

Creating Work/Life Balance

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EQUAL RIGHTS ADVOCATES



www.equalrights.org

ERA's MISSION

Equal Rights Advocates is a nonprofit legal organization dedicated to protecting and expanding economic and educational access and opportunities for women and girls.

HISTORY OF ERA

- In 1972, three young women attorneys started their own public interest law firm in SF and began working on sex discrimination cases
 - They sued the SFFD to allow women to become firefighters (SF now has a woman fire chief)
 - They sued the U.S. Forrest Service to allow women into its ranks
- The firm became a nonprofit organization in 1974

Betty v. Goliath

- For 36 years, ERA has litigated 100's of impact cases nationwide, taking on the telecommunications industry, insurance companies, and public entities on issues affecting women such as:
 - Sex discrimination in hiring, pay, promotions
 - Sexual harassment
 - Gender discrimination and harassment in educational institutions under Title IX of the Civil Rights Act of 1964

Largest Class Action in U.S. History

- ERA represents a group of almost 2 million women in the largest class action in U.S. history against retail giant Wal-Mart
- The lawsuit alleges sex discrimination in pay and promotions against the country's largest retailer
- Case has implications for the entire retail industry

ERA Has Historically Advocated For Gender Equity in Academia

- Higher Education Legal Advocacy Project—focused on female faculty and administrators in institutions of higher education who faced gender discrimination in hiring, compensation, tenure awards, and post-tenure promotions
- Project ended in 2004, partly due to funding constraints, but partly due to limitations of litigation on behalf of individuals to effect systemic change for all

Three-Pronged Approach to Social Change

- Litigate
 - Advocate
 - Educate
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- Beyond litigation, ERA also conducts legislative advocacy work to strengthen existing laws and create new ones to protect working women
 - ERA conducts trainings and outreach to underserved communities on a variety of issues affecting women and girls

ERA CAMPAIGNS

Empowering Working Families

ERA is committed to assisting working women in all fields who face unequal treatment in the workplace in various forms ranging from pregnancy discrimination, unpaid leave, lack of sick pay and the persistent tension between work and family life

ERA CAMPAIGNS

Empowerment of Women and Girls in Education

ERA leads national efforts to ensure that all female students have full access to an educational environment that is free of sexual harassment and discriminatory treatment based on sex or parental status

Girls' and Women's Participating in Sports, Scholarship Opportunities

- Dramatic increase in participation rates has meant a positive correlation with academic achievement
- Since the enactment of Title IX, ERA has helped achieve this great civil rights success story

The New Frontier for Title IX

- How to use it as a tool to achieve gender equity in STEM fields both at student level as well as at faculty level
- Title IX applies to more than just sporting opportunities

WORK/LIFE BALANCE

- Work/life conflict not unique to academia
- It is much higher in the United States than elsewhere in the developed world

AMONG THE REASONS:

- Americans work longer hours than workers in other developed countries
- American workers have fewer laws that support working families (e.g., paid maternity leave)

POLICIES THAT DO NOT EXIST IN THE U.S.
BUT THAT EXIST
IN OTHER DEVELOPED COUNTRIES

- Illegal to discriminate against workers with family responsibilities
- Paid sick days
- Limits on mandatory overtime
- The right to request work-time flexibility without retaliation
- Proportional wages for part-time work

EFFECTS

American workers report higher levels of work-family conflict than do citizens of other industrialized nations.

90% of American mothers and 95% of American fathers report work-family conflict.

Women in STEM Fields

The numbers of women faculty in STEM fields have increased over time but women remain underrepresented among tenured faculty

Severe leak in pipeline at this juncture

How do we retain them?

Job Satisfaction Key to Retention

- Recent study found that female STEM faculty were less satisfied than their male counterparts with, among other things, institutional support for having a family while on the tenure track (Trower & Chait, 2002)

Women Combining Academic Careers and Motherhood

- Express deep feelings of dissatisfaction with work/life balance particularly related to caregiving responsibilities (Auriemma & Klein, 2010)
- Never ending nature of job
- Treading water
- Flexibility is double-edged sword
- Switching Modes
- Work/Life Balance is a Myth

Timing of Tenure Incompatible with Child-Bearing Years

Average age at which start on tenure track is
34

End of tenure track is into the early 40s

These are prime child-bearing years

Only 1/3 of women who start on the tenure
track without children will ever have
(Mason and Goulden, 2002)

Opt out? Or Push out?

Maternal Wall

- Women who do chose to have children while on tenure track face maternal wall:
- A set of negative assumptions about their competence and commitment to the job

Family Responsibilities Discrimination

- Note: Women faculty without children but with other caretaker responsibilities or personal illnesses may also face challenges to work/life balance
- Family Responsibilities Discrimination is Illegal (Title VII of the Civil Rights Act of 1964)

RECOMMENDATIONS (AAUW Report, “Why So Few?” 2010)

- Should conduct departmental reviews to assess the climate for female faculty
- Departments and universities should implement effective policies that support work-life balance such as:
 - Stop the tenure clock—stop tenure clock from 3-12 mos after the birth of a child
 - Discard the 7 year tenure clock altogether in favor of a longer timeline
 - Provide on-site quality child-care

HOW TITLE IX CAN BE A TOOL (HAMMER?) FOR CHANGE

- HR 1144--Fullfilling the Potential of Women in Academic Science and Engineering Act (Johnson, 2009)

Federal gov't provides over 60% of funding to research institutions

If Passed by Senate:

- Directs federal science agencies to hold regular workshops to enhance gender equity with members of grant review panels and science department chairs
- Directs federal science agencies to develop policies for extended research grant support for researchers who have care-giving responsibilities and hire interim technical support during times of family leave

Premise of Legislation A Step In Right Direction

- Grant Recipients Must Comply with Title IX to Receive Federal Funds

Title IX Enforcement Lacking

- (GAO Report, 2004)
- Students and Faculty don't know that Title IX applies to anything other than sports so academic complaints low
- Fear retribution for reporting non-compliance (even though Title IX provides remedy for such retribution)

Policies That Advance Work/Life Balance are An Issue of Gender Equity

- Title IX can and must be used to eliminate conduct or practices that demonstrably disadvantage faculty on the basis of their gender
- Only then will we create the conditions that allow faculty the opportunity to thrive in STEM fields