



The Allentonian

*A publication of the American Association of University Women
Allentown, PA Branch
Breaking through barriers!*

Susan Nenstiel, President

May 2018

Vol. 75 Issue 8

Bonnie Keller, Editor

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Annual May Luncheon Saturday, May 5, 2018

**The Centennial Conference Center
3350 Center Valley Road
Center Valley
11:00 – Noon Cash Bar
Noon Luncheon**

**Our Featured Speaker: Peg Pennepacker
What is Title IX?**



**Cost per person - \$30.00
(includes \$5 contribution to
AAUW Legal Advocacy Fund)**

Please send your check payable to:
AAUW Allentown
Linda Robbins
65 Colonial Road
Allentown, PA 18109-9411
by **April 30, 2018**

President's Message

Greetings! Here we are almost at the end of our AAUW program year. I hope you will celebrate our year by attending our May luncheon at the new Centennial Ballroom in Center Valley. We will be presenting our annuals awards for Gateway to Equity, Member Making a Difference and Branch Outstanding Woman. We are thrilled to have Peg Pennepacker speak about Title IX. "Battling the Sexes Ain't Over Yet" is open to the public. Please encourage your friends and family to join us. Reservation information is included in this newsletter.

Starting April 25, voting on amendments to National Bylaws will begin. Please be sure to read your Outlook and use the information to cast your ballot. There are three amendments under consideration:

1. Changing the terms of the National board of directors to three years.
2. Opening seats on the board to non-members.
3. Removing the degree requirement for membership.

Please exercise your right to vote as an AAUW member.

See you in May!

Susan

Next Board Meeting: Tuesday, May 1, 10:00 a.m, Wegman's Café

HELP WANTED!

**We are in need of a communications specialist
who will handle the following:**

Website * Publicity * Social Media * Newsletter

**Please contact Susan if you know of anyone who
might be interested. A student or volunteer is welcome.**



Photos from the April 19 Branch Meeting on Gerrymandering in Pennsylvania

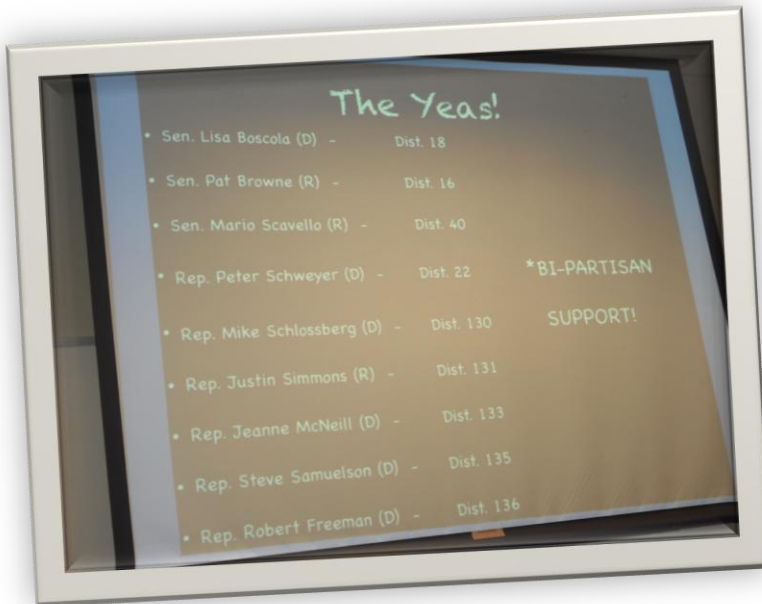
Mary Erdman of the Lehigh Valley League of Women Voters and Fair Districts PA speaks on gerrymandering

Several slides from the powerpoint slide show:

Right: Accomplishments of Fair Districts PA

Below: State legislators who support redistricting

For more information go to:
FairDistrictsPA.com



Public Policy

Lesley Lojko, Public Policy Chair

Once again Equal Pay Day has passed, on April 10, which is when women's salaries caught up to what men earned in 2017. We never quite catch up, do we?

A reminder for everyone to vote in the May primary here in PA. Primary Day is May 15th. Most of us will be choosing a candidate to run in November for the newly created House of Representatives District #7, formerly #15, Charlie Dent's seat. You may know that he has decided not to run again. The Governor's race is also heating up, judging by the TV ads.

The speaker for our May luncheon meeting is Peg Pennepacker, who is well versed in Title IX. This is a very timely topic since the new Secretary of Education for the U.S., Betsy DeVos, is working on undoing some of the important work that Title IX has done for women, girls. I hope you will all attend to hear her very informative talk.

2018 Dues Reminder

If you have not submitted your dues, please do so at your earliest convenience. We want to assure that all members are listed in the 2018-2019 yearbook.

Dues notices are sent to all branch members, regardless of status. This is a vehicle to obtain any demographic changes, as well as allow members the opportunity to donate to AAUW funds, branch programs and activities. At the conclusion of our book sale, we no longer have a fundraising event for financing these activities. Your contributions make a significant impact in the life of women and girls through the many AAUW initiatives.

Branch members pay \$59 to National, \$10 to AAUW-PA and \$15 to our branch. **Life members** (members who have at some time in the past, paid the National dues X20) pay AAUW-PA and branch dues. **Honorary Life Members** (members who have achieved National Recognition after 50 years of membership) and pay no dues. We currently have 16 Honorary Life Members and 6 Life.

Please be generous this year and support AAUW through National programs (AAUW Funds, LAF, NCWSL, Start smart, etc.) and Branch activities (Let's Read Math, Dictionary Project, Reading Corner). And even better, come out to branch meetings and sign up to volunteer at these activities.

Linda Robbins, Finance Officer
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Pay Equity: Rizo v. Fresno County Office of Education

By Ebonee Avery-Washington, Program Manager, Legal Advocacy Fund

Pay equity is a matter of simple fairness. Yet in 2016 women who worked full time were paid just 80 cents for every dollar paid to men. When the gender pay gap is broken down across different populations, the numbers can become even starker. *Rizo v. Fresno County Office of Education* highlights a significant underlying factor that contributes to the pay gap: employers' practice of relying on an employee's salary history to set new salary levels.

The Story behind the Rizo Case

Aileen Rizo worked as a math consultant for the Fresno County Office of Education (FCOE) in Fresno, California, training instructors in new ways of teaching math. Rizo was hired by the FCOE in 2009 after earning a master's degree and teaching for 13 years. She and her family moved from Arizona to California for her new position.

In 2012, Rizo says, a male colleague who had recently been hired mentioned that he had been placed at step nine on the county's 10-step pay scale. Rizo was shocked — she had been placed at step one on the scale when she began her job, even though she understood that she had more experience and seniority than her male colleague. Rizo says that after filing an internal complaint, she was told that the FCOE based new employees' salaries on just one factor: the employee's salary history. On the basis of the county's policy it seemed that Rizo's less-experienced colleague was given a higher salary only because he had been paid more at his previous job than she had been paid at her previous job.

Rizo eventually filed suit under the Equal Pay Act and California's sex discrimination statutes. The case was filed in the U.S District Court for the Eastern District of California in 2014 and moved through the judicial system. In April 2017 the U.S. Court of Appeals for the Ninth Circuit handed down an unfavorable decision in Rizo's case. A three-judge panel held that using prior salary alone to calculate

current wages can be permissible under the Equal Pay Act as a “factor other than sex” if the defendant shows that its use of prior salary was reasonable and effectuated a business policy.

Rizo argued that using prior salary alone to calculate current wages perpetuates existing pay disparities and undermines the legislative intent of the Equal Pay Act, which is to address pay inequity based on sex.

Why Rizo Matters

Basing pay on salary history is one factor that can perpetuate the pay gap, precisely because women are typically paid less than men. But many people don’t understand the domino effect that pay inequity can have on economic security. Rizo’s case sheds light on this important, yet often unrecognized, factor that contributes to the pay gap.

This unfavorable ruling magnified the need for strong state and federal legislation that eliminates the practice of using prior salary alone to calculate current wages. Federal legislation like the Paycheck Fairness Act, currently pending in Congress, addresses the “factor other than sex” affirmative defense of employers by forcing them to articulate a necessary business justification for pay differentials. The legislation also prohibits reliance on salary history during hiring. This legislation will help close the gender pay gap and promote economic security for women.

In the absence of such federal legislation, women like Aileen Rizo and AAUW continue to fight for equal pay in the states, through a broad range of research, policy, and legal advocacy. AAUW joined an amicus brief in support of Rizo’s petition for rehearing en banc — in front of all the judges of a court rather than only a selected panel — and urged the Ninth Circuit to reconsider. In August 2017 the Ninth Circuit granted a petition for rehearing en banc and it was reheard with the full panel in December 2017.

On April 9, 2018, the Ninth Circuit held that using prior salary alone, as a “factor other than sex,” or in combination with other factors cannot justify a wage differential, further reasoning that this would allow employers to profit on this inequity and perpetuate a gender wage gap in direct contrast with the intent of the Equal Pay Act of 1963. AAUW continues to support Rizo through our legal case-support program as her case moves through various stages of the judicial system.

Legal Advocacy Fund

Nancy Moffet, Legal Advocacy Chair

AAUW Signs On to Two New Amicus Briefs for Supreme Court Cases *Sveen v. Melin*

The Supreme Court will address whether revocation-on-divorce statutes violate the contracts clause of the Constitution in *Sveen v. Melin*. AAUW signed on to the amicus brief in this case because women’s economic security is one of AAUW’s chief concerns. Here, the amicus brief asserts that revocation-on-divorce statutes frequently revoke beneficiary designations of women and deprive women of more benefits than men, in addition to negatively affecting financially vulnerable divorced women. We joined this brief because revocation-on-divorce statutes, which automatically revoke the prior beneficiary designation of a spouse upon divorce, disproportionately cause damage to women’s economic security. In this case, Mark Sveen purchased a life insurance policy in 1997 and married Kaye Melin later that year. In the following year he named her as the primary beneficiary of his life insurance policy and his two adult children as contingent beneficiaries. Melin and Sveen divorced in 2007, but Sveen never changed the beneficiary designation on his policy. In 2002 (after Sveen had designated Melin as the primary beneficiary), Minnesota amended its probate code to essentially automatically revoke life insurance beneficiary designations of a former spouse after divorce. When Sveen died in 2011, Melin was still the primary beneficiary on the policy. The insurance company took procedural steps to determine whether the revocation-upon-divorce statute revoked this beneficiary designation. Sveen’s children and Melin both filed a claim for the proceeds. The U.S. District Court for the District of Minnesota found in

favor of the Sveen children, but the U.S. Court of Appeals for the Eighth Circuit reversed the lower court's decision and concluded that the revocation-on-divorce statute was unconstitutional when applied retroactively. This case was argued before the U.S. Supreme Court on March 19.

National Institute of Family and Life Advocates (NIFLA) v. Becerra

In NIFLA v. Becerra the Supreme Court will decide whether the notices that the California Reproductive Freedom, Accountability, Comprehensive Care, and Transparency Act requires crisis pregnancy centers to post in order to advise potential clients violate the First Amendment. We signed on to an amicus brief that demonstrates the deception and harm produced by crisis pregnancy centers, which attempt to refuse to disseminate accurate information about reproductive options, by highlighting stories of women who tried to seek medical services through these facilities. Denying women the full range of family planning and pregnancy-related medical services, such as abortion, undercuts women's right to choose and has far-reaching consequences that could jeopardize their economic security and access to education. In this case, NIFLA challenged a California law that requires licensed pregnancy centers to post or hand out information about the availability of low-cost or free family planning services, prenatal care, and abortion services as well as a phone number to contact to determine eligibility. This law also requires unlicensed facilities to post or hand out information that makes it clear that they are not licensed and do not have a licensed medical provider. NIFLA challenged the law as a free speech violation, but the U.S. District Court for Southern California rejected its argument, as did the U.S. Court of Appeals for the Ninth Circuit. This case was argued before the U.S. Supreme Court on March 20.

Branch Notes

New address: Marjorie Dent has a new address. You can send mail to her or visit her at: Marjorie Dent, The Birches at Arbour Square, 691 Main Street, Harleysville, PA 19438. Telephone at the facility is: 215-541-3769. We are sure she would love to hear from her AAUW friends!

Condolences: Our condolences and sympathies go out to the family of Elizabeth Scharfenberg, a long-time member of our branch. All of her AAUW friends mourn her recent passing.

Newsletter: Deadline for the **June issue** will be **May 15**. *Please include any and all submissions for the summer! Generally, there isn't a July or August issue produced.* The next issue will be September's issue with a deadline of August 15 with a new editor. I will be "retiring" as newsletter editor in June and our Branch is in search of a new editor (see President's message). Thank you all! ---Bonnie Keller

Study/Interest Groups

Career Women's Study Group

No Meeting in May.

We will meet in June for our Annual Planning Dinner. Date, Location & Time will be announced in the June newsletter and also emailed to our study group members.

Literature of the Past and Present

Leader: Annette Bonstedt (610-395-5974)

Thursday, May 17, 12:30pm

Planning/luncheon for the 2018-2019 book group meetings.

Hostess: Lesley Lojko, 932 Donald Drive, Emmaus, ph. 610-965-6337

Members are asked to bring a sweet or savory dish to share.

New members are welcome. Please call or email Lesley if attending.

Recent Literature

Leader: Mary Lou Green (610-530-9124)

Thursday, May 1, 12:30pm

Hostess: Betty Baker, 610-966-2934

Book: Uncommon Type by Tom Hanks

Reviewer: Betty Baker

Please let hostess know if you are attending

Women's Lit

Leader: Peggy Tyson (610-797-4199)

Monday, May 21, Noon - Potluck Lunch

Hostess: Margie Weiss, ph. 610-398-8604

Book: Bailey's Café by Gloria Naylor

New members are welcome. Please call hostess if attending.

The Allentonian Please submit news and announcements to the Editor, Bonnie Keller at the.baron@rcn.com
Deadline May 15 for June issue No issues in July & August Allentown Branch Website: <http://allentown-pa.aauw.net>
Check the website for updated information and to read *The Allentonian* online.

Allentown Branch email address is: aauwallentown@yahoo.comNational Website: www.aauw.org State Website: www.aauw-pa.aauw.net AAUW Member helpline: 800-326-AAUW**AAUW MISSION STATEMENT***AAUW advances equity for women and girls through advocacy, education, philanthropy, and research.***AAUW DIVERSITY STATEMENT***In principle and in practice, AAUW values and seeks a diverse membership. There shall be no barriers to full participation in this organization on the basis of gender, race, creed, age, sexual orientation, national origin, disability, or class.***AAUW LAF/EF*****AAUW LEGAL ADVOCACY FUND** provides funding and a support system for women seeking judicial redress for sexual discrimination.*



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