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BARGAINING STRATEGIES FOR COMPARABLE WORTH

Lee Finney has successfully bargained for comparable worth in Contra Costa County. She is currently the Northern Vice President, SEIU Local 535, and President of the Board of Directors for the Comparable Worth Project, a national clearinghouse on comparable worth. Finney also consults on comparable worth.

LCR: What is "comparable worth"?

FINNEY: Comparable worth, also known as pay equity, seeks to eliminate sex and race bias in wage setting by adjusting salaries so that jobs held predominately by women and people of color are compensated the same as those held predominately by white men which require comparable skill, effort, responsibility, and working conditions. Most comparable worth bargaining has occurred in the public sector, although many of the lessons here can apply to the private sector as well.

LCR: What steps should a union take if it wants to implement comparable worth?

FINNEY: The exciting thing about negotiating for comparable worth is that you're often breaking new ground--there's no script, so you can experiment. The essential elements of success, however, have some common themes: know what your members are willing to push for, do your political homework and organizing within the union and the community, and research the facts carefully.

The first step for a union is to determine that comparable worth is a priority. The second step is internal organizing to gain support for the issue. Members must be able to voice their anxieties and opinions on the issue, and the union must determine how much its members are willing to sacrifice for the issue. A consensus that members will pursue the issue over the long haul is needed, since the pursuit may require a strike or a court suit.

LCR: What about support from male members? Why should male members care about comparable worth?

FINNEY: Comparable worth affects the livelihoods of their wives, daughters, and sisters, and the current economic reality is that families require two paychecks; it's certainly better to have two paychecks than only one and two thirds. I believe that in elevating the lowest workers, we will all be elevated together eventually. Minority male workers may also benefit directly where race discrimination is corrected.

Support from male members is very important. Unions should make a commitment that wages for male workers won't be frozen or reduced in order to increase pay for its female members, although comparable worth may slow the wage growth for male workers in the short run where there are payroll budget constraints.

LCR: After gaining membership commitment, what comes next?

FINNEY: The third step is to gather and analyze wage data in order to define the problem and remedies. Calculate the wage gap, i.e., the ratio of average female to male earnings. In addition, you can compare salaries of jobs that are similar but different in gender; for instance, you can compare salaries of probation officers (male dominated) with social workers (female dominated).

Fourth, assess the political climate. If you are a public sector union, find and nurture those elected officials who determine your salaries, or elect people sympathetic to the issue. Fifth, educate management and elected officials. Community organizations may help you do this. Women's organizations are a natural ally. In Contra Costa, the support of women's groups helped us win comparable worth adjustments.

Sixth, confirm your goals and strategies. You will have to decide whether to pursue pay increases for all classes (male and female dominated), or just a few (female dominated), or

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lowest paid), or some combination that accommodates competing goals. If your long run goal is to have a system of bias free wages, you will want to implement a full job evaluation. Such a study assigns points to jobs according to their skill, effort, responsibility, and working conditions, and then compares actual salaries with those predicted by the evaluation. Wages for all jobs are then adjusted according to the evaluation. This strategy resolves some issues of both wage discrimination and other irrational wage factors, so that inequities will not continue or creep back into the wage structure. This approach is more expensive, time consuming, and difficult to negotiate, however, and it may defer relief and require greater union resources.

Alternatively, you could bargain for upgrading specific classes, such as the lowest paid, female dominated, or minority dominated classes, or increasing all female (or minority dominated) classes across the board by a certain amount or percentage. This approach is cheaper and easier to negotiate for. However, such pay increases may never eliminate the structural wage discrimination. The employer may feel the issue is resolved by only a few adjustments, and it may be difficult to bargain further adjustments.

LCR: *What kind of job evaluation should a union agree to?*

FINNEY: A union can negotiate an in-house study, performed by a joint labor-management team, or contract with a management consultant. In-house studies are cheaper, and their findings are more likely to be accepted by members. They benefit from the detailed knowledge of workers and employers of the idiosyncrasies of their own jobs, and they allow workers more control over the process. The problem with in-house studies, however, is that they may contaminate a union's future position: if a union participates in the design of a study, it's more difficult to reject the findings should the results disadvantage any union members.

A union and employer without the time or money to perform a comprehensive study can perform a "piggy back" study, compare their salaries and jobs with those in other work place studies, and infer results from these other studies. Another alternative is to perform a reclassification study, i.e. raising salaries by properly classifying employees at higher salary levels, and implementing better career paths and training opportunities.

Whatever study a union proposes, it should not lose control over the process. Make sure members are on committees, and make outside consultants accountable to such committees.

LCR: *Are there special considerations in bargaining for comparable worth?*

FINNEY: I don't recommend bargaining for comparable worth along with regular negotiations, since employers will want to trade comparable worth increases against general increases. A union should try to take comparable worth out of regular contract negotiations; for example, by getting employers to agree beforehand to implement an ad hoc labor-management committee's recommendations, or unions can have parallel comparable worth bargaining, in which there are two negotiations, one for general contract issues and wages and another for comparable worth increases.

LCR: *What about coalitions: Weren't you successful in Contra Costa with this approach?*

FINNEY: Coalitions enable unions to speak with one voice on this issue, and can mitigate against employers' playing one union or issue off another. Coalitions can be very threatening to employers and can produce an effective show of strength for the issue.

However, coalitions require accommodating your allies and are very hard to keep together. Inevitably, the employer will attempt to break up your coalition. In Contra Costa, the coalition was initially very strong and successful. This scared management, which broke up the coalition by offering attractive settlements to each union which would agree to pull out of the coalition. If we had held together as a coalition, we would have received better settlements for everyone.

Often the decision to join a coalition is purely political. If you're a smaller union, you will need the help of larger unions for this issue, so a coalition will be more necessary. One thing is clear: the more labor can speak with one voice on this issue, the more effective will be your bargaining position.

LCR: *How can a union receive comparable worth in hard economic times?*

FINNEY: Unions should stress in bargaining that comparable worth is not a cost of living adjustment, but a remedy for past discrimination. Everyone should receive a cost of living adjustment, but those who are underpaid because of past discrimination should receive additional compensation. The remedies can be flexible also. Comparable worth can be implemented over several years so that the cost to the employer is spread out. Hard times are not an excuse for perpetuating wage discrimination.

-- Marlene Kim