



[Home Page](#) >> [Lawyer Interviews](#) >> [Citigroup Engaged in Recessory Discrimination](#)

Citigroup Engaged in Recessory Discrimination says Attorney Wigdor

March 13, 2009. By Brenda Craig

SHARE    ...

New York, NY: According to Douglas Wigdor, an astute young lawyer at Thompson, Wigdor & Gilly in New York City, the current economic conditions are a golden opportunity for companies to practice a kind of stealth **employee discrimination**. Among the streams of American workers headed for the door, Wigdor sees a disproportionate number of women, blacks, Latinos and older workers.

He describes the phenomenon as 'Recessory Discrimination', a phrase sure to make its way into our vocabulary, much like the term, 'the glass ceiling' is now commonly used to describe corporate America's resistance to women in executive jobs.

When layoff decisions are challenged, Wigdor says the corporate retort is, "Well it is unfortunate that these people had to be laid off, but this is what we had to do."

However, when you crunch the numbers Wigdor believes they tell a very different story. "When you look at the numbers, it doesn't explain why there is a disproportionate number of people of color, people over the age of 40 and women who are being selected for these layoffs," he says. "And when you look at who was laid off and compare it with who was retained--you find that the person laid off was more qualified and a better producer."

Citigroup Layoffs Allegedly Target Women

A case in point, as Wigdor sees it, is the group of five women from Citigroup's Public Finance Department, within the Municipal Securities Division in Manhattan that his firm is currently representing. It has filed charges on behalf of the women with the Equal Employment Opportunity Commission (EEOC) in Manhattan alleging that the women were targeted for Citigroup layoffs because of their gender while the bank chose to retain a group of less qualified, under-performing employees because they were men.

"These are well educated business women," Wigdor says about his five clients. "They are not the type to be emotional and jump up and down and scream. They are thoughtful and deliberative in approaching issues. They are resolved and dedicated to see that this issue be remedied and they be compensated for what has been done to them."

Pending the outcome of those charges, Wigdor plans to file a class action suit against Citigroup alleging gender discrimination.

Wigdor poses the question: "So why would a company get rid of their better performers?"

"Well," he reasons, "we know that most managers are white males in these organizations and unfortunately when they are making layoff decisions they don't look at performance. Instead, they look at things like, 'Is this the person I play golf with or go to lunch with? Is this the person that I believe is going to stay with the company or are they going to go on maternity leave? Is this the person who is 50 and in the twilight of their career? Is this a second income earner?'" says Wigdor.

"These are the kinds of thought processes that go through managers' heads when they are left with unfettered decision-making in terms of who they should select for layoff," he adds.

By the Numbers

Wigdor is confident that the Citigroup women have a winning case that will expose the

What are you looking for?

Search

Search 10,000 recent cases and settlements

- Home
- **Lawyers wanting to advertise for Discrimination: Race, Gender, Religion, Age, Disability etc. cases sign up here.**

Lawsuits:

- In the News

Services:

- Free Newsletters
- Email this Page to a Friend

Legal Help Now
CLICK HERE



issue of 'Recessary Discrimination'. "When you run the numbers, you will see this did not happen by chance," he says. "You can see that one of the motivations behind the decisions was gender.

"I can prove that with statistical analysis and the courts will accept that," Wigdor adds. "But there is more, and that is what makes this case so good..."

There are bonus records, performance reviews, superior qualifications—all that show the five Citigroup women did a superior job compared to the men that Citigroup decided to keep. "There is no question that the women I represent were eminently more qualified than the men who were retained," says Wigdor with absolute confidence in his voice.

Watch this case. It is going to be interesting. And you're likely going to hear that phrase 'Recessary Discrimination' for many, many years and court cases to come.

Douglas H. Wigdor is a founding partner of Thompson, Wigdor & Gilly. He is a former Federal Law Clerk in the Eastern District of New York, a former District Attorney and senior lawyer at one of the largest and most prominent employment law firms in the US. He has been listed as one of the Best Lawyers in America and a Super Lawyer.

[[READ MORE DISCRIMINATION ARTICLES](#)]

[FAQ](#) | [TOS](#) | [Privacy](#) | [Disclaimer](#) | [About OLM](#) | [Contact OLM](#) | [Press](#) | [Advertise](#) | [Link to OLM](#) | [Site Map](#)

© 2001-2009 Online Legal Marketing. All rights reserved.