

[ON THE LEVEL]

DON'T BACK-BURNER FLEXTIME FOR EQUAL PAY

by KATHLEEN J. WU

When the Project for Attorney Retention published a report in July highlighting the pay disparity between male and female attorneys, some commentators said advocates for women in the legal profession should be working to close the pay gap, not promoting policies that would give women more time to meet their family obligations.

In fact, “Show Me the Money — Not Work/Life Balance” was the headline on The Careerist blog about the PAR report, a sentiment echoed by comments on the blog.

But women’s advocates really need to do both; without the latter, we may never accomplish the former.

I realize the disconnect: How will women ever close the pay gap if firms offer flextime policies, which allow women to downshift their careers temporarily and thereby get paid less but have more time off? The answer is simple: Because one of the main reasons the pay gap exists — lack of diversity on compensation committees — won’t ever get resolved if women keep leaving the profession before they’re senior enough to get on to those committees.



I realize many women leave their firms not because they want more flexibility but because they’re not getting paid as much as their male colleagues. But it is excruciatingly obvious to me that one of the — if not the — chief reasons women leave the legal profession is because they find it next to impossible to maintain the long hours required to do the job while also seeing their children before bedtime.

Mind the Gap

Let me back up a bit for readers not familiar with the PAR report, “New Millennium, Same Glass Ceiling? The Impact of Law Firm Compensation Systems on Women.” The report’s most shocking finding was

that women partners in firms earn dramatically less than their male counterparts, with equity partners averaging \$66,000 less and income partners averaging \$25,000 less.

The report is definitely a worthwhile read for anybody who wants to know the (sometimes ugly) nitty-gritty about firm compensation. The whole report is on www.pardc.org.

Shortly before this report came out, I was invited to participate in a panel discussion about how to

years — it's incredibly difficult for them to develop the career momentum they need to become a power broker at any firm.

But if firms allow women to downshift and work more manageable hours, those lawyers stay on track. They maintain their contacts, they stay on top of the law and they don't disappear into the void that so many women find themselves in when they step off the treadmill altogether.

Yes, lawyers need to address the pay gap. It's enrag-

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encourage flextime at firms. The consensus among the panelists was that, although there are economic and cultural impediments to increasing the availability and utilization of flextime among firms, the upside would be worth the effort.

By offering meaningful flextime policies, firms will be more likely to keep female and male lawyers who otherwise would be inclined to leave once their schedules become unbearable. That would mean decreased turnover of lawyers and increased continuity for clients, who get frustrated when the lawyer with whom they have developed rapport and trust leaves the firm.

Granted, in and of itself, offering flextime doesn't do anything to address the pay issue. But having more women in senior positions and on compensation committees will (more than half of the firms surveyed by PAR have one or no women on the compensation committee). The only way more women will reach senior positions in firms is if the legal profession finds a way to keep them in the game. When women quit the work force altogether — even if it's only for a few

ing and should be remedied. But the legal profession can't do that by putting work-life policies on the backburner. Only by keeping women in the work force — even if it's not at 100 percent — will there be enough of us in a position to make sure the rest of us are paid what we're worth. **INL**



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