

Back in the Sixties, a female folk singer used to lament that women were paid "Fifty-nine cents for every man's dollar." Today the wage gap is 77 cents. Why are women still lagging behind men? What are the costs to women? What can be done about it?

Getting Even, by former Massachusetts Lieutenant Governor Evelyn Murphy, is a challenging book about the persistence of the wage gap between male and female workers in America's economy.

First, Getting Even makes it clear that the wage gap (23 cents an hour) is not due to women working part time or opting out of the work force. The comparison is for full time wages and does not reflect part time work or maternity leaves. Second, the wage gap spans all income categories and occupations. Third, it doesn't appear to be going away any time soon despite the panoply of laws that we are familiar with as employment lawyers.

Getting Even is not only about statistics. It presents compelling anecdotes that bring to life the costs (emotional and financial) of the wage gap. Getting Even is about women struggling to feed their families, not being able to repair their cars (or being able to buy better cars), and not being able to pay for swimming lessons for the kids. The wage gap means less money for new shoes and less money for retirement. Getting Even estimates that professional women (including women lawyers) lose \$2 million over the course of their careers.

Getting Even concludes that the wage gap is caused by discrimination. The proof is not only in the anecdotal evidence but in the detailed analysis of hundreds of gender discrimination lawsuits tried to judgment and settled over the past several years. Getting Even summarizes the evidence from many class actions, including our firm's Home Depot gender discrimination class action. In our Home Depot case (settled for \$87.5 million) we amassed evidence that women were hired into lower wage positions and denied promotions based on explanations like women didn't want to get dirty or women didn't want to climb ladders. Getting Even also looks at landmark gender discrimination cases like Mitsubishi and Rent-A-Center to show how discrimination works to deny women equal pay and access to higher paying jobs. In sum, sexual stereotypes as well as sexual harassment, pregnancy discrimination, "mommy tracking," and outmoded ideas about what constitutes "women's work" all continue to cost women equal opportunities in case after case examined in Getting Even.

Getting Even shows us that even women who sue their employers rarely recoup all their losses. While litigation serves a role in "getting even," it is clearly not enough. Getting Even outlines a plan for closing the wage gap that requires women to investigate and organize in the workplace in order to expose (with hard data) the existence of the wage gap within each workforce. Getting Even argues that women must confront CEOs to get them to analyze their personnel data and to take action to reform compensation systems that pay women less than their male counterparts. Getting Even shows how some employers, like MIT, have voluntarily analyzed their own payroll data even without a pending lawsuit and have taken proactive steps to correct their wage gaps.

Getting Even is engaging. It even comes with its own website -- [www.wageproject.org](http://www.wageproject.org) -- to assist women in challenging the wage gaps they encounter in their own lives. It confronts the reader with the reality of the wage gap and challenges us to do something about it. Decades after the passage of Title VII in 1964 and after thousands of lawsuits, the wage gap is still with us and can still be found everywhere. Getting Even will inspire those of us who represent underpaid women workers (to file more lawsuits) and should motivate our colleagues who represent employers to meet with their CEO clients to close their wage gaps before their female employees find their way to our offices.

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