



How History Should Inform the Future of Gender in the Workplace

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Gender representation and DEI policies in the workplace have been topics of debate for several years. The recent volatility of gender equity in the workplace has a broad impact on workplace culture, employee well-being, and institutional accountability. Throughout U.S. history, there have been themes around gender issues in the workplace (e.g., childcare, discrimination, pay gap, etc.) that court rulings, legislation, and social norms and movements have focused on. Understanding the history of gender in the workplace can inform future policy and collective action to improve gender inclusivity in the workplace. Three key themes emerged from [our analysis](#) of the key events and legislation related to gender in the workplace: recognition of women as permanent members of the workforce, the conditional nature of participation in the workforce, and fluctuations in workplace protections.

Key Findings of Gender in the Workplace Through History

The first theme is the recognition of women as permanent members of the workforce. Prior to the Industrial Revolution, women were not recognized as permanent members of the workforce, with their roles primarily being caregivers and engaging in unpaid labor in the home. With the Industrial Revolution, more women entered the workforce but often faced hazardous work conditions and lower-paying opportunities with little to no protections, despite the efforts of various organizations (e.g., [the United Tailoresses Society of New York \(UTS\)](#)).

Women continued to be viewed as nonpermanent members after World War I and World War II. During both World Wars, women entered into fields previously closed to them and demonstrated their ability to participate in the workforce while also maintaining caregiving roles. By the end of each World War, men reentered the workforce, and women were again displaced. In addition to the lack of permanency for women, LGBTQ+ employees have historically been targeted and discriminated against through workplace policy. For example, the [Lavender Scare](#) of 1947 saw gay and lesbian State Department employees being stigmatized and fired based on their sexual orientation. Such policies and a lack of protections against discrimination have prevented LGBTQ+ individuals from establishing a permanent position in the American workforce.

The second theme we identified was the conditional nature of participation in the workforce, particularly when considering the lack of accommodations or protections for issues that uniquely impact nondominant Sexual Orientation and Gender Identity and Expression (SOGIE) groups. For instance, before the [Lanham Act](#) of 1940, there was little to no formal childcare support for working women. This resulted in women leaving the workforce once they married and had children. Additionally, it was not until 1993, with the passing of the

Family and Medical Leave Act, that women had protections regarding taking time off from work to care for newborns or adopted children.

Today, women still carry a disproportionate amount of caregiver responsibilities, a trend highlighted during the **COVID-19** pandemic as women were forced to leave their jobs due to a lack of childcare options. Members of the LGBTQ+ community also continue to face a lack of accommodations. Despite recent protections such as those under **Title VII** of the Civil Rights Act, LGBTQ+ employees continue to face discrimination and a lack of accommodations (i.e., dress code policies, bathroom policies) within federal agencies.

The third theme we identified was fluctuations in workplace protections. In 1964, **Title VII** established protections against discrimination based on sex and made sexual harassment based on gender stereotyping illegal. The language and protections of Title VII have been expanded multiple times through additional legislation and court rulings, including the **Pregnancy Discrimination Act**, *Oncale v. Sundowner Offshore Services Inc.*, and *Bostock v. Clayton County*. Additionally, the **DEIA Plan** under President Joe Biden aimed at identifying strategies to address barriers to equity in the federal workforce. However, there are currently many threats to these protections and inclusive workplace policies. Under President Donald Trump, the executive order **"Ending Illegal Discrimination and Restoring Merit-Based Opportunity"** eliminated DEI practices across federal agencies. Further, lower court decisions have challenged the precedent of *Bostock v. Clayton County*. While over time there have been improvements in legal protections against sex and gender discrimination in the workplace, recent events, particularly in the U.S. federal government, have seen a regression in inclusion and a threat to established protections.

Takeaways for Practice and Policy

The findings highlight several ways the public sector can more effectively address gender disparities in the workforce. To continue to address gender equity beyond national-level legislation requires public sector workplaces to adopt formal policies to achieve gender inclusion and gender-equitable outcomes. Formal policy that addresses issues that uniquely impact women and LGBTQ+ employees, with consideration for intersectional issues, is an essential step in addressing pervasive inequalities in the workplace. Agency-specific SOGIE policy should provide greater detail on implementation strategies to ensure greater inclusion and equality in the workplace. In formulating such policies, consideration to historical and current trends on the issues that impact women is key to creating and implementing impactful workplace policy, as well as broader legislation.

Public sector employees should be resilient actors to promote and realize gender equitable outcomes. **Employee resilience** is defined as "the capacity to continuously adapt and flourish, even in the face of challenge, is an individual-level construct that also benefits organizations." Employees should develop coping skills to continue to develop in their careers and promote their own welfare. Additionally, advocacy and collective action of employees can be crucial for bringing about policies and legislation that provide support and protections for women and LGBTQ+ employees. Looking to the future, research should further evaluate the factors that contribute to employee resilience in addition to how intersectional identities impact gender inclusion. These areas of inquiry are key to improving gender equity in the public sector workplace.