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**SEX AND LAW COMMITTEE**

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February 18, 2005

Kathleen P. Utgoff, Commissioner  
United States Bureau of Labor Statistics  
Postal Square Building  
2 Massachusetts Ave., NE  
Washington, DC 20212-0001

Dear Ms. Utgoff:

We are writing to express our concern about the Bureau of Labor Statistics' recently announced decision to discontinue collecting data on women workers in the Current Employment Statistics (CES) survey after July 2005.

As you know, the CES survey of payroll records covers over 300,000 businesses and provides detailed industry data on employment, hours and earnings of non-farm workers on a monthly basis. As such, it represents a critical, ongoing source of employment information for policymakers and researchers. With a gender breakdown, the payroll survey is capable of painting a reliable picture of where women are working across industries and business cycles. This information is essential in continuing to combat the on-going workforce inequities facing women – e.g., the fact that according to 2003 Census Bureau women still make only \$0.76 for every dollar earned by men; the fact that according to an October 2003 report by the General Accounting Office titled “Women’s Earnings” women continue to be penalized in their earnings for their dual role as wage earners and primary caretakers. Without a gender breakdown provided by the CES survey, the picture of women’s status in the workforce becomes far more difficult to obtain.

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In that regard, we do not believe the Current Population Survey (CPS) is an adequate substitute for the CES in this area. While the CPS is valuable for other types of information, its smaller sampling size produces a greater margin for error than the CES survey, as the Bureau itself has noted. Moreover, the CPS' reliance on household interviews introduces the possibility of subjective reporting bias that does not exist with the payroll survey.

While we appreciate the Bureau's interest in continuously evaluating and improving the data it collects, as well as reducing respondent burden, we believe the compilation of women worker data in the CES survey represents a critical component of the Bureau's work. The CES survey's importance is heightened by the diminishing amount of information currently available through the Women's Bureau of the Department of Labor. Specifically, out of 29 publications and fact sheets that were available through the Women's Bureau's website in 1999, only four of them were still available in 2004, and only three new publications had been issued to fill the gap.<sup>1</sup>

Policymakers need accurate, timely data in order to develop and implement effective policies. Without such data, the likelihood of developing a misleading picture of employment changes for both men and women and instituting ineffective or inappropriate policy solutions substantially increases. We therefore respectfully request that you reconsider the decision to cease collecting data on women and continue publishing women worker information in the CES after July 2005.

Sincerely,

Sex and Law Committee  
The Association of the Bar of the City of New York

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<sup>1</sup> See *Missing: Information about Women's Lives*, a report from the National Council for Research on Women, (March 2004) at p. 16. Available online at: <http://www.ncrw.org/misinfo/report.pdf>.