
THE “FEMALE-FRIENDLY” WORKPLACE

BY CHRISTINE STOLBA*

Shame is a powerful emotion—a “condition of humiliating disgrace or disrepute” according to a standard dictionary definition—and has always been a useful weapon in the arsenal of those who seek to expose wrongdoing. In colonial times, offenders were placed in public stocks in the town square as penance for their misdeeds; during the Progressive Era, muckraking journalists exposed the wrongdoings of corporate titans in print. Modern versions of public shaming are more creative: the city of Denver, Colorado uses its public-access cable channel for “sin bin” programming that broadcasts the mug shots of prostitutes and johns collared by the local police. Judges in Wisconsin, Florida, and Texas have employed shaming tactics such as making minor offenders stand in heavily trafficked public spaces wearing signs that declare their sins.

The latest public shaming effort to make news was organized by the National Organization for Women. NOW recently revived its “Women Friendly Workplace Campaign” by naming Wal-Mart, the country’s largest private employer, a “Merchant of Shame.” NOW charged, “Wal-Mart’s dismal record contradicts the worker-friendly image it projects to the public.” During a press conference outside a Wal-Mart store in Minneapolis in June, NOW President Kim Gandy proclaimed that this “public pressure campaign” was “how we effect change” and urged local activists to demonstrate their support by picketing local Wal-Mart stores.

Wal-Mart, which still affectionately refers to its founder Sam Walton as “Mr. Sam” in its literature, by most accounts is an ideal twenty-first century employer. Its creed remains the “Three Basic Beliefs” enshrined at the company’s founding in 1962: “respect for the individual; service to our customers; strive for excellence.” The comments of Wal-Mart managers also have an inclusive, populist tone; as one former vice-chairman relates on the company’s website, “‘Our people make the difference’ is not a meaningless slogan - it’s a reality at Wal-Mart. We are a group of dedicated, hardworking, ordinary people who have teamed together to accomplish extraordinary things. We have very different backgrounds, different colors and different beliefs, but we do believe that every individual deserves to be treated with respect and dignity.” Such is the philosophical provenance of the ubiquitous “greeters” who offer a cheerful hello to every customer entering Wal-Mart’s numerous, and cavernous, stores.

But behind those friendly greetings lurks a world of corporate irresponsibility, according to NOW. Citing the existence of sexual harassment and discrimination complaints against Wal-Mart, as well as “exclusion of contraceptive coverage in employee insurance plans and discrimination on the basis of sexual orientation,” NOW claims that “the list of Wal-Mart’s workplace ‘don’ts’ is far too long.”

The truth likely lies somewhere in between Wal-Mart’s squeaky-clean image and NOW’s tales of sordid sex-

ism. Common sense suggests that, as the largest private employer in the country (and one with deep pockets) Wal-Mart would face a larger share of complaints by employees. And some of these complaints are likely valid legal grievances as, unfortunately, harassment and discrimination still occur. But Wal-Mart, the number one company listed on the *Fortune* 500, is also ranked as one of the 100 best companies to work for by *Fortune*. Last year’s *Fortune* survey found 77% of Wal-Mart employee respondents reporting that “there is a family or team feeling” at Wal-Mart. In addition, the company is ranked by *Fortune* as one of the best companies for women.

NOW’s deployment of facts here is reminiscent of earlier “Merchant of Shame” campaigns hosted by the organization against such targets as Smith Barney, Detroit Edison, and the U.S. Postal Service. In 1997, after naming Mitsubishi Motors a “Merchant of Shame,” NOW sustained criticism for misrepresenting the scope of problems at Mitsubishi plants in order to raise money. Although mediation was under way between Mitsubishi and the Equal Employment Opportunity Commission regarding charges of sexual harassment at Mitsubishi’s Normal, Illinois plant, NOW’s national office took out a full-page advertisement which claimed that women involved in the lawsuit were the victims of retaliation, and solicited donations for the organization in the process. NOW’s allegations came as news to the president of the union representing the women as well as to NOW’s local representative in Illinois, both of whom told reporters that they had heard of no retaliatory actions against the women who filed complaints against the company.

NOW has picked an opportune cultural moment for its latest salvo. With accounting scandals at Enron, WorldCom, and other corporations dominating the news, and even the redoubtable domestic doyenne and omnimedia empress Martha Stewart under scrutiny for questionable stock trades, the public seems eager to pillory corporate America. “We know that harassment and abuse are ways to knock women and people of color out of the competition for higher-paying jobs and higher education,” NOW’s literature warns. Their response includes an arsenal of sixties-era civil disobedience and consciousness-raising tools tweaked to appeal to a cohort of aging, consumerist baby boomers. “Clout in the marketplace” is NOW’s focus, and they urge twenty-first century activists to “get out your clipboards” and obtain signatures for “consumer’s pledges.” Businesses that refuse to sign an “employer’s pledge” could find themselves bombarded by “flyers warning consumers of the refusal.” A similar fate awaits local elected officials: “those who refuse to sign,” advises NOW, “should be targeted like any other business that refuses.”

NOW’s campaign also includes an “on-line speak out.” These speak outs encourage “women to share their experiences in unfriendly workplaces or campuses” and rec-

commend “their best strategies for fighting back.” The 729 respondents (overwhelmingly self-identified as “anonymous”) pour forth confessions that, taken together, are evidence of boorish behavior and petty office politicking, but rarely actionable incidents of harassment or discrimination. One woman complained of the “emotional harassment” inflicted on her by a boss who wasn’t suitably sensitive to her needs while she was going through a divorce; another recounts the personality conflicts she had with a series of bosses (male and female), and pronounces herself perplexed that her superiors were not sympathetic to “everything that I have gone through . . . including a long line of psychologists for stress and panic disorder.” As a supposed catalogue of legal wrongdoing, the speak-out is hardly compelling evidence of widespread corporate malfeasance.

There is little evidence that NOW’s campaign has received much support from the public. Nevertheless, NOW’s campaign is part of a broader feminist effort to impose a vision of gender equality on the American workplace that sees discrimination wherever gender parity does not exist, and that threatens lawsuits if the numbers don’t add up.

In December 2001, for example, in a move whose brazenness rivals Lysistrata’s infamous sexual boycott of Greek tragedy, NOW’s Legal Defense and Education Fund descended on Capitol Hill to demand a share of the \$11 billion earmarked by Congress for post-September 11 recovery efforts, threatening litigation if the money was not meted out to NOW’s specifications. NOW-LDEF president Kathy Rodgers told lawmakers that federal funds should be given to “women in less traditional fields,” such as firefighting, truck driving, and construction work, and argued that discrimination was to blame for the fact that more women are choosing not to enter male-dominated fields (only 25 of New York City’s 11,500 firefighters are women, for example). Similarly, in 1997, the Florida chapter of NOW dubbed the retail chain Tire Kingdom a “Merchant of Shame” for failing to hire more women. Both accusations neglected to consider the possibility that women might simply prefer fields other than construction, fire fighting, or tire sales. As the slightly baffled general counsel for Tire Kingdom told the *St. Petersburg Times*, “this is not an industry that attracts a lot of women.”

The Left’s emphasis on diversity and female empowerment ignores the real concerns of twenty-first century women and men: *family*-friendly workplaces. As recent survey data reveal, flexible work arrangements such as comp time, flex time, and telecommuting appeal to men and women equally. NOW’s attempts to shame American merchants into endorsing the feminist agenda likely will continue, but American women are pursuing a successful, yet quiet, boycott of their own, one whose effects are evident in the dwindling membership numbers of feminist organizations: a boycott against divisive gender politics.

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