

## Congress, local women confront the gender wage gap



Real estate broker Rebel Cook



Patricia Lebow, managing partner, with Broad and Cassel, Attorneys at Law

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When Patricia Lebow graduated from the University of Miami School of Law in 1973, there were 10 men for every woman in her class. Big firms didn't hire women. And when she found a lawyer willing to take a chance on her, she often landed in the halls of the Dade County Courthouse without another female lawyer in sight. "I was an oddity," she said.

Around the same time, Rebel Cook was trying to convince men in commercial real estate that she could hawk bare land to a developer as well as she could sell a historic home in Coral Gables. She was hired, but she had to sell houses for six months before she got a crack at commercial property.

Both women say they faced discrimination. Now, more than three decades later, they have carved a niche in once male-dominated professions the same way: by working harder and eventually making more money for their

companies than the men around them. When the federal government issued a report this month finding that women in management still earn less than men in similar jobs, the two women offered sharply different assessments.

"As a working woman, I did not buy into it," Lebow said. "I did not say, 'So unfair, again we're being discriminated against.' I do not believe in today's world that there is any general discriminatory pattern that major employers are following."

Cook, however, believes the report is evidence that the obvious discrimination women of her generation faced has been replaced by a more subtle form. "The discrimination that exists is very insidious. It's there, but you can't prove it in court," she said. Cook points to recent research showing that the numbers of women in her field are growing, but the proportion of women earning top salaries is still a fraction of the total number.

Government researchers offered no reasons for the pay gap, declining to confirm or rebut claims of discrimination. But they found a clear disparity: Women managers earned 81 cents to every \$1 a man made in 2007. And women with children earned just 79 cents to every man's dollar. The U.S. Government Accountability Office published the study as Congress is contemplating changing the laws governing fair pay. Next month, the Senate is slated to vote on a bill that would make it harder for employers who are paying women less than men to prove they are not discriminating.

Under current law, some courts have allowed businesses to invoke any reason at all other than gender to pay a woman less, even while writing opinions acknowledging the reason was not a good one. The House last year approved the Paycheck Fairness Act, which requires employers to cite a business-related reason to pay a man more - that he is better educated, for example. The GAO report also found that female managers were younger and slightly less educated, which might contribute to the pay gap. On average, 51 percent of female managers had a bachelor's degree, compared with 56 percent of male managers.

Regardless of the reasons for the pay disparity, loss of income for women has serious implications, particularly during a recession. In 2009, 1.9 million married couples with children (7.4 percent) relied exclusively on women's earnings. That represented an increase of nearly 37 percent from 2008, the U.S. Census Bureau reported. The previous year, the increase was only 5 percent. Nearly 59 percent of all married couples with children count on two parents' earnings. And in the 9.9 million families headed by single mothers, lower pay for the same position has more dire consequences.

"When discrimination enters the picture, you have a situation where the entire family's economic security hangs in the balance," said Lisa Maatz, director of public policy at the American Association of University Women, a proponent of the Paycheck Fairness Act. "These wages that women are losing, these are not for luxuries; these are literally the kind of money families need to eat."

In Florida, the average woman earns about \$8,000 less than a man, according to a 2008 Census Bureau report. Women may fall behind in pay starting with their first jobs, according to Linda Babcock, a Carnegie Mellon University economics professor who wrote *Women Don't Ask: Negotiation and the Gender Divide*. Babcock found that 93 percent of female Carnegie Mellon students graduating with a master's degree in 2002 accepted the first salary they were offered, while 57 percent of male students asked for more money.

Having more women in top jobs may be one way to ensure that gender plays no role in pay decisions. On that measure, the GAO found little change since 2000, the last time researchers compared managers' pay along gender lines. In 2007, women accounted for 40 percent of managers, up 1 percentage point since 2000.

"One of the reasons I started my own company was because the good ol' boys who were here at the time didn't want to hire me," Cook said. At her real estate office, paying commission removes the question of gender from the pay calculation. The person who does the most business makes the most money, Cook said.

Lebow is managing partner of the West Palm Beach office of Broad and Cassel, one of Florida's largest law firms. She is also in a position to know what employees at her firm earn and says "absolutely, without hesitation" that men and women who do equal work are paid equally.

While Lebow and Cook might debate the state of gender discrimination, neither would give preference to a woman who was not the most qualified candidate, they said.

"I have great empathy for women who are trying to climb a ladder that is nontraditional," Cook said. But she added: "I don't care what you are: You could be 2-foot-2 and round and green. As long as you're able to produce dollars, I want you in the company."

If Lebow is reaching her hand out, it's not to a woman; it's to someone "who had to fight harder to get wherever they got." "The person who is blessed to have strong fire in the belly and strong drive to succeed, that is the person I want working for me regardless of gender," Lebow said.

## Female pioneers

### PATRICIA Lebow

- First woman hired at Broad and Cassel.
- First female member, Dade County Bar Association Board of Directors.
- First female managing partner of a major South Florida law firm.
- Chairwoman, Economic Council of Palm Beach County.

### REBEL Cook

- Among the first female commercial real estate developers in Miami.
- Owner of Rebel Cook Real Estate, based in Palm Beach Gardens.
- President, Economic Forum of Palm Beach County