



EQUAL RIGHTS

A D V O C A T E

F a l l 2 0 0 1

Volume 21 Number 6

from the
Executive Director

Dear Friends,



As you'll discover upon reading this newsletter there have been lots of exciting developments at ERA. First and foremost is the filing of a sex discrimination lawsuit against the nation's largest retailer, Wal-Mart. The retail leader is unfortunately, dead last when it comes to advancement of its largely female workforce. The filing of this case generated lots of publicity and led to a flurry of phone calls from women who work or have worked at Wal-Mart confirming the discrimination alleged in the lawsuit. A victory against a major employer such as Wal-Mart will enable thousands upon thousands of women to earn higher wages and have greater access to careers that offer more advancement opportunities and greater personal rewards.

I personally feel incredibly blessed to spend my days doing work that is so gratifying. For the past twenty years, I have been able to utilize the law to challenge injustices that keep so many people from doing and being their best. Upon learning I was one of this year's recipients of the Margaret Brent Award, I found myself reflecting upon my professional journey. I am reminded of how indebted I am to the women and men who have mentored me, who demonstrated their commitment to high quality lawyering, their love of the law, and foremost their pursuit of justice and fair treatment for their clients.

I am so deeply honored to be among the other Brent Award recipients, women who have used their skills and talents to improve the legal profession and more importantly the lives of women throughout the world. I want to thank the ERA's Board of Directors for nominating me, and for their unwavering support of ERA and the women we represent. A big thanks is also in order to my co-workers at ERA and the many women and men, including our clients, who find time, no matter where they work or what they do to challenge injustice wherever they see it.

Anna D. Herrera

WAL-MART STORES CHARGED WITH SEX DISCRIMINATION

With approximately 3,100 stores nationwide, 1000 stores in other countries around the world, and reported sales in excess of \$191 billion in 2000, Wal-Mart is the leader of the retail industry. Wal-Mart claims the root of its success is grounded in a fundamental principle toward its employees: Respect. An investigation into Wal-Mart's employment practices, however, revealed that female employees of Wal-Mart are neither being treated respectfully nor fairly; Wal-Mart systematically denies women advancement and training opportunities, and pay equal to that provided to their male colleagues.

On June 19, 2001, Equal Rights Advocates, the Impact Fund and several law firms filed a nationwide class-action lawsuit against Wal-Mart Stores, the nation's largest private employer. Six current and former Wal-Mart employees from California, Illinois, Ohio, Texas and Florida, on behalf of an estimated 700,000 current and former female employees of Wal-Mart, charged Wal-Mart with systematic sex discrimination. The suit, filed in the Northern District of California, alleges that female employees of Wal-Mart have been subjected to sex discrimination in pay, promotions, and training. Furthermore, female employees charge Wal-Mart with retaliating against them when they complained about Wal-Mart's discriminatory employment practices. The suit requests injunctive relief that includes changes in Wal-Mart's policies concerning promotion, training and pay as well as monetary relief.

At the press conference to announce the filing of the lawsuit, plaintiff Stephanie Odle shared her experiences of discrimination: "I worked for Sam's Club, a subsidiary of Wal-Mart, for eleven years. I was Wal-Martized – I accepted eleven transfers, worked 70, or even 80 hours a week, gave up lunch hours, weekends, vacation time and holidays. But when the time came, my promotions went to men. Time after



ERA's Director of Litigation Sheila Thomas and Lead Plaintiff Betty Dukes field press questions.

time, jobs I should have had were given to men. In the end, I was fired to make room for a member of that 'good ole boys club' who needed my job."

Plaintiff Micki Miller Earwood's experiences also demonstrate the discriminatory practices of Wal-Mart. Ms. Earwood worked for Wal-Mart for 10 years before she was promoted to Personnel Manager. As Personnel Manager, Ms. Earwood grew more and

Continued on next page

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WAL-MART...

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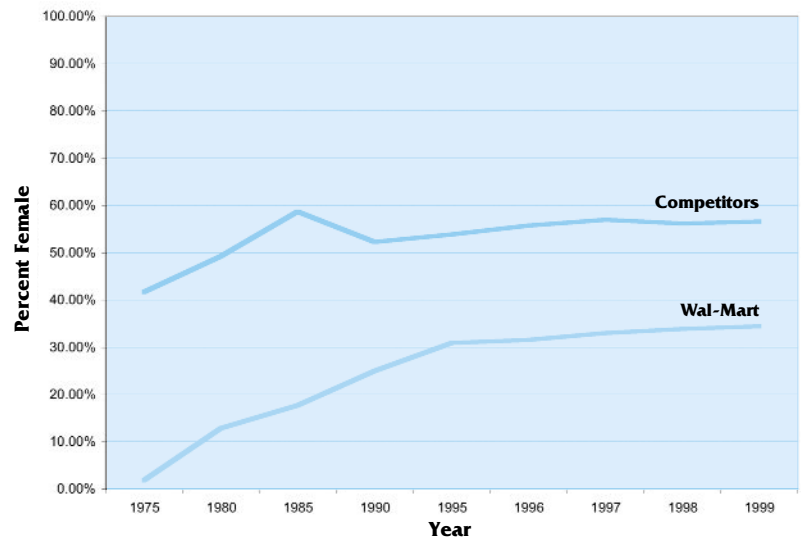
more aware of how differently women were treated from men. "I learned things as Personnel Manager that made it clear to me that it was a 'normal', acceptable practice at Wal-Mart for Management to make promotions and pay increases more difficult for women. In an attempt to try and make the playing field a little more fair for the women at my store, I decided to utilize what was known as the Wal-Mart 'Open-Door Policy' of lodging complaints. After almost 12 years of service, I was pushed out the 'open-door' and into the unemployment line."

These stories are not isolated incidents of discrimination. A review of Wal-Mart's total workforce clearly illustrates that most female employees are relegated to lower paying jobs and discouraged and/or prevented from climbing the Wal-Mart career ladder. Women comprise over 72% of the Wal-Mart sales workforce, yet account for less than one-third of store management overall. This percentage is far lower than the number of female managers employed by Wal-Mart's major competitors (56%), and lower than the percentage employed by its competitors back in 1975. The higher

the level of Wal-Mart management, the starker the gender disparity. Men comprise 91% of store manager positions, and 95% of top officer positions.

Since the lawsuit was filed, more than 350 women have come forward to tell their stories, many of which are strikingly similar in their accounts of repeated denials of equal opportunity. This lawsuit is particularly important to low-income women whom ERA serves,

PERCENT FEMALE MANAGERS AT STORES IN THE GENERAL MERCHANDISE STORES INDUSTRY, BY YEAR (1975-1999)

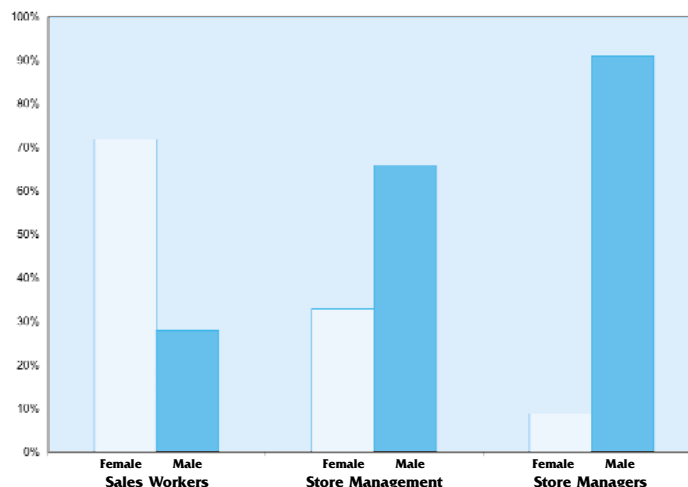


including the large number of women who have recently left the welfare rolls and are entering the retail industry. Wal-Mart strategically inhabits small towns in rural areas, becoming the primary employer for residents of the area; women are overwhelmingly assigned to the sales workforce of Wal-Mart, where they are paid just above minimum wage. When female employees are

denied advancement opportunities, they are subsequently denied the chance to achieve economic self-sufficiency. ERA views this lawsuit as our first step in our effort to improve the working conditions and salaries of women in the retail industry.

Present and former female Wal-Mart workers may learn more about the case by calling toll free 1-877-WOMAN-WM or visiting the website www.walmartclass.com. All inquiries are confidential.

Wal-Mart Workforce, by Gender (1999)



ERA TAKES ON THE SACRAMENTO REGIONAL TRANSIT DISTRICT

On March 26, 2001, Equal Rights Advocates and the Impact Fund became class counsel in a sex discrimination lawsuit brought by seven current and former female employees of Sacramento's public transportation entity, the Sacramento Regional Transit District (Regional Transit). In *Brown v. Sacramento Regional Transit District*, the women allege, on behalf of a class, that female employees at Regional Transit have been discriminated against in hiring, training, job classification, and promotion because of their gender.

The plaintiffs specifically allege that Regional Transit has engaged in subjective training and selection practices that resulted in the hiring, professional development, and promotion of less qualified men into desirable and higher paying positions to the exclusion of women qualified to fill these positions. They also argue that female employees are regularly kept at lower job classification levels than appropriate for the work they are doing, which in turn results in lower pay and less chance for promotion.

The seven named Plaintiffs each have stories that reflect the pattern of gender discrimination that infects the organizational structure of Regional Transit. For example, Plaintiff Deidre Brown, a Transportation Manager who has worked for Regional Transit for five years, repeatedly witnessed men obtain positions for which she was denied even the opportunity to compete. In one instance, a position for which Ms. Brown was qualified to fill was not posted publicly, yet three men were interviewed. After learning of the opening, Ms. Brown submitted her resume and cover letter, but was never granted an interview. In another instance, Ms. Brown was unable to apply for an opening because as soon as the position was created, it was filled with a male employee, again without public posting or recruitment.

Plaintiff Donna Kelsay also experienced Regional Transit's flouting of its own established policies. Over the ten years Ms. Kelsay worked at Regional Transit, she applied for several promotions that were awarded to men who had less experience or education. Throughout the process of applying for these promotions, Ms. Kelsay witnessed men obtaining interviews even though they did not meet the listed minimum

qualifications for a position, while similarly situated women were not interviewed. In addition, Ms. Kelsay was told on four separate occasions that Regional Transit would not provide her with the funding for training opportunities. Meanwhile, male employees were granted funding for those same opportunities.

This case was originally filed on September 4, 1998 in the District Court for the Eastern District of California. At that time, the Court granted class certification and ruled that discrimination claims could be brought against Regional Transit by three subclasses of female employees: (1) all current or former female employees of Regional Transit who applied for and were denied promotions to salaried positions based on their gender and/or who were discouraged from applying for a promotion because of Regional Transit's alleged discriminatory policies and practices; (2) all current or former female employees who sought training for salaried positions and/or were discouraged from seeking such training because of Regional Transit's alleged discriminatory policies and practices, and; (3) all current or former female employees who were salaried employees and who were discriminated against in salary, job title, job description, and/or grade level.

On June 26, 2000, Regional Transit filed a motion with the Court in an attempt to severely narrow the scope of the class and the legal claims in the lawsuit. This motion was still pending when ERA and the Impact Fund were substituted as class counsel on March 26, 2001. Shortly after the substitution, ERA and the Impact Fund filed a motion asking the Court for more time to gather evidence to argue against Regional Transit's motion or to deny Regional Transit's motion altogether. On July 5, 2001, the Court ruled in favor of ERA and the Impact Fund, denying Regional Transit's motion altogether.

The Court's ruling enables ERA and the Impact Fund to continue gathering evidence to support their case. ERA looks forward to pursuing justice on behalf of women facing gender discrimination at Regional Transit.

The Sacramento Regional Transit has engaged in subjective training and selection practices that resulted in the hiring, professional development, and promotion of less qualified men into desirable and higher paying positions to the exclusion of women qualified to fill these positions.

MAINSTREAM PUBLIC SCHOOLS EXILE PREGNANT TEENS

Nearly two-thirds of teenage mothers will not complete high schoolⁱ. This means that annually, approximately 330,000 young women across the country do not earn the diploma needed to attend college and obtain a significant number of occupations. Equal Rights Advocates has been exploring the way in which public schools contribute to the low educational achievement rates of pregnant teens.

ERA has learned that certain public school districts in Northern California either steer or force pregnant teens - seldom the men who impregnate them - to attend alternative schools, which provide much less academically rigorous environments than mainstream schools. Although alternative schools typically provide students with the curriculum needed to receive high school diplomas or General Educational Development certification (GED) and special programs such as

childcare and parenting classes, most of these alternative schools do not offer college preparatory classes or college counselors, thus reducing the likelihood that pregnant teens will attend college. Childcare and parenting classes may satisfy the immediate needs of pregnant and parenting teenagers, however, losing the opportunity to attend college or their ability to become self-sufficient has longer-term effects.

Some districts force pregnant teens to take an even more academically damaging route - independent study. Independent study segregates pregnant teens from their peers and the services and structure of an academic program. Removing pregnant teens from mainstream schools may have life-altering effects: these young women are likely never to attend college nor obtain employment that provides them with self-sufficient wages. Teen mothers earn about half as much as those who first give birth in their 20s.ⁱⁱ Thus, it is not surprising that nearly 80% of teen mothers eventually apply for welfare.ⁱⁱⁱ

Title IX, a federal law, prohibits discrimination on the basis of sex in educational programs. Sex is defined to include pregnancy and pregnancy-related conditions. Accordingly, forcing pregnant teenagers to

attend alternative, inferior schools as their only option violates Title IX. Of the few cases addressing the denial of equal educational opportunities to pregnant teens, they have involved pregnant girls getting ejected from an honor society. In one such case, *Pfeiffer v. Monroe Center Area School District*, the school dismissed a pregnant student from the honor society on the grounds that she engaged in premarital sexual activity. The court ruled that the school did not violate Title IX, noting that the school's reason was gender neutral. On appeal, the case was sent back to the court, which again ruled in favor of the school district, even though evidence was presented that showed that boys who were sexually active were not similarly rejected from the honor society. ERA certainly disagrees with the lower court's conclusion that the school's policy did not violate Title IX. Any policy that automatically punishes pregnant teens but not teenaged boys who engage in premarital intercourse discriminates based on pregnancy.

For the past year, ERA has been researching pertinent legal issues related to this issue, conducting outreach to social workers who work with pregnant teens, coordinating focus groups, making presentations at conferences and investigating individual cases of denial of educational opportunities. We have spoken with several teens who had been told that they could not continue to attend their mainstream schools once they became pregnant. One teen was told that she needed to transfer to an alternative school because she was "a bad example." Another teen, who had been her school's student body vice president, was pressured to step down from that position. One pregnant teen who was told she had to transfer, was unable to get into an alternative program. She spent months at home, not attending any kind of educational program. Finally, she gave up and began working at a low-wage job instead.

There are no easy solutions to this problem. Most pregnant teens do need the special programs offered at alternative schools, such as on-site childcare. ERA does not advocate closing down these alternative programs. Instead, ERA believes that mainstream schools must comply with Title IX, and not force or persuade pregnant teens to transfer out of their mainstream

ERA has learned that certain public school districts in Northern California either steer or force pregnant teens - seldom the men who impregnate them - to attend alternative schools, which provide much less academically rigorous environments than mainstream schools.

schools. More mainstream schools need to develop on-site childcare or make arrangements so students can have access to childcare while they attend school. Finally, alternative schools must provide equal educational opportunities – at the very least that means programs and classes comparable to those offered in mainstream schools, such as college counseling services, and science and math classes. In light of the statistics cited earlier in this article, we must do every-

thing we can to enable and encourage pregnant teens to get the most enriching school experience possible.

ⁱ Maynard, R.A., (Ed.). (1996). *Kids Having Kids: A Robin Hood Foundation Special Report on the Costs of Adolescent Childbearing*. New York: Robin Hood Foundation.

ⁱⁱ The Clara Duvall Reproductive Freedom Project. (2001). *Teens and Abortion: Factsheet*. [Online] Available: www.aclupa.org/factsheets.htm

ⁱⁱⁱ The National Campaign to Prevent Teen Pregnancy. (2000). *Facts and Stats*. [Online] Available: www.teenpregnancy.org/factsheets.htm

ABA HONORS IRMA D. HERRERA

ERA is extremely proud to announce that our Executive Director, Irma D. Herrera, has been awarded the prestigious 2001 Margaret Brent Women Lawyers of Achievement Award by the American Bar Association's (ABA) Commission on Women in the Profession. The Margaret Brent Award honors the accomplishments of women lawyers who have excelled in their field and paved the way to success for other women lawyers.

Irma is a recipient of the Margaret Brent Award for her unwavering commitment to the pursuit of social justice under the law for all women and people of color. Upon her graduation from Notre Dame Law School in the late 1970's, Irma began her legal career as a public interest lawyer at Evergreen Legal Services, representing Spanish-speaking migrant farm workers throughout Washington State. In 1980, Irma joined Mexican American Legal Defense and Education Fund as a staff attorney and later as the Director of Education Programs. In the mid-1980's Irma took time off from practicing law to work as a freelance journalist. Through her writings, Irma continued to work for social justice – investigating and reporting on legal and cultural issues. Her articles appeared in the *New York Times*, *Washington Post* and *Ms. Magazine*. Irma then practiced law at corporate law firms for the next five years. For a time, she taught Law and Social Justice at the Colorado College and Education Law at California State University at Sacramento. In 1991, Irma joined Multicultural Education and Training Advocacy as a staff attorney and Development Director. It was during this time that Irma joined the Board of Directors for Equal Rights Advocates.

The organization found itself at a crucial turning point when after 20 years as ERA's first Executive Director and co-founder Nancy L. Davis decided to pur-

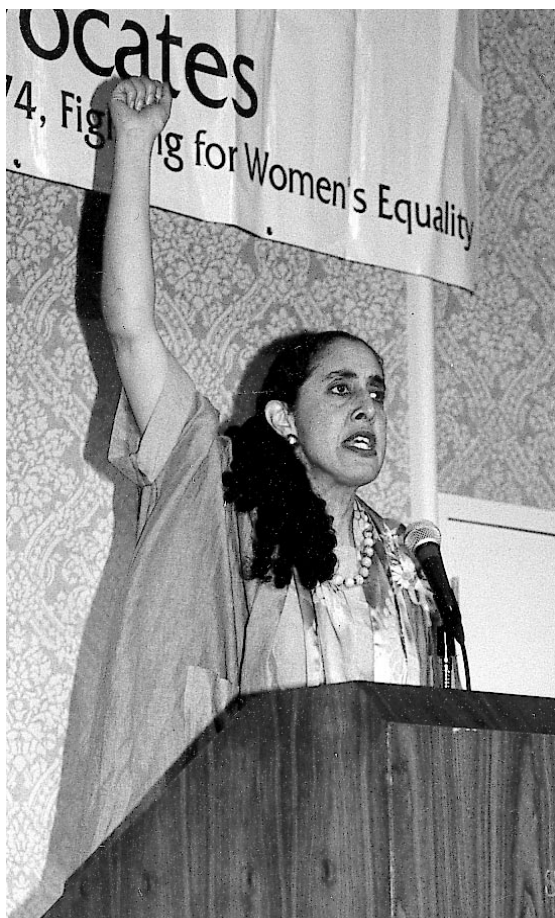
sue a new life path. ERA's Board of Directors selected Irma from among their midst to serve as the interim Executive Director. Irma's outstanding performance soon prompted ERA's Board of Directors to offer her the position permanently. As the organization's new leader, she became the first woman of color to run a women's legal organization. Throughout the 6 years of her directorship, Irma has used her fundraising finesse to garner the support of fun-

dners, applied her extensive legal knowledge in guiding the organization's programmatic decisions, and demonstrated her capacity for cool leadership under pressure as she navigated the organization through various transitions and unexpected challenges.

Irma was presented with the Margaret Brent Award on August 5, at a special luncheon during the American Bar Association's Annual Meeting in Chicago. The award was established in 1991 and named after Margaret Brent (1601-1671), the first woman lawyer in America. Past award recipients affiliated with ERA include ERA's co-founder and former executive director Nancy L. Davis, Former Boalt Hall Dean Herma Hill Kay and Stanford Professor Barbara Allen Babcock. Other recipients have included Drucilla Stender Ramey, Professor Lani Guinier, Professor Anita Hill, Congresswoman Pat Schroeder, and U.S. Supreme Court Justices Ruth Bader Ginsburg and Sandra Day O'Connor. The Board and staff of ERA congratulate you, Irma!



Irma D. Herrera celebrates with current ERA Board Chair Marci Rubin (left) and former ERA Board Chair Deborah Schmall (right) at Brent award ceremony.



Keynote Speaker Lani Guinier

TIME FOR EQUALITY

Equal Rights Advocates 27th annual luncheon, Time for Equality, was a success. On June 14, almost one thousand lawyers, activists, community leaders and donors gathered at the San Francisco Hilton to support ERA. The funds raised directly support ERA's important work litigating on behalf of women and girls.

The festivities began the night before the luncheon; ERA's Board, staff and long-time supporters gathered at The Women's Artist Gallery in Hayes Valley to commingle, browse the art and warmly welcome this year's luncheon keynote speaker, Lani Guinier.

The luncheon began with a reception, where attendees socialized and participated in

ERA's silent auction. The silent auction included over 75 items and guests bid on everything from gift certificates for local restaurants to spa packages to opera tickets. A performance by the Luther Burbank Middle School Marching Band concluded the silent auction and announced the beginning of the luncheon program.

This year, ERA honored the legacy of Ruth Chance, who died last year. For over 25 years, Ruth, a founding ERA Board member, provided ERA's leaders with inspiration and wise counsel. Ten years ago, ERA established a Law Fellowship in Ruth Chance's name; at the luncheon, ERA honored the ten remarkable women who have served as ERA Ruth Chance Law Fellows. The past Fellows, nine of whom attended the luncheon,

went on to pursue careers in which they continued to work towards social justice. This remarkable group of ten women practice law today across the country at places such as the Lawyers' Committee for Civil Rights, the Civil Rights Division of the U.S. Department of Justice, The Employment Law Center and The Urban Justice Center.

Following the award presentation, keynote speaker Lani Guinier addressed the audience in a thought-provoking speech about voting rights in America. Lani Guinier spoke about Proportional Voting as an alternative to America's system of "Winner-Take-All-Elections". Proportional Representation allows for the sharing of power and the shifting of responsibility through representation in concordance with percentage of voter support. Guinier suggested this alternative would revitalize the American political system and encourage more involvement by people of color and women.

Lani Guinier asserted that the American people, not the select few in Washington, can reform our political system through referenda and initiative at the local level. She also contended that democracy is not only about voting, but also about involving people in the process of making decisions that affect their lives. She closed with the words, "Democracy takes place when the silenced find a voice, and when we begin to listen to what they have to say."

Lani Guinier has an impressive history of fighting for equal rights for all people in the United States.



ERA Board Chair Marci Rubin honors ERA's Ruth Chance Law Fellows

Guinier has litigated voting rights cases in the south, authored numerous books, and recently became the first black woman to be granted tenure at Harvard Law School. In 1993 she gained political notoriety when President Clinton nominated her for the position of Assistant Attorney General for Civil Rights but then withdrew his nomination. In the political hot-seat, Guinier endured a media smear campaign that misquoted and misrepresented her views on voting rights. This Washington experience has provided Guinier with

fodder for her work and further insight into the political arena. Guinier was an obvious addition to ERA's long list of provocative keynote speakers.

Equal Rights Advocates would like to thank everyone who helped make this year's luncheon a great success. Time for Equality was the largest and most financially successful luncheon to date, raising a gross total of \$220,000. ERA looks forward to hosting yet another spectacular luncheon next year on June 13, 2002 at the Westin St. Francis Hotel in San Francisco. Save the date!

ERA's Board and staff would like to thank the following sponsors for making this our most successful luncheon:

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WOMEN DRASTICALLY UNDER REPRESENTED IN TOP RANKS OF LEGAL PROFESSION

Equal Rights Advocates is dedicated to advancing equal opportunity for women and girls. We have repeatedly encountered and challenged industries where women constitute a large percentage or even the majority of the workforce, yet they are under represented in positions of greater status and higher pay. A similar hierarchy exists in the legal profession. Women account for a third of the nation's lawyers and the majority of those entering law schools, yet they continue to remain under represented at the top. Women are only 20% of full law professors, 15% of

federal judges, 15% of law firm partners, 10% of law school deans, and 5% of managing partners at large firms.ⁱ Female lawyers earn approximately \$20,000 less than male lawyers, even if they hold similar positions and possess equivalent experience.ⁱⁱ

Further, women of color are under represented in the profession as a whole; they account for 3% of the profession. Less than 5% of full professors and law school deans, and less than 1% of equity partners and corporate counsel are women of color.ⁱⁱⁱ

Even though these statistics paint a grim picture of women in the legal profession, the significant strides women have made in this profession are indisputable. In just the last decade, the number of female federal judges, large firm partners and general counsels has doubled. Women hold prestigious and influential positions in the government and professional legal organizations. Some might argue that the number of women in high-level positions will continue to increase with time. According to the American Bar Association's Commission on Women in the Profession recently released report "The Unfinished Agenda: Women and the Legal Profession", time is not enough to close the gender gap.

The report argues that the passage of time alone cannot significantly alter the gender composition of the legal profession because barriers exist and persist. The major barriers confronting female attorneys include gender stereotypes, a lack of support networks and mentors, the failure of the workplace to accommodate family demands, the damaging effects of sexual harassment and gender bias in the justice system. These barriers are not insurmountable; there are steps that can be taken today to advance equal opportunity for women in the legal profession.

Strategies for change suggested in the report include assessment and implementation of employers' formal policies on diversity, sexual harassment and flexible work schedules. Making these policies formal is only the first step; employers then need to make these policies acceptable in practice. The report also advocates for employers and bar organizations to establish formal mentoring programs for women. The critical role mentors play in the career development of lawyers has often been recognized; however the predominance of men in senior positions and the informality of most mentoring leaves junior female lawyers less likely to establish close mentoring relationships. Formal mentoring programs along with voluntary women's networks can provide junior female lawyers with many benefits, such as guidance, advice, and advocacy as well as invitations and accompaniment to legal and social events.

Equal Rights Advocates is dedicated to removing barriers women face in all professions, including the legal professional. To that end, ERA strives to create and promote employee-friendly policies and provides ten law students annually with the opportunity to clerk at our organization and develop mentoring relationships with our attorneys.

To view the full report, please visit: <http://www.abanet.org/ftp/pub/women/unfinishedagenda.pdf>

ⁱ Rhode, Deborah L., "The Unfinished Agenda: Women and the Legal Profession", ABA Commission on Women in the Profession. p. 14, 27 (2001).

ⁱⁱ Ibid p. 14

ⁱⁱⁱ Ibid p. 5, 8, 25, 27

Women are only 20% of full law professors, 15% of federal judges, 15% of law firm partners, 10% of law school deans, and 5% of managing partners at large firms.ⁱ Female lawyers earn approximately \$20,000 less than male lawyers, even if they hold similar positions and possess equivalent experience.ⁱⁱ

DEBRA SMITH JOINS ERA'S LEGAL TEAM

ERA is pleased to announce that Debra Smith has joined our legal team as a staff attorney. Debra has devoted her twenty-year legal career to defending the civil rights of women, people of color and the working poor. Her extensive civil rights litigation and community organizing experience will further enable ERA to advance equal opportunity for women and girls through litigation.

Debra has spent much of her career fighting for farm workers' rights. She has represented farm workers and farm worker unions against corporate agribusiness and governmental entities. She also co-founded the Migrant Advocacy Services, a non-profit organization established to fund and coordinate training for various farm worker rights education projects, including two legal advocacy centers to assist farm workers in immigration matters.

Debra has extensive experience representing women and people of color in complex class action litigation. For the past nine years, Debra worked at the plaintiff employment law firm Saperstein, Goldstein, Demchak & Baller. There, Debra litigated class action discrimination lawsuits against national insurance

companies, grocery stores chains and multinational technology companies. She was also part of the legal team that filed the class action lawsuit against the United States and Mexican governments to recover monies that were withheld but not paid to immigrant workers during World War II pursuant to the "bracero" labor program of 1943-1947.

Since her arrival at ERA this summer, Debra has already begun to utilize her legal and community organizing skills to change the underlying structures that produce inequality and that prevent low income and indigent women from entering into and prospering in the workforce. Debra is working on ERA's litigation against the Sacramento Regional Transit District. She is also an active participant of our tradeswomen advocacy; ERA, in coalition with its sister advocacy organizations, is designing a litigation strategy with the goal of expanding access to the trades for women, including those leaving welfare.

When Debra isn't lawyering, she is busy with her other full-time job: raising a family! She lives in the East Bay with her spouse, children and pet iguana.

ERA AWARDED SUMMER FELLOWS

This past summer ERA hosted two students who were awarded public interest fellowships. Rosa Cabrera, a 3rd year law student at UC Davis, was awarded one of two 2001 San Francisco La Raza Lawyers Public Interest Law Fellowships. Ave Mince-Didier, a 3rd year UC Berkeley law student, was one of two recipients of the Herma Hill Kay Summer Fellowship.

The San Francisco La Raza Lawyers Public Interest Law Fellowship, funded by The San Francisco La Raza Lawyers Association, awards two summer fellowships annually to law students interested in employment with Bay Area non-profit organizations serving the Latino/a community. For her summer project at ERA, Rosa provided Know-Your-Rights trainings for members of low-income, Spanish-speaking communities in the Bay Area. Rosa also made Know-Your-Rights presentations for CalWorks recipients in her hometown of San Jose. Aside from her project specific responsibilities,

Rosa also staffed ERA's Advice and Counseling Line (A&C Line) and assisted ERA's staff attorneys with litigation related tasks.

Ave Mince-Didier was a recipient of the Herma Hill Kay Summer Fellowship, administered by the Boalt Hall Women's Association. The Fellowship, whose name honors the school's first and only female dean, funds two Boalt students during the summer, who perform legal work on behalf of women. As a Kay Fellow, Ave assisted with the Wal-Mart litigation and fielded and responded to A&C callers' inquiries, usually offering referrals or basic know-your-rights information. "I empower employees with information and tactics for vindicating their legal rights. Tragically, the A&C Line is one of a very few place where people can find free, basic, legal information and advice."

ERA would also like to acknowledge the hard work and commitment of our two other summer 2001 law clerks Menka Kuver (USF) and Quyen Ta (UC Berkeley).

A CONVERSATION WITH ERA BOARD MEMBER TEVEIA BARNES



Why and when did you get involved with ERA?

My first contact with ERA was as a guest of Bank of America at an ERA Luncheon. The San Francisco women firefighters were honored at that luncheon and I remember being overwhelmed with the magnitude of the difficulties they had endured and ERA's great work in helping to alleviate those difficulties. From that point, I was hooked on ERA and spoke often with long-time ERA supporter and Board member Phil Bokovoy about ERA's work. I joined ERA's Board in 1999.

What ERA issues are you personally most interested in? And why?

I have no one ERA issue that I am focused on. I am dedicated to ERA's grand mission to help women and young girls succeed. But I must say, I am very excited about the Wal-Mart case, because it directly addresses blatant discrimination. The numbers don't lie and the accounts of discrimination by female employees are strikingly similar.

As the new Development Committee Chair, what are your short-term and long-term development goals?

As the new development committee chair, my short-term goal is to help ERA's Board and development staff to enhance their development efforts and to garner more support from current donors and prospective donors. My long-term goal is to help raise sufficient funds to keep ERA viable, so that ERA can continue its much needed work for women and young girls, including taking on the challenging and difficult cases that are more likely to have a significant impact.

Tell us a little about your professional career.

I have been in the legal profession for more than 20 years. Currently, I serve as the Executive Director and General Counsel of Lawyers For One America, a collaboration of lawyers and organizations in the legal profession working to ensure that the legal profession reflects

the diversity of the society we serve and provides full service to communities in need so they can enjoy equal access to justice. Prior to working for Lawyers for One America, I served as the Associate General Counsel and Senior Vice President of Bank of America, where I managed a group of 50 lawyers and advised 13 units of the bank, including commercial and private banking, investment management, commercial and corporate real estate and corporate trust. At Bank of America I also helped launch the bank's diversity initiative that resulted in the bank receiving awards and recognition for creating an environment where all employees could do their best work.

As the Executive Director of Lawyers for One America, what do you see as the relationship between your organization and ERA?

Lawyers For One America is about ensuring access to legal services for communities of color. Similarly, ERA addresses the legal issues of women, particularly the legal issues of women of color. Lawyers For One America is committed to increasing diversity in the legal profession at all levels. On an organizational level, ERA seeks to hire staff that reflects the diversity of its constituents. The relationship between the organizations is natural, as evident in their parallel missions.

Tell us a little about your personal life – what are your interests, hobbies, other community activities?

I am very active member of my community. I am on the Board of Trustees of Rice University, President of the Board of Directors of Friends of Marin Center, a member of the Board of Directors of On Lok, Inc., the American Conservatory Theater and The Branson School, and a member of the Steering Committee of the California Minority Counsel Program. When I am not working, I enjoy spending time with my family, which includes my husband, Alan Sankin, and my sons Aaron, who interned this summer at ERA, and Zachary, who became Bar Mitzvah in August. I am very proud of both of my sons. I also enjoy traveling with my husband, reading, skiing and collecting wind chimes.

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Thank you to all our donors who contributed or pledged during the period April 1, 2000 through July 31, 2001. We could not continue our work without your support.

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REAL STORIES: PUSHED INTO POVERTY

Over and over, calls to ERA's Advice and Counseling Line (A&C Line), confirm that sex discrimination and sexual harassment can actually serve to push women into poverty. What follows are two stories from callers to the A&C Line that illustrate the real-life economic effects of sex discrimination in the workplace.

SEXUAL HARASSMENT

A single mother raising her two children took an administrative job at a small company. Only one week into the job, her temporary housing fell through and she and her children were left homeless. Her supervisor offered to let her stay in an apartment on the same property as the offices she worked in; he stayed in the apartment next door. After her first night in the apartment her supervisor began making sexual comments to her. On that Friday, two weeks into her job, she asked her supervisor for an advance on her pay-

check. He suggested that if she were his mistress she would never have to worry about money. He then propositioned her, offering her \$200 for each time she would "be with" him. He told her that it would only take three minutes of her time to make a lot of money. Because she knew her complaints would fall on deaf ears, she decided to leave the job. An ERA law clerk informed her of her rights under state and federal law and directed her to a pro bono program that could help her find an attorney.

PREGNANCY DISCRIMINATION

The company at which a young pregnant woman worked had announced that production was slowing down, and that voluntary layoffs were imminent. The woman approached her supervisor, concerned about the security of her job, since she had been one of the last hired. She needed this job for the medical benefits it

provided, especially now with another child on the way. Her supervisor assured her that the layoffs were voluntary and she had nothing to worry about. The next day she was told that the company could not accommodate her pregnancy and they forced her to take a "voluntary" layoff. The following week, she and a laid off male colleague came into work to pick up their checks. As the male colleague walked into the supervisor's office, the supervisor said, "Call backs have started. Are you ready to come back to work?" Excited, the pregnant caller asked, "Me too?" The supervisor replied, "No, you're pregnant, this doesn't apply to you." All the other employees were called back to work, and now, the company is even hiring new employees. Our caller has been looking for work, but she has not found a job, and believes it is because she is honest about her pregnancy. ERA informed her of her legal rights and put her in touch with attorneys and women's groups in her geographic area.

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