

Women Advocates of the Southeast Update February 2007

Women and Economic Justice News and Resources

Join the Women's Working Group, a Major Entity within the United States Social Forum

The first USSF will be held in Atlanta, GA between June 27th and July 1, 2007. This first US Social Forum is expected to draw a crowd of over 20,000 progressive activists who will gather to discuss, learn, strategize, and to build coalitions across and amongst issues and organizations from all over the US. The Women's Working Group was established as a major entity within the USSF organizing committees in order to ensure gender parity at and within the USSF and to ensure that gender is a major theme at USSF events. The Women's Working Group invites organizations to join the Women's Working Group and participate in their monthly conference calls and to organize events on your issues at the USSF. To join the Women's Working Group, please visit: USSFwomenscaucus@yahoogle.com

Article: Court Rules Wal-Mart must Face Class-Action Bias Suit

"A federal appeals court upheld class-action status today for a sex-discrimination suit against Wal-Mart on behalf of 2 million female employees claiming unfair treatment in pay and promotions, the largest civil rights case in the nation's history. The 2-1 ruling by the Ninth U.S. Circuit Court of Appeals in San Francisco was a serious blow to Wal-Mart, the Arkansas-based retailer that is the world's largest private employer. Rather than respond to lawsuits by six women with individual grievances, the company must defend its nationwide practices in a single jury trial, with billions of dollars at stake." Full article below.

Article: Child Care Void Hinders Help for Addicted Moms

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Article: Women's Caucus Poised for a Late Blooming

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"Lisa Bailey worked for five months at Harvard University as a temp entering donations into a database. When the university made the job a salaried position, Ms. Bailey, who is black, saw a chance to lift herself out of dead-end jobs." Full article below.

Post-Katrina News and Resources

Report: Miles to Go, Louisiana – The Only Way Forward: Changing Directions in Education

Miles to Go Louisiana is one of a series of reports by Southern Education Foundation in which they undertake research, disseminate information and work with policymakers to expand education and economic opportunities in the South. The data in this report shows that most Louisiana students, regardless of race and income, lag behind their counterparts across the nation. While Louisiana has suffered enormously as a result of the tragedy of Hurricane Katrina, the fact remains that the state's entire population will pay an even higher price in the long run if Louisiana fails to meet this fundamental challenge in education. This report documents the economic and educational gains that Louisiana can realize over time if it increases high school and college enrollment and graduation rates; expands funding and coverage of high-quality pre-kindergarten programs; and reduces education gaps by race and income in academic performance and resources. The report shows the link between education and income in Louisiana and the vital role that P-20 education plays in advancing both the state's economy, income, and quality of life. For the full report, please visit www.southerneducation.org.

Congressional Hearing: Affordable Housing in Healthy Neighborhoods: Critical Policy challenges Facing the Greater New Orleans Region

The Urban Institute's Margery Austin Turner and Susan J. Popkin testified to the U.S. House Committee on Financial Services that New Orleans urgently needs to rebuild affordable rental housing in order to recover fully and fairly. However, neither low-income families nor the communities in which they live will be well served if affordable housing is rebuilt according to the patterns of the past. Models are emerging in other cities that integrate affordable housing into healthy, mixed-income neighborhoods. New Orleans can also look to experience from other cities for examples of how to rebuild low-income communities in ways that are respectful of the original residents but do not concentrate and isolate them yet again. Full testimony can be found at <http://www.urban.org/publications/901042.html>.

Tuesday, February 6, 2007

Court rules Wal-Mart must face class-action bias suit

By Bob Egelko, Chronicle Staff Writer

A federal appeals court upheld class-action status today for a sex-discrimination suit against Wal-Mart on behalf of 2 million female employees claiming unfair treatment in pay and promotions, the largest civil rights case in the nation's history.

The 2-1 ruling by the Ninth U.S. Circuit Court of Appeals in San Francisco was a serious blow to Wal-Mart, the Arkansas-based retailer that is the world's largest private employer. Rather than respond to lawsuits by six women with individual grievances, the company must defend its nationwide practices in a single jury trial, with billions of dollars at stake.

The federal judge who authorized the suit in 2004 was within his authority to find that "it would be better to handle this case as a class action instead of clogging the federal courts with innumerable individual suits litigating the same issue repeatedly," Judge Harry Pregerson wrote in the majority opinion. "Mere size does not render a case unmanageable."

Pregerson, joined by Judge Michael Hawkins, also said the plaintiffs had presented "significant proof of a corporate policy of discrimination" through statistics, expert analyses and declarations by 120 past and present employees.

As of 2001, when Wal-Mart had 1.2 million employees, women made up 65 percent of the non-management staff, 33 percent of the managers and 14 percent of the store managers.

U.S. District Judge Martin Jenkins of San Francisco, whose ruling was upheld today, found that Wal-Mart paid women less than men in every region and in most job categories, and took longer to promote women to management.

The class consists of nearly all women who worked at the company's 3,400 stores since Dec. 26, 1998.

Such rulings often lead to settlements. But Wal-Mart, which was allowed to appeal Jenkins' ruling before the case went to trial, could ask the full appeals court to order a rehearing of today's decision before a 15-judge panel, and could also appeal to the U.S. Supreme Court.

There was no immediate comment from the company.

Brad Seligman, lead attorney for the plaintiffs, predicted that any further appeals by the company would fail, and said a trial was probably two years away.

"No amount of procedural games or PR spin is going to allow them to avoid the legacy of their own discrimination," he said. "It's time to face the music."

The plaintiffs are led by Betty Dukes, a 12-year employee of Wal-Mart's Pittsburg store, who said she had repeatedly trained men for management positions that were never offered to her. When she complained, she was disciplined, demoted and had her pay cut, she said.

"We have been waiting a long time for this day," Dukes, who still works at the store, said at a San Francisco news conference today. "Women at Wal-Mart, including myself, have been discriminated."

Wal-Mart has argued that a nationwide class action is unworkable and unfair to a company that allows individual store managers to make their own personnel decisions. But the plaintiffs argued, and the appeals court agreed, that there was enough evidence of a uniform "corporate culture" to justify a single discrimination lawsuit.

Judge Andrew Kleinfeld dissented from the ruling, agreeing with Wal-Mart that a class action lawsuit, which treats the plaintiffs as a group, could reward female employees who had suffered no wrongdoing.

"Women who were fired or not promoted for good reasons will take money from Wal-Mart they do not deserve, and get reinstated or promoted as well," Kleinfeld said. "Since when were the district courts converted into administrative agencies and empowered to ignore individual justice?"

01/30/07

Child Care Void Hinders Help for Addicted Moms

By Kara Alairno, WeNews correspondent

Lack of child care partly explains why the majority of women with substance-abuse problems aren't getting treatment, officials say. In New Jersey, researchers found that nearly half of the women who abuse drugs and alcohol are mothers.

(WOMENSENEWS)--Nelida Colon suffered from alcohol addiction for 20 years and an addiction to crack cocaine for 12 years.

The reason she didn't seek help? She says she was afraid of losing her four children.

"I was neglecting them, but I couldn't seek treatment," Colon, who is 38 and a single mother, said. "I wasn't going to leave my kids. I didn't have anyone to care for (them)."

Eventually, her 18-year-old son started having personal problems, which led school administrators to alert the New Jersey Division of Youth and Family Services to the problems in the family's Lindenwold, N.J., home.

After charging her with child endangerment, the state referred Colon to Cooper House in Camden, N.J., where she began a six-month treatment program and has now been substance-free for five months. She was able to begin treatment right away due to a feature of the program that provided on-site child care for her 7-year-old son during the summer.

Colon is among the minority of female substance abusers who receive treatment for their problems.

Ninety-one percent of the 8.05 million American women who needed treatment in 2004 did not receive it, according to the U.S. Substance Abuse and Mental Health Services Administration.

Treatment Facilities Lacking

Among these women the lack of child care is a major issue, said Sharon Amatetti, senior public health analyst and women's services coordinator for the federal mental health agency. "There is not a great capacity to offer treatment programs that either have child care--so women can bring their children--or offer residential treatment for women and

children. That's a continuing problem that we've been aware of for a long time. The problem is that providing residential beds for families is an expensive model of care."

In 2005 less than 15 percent of U.S. treatment facilities accepted women who were pregnant and-or had children, according to the agency.

Because most national surveys of drug users do not ask whether the responders are parents, Amatetti said it is difficult to determine how many mothers do not seek or receive treatment due to lack of child care options or fear of losing their children.

Researchers in at least one state have homed in on the problem for women who have children and need treatment.

New Jersey Mothers

"NJ Women Count: Substance Abuse and Its Effects on Women," released in the fall of 2006 by the Institute for Women's Leadership at Rutgers, the State University of New Jersey, found that nearly half of the women who abuse drugs and alcohol in New Jersey are mothers, the majority of whom are single mothers.

Raquel Jeffers, acting director of addiction services for the State of New Jersey, estimated that for every mother who receives substance abuse treatment at least one more is in need of these services.

She said she did not believe that mothers who abuse drugs and alcohol are being served in proportion to the problem. "The services aren't client-centered and aren't always addressing these women's very complex needs," Jeffers said.

The U.S. Drug Enforcement Administration estimated that the cost of drug abuse to American society was \$160 billion in 2000.

Amatetti, of federal mental health agency, said substance-abuser treatment helps lower crime, welfare caseloads, infectious diseases and the problems school systems face in helping children cope with the repercussions of living in homes where drugs are present.

But states often take a myopic view of the problem, she said. "The agencies that benefit most from persons not having problems are not as actively involved in funding treatment," she said.

Federal Money for Partnerships

Federal legislation enacted last year allocated \$145 million over five years for state child welfare agencies to form partnerships which help children affected by substance abuse.

Amatetti said states should make sure that such programs are adapted to the interlocking needs of children and their mothers.

To encourage this, the federal mental health agency mandates that a percentage of federal funding to states is allocated for addiction services which provide priority access to women who are pregnant or have children. The agency has also allocated funding from its discretionary portfolio for community-based organizations that support substance abuse programs for mothers.

Even where such services are available, another challenge is making women aware of them.

At Cooper House, where Colon is receiving treatment, the program's director, Norris Preston, said about half of the women who come to the facility have already lost their children, because help has not come soon enough.

Colon said she wishes she knew about the services she is now receiving years earlier.

"There needs to be an anonymous program where women can walk in and say 'I have a problem and I don't want to lose my children,' before they hit rock bottom," Colon said. "It shouldn't have to take a child being injured before (the state) realizes there is a problem."

Kara Alaimo earned a bachelor of arts degree from New York University, where she studied journalism and gender and sexuality. She lives and writes in New York, where she is a press secretary for the City of New York.

Women's eNews welcomes your comments. E-mail us at editors@womensenews.org.

01/28/07

Women's Caucus Poised for a Late Blooming

By Allison Stevens, Washington Bureau Chief

With a female ally running the House of Representatives, the Congressional Caucus for Women's Issues is ready to exercise more clout. New leaders say they want to tackle women's health, educational equity and sex trafficking.

WASHINGTON (WOMENSENEWS)--At 30 years old, the bipartisan Congressional Caucus for Women's Issues is coming into full bloom.

Members of the women's caucus gathered Jan. 23 at a gavel-passing ceremony on Capitol Hill to honor its new leaders, Democrat Lois Capps of California and Republican Cathy McMorris Rodgers of Washington state.

With a woman--and a former member of the caucus--now serving as Speaker of the House of Representatives, members and leaders say they are more empowered than ever to advance an agenda that caters to women. Items on their wish list include women's

health, educational equity, sex trafficking, women in business, women in prison and international domestic violence.

"We now have leadership that is with our issues fully and completely," Capps cheered at the packed reception. "So when we want to do things that maybe our committee structure is not ready for, watch us!"

House Speaker Nancy Pelosi, a California Democrat, has chosen to observe custom and refrain from joining caucuses, which are groups of like-minded lawmakers who promote shared legislative goals.

But since she assumed power earlier this month, Pelosi has been working with members of the women's caucus to discuss their agenda, giving the group unprecedented access to the highest rungs of House leadership.

"As our staff is planning, they're planning with her office," Capps said. "And frankly, we didn't have that access before."

Growth Spurt Expected

After the 2006 midterm elections, the women's caucus has the potential to grow in size as well as stature.

Last November, a record 74 women (including three non-voting delegates) were elected to the House; if all join the caucus, it will be one of the largest legislative groups on Capitol Hill, with membership outnumbering other higher-profile groups such as the Blue Dog Coalition, a caucus of 44 fiscally conservative Democrats, and the New Democrat Coalition, a group of 63 pro-business Democrats.

The women's caucus will also likely benefit from increased visibility this year, said Cindy Hall, president of Women's Policy Inc., an independent nonprofit in Washington that works closely with the women's caucus and is planning a gala in March to mark its 30th anniversary.

But Sarah Brewer, associate director of the Institute for Women and Politics at American University in Washington, D.C., sounded a note of caution. The bipartisan nature of the group--the most bipartisan on the Hill, as Capps called it--can be a curse as well as a blessing in an era of heightened partisanship and polarization, she said.

Membership is open to every female lawmaker in the House. With a potential for 53 Democratic members and 21 Republicans, members span the ideological and geographical spectrum and therefore may have a difficult time reaching agreement on controversial subjects. This is why the group has shied away from divisive issues such as abortion and reproductive rights, Brewer said.

The caucus is "faced with a lot of different cross-cutting challenges and then their own heterogeneity in the caucus," Brewer said.

Founded in 1977

Formerly known as the Congressional Women's Caucus, the group was founded in 1977 by 15 lawmakers.

Reps. Elizabeth Holtzman, a New York Democrat, and Margaret Heckler, a Massachusetts Republican, served as founding co-chairs. Colorado Democrat Patricia Schroeder and Maine Republican Olympia Snowe served as co-chairs in 1983 and led the caucus together for a decade.

In 1981, members invited male colleagues to join. More than 100 men accepted the offer, and the group changed its name to the Congressional Caucus for Women's Issues.

But in 1995, the newly elected Republican majority voted to eliminate funding for offices and staff of all caucus organizations on Capitol Hill. As a result, the women's caucus changed from a taxpayer-subsidized legislative group to an informal coalition of female lawmakers. At that time, they decided to restrict membership to women alone. Lacking outside funding, the caucus has limped along without a full-time staff.

Pelosi has no plans to reinstate funding for any caucus groups, a Pelosi aide said.

No formal women's caucus exists in the Senate, but the 16 female members of the body--11 Democrats and 5 Republicans--held their first formal meeting earlier this month. It was hosted by 70-year-old Sen. Barbara Mikulski, a Democrat from Maryland and the unofficial dean of the Senate women because of her 20-year tenure.

Despite their small but growing numbers, congressional women in the House and Senate of both parties have joined forces to lobby for several significant laws.

These include the Family and Medical Leave Act of 1993, which granted employees the right to take unpaid leave for personal or health reasons; the Violence Against Women Act of 1994, which funded programs for victims of domestic and sexual violence; and other bills that increased funding for a range of programs such as breast cancer research, child care and small business loans.

Building on Past Achievements

Achievements have been more modest in recent years.

In the last Congress, many female members worked to reauthorize the Violence Against Women Act and championed resolutions honoring former Supreme Court Justice Sandra Day O'Connor and condemning the disappearances and murders of more than 400 women in Juarez, Mexico.

This year, "the sky is the limit," Capps said.

Elected as co-chairs on Jan. 19, Capps and McMorris Rodgers hope to produce a "must-pass" agenda in the next few weeks, brainstorming with members about their legislative priorities.

Capps, a former nurse and health care advocate, has her heart set on a bill to improve the prevention, diagnosis and treatment of heart disease and stroke in women. She also mentioned interest in women in prison and efforts to explore the link between the environment and breast cancer, and said there may be opportunities to work with the Bush administration on issues relating to women in Iraq and Afghanistan.

McMorris Rodgers echoed an interest in women's health and also spoke of efforts to promote math and science education among girls and women. She said that issue may come up during debate over the No Child Left Behind education law, which increased the standards of accountability in schools and is slated for a reauthorization vote this year.

The caucus leadership is also considering legislation that would outlaw discrimination from health insurers and others based on genetic information, fund a national study of children's health, address sex trafficking and call for the need to end discrimination and violence against women around the world.

Meanwhile, Capps and McMorris Rodgers intend to continue a caucus tradition of honoring female members of the military around Memorial Day and plan to hold a second annual meeting with female judges to build relationships between women in the two government branches.

The caucus should have an easier time moving their own agenda this year, predicted Hilda Solis, a California Democrat who served as co-chair of the caucus in the 109th Congress.

"This is a new era," Solis said as she prepared to hand over the symbolic gavel at the Capitol Hill reception. Achieving legislative success, she said, will "absolutely" be easier than it was during her tenure, when the House was under the Republican rule of former Speaker J. Dennis Hastert of Illinois.

Allison Stevens is Washington bureau chief at Women's eNews.

Women's eNews welcomes your comments. E-mail us at editors@womensenews.org.

Thursday 01 February 2007

US Family-Oriented Job Policies Weak
By David Crary, The Associated Press

The United States lags far behind virtually all wealthy countries with regard to family-oriented workplace policies such as maternity leave, paid sick days and support for breast-feeding, a new study by Harvard and McGill University researchers says.

The new data comes as politicians and lobbyists wrangle over whether to scale back the existing federal law providing unpaid family leaves or to push new legislation allowing paid leaves.

The study, officially being issued Thursday, says workplace policies for families in the United States are weaker than those of all high-income countries and many middle- and low-income countries. Notably, it says the U.S. is one of only five countries out of 173 in the survey that does not guarantee some form of paid maternity leave; the others are Lesotho, Liberia, Swaziland and Papua New Guinea.

"More countries are providing the workplace protections that millions of Americans can only dream of," said the study's lead author, Jody Heymann, founder of the Harvard-based Project on Global Working Families and director of McGill's Institute for Health and Social Policy.

Among the study's findings:

- Fathers are granted paid paternity leave or paid parental leave in 65 countries, including 31 offering at least 14 weeks of paid leave. The U.S. guarantees fathers no such paid leaves.
- At least 107 countries protect working women's right to breast-feed; the breaks are paid in at least 73 of them. The U.S. does not have federal legislation guaranteeing the right to breast-feed at work.
- At least 145 countries provide paid sick days, with 127 providing a week or more annually. The U.S. provides unpaid leave through the Family and Medical Leave Act, which does not cover all workers; there is no federal law providing for paid sick days.
- At least 134 countries have laws setting the maximum length of the work week. The U.S. does not have a maximum work week length or a limit on mandatory overtime per week.

According to the study, the U.S. fares comparatively well in some areas _ such as guaranteeing significantly higher pay for overtime work and ensuring the right to work for all racial and ethnic groups, regardless of gender, age or disability.

"The U.S. has been a proud leader in adopting laws that provide for equal opportunity in the workplace, but our work/family protections are among the worst," Heymann said. "It's time for a change."

The topic is of keen interest in Washington.

The Labor Department is examining regulations that give workers unpaid leave to deal with family or medical emergencies - a review that supporters of the rules worry might be a prelude to scaling back these protections, as requested by some business groups. Comments to the agency on the 1993 Family and Medical Leave Act - which grants eligible workers up to a total of 12 weeks of unpaid leave a year - are due by Feb. 16.

At the same time, Sen. Chris Dodd, D-Conn., plans to announce Thursday that he will propose new legislation that would enable workers to take six weeks of paid family leave. Congress also is expected to reconsider the Healthy Families Act, a bill introduced last session that would require employers with at least 15 employees to provide seven paid sick days per year.

On the state level, some New Jersey lawmakers are pushing legislation that would make their state the second, along with California, to provide paid family leave. Under one New Jersey proposal, workers who take leave would be paid through the state's temporary disability insurance fund, augmented by a 0.1 percent charge on workers' weekly wages.

Traditionally, many conservatives have opposed moves for paid family leave, but there are signs of some shifts. A prominent anti-abortion leader, the Rev. Paul Schenck of the National Pro-Life Action Center, recently said he would support paid maternity leave on the premise that it might dissuade some pregnant women from having abortions.

"Across the political spectrum, people are realizing these policies have an enormous impact on working families," Heymann said in a telephone interview. "If you look at the most competitive economies in the world, all the others except the U.S. have these policies in place."

January 18, 2007

The spread of the credit check as civil rights issue

By *Ben Arnoldy*, Staff writer of The Christian Science Monitor

Lisa Bailey worked for five months at Harvard University as a temp entering donations into a database. When the university made the job a salaried position, Ms. Bailey, who is black, saw a chance to lift herself out of dead-end jobs.

Bailey's superiors encouraged her to apply, she says, but turned her down after discovering her bad credit history.

Bailey, with her lawyer, has lodged a complaint against Harvard charging racial discrimination. The reason: Studies show that minorities are more likely to have bad credit, but credit problems have not been shown to negatively affect job performance.

Some privacy and minority advocates are now seeing credit as a civil rights issue as minorities start to fight employers and insurers who base decisions on credit histories. Their effort could slow the near doubling in credit checks by employers in the past decade, which impacts millions of Americans who are struggling with debt.

"It's definitely a civil rights issue because of the growing use of credit reports and credit scores for hiring, renting an apartment, insurance, and the fact that people of color have not been integrated into the credit scoring system as much as traditional, white, middle-class America," says Evan Hendricks, author of "Credit Scores & Credit Reports: How the System Really Works, What You Can Do."

In a 2004 study involving 2 million people, the Texas Department of Insurance found that blacks have an average credit score roughly 10 percent to 35 percent worse than whites; Hispanics have scores 5 percent to 25 percent worse than whites.

Credit checks are a growing factor in hiring, with 35 percent of employers checking applicants' credit in 2003, up from 19 percent in 1996, according to the Society of Human Resource Management (SHRM). Typically credit reports are done if a person is going to deal with money, says John Dooney, a manager of strategic research at SHRM.

A case for considering credit

Employers should look at credit only for jobs where the information is relevant, says Lester Rosen, president of Employment Screening Resources, a national background screening firm in California. He cites a few examples:

- For jobs handling money, people may have the motive to steal if their debts surpass their salary.
- For jobs requiring travel, bad credit could bar applicants from renting cars or buying tickets.
- For jobs managing money, the report can offer some clues on how applicants manage their own.

Particularly in that last scenario, he cautions employers to be circumspect since blemishes might be errors or beyond the person's control, such as sudden medical expenses. Legally, employers must receive written permission from applicants to do a credit check, and must give those denied because of credit a chance to respond.

Mr. Rosen defends the careful consideration of credit in the hiring process. "If Harvard hired a person and did not use a credit report and the person embezzled, what would the headline be?" he asks.

So far, there's a lack of data supporting a relationship between bad credit and theft by employees. In perhaps the only study published on the subject, Jerry Palmer and Laura Koppes at Eastern Kentucky University in Richmond in 2003 found no correlation between employee credit reports and negative performance or termination for dishonesty.

Antidiscrimination laws bar a hiring practice that disadvantage minorities – even inadvertently – unless a company can prove it's related to measuring a person's capability to do a job. Bailey's lawyer, Piper Hoffman, has taken on several cases in which companies used credit as a factor in the hiring process. In one 2004 case, she says, an employee's lawsuit against Johnson & Johnson resulted in a settlement that changed the way the company used credit in its hiring practices.

"In the larger picture, we're hoping to get Harvard and other employers to stop using credit as a criterion in hiring," Ms. Hoffman says.

Bailey lodged her complaint in November with the Equal Employment Opportunity Commission (EEOC), which reviews all such cases before any lawsuits can be filed. Agency officials say there's anecdotal evidence these cases are on the rise.

"Employers seem to be assuming that somebody with a poor credit history is more likely to steal, and I don't think there's any kind of evidence that supports that," says Dianna Johnston, assistant legal counsel with the EEOC. "To the extent that the employer has done an in-depth look and found other indices of dishonesty, they would be on more solid ground."

In a statement, Harvard noted that a "relatively small percentage" of jobs at the university require a credit check.

"The university conducts credit history reviews for employment purposes as required by credit card issuers, as well as to fulfill our fiduciary and data privacy responsibilities," says the statement. "Those responsibilities include protecting the private credit card data of our students, faculty, parents, and alumni."

Bailey says that if Harvard was concerned she might steal, the university should have looked at criminal records instead. "I was a cashier for many years and I've never been rich and I've never stolen money," she says.

She ran into credit-card debt she couldn't pay back when she spent some time unemployed. Harvard, she says, offered to reconsider if she could clear up her report in one week.

"The only way I can get it cleaned up in seven days is if I have money, so there was no way," says Bailey.

Catch-22 for poor people

Ernest Haffner, an attorney adviser with the EEOC, notes that employers who screen for credit are setting up a Catch-22 for poor people: They need jobs to get good credit, but employers won't hire them because they don't have it.

The racial component to credit histories has been challenged in the insurance arena, too. The Texas Department of Insurance study found a relationship between credit scores and claims filed.

However, a class-action lawsuit against Allstate has just been settled, which resulted in the company changing the way they evaluate credit reports, says Wendy Harrison, a Phoenix-based lawyer who brought the case.

"What we've argued in our [insurance] cases is that you can adjust for [racial bias]," Ms. Harrison says, who has also handled cases of credit screening by employers.

Employers, however, are probably not relying on a number rating that can be adjusted, since, according to Rosen, agencies only give them specialty reports that don't include a score. Harvard says their report had no score.

As for Bailey, she still wants the Harvard job, and says there would be "no hard feelings." But first she wants to change the system for herself and others. "I hope I win. It might be beneficial to other people, too," she says.

From: Kate Farrar
Sent: Thursday, March 01, 2007 11:37 AM
To: Jenny Yang
Subject: RE: Women advocates of the southeast update

One more thing. Please include in the following, the title of the hearing. Then when you start the summary introduce who wrote and submitted the testimony.

Thanks,

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*Celebrating Over 40 Years of Building Pathways to Economic Independence for America's
Women and Girls
Since 1964*

From: Jenny Yang
Sent: Thursday, March 01, 2007 11:33 AM
To: Kate Farrar
Subject: Women advocates of the southeast update

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February 2007**

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"Lisa Bailey worked for five months at Harvard University as a temp entering donations into a database. When the university made the job a salaried position, Ms. Bailey, who is black, saw a chance to lift herself out of dead-end jobs." Full article below.

Post-Katrina News and Resources

Report: Miles to Go, Louisiana – The Only Way Forward: Changing Directions in Education

Miles to Go Louisiana is one of a series of reports by Southern Education Foundation in which they undertake research, disseminate information and work with policymakers to expand education and economic opportunities in the South. The data in this report shows that most Louisiana students, regardless of race and income, lag behind their counterparts across the nation. While Louisiana has suffered enormously as a result of the tragedy of Hurricane Katrina, the fact remains that the state's entire population will pay an even higher price in the long run if Louisiana fails to meet this fundamental challenge in education. This report documents the economic and educational gains that Louisiana can realize over time if it increases high school and college enrollment and graduation rates; expands funding and coverage of high-quality pre-kindergarten programs; and reduces education gaps by race and income in academic

performance and resources. The report shows the link between education and income in Louisiana and the vital role that P-20 education plays in advancing both the state's economy, income, and quality of life. For the full report, please visit www.southerneducation.org.

Article: Affordable Housing in Healthy Neighborhoods: Critical Policy challenges Facing the Greater New Orleans Region

New Orleans urgently needs to rebuild affordable rental housing in order to recover fully and fairly. However, neither low-income families nor the communities in which they live will be well served if affordable housing is rebuilt according to the patterns of the past. Models are emerging in other cities that integrate affordable housing into healthy, mixed-income neighborhoods. New Orleans can also look to experience from other cities for examples of how to rebuild low-income communities in ways that are respectful of the original residents but do not concentrate and isolate them yet again. Full testimony can be found at <http://www.urban.org/publications/901042.html>.

Tuesday, February 6, 2007

Court rules Wal-Mart must face class-action bias suit

By Bob Egelko, Chronicle Staff Writer

A federal appeals court upheld class-action status today for a sex-discrimination suit against Wal-Mart on behalf of 2 million female employees claiming unfair treatment in pay and promotions, the largest civil rights case in the nation's history.

The 2-1 ruling by the Ninth U.S. Circuit Court of Appeals in San Francisco was a serious blow to Wal-Mart, the Arkansas-based retailer that is the world's largest private employer. Rather than respond to lawsuits by six women with individual grievances, the company must defend its nationwide practices in a single jury trial, with billions of dollars at stake.

The federal judge who authorized the suit in 2004 was within his authority to find that "it would be better to handle this case as a class action instead of clogging the federal courts with innumerable individual suits litigating the same issue repeatedly," Judge Harry Pregerson wrote in the majority opinion. "Mere size does not render a case unmanageable."

Pregerson, joined by Judge Michael Hawkins, also said the plaintiffs had presented "significant proof of a corporate policy of discrimination" through statistics, expert analyses and declarations by 120 past and present employees.

As of 2001, when Wal-Mart had 1.2 million employees, women made up 65 percent of the non-management staff, 33 percent of the managers and 14 percent of the store managers.

U.S. District Judge Martin Jenkins of San Francisco, whose ruling was upheld today, found that Wal-Mart paid women less than men in every region and in most job categories, and took longer to promote women to management.

The class consists of nearly all women who worked at the company's 3,400 stores since Dec. 26, 1998.

Such rulings often lead to settlements. But Wal-Mart, which was allowed to appeal Jenkins' ruling before the case went to trial, could ask the full appeals court to order a rehearing of today's decision before a 15-judge panel, and could also appeal to the U.S. Supreme Court.

There was no immediate comment from the company.

Brad Seligman, lead attorney for the plaintiffs, predicted that any further appeals by the company would fail, and said a trial was probably two years away.

"No amount of procedural games or PR spin is going to allow them to avoid the legacy of their own discrimination," he said. "It's time to face the music."

The plaintiffs are led by Betty Dukes, a 12-year employee of Wal-Mart's Pittsburg store, who said she had repeatedly trained men for management positions that were never offered to her. When she complained, she was disciplined, demoted and had her pay cut, she said.

"We have been waiting a long time for this day," Dukes, who still works at the store, said at a San Francisco news conference today. "Women at Wal-Mart, including myself, have been discriminated."

Wal-Mart has argued that a nationwide class action is unworkable and unfair to a company that allows individual store managers to make their own personnel decisions. But the plaintiffs argued, and the appeals court agreed, that there was enough evidence of a uniform "corporate culture" to justify a single discrimination lawsuit.

Judge Andrew Kleinfeld dissented from the ruling, agreeing with Wal-Mart that a class action lawsuit, which treats the plaintiffs as a group, could reward female employees who had suffered no wrongdoing.

"Women who were fired or not promoted for good reasons will take money from Wal-Mart they do not deserve, and get reinstated or promoted as well," Kleinfeld said. "Since when were the district courts converted into administrative agencies and empowered to ignore individual justice?"

01/30/07

Child Care Void Hinders Help for Addicted Moms

By Kara Alairno, WeNews correspondent

Lack of child care partly explains why the majority of women with substance-abuse problems aren't getting treatment, officials say. In New Jersey, researchers found that nearly half of the women who abuse drugs and alcohol are mothers.

(WOMENSENEWS)--Nelida Colon suffered from alcohol addiction for 20 years and an addiction to crack cocaine for 12 years.

The reason she didn't seek help? She says she was afraid of losing her four children.

"I was neglecting them, but I couldn't seek treatment," Colon, who is 38 and a single mother, said. "I wasn't going to leave my kids. I didn't have anyone to care for (them)."

Eventually, her 18-year-old son started having personal problems, which led school administrators to alert the New Jersey Division of Youth and Family Services to the problems in the family's Lindenwold, N.J., home.

After charging her with child endangerment, the state referred Colon to Cooper House in Camden, N.J., where she began a six-month treatment program and has now been substance-free for five months. She was able to begin treatment right away due to a feature of the program that provided on-site child care for her 7-year-old son during the summer.

Colon is among the minority of female substance abusers who receive treatment for their problems.

Ninety-one percent of the 8.05 million American women who needed treatment in 2004 did not receive it, according to the U.S. Substance Abuse and Mental Health Services Administration.

Treatment Facilities Lacking

Among these women the lack of child care is a major issue, said Sharon Amatetti, senior public health analyst and women's services coordinator for the federal mental health agency. "There is not a great capacity to offer treatment programs that either have child care--so women can bring their children--or offer residential treatment for women and children. That's a continuing problem that we've been aware of for a long time. The problem is that providing residential beds for families is an expensive model of care."

In 2005 less than 15 percent of U.S. treatment facilities accepted women who were pregnant and-or had children, according to the agency.

Because most national surveys of drug users do not ask whether the responders are parents, Amatetti said it is difficult to determine how many mothers do not seek or receive treatment due to lack of child care options or fear of losing their children.

Researchers in at least one state have homed in on the problem for women who have children and need treatment.

New Jersey Mothers

"NJ Women Count: Substance Abuse and Its Effects on Women," released in the fall of 2006 by the Institute for Women's Leadership at Rutgers, the State University of New Jersey, found that nearly half of the women who abuse drugs and alcohol in New Jersey are mothers, the majority of whom are single mothers.

Raquel Jeffers, acting director of addiction services for the State of New Jersey, estimated that for every mother who receives substance abuse treatment at least one more is in need of these services.

She said she did not believe that mothers who abuse drugs and alcohol are being served in proportion to the problem. "The services aren't client-centered and aren't always addressing these women's very complex needs," Jeffers said.

The U.S. Drug Enforcement Administration estimated that the cost of drug abuse to American society was \$160 billion in 2000.

Amatetti, of federal mental health agency, said substance-abuser treatment helps lower crime, welfare caseloads, infectious diseases and the problems school systems face in helping children cope with the repercussions of living in homes where drugs are present.

But states often take a myopic view of the problem, she said. "The agencies that benefit most from persons not having problems are not as actively involved in funding treatment," she said.

Federal Money for Partnerships

Federal legislation enacted last year allocated \$145 million over five years for state child welfare agencies to form partnerships which help children affected by substance abuse.

Amatetti said states should make sure that such programs are adapted to the interlocking needs of children and their mothers.

To encourage this, the federal mental health agency mandates that a percentage of federal funding to states is allocated for addiction services which provide priority access to women who are pregnant or have children. The agency has also allocated funding from its discretionary portfolio for community-based organizations that support substance abuse programs for mothers.

Even where such services are available, another challenge is making women aware of them.

At Cooper House, where Colon is receiving treatment, the program's director, Norris Preston, said about half of the women who come to the facility have already lost their children, because help has not come soon enough.

Colon said she wishes she knew about the services she is now receiving years earlier.

"There needs to be an anonymous program where women can walk in and say 'I have a problem and I don't want to lose my children,' before they hit rock bottom," Colon said. "It shouldn't have to take a child being injured before (the state) realizes there is a problem."

Kara Alaimo earned a bachelor of arts degree from New York University, where she studied journalism and gender and sexuality. She lives and writes in New York, where she is a press secretary for the City of New York.

Women's eNews welcomes your comments. E-mail us at editors@womensenews.org.

01/28/07

Women's Caucus Poised for a Late Blooming

By Allison Stevens, Washington Bureau Chief

With a female ally running the House of Representatives, the Congressional Caucus for Women's Issues is ready to exercise more clout. New leaders say they want to tackle women's health, educational equity and sex trafficking.

WASHINGTON (WOMENSENEWS)--At 30 years old, the bipartisan Congressional Caucus for Women's Issues is coming into full bloom.

Members of the women's caucus gathered Jan. 23 at a gavel-passing ceremony on Capitol Hill to honor its new leaders, Democrat Lois Capps of California and Republican Cathy McMorris Rodgers of Washington state.

With a woman--and a former member of the caucus--now serving as Speaker of the House of Representatives, members and leaders say they are more empowered than ever to advance an agenda that caters to women. Items on their wish list include women's health, educational equity, sex trafficking, women in business, women in prison and international domestic violence.

"We now have leadership that is with our issues fully and completely," Capps cheered at the packed reception. "So when we want to do things that maybe our committee structure is not ready for, watch us!"

House Speaker Nancy Pelosi, a California Democrat, has chosen to observe custom and refrain from joining caucuses, which are groups of like-minded lawmakers who promote shared legislative goals.

But since she assumed power earlier this month, Pelosi has been working with members of the women's caucus to discuss their agenda, giving the group unprecedented access to the highest rungs of House leadership.

"As our staff is planning, they're planning with her office," Capps said. "And frankly, we didn't have that access before."

Growth Spurt Expected

After the 2006 midterm elections, the women's caucus has the potential to grow in size as well as stature.

Last November, a record 74 women (including three non-voting delegates) were elected to the House; if all join the caucus, it will be one of the largest legislative groups on Capitol Hill, with membership outnumbering other higher-profile groups such as the Blue Dog Coalition, a caucus of 44 fiscally conservative Democrats, and the New Democrat Coalition, a group of 63 pro-business Democrats.

The women's caucus will also likely benefit from increased visibility this year, said Cindy Hall, president of Women's Policy Inc., an independent nonprofit in Washington that works closely with the women's caucus and is planning a gala in March to mark its 30th anniversary.

But Sarah Brewer, associate director of the Institute for Women and Politics at American University in Washington, D.C., sounded a note of caution. The bipartisan nature of the group--the most bipartisan on the Hill, as Capps called it--can be a curse as well as a blessing in an era of heightened partisanship and polarization, she said.

Membership is open to every female lawmaker in the House. With a potential for 53 Democratic members and 21 Republicans, members span the ideological and geographical spectrum and therefore may have a difficult time reaching agreement on controversial subjects. This is why the group has shied away from divisive issues such as abortion and reproductive rights, Brewer said.

The caucus is "faced with a lot of different cross-cutting challenges and then their own heterogeneity in the caucus," Brewer said.

Founded in 1977

Formerly known as the Congressional Women's Caucus, the group was founded in 1977 by 15 lawmakers.

Reps. Elizabeth Holtzman, a New York Democrat, and Margaret Heckler, a Massachusetts Republican, served as founding co-chairs. Colorado Democrat Patricia Schroeder and Maine Republican Olympia Snowe served as co-chairs in 1983 and led the caucus together for a decade.

In 1981, members invited male colleagues to join. More than 100 men accepted the offer, and the group changed its name to the Congressional Caucus for Women's Issues.

But in 1995, the newly elected Republican majority voted to eliminate funding for offices and staff of all caucus organizations on Capitol Hill. As a result, the women's caucus changed from a taxpayer-subsidized legislative group to an informal coalition of female lawmakers. At that time, they decided to restrict membership to women alone. Lacking outside funding, the caucus has limped along without a full-time staff.

Pelosi has no plans to reinstate funding for any caucus groups, a Pelosi aide said.

No formal women's caucus exists in the Senate, but the 16 female members of the body--11 Democrats and 5 Republicans--held their first formal meeting earlier this month. It was hosted by 70-year-old Sen. Barbara Mikulski, a Democrat from Maryland and the unofficial dean of the Senate women because of her 20-year tenure.

Despite their small but growing numbers, congressional women in the House and Senate of both parties have joined forces to lobby for several significant laws.

These include the Family and Medical Leave Act of 1993, which granted employees the right to take unpaid leave for personal or health reasons; the Violence Against Women Act of 1994, which funded programs for victims of domestic and sexual violence; and other bills that increased funding for a range of programs such as breast cancer research, child care and small business loans.

Building on Past Achievements

Achievements have been more modest in recent years.

In the last Congress, many female members worked to reauthorize the Violence Against Women Act and championed resolutions honoring former Supreme Court Justice Sandra Day O'Connor and condemning the disappearances and murders of more than 400 women in Juarez, Mexico.

This year, "the sky is the limit," Capps said.

Elected as co-chairs on Jan. 19, Capps and McMorris Rodgers hope to produce a "must-pass" agenda in the next few weeks, brainstorming with members about their legislative priorities.

Capps, a former nurse and health care advocate, has her heart set on a bill to improve the prevention, diagnosis and treatment of heart disease and stroke in women. She also mentioned interest in women in prison and efforts to explore the link between the environment and breast cancer, and said there may be opportunities to work with the Bush administration on issues relating to women in Iraq and Afghanistan.

McMorris Rodgers echoed an interest in women's health and also spoke of efforts to promote math and science education among girls and women. She said that issue may come up during debate over the No Child Left Behind education law, which increased the standards of accountability in schools and is slated for a reauthorization vote this year.

The caucus leadership is also considering legislation that would outlaw discrimination from health insurers and others based on genetic information, fund a national study of children's health, address sex trafficking and call for the need to end discrimination and violence against women around the world.

Meanwhile, Capps and McMorris Rodgers intend to continue a caucus tradition of honoring female members of the military around Memorial Day and plan to hold a second annual meeting with female judges to build relationships between women in the two government branches.

The caucus should have an easier time moving their own agenda this year, predicted Hilda Solis, a California Democrat who served as co-chair of the caucus in the 109th Congress.

"This is a new era," Solis said as she prepared to hand over the symbolic gavel at the Capitol Hill reception. Achieving legislative success, she said, will "absolutely" be easier than it was during her tenure, when the House was under the Republican rule of former Speaker J. Dennis Hastert of Illinois.

Allison Stevens is Washington bureau chief at Women's eNews.

Women's eNews welcomes your comments. E-mail us at editors@womensenews.org.

Thursday 01 February 2007

US Family-Oriented Job Policies Weak

By David Crary, The Associated Press

The United States lags far behind virtually all wealthy countries with regard to family-oriented workplace policies such as maternity leave, paid sick days and support for breast-feeding, a new study by Harvard and McGill University researchers says.

The new data comes as politicians and lobbyists wrangle over whether to scale back the existing federal law providing unpaid family leaves or to push new legislation allowing paid leaves.

The study, officially being issued Thursday, says workplace policies for families in the United States are weaker than those of all high-income countries and many middle- and low-income countries. Notably, it says the U.S. is one of only five countries out of 173 in the survey that does not guarantee some form of paid maternity leave; the others are Lesotho, Liberia, Swaziland and Papua New Guinea.

"More countries are providing the workplace protections that millions of Americans can only dream of," said the study's lead author, Jody Heymann, founder of the Harvard-based Project on Global Working Families and director of McGill's Institute for Health and Social Policy.

Among the study's findings:

- Fathers are granted paid paternity leave or paid parental leave in 65 countries, including 31 offering at least 14 weeks of paid leave. The U.S. guarantees fathers no such paid leaves.
- At least 107 countries protect working women's right to breast-feed; the breaks are paid in at least 73 of them. The U.S. does not have federal legislation guaranteeing the right to breast-feed at work.
- At least 145 countries provide paid sick days, with 127 providing a week or more annually. The U.S. provides unpaid leave through the Family and Medical Leave Act, which does not cover all workers; there is no federal law providing for paid sick days.
- At least 134 countries have laws setting the maximum length of the work week. The U.S. does not have a maximum work week length or a limit on mandatory overtime per week.

According to the study, the U.S. fares comparatively well in some areas — such as guaranteeing significantly higher pay for overtime work and ensuring the right to work for all racial and ethnic groups, regardless of gender, age or disability.

"The U.S. has been a proud leader in adopting laws that provide for equal opportunity in the workplace, but our work/family protections are among the worst," Heymann said. "It's time for a change."

The topic is of keen interest in Washington.

The Labor Department is examining regulations that give workers unpaid leave to deal with family or medical emergencies - a review that supporters of the rules worry might be a prelude to scaling back these protections, as requested by some business groups. Comments to the agency on the 1993 Family and Medical Leave Act - which grants eligible workers up to a total of 12 weeks of unpaid leave a year - are due by Feb. 16.

At the same time, Sen. Chris Dodd, D-Conn., plans to announce Thursday that he will propose new legislation that would enable workers to take six weeks of paid family leave. Congress also is expected to reconsider the Healthy Families Act, a bill introduced last session that would require employers with at least 15 employees to provide seven paid sick days per year.

On the state level, some New Jersey lawmakers are pushing legislation that would make their state the second, along with California, to provide paid family leave. Under one New Jersey proposal, workers who take leave would be paid through the state's temporary disability insurance fund, augmented by a 0.1 percent charge on workers' weekly wages.

Traditionally, many conservatives have opposed moves for paid family leave, but there are signs of some shifts. A prominent anti-abortion leader, the Rev. Paul Schenck of the National Pro-Life Action Center, recently said he would support paid maternity leave on the premise that it might dissuade some pregnant women from having abortions.

"Across the political spectrum, people are realizing these policies have an enormous impact on working families," Heymann said in a telephone interview. "If you look at the most competitive economies in the world, all the others except the U.S. have these policies in place."

January 18, 2007

The spread of the credit check as civil rights issue

By *Ben Arnoldy*, Staff writer of The Christian Science Monitor

Lisa Bailey worked for five months at Harvard University as a temp entering donations into a database. When the university made the job a salaried position, Ms. Bailey, who is black, saw a chance to lift herself out of dead-end jobs.

Bailey's superiors encouraged her to apply, she says, but turned her down after discovering her bad credit history.

Bailey, with her lawyer, has lodged a complaint against Harvard charging racial discrimination. The reason: Studies show that minorities are more likely to have bad credit, but credit problems have not been shown to negatively affect job performance.

Some privacy and minority advocates are now seeing credit as a civil rights issue as minorities start to fight employers and insurers who base decisions on credit histories. Their effort could slow the near doubling in credit checks by employers in the past decade, which impacts millions of Americans who are struggling with debt.

"It's definitely a civil rights issue because of the growing use of credit reports and credit scores for hiring, renting an apartment, insurance, and the fact that people of color have not been integrated into the credit scoring system as much as traditional, white, middle-class America," says Evan Hendricks, author of "Credit Scores & Credit Reports: How the System Really Works, What You Can Do."

In a 2004 study involving 2 million people, the Texas Department of Insurance found that blacks have an average credit score roughly 10 percent to 35 percent worse than whites; Hispanics have scores 5 percent to 25 percent worse than whites.

Credit checks are a growing factor in hiring, with 35 percent of employers checking applicants' credit in 2003, up from 19 percent in 1996, according to the Society of Human Resource Management (SHRM). Typically credit reports are done if a person is going to deal with money, says John Dooney, a manager of strategic research at SHRM.

A case for considering credit

Employers should look at credit only for jobs where the information is relevant, says Lester Rosen, president of Employment Screening Resources, a national background screening firm in California. He cites a few examples:

- For jobs handling money, people may have the motive to steal if their debts surpass their salary.
- For jobs requiring travel, bad credit could bar applicants from renting cars or buying tickets.
- For jobs managing money, the report can offer some clues on how applicants manage their own.

Particularly in that last scenario, he cautions employers to be circumspect since blemishes might be errors or beyond the person's control, such as sudden medical expenses. Legally, employers must receive written permission from applicants to do a credit check, and must give those denied because of credit a chance to respond.

Mr. Rosen defends the careful consideration of credit in the hiring process. "If Harvard hired a person and did not use a credit report and the person embezzled, what would the headline be?" he asks.

So far, there's a lack of data supporting a relationship between bad credit and theft by employees. In perhaps the only study published on the subject, Jerry Palmer and Laura Koppes at Eastern Kentucky University in Richmond in 2003 found no correlation between employee credit reports and negative performance or termination for dishonesty.

Antidiscrimination laws bar a hiring practice that disadvantage minorities – even inadvertently – unless a company can prove it's related to measuring a person's capability to do a job. Bailey's lawyer, Piper Hoffman, has taken on several cases in which companies used credit as a factor in the hiring process. In one 2004 case, she says, an employee's lawsuit against Johnson & Johnson resulted in a settlement that changed the way the company used credit in its hiring practices.

"In the larger picture, we're hoping to get Harvard and other employers to stop using credit as a criterion in hiring," Ms. Hoffman says.

Bailey lodged her complaint in November with the Equal Employment Opportunity Commission (EEOC), which reviews all such cases before any lawsuits can be filed. Agency officials say there's anecdotal evidence these cases are on the rise.

"Employers seem to be assuming that somebody with a poor credit history is more likely to steal, and I don't think there's any kind of evidence that supports that," says Dianna Johnston, assistant legal counsel with the EEOC. "To the extent that the employer has done an in-depth look and found other indices of dishonesty, they would be on more solid ground."

In a statement, Harvard noted that a "relatively small percentage" of jobs at the university require a credit check.

"The university conducts credit history reviews for employment purposes as required by credit card issuers, as well as to fulfill our fiduciary and data privacy responsibilities," says the statement. "Those responsibilities include protecting the private credit card data of our students, faculty, parents, and alumni."

Bailey says that if Harvard was concerned she might steal, the university should have looked at criminal records instead. "I was a cashier for many years and I've never been rich and I've never stolen money," she says.

She ran into credit-card debt she couldn't pay back when she spent some time unemployed. Harvard, she says, offered to reconsider if she could clear up her report in one week.

"The only way I can get it cleaned up in seven days is if I have money, so there was no way," says Bailey.

Catch-22 for poor people

Ernest Haffner, an attorney adviser with the EEOC, notes that employers who screen for credit are setting up a Catch-22 for poor people: They need jobs to get good credit, but employers won't hire them because they don't have it.

The racial component to credit histories has been challenged in the insurance arena, too. The Texas Department of Insurance study found a relationship between credit scores and claims filed.

However, a class-action lawsuit against Allstate has just been settled, which resulted in the company changing the way they evaluate credit reports, says Wendy Harrison, a Phoenix-based lawyer who brought the case.

"What we've argued in our [insurance] cases is that you can adjust for [racial bias]," Ms. Harrison says, who has also handled cases of credit screening by employers.

Employers, however, are probably not relying on a number rating that can be adjusted, since, according to Rosen, agencies only give them specialty reports that don't include a score. Harvard says their report had no score.

As for Bailey, she still wants the Harvard job, and says there would be "no hard feelings." But first she wants to change the system for herself and others. "I hope I win. It might be beneficial to other people, too," she says.