

Civil Rights Groups Seek Action Against Corning Glass

By WILLIAM RINGLE -
Gannett News Service

WASHINGTON — Two civil rights organizations have asked the U.S. Supreme Court to find that Corning Glass Works' past pay practices violated women's rights — an issue the justices will hear argued March 23.

The American Civil Liberties Union and the National Organization for Women (NOW) have joined in filing a friend-of-the-court brief on behalf of U.S. Secretary of Labor Peter J. Brennan, Corning's nominal opponent in the case.

The high court is confronted with two conflicting U.S. Courts of Appeals decisions on the issue, both involving Corning.

Timing on the case could be back pay and

interest totaling more than \$800,000 for employees in the Corning and Wellsboro, plants.

The cases involve practices, now abandoned, when Corning inspectors were almost all women and worked only in the daytime.

When Corning inaugurated night shifts, state law prohibited employing women at night. Corning was forced to recruit men who demanded wages comparable to what they had been earning at more complex jobs at the plant.

The upshot was that male night inspectors were paid almost double the rate of the daytime female ones.

In 1968 the company opened the higher-paid night inspection jobs to women. Two years earlier the Federal Equal Pay Act had

abolished separate male and female pay schedules, and 13 years earlier New York had voted to allow women to work nights.

In a 1969 union contract, Corning abolished the separate day and night base rates. However, the contract provided that special higher rates would continue for night-shift workers employed before that time.

That, a court of appeals in New York ruled, perpetuated the discrimination. A court of appeals in Pennsylvania ruled the other way.

The brief from NOW and ACLU says that Corning's 1969 introduction of a base wage rate did not equalize wages because what they call the "male" premium was continued for persons then working as inspectors on the night shift.

"...All women continue performing equal work at a rate less than that paid all men until the first new man is hired," the two groups contend.

Even "the fact that some women are being paid at the 'male' rate does not alter the sex-based character of the rate," the ACLU-NOW brief says. "... The higher rate does not cease to be a 'male' rate until equalization is achieved, that is, until no woman inspector is paid the lower rate."

Nor were the two groups sympathetic to Corning's statement that equalizing up to the higher rate would entail a heavy cost: "When exploitation ceases and fair value is paid the cost is always greater"

Noting that this case has become very complex and that it dates back to an "archaic" New York State law prohibiting women from working certain hours, Corning Glass spokesman said the company still feels that what it did was legally correct.

"Corning Glass Works felt and still feels that it was doing the right thing," Robert L. Edwards, public information manager said Monday night.

NOTE: THE FOLLOWING COMMENT DID
NOT COME FROM PPG FILES

1 BB 0000632 1

01 3460