

Former pension fund director files suit accusing Lujan Grisham of discrimination, ‘jealousy’

By Daniel J. Chacón dchacon@sfnewmexican.com | May 27, 2021 | Updated Jul 2, 2022

The former longtime executive director of New Mexico’s teacher pension fund is suing Gov. Michelle Lujan Grisham and other state officials and government agencies, alleging she was forced to resign over longstanding pay inequity issues.

Jan Goodwin, a white woman who is 61, is claiming “institutional and systemic” gender, age and race discrimination in her complaint, which states she was paid about \$100,000 less than her male counterpart at the New Mexico State Investment Council.

Goodwin, who spent almost 13 years as executive director of the state Educational Retirement Board, was earning just over \$183,000 annually before she resigned this year. The lawsuit claims Goodwin was “clearly more qualified” than State Investment Officer Steve Moise, who is paid nearly \$276,000 annually. It also claims Goodwin “consistently produced better results for the educational employees of the State of New Mexico than had Mr. Moise, under the scrutiny of any reasonable comparative analysis.”

In a statement, Goodwin wrote the decision to bring the lawsuit, filed Thursday in federal court, was not an easy one.

“After years of trying to address the gender, age and racial disparities in salary among employees at NMERB and those in similar agencies with similar positions, I realized that I was being forced to quit and my only option was the one I’ve taken,” wrote Goodwin, who left her family in New Mexico to become executive director of the New Hampshire Retirement System.

Goodwin is paid \$235,000 a year for her position in New Hampshire.

The “illegal pay disparity” Goodwin endured began with her hiring in March 2008, according to the lawsuit, which states her appointment as executive director was “unfortunately marred by the fact that she was to be paid” about \$13,000 less than another male counterpart, Terry Slattery, then the executive director of the state Public Employees Retirement Association.

“These two jobs required equal skill, effort and responsibility and were both performed under similar working conditions,” the lawsuit states. “There were no differences between these two job positions because of a seniority system.”

In August 2009, Goodwin received a pay increase that made her salary comparable to Slattery’s, which the lawsuit calls an acknowledgment “that she had not been receiving pay equal to that paid to her male counterpart, that such pay disparity was illegal and that the illegal disparity required correction.”

Despite the acknowledgement, Goodwin’s “deficient back pay” was never addressed or corrected, the lawsuit states.

“Since that time until the present, such pay disparity ... has been continuous and ongoing and constitutes accumulating violations of state and federal anti-discrimination and equal pay laws,” the lawsuit states.

When Moise became the state investment officer in April 2010, earning over \$100,000 more than Goodwin — an “enormous, unconscionable and obviously illegal disparity” — Goodwin’s salary remained the same even though the two jobs required equal skill, effort and responsibility, the lawsuit states. The lawsuit alleges Moise did not have the professional experience required by state statute of at least five years of investment and executive experience to even qualify for the job.

“But his illegal appointment was nevertheless accomplished by then-Governor Bill Richardson and was duly ignored by [former Gov. Susana] Martinez throughout her tenure and by Defendant Governor Lujan Grisham upon her taking office,” the lawsuit states.

While Moise “only oversees the management of investment portfolios,” Goodwin not only oversaw the management of investment portfolios but performed “retirement plan administration providing financial security for all of the public education employees within the State of New Mexico in their retirement,” the lawsuit states.

Moise declined to comment.

State Sen. Jacob Candelaria, D-Albuquerque, acknowledged in a tweet Thursday the pay disparity described in Goodwin’s complaint.

“I serve on the investment and pensions oversight committee. I never found a good reason that explained why Ms Goodwin was paid so much less than her male counterparts. Pressure from Gov Office was ABSOLUTELY a factor in stopping any pay raise for her.”

Goodwin’s attorney, Merit Bennett, said in a news release Lujan Grisham was “well aware” of an “enormous pay disparity” between Goodwin and Moise because a lawsuit had been filed against the Department of Finance and Administration by the Educational Retirement Board in February. The lawsuit sought to prevent the department from overriding the board’s authority to increase the salaries of Goodwin and other teacher pension fund employees, the news release states.

“The Governor should not resent nor discriminate against other talented women in our state, such as Ms. Goodwin, who deserve to be paid equal to their male counterparts,” the news release states. “That is what we have here. Governor Lujan Grisham and her co-conspirators are clearly jealous of Ms. Goodwin, an older, white woman with extraordinary intelligence and talent who has brought our state’s educational retirement

system to the highest level of performance for our public school teachers and administrators.”

Nora Meyers Sackett, the governor’s press secretary, responded to the allegations against Lujan Grisham in no uncertain terms.

“The claims in the lawsuit, so far as they involve the governor, in particular the preposterous allegation of ‘jealousy’ and inexplicable reference to ‘co-conspirators,’ are entirely without merit,” she wrote in an email.

Sackett pointed out Goodwin’s salary was set prior to Lujan Grisham taking office.

“This woman’s grief about her compensation, which made her among the highest-paid government employees in the state, is her own business, not this governor’s, and for her to accuse the governor personally of engaging in ‘discrimination’ defies explanation,” Sackett wrote.

Goodwin asserts in her complaint the teacher pension fund “has consistently outperformed the State Investment Council while the [agency] has been under the management of Mr. Moise.”

“It appears that the current Governor and other named Defendants are giving discriminatory deference to Mr. Moise and concomitant disparagement to Ms. Goodwin because Mr. Moise is an older male, because Ms. Goodwin is a younger female close to the age of the Governor and because Ms. Goodwin is a Caucasian female, while the Governor is a Hispanic female who, by statute, is paid far less than Ms. Goodwin (thus also infusing the discrimination being perpetrated against Ms. Goodwin with a racially-motivated bias),” the lawsuit states.