



## Equal Pay For Women in Seattle

In 2016, the typical woman who worked fulltime in Washington was paid 77 percent of a man's pay, according to American Community Survey data. Women of color face especially large wage disparities. Nationally, median pay for White women is 76% of White men's, for Black women 62%, and Latinas 48%. The wage gap persists at all education levels and across occupations. More women than men between the ages of 25 and 45 hold four-year college degrees in Washington, but women need those degrees to make the same amount of income as men with less formal schooling.<sup>i</sup>

Both Washington State and the federal government have passed additional anti-discrimination laws that protect people in a number of categories, including gender, race, disability or veteran status. Under these laws, however, women must prove intentional discrimination. Courts have allowed employers wide latitude in justifying paying women less than men, including giving men and women different job titles for similar work. Employers may even claim there was no reason they paid a man more, but they did not intend to discriminate.<sup>ii</sup>

Many women never find out they are being paid less due to pay secrecy. While salary information is usually openly available in public sector jobs, one third of private firms admit in national surveys to actively discouraging or prohibiting employees from discussing their pay with other employees.<sup>iii</sup> Among employees, over 60% of private sector workers reported in a 2010 survey that they were discouraged or prohibited from discussing pay.<sup>iv</sup>

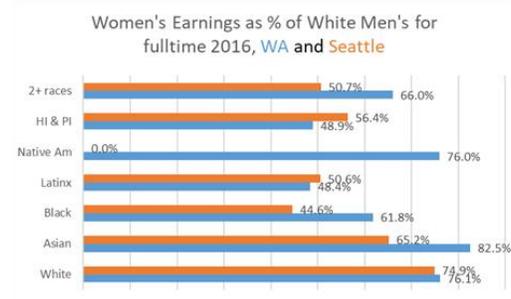
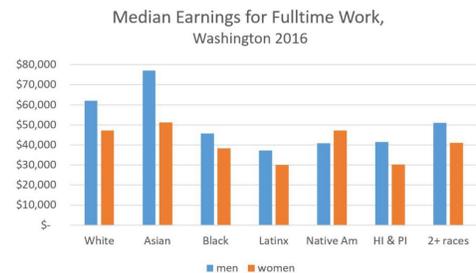
### Modernizing the law: Creating Equal Pay in Seattle

No single policy will close the gender pay gap, but some simple policy changes will make it easier to identify and challenge practices that have discriminatory results:

- Protect the rights of all workers to discuss or ask about compensation, and prohibit retaliation against employees who do so. This will enable workers to find out if others in the company are being paid more for the same work.
- Protect the right of workers to ask why they are being paid less, or why they do not have the same access to job or career opportunities as others.
- Authorize the Office of Labor Standards to investigate charges of gender discrimination so that workers aren't forced to go to court, and require employers to justify differences with job-related reasons, such as education, skills, or experience. Allow recovery of costs and punitive damages as well as lost wages if discrimination is found, either through an OLS investigation or court action, in order to discourage bad actors.
- Prohibit employers from asking for salary history in interview or application processes, or use lower previous pay as a defense for paying someone less.

Stronger fair pay legislation, together with more family-friendly workplace policies such as paid sick days, family and medical leave insurance, and reasonable accommodations for pregnant and breastfeeding women, will boost family budgets and women's lifetime incomes. Local businesses will benefit, and our economy and communities will be stronger, when women have the opportunity to achieve equal pay.

*Source: policy concepts and research compiled by the Economic Opportunity Institute.*



Source: EOI, Oct 20, 2017\*

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- <sup>i</sup> U.S. Census Bureau, 2016 American Community Survey, 1-year estimates.
- <sup>ii</sup> *Legal Voice* analysis of case law.
- <sup>iii</sup> R Gely, L Bierman, "Pay Secrecy/Confidentiality Rules and the National Labor Relations Act," *University of Pennsylvania Journal of Labor and Employment Law*, 2003:6(122-156), <http://scholarship.law.upenn.edu/cgi/viewcontent.cgi?article=1162&context=jbl>.
- <sup>iv</sup> A. Hegewisch, C. Williams, R. Drago, "Pay Secrecy and Wage Discrimination," Institute for Women's Policy Research, extract published Jan. 2014, <http://www.iwpr.org/publications/pubs/pay-secrecy-and-wage-discrimination>.
- \* Watkins, M. Economic Opportunity Institute, *Sexual Assault and Lower Pay: Two Tools to Keep Women in Their Place*, Oct 20, 2017. <http://www.eoionline.org/blog/sexual-assault-and-lower-pay-two-tools-to-keep-women-in-their-place/>