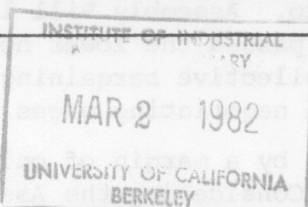


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COMPARABLE WORTH: THREE WAYS TO WIN EQUITY

by Anne Laurence

"Comparable worth is the bargaining issue of the eighties," Bill Callahan, Business Agent for AFSCME Local 101 in San Jose, told a public forum in San Francisco on July 15. "Some people see this as solely a 'women's issue'. But in San Jose we showed that it is an issue of justice and equality that all people can support."

Callahan was the featured speaker at a well-attended forum on comparable worth sponsored by the Center for Labor Research and Education at the University of California. Other speakers included Pamela Faust, executive director of the California Commission on the Status of Women; Patti Roberts, attorney and co-coordinator of the Comparable Worth Project in Oakland; Mary Bergan, legislative director of the California Federation of Teachers; and Kristy Sermersheim, business agent for Service Employees Local 715.

In recent years, many unions and women's organizations have come to realize that "equal pay for equal work" legislation has not been sufficient to win wage parity for women workers. As Pamela Faust has pointed out, most women are not in fact doing "equal work," but rather are concentrated in a small number of sex-segregated jobs. Although women have now begun to move into non-traditional jobs in greater numbers, the pay gap between men and women has actually widened. Women today earn 57¢ to every dollar earned by men, she reported.

"The human costs of this inequity are too great to accept," Faust said. She called for action on many fronts, including litigation, legislation, and collective bargaining, to help win equal pay for women in jobs that, although different, are of comparable value with those held primarily by men. These three ways to win pay equity were discussed, in turn, by other speakers on the panel.

The Courts

Patti Roberts summarized recent legal advances, notably the Gunther case, decided by the U.S. Supreme Court in June. In this case, female prison matrons in Oregon sued their employer for sex discrimination under Title VII of the 1964 Civil Rights Act, citing the fact that male prison guards were paid substantially higher wages for work which, although not identical, was of comparable value to theirs.

Although the Court refused to rule on the actual facts of the case (it referred the matter back to a lower court for this), it did determine that the matrons could legitimately bring suit under Title VII even though their jobs were not precisely equal to guards'. The Gunther decision thus opens the possibility that the Civil Rights Act may be used as the basis for comparable worth suits. Unfortunately, the Court also held that Title VII can only be used in such cases where discrimination was intentional, which may often be difficult to prove.

Roberts also pointed out that the courts cannot be expected to produce fast results. The Gunther case was first filed in 1974, and seven years later still awaits final decision. "The legal route is not insignificant, but it is slow," she said.

Legislation

Mary Bergan, legislative director of the California Federation of Teachers and a leader of the Coalition of Labor Union Women, reported on recent efforts to pass comparable worth legislation in Sacramento. Assembly Bill 129, introduced by Assemblyman Bill Lockyer (Democrat-San Leandro), passed the lower house July 6. This bill, as presently written, mandates parties to collective bargaining in the state service to consider the issue of comparable worth in negotiating wages for state employees.

Bergan reported that the bill passed by a margin of only 50 votes to 27. "It was hardly a landslide mandate," she said. "Considering the Assembly is our more liberal house, we know we have a real job ahead of us in the Senate." She noted that many organizations are lining up in opposition to comparable worth legislation, including the Chamber of Commerce and the California Taxpayers' Association.

Although encouraged by recent progress in Sacramento, Bergan cautioned about the role of legislation and argued that the most lasting and important gains would likely be made at the bargaining table, rather than in the legislature. "We will have enforceable contracts long before we will have enforceable laws," she concluded.

Collective Bargaining and Direct Action

Kristy Sermersheim, of SEIU Local 715, reported on efforts of her union to win higher wages for women in lower-paid classifications long before "comparable worth" became fashionable. One of the local's more successful tactics was a joint union-management job evaluation study which resulted in substantial equity adjustments for Santa Clara County clerical workers. In 1973, Local 715, together with sister SEIU Local 535, filed a suit attempting to force wage increases in several predominantly female classifications. The case stalled in the courts, but the suit, together with a series of militant job actions, provided the union with sufficient leverage to negotiate a two-year job evaluation.

The study provided the evidence needed to negotiate upward wage adjustments for workers in several lower-paid jobs, and also resulted in new classifications which provided career "bridges" between predominantly female job clusters and higher paid mostly male classes.

"The bottom line," Sermersheim said, "is to try everything you can. Go to court, do walkouts and job actions, get a study and get people involved in it, educate the membership about the present wage structure - and through the whole process, keep on bargaining."

A highlight of the forum was the concluding talk by Bill Callahan, business agent for AFSCME 101, which represents approximately 2,000 municipal workers in San Jose. The day before, Local 101 had won a much publicized victory in the struggle for comparable worth. After a nine day strike, the union negotiated a pact including \$1.45 million for equity adjustments for workers in 62 predominantly female underpaid classifications. The agreement also provided a 15.5% wage increase over two years for all employees.

Like Local 715, AFSCME used a negotiated comparable worth study to provide key evidence of sex discrimination. But the real secret of Local 101's success at the bargaining table, Callahan argued, was the support and involvement of the union's rank-and-file members, including large numbers of men. "We can use consultants, we can use all the slick bargaining tactics we know," he commented. "But without the support of the people, this issue would not have been won."

"There are judicial, legislative, and collective bargaining approaches to winning equal pay for comparable worth," Callahan concluded. "Of those three, so far we have seen few significant gains from the courts or the legislature. Collective bargaining remains the best tool we have for providing pay equity for unionized women workers."

- Anne Lawrence

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