



Women Construction Owners & Executives, USA

2019 WCOE Position Paper

Women Construction Owners and Executives, USA (WCOE) is a national association representing women owners and executives in the construction industry. Women business owners have historically been and continue to be disadvantaged in their ability to obtain contracts, capital, bonding, and access to market opportunities. This is especially true in non-traditional fields such as construction. WCOE advocates for laws and regulations that will create a level playing field for all women in the construction industry.

LEGISLATIVE AGENDA

Mandate for Female Representation on Public Company Boards

California recently signed into law a requirement that publicly traded companies incorporated or headquartered in California have at least one woman on their boards by the end of 2019. By 2021 companies with 5 or more directors would need to have two or three female directors, depending on their size. Those who don't would be subject to financial penalties (\$100,000 first offense, \$300,000 subsequent offenses). It is time women had a seat at the table in corporate board rooms. Studies suggest when boards are diverse and women's voices heard, companies have greater earnings, return on equity and transparency. Female representation on boards creates a better environment for the workforce.

WCOE urges passage of a bill to mandate female representation on public company boards.

Fund an Infrastructure Bill That Will Make America Competitive Again

Ignoring the needs of America's aging and over-burdened infrastructure is not an option. If our nation is to remain prosperous, we must transform our infrastructure systems by ensuring that any infrastructure bill include greater direct federal infrastructure investment and responsibly encourage infrastructure investment from the private sector and all levels of the public sector, without diminishing existing federal infrastructure investment responsibilities. Any bill must also expand workforce education, training, and development opportunities.

WCOE urges Congress to fund an infrastructure bill with greater direct federal assistance.

WCOE Supports Women's Pay Equity: Equal Pay for Equal Work

Despite passage of the Equal Pay Act in 1963, substantial pay inequities persist. Full time working women earn only 79 cents for every dollar a man receives. This gap increases for Latina and African American women (56 and 64 cents), respectively. Women make up nearly half the population and many are the sole providers for their families. This makes gender pay discrimination a family issue. The Paycheck Fairness Act is a comprehensive bill that strengthens the Equal Pay Act by taking meaningful steps to create incentives for employers to follow the law, empower women to negotiate for equal pay, and strengthen federal outreach and enforcement efforts. All working women deserve equal pay for equal work.

WCOE supports the passage of a Paycheck Fairness bill.

WCOE Supports Passage of the Equal Rights Amendment

Women deserve to be protected under our Constitution with an equality guarantee that cannot be undermined, taken away or disregarded. "Equality of rights under the law shall not be denied or abridged by the United States or by any State on account of gender." It is time for passage of this amendment.

WCOE supports the passage of the Equal Rights Amendment.

REGULATORY AGENDA

Barriers Continue to Exist to the Inclusion of WBEs in Government Contracting

The fate of WBEs and their ability to compete for government contracts rests on the results of properly conducted disparity studies that seek to represent all groups denied opportunities, including WBEs. An open, transparent and thorough collection of data for any disparity study is key to obtaining legitimate results regarding challenges identified groups still face when competing for government contracts. Outreach for any disparity study should be well communicated in the area covered by the disparity study so that small businesses participate in the process and provide supporting anecdotal testimony. Disparity studies have consequences for all small businesses, especially WBEs. For that reason, groups, such as WCOE and other related organizations, must be engaged so they can assist in getting the message out to those underrepresented groups.

WCOE recommends that a uniform set of guidelines be established for the conduct of disparity studies that includes reaching out to groups such as WCOE.

Continued Support of DOT's DBE Program

The Department of Transportation has been the premier small and economically disadvantaged business participation program. It has established a single set of guidelines recognized throughout the country and has a serious, thorough and robust certification process. Their DBE program focuses on leveling the playing field by holding contractors accountable to meet the aspirational goals. It should be noted that while many federal agencies are unable or unwilling to focus on DBE contracting opportunities, DOT does an excellent job and frequently meets its goals. In the last year or so, it has been troubling that some recipient agencies of the DOT are attempting to exclude Caucasian women from the program. With the lack of contracting opportunities for women still a challenge in this country, we urge Congress to protect the DOT's DBE program and ensure that all recipients of DOT funding also honor the requirements of that program to include all women in the participation goals.

WCOE Recommendation: All Transportation Authorization Bills should include a clarification that both disadvantaged minorities and women are to be included in the DBE participation goal by all recipients as a condition of funding.

SBA Self-Certification Program

Congress required that the SBA develop a certification program to replace self-certification. WCOE opposes self-certification in any federal program that promotes the use of women-owned businesses. Self-certification exposes the programs to fraud and abuse. Without a required certification program, the Government is more likely than not to award contracts to ineligible firms. By way of example, the WOSB program regulations do not require sufficient independent analysis to prove that WOSB firms are economically disadvantaged or primarily controlled by women. As a result, millions of dollars in WOSB program awards go to firms that are ineligible. This conclusion is supported by an evaluation report prepared by the Office of the Inspector General in May 2015.

WCOE Recommendation: SBA should move quickly to design and implement the certification program as required by Congress so that there is a Federal agency, a State or local government certifying agency, or a national certifying entity. WCOE recommends using the standards of the Department of Transportation certification program as a basis for that review and certification.

Supports the Promotion of WOSB/EDWOSB Procurement Set Aside Program

The Federal WOSB Program authorizes Federal contracting officers to restrict competition for an acquisition to WOSB/EDWOSBs provided certain conditions are met. This program is not widely implemented in all parts of the country and should be to promote opportunities for women in government contracting.

WCOE recommends:

- Education and Awareness Training be provided by the SBA to Contracting Officers to encourage the use of the program in construction procurement and promote opportunities;**
- The SBA publish the number and value of contracts awarded to WOSBs and EDWOSBs on a quarterly basis for all construction NAICS Codes.**

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