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### **JUDGE ALITO IS NO JUSTICE O'CONNOR**

On Tuesday, January 24, the United States Senate Judiciary Committee is set to vote on the nomination of Judge Samuel Alito to replace Justice O'Connor's seat on the Supreme Court. Unfortunately, Judge Alito does not share Justice O'Connor's record of upholding key statutes and decisions that protect women's rights and economic security. His confirmation has the potential to roll back core legal protections that women have relied on for decades.

Here are some examples from Judge Alito's record:

**Gender Discrimination in the Workplace** - Alito would have prevented a woman claiming gender discrimination from going to trial with her case, because he felt there was not sufficient evidence. This woman alleged that, because of her sex, she was denied a promotion, retaliated against for complaining, and then forced out of her job. Twelve other judges disagreed with Alito, and ruled in favor of the woman. If confirmed, Alito would not be in the minority but would be a swing vote on the high court with serious influence on the outcome of cases like these.

**Family and Medical Leave Act** - Alito ruled that Congress did not have the authority to require state employers to comply with the Family and Medical Leave Act. His decision was later overturned by the Supreme Court, as reported in the June 2003 Economic Equity Insider. State employees now have the right to sue their employers just as private sector workers do. Alito would not have extended these key legal protections to these workers.

**Reproductive Choice** - Alito would have upheld a provision of Pennsylvania's restrictive anti-abortion law requiring a woman in certain circumstances to notify her husband before obtaining an abortion. Women whose husbands have left them, raped or abused them, as well as newly divorced women, should not be forced to consult with their husbands regarding their own reproductive choices.

Judge Alito's record demonstrates that, if confirmed, he will dramatically alter the economic and civil rights landscape for women. Alito would replace Justice O'Connor, who provided critical swing votes on many issues affecting women's rights.

**Given his record, the Senate should reject his nomination to the Supreme Court.**

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**Women Work! The National Network for Women's Employment** is a nonprofit, nonpartisan organization that advocates for women's economic security through policies, programs and partnerships. Since 1978 the Network has assisted more than 10 million women to successfully enter, re-enter and advance in the workforce. Through supporting, advocating and advancing women's economic self-sufficiency, Women Work! members strengthen families and communities. For more information, visit [www.womenwork.org](http://www.womenwork.org) or call (202) 467-6346.

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