

Adding Insult to Injury: Broadcast Media Coverage of *Wal-Mart Stores, Inc. v. Dukes*

Shea Smock & Jennifer M. Proffitt, *Florida State University*

Keywords: media concentration; conglomeration; labor frames; gender discrimination; class action suit

Abstract

In 2000, Betty Dukes of California filed a sex discrimination case that would later become the largest class action suit in US history. Rather than denying systemic sex discrimination, Wal-Mart successfully argued that the class action suit was too broad. The U.S. District Court in California and the Court of Appeals sided with the women, but the Supreme Court did not. Our analysis focuses on how the US broadcast news media covered the cases. Using a political–economic interpretive lens, we analyze ABC, CBS, NBC, and PBS news transcripts and find that the coverage and context differed greatly depending on the gender of the reporter and sources. Mainstream media stories tended to focus on the emotionalism of the plaintiffs, the amount of money at stake, the effects on business and consumers, and the women who continued to work for Wal-Mart after experiencing discrimination. PBS coverage was sparse, but what was presented was more in-depth and provided the context that the commercial media ignored.

On June 20, 2011, in the case of *Wal-Mart Stores Inc. v. Dukes*, the US Supreme Court ruled that an ongoing sex discrimination case against retail giant Wal-Mart could not be tried as a class action suit. In 2000, six female Wal-Mart¹ employees filed a discrimination suit against Wal-Mart regarding gendered pay and promotion inequality. It grew into a class action suit after evidence of systematic discrimination was found throughout the company. While the final decision was certainly a blow to the female workers involved, the Court's decision was also a big win for big business with serious consequences for future class action labor suits and labor rights in the United States.

The broadcast media's coverage of this case is important for citizens in a democracy who rely upon the media for purposes of self-government. Indeed, a majority of Americans still rely on television as a primary source of information about national and international news (Pew Research Center, 2011). In normative terms, informing the citizenry fairly, accurately, and comprehensively should be the news media's main goal. However, as Bagdikian (2004) writes:

Almost all news media have friends who are given preferential treatment in the news, who are immune to criticism, who can keep out embarrassing information, or who are guaranteed a positive image. In the newsrooms of America, these friends are called 'sacred cows.' They frequently include the owner, the owner's family, major advertisers, and the owner's political causes. (p. 154)

As Bagdikian explains, there is evidence that the media have purposely or largely failed to cover certain issues that affect their bottom line. With \$2.1 billion spent on advertising, Wal-Mart is certainly a sacred cow, and as such, it is important to explicate how the world's largest retailer and private employer is covered in mainstream news media (Ries, 2011).

This article first considers the political economy of communication as a theoretical and interpretive framework and then explores how labor has traditionally been covered in mainstream media. Next, it examines women and labor in general as well as the details of the Dukes cases and lastly, it analyzes the coverage of the case by US broadcast media.

Theoretical Framework – Political Economy of Communication

Vincent Mosco (2009) defines political economy as: “The study of the social relations, particularly the power relations, that mutually constitute the production, distribution, and consumption of resources” (p. 24). These “resources” are the “newspapers, books, videos, films, and audiences” produced by media outlets. Political economy of communication research is concerned with the layers of production, distribution and consumption that are shaped by corporate media ownership (Mosco, 2009). As Wasko (2005) notes “A good deal of [political economy of communication] research has focused on the evolution of mass communications as commodities that are produced and distributed by profit-seeking organizations in capitalist industries” (p. 32). Our work fits more specifically within the “general media analysis” tradition (Wasko, 2005) that focuses on how concentration of ownership affects media content (e.g., Bettig & Hall, 2012; Herman & Chomsky, 1988; McChesney, 2004; Schiller, 1991). Critical investigations into the role of media in capitalist economies is a prerequisite for understanding the reproduction of neo-liberalism as a dominant ideology. Further, political economy as a critical approach considers how “the dynamics of capital accumulation and class power manifest themselves in the capitalist mode of production, particularly the institutional structure, organization, and production processes of the media industries” (Calabrese & Sparks, 2004, p. 2).

Unbridled capitalism leads to media concentration and conglomeration, which benefit investors and shareholders but not society at large. The primary objectives of media corporations are to maximize profits, minimize risk, and avoid competition (Bettig & Hall, 2012). Further, with only five or six dominant US media companies controlling the majority of media outlets (Bagdikian, 2004; Bettig & Hall, 2012), the diversity of viewpoints necessary to canvas political and economic issues suffers. Corporately controlled, commercially driven media tend to highlight the myth of the American Dream, perpetuating success stories such as that of Bill Gates, despite the fact that “Much of Gates’s \$54 billion fortune is based on questionable business practices rather than ‘smarts.’” (Bettig & Hall, 2012, p. 190). These success stories imply that real competition exists in the marketplace and that competition fosters creativity without the need for regulation (Bagdikian, 2004). Further, with advertising as the primary source of revenue for broadcast news media, coverage tends to focus not only on pro-corporate messages but also on the “right” demographics. As ABC titled one section of an advertiser booklet, “Some people are more valuable than others” (Bagdikian, 2004, p. 229).

At the same time, there are many examples of stories that never go to air due to a fear of advertiser fallout or a refusal to report negatively on one’s parent company. For example, in 2010, despite billions in profits, General Electric reportedly paid no taxes. NBC, partially owned by General Electric at the time, was one of the only mainstream news organizations that chose not to

report on the story even though in previous years NBC had reported on tax issues (Farhi, 2011). The issue was mentioned a handful of times on the cable channel MSNBC. However, as “those programs have a fraction of the audience of NBC’s top-rated nightly newscast or its leading Sunday public-affairs program, ‘Meet the Press,’ which also didn’t delve into the subject. The MSNBC and CNBC shows are also likely have less credibility than NBC’s venerable newscast and public-affairs program” (Farhi, 2011, para. 12). NBC also reportedly avoided stories about General Electric’s environmental and legal record (Farhi, 2011). In 2011, a study by China’s Institute of Public and Environmental Affairs alleged that Apple had replaced the alcohol it used for cleaning purposes with a chemical that poisoned workers such that they required medical care (Margolis, 2011). A dozen people who worked for Apple’s largest supplier in China had committed or had attempted to commit suicide. Workers of all ages and genders were also often stripped naked in front of their coworkers to check for stolen items before they were allowed to leave work. According to Margolis (2011), working conditions at Apple have since improved due to new labor regulations imposed by China. However, Apple has not been forced to take any responsibility for its suppliers, and the story has not been reported in the United States (Huff & Project Censored, 2011). Other issues ignored by the news media include private prison companies funding legislation that helps to incarcerate immigrants at taxpayer expense, the US government attempting to outlaw the labeling of genetically modified foods for consumers, and Monsanto giving a gift of seed to Haiti. This lost Haitian seed sellers their jobs and created a desire for the productive, but more expensive genetically modified seed (Huff & Project Censored, 2011).

Corporate ownership of a broadcast news media system reliant upon advertising is especially problematic for journalism. In a democracy: “journalists are supposed to act as a rigorous watchdog of the powerful and those who wish to be powerful; to ferret out truth from lies; and to present a wide range of informed positions on key issues” (McChesney, 2004, p. 57). Though US citizens are increasingly using the Internet to stay informed, according to a 2012 Pew study, most people still get their news from television (Beaujon, 2012). When given the choice between television, radio, and Internet, all age groups between 18–75 selected television as the medium they relied upon most heavily for news information (Beaujon, 2012). Within television news, there are differences between cable and broadcast. Cable requires a paid subscription, but broadcast television is available to anyone with a television and a receiver. In 2006, the Pew Research Center polled citizens regarding which television news they watched on a typical day. Their findings were 54% for local news (broadcast), 34% cable news, 28% the nightly news (broadcast), and 23% morning news (broadcast) (Pew Research Center, 2006). Clearly, broadcast news reaches more citizens than does cable news, and unlike cable networks, broadcasters are expected by the Federal Communications Commission to serve the public interest. Across the four broadcast news channels, ABC, CBS, NBC, and PBS, anywhere between 5 million and 9 million citizens are watching on any given evening (Guskin & Rosenstiel, 2012). It is thus important to examine how the broadcast news media cover the vital stories of the day.

Media Coverage of Past Labor Issues

The US media have a history of framing labor issues in a pro-business way. Park and Wright (2007) observe that it is in the best interests of media organizations to focus upon privatization and lowering taxes rather than corporate accountability, labor issues, or related questions of the public interest because these priorities favor corporate media interests. Also, mainstream news

organizations rely upon advertisers to generate profits, and advertisers promote their products to consumers without addressing the actual production of those products (Martin, 2003).

Martin (2003) analyzed the news coverage of the 1997 United Parcel Service (UPS) strike, which was one of the few times that the news media supported striking workers. Martin refers to the coverage as “unusual” and explains that it was likely covered differently because the UPS workers were able to create a message that meshed with the organizational routines of news gathering. Martin (2003) found that the UPS workers garnered public support, even though the strike inconvenienced many, by emphasizing in accessible language that UPS denied part-time employees a living wage.

Specifically, Martin suggests that the UPS strikers had four unique factors that advanced public support in their favor. First, the UPS Teamsters union had strong democratic leadership and members’ support for one another was apparent when drivers who made \$20 per hour were willing to risk their jobs and benefits to support part-time colleagues earning only \$8 per hour. Thus, solidarity made it easier for the public to support the union. Second, the Teamsters gained public sympathy by focusing on fairness and the need to make a living wage such that employees could support their families. Third, people had personal relationships with their UPS drivers and trusted them, which made those who used UPS much more likely to support the Teamsters rather than the UPS corporate entity. Fourth, the economy was booming, so it was impossible for UPS to argue that it could not afford to allow its workers to share in their profits. From 1990 to the present, the UPS strike has been the most successful and supported strike in the United States. The general pattern of coverage bears this out.

A quantitative study of *Chicago Tribune* labor coverage from 1991–2001 stated that “the *Tribune* has largely ignored organized labor” (Bruno, 2009, p. 391). Consequently, those stories that *were* written were especially significant. The study found evidence of both positive and negative stories about organized labor, but the average negative story was recorded as 1.5 times longer than the average positive story (Bruno, 2009). While 50.4% of the story leads were negative, suggesting a more balanced treatment, the framing of stories after the lead paragraph was largely negative. Coverage focused on conflict rather than the positive outcomes of negotiations. Further, the tone of labor reporting was generally opposed to the outlook of labor leaders and ordinary workers. Overall, out of the stories sampled, the use of labor and non-labor sources was numerically equal. However, of stories with union and non-union sources, only 35.6% revealed an even balance between them. Fifty-two percent of the stories sampled had no union sources at all.

In a study concerning General Motors’ plans to shut down either a plant in Willow Run, Michigan, or in Arlington, Texas, researchers found that newspaper coverage in two local and two national papers framed unions as “greedy, corrupt, and power-hungry”. Corporations were portrayed as more progressive and trustworthy (Oshagan & Martin, 1999, p. 24). Oshagan and Martin (1999) also found that management was the most often quoted source, and that their quotes were prominently placed within the articles. Workers and their representatives were much less likely to be quoted in articles. Experts were usually used in the coverage and were more often supportive of General Motors. Also, stories were usually written by business writers (as opposed to labor writers) and printed in the business section surrounded by pro-business advertisements. In general, there was little difference between local and national coverage of the dispute. Even though this case was about a plant shutting down rather than a strike, the union was still framed as “disruptive, battling, and inflexible” (p. 28). One reason newspapers cover labor less favorably is because newspapers also “have labor-management concerns” and “simply help themselves” by

“undermin[ing] organized labor for other businesses” (p. 29). Another problem is that in practice the notion of journalistic objectivity, which focuses on “both” sides, is largely devoid of context, history, and interpretation.

Further, Park and Wright (2007) have found that over time there has been a “dramatic increase” in business journalism coinciding with a “subtle decrease” in labor coverage (p. 60). For example, in *The New York Times*, stories with business-related headlines increased from less than 800 articles during 1980 to more than 5000 in 2000. The authors suggest that this may be due to the symbiotic relationship between commercial media and the business community. Journalism textbooks rarely mention searching for information from labor leaders or workers in general and instead focus on business reporting (p. 68). Park and Wright (2007) provide an example: “Media consumers would certainly be surprised to see a story titled ‘How to Escape Poverty’ in the business section” (p. 75). As the business section is often aimed toward issues that interest the business elite, Park and Wright argue that “Journalism...continues to aid a redistribution of wealth toward the wealthy in the United States” (2007, p. 77). The interests of most workers are largely ignored because discussing the woes of those who produce the items corporations wish to sell may not engender the buying mode that advertisers expect the media to provide (Bettig & Hall, 2012; Jhally, 1989).

Martin explains that there are five central labor frames that the media tend to promote (Martin 2003, pp. 190–210). The first of these is that “The consumer is King.” Consumers are highly valued by the media when acting individually but are viewed as a “menace” when acting as a collective. Second, Martin argues that the production of goods is often viewed by the media as none of the public’s business. Consumers are expected to choose whether to buy a product without taking its production into consideration. It is standard media practice to ignore or marginalize information that advertisers would not like to become consumer knowledge. Third, the economy is represented as being driven by great business leaders and entrepreneurs rather than workers. The role of workers is obscured by the depiction of CEOs as the face of companies. Fourth, the workplace is represented as a meritocracy. Media coverage suggests that people are promoted entirely on the basis of merit, not their age, gender, race, or privileged networks. This implies that if workers are not moving up the corporate ladder as they believe they should, then they should quit and find another job. Lastly, collective action is viewed as dangerous and un-American as it disrupts consumerism. Individuals standing up to a corporation are sometimes applauded, but groups are often presented as troublesome or violent even if they are not. In this context, Martin’s study focused on workers who were on a collective strike rather than engaged in a class action suit against a major company. Nevertheless, it is likely that some of the same frames will be evident in coverage of *Dukes v. Wal-Mart Stores, Inc.*

Women and Labor

Women in the United States initially fought for the right to work outside the home and are now fighting for the right to be treated equally within the workforce. It is important to note, however, that in the United States, women still perform the majority of unpaid labor and childcare in addition to their paid labor. On a typical day, 48% of women complete house work compared to only 19% of men (Bureau of Labor Statistics, 2012). On average, women of all ages spend between 15–35 hours a week in unpaid labor while men spend between 10–20 hours (Bureau of Labor Statistics, 2009). Using census data from the state of New York, Gittell found that there was still a notable pay disparity favoring white men over minority men and all women in the state’s workplace (Gittell,

2009, pp. 193–222). Local governments were found to have some of the largest pay gaps, even when qualifications were taken into consideration. Federal government workers were among some of the most equally paid workers. For Gittell, this suggests that equal pay requirements reduce the gender gap. In general, pay disparities decreased in metropolitan areas and increased in less metropolitan areas (Gittell, 2009). Within groups of women, age, class, and ethnicity further impact upon pay disparities and treatment within the workplace (Durr & Wingfield, 2011; Moore, 2009).

With regard to US women working outside of the home, two court rulings resulted in policy changes that confirmed and reinforced the legitimacy of the Equal Pay Act (1963). In *Schultz v. Wheaton Glass Co.* (1970), it was ruled that men's and women's jobs must be equal, but not identical, and in *Corning Glass Works v. Brennan* (1974), the Court decided that employers cannot pay women less simply because it is the going market rate for female labor (Imbornoni, 2009). Individual female workers were not involved in these legal cases. Rather, the glass factories challenged the Secretary of Labor, who, in both cases, was a man. All important legislation regarding discrimination has been the result of Congressional leadership. For women, the road traveled has not been easy. Prior to the Equal Pay Act, women who worked for equality such as Fannie Sellins (1919) and Clara Holden (1931) were abducted, beaten, or shot to death. The first strike by women workers dates back to 1824 in Rhode Island, and the first women's union was created one year later (see "Women's Labor History Timeline", 2009). Nearly two centuries later, women are still fighting for equal pay and against discrimination.

The Wal-Mart case was not the only one of its kind. Wachovia-Wells Fargo, Greenberg Traurig, Goldman Sachs, and Costco have had similar suits filed against them, as well as testimonies that sound much like Betty Dukes. However, none were as large as the Wal-Mart case and none reached the Supreme Court level. As such, the other cases have not received the same media attention that the Wal-Mart case has received. Even though the 1200 women involved in the Wachovia-Wells Fargo case received a settlement in June 2011 for \$32 million, the story was largely ignored by the mainstream media, including Internet news. Wells Fargo continued to deny the allegations of gender discrimination after paying the full settlement (Reuters, 2011).

Class Action Suit *Dukes v. Wal-Mart Stores, Inc.*

In 2001, six women filed a suit against Wal-Mart on the grounds of sex discrimination in pay, promotions, and management (Seligman, 2006). In 2004, the California state court ruled that the lawsuit met the requirements of being classified as a class action. Thus, all 1.6 million women employed at Wal-Mart Stores, Inc. since December 26, 1998, were to be considered plaintiffs in the case (Seligman, 2006).

Betty Dukes was the named lead plaintiff in the case. She worked at Wal-Mart for nearly nine years and made less than \$8.50 an hour. It was proven a year after the suit that men hired into the same job with less experience were making more money than she was making (Seligman, 2006). Kim McLamb, also a plaintiff in the case, was consistently given the highest evaluations possible by her superiors at a Wal-Mart in Virginia. She made it well-known that she hoped to be promoted and even agreed to work the night shift for a full two years. According to Seligman's interviews, "When she discovered that male employees made more than female employees working the same jobs, she complained to three different assistant managers. Each told her it was because the men 'had families to support'" (Seligman, 2006, p. 234). The pay disparities found by lawyers after the

case was filed ranged from \$694 a year at the lowest level (cashier) to \$139,663 at the highest (regional Vice President) (Seligman, 2006).

Wal-Mart's argument was not concerned with whether sex discrimination was systematic but rather whether a class action would be too broad to cover every woman who had worked for the company. Wal-Mart's attorneys argued that the women's experiences were too different to be collected in a class action suit. However, Seligman found that women were discriminated against in pay and positions, "even when objective factors such as seniority or performance are taken into account. Indeed, with greater average seniority and performance scores, one would expect that women, not men, would have higher average pay. Not in Wal-Mart's world" (Seligman, 2006, p. 237).

There was also substantial anecdotal evidence of inappropriate behavior and comments by male superiors. Women recall being referred to by managers as "Little Janie Qs" and "girls." Other women, as reported in Court documents and in the media, recalled being treated like wives and being asked to get coffee for their male counterparts. Those few women who did make it to the ranks of management reported being required to attend business events at Hooters and strip clubs with their male bosses (Seligman, 2006). One Wisconsin store manager brought in a stripper for another manager's birthday (Bianco, 2006). These events considered, Judge Jenkins ruled in the United States District Court of Northern California in 2004 that there was "(1) Significant evidence of companywide corporate practices and policies, which include (a) excessive subjectivity in personnel decisions, (b) gender stereotyping, and (c) maintenance of a strong corporate culture; (2) statistical evidence of gender disparities caused by discrimination; and (3) anecdotal evidence of gender bias" (Dukes v. Wal-Mart Stores, Inc. 2010, p. 6186).

After the 2004 ruling, Wal-Mart successfully stalled the continuation of the class action suit for years, claiming that the women should be tried separately. Based on the cost of lawsuits, it is likely most of them could not have afforded this unless the lawyer's fees were attached to potential monetary awards. If Wal-Mart had been found guilty in a class action suit, it was estimated that the corporation would have been liable to pay between \$500 million and \$1 billion in damages to the 1.6 million women involved.

After Wal-Mart appealed the 2004 U.S. District Court decision, the U.S. Court of Appeals ruled that there was evidence of systematic sex discrimination in Wal-Mart's pay and promotions. Wal-Mart then appealed to the Supreme Court in *Wal-Mart Stores, Inc. v. Dukes*. After three consecutive court wins, spanning nearly a decade, in favor of the women of Wal-Mart, the Supreme Court overruled the previous rulings, stating:

The only corporate policy that the plaintiffs' evidence convincingly establishes is Wal-Mart's "policy" of giving local supervisors discretion over employment matters. While such a policy could be the basis of a Title VII disparate-impact claim, recognizing that a claim "can" exist does not mean that every employee in a company with that policy has a common claim. In a company of Wal-Mart's size and geographical scope, it is unlikely that all managers would exercise their discretion in a common way without some common direction. Respondents' attempt to show such direction by means of statistical and anecdotal evidence falls well short. (Wal-Mart v. Dukes, 2011, p. 2)²

However, it is difficult to believe that, while Wal-Mart headquarters controls everything about each of its stores, from its temperature and lighting to its music, it should not be expected to be responsible for its local supervisors (Seligman, 2006).

Importantly, the Court's decision made it clear that groups of disenfranchised workers, in this case, women, had little redress for discrimination by large corporations. Each worker may independently have her case heard, but she must find a way to pay for her own legal counsel and find time to negotiate the legal system. In microcosm, this is a gender issue; at a macro level this is a labor issue that could affect the way all future class action cases are ruled upon. As such, an analysis of how broadcast media explained this case to the public is necessary.

According to Bettig and Hall (2012), interpretive textual analyses are useful for examining "how various levels of meaning are expressed – intentional meanings, but, more importantly, the hidden and often unintended meanings found in media content" (p. 11). Using the critical lens of political economy combined with close textual analysis, this study explores how the case was framed in the coverage of *Dukes v. Wal-Mart Stores, Inc.* by the three major broadcast news networks—NBC (Comcast/General Electric), CBS (CBS Corporation), ABC (Disney) and the public broadcast network, PBS. Transcripts were found using the Lexis-Nexis news transcript search engine with the search terms "wal-mart" or "walmart" and "class action" with no specific dates selected. Only full stories (more than a few sentences) were analyzed. Stories about other class action suits were excluded from the analysis. After omitting the stories that were not associated with the study, it was found that NBC produced 13 stories, CBS 10 stories, ABC nine stories, and PBS two stories about the class action suit. Most of the coverage centered around the Supreme Court hearings, and most of the networks did not cover the case prior to Wal-Mart's appeal to the Supreme Court. In the analysis, several main themes emerged and are examined next.

So Why Didn't You Just Quit?

Across the three commercial networks, excluding PBS, one noticeable question emerged. Why did the women not leave Wal-Mart or Sam's Club if sex discrimination made the work environment so difficult? The reporters and anchors tended to reference the women who were still working at the company or who had been promoted, often at the end of the story. The gender pay gap was mentioned, but it was suggested that Wal-Mart was not solely to blame, it was part of a larger corporate culture that discriminates against women. On ABC's *Good Morning America* June 22, 2004, Charles Gibson asked, "But let me ask you to answer the, the basic arguments that Wal-Mart raises, and there's two that stick out to me. Number one, they say, why pick on us? In every segment of society, men tend to be promoted faster than women and in larger numbers than women." Wal-Mart/Gibson seem to be saying that because women make less money in all segments of society, Wal-Mart should not be held individually accountable, as if the pay disparity is something women should have learned to live with, rather than fight against, by now, or that they should blame the system rather than their employer.

Another issue repeatedly discussed was that some of the plaintiffs did not quit their jobs. On NBC's *Today*, March 28, 2011, Matt Lauer brought up the fact that Betty Dukes was still employed by Wal-Mart. "Betty, I think it might surprise some people to learn that you still work at Walmart. You're a greeter." The implication here was that if she didn't like her job then she should quit and find a better one. The larger issue of Wal-Mart being a dominant employer in the community was not discussed. The issue as to whether or not Betty had transportation to obtain employment farther away was also not discussed. The living standards of Wal-Mart employees was discussed much less often than the fact that some of the women still worked for the company. When living standards were mentioned, it was only by the women themselves. First, Betty Dukes was quoted in *NBC*

Nightly News' June 20, 2011, newscast as saying that major corporations have the resources and therefore the advantage over their employees with "little to no means" (Williams, 2011). Second, on ABC's *World News with Diane Sawyer* on March 28, 2011, Marcia Greenberger, one of the few women's advocates cited, explains, "Women desperately need these jobs to support themselves and their families and even if they're underpaid and even if they're passed over for promotions that they deserve, they can't leave." Lastly, on the June 22, 2004, *NBC Nightly News*, Betty Dukes explained her anger concerning the obvious increase in pay that her male counterparts received: "I could see myself after five years still on the bus going to work. And then I could see them driving a car" (Brokaw, 2004). Larger critiques of Wal-Mart's business practices and previous class action suits against the corporation were ignored by the networks. The issue of Wal-Mart's potential to lose money was emphasized rather than the number of Wal-Mart's working poor. According to the United Food and Commercial Workers Union, "An employee who works Walmart's definition of full-time (34 hours per week) makes just \$15,500 per year. That means hundreds of thousands of people who work full-time at Walmart still live below the poverty line" (Delmar Daily Times, 2012, para.10).

It's All About The Money

The broadcasters tended to focus on the sheer number of women employees (1.5–2 million) and the amount of money at stake (possibly billions). The issue of money was discussed in nearly every story, both at the beginning and the end. The reporters also brought up the issue of money with Brad Seligman, the plaintiffs' lawyer, who said on NBC's *Today* on June 23, 2004, "Most companies settle. Wal-Mart may be unique. If we have to go to trial, we're ready. But I hope they would recognize it's better to settle." NBC's Matt Lauer responded, "And if we talk about punitive damages, we're not talking millions...We're talking billions." A June 22, 2004, ABC *World News Tonight with Peter Jennings* story states that Wal-Mart has an "enormous amount at stake." On February 7, 2007, ABC claimed on *Good Morning America*, "There are billions of dollars of damages in potential damages on the line here. Also on the line, the reputation of an iconic company" (Roberts & Cuomo, 2007). On ABC's *World News with Charles Gibson* on February 6, 2007, Gibson called the class action "a lawsuit so large in scope and size, that it staggers the imagination." On March 29, 2011, PBS *NewsHour* referred to the case as "a huge class action suit" (Clarke et al., 2011). Thus, instead of focusing on the fact that the case was about compensation for systemic discrimination and that Wal-Mart would not be in this lawsuit had it paid women the same as men, the "enormous" cost to Wal-Mart was the focal point. This clearly demonstrated the media's preference for business rather than labor perspectives.

In another example, on ABC's *World News Tonight Sunday* on August 8, 2005, Geoff Morrell chose to source Steve Bokat of the US Chamber of Commerce and Heritage Foundation economist Tim Kane. The issue of money is revisited throughout the story, but the following is how Morrell closed:

STEVE BOKAT, US CHAMBER OF COMMERCE: We think it's fundamentally unfair. And it's not a good use, it's not a proper use of the class-action procedure.

GEOFF MORRELL: (Voice Over) The US Chamber of Commerce says allowing the claims to be tried together, could trigger an avalanche of suits against other US businesses.

GEOFF MORRELL: (Off Camera) And economists say that could have a chilling effect on big retailers, forcing them to raise prices and implement stricter policies for promotion.

TIM KANE, ECONOMIST, THE HERITAGE FOUNDATION: It will make the management risk-averse, that adds cost to you and I.

GEOFF MORRELL: (Voice Over) Ironically, Chris Kwapnoski was promoted three days after filing her suit.

CHRIS KWAPNOSKI: I've proven to them that I'm a, you know, a good manager. But on the other hand, you know, I could have proven that years ago. (Moran, 2005)

In this case, ABC allowed two conservative pro-business/anti-union organizations to frame the debate, again shifting the emphasis to the effects on business rather than labor. Further, Kane perpetuated the consumer is king frame, insinuating that consumers would suffer if workers filed class actions suits, won, and started being treated fairly. Thus, the implied threat does not only concern Wal-Mart; consumers (and consumerism) will suffer if Wal-Mart is legally liable for its pay discrimination.

Another instance of money taking center stage appeared on the April 29, 2003, *CBS Morning News* program: "Wal-Mart says the attorneys pushing the class action suit simply see a big company with deep pockets" (McGinnis, 2003). The reporter, John Blackstone, explains that one of the plaintiffs had since been promoted, leaving viewers thinking that if Wal-Mart had once discriminated based on sex, it has since improved and that, in any case, the women are just after money and career advancement. The word "billion" appeared eight times throughout the broadcast transcripts and the word "money" appeared six times. The stories raised the consumer centered concern that if the women succeeded in getting the back pay they had already earned from Wal-Mart, it would be a negative for Wal-Mart shoppers. Rather than being framed as a worker discrimination case, the case was framed as potentially disastrous for business and consumers.

"She's Crying"

The emotional attachment between the women, their co-workers, and their workplace became a recurring theme in the commercial news coverage. One example comes from NBC's *Today* with Matt Lauer on April 28, 2003. Lauer asked one of the plaintiffs, Stephanie Odle, if she would be interested in going back to work for Wal-Mart if the company changed. She replied, "I would. I--I miss Sam's Club. I miss them a lot. I--they were a big part of my life and I never thought I'd leave them." Lauer calls Odle emotional, "But clearly there are people who feel very emotionally about [it]. I mean, she's crying because she likes to work there, and yet she feels as if she was wronged by the company." When another female employee was asked if she still had friends working at Wal-Mart, she responded, "Very dear friends." During the same story, a current female Wal-Mart store manager responds, "I have had the best 10 years of my life with this company and I wouldn't change it for anything... The opportunities out there for us are endless." The women chosen to represent Wal-Mart (a VP of Communications and a store manager) throughout the coverage seemed to respond to any emotional pleas by the plaintiffs with emotional ones of their own, referring to Wal-Mart as "our" company and seemingly having sincere empathy for the women's stories while insisting that those experiences were isolated incidents. In an interview on CBS' *The*

Early Show on June 19, 2001, plaintiff Kimberly Miller is asked, “Are you worried, Ms. Miller, about the reaction to this suit from your old co-workers?” (Gumbel & Clayson, 2001). The re-occurring discussion revolving around the relationships formed in the workplace and the emotional attachment to their jobs is gendered; such rhetoric would likely not be as prevalent if the plaintiffs were men.

Some of the coverage did come across as sympathetic to the women. On *NBC Nightly News* on June 22, 2004, Anne Thompson reported:

They make up two thirds of Wal-Mart’s hourly workers and a third of the management. With today’s ruling, 1.6 million present and past female employees can now take on the retailing giant as a group, pressing a case of sex discrimination, saying they were denied the same pay and advancement opportunities as men, a three-year fight that up until now Betty Dukes and five other women waged on their own. Dukes says she spent a decade watching men make more. (Brokaw, 2004)

Occasionally, favorable coverage occurred because many of the statistics were uncontested by Wal-Mart. Wal-Mart rarely tried to claim that the numbers failed to show sexism. Rather, its representatives argued that because the women were supervised by different people in different stores, they should not be legally allowed to join together in a class action. The sympathy that *was* offered to the female workers within news coverage was, for the most part, not overt but complementary to the interviews that took more emotional and dramatic turns.

Sexism In The Newsroom

Of the 34 stories sampled (one had two reporters), 25 of the reporters were men and only 10 were women. Ignoring the numbers, the coverage provided by men and women were remarkably different. Women were more likely to provide context and situate the case within the broader issue of women’s pay disparities. Female reporters were also more likely to source female professionals not involved in the case.

One comparison that exemplifies differences in male and female reporter coverage can be found on ABC. First, on June 22, 2004, *World News Tonight* with Peter Jennings, reporter Dean Reynolds claimed that Wal-Mart had an “enormous amount at stake” and quoted Mayer Freed, a professor from Northwestern Law, who said he thought Wal-Mart would settle. Reynolds explained that if the class action won in trial, the women could be entitled to a billion dollars. The plaintiff’s attorney Brad Seligman was quoted as saying that the case was not just about money because the women wanted to see Wal-Mart change its policies. Reynolds showed a clip of a Wal-Mart employee claiming that opportunities are “endless,” but said that that might not be the case. Plaintiff Christine Kwapnoski was quoted as saying that all 1.6 million women could not possibly be lying. Wal-Mart Chairman Robson Walton was quoted about the class action award, “We think it’s wrong, certainly. And so, we’ll have to wait and see what an appeal court does” (Jennings, 2004). Reynolds ended the story claiming that a trial would be unlikely. Rather than tell the story from the women’s perspective, Reynolds largely relied upon three male experts to weigh in on the discrimination case. This story can be compared with the next, which had a female reporter.

ABC’s next story was aired the following evening, June 23, 2004, again on *World News Tonight* with Peter Jennings. Betsy Stark was the reporter on the story. It began by explaining that Texaco, Boeing, Home Depot, Publix, and Marriott had all settled similar claims to the one Wal-Mart was facing. Legal Momentum’s Legal Director Jennifer Brown was quoted as saying that pay

discrimination was very common in the United States. Stark explained that gender stereotyping was ruled as part of the problem. Plaintiff Stephanie Odle then discussed her story about being refused a raise while a male colleague was, reportedly, given one as he had a family to provide for. Ellen Bravo of the National Association of Working Women explained that women were being funneled into specific types of jobs such as cashiers and that those jobs often paid less because of it. Stark noted that pay discrimination happened in retail as well as in surgery and quoted Hydie Sumner who had sued Merrill Lynch for discrimination and won \$2.2 million. Stark closed the story with, "But neither education nor experience seems to protect women. According to the Government Accounting Office, between 1995 and 2000, the wage gap for women in managerial jobs actually widened" (Vargas, 2004).

ABC's coverage of the story had changed drastically overnight. On June 22, two men discussed the story and three male sources were used. The following night Elizabeth Vargas introduced the package and Stark sourced four women, two experts and two women who had fought pay discrimination. Stark also went outside the specific court case to discuss sex discrimination in many workplaces. The next time the issue was discussed, however, the network returned to its previous mode of coverage.

More than a year later, on August 8, 2005, on ABC's *World News Tonight*, Terry Moran introduced the story. The reporter, Geoff Morrell, first quoted plaintiff Kwapnoski who explained how much stronger she felt having the class action suit behind her instead of going at Wal-Mart alone. Morrell explained that women made up over 70% of Wal-Mart workers, but less than 15% of its store managers; he said that the company disagreed with those numbers. Next, Wal-Mart CEO Lee Scott was quoted, "The exceptions that occur, we're going to deal with very strongly. It's our obligation, not only to our associates, but it's our obligation to society" (Moran, 2005). As previously noted, Bokart of the US Chamber of Commerce was also quoted saying that the case is "...fundamentally unfair. And it's not a good use, it's not a proper use of the class-action procedure." Another expert, Heritage Foundation's Kane, said that allowing these types of claims made "management risk-adverse" and thus would add costs to the consumer in the long run. Morrell continues, "Ironically, Chris Kwapnoski was promoted three days after filing her suit." The story closed by explaining that a decision would be reached the next day and that both sides planned to go to the Supreme Court level if necessary.

It is telling that in this story, one plaintiff and three male experts were sourced by a male anchor and a male reporter. It seems ABC is covering a sex discrimination case while demonstrating the sex discrimination of its own work practices. These differences in coverage between male and female reporters were typical throughout the commercial networks.

Pro-Business Bias

With the exception of PBS, the broadcast stories tended to focus on what the Court's decision could mean for Wal-Mart and its business rather than on how the corporation treated its workers. Wal-Mart even received some free advertising time during the coverage of the trial. On three different occasions, clips of Wal-Mart commercials were shown during Court coverage. The ads included joyful Wal-Mart employees who insisted that there were "endless" opportunities for workers. In the early coverage, the cases were discussed by business reporters. When the case reached the Supreme Court level, court reporters and Washington correspondents took over. It did not appear that the major networks had labor reporters or specialist discrimination reporters on staff.

On June 20, 2011, *NBC Nightly News* reporter Pete Williams was forced to discuss NBC's parent company, General Electric, when it came out in support of Wal-Mart. "The court [sic] also ruled unanimously in this case that the women mixed too many kinds of legal claims together, violating class-action rules. And GE, part owner of NBC, had sided with Walmart" (Williams, 2011). To some viewers, the acknowledgment could seem like transparency, to others, evidence of a pro-business bias.

Another way that the networks could take sides in the Court proceedings was through the selective use of statistics. The statistics provided by the plaintiffs did not list hourly shift managers along with the salaried managers. Statistics provided by Wal-Mart lumped all managers together so the number of female managers would look much higher. CBS used Wal-Mart's statistics (women making up one third of all managerial jobs) while ABC and NBC went with the plaintiff's statistics (women making up 14% of store managers). Pay disparities were much less likely to be publicized. Viewers may have been interested to know that the majority of the women were only seeking back pay of about \$1100. The pay disparities were much more visible at the higher levels, but the few women who had climbed the ranks did not belong to the original six that brought the lawsuit. The amount of money at stake for most of the individual women was quite low and ignored by broadcasters perhaps because the "billions" at stake for the company was a much more sensational number.

Public Broadcasting

It is important to note that although PBS *NewsHour* only aired two stories about the class action case, it provided more information than the commercial media in regard to what the ruling meant for the future. Rather than concentrating on the women's emotional individual stories, or blaming the women for continuing to work for a company that discriminated against them, PBS invited professors, lawyers, and advocates who were not associated with the lawsuit to discuss the case. Aside from two brief quotes from Betty Dukes, PBS did not quote the women of the lawsuit, Wal-Mart representatives, or lawyers involved in the case in its coverage. Instead, it relied on a PBS reporter inside the courtroom and the working professionals invited on to the show.

On PBS *NewsHour* for June 20, 2011, one guest referred to the Supreme Court ruling as a "devastating blow...to employees who are challenging systematic discrimination nationwide against an employer like Wal-Mart" while her sparring partner said, "Wal-Mart rightly pointed out that it wasn't being given an opportunity to defend each of the potentially hundreds of thousands of claims of employment discrimination, but instead was having the entire case lumped into one big pot" (Rugman et al., 2011). PBS' coverage provided more insight into the details of the lawsuit and took a clear stance that Wal-Mart did discriminate against its workers while reminding viewers that discrimination was not the issue upon which the Court was deciding. Marcia Coyle of the *National Law Journal* was asked on the March 29, 2011, *NewsHour*, "Marcia, at first blush, you listen to the arguments, and it sounds like it has all the hallmarks of a gender discrimination case, of a civil rights case, but that's not what today's arguments were really about" (Clarke et al., 2001).

Commercial broadcast news, overall, tended to get side tracked over the issue of money (from Wal-Mart's perspective), personal narratives of discrimination, and the perceived emotionalism of the plaintiffs. Public broadcasting covered the case fewer times than did commercial news, but went into much more depth in its discussion. Neither public nor commercial media focused on current labor practices of big business or their treatment of women and other workers. None of the coverage

brought up the other lawsuits that the mega-retailer had been involved with. Most coverage was careful not to overtly side with the labor force or with big business. In general, the sourcing and themes discussed emphasized the likely effects on Wal-Mart and its consumers rather than Wal-Mart's workers.

Concluding Thoughts

One striking feature about television news coverage of *Dukes v. Wal-Mart Stores, Inc.* is that individual stories and items reflected the gender of the anchor or reporter. Women were far more likely to use other women as sources for a story. Men, however, tended to use other men as sources. In the case of professional sources, even in a Court case on gender discrimination, men outnumbered women on each of the three commercial networks. Sex discrimination in broadcasting thus became apparent in the coverage of a sex discrimination class action lawsuit. Similarly, a recent study by 4th Estate found serious gender gaps in election coverage on the mainstream media, even on topics relating to women and their health. When discussing abortion, 81% of mainstream media's quotes were from males, 12% from females, and 7% from organizations (4thEstate.net, 2012). Women did not fare much better on issues related to birth control or Planned Parenthood. In mainstream television coverage of the 2012 election overall, only 16% of sources were female compared to 81% who were male (4thEstate.net, 2012).

It was also common in the commercial broadcast news for business journalists to cover the Wal-Mart case. When political reporters were involved, the stories were much less pro-business. It was more likely that voices outside of plaintiffs, attorneys, and Wal-Mart representatives were heard. Business journalists tended to be more critical of the plaintiffs and their lawyers than they were of Wal-Mart's representatives, again demonstrating mainstream journalism's pro-business bias.

Wal-Mart was consistently represented as a successful, even "iconic," corporation. The broadcast media did not deny that its business practices might be discriminatory. Instead, it was represented as a possibility, but the workers were shown as simply one small part to a much larger corporation that must be doing a lot right. Rather than focusing on discrimination, the emphasis shifted to a central economic concern: that labor could cripple businesses and hurt consumers if class action suits like this were allowed. Much of the coverage did seem sympathetic to the women's experiences, if only because the women were given time to tell their stories. However, none of the stories sampled challenged the Supreme Court line that the case was just too large and that it would cost too much money to right the wrongs committed.

Much of the commercial television coverage occurred prior to the Supreme Court decision; however, the patterns and themes revealed by our news analysis are similar throughout the various court decisions. One important difference between the two cases, though, is that the Supreme Court's decision received somewhat less television coverage. For example, ABC News did not cover the Supreme Court's final decision at all. The possible payout of millions of dollars proved to be a much more sensational news theme to discuss. The Court's final decision was less intriguing to the commercial networks. Only PBS's NewsHour discussed the Court's decision and its likely implications for the future.

From a political economic perspective, the coverage was not surprising. Most of the reporters were men, few of the stories provided context, and there was a pro-business bias in that few labor advocates were allowed to speak in the commercial news format. Businesses were clearly shown to be measured by monetary success, not by how well they treated their workers. Wal-Mart has a

history of transgressing worker rights, but the mainstream media chose not to address this. Indeed, some coverage actually incorporated clips of Wal-Mart's commercials, thereby legitimizing corporate propaganda. Investigating the experience of a working poor that has no access to healthcare and cannot afford a vehicle to get to a better job does not help sell audiences to advertisers. The issue of worker poverty was ignored; instead, Wal-Mart's success and the plaintiffs' emotional attachment to their jobs were consistently foregrounded by broadcasters. As Croteau and Hoynes point out, "The format of contemporary news media – especially broadcast media – lends itself to coverage of spectacular *events*, not enduring *issues*" (Croteau & Hoynes 2006, p. 218).

Wal-Mart has set a new industry standard for union-busting. It is made clear to employees that they will be let go by the company if they are found trying to unionize. Despite the intimidation and backed by the United Food and Commercial Workers International Union, in November 2012, Wal-Mart workers across the United States walked off the job. This occurred on "Black Friday," the day after Thanksgiving and the biggest shopping day of the year, to protest Wal-Mart's labor practices. Labor activists and women workers have been galvanized in light of recent attacks on workers' and women's rights, including equal pay. Our analysis suggests that we need a media system that allows the voices of labor, women, and women workers to be heard, contextualized, and legitimized, not ignored, marginalized, or stereotyped. It also suggests that gender equality in the newsroom is essential as well, such that citizens are fully aware of the consequences of the decisions made by those in power. Ultimately, we need a media system—and a political economy—that favors people rather than corporate entities.

Endnotes

¹ Wal-Mart is also often spelled Walmart by the press and other sources.

² Case Timeline

2000: Betty Dukes filed a sex discrimination lawsuit against her employer, Wal-Mart.

2001: *Dukes v. Wal-Mart* begins in the U.S. District Court (San Francisco) as a class action lawsuit representing 1.6 million women.

2004: Class action suit was upheld by the District Court; Wal-Mart appealed.

2007: The Court of Appeals for the Ninth Circuit upheld the District Court's ruling. Wal-Mart filed for a rehearing, which it was denied due to a superseding opinion issued by the court that still upheld the class action certification.

2009: Wal-Mart again filed for a rehearing. This time, it was granted. The original ruling was reaffirmed by a 6–5 vote. Wal-Mart appealed to the Supreme Court, and the Supreme Court agreed to hear the case.

2011: The Supreme Court sided with Wal-Mart in *Wal-Mart v. Dukes*. The judges unanimously agreed that the case in its given form could not continue, and ruled 5–4 that it could not proceed as a class action in any form.

Author Bios

Shea Lynn Smock is a PhD Candidate in the School of Communication, Florida State University, USA. Her research interests include political economy of media, feminist political economy, journalism, media ownership regulation, and popular culture.

Jennifer M. Proffitt, PhD, is an associate professor in the School of Communication, Florida State University, USA, and is currently the president of the Florida State University Chapter of the United Faculty of Florida, Florida's faculty union. Her research interests include political economy of media and popular culture, media ownership policy and regulation, and broadcasting history.

References

- 4thEstate.net (2012). *Gender gap of women voices in broadcast TV, radio & print*. Retrieved from <http://www.4thestate.net>
- Bagdikian, B. (2004). *The new media monopoly*. Boston, MA: Beacon Press.
- Beaujon, A. (2012, September 27). Pew: Half of Americans get news digitally, topping newspapers, radio. *Poynter*. Retrieved from <http://www.poynter.org/latest-news/mediawire/189819/pew-tv-viewing-habit-grays-as-digital-news-consumption-tops-print-radio/>
- Bettig, R. V., & Hall, J. L. (2012). *Big Media, big money: Cultural texts and political economics*. Lanham, MD: Rowman & Littlefield Publishers.
- Bianco, A. (2006). *The bully of Bentonville: How the high cost of Wal-Mart's everyday low prices is hurting America*. New York, NY: Currency/Doubleday.
- Brokaw, T. (2004). Sex discrimination lawsuit against Wal-Mart becomes largest class action in history. *NBC Nightly News*, June 22.
- Bruno, R. (2009). Evidence of bias in the *Chicago Tribune* coverage of organized labor. *Labor Studies Journal*, 34(3), 385–407.
- Bureau of Labor Statistics (2009, August 6). *Hours spent doing unpaid household work, by age and sex, 2003–2007*. Retrieved from http://www.bls.gov/opub/ted/2009/ted_20090806.htm
- Bureau of Labor Statistics (2012). *American time use surveys – 2011 results*. Retrieved from <http://www.bls.gov/news.release/pdf/atus.pdf>
- Calabrese, A., & Sparks, C. (Eds.). (2004). *Toward a political economy of culture: Capitalism and communication in the twenty-first century*. Lanham, MD: Rowman & Littlefield Publishers.
- Clarke, T., Holman, K., Hilsum L., Woodruff, J., Ifill, G., O'Brien, M., & Sreenivasan, H. (2011). *PBS NewsHour for March 29, 2011*.
- Croteau, D., & Hoynes, W. (2006). *The business of media: Corporate media and the public interest*. Thousand Oaks, CA: Pine Forge Press.
- Delmar Daily Times (2012, May 22). Walmart wages on Eastern shore leave many employees below poverty line. Retrieved from <http://www.delmarvanow.com>
- Dukes v. Wal-Mart Stores, Inc., 603 F.3d 571 (9th Cir. 2010) (en banc). Retrieved from <http://www.ca9.uscourts.gov/datastore/opinions/2010/04/26/04-16688.pdf>

- Durr, M., & Wingfield, A. (2011). Keep your 'N' in check: African American women and the interactive effects of etiquette and emotional labor, March 28. *Critical Sociology*, 37(5), 557–571.
- Farhi, P. (2011, March 29). On NBC, the missing story about parent company General Electric. *The Washington Post*. Retrieved from: http://articles.washingtonpost.com/2011-03-29/lifestyle/35261356_1_nbc-news-lauren-kapp-news-with-brian-williams
- Gibson, C. (2004). Women versus Wal-Mart class action suit charges discrimination. *Good Morning America*, June 22.
- Gibson, C. (2007). Landmark lawsuit: Wal-Mart accused of discriminating. *World News with Charles Gibson*, February 6.
- Gittell, M. (2009). The effect of geography, education and labor market segregation on women's economic status in New York State. *American Behavioral Scientist*, 53(2), 193–222.
- Gumbel, B., & Clayson, J. (2001). Attorney Joseph Sellers and plaintiff Kimberly Miller discuss their class-action suit against Wal-Mart for gender discrimination. *The Early Show*, June 19.
- Guskin, E., & Rosenstiel, T. (2012). *The state of the news media 2012*. Retrieved from <http://stateofthemedias.org/2012/network-news-the-pace-of-change-accelerates/>
- Herman, E., & Chomsky, N. (1988). *Manufacturing consent: The political economy of the mass media*. New York, NY: Pantheon Books.
- Huff, M., & Project Censored (2011). *Censored 2011*. New York, NY: Seven Stories Press.
- Imbornoni, A. (2009). *Women's rights movement in the U.S. Family Education Network*. Retrieved from http://www.bmhs-la.org/ourpages/auto/2011/4/19/61865317/Timeline_of_Womens_Rights_Movement.pdf
- Jennings, P. (2004). A closer look class action. *World News Tonight with Peter Jennings*, June 22.
- Jhally, S. (1989). The political economy of culture, in I. Angus and S. Jhally (Eds.), *Cultural politics in contemporary America* (pp. 65–81). New York, NY: Routledge.
- Lauer, M. (2003). Joe Sellers, plaintiff attorney, Stephanie Odle, former employee, Mona Williams, Wal-Mart vice president, and Wei Ming Bogardus, Wal-Mart store manager, discuss the class-action lawsuit against Wal-Mart. *Today*, April 28.
- Lauer, M. (2004). Plaintiffs Susan Midolo and Stephanie Odle and co-counsel Joe Sellers discuss their discrimination suit against Wal-Mart. *Today*, June 23.
- Lauer, M. (2011). Betty Dukes, Jocelyn Larking and Gisel Ruiz speak about job discrimination lawsuit against Walmart. *Today*, March 28.

- Margolis, D. (2011, January 25). Rotten Apple: iPod sweatshops hidden in China. *People's World*. Retrieved from <http://www.peoplesworld.org/rotten-apple-ipod-sweatshops-hidden-in-china>
- Martin, C. L. (2003). The 1997 United Parcel Service strike: Framing the story for popular consumption. *Journal of Communication Inquiry*, 27(2), 190–210.
- McChesney, R. W. (2004). *The problem of the media: U.S. communication politics in the 21st century*. New York, NY: Monthly Review Press.
- McGinnis, S. (2003). Class-action lawsuit against Wal-Mart. *CBS Morning News*, April 29.
- Moore, S. (2009). 'No matter what I did, I would still end up in the same position': Age as a factor defining older women's experience of labour market participation. *Work, Employment and Society*, 23(4), 655–671.
- Moran, T. (2005). Women versus Wal-Mart civil rights case. *World News Tonight*, August 8.
- Mosco, V. (2009). *The political economy of Communication, 2nd edition*. Thousand Oaks, CA: Sage Publications.
- Oshagan, H. & C. Martin (1999). Coverage of labor and management in the Willow Run assembly plant shutdown. *Labor Studies Journal*, 23(4), 17–33.
- Park, D., & Wright, L. (2007). Giving labor the business? *Labor Studies Journal*, 32(1), 60–81.
- Pew Research Center (2006, July 30). *Online papers modestly boost readership: Maturing internet news audience broader and deep*. Retrieved from <http://www.pbs.org/wgbh/pages/frontline/newswar/part3/stats.html>
- Pew Research Center (2011, January 4). Internet gains on television as public's main news source. Retrieved from <http://www.people-press.org/2011/01/04/internet-gains-on-television-as-publics-main-news-source/>
- Ries, L. (2011, August 22). One fix for Walmart's woes: Spend more on better TV advertising, *AdAge*. Retrieved from <http://adage.com/article/cmo-strategy/fix-walmart-s-woes-spend-tv-ads/229388/>
- Roberts, R., & Cuomo, C. (2007). Good Morning America. *ABC News*, February 7.
- Rugman, J., Warner, M., Tulenko, J., Ifill, G., Brown, J., & Sreenivasan, H. (2011). *PBS NewsHour for June 20, 2011*.
- Sawyer, D. (2011). Women vs. Walmart; In front of the Court. *World News Tonight with Diane Sawyer*, March 28.
- Schiller, H. I. (1991). *Culture, Inc.: The corporate takeover of public expression*. New York, NY: Oxford University Press.

- Seligman, B. (2006). Patriarchy at the checkout counter: The Dukes v. Wal-Mart Stores, Inc. class action suit, in N. Lichtenstein (Ed.), *Wal-Mart: The face of twenty-first century capitalism* (pp. 231–242). New York, NY: The New Press.
- Vargas, E. (2004). A closer look at women at work. *World News Tonight with Peter Jennings*, June 23.
- Wal-Mart Stores, Inc. v. Dukes, 131 S. Ct. 2531 (2011).
- Wasko, J. (2005). Studying the political economy of media and information. *Comunicação e Sociedade*, 7, 25–48.
- Reuters (2011, June 8). Wells Fargo to pay \$32 million to settle gender discrimination suit. Retrieved from <http://www.businessinsurance.com/article/20110608/NEWS01/110609916>
- Williams, B. (2011). Discrimination lawsuit against Walmart shot down by Supreme Court. *NBC Nightly News*, June 20.
- Women's Labor History Timeline: 1765–present day (2009). *New York Teacher*. Retrieved from http://www.nysut.org/newyorkteacher_12304.htm