

Women's Affinity Groups Beneficial Forums or Danger Zones?

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“At one level, everything has changed. And yet, so much more change is needed.”¹

Over 150 years ago, in July 1848, the First Women's Rights Convention was held in Seneca Falls, NY, and the women's movement in America was born. Hundreds of women gathered together for a meaningful discussion of the challenges facing them and to develop a way to approach solutions as a unified group. And, there is no dispute that over the course of the century and a half that followed, women have come a long way.

Women's progress is especially evident in their professional progress. Women now make up roughly 50% of the American workforce and have outpaced their male counterparts in college admission and graduation rates. More specifically, in the legal profession women now account for roughly 45% of law school graduates and new associate attorneys. As the quote from

the Shriver Report at the opening of this article states, “everything has changed.”

In light of women's collective progress in education and the working world, do we still need to rely on women's professional affinity groups for support, advice, and guidance on “making it” in a man's world? Is it still a man's world?

Generally, an affinity group is a group of people who share a common background or interests and who come together to share experiences and offer support to each other. Many law firms and businesses have formed such groups for women attorneys and employees to meet and discuss the issues and challenges that women face in the workplace and develop strategies to overcome those challenges.

For many women, the answer to the question of whether women's affinity groups are still necessary in light of the strides women have made in the workplace is a resounding “yes.” These women point to the statistics showing that, despite women comprising 45% of law school graduates and new associates, only 19.9% of partners in law firms are female, only 15% of equity partners are female, and only 4% of the managing partners in the 200 largest law firms are female. (See the below graph.) While these numbers show definite progress (in 1970, just 4.9% of all lawyers were women), the numbers still reflect a great disparity between male and female progress in the legal profession. It is still very much a man's world.²

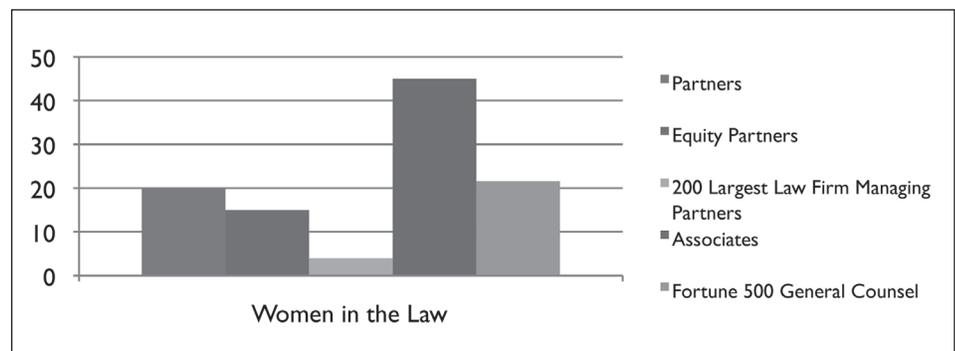
These statistics would suggest that “... so much more change is needed.” As women, we may be getting our collective foot in the door in greater numbers, but there are still serious, systemic problems that are blocking our progress up the ladder to firm leadership.

There are many possible reasons why this disparity persists. Deborah Epstein Henry, a former practicing lawyer and author of the book *Law & Reorder: Legal Industry Solutions for*

Restructure, Retention, Promotion & Work/Life Balance, explains that women face challenges operating in a legal profession geared towards males. “The legal environment in which women practice is one that has been designed in a male model. It's a model that works best when you have somebody at home taking care of all the details of your life.”³ Other researchers have pointed to an evolved form of discrimination in the workplace — the so-called “soft war” on women.⁴ In this “soft war,” instead of the outright discrimination, women face a far subtler form of discrimination in which their abilities, accomplishments, and potential are perceived and evaluated differently than those of their male colleagues, often unintentionally and unconsciously, by their mostly male superiors. For example, research showed that women tend to be judged based on their work while their male colleagues' “potential” is a greater factor, and women in male-dominated fields often suffer harsher penalties when they make mistakes than do their male counterparts.⁵

In light of these challenges, many women feel that women's affinity groups still play a critical role in the personal and professional lives of women by providing a positive sense of identity and the support afforded by gathering together, sharing experiences, and advising each other on how to overcome the challenges we face.

Other women, however, argue that women's affinity groups and initiatives no longer serve as an appropriate means to address the challenges facing women, and, in fact, may actually undermine the strides that women are attempting to make. If the goal is to be evaluated and perceived the same as our male counterparts, are we doing ourselves a disservice by emphasizing our differences? Women's groups and women's initiatives may only serve to send the message that women are different to our mostly male superiors, the same people we



	Male	Female
In general, gender fairness is less of an issue in society than it was 20 years ago.	79%	48%
If you are a competent lawyer, gender differences are less of an issue.	73%	44%
I have observed gender bias in the workplace.	16%	56%
It is easier for men to practice law.	24%	63%
At firms, women can expect to be treated the same on pay and compensation as men.	50%	14%

want to view us simply as attorneys, instead of “women attorneys.” These women argue that by self-segregating ourselves, we are perpetuating the very problem we are trying to correct.

In at least one stark example, there is evidence that men may perceive women who participate in women’s affinity groups differently than they view women who do not. In 2012, the CEO of General Electric, Co., Jack Welch, was invited to speak to a room full of female executives at a conference hosted by the Wall Street Journal. His comments that day caused several of the female executives to walk out. He referred to women’s groups as “victims units” and stated that the “best of women” do not want to be associated with “special” groups and do not want to be in the “victims unit.”⁶ While it is certainly the case that Welch was not speaking for all men in leadership positions in corporate America or in the legal profession, his statements do reflect that perception is everything, and if men perceive women differently, or women participating in affinity groups differently, it could hinder women’s progress in their professions.

So how different are male and female perceptions on gender equality? A survey conducted by The Ohio State Bar Association in 2012 shows the apparent differences between males and females on this issue.⁷ The respondents were asked to agree or disagree with the statements in the above chart.

These results show the substantial disparities between the perceptions of men and women in the legal profession and serve as support for some women’s argument that women’s affinity groups could be more harmful than beneficial.

If you were looking for an answer to the question of whether affinity groups are helpful or harmful, you have come to the wrong place. There is evidence to support both viewpoints. But, whether helpful or harmful, women’s affinity groups are stronger than ever. Roughly 90% of Fortune 500 Companies have organized affinity groups and in a recent survey of the nation’s largest 200 law firms, 97% reported that they sponsored such groups. So, while we will continue to debate the benefits and drawbacks of such groups, women’s affinity groups are likely here to stay, at least for the foreseeable future.

¹ Heather Boushey and Ann O’Leary, eds., *The Shriver Report: A Woman’s Nation Changes Everything*. Maria Shriver and the Center for American Progress (2009), Preface, at iv.

² National Survey of Women’s Initiatives: The Strategy, Structure, and Scope of Women’s Initiatives in Law Firms. National Association of Women Lawyers Foundation. November, 2012; A Current Glance at Women in the Law, American Bar Association Commission on Women in the Profession. January 2011.

³ Marlis Silver Sweeney, *The Female Lawyer Exodus*, <http://www.thedailybeast.com/witw/articles/2013/07/31/the-exodus-of-female-lawyers.html>, July 2013.

⁴ Dana Wilkie, *Stubborn Cultural, Societal Views Still Hinder Women at Work*, Society for Human Resource Management (12-19-2013), available at: <http://www.shrm.org/hrdisciplines/Diversity/Articles/Pages/Soft-War-Women.aspx> (Citing Caryl Rivers and Rosalind C. Barnett, *The New Soft War on Women*, Penguin, October, 2013).

⁵ Id.

⁶ Vivia Chen, *Jack Welch Gives Women Advice—And They Don’t Like It*, *The Careerist*, May 8, 2012, available at: <http://thecareerist.typepad.com/thecareerist/2012/05/jack-welch-gives-women-advice.html>.

⁷ Kalpana Yalamanchili, *Gender Fairness: Facts, Attitude and the Future*, *Ohio Lawyer*, November/December 2012.



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