

Do community ethics matter against Wal-Mart's \$\$\$? I believe I know what Martin Luther King and Jesus would say!

By Jeffrey Starkweather

The other day I was having a friendly chit-chat with two female county government employees when the subject of Wal-Mart possibly coming to northern Chatham came up.

“Don’t get me started,” one of the ladies exclaimed. An hour later I knew why.

Before becoming a county employee she had been a distributor for L’eggs Hosier Company. She and 200 of her co-workers lost their jobs when Wal-Mart forced their company to eliminate their distribution operation. The same thing has happened to most of Wal-Mart’s suppliers. After reading considerable literature on the subject, I learned that thousands of manufacturing company employees across North Carolina and the United States have lost good “living wage” jobs, in large part, due to Wal-Mart’s predatory practice of forcing suppliers to cut labor costs to provide Wal-Mart with cheaper products. [See the Wal-Mart bibliography on CCEC’s website for research backing up my factual assertions, at www.chathamcitizens.org]

This county employee said that during the time she serviced local Wal-Marts as a distributor, female floor managers in the stores would ask her in confidence if her company had any openings. “I’m stuck,” she kept being told by Wal-Mart women, “there’s no place for me to go in this company.”

Now that struck a chord. I have been a plaintiffs’ employment attorney for the last decade representing employees on claims of gender, race and disability discrimination and retaliation, minimum wage violations, etc. I had just been asked to make a short factual statement about Wal-Mart’s employment practices at an upcoming community information meeting. My research indicated that Wal-Mart had a clear history of all the above forms of discrimination and employee mistreatment. I asked this county employee if she would be willing to speak about what she had just told me. It turned out she couldn’t because she had a Bible-study class that evening.

That got me thinking about this Wal-Mart issue in a whole different light. What would Jesus or Martin Luther King have said about Wal-Mart and its exploitation of its employees? I felt the need to pose this as an ethical/moral issue to our county commissioners and to my Chatham neighbors as follows:

First, let's assume the truth of the following highly questionable assumptions.

- Wal-Mart will bring in considerably more in government revenue than it will cost the county in required government services, lost revenues from its impact on existing local business, cost of cleaning up Jordan Lake, etc..
- Wal-Mart's location on 15/501 will not cause significant traffic congestion.
- Wal-Mart will provide a "net" significant increase in good-paying jobs.
- Wal-Mart will not degrade our environment and water supply.
- Wal-Mart will not significantly harm existing and approved 15/501 businesses.

Now, I ask you to weigh the above-assumptions against Wal-Mart's clear record of discrimination and mistreatment of its workers, as outlined below:

Sexual Discrimination – The courts have certified a class action lawsuit representing 1.6 million female workers in every state on the basis of unchallenged statistical evidence that Wal-Mart pays women less for comparable positions and provides women considerably fewer in-store promotions despite higher performance ratings and greater seniority. Women make up 65% of the sales staff, but only 33% of management, compared an industry average of over 50%. The National Organizations for Women (NOW) awarded Wal-Mart its "Merchant of Shame" 2005 designation.

Racial Discrimination - Wal-Mart has been sued in at least 20 states and Puerto Rico for racial discrimination. Wal-Mart stores have settled several cases where African Americans were fired for inter-racial dating. Fortune Magazine recently removed Wal-Mart from its list of best companies for African-American, Asian and Hispanic employees because it has been erroneously counting women as minorities. Also, Wal-Mart has been sued in several states for using racial profiling of African American and Hispanic customers to search and hold them for false accusations of shop-lifting.

Disability Discrimination – The federal Equal Employment Opportunity Commission [EEOC] has repeatedly sanctioned Wal-Mart for disability discrimination. Since 1994, the EEOC has filed 16 suits against Wal-Mart for disability discrimination, the most against any company. I know how difficult it is to get the EEOC to take an employee’s case. From my experience this only occurs with factually egregious, “slam-dunk” cases.

Immigrant Discrimination – Wal-Mart recently settled a case against it involving the intentional hiring, at below minimum wage [e.g. as little as \$2 a day], of undocumented workers in 21 states. This was the second such widespread violation in the last five years.

Cheating employees of over-time pay – Wal-Mart’s managers have systematically asked thousands of employees to work off-the-clock or simply deleted employees’ hours from time cards. There are currently nearly 40 separate such lawsuits seeking class-action status in nearly 30 states. This “theft” of employees' hours is directly related to manager’s pay, which is tied to their keeping store payroll to a certain percentage of store sales.

I think you get the ugly picture.

In weighing Wal-Mart’s systematic practice of discriminating against and mistreating employees against the highly questionable and speculative assumptions of possible gains from allowing in another Super Wal-Mart into the county, I am pretty sure where Jesus and MLK would come down. I know where I do.

We do not need to invite this type of unscrupulous employer into our county and tempt other employers to lower their standards to its unethical level.

But we do not have to guess what MLK would have done, because we can listen to the voice of his former civil rights associate and current Southern Christian Leadership Conference president, the Rev. James Lawson Jr.:
“Across the country, Wal-Mart is seen ...as the symbol of corporate disdain for the basic American values of dignity and fairness that King fought so hard to defend.”

Chatham’s hard-working, ‘play-by-the-rules’ employees deserve better than this, regardless of any “net” dollars Wal-Mart may bring our county’s coffers.

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www.chathamcitizens.org]