

STATEMENT OF DEDRA FARMER

Before the

**HOUSE COMMITTEE
ON
EDUCATION AND LABOR**

April 24, 2007

I am Dedra Farmer and I've traveled from Lawrence, Kansas to appear before this Committee today. I hope that the experience that I and other women who worked with me at the largest private employer in this country, where we were paid less than men doing the same work, will help this Committee as it considers new legal protections against wage discrimination in the American workplace.

I worked at Wal-Mart Stores from November, 1989 through December, 2002. I was 18 years old when I began my employment at Wal-Mart and expected to work there for many years. I worked in the Tire Lube Express Division ("TLE") because my father, who was an automobile mechanic, kindled in me an interest in automobiles and their maintenance and repair.

Most of the employees in the TLE Division were men. In the three stores at which I worked, all located in Kansas, 90 to 95% of the hourly sales employees were men. I was the only woman in my district who held a salaried TLE Manager position.

Throughout the TLE Division, I saw evidence of women being paid less than men who held the same jobs. At the time I was promoted into a TLE Manager job, for example, I was assigned a salary of \$ 28,000 while

most men were paid a base salary of \$30,000 when they entered the same jobs.

I was very good at my work and consistently received high performance ratings. My boss also thought highly of my work, as he assigned me to train the new TLE managers, all of whom were men. I was amazed, however, to learn from these new managers that they were paid more than I while I trained them.

As a manager, I also had access to payroll information for employees in the TLE Division, although the male District Manager set their pay levels. I saw numerous examples of women in hourly positions being paid less than men holding the same jobs with shorter tenure at Wal-Mart.

In addition to base pay, managers at Wal-Mart are eligible to receive bonuses in amounts that depend largely on the volume of sales at the stores where they work. Consistently, I was denied assignment to stores with higher sales volumes than men whose performance and tenure at Wal-Mart were no better than mine.

Although I was hesitant to do so, eventually I complained about being paid less than men who performed the same work as I. I made my complaint by sending an email to Lee Scott, the CEO of Wal-Mart in August, 2000. While I was assured they would investigate my complaint by running

spreadsheets to analyze any gender gap in pay that may exist and get back to me, I heard nothing from them. So I sent Mr. Scott another email in February, 2001, raising the same concerns. I never saw any spreadsheets and never even received a response to my later email. In October, 2002, at a meeting of all employees at my store with our store manager, known as a “grassroots meeting,” again I expressed my concern that women were being paid less than men and that a systematic analysis of pay had to be conducted. The store manager assured me that I would receive a response to my concerns.

The response I received was a pink slip, notifying me that I was being fired less than three months later, on New Year’s Eve, 2002. When I asked why I was being terminated, I was told I had taken too many breaks. I challenged that reason. When the time records revealed that the frequency of my breaks complied with company rules, my boss offered a different reason to support my discharge, rather than allow me to return to work. I currently serve as the store manager at Autozone in Lawrence, Kansas where I have been treated very well.

I have joined the *Dukes v. Wal-Mart* class action that is pending in federal court in San Francisco and am proud to have provided a sworn statement about these events that is part of the court record in that case.

There, a class of more than 1.6 million women who have worked in Wal-Mart stores in the United States since December, 1998 has produced evidence that Wal-Mart has discriminated against us in the denial of our fair share of promotions and in paying us less for the same work performed by men with the same or shorter tenure and the same or weaker performance.

I hope that you are able to strengthen the protections against sex discrimination in pay in this country. I was fortunate to have had access to information from which I learned that women were regularly paid less than men at the Wal-Mart stores at which I worked. Most women wouldn't know these pay differences exist and, therefore, would lack the evidence with which to challenge discriminatory pay practices, much less the enormous resources and courage needed to file a lawsuit against their employer.