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TESTIMONY

OF THE

SERVICE EMPLOYEES INTERNATIONAL UNION
AFL-CIO

BEFORE

THE HONORABLE MARY ROSE OAKAR
CHAIR
SUBCOMMITTEE ON COMPENSATION
AND EMPLOYEE BENEFITS

HOUSE COMMITTEE ON POST OFFICE AND CIVIL SERVICES

"Pay Equity"

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Submitted By:

John J. Sweeney
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**STATEMENT OF JOHN J. SWEENEY, INTERNATIONAL PRESIDENT
SERVICE EMPLOYEES INTERNATIONAL UNION, AFL-CIO**

I am John J. Sweeney, President of the Service Employees International Union, AFL-CIO.

On behalf of the 830,000 members of SEIU, I want to thank Congresswoman Oakar for inviting us here today to share some recent developments in the struggle for pay equity in which my union is an active force. And I welcome the chance to reaffirm SEIU's commitment to eliminating sex-based wage discrimination and ensuring that this country's women workers receive equitable pay for the jobs they perform.

SEIU had the pleasure of testifying before Congresswoman Oakar and her colleagues, Congresswomen Schroeder and Ferraro, during the congressional hearings on pay equity in September, 1982. Those were historic hearings and marked the beginning of a flurry of activity on the issue in the workplace, in state legislatures and in the media.

We hope today's forum will spur attention and action on the pay equity issue, which we believe is the single most

important economic issue for women workers in this country.

When I testified a year and a half ago, I stated that SEIU saw the battle for pay equity as one more step in the long history of workers fighting for wage justice. I am sure, Ms. Oakar, that you remember the giant postcards SEIU sent to members of Congress publicizing those 1982 hearings which featured dramatic pictures of some of those struggles for example--the child labor law, which businesses in Massachusetts denounced in 1924 as "a calamity to our nation."

In 1984, we hear the same indictments of pay equity not just from U.S. business leaders--which we in the labor movement have come to expect--but from officials within our government entrusted with enforcing the laws which prohibit sex-based wage discrimination.

For SEIU, pay equity is a critical necessity affecting virtually all of our members because they work in the service sector, which has long profitted from historic wage discrimination against women. The service industries employ more than four out of every five women employed.

Half of our union membership is women working in healthcare, clerical jobs, building maintenance, and public employment. Exploitation of women means depressed wages for all

of us in SEIU, so we are particularly sensitive to distortions perpetrated by both employers and the Reagan administration.

When I last testified before you on this issue, women were earning 59 cents for every \$1.00 earned by men working full time, year round jobs. Today, that figure has increased to 61 cents--a tiny dent in that giant bulwark of wage discrimination. SEIU has participated on a number of union-management committees conducting job evaluation studies and we have found over and over again that the jobs held predominately by women are paid substantially less than the jobs held predominately by men. Also, we've found that compensation has nothing to do with the skill, effort, responsibility, or working conditions of the job. The reason for this inequity is simply historic, ingrained sex discrimination.

And yet I see a promise of more equitable times ahead because of the progress made by unions at the bargaining table and in the legislatures on pay equity.

Collective bargaining. Legislative and political activity. Organizing. Career Development and Education. These are the necessary components of an effective plan to institute pay equity for all workers in the public and private sector.

Unions have exercised tremendous leadership on this issue but efforts by unions must be supported by strong laws which are

enforced when employers fail to voluntarily comply with the law.

The Service Employees International Union has continued to use a variety of approaches to achieve pay equity.

First, I'd like to address collective bargaining, our most effective and widespread activity. SEIU uses a number of bargaining techniques aimed at closing the wage gap between jobs held predominately by men and jobs held predominately by women.

Specifying a flat dollar increase rather than an across the board percentage increase is one such technique. In preparing for negotiations with the Woodland Hills School District, SEIU Local 585, Pittsburgh, which represents the classified employees, analyzed wages and found great inequities for women employees.

Local 585 negotiated a 75-cent-an-hour raise for each of the first two years, a dollar per-hour wage increase for the third year, and whatever money it takes to bring workers up to scale in the fourth year. For some of the employees, this means a raise of more than \$2.00 per hour. The increase brought the most senior women up to the earnings level of the men and equalized the wage rates within each job.

Another technique used successfully by Local 585 was

retitling several job classifications to correct inequities-- teacher aides became instructional assistants, and library clerks became library assistants--with salaries commensurate with skills.

Carefully conducted job evaluation studies have been a tool in achieving pay equity. SEIU has demanded and on agreement to full union participation in job evaluation studies which have documented wage inequities and led to equity adjustments. SEIU has been careful in requiring that the results of any such studies be the subject of collective bargaining.

Pay equity need not be a controversial issue when employers are willing to accept their social and economic responsibilities.

SEIU Local 614, the NAPA Association of Public Employees, negotiated a comparable worth committee and conducted a study without the assistance of a consultant. The Vacaville School District Board of Education accepted the findings of the report and agreed to finance \$251,000 in equity adjustments for some 200 women workers. These salary increases were separate from the recently negotiated 1983-84 increases of 7 percent.

In the City of Berkeley, California, SEIU Local 390/400 recently conducted a pay equity study that led to agreement by the city to \$1.1 million in raises over the next two and a half

years for 140 clerical workers.

These examples are just a capsule version of our bargaining activity and our bargaining tactics on this issue. SEIU has also demanded and won upgraded entry level wages; the elimination of sex-biased job titles; the elimination of the employer practice of changing wage rate criteria from job to job or expanding job duties without compensation; prohibitions against sex-biased assignment of jobs or arbitrary entry barriers which discriminate against any one class of workers, and the reform of job reclassification procedures.

Education and career development are other activities essential for promoting pay equity.

Our Lifelong Education and Development Program (LEAD) is a unique program which sets up career ladders with a combination of on-the-job training and in-school training for workers. The LEAD program breaks down the barriers which inhibit women's abilities to advance and earn more pay.

Education on the pay equity issue is crucial to its acceptance by our membership and the general public. Without unity in our goals, we cannot achieve pay equity--which is just what employers want. SEIU has undertaken educational sessions aimed at clearing up the misconceptions male workers harbor about the issue and demonstrating that pay equity is simple

justice which will benefit all workers.

Yet bargaining and educational activities are often not enough, because employers are all too willing to ignore their social responsibility and force workers to resort to the courts and outright protest to win their rights.

Thus, SEIU has turned to the statehouses on pay equity issues. Some twelve states have equal pay laws which authorize equal pay for jobs of comparable worth. Seventeen states have completed or are in the process of doing pay equity job evaluation studies thanks to the lobbying on the part of unions.

In the state of Oregon, SEIU's Local 503, the Oregon Public Employees Union, represents 18,000 state workers and has addressed the pay equity issue on two fronts. The union is involved in a coalition active in a discrimination suit against the Oregon State System of Higher Education. In this class action suit, the plaintiffs are women professors alleging discrimination in hiring, promotion and pay.

On the other front, Local 503 successfully lobbied the state legislature to pass a bill authorizing a \$355,000 reclassification study and establishing a Comparable Worth Task Force to undertake the study. A Local 503 staffperson chairs this committee.

These SEIU Oregon members have a long history of dealing with the pay equity issue. It negotiated a number of equity provisions for its state clerical units, including a flat dollar increase which gave the average clerical worker a greater increase than other state workers; a new classification for word processors with a 10 percent increase; and classifications for data entry operators and telephone operators with 5 percent increases.

Ohio Governor Richard Celeste issued an executive order which requires a pay equity job evaluation study of Ohio's civil service system as a result of lobbying by 9to5, the National Association of Office Workers, who presented him with a 23,000-signature petition. 9to5 has joined with SEIU to form a unique organizing effort, District 925, aimed at offering the benefits of trade unionism to the nearly 20 million unorganized office workers in this country.

SEIU local unions in Minnesota were active in the drive which resulted in the Minnesota State Employees Compensation Statute, a model law with stated definitions of "reasonable relationships" between salaries of different groups.

Clearly, women workers need power and a voice to overcome historical discrimination. More and more, women are turning to unions to organize and work collectively.

Organizing women workers continues to be a high priority for SEIU--and an activity directly related to pay equity since organized women workers earn a full 30 percent more than unorganized women.

In our state and local government contracts, women are earning 71 cents for every dollar earned by a man--still a gap but evidence that unionization is narrowing the gap.

And the federal government must work to narrow the wage gap for federal workers, as a policy matter and as a model employer. Historically, the federal government led the way in the hiring of women, but unfortunately has also led the way in the intentional payment of discriminatory wages. Realizing the example it sets for the rest of the nation, the federal government must provide leadership on this issue.

SEIU firmly believes that unity is strength. A strong organization can bargain better contracts, be a dynamic political force, and better serve the diverse needs of its members. And in every instance, united union action has yielded achievements in pay equity and in eliminating discrimination of any kind in the workplace.

Since our last appearance before you, Ms. Oakar, SEIU has affiliated two large independent associations representing thousands of women workers. The National Association of

Government Employees (NAGE) who represent some 80,000 federal and public serviceworkers. Ms. Cynthia Denton, NAGE's Chief Counsel, will testify tomorrow on the actions they have taken to fight for equity for 12,000 state clerical workers in Massachusetts. The other new affiliate is the California State Employees Association (CSEA) which represents some 100,000 state workers and is likewise active in the pay equity movement.

The approaches that SEIU takes to promote pay equity that I have described--collective bargaining, career development and education, legislative and political activity, and organizing--cannot flourish and cannot end discrimination without the cooperation of the government and enforcement of the laws designed to end sex-based wage discrimination.

In my testimony before you in 1982, I said that I hoped those hearings would mark the beginning of Congressional and federal leadership and concern, and the encouragement and enforcement of national laws to assist those fighting to make pay equity a reality for all workers, regardless of race, sex, or national origin.

While there are those in the Congress who take the issue seriously and give it a high priority like you, Ms. Oakar, I cannot say the same for officials in the administration and the agencies charged with the responsibility of enforcing and administering those policies which ensure economic equity and

non-discrimination.

Those of us who care about workers have been appalled by the activities of the President, the Justice Department, the EEOC and the U.S. Commission on Civil Rights.

The recent hearings on pay equity before the Subcommittee on Manpower and Housing of the Committee on Government Operations, chaired by Barney Frank, documented the utter disregard of the EEOC and other executive branch agencies for Title VII of the Civil Rights Act and other laws and executive orders which protect the civil rights of working people.

The testimony of the National Committee on Pay Equity February 29 of this year revealed that some 269 cases alleging wage discrimination are currently languishing at the EEOC headquarters.

The EEOC defends its lack of investigation of these cases by claiming it hasn't developed "policy" on comparable worth cases. They have ignored their own 1981 90-day notice policy to provide interim guidance to field officers in processing Title VII and Equal Pay Act claims of sex-based wage discrimination. We find little evidence that the EEOC has taken any positive action since 1981.

Tomorrow, our affiliate NAGE will describe the

difficulties and frustrations involved in dealing with the EEOC on sex-based wage discrimination complaints. Since 1981, NAGE has been trying to resolve a charge of sex discrimination on behalf of 12,000 state clerical workers. NAGE charges that the Commonwealth of Massachusetts, since at least 1948, has created and maintained a classification and salary system which has discriminatorily compensated certain positions because they have become identified as "female" jobs.

That wage discrimination is illegal could not be clearer. Title VII of The Civil Rights Act of 1964 prohibits wage discrimination against women. In that law, Congress made it clear that it is illegal for an employer to base wages on the sex of the job holder where job require comparable skill, effort and responsibility. In 1981, The United States Supreme Court upheld the law in its decision, Gunther v. County of Washington.

The behavior of the EEOC, the Justice Department, the Department of Labor and the Office of Personnel Management is not suprising when one considers the person at the top and the tone that he sets for women's issues and civil rights.

However President Reagan and his appointees might feel, they cannot ignore the law of the land. It is thus the responsibility of Congress to provide strict oversight of these agencies to ensure enforcement of these laws in both the private

and the federal sector.

The Pay Equity Act of 1984 (HR 5092) and the Federal Pay Equity Act of 1984 (HR 4599) require action-oriented reports from federal agencies that would reaffirm the federal government's responsibility to enforce pay equity laws, encourage employers to comply with those laws, and bring federal wage setting practices into compliance with existing law.

The educational and informational program for the EEOC called for in the bill will be helpful to workers, and to both public and private employers.

We strongly endorse these bills and support the efforts of Congresswoman Oakar and her colleagues to make those agencies accountable. Anything short of total dedication on the part of those agencies to the anti-discrimination laws of this country will spell disaster for millions of low-wage and women workers.

The pay equity issue must be addressed on many fronts. The measures called for to make federal agencies more accountable are much needed steps in that process. SEIU looks forward to working with Congresswoman Oakar on this issue, as our union continues to work on other fronts--in unorganized workplaces, at the bargaining table, in the statehouses and in coalitions with labor and women's groups--to achieve economic justice for all American workers.