

RIVERSIDE: Lawyer sues small businesses alleging gender price discrimination

 pe.com/articles/morales-808734-lawsuits-businesses.html

California's Gender Tax Repeal Act of 1995

Prices can't be based on gender: "No business establishment...may discriminate, with respect to the price charged for services of a similar like or kind, against a person because of a person's gender."

Establishments that must post prices: Requires tailors or alteration businesses, barbers, hair salons, dry cleaners and laundries to "clearly and conspicuously disclose to the customer in writing the pricing for each standard service provided."

When different prices are OK: Nothing in the law "prohibits price differences based specifically on the amount of time, difficulty, or cost of providing the services."

Source: California Civil Code Section 51.6

A series of lawsuits filed against small businesses in Riverside by one attorney and his client have raised issues of culture and community that reach beyond claims of gender price discrimination for haircuts and dry-cleaned blouses.

Most of the businesses sued – seven hair salons and four dry cleaners since April - are owned by immigrant Hispanics, said attorney Rosa Elena Sahagun, who has organized the outlets to protest the lawsuits, but does not represent them in court.

The Riverside attorney suing the businesses, Rogelio V. Morales, filed the lawsuits on behalf of Mireya Arias, whom Sahagun and others have identified as his girlfriend. The lawsuits seek damages in excess of \$25,000.

One lawsuit alleges an \$8 difference in haircuts for men and women. A lawsuit against a dry cleaner claims a \$2 difference between cleaning a woman's blouse and a man's shirt.

The hair salon owner says the difference in price cited in the lawsuit was based on labor and difficulty of the cut, not gender.

The dry-cleaner responded it charges \$2.50 to launder men's shirts and women's blouses, but the lawsuit incorrectly compares water-and-detergent laundering to the \$4.50 dry-cleaning price, also the same for shirts or blouses.

Morales declined to comment on his relationship with his client, instead saying he wants to end what he sees as widespread gender-price discrimination in the area.

Riverside attorney Rogelio V. Morales has an exchange with demonstrators

The Press-Enterprise

COMMUNITY 'AN EASY TARGET'

The defendants see it differently. Several said after Morales filed the lawsuits, he contacted them asking if they would like to settle. At least three said they were told it would cost them at least \$10,000 to fight the suit, and that appeared to be the suggested cost of ending the action.

“My opinion is that he perceived this sector of the community as an easy target,” Sahagun said in an interview. “My opinion is that he thought these small businesses, immigrant-owned businesses, were not going to have the knowledge or resources to fight.”

Morales said the California law that forbids gender price discrimination and requires businesses such as hair salons and dry cleaners to post signs with prices has been on the books since 1995. The lawsuits also allege a violation of the state business and professional code for failing to comply.

“To the critics who feel this is illegal or wrong – the defense has as many rights as the plaintiffs,” Morales said. “If they feel they are being extorted or have not broken the law, there are many things they can do to dismiss the case. I am pretty sure they are aware of their own business practices.”

“These lawsuits can be settled at any time, without the need of a business hiring an attorney,” Morales said in an interview. “That is a decision for them to make.”

‘NOT GOING TO HAPPEN TO ME’

But many have hired attorneys and are fighting.