



## The Fight for Pay Equity: A State Road Map for Pennsylvania

Median earnings for men in **Pennsylvania** are \$52,111 compared to \$41,929 for women — **an earnings ratio of just 80 percent, or 24th out of all states and the District of Columbia.** The gap is worse for most women of color and moms. Compared to white men’s wages, in Pennsylvania, Asian American women are paid 81 percent, African American women are paid 68 percent, Native American women are paid 61 percent, and Hispanic and Latina women take home just 56 percent. As efforts stall at the federal level, states can enact legislation to help women and families at the local level.

**Pennsylvania has some equal pay protections, but they are incomplete. To close the pay gap in Pennsylvania, the Equal Pay Act must be amended to include the following elements:**

**Cover All Employees.** Public, private, and small business employers are all covered, with no exceptions for those covered by the federal Fair Labor Standards Act.

**Offer Protections.** Protect employees from intentional and unintentional discrimination.

- No retaliation or discrimination against employees who discuss their wages
- Employers can’t request salary history

**Clarify Employer Defenses.** Employer defenses should be well-tailored and narrow to ensure pay disparities only exist in appropriate situations.

- Employer defenses must be job-related, a business necessity, and not based on a sex-based differential
- Defense does not apply if there is an alternative employment practice available

**Establish Strong Legal Procedures and Remedies.** Appropriate protections will incentivize employers to pay an equal wage to begin with in order to avoid litigation.

- Employer is liable for compensatory and punitive damages
- Authorizes reinstatement, promotion or other equitable relief
- High fines act as a deterrent; increased fines for employers who have multiple violations

**Comparable Worth.** Employers must compensate men and women equally for jobs that are comparable in that they require substantially similar skill, effort, and responsibility and are performed under similar working conditions.

**Women deserve robust protections guaranteeing equal pay.**