

Edith Arana
Employed by Wal-Mart, Inc.
Sept. 5, 1995 - October 19, 2001
Duarte, California

Edith Arana had more than 10 years' experience working in retail and grocery stores, including supervisory and management experience, before she joined Wal-Mart. During the six years that she worked at Wal-Mart, Arana never rose above a support manager position despite her consistent "above average" or "exceeds expectations" performance evaluations and constant requests for advancement opportunities. Arana became a plaintiff in the class action lawsuit against Wal-Mart because she said she was unfairly denied promotional opportunities, training, and equal pay throughout her time working for the company.

Arana was hired at the Duarte, Calif., location as a personnel manager, an hourly position that paid \$7 an hour. Since the Duarte store didn't officially open until January 1996, Arana was sent to a temporary location in Monrovia, Calif., where she was responsible for creating the personnel files for prospective employees for the new Duarte store. Although her scheduled shift was from 7 a.m. to 4 p.m., she was required to work 10- to 12-hour shifts to complete her work. In January 1996 she received an "above average" rating on her initial 90-day evaluation and a \$0.40 raise. Arana thought she should have received an "outstanding" evaluation and asked her co-manager why he had not given her the higher ranking. His response: "Payroll can't handle it."

As the Duarte store reached full employment, Arana's responsibilities increased. Overworked and underpaid, she asked the store manager if he could provide an assistant to help lighten the load. The manager didn't comply and apologized for not giving Arana additional help. Instead, he assigned her to train as a test scanner without any change in pay. In August 1996, Arana received her annual evaluation with a "standard" ranking and a \$0.30 raise.

In July 1997, Arana went to the store manager to tell him that she was interested in the support manager position that had recently opened. The manager told her that she had the job. As a support manager, Arana still had to work her regular test-scanning job. She would serve as support manager either on Friday evening and over the weekend or by returning several weekday evenings after she completed her regular shift. For her additional responsibilities and hours, she received a mere \$0.40 an hour raise. On her 1997 annual evaluations, she received an "above standard" ranking, and over the course of that year received additional raises bringing her hour pay rate to \$10.

Arana worked as a support manager for about a year before she voluntarily stepped down from the position because management repeatedly promised, but failed to provide, additional help when she worked on Friday nights and Sundays. She asked to be taken off either the Friday night or Sunday schedule, but neither male manager changed her schedule. In August 1998, she received another "above standard" evaluation and a \$0.54 raise. Arana decided to apply for another support manager position, but she wasn't

interviewed for the position and the job went to a male co-worker. She applied for another management position, but wasn't interviewed and again the job went to a male. Arana also was denied department management positions.

On January 22, 2000, a female co-manager gave Arana a merit raise and high marks on her commendation form. Despite this, she was denied yet another management position that ended up going to a male.

After the death of her husband, Arana was the sole support of her five children. She had been with Wal-Mart for five years and wanted to apply for the assistant management training program, but once again the male store manager didn't recommend her, even after he had promised to. Arana felt that she was being denied the opportunity to advance with the company because she was a woman. For another year, she continued to get excellent evaluations while being passed over for management positions that ultimately were filled by male co-workers with less experience. Fed up with this pattern, Arana wrote a letter to the district manager.

In December 2000, Arana's store manager gave her a \$0.65 an hour raise, which brought her hourly pay rate to \$13.50. While she could use the small amount of extra money to support her family, she was frustrated because her goal was a position in management. In January 2001, she called the 1-800 Wal-Mart number to complain about her store manager's unfair treatment of women, including his refusal to interview women candidates for department manager positions. Nothing was investigated.

The same manager that repeatedly ignored Arana's requests for advancement also verbally abused her by making comments like, "if the inventory goes badly, we're going to blame Edith."

"Although he tried to make his remarks sound comical, I very much felt he was threatening me. During this period, I am certain I worked my full shift, and many extra hours as well," said Arana.

The same year she complained to headquarters about her store manager's unfair treatment, her hours began to be reduced and she was wrongfully accused of violating store workplace attendance policies.

"At some point, I went to the unemployment office to file a claim because I was not making enough to support my family," she related.

After complaining to the manager that the posted schedule had her down for just one hour of work, the manager said he had more hours for her. When Arana arrived at the store, instead of being given more hours, she was fired.

In December, 2001, Arana filed a Charge of Discrimination against Wal-Mart, Inc. alleging that the Company had discriminated against her on the basis of her gender in promotion and training opportunities.

