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Virginia Steps Forward as Santa Claus In America's Quest for Equal Rights

By Sue Marceau

Yes America, there is a Santa Claus. Her name is Virginia and she's poised to push the Equal Rights Amendment (ERA) to milestone ratification during the 2020 legislative session.

The state known as "the birthplace of a nation" moved multiple legislative seats closer in its November elections to becoming the 38th state to ratify the ERA and making equal rights the law of the land. Citing Virginia's new House leadership and additional "equality candidates" elected to office, VAratifyERA predicts success.

For the 2020 legislative session, 55 legislators of 100 in the Virginia House of Delegates and 26 of 40 Senators are anticipated to be staunch supporters of the ERA. And the state's populace stands with them. A September 2019 poll by the Washington Post-Schar School reports that 83 percent of Virginians support ratification.

Virginians demand gender equality in education, employment, and career advancement for all Americans. Thus, the same case law and legal precedents will apply to every American citizen, eliminating the excess burdens of proof now imposed on female litigants standing up for equal rights.

Pay inequality and workplace harassment remain major barriers to women's economic security, according to analysis by the American Association of University Women (AAUW). From the moment women enter the workforce, AAUW states, they are "shortchanged" because of their gender. The result is an escalating earnings gap leaving women "vulnerable long after they retire."

The analyzed data shows women in retirement are living off 30 percent less in overall retirement. Specifically, women receive only 76 percent of what male counterparts are afforded in pension income and about 80 percent of what men accumulate in Social Security benefits. Less income over longer lifespans has thrust many of the nation's women into perilous and/or poverty line living conditions.

Employers and institutions which have not ensured gender equality in hiring practices and compensation must be prohibited from applying loopholes and lesser statutory protections in court cases brought against them by female workers. That includes the Arizona Senate, which learned this lesson from a former political adviser who successfully contested pay inequities compared to white men performing the same job.

The experience of Talonya Adams, an African-American political staff adviser to the Arizona Senate, once again proves to doubters and fence-sitters that blatant pay disparity exists to the detriment of the female workforce. It also demonstrates the resilience of a woman who stood her ground to garner a \$1 million jury victory citing racial and gender discrimination.

Adams brought suit against the Arizona Senate in 2017, contending that she was the only policy adviser who had been bypassed for a pay raise during her (two-year) tenure, was paid far less than male counterparts, and ultimately was “terminated for insubordination and abandonment of her job” after taking leave for a family emergency. These circumstances occurred, she relayed, despite her record as “a strong performer who did not receive any negative criticisms during her employment.”

A jury determined that Senate officials had discriminated against Adams based on race and gender, and recommended the \$1 million payout. Federal caps on awards in such cases, however, reduced the total to \$353,617.88.

Adams also had requested and was given her job back. She was reinstated at \$113,300 a year, compared to her previous salary of \$60,000. She additionally scored a victory for some fellow employees who, following her court case, also received raises. Women should not have to file suit to win equality in pay.

Without the Constitutional intervention of the ERA, such disparities and women’s resulting lifelong economic struggles will persist. Pay for women performing equal work with male counterparts will not catch up for at least another 40 years, unless we pick up the pace. Is this what we want for our mothers and daughters?

Join in a resounding “Heck, no!” by standing with other advocates to ensure equality of rights under the law regardless of sex. Speak up as one of the 94 percent of Americans who support adding the ERA to the Constitution, according to a 2016 poll commissioned by ERA Coalition/Fund for Women’s Equality.

Unite with Arizona, Washington, D.C., and Virginia supporters to advocate for ratification of the ERA. Write to lawmakers and people of influence both here in Arizona and in Virginia to voice your support for the ERA. Ensure that lawmakers make no mistake that the majority of our nation’s citizens demand equal rights for one and all. Rise now to ratify. Let America know that Virginia is on her side and Arizona stands beside her.

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