

HIGHER EDUCATION

Female professors sue Vassar College, alleging wage discrimination



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Five female professors at Vassar College are suing the elite institution in Upstate New York — one of the country’s first colleges to educate women — alleging decades of systemic wage discrimination by paying them less than their male colleagues.

The case explores what advocates for pay equity say are widespread disparities in how women are compensated and evaluated for their work in higher education. Through self-reported data, colleges and universities have routinely shown yawning pay gaps between male and female academics. Now, institutions are reckoning with the inequities amid legal action and faculty campaigns for fair wages.

“Vassar isn’t the only educational institution that is suffering from these issues ... but what makes this striking is its origins in providing education to women and promoting equity,” said Melvina Ford, an attorney representing the professors and the national legal director at the nonprofit Equal Rights Advocates. “This is part of the college’s mission and values, so it’s important that they correct these pay inequities.”

The lawsuit, filed Wednesday in the Southern District of New York, accuses Vassar of violating federal and state equal rights laws by underpaying, underpromoting and unfairly evaluating women.

Vassar did not immediately respond to requests for comment.

Professors Wendy Graham, Maria Höhn, Mia Mask, Cindy Schwarz and Debra Zeifman are seeking class-action status on behalf of all women currently or formerly employed by Vassar as full professors from May 14, 2015, through the resolution of the case. They are asking the court for back pay, including interest and benefits, as determined at trial.

Thirty-five female full professors or emeriti at Vassar issued a statement of support of their colleagues, calling on the college to “finally root out systemic discrimination and rectify the clear pattern of gender pay disparities.”

The five professors who sued — women whose academic fields span the sciences and liberal arts — say they and their colleagues have raised concerns about unequal pay for nearly two decades, according to the complaint. During that time, the college has produced public and internal pay studies that affirm the professors’ concerns.

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Data shared by Vassar with THE CHRONICLE OF HIGHER EDUCATION shows not only a gender pay gap in average salary for full professors every year dating from 2003, but also reveals the gap has grown from 7.6 percent to 10 percent as of 2021-22. That academic year, men earned on average \$153,238 as full professors at Vassar, while women holding the same academic rank averaged \$139,322 annually.

According to the complaint, a presentation given to faculty in 2011 put a finer point on the disparities, showing women were on average earning less than their male counterparts at almost every stage of their academic careers at Vassar. Another internal study conducted a decade later showed the pay gap was most pronounced among the longest-serving women, with a \$30,000 difference in median annual salary for those serving 20 or more years as full professors, the lawsuit states.

Female faculty say they have tried to work with the college to close the gender pay gap, but over the years have been stymied by an institution that refuses to fully cooperate. Vassar President Elizabeth H. Bradley agreed to conduct a pay equity study analyzing compensation for the 2020-21 academic year, but the university ultimately decided that only some female professors would receive a pay review and only if they asked, according to the complaint.

The lawsuit claims that many of the professors whose salaries were reviewed were not given a pay adjustment that accounted for either present or historical pay disparities. Some pay adjustments were as low as \$1,000 and the majority of women received no adjustment at all.

Female faculty say Vassar has falsely asserted that the pay gap is the result of men being better at leveraging offers to negotiate higher salaries, being higher performers or being promoted to full professor earlier in their career.

But the coalition of 35 Vassar professors argues that the gender pay gap is the result of “substantial differences in the starting salaries of men and women, a subjective merit rating system that is biased against women, and a discriminatory promotion system that systematically prevents or delays the advancement of female professors relative to their male counterparts.”

The faculty wants Vassar to overhaul its promotion and evaluation procedures, and recognize that men and women doing similar work must be compensated the same. Recent updates to New York labor laws could prove critical in the success of the case.

In 2019, New York amended its equal pay statute to prohibit differential pay among individuals who perform “substantially similar work,” lowering the burden of proof for employees asserting wage discrimination. The state also barred employers from using salary history to determine compensation for current employees.

“We’re seeing progress in state legislatures in expanding the reach of equal pay laws,” said Ford, who has brought a series of pay equity cases over the years.

New York’s amended statute played a key role in a 2021 class-action lawsuit filed by female faculty at Syracuse University, who alleged the private school paid and promoted women far less than male faculty. The case resulted in a \$3.7 million settlement in which the university admitted no wrongdoing.

In 2020, Princeton University in New Jersey also paid nearly \$1 million in back wages to 106 female full professors, past and present, after a federal investigation found disparities in their compensation. Two years before that case,

the University of Denver reached a \$2.6 million agreement with seven female law professors over gender-based pay inequity.

Gender pay gaps are pervasive throughout higher education. Full-time female faculty members earned 82 cents on average for every dollar their male colleagues took home in the 2022-23 academic year, according to the American Association of University Professors. Women earned less than men across all academic ranks, but the disparity was especially pronounced at the full professor rank, where women earned a salary of \$136,490, on average, compared with \$156,820 for men.

The AAUP says women are underrepresented in higher ranks of the professoriate, with the latest federal data showing only 36 percent of full professors in fall 2021 were women. The gender salary-equity ratio for full professors — the ratio of women's to men's salaries — is now lower than what schools reported 40 years ago, according to the association.