuneration by ways such as salaries, allowances or otherwise, expressed in terms of money payable to an employee in respect of their employment or of work done in such occupation.

Unpaid work

Unpaid work is labour that produces services but foresees no form of payment, such as housework and care work. The average Indian woman spends about 84% of her working hours on unpaid work.

Occupational Segregation (Horizontal job segregation)

The disproportionate distribution of workers across the working industry based on their gender, which leads to overrepresentation or underrepresentation of gender in different types of jobs.

Remuneration²

The basic wage, salary or other emoluments payable, either in cash or in-kind, to an employee, if the terms of the contract of employment are fulfilled.

Gender pay gap

The difference between the average overall earnings of working women and men.

Household wealth³

Defines the value of all possessions owned by a household minus all its liabilities at a certain point. The rise of household wealth is a huge factor that discourages women from entering the workforce, but also leads female employers to drop out, as they are considered secondary income earners.

¹ "India's New Labour Codes." *Lexology*, 20 Apr. 2021, www.lexology.com/library/detail.aspx?g=f8425b9d-9325-471e-9035-bdc4ccf9629a

² "Equal Remuneration Act 1976." *Ministry of Labour & Employment | Gol*, 1976, labour.gov.in/sites/default/files/equal_remuneration_act_1976_0.pdf

³ *OECD ILibrary*, www.oecd-ilibrary.org/docserver/9789264194830-9-en.pdf?expires=1621611238&id=id&accname=guest&checksum=0DB238AF8231731627AA45C112D41922

Open unemployment

The term includes people that have been educated and are willing or able to work, but remain unemployed for a prolonged period of time. An example of people being openly unemployed is migrants moving from suburban areas to big cities.

Piece rate work

A way of employment where a worker is paid an agreed sum for each production or action performed, regardless of the time.

Labour market segmentation⁴

Refers to differences in the working conditions of individuals in the labour market which are not caused by differences in productivity alone. These differences divide a labour market into a 'primary', with higher-paying and secure jobs, as well as multiple training opportunities and 'secondary', with unstable employment courses and poor career prospects.

Agency

Having a sense of agency refers to one being in control of one's actions and consequences. In the issue of Indian women entering the workforce, lack of agency needs to be addressed, since women are not responsible for determining their career and education paths.

White-collar worker

White-collar workers are employees, stereotypically of a higher social status, who receive higher salaries and are assigned more complex and skilled tasks. It usually includes office jobs that require a higher level of education, such as doctors, lawyers, bankers etc.

Blue-collar worker

Blue-collar workers normally receive lower salaries than white-collar employees but are also occupied with manual labour or manufacturing. Examples of blue-collar professions include construction, mining or agriculture occupations.

⁴ "Labour Market Segmentation." *Eurofound*, www.eurofound.europa.eu/observatories/eurwork/industrial-relations-dictionary/labour-market-segmentation

BACKGROUND INFORMATION

History of women in the workforce

18th and 19th century

During the period of the Industrial Revolution (1760-1840) women were seen for the first time working at factories, as part of the family. By the middle of the 19th century, they had already dominated the household and domestic tasks, while they also helped with family businesses, such as agricultural products for sale.

The first significant change is witnessed at the end of the 19th century with the arrival of electricity, when washing machines and vacuum cleaners are installed at home, freeing the female members of the family from a part of the household tasks. Furthermore, the rise in public education generates the demand for more education personnel, which worked as a ticket for women to enter the working industry.

20th century

Nevertheless, during the early 20th century women were still forced to leave their occupations upon marriage, due to the respective social norms. On the other hand, in countries such as the United States, African American women were twice as likely to be part of the workforce, as marriage did not imply their withdrawal from it.

During the course of World War I the number of women in the workforce witnessed an increase again, in order to fill in the gap of the men enlisting in the military. They occupy professions such as drivers and postal workers, as well as jobs in factories and the armed forces. Although they get paid more than they did prior to the war, the working conditions are cruel and their salaries nearly meet half of that of a male exercising the same profession.

A couple of years later in the United Kingdom, the Sex Disqualification Act of 1919 removes all the discriminatory policies that disallow women to claim certain occupations. Although this is the legal basis for women to enter the workforce, the attitudes towards female workers have not changed.



Figure 1: History of women in the Workforce⁵

Impact on economy

Although India's economy is thought to be a success and there has been a significant increase in growth rates, there are certain problems. Many decades after India's independence from the United Kingdom, multiple of the development projects show less improvement than the previous years, despite economic growth and prosperity. On one hand, India's economy has

⁵ Stephanie Dotto Content & SEO Lead at CharityJob. Lover of fiction, et al. "5 Significant Moments in the History of Working Women." *CharityJob*, 8 Mar. 2021, www.charityjob.co.uk/careeradvice/working-women/. Accessed 7 June 2021.

witnessed rapid GDP growth, in contrast to other developing countries, but this economic growth has also been supported by macroeconomic stability, meaning the absence of emerging financial crises or volatility.

Women have been part of the working class of India since the beginning of capitalism in the 19th century, even if they were not recognised as workers in their own right. Although many are not paid employees, their place in the workforce is crucial to the Indian economy, as stated by Jain in 1982.

Most Indian women are considered workers, even if someone is not recognised as one. In multiple countries, especially LEDCs, women have to take over the burden of unpaid activities, such as cleaning, cooking, child care and other forms of housework, regardless of whether they are occupied with a paying profession or not. The segmentation of labour markets also has major implications on working women, from lowering their wages to increased working hours.

In the past few decades, there have been various changes and alterations in the patterns of female participation in the workforce in India. The four main contradictory patterns observed are the following: Rapid increase in the implications of paid labour, labour with reduced or no salary at all, but also open unemployment of women in which women, although willing to work, cannot find employment opportunities.

Pay differences

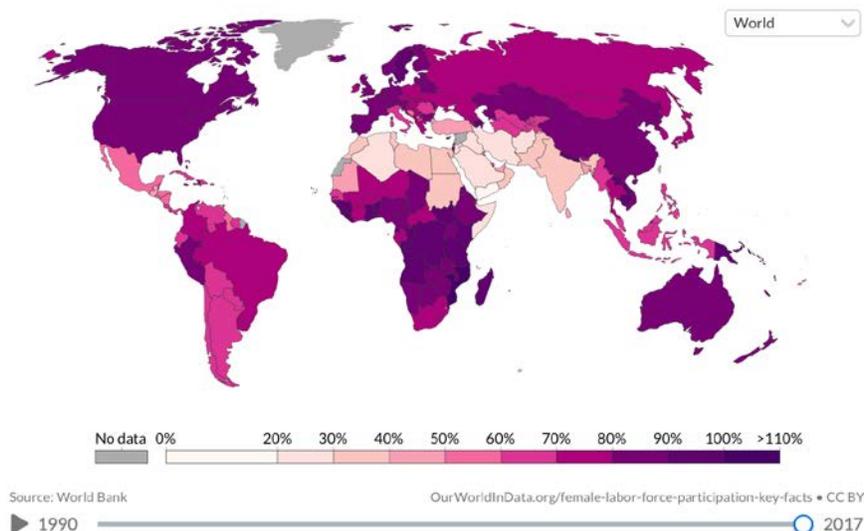


Figure 2: The ratio of female to male labour force participation rates in 2017⁶

⁶ Tzvetkova, Esteban Ortiz-Ospina and Sandra. "Working Women: Key Facts and Trends in Female Labor Force Participation." *Our World in Data*, ourworldindata.org/female-labor-force-participation-key-facts

Three terms are used to describe the pay differences between male and female workers in India. Firstly, the extended *gender pay gap* is one of the most important reasons why women are being left out of the workforce. The term describes the average difference between the salaries of the two genders, as women are generally paid less than men. Due to low productivity sensors, the female wage equals about 60-65% of the respective male wage. Therefore, men are rather encouraged to dominate the workforce, which only leads women to withdraw and occupy themselves with household and childcare responsibilities. The gap is also accelerated due to the high percentages of illiteracy amongst women since the literacy rate for women in India is 70%, almost 15% lower than the one of men. Moreover, a great majority of women occupy positions in agriculture and rural areas and therefore their work accounts for about a quarter of men's time.

Another term used to describe the pay differences is unequal pay for equal work. In 2019 it was estimated that women's wages were about 19% less than the respective wages for males in the same occupation and this percentage has only decreased by 1% since last year.

Last but not least, it is crucial to mention the difference between paid and unpaid work of female employees. Women's productive contributions, such as household responsibilities and work outside the home, are not recognised on official reports on women's work participation. This means that women's work at home is not socially nor officially acknowledged by the government, despite sacrificing themselves for the household's sake. Since most of these activities, which are typically performed by women or female children within the household, are not subject to market relations, there is an accelerating tendency to overlook the essence of the contribution of such activities. Furthermore, due to this stereotype, only men secure investments for their education and proceed to enter the workforce.

This "invisibility" of household work is also a result of social norms and beliefs. The aftermath includes data on reports and surveys being inaccurate, therefore making improvements or lack of development in the field not noticeable.

Lack of agency in career decisions

Young girls' futures in India are solely up to their parents' will. Just like marriage decisions, the career path a woman will follow will be decided regarding the parents and the husband's expectations. Most women end up staying at home and taking care of the children, regardless of their education, while their husbands are in charge of the primary income. Furthermore, a woman going against the family will is viewed as socially unacceptable, making it even harder for women to take the first step towards inclusion in the workforce.

According to recent research⁷ unemployed women were asked whether they would accept paid work if given the chance, out of which 73.5% responded positively. Then, when asked about preferences, 2 out of 10 expressed a preference for regular full-time work, 1 out of 10 for regular part-time work, 7 out of 10 for occasional full-time work and a minority of 5.78% for occasional part-time work. In conclusion, there was surprising demand and willingness to take part in paid labour, as long as this work was compatible with their household responsibilities. This is a clear example of a lack of agency in the women's workforce since being left unemployed is less of a choice on women's part and more of a result of the burden of their household responsibilities.

Insufficient role models for women

Since India has one of the lowest rates of female employment in the world, it is not the norm to witness women dominating the workforce, who could work as role models for younger girls. Since social barriers define a "successful" woman's future as one where she stays home and takes care of the house and her children, there are not many women willing to take the risk and oppose their families' decision. Apart from women not being responsible for making decisions regarding their own future, what is more, is how they do not even view work as something of significance and aspiration. The reason behind this is the decreased number of female role models, regardless of their social background.

If in any way these barriers were eliminated and women entering the workforce was normalised, there would be an accelerating inclination from young girls to follow their role models. But where there is a lack of role models, there is a lack of will and incentive. By having an increasing number of women in the workforce, not only are other women inspired to do the same, but also men are getting familiar with having female co-workers and more families are convinced to give their female members the same education and employment opportunities as male members.

Sexual harassment in the workplace⁸

Almost 88 percent of female employees in Indian information technology, business process outsourcing, and knowledge process outsourcing (BPO/KPO) firms reported experiencing workplace sexual harassment at some point during their careers. It has been reported that approximately 50% of women have been subjected to abusive language, physical contact, or

⁷ "Paid Work, Unpaid Work and Domestic Chores: Why Are So Many Indian Women out of the Labour Force?" *The Indian Express*, 9 Mar. 2021, [indianexpress.com/article/books-and-literature/paid-work-unpaid-work-and-domestic-chores-why-are-so-many-indian-women-out-of-the-labour-force-7219540/](https://www.indianexpress.com/article/books-and-literature/paid-work-unpaid-work-and-domestic-chores-why-are-so-many-indian-women-out-of-the-labour-force-7219540/)

⁸ HelplineLaw. *Sexual Harassment at Workplace in India*, www.helplineLaw.com/employment-criminal-and-labour/SHWI/sexual-harassment-at-workplace-in-india.html

have been solicited for sexual favours. As many as 47% of employees did not know where to report, and 91% did not report out of fear of being victimized.

To protect workers in both the formal and informal sectors, India enacted the Sexual Harassment of Women at Workplace (Prevention, Prohibition, and Redressal) Act in 2013. The act was a significant legislative step forward for India, but for the majority of women workers in the country, particularly those in the informal sector, the law exists only on paper. The government's enforcement of this law is so poor that even if extreme cases of sexual harassment against women occur today, they are unlikely to receive justice.

MAJOR COUNTRIES AND ORGANIZATIONS INVOLVED

India

Being the country around which the topic evolves, India has been characterized by underrepresented women in the workforce for the past few decades. According to statistics of 2019, India has a 6.1% unemployment rate and 81% of its workforce involved in low-paying and irregular professions. In contrast with the Constitution of India, which reads “The State shall not discriminate against any citizen on the grounds only of religion, race, caste, sex, place of birth or any of them”, India lacks effective and feasible anti-discrimination policies, especially tackling discrimination against women. In a society where women are thought to be responsible for the household and childcare, it is not surprising that only 42% of India’s university graduates are females. Due to the severe cases of occupational segregation, women are mostly found working in beauty, wellness and cleaning services. Female domination in these occupations is justified, regarding safety and mobility issues, as well as social norms and traditions.

Amnesty International

Amnesty International has taken multiple measures and steps towards ensuring the elimination of gender-based discrimination in the workplace, as well as women entering the workforce. Although equal pay constitutes a basic human right, women have been constantly denied equal salaries for the same employment their male coworkers took over. According to recent figures, women make about 77% of what men do, in the same field of work. This pay gap narrows the scope for employment for women, but also traps them in financial disparity and dependence, increasing the risks of poverty later on in their lives. According to Amnesty International, more than 100 governments are monitoring salary allocations to achieve equal employment opportunities. Nevertheless, governments are encouraged to take further action and develop and implement more detailed fiscal and monetary policies, including progressive taxation and

tackling tax evasion, all to amass more resources to materialize all women's rights that are currently violated in the workforce.

Canada

As of 2019, Canadian women over the age of 15 accounted for 47.4% of the labour force, compared to 37.6%, about four decades ago. In fact, more women than men tend to have a tertiary education degree and the scope of women in the workforce has only been increasing the past few decades. These improvements and narrowing of the gender pay gap are attributed to the increased awareness of gender inequality and pay differences, but also focus on change of the labour structures instead of the employees. More specifically, it is Canada's diversity and value of a plethora of skills in considering future employees that leads to such rapid progression. Proper training of employees and assessment and development of policies to prevent gender-based violence are also notable efforts to resolve the issue.

Iceland

Iceland has been ranking best on the Best Countries for Female Workers List for a very long time. This is no surprise, considering the fact that in 2018 Iceland was the first country in the world to introduce a policy that required companies with over 25 staff members to demonstrate that their salaries are the same for both genders. In order to implement this policy, a job evaluation tool called "Equal Wage Management Standard" was used and if the institutions met the requirements they received a certificate. The innovation in Iceland's system is that the burden of proof falls upon the employer to present evidence of gender-based inequality, instead of the employee, which has proven more than successful.

TIMELINE OF EVENTS

DATE	DESCRIPTION OF EVENT
1769	Ban on women to keep their earnings, as well as owning property
1918	Women start taking over factory jobs to fill the gap of men enlisting in the army
1919	The International Congress of Working Women is founded

15th August 1947	India's independence from the United Kingdom
26th November 1949	The Constitution of India is adopted by the Constituent Assembly
26th January 1950	The Constitution of India comes into force by the Republic
10th June 1963	President John F. Kennedy signs the Equal Pay Act, which aims at eliminating pay differences in the same employment between the two genders
11th February 1976	Equal Remuneration Act of 1976 is passed and assimilated into the Indian Code, to prevent discrimination and unfair treatment against women in the workplace
1983	Sally Ride becomes the first American woman to go to space
15th September 1995	Beijing Declaration of the Fourth World Conference on Women is adopted by the United Nations
2018	India's unemployment rate rises to 6.1%
2019	The female labour force participation rate (FLFPR) falls from 30.27% to 20.8%, according to the World Bank, in a time span of 20 years (1990-2019)
27 January 2020	The first case of Covid-19 in India
2020	India ranks in the 112th position in the Gender Gap Index of 2020.

RELEVANT UN RESOLUTIONS, TREATIES AND EVENTS

Beijing Declaration⁹

During 1995, 189 governments and more than 15 thousand participants joined the Fourth World Conference on Women. One result of this conference was the Beijing Declaration, later on, adopted by the UN in September 1995, which was an attempt for the advancement of women's rights, such as enjoying equal pay and equal work opportunities, education prospects etc. It was characterised as *"the most progressive blueprint ever for advancing women's rights"* by the UN Women and it identified 12 areas of concern, such as violence against women and women and the economy. Two and a half decades later, the percentages of women accessing quality education and claiming high positions in the workforce have significantly increased, although no country has yet to achieve complete equality between the two genders.

⁹ "Beijing Declaration." *United Nations*, United Nations, www.un.org/womenwatch/daw/beijing/platform/declar.htm

Equal Remuneration Act of 1976 (ERA)¹⁰

An Act to ensure equal wages for work of the same nature to female and male employees and offer the female workforce equal opportunities for promotion, training etc. The document, however, does not tackle laws regarding special treatment, such as in cases of pregnancy, marriage or death.

Articles 16, 38 & 39 of the Constitution of India¹¹

According to these articles, all citizens have a right to equality of opportunity in relation to matters of public enjoyment or appointment to any office under the state. They aim to minimise income-based inequalities but also ensure equal pay for equal work between the two genders. More specifically, Article 16 tackles discrimination in the workforce and provide women with equal employment opportunities, as well as requests institutions and businesses to be impartial when hiring employees. Article 38 refers to the promotion of the welfare of people, as well as the elimination of the gender pay gap, whereas Article 39 issues ownership and control of property by both genders, to prevent the subtraction of women's income by males in the family. It also mentions the aspect of women's health, as well as action towards eliminating exploitation of minors.

Occupational Safety, Health & Working Conditions Code of 2020¹²

Based on the Recommendation Report of the Second National Commission on Labour, but also being part of the *New Code on Wages*, this Act foresees the creation of a safe working environment for females in the workforce, as well as permits consenting women to work in each and every type of work, during the night shift.

PREVIOUS ATTEMPTS TO SOLVE THE ISSUE

Supreme Court declarations

The Supreme Court of India officially validated the principle of equal pay for equal work but also declared that provisional employees taking over responsibilities of permanent employees have the right to be granted equal wages like that of permanent employees. The Court also ruled that an employer's plea due to inability to ensure equal wages for both genders is

¹⁰ "Equal Remuneration Act." Centre For Civil Society, 21 Oct. 2013, ccs.in/equal-remuneration-act

¹¹ "Viewpoint: Gender Pay Gap in India - Legal Considerations." *SHRM*, 28 Feb. 2020, www.shrm.org/shrm-india/pages/gender-pay-gap-in-india-legal-considerations.aspx

¹² "THE OCCUPATIONAL SAFETY, HEALTH AND WORKING CONDITIONS CODE, 2020." Ministry of Labour & Employment, labour.gov.in/whatsnew/occupational-safety-health-and-working-conditions-code-2020-no-37-2020

unacceptable, as the financial situation of the management shall constitute no obstacle in the application of the respective legislation. In such cases, the act is violating the provisions of the ERA

New Code on Wages

The New Code on Wages constitutes of the ERA, the Minimum Wages Act of 1948, Payment of Wages Act of 1936 and Payment of Bonus Act of 1965 and refers to discrimination on the grounds of unequal wages between the two genders. While ERA focuses more on discrimination against women, the Code bans gender-based discrimination, therefore including the LGBTQIA+ community within its provisions.

Women employed as ASHAs ¹³

The government initiated the employment of only women as Accredited Social Health Activists (ASHAs), as an attempt to raise the numbers of women participating in the workforce. Although the initiative showed grounds for improvement, it turned out to benefit the government from women's undervalued work, having them receive the minimum wage.

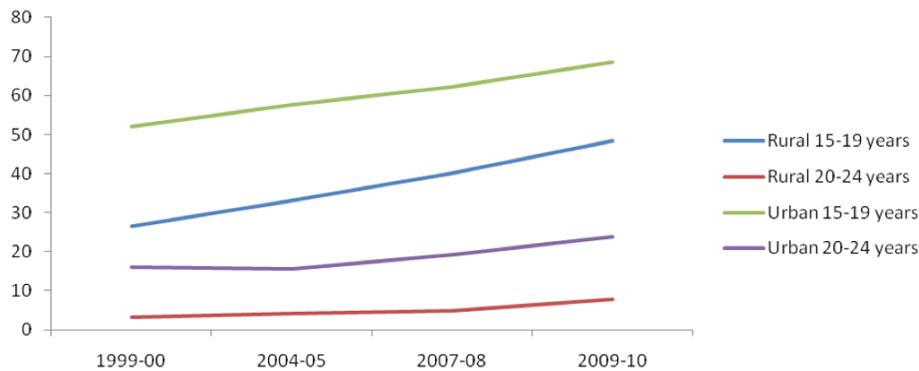
POSSIBLE SOLUTIONS

Government Assistance

Despite all the strong advocacy and promotion efforts, the government will play a major role in addressing and taking steps to further implementation of the already existing laws. Such examples could include awareness-raising programmes, to educate the employees of their rights and the anticipated wages.

Elimination of social and cultural barriers

¹³ "COVID-19 Adds to the Woes of India's Underpaid and Overworked Care Workers." *The Wire*, thewire.in/labour/covid-19-adds-woes-india-underpaid-overworked-care-workers



Source: NSSO Employment and Unemployment in India, various issues.

Figure 3: The proportion of young females in education (%)¹⁴

It is not uncommon for women's backgrounds to severely limit their career opportunities. A woman from a poor social background is deprived of her right to education and will pick a career path to follow. Girls are forced to drop out early from school, to help with household responsibilities. Even educated women are forced to stop working by their families or take long maternity leaves, with no assurance of returning to their occupations. For that reason, diminishing the social and cultural bias and stereotypes would require the change of the mentality of people, through ways such as educating the families of the women, rather than enhancing primary and secondary education. Another proposal would be the inclusion of young girls in non-profit organization programmes such as Voice4Girls, Antarang Foundation and DreamADream, which aim at presenting the girls with the benefits of agency and career paths at a young age.

Piece rate work

Piece rate work has grown popular over the past few years but has also played a crucial part in supporting women entering the workforce. This method of work combines many advantages, such as reducing the need for strict and constant supervision but also does not bind women into working overtime or earning less than male employees in that field.

Adoption and implementation of Legislation

Although India has signed and developed multiple Conventions and Acts to tackle the gender pay gap and secure women's entrance into the workforce, it must take further steps to ensure

¹⁴ Tzvetkova, Esteban Ortiz-Ospina and Sandra. "Working Women: Key Facts and Trends in Female Labor Force Participation." *Our World in Data*, ourworldindata.org/female-labor-force-participation-key-facts. Accessed 6 June 2021.

that the provisions of those documents will be implemented and the progress assessed. Following Canada and Iceland's plan of action, India could put together an accredited body of officials and experts, who will bind the employers into obtaining a certification that the factory or institution meets the expectations and requirements of the Indian Law. This way the wages between the two genders will be closely monitored, making any discrimination or inequality apparent and eliminated. Nevertheless, those evaluation bodies must remain active to be effective. In cases of non-compliance, where the salary system of a business continues to not include equal wages, then the state will issue a fine to the business.

Adopting a transparent pay system

To reduce differences in pay, businesses must increase their accountability and performance regarding salary transparency. This can be achieved in ways such as adopting traceable pay systems, following Iceland's example. This way, employees will have the privilege of being aware of the job's salary and any relevant terms, hence avoiding employers lowering salaries without the employee's knowledge. In general, raising awareness and coming clear about salaries will result in employees aware of what earnings to expect for different professions, as well as the foundation of the belief that both genders should be paid equally.

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