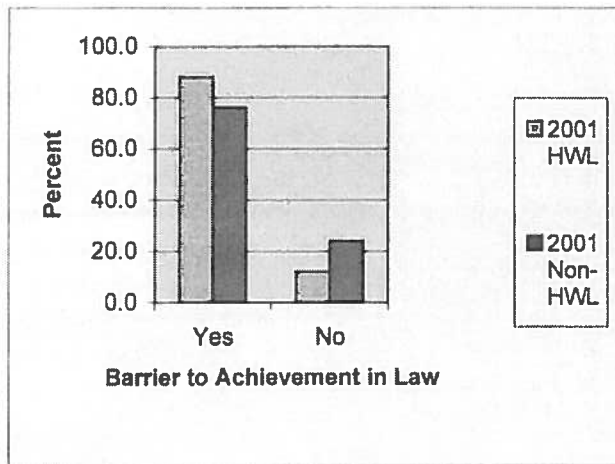


2001 SURVEY

Over 70% of Hawaii Women Lawyers responded that barriers to achievement still exist for Hawaii's women attorneys as compared to their male counterparts. Wage gaps and glass ceilings with resulting lower pay and smaller pensions still dominate women's working lives.

Please see President April Wilson-South's Message in the May 2002 HWL Newsletter which follows.

President's Message



Do Barriers To Achievement Still Exist For Hawai'i Women Attorneys As Compared To Hawai'i Male Attorneys?

Over 70% of Hawai'i Women Lawyers Said "Yes."

"Some of the reasons Hawai'i women lawyers have chosen to practice professions outside of law may have to do with barriers they find to practicing law. When asked if there are still barriers to achievement for females compared to males in the law profession the large proportion of respondents said "yes." The response was similar for both members of HWL and non-members. The playing field for female attorneys is still not level compared to males." (Ftnt 1)

So did women lawyers in Hawaii celebrate a happy equal payday on April 16?

Nope.

Wage gaps and glass ceilings -- with the resulting lower pay and smaller pensions -- still dominate women's working lives.

Every year, the National Committee on Pay Equity, a coalition of civil rights & women's organizations, trade associations & labor unions, organizes Equal Pay Day to draw attention to the fact that, on average, women earn less than men. Each year the coalition singles out one day, as "Equal Pay Day" to symbolize that on average women work a full week, plus Monday and part of Tuesday of the next week to earn the wage that the average man earns in the previous five-day-work week; this year Equal Pay Day was April 16, 2002.

Unfortunately, the most recent statistics reveal the gap between American men's and women's wages has increased since 1996. Worse yet, a recent, highly publicized government report from the General Accounting Office revealed that the wage gap is particularly high between male and female managers.

Equal pay has been the law for FORTY YEARS. Yet women are still paid less than men with similar education, skills and experience. In 2000 on average a woman was paid 73 cents for every dollar a man received. Nationwide, working families lose \$200 billion income annually to the wage gap. The net result is that over her lifetime, an average 25-year-old woman will lose more than \$523,000 to unequal pay.

Even worse -- because they are paid less -- women have less to save for the future and earn smaller pensions. With the result that in 1998 half of all older women received a private pension of less than \$3,486 per year, compared with \$7,020 per year received by older men.

Things are even worse for women of color. African American women earn only 67 cents and Latinas 55 cents for every dollar that men earn. Asian Pacific American women's pay inequality is less severe than for women as a whole, but they still earn only 83.5 cents for every dollar that a man earns.

We need to take a closer look at women's workplace inequality if we are to resolve the problem. For starters, here are a couple of important statistics we rarely discuss:

- Eighty-five percent of women become mothers, and
- Two-thirds of mothers work less than the standard full-time schedule during the key years of career development.

Given that depressed wages, few benefits, and lack of advancement are conditions uniformly experienced by part time workers, it is easy to explain women's continuing inequality in the workplace.

WORSE YET -- AND EVEN MORE SIGNIFICANT -- the wage gap statistics that are most frequently cited compare the wages of men who work full time to those of women who work full time. If commonly used wage gap surveys look only at women whose work patterns are most similar to men's, they are only looking at the women who are in a better economic situation than other women. Naturally, this results in a significant underestimation of women's true economic inequality.

Yet, oddly, the focus on full time workers does help to explain why the wage gap has grown. Increasingly, "full time" work has come to mean "overtime" work. In fact, in the United States we work longer hours than in any other industrialized nation. Overtime work is not evenly distributed: It's more common in better-paid jobs. Anyone who works part-time or who works with part-time workers can tell you that part-time workers are uniformly denied the pay and benefits that full-time workers receive.

Combine the inequality towards part-time workers with the fact that most women eventually become mothers who can't consistently work overtime, and you can easily explain the wage gap among managers and the glass ceiling for women professionals. Recent studies comparing the wages of mothers and other adult workers demonstrate that the wage gap between mothers and others has been

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President's Message

(Continued from page 2)

steadily increasing with women earning only about 60 percent of the wages of fathers.

Increasingly higher-level (& higher paid) positions require more than 40 hours a week – this is certainly true for most attorneys. Most mothers cannot work 50 and 60-hour weeks, so instead of rising in their profession in proportionate numbers, working mothers languish in jobs classified as "part-time" (even if they require a 40-hour work week), or stall out in "full-time" jobs in middle management or "mommy track" positions.

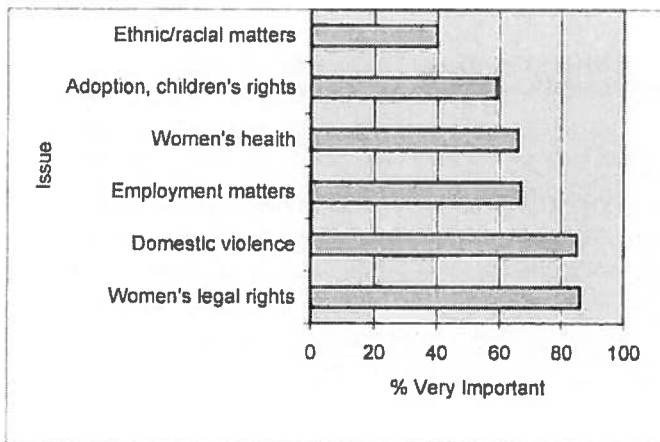
Changing this situation will require steady pressure, critical thought, and multiple strategies. One strategy involves identifying the best practices of employers, and the development of new model practices that do not include "mommy tracks" or stigmatized "family-friendly" policies that go unused because of the negative impact on careers. (Ftnt. 2) To eliminate discrimination against women workers, personnel practices cannot penalize workers who are sometimes out of work to care for children, elders, or sick family members.

Another strategy includes pushing for appropriate public policy initiatives. The three months of leave provided under the state and federal family medical leave laws are an important first step. But raising children doesn't take three months; it takes a lifetime. Families need sick leave so that they can care for ill children as well as themselves. This includes pushing for laws that guarantee "part-time parity": proportional pay, benefits, training, and advancement for part-time work, and that push for higher pay, benefits, and legal rights for workers doing marginalized work traditionally performed by women.

While the wage gap in Hawai'i is smaller than the national average, these numbers do not automatically signal improved economic status for women. One reason for women's relatively improved pay status, is that the wages of many minority men in Hawai'i are extremely low. Plus even though women's wages in Hawai'i are among those of the best states in the nation—Arizona, California, Florida, Massachusetts, New York and Rhode Island — women in Hawai'i still only earn little more than 80 percent as much as men.

A third strategy involves union representation for workers – a proven and powerful tool for raising workers' wages, particularly for those most subject to labor market discrimination. Consider these facts:

- **The typical female union member** earns 38 percent more per week—\$157—than a woman who does not belong to a union.
- **Unionized women of color** earn almost 39 percent more—\$135—than nonunion women of color. In fact, minority union women earn \$45 a week more than nonunion white women. (Ftnt. 3)



While it is now quite trendy to attempt to lay all of the ills of Hawai'i's economy at the feet of the unions, the fact is that our unions push pay equity in the legislature and at the bargaining table, where they bargain for pay upgrades for lower-paid classifications, for re-classifications and upgrades for female-dominated job classifications, and by bargaining for pay equity studies with phased-in pay adjustments.

Consistent with our mission and with the wishes of our membership, when it makes sense for us to do so, HWL is standing right beside unions in fighting for the rights of Hawai'i's workers. In a 2001 member survey identifying important legislative issues for HWL, the most popular issues among members were women's legal rights, domestic violence, followed by employment, women's health, then adoption and children's rights, and ethnic and racial inequalities.

The HWL legislative committee worked in the legislature this session on many bills designed to improve women's legal and employment rights – particularly women who are

victim's of domestic violence. In weeks to come, HWL Legislative Committee will be meeting to discuss our successes and failures this session and to brainstorm a new and improved agenda for next year. Another, as yet unnamed committee, will be meeting to discuss how we can establish a mentorship program that will help and inspire Hawai'i students and workers.

All HWL members are encouraged to join us in this work – you can get involved by e-mailing me or any other member of the Board (identified on the back page of this newsletter).

Finally, we will soon be holding elections for next year's HWL board. While many board members' terms do not expire this year, there are likely to be a number of openings on the board. Please send an e-mail if you would like to be on next year's HWL board.

Aloha,
April

Footnote 1: A Survey of Hawai'i Women Lawyers, July 2001. **Footnote 2:** Joan Williams, Executive Director of the Program on Gender, Work and Families, American University, Washington College of Law, suggests the first and second strategies identified here; **Footnote 3:** Much of the information for this column can be found at the Women's E-News website (www.womensenews.org) and from the AFL-CIO web site (www.aflcio.org).