

Women 'unaware' of employment rights

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Of the Emerald

Now that University women have governmental laws and University provisions to protect them from sex discrimination, everything is fine, right?

Not exactly.

Many women simply aren't aware of their rights. And even those who are familiar with the laws may be reluctant to take advantage of them.

Most women, perhaps, don't have the time, money and energy it takes to wage legal battles. And, perhaps more importantly, there seems to be fear that complaining against her employer will hurt a woman's career more than help it.

Why is there fear among some women toward filing discrimination complaints? And do all women feel such fear, or just some?

In an attempt to answer these questions, the Emerald interviewed various women — academic and classified staff — on campus last month. Many of the women interviewed said they did not wish to be identified because of fear that, if they indicate dissatisfaction, it will hurt their careers more than help them.

"This is not an unreal paranoia," says one woman. "There are enough examples around of people who have gotten screwed." Examples cited by those interviewed not necessarily involving women at the University, but they have had sufficient impact on the women here to make them think twice before filing complaints.

'Job security' a deciding factor

One of the biggest fears toward filing complaints is that the woman will lose her job, some said. The process of making a formal complaint and having hearings is sometimes stretched out over a long period of time, and some feared that, during this time, the woman who complains will be quietly fired. If the University gives an excuse such as "We don't think you've lived up to our expectations," some said it would be difficult for the woman to prove that she was fired because of her complaints.

Joyce Mitchell, professor of political science and associate dean of the Graduate School, pointed out that many women simply can't afford to jeopardize their jobs. She said they may have children to support or husbands in graduate school here. "They're locked in and their employers know it," Mitchell said.

Job security or job alternatives may be the deciding factor in whether or not a woman files a complaint—but the woman with the least security is likely to be the one who has the most to complain about, according to those interviewed.

Some housekeepers in the dorms, for example, said they've been complaining about the difference between their pay and the pay received by the janitors for years. They said their work is basically the same. But few housekeepers said they wanted to risk their jobs by making individual complaints.

"If one of us complained, they could say, 'Oh, she's just a troublemaker,'" one of the housekeepers said, "but if we all stick together we might see some progress."

Now, with the support of the Oregon State Employees Association, some housekeepers said they are trying to get their jobs reclassified and their pay increased.

By making a group complaint, women said they are no longer afraid of losing their jobs. Said one of the housekeepers, "We plan to help each other as much as we can."

Louise Walker, chairer of the University faculty's Committee on Equal Employment Opportunities, said she felt job security makes a definite difference in whether or not a woman complains. "Those without tenure will be shot right down if they make waves," she said. "Tenure is a woman's best friend around here."

Another problem women cited is money. Although no cases at the University have reached the courts, the

fear of not having the money to carry through with the case if it did go to court may discourage some women from taking initial action, those interviewed said.

"Women don't go to court because women don't have money," says Judith Merkle of the political science, "and women don't have money because women don't get equal pay."

Publicity was listed as another obstacle. A woman might be reluctant to earn a reputation as a troublemaker, since this could hurt her chances of getting a job anywhere else in the country, some said.

Also, if a woman has to fight to keep her job or to get equal pay, some said she may find herself unpopular in her own department. As one woman put it, "They treat you like you've got the pox." No one wants to work in a hostile atmosphere, and, those interviewed said, this is one of the possibilities that women who feel discriminated against are forced to consider before filing complaints.

Lack of time and energy hinders complaints

According to some women interviewed, lack of time and energy can prevent some women from pursuing complaints. A case that drags on for months, or even years, can take a lot out of a person, and one woman who has had experience in filing complaints said, "It's just a pain to do this kind of battle."

So why does she bother?

"You have to live with yourself. I'm filing because I have to do what I feel is right," she said, "and I know I'm right."

Jan Newton of the economics, gave another reason for women to file complaints: "Even if it's hard on you, filing may make it easier for the next woman. Hopefully the department will be less inclined to turn down a qualified woman in the future."

Perhaps the biggest overall obstacle in filing complaints, according to those interviewed, is the difficulty of proving that sex discrimination has taken place. Some said the best case a woman has is when she holds the same job as a man and he is being paid more.

But few cases seem to be so obvious.

"The biggest problem for women has not been equal pay for equal work," said Lois Martin, a doctoral candidate in political science, "it has been lack of equal opportunity."

Martin is doing her dissertation on the effects of equal opportunity laws on employers. She said that she feels it is necessary to look at employment patterns to see the subtler forms of discrimination. She cited 1960 census figures which show that 50 per cent of working women are concentrated into occupations where 70 per cent or more are women, such as secretaries or nurses. "And nothing much has changed since then," she added. On the average, women hold the lower paying jobs, she said.

Those interviewed said it is difficult to prove these subtler forms of discrimination, because so many subjective judgments are involved. As Walker put it, "It's very easy for management to say, 'We've been disappointed in you, please go away.'" She added that in some cases this may be the truth, but if a woman feels she was fired solely because of her sex, she has a hard time trying to prove it—and the burden of proof is always on the woman. "The idea of equal opportunity is great," she said, "but awfully hard to enforce."

'Roadblocks' in graduate school a problem

Walker said academic women start finding roadblocks in their way when they begin competing for fellowships and teaching assistant positions in graduate school. She noted that women are especially discouraged in the sciences.

Teaching appointments were also cited by several women as examples of sex discrimination. A woman may be assigned to teach so many classes that she has no time to write, some said, and then when it's promotion time, her male counterpart will get the job "because he has published."

Of course, not all women on the campus seem to feel they have been the victims of sex discrimination.

Marge Ramey, director of Hamilton Dorm Complex, said, "I don't feel I'm being discriminated against. If I

thought that I was and it couldn't be worked out in the department, then I would file a complaint." As far as the obstacles women face in filing complaints, Ramey said, "I can't imagine any of the women around here being intimidated by red tape. They seem pretty capable of taking care of themselves."

Women's attitudes on the campus seem to range all the way from total satisfaction to active dissatisfaction. In between are the women who suspect discrimination but prefer to ignore it ("I don't like to make trouble and besides, I'm not in dire need"), and women who exist in a state of controlled rage because they are aware of discrimination but don't have a case that can be proved.

No complaints have been filed at the University's Affirmative Action Office since Myra Willard became head of the program in December, but things may pick up in a few months when salaries and appointments are reviewed, some said.

University women who do choose to file complaints can work through a variety of channels, one of which is the U.S. Department of Health, Education, and Welfare (HEW). In the past, several cases at the University were settled fairly quickly after women filed with HEW. Women involved speculated that the speed of the settlement was due more to fear of interference by HEW than to any direct pressure from that agency.

But, effective last summer, individual complaints are now no longer handled by HEW. Instead, they are referred to the Equal Employment Opportunity Commission (EEOC). HEW will continue to handle class action suits and conduct reviews of various institutions, however.

These two governmental agencies enforce laws which prohibit employment discrimination on the basis of race, color, religion, national origin or sex. This includes discrimination in hiring, upgrading, salaries, fringe benefits, and training.

Opportunities for grievance still available

Women who file under these laws may also file a complaint under the federal Equal Pay Act of 1963. This act was extended to cover academic women at universities in June of 1972. The act is concerned solely with equal pay for equal work and is enforced by the Wage and Hour Division of the U.S. Labor Department.

According to Claude Hall, compliance officer for the Wage and Hour Division in Eugene, one woman has filed a complaint against the University under the Equal Pay Act since June. (The name of a woman who complains is kept confidential by the division.)

Hall said the labor department can take a case to court if necessary, in which case the woman wouldn't have to worry about court costs. He added however, that before taking a case to court, the department will want to make sure it is "air-tight" in order to set a precedent.

Larry Omo, HEW Contract Compliance officer with the federal Office of Civil Rights regional office in Seattle, said that any government agency wants to have "quite a bit of evidence" before backing a case. He pointed out, however, that it's the responsibility of the agency to check out any complaints, and many cases are settled through administrative hearings at no cost to the woman.

But whether a government agency backs her or not, a woman still has the right to take her case to court.

Women wishing to file complaints should contact the local Wage and Hour Division of the Department of Labor or write to these addresses:

Office of Civil Rights
Health, Education and Welfare
Arcade Plaza Building
1361 2nd Avenue
Seattle, Washington 98101

Equal Employment Opportunity Commission
Federal Office Building
909-1st Street
Seattle, Washington 98104