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### Bucking the System

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# LIVING

The Miami Herald



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**SHOULD IT MATTER?** There were complaints that Ann Hopkins behaved too much like a man — cursing, smoking, drinking

beer, wearing no makeup and carrying a briefcase, not a purse. The court said that was no excuse to deny her a partnership.

WASHINGTON — Ann B. Hopkins, a reluctant role model for women, strode into a restaurant for lunch Tuesday, plunked down a worn leather briefcase, dropped into a chair and ordered a Beck's beer.

She wore horn-rim glasses and no lipstick — in fact, no cosmetics of any kind — and by the time her second Beck's arrived, she demonstrated an acquaintance with many of the words that family newspapers decline to print.

It has been seven years since she was on the verge of reaching her career goal — a lucrative partnership in the giant accounting firm of Price Waterhouse — only to have some of her male bosses derail her ambition for behaving too much like a man.

Now, in a precedent-setting case that went all the way to the Supreme Court, U.S. District Judge Gerhard Gesell on Monday awarded her the partnership that she covets and that Price Waterhouse still does not want her to have. That had never happened before in a sex discrimination suit.

"Partnership . . . is the logical remedy," Gesell wrote, because Hopkins "was likely to have been made a partner if not for unlawful discrimination."

Ann Paterra, a spokeswoman for Price Waterhouse, said: "We are in the process of studying the court's decision in order to determine an appropriate response."

While at Price Waterhouse's Washington office as a management consultant, Hopkins brought in more business than any of the other 87 candidates for partnership in 1983, all of whom were men. But she irritated staff members, including some women. They regarded her as harsh, impatient, excessively demanding.

There were complaints that she behaved too much like a

man — cursing, smoking, drinking beer at lunch, wearing no makeup and carrying a briefcase instead of a purse.

One Price Waterhouse partner said she needed a "course at charm school." Another described her as "either bitchy or a bitch."

A partner who supported her candidacy advised her to "walk more femininely, talk more femininely, dress more femininely." He suggested that she wear makeup and jewelry and get her wavy brown hair styled.

That advice, she recalled at lunch Tuesday, was "so patently absurd that I didn't remember it. It was a message that didn't register.

"I've got no problems with the way I walk, no problems with the way I talk. I don't wear makeup because one, I'm allergic to it, and two, I wear trifocals and I can't see to put it on with my glasses and I can't see to put it on without my glasses."

She said she hasn't used a handbag for 20 years and learned to curse from her years as an Army brat. Instead of charm school, she took a course in karate.

As for her taste for beer, "I tried Campari and soda once. I didn't like it."

In short, with a pair of small exceptions, Hopkins has refused to compromise with the attitudes of sex stereotyping at Price Waterhouse that were found to have contributed to its refusal to elevate her to a partnership in the spring of 1983.

"I did have my ears pierced. That was because my daughter turned 12 and said she wanted to have her

ears pierced. I said it was in bad taste. . . . I remember growing up and the impression I had was that having your ears pierced was one step ahead of prostitution," she said.

Later, after consultation with a female friend, they decided "our upbringing was out of touch with the times and it

# Bucking THE System

Ann Hopkins lost a promotion because, she says, she wasn't feminine enough for her bosses. So she went to court and won — and then won again. But it might not be over yet.

# No accounting for stereotypes at work, court tells partner-to-be and her bosses

BIAS, FROM 1E

was irrational to be bound by these historical biases." So she, her daughter and her friend had their ears pierced.

Feminists seized upon the case of Hopkins vs. Price Waterhouse as it headed to the Supreme Court two years ago, saying that Ann Hopkins was just one example of women subjected to a double standard in the workplace.

Lynn Hecht Schafran, a lawyer for the National Organization for Women's Legal Defense Fund, said when told of Gesell's ruling: "It's fabulous. It means women will have to be evaluated and valued by employers on the basis of their work product, not in terms of sex stereotypes."

"I've been cast as a role model, but I've never particularly thought of myself as one," said Hopkins, who at 45 is divorced, lives with her three children and is paid \$92,500 a year as a senior budget and policy review officer at the World Bank.

At Price Waterhouse, the average partner makes \$173,000 a year and gets memberships in lunch and country clubs and a reserved parking space. Of the 900 partners in 90 Price Waterhouse offices in the United States, only 27 are women.

A year ago, a fragmented Supreme Court ruled in the Hopkins case that where an employer takes action against a woman for both legitimate and discriminatory

reasons, the employer has the burden of justifying the decision. At the same time, the justices reduced the level of proof required to refute claims of sex bias.

The high court returned the case to Gesell, who awarded Hopkins a partnership even though "Price Waterhouse plainly doesn't want her."

He ordered the firm not to retaliate against her, noting it is so large that "extreme workplace hostility and disruption" is unlikely and "concerns about freedom of association have little force."

However, he chided Hopkins for failing to do everything she could to obtain a high-paying management consulting job after quitting Price Waterhouse in 1984, and reduced her request for back pay from \$478,000 to about \$350,000.

Although there "still are some [expletives] at Price Waterhouse" who would not welcome her back, Hopkins said, she wants the partnership because "I've spent nearly seven years in litigation to get this opportunity."

But the case may not be over. Price Waterhouse lawyers are studying Gesell's decision to determine whether to appeal.

"Well," Hopkins remarked, "as my son [Gilbert, 12] said to me, 'Mom, how many more times do we have to win this case?'"

She looked at her watch, rose, said she had an appointment and tossed a \$20 bill onto the table. Informed that she was being treated to lunch, Hopkins said, "It's a matter of principle," and hurried out.