

Everything You Need to Know to Meet with Your Legislators

Equal Pay Day 2020 is March 31. Neither the PA House or Senate are in session that day. Therefore, we did not plan a rally at the state capitol this year. Instead we are asking you to visit your legislators in their home offices that day or sometime that week. The focus of the meeting is the impact of unfair hiring practices, such as asking salary history or not permitting employees to discuss salary, on the wage gap, not having paid leave, and the low Pennsylvania minimum wage.

Step 1: Make your appointments now.

Don't know who your legislator is or the location of their home office, find out at <https://www.legis.state.pa.us/cfdocs/legis/home/findyourlegislator/>.

Enter your address, and you will get your federal congress representative, your state senator and your state representative. These meetings will only be with state legislators. Click on their names to go to their web sites which will have the addresses of their home offices.

Step 2: Purpose of the Meeting

If the staff person who answers the phone wants to know why you would like to meet with the legislator, you can say "We would like to discuss several issues involving economic security for women in Pennsylvania". If the legislator is not available for a meeting that week, it is fine to meet with a staff person, preferably the one who handles women's economic issues.

Step 3: Time for Research

Going back to your legislator's page, you will find a link to sponsored legislation. You

can see if your senator or representative has sponsored any of the legislation that is the focus of your meeting. For senators, you will be looking for the following bills:

SB 721 – Pay Equity
SB 12 – One Fair Wage
SB 580 – Family Care Act

For representatives, you will be looking for the following bills:

HB 580 – Pay Equity
HB 1215 – One Fair Wage
HB 1739 – Family Care Act

Another piece of information you will need is the factsheet on minimum wage for your senator and representative. This is a piece you will leave behind plus it also gives you valuable information on who is affected by minimum wage in your community. These are available from the Keystone Research Center, **Senate and House Minimum Wage Factsheets for 2019**

https://www.keystoneresearch.org/SH_MinWageFS_2019

One more piece of information that helps with the minimum wage issue is what income is needed for a reasonable living in Pennsylvania. To see what is needed in your area for the type of family you want to focus on check the Living Wage Calculator (www.livingwage.mit.edu).

Step 4: Get to Know the Issues

Find information about the issues in the back ground information and talking points that are included in this mailing. Review the script for your visit.

Step 5: Quick Review of Lobbying

If you feel at all uncomfortable meeting with your legislators or you have members who are new to this, review the **How to Lobby** power point, recording and handout at <https://aauw-pa.aauw.net/advocacy-and-lobbying/>

Step 6: Prepare Material

Put together the material you will leave with the legislator. This will be **The Fight for Pay Equity: A State Road Map for Pennsylvania** and the Minimum Wage Fact Sheet for your legislator. Include any material about your branch or AAUW. You can use the national Public Policy brochure or AAUW-PA's Public Policy Priorities, <https://aauw-pa.aauw.net/policy/priorities/>

Step 7: Keep in Touch

Let us know about your meeting. Complete the lobby report which you can find after the information on How to Lobby. <https://aauw-pa.aauw.net/advocacy-and-lobbying/>

Also let us know about your other public policy activities and events involving coalition building, economic security, education, equal pay, GoTV, visiting legislators, letters to the editor, redistricting reform, Start Smart/Work Smart, STEM or Title IX by completing the attached report. Then send to Jacqui, aauwppapp2@gmail.com or Barbara, aauwppapp1@gmail.com.

Background Information

Pay Equity (HB850/SB721)

Pennsylvania saw a one cent change in the pay gap from 80 cents in 2017 to 81 cents in 2018. The state also moved from 24th in the country to 21st. Moving one cent closer to closing the pay gap is not sufficient. The Fight for Pay Equity: A State Road Map for Pennsylvania indicates where each federal congressional district in Pennsylvania ranks on pay equity from a high of 90.6% in the third congressional district to a low of 73.7% in the sixteenth congressional district. These numbers refer to the average for all women.

The picture is different for racial and ethnic minorities. Comparing men's and women's salaries within racial and ethnic groups the pay gap is not as large. However, when compared to white men, the largest group in the workforce, Pennsylvania Asian women have the smallest pay gap (80.2%) while Latina women have the largest (56.9%). African American women are paid 90% of what African American men are paid, but that number drops to 67.8% in comparison with white men. The gap remains consistent across age groups, levels of education, and for full time workers across a number of occupations, such as 69% for financial managers and 83% for software developers.

The wage gap is a matter of economics for women and their families. The majority of mothers are in the paid labor force and approximately one third of employed mothers are the sole support for their families. This is not just single parents, but families where the spouse is not working. The pay gap costs a typical woman at least \$400,000 over the course of her career. This affects the amount of social security she receives in retirement and can also affect pensions, which contributes to many elderly women living in poverty. Providing equal pay for women would have a dramatic impact on poverty. A 2017 briefing paper of the Institute for Women's Policy

Research (IWPR) entitled *The Impact of Equal Pay on Poverty and the Economy* offers the following.

- The poverty rate for all working women would be cut in half, falling to 3.8 percent from 8 percent. The very high poverty rate for working single mothers would fall by nearly half, from 28.9 percent to 14.5 percent, and almost two-thirds (65.9%) would receive a pay increase.
- For the 15.3 million single women—divorced, widowed, separated, and never married women living on their own—equal pay would mean a significant drop in poverty from 10.8 percent to 4.4 percent.
- The US economy would have produced additional income of \$512.6 billion in 2016 if women earned equal pay or 2.8 percent of gross domestic product.

AAUW-PA recommends the following to close the pay gap in Pennsylvania.

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. This is a key AAUW criteria. A **1967 amendment to Pennsylvania’s Equal Pay Law** excludes anyone subject to the federal Fair Labor Standards Act. That means that **ONLY** persons employed as babysitters on a casual basis, companions for the elderly, farm workers on small farms, those employed by certain seasonal and recreational establishments, federal criminal investigators, newspaper delivery, newspaper employees of limited circulation newspapers, seamen on other than American vessels, and switchboard operators are covered by Pennsylvania’s law.

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

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.

Raising the Minimum Wage (HB1215/SB12)

Not only has every state surrounding Pennsylvania raised their minimum wage, but their minimums continue to be raised each year because the increases are incremental over the next four to five years until they reach the full amount. Thereafter, there will be cost of living increases, putting Pennsylvania further behind.

A report from the *Pennsylvania Budget & Policy Center* debunked five common myths often cited as reasons for keeping the current PA minimum at \$7.25.

Myth 1: The minimum wage was never meant to be a living wage. It is primarily for younger people starting out.

Research estimates 90% of minimum wage workers are adults working full time as their major source of income. Adult women comprise 60%. Minimum wage was established to ensure that jobs pay enough to support families.

Myth 2: Raising the wage just increases the price of goods across the board.

It may lead to small increases but does not lead to any substantial cost increases. Labor is only one source of expense to employers, while higher wages reduce worker turnover and training as it leads to higher morale and more stable productivity.

Myth 3: Raising the minimum wage will hurt people already making \$12-\$18.

When minimum wage goes up, wages of workers making more than the new minimum also increase providing greater spending power to a greater number of people.

Myth 4: Raising the minimum wage will destroy small businesses.

It actually establishes a more level playing field because large businesses must comply with the same rules. Workers having more to spend usually do so in their own neighborhoods thereby supporting small, local business.

Myth 5: Raising the minimum wage will lead to job loss.

Research shows there is only modest and short-lived reduction in jobs. Some of the job loss numbers are the result of workers not having to work two and three jobs anymore. Research analyzing data back to 1979 found little or no impact on job loss. States that have increased minimum wage have thriving businesses.

AAUW PA supports two bills designed to increase minimum wage in Pennsylvania. These bills, HB1215 and SB12 are asking for minimum wage to be raised to \$12 in 2020 and increasing to \$15 by 2025.

Paid Leave – The Family Care Act (HB1739/SB580)

A priority for AAUW in 2020 is **Implementing Paid Leave**. The U.S. is the only developed country without paid family and sick leave. We need to adopt policies to give workers paid time off for illness and caregiving.

What Is It?

- A state-managed insurance fund that will provide paid family leave benefits to working Pennsylvanians who need time off from work to care for an elderly parent, to care for

themselves in the event of a serious health condition, to care for an ill child or close family member with a serious health condition, to care for a new child, or to care for a family member in the military in qualifying exigent circumstances.

- The program would be administered by the Department of Labor and Industry and will enable workers to utilize the fund when they need it, retain their jobs and return to work, rather than go on unemployment or use state entitlement programs. Individuals who take paid leave are 39% less likely to report using public assistance in the year following a child's birth.
- Only 14% of the U.S. workforce has access to any type of paid family leave, with just 6% of the lowest wage earners receiving paid family leave compared to 22% of top sector earners. Many of our rural Pennsylvania residents are in that lowest quartile of wage earners
- Laws to establish similar state insurance funds are already in place in New York, New Jersey, Massachusetts, Rhode Island, California, Washington, and Washington D.C.

Details: How It Works

- Every working Pennsylvanian who works at least 18 weeks and earns at least \$2,718 during the 12-month period prior to submitting a claim for paid family leave benefits is eligible. Each worker would pay into the system via a small payroll deduction that amounts to one-half cent on the dollar. This amount is subject to future adjustment by the Dept. of Labor & Industry to ensure adequate financing and support for the program.
- Self-employed Pennsylvanians can opt into the program.
- To use paid family leave, an employee must file a claim to be approved by the Department of Labor and Industry and give advanced notice of a scheduled leave to their employer, except in an emergency.
- Depending on the reason for the leave, an employee can file for leave up to 20 weeks in an application year.
- An individual approved for leave would qualify for benefits calculated on a graduated scale using the statewide average weekly wage (SAWW) to ensure the program is accessible to low wage workers. The portion of an individual's weekly wage that equals 50% of the SAWW (approx. \$1,000) would be replaced at 90% and the portion that exceeds 50% of the SAWW would be replaced at a rate of 50% of the weekly wage cap. Examples:
 - Employee A who earns \$1,200 a week would qualify for \$850 a week.
 - Employee B who earns \$800 a week would qualify for \$600 a week.
- The maximum cap on paid leave benefits would be equivalent to the statewide average weekly wage regardless of how much one makes.
- The Family Care Act of Pennsylvania differs from the federal Family and Medical Leave Act (FMLA), because the FMLA only guarantees **unpaid** time off to care for a new child or ill

family member in companies that employ 50 or more people. Most Americans cannot sustain their families for more than two weeks without a paycheck.

- The Department of Labor and Industry must establish a task force composed of advocates and business leaders to assist in the implementation, outreach and enforcement of the Family Care Act.

Talking Points

Talking points are for your benefit. They are not to be given to legislators. Think about what may appeal to your particular legislator as a way to gain their support for the legislation addressing one of these issues. They may also answer a question the legislator may raise. Use the ones with which you feel most comfortable.

Pay Equity (HB850/SB721)

Median earnings for men in **Pennsylvania** are \$53,269 compared to \$43,243 for women — **an earnings ratio of just 81 percent, or 21st out of all states and the District of Columbia.**

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.

Over a lifetime (47 years), the total estimated loss of earnings of women compared with men are \$700,000 for high school graduates, and \$1.2 million for a college graduate.

AAUW's Report *Graduating to a Pay Gap: The Earnings of Women and Men One Year after College Graduation* found an unexplainable 7% difference in the earnings of male and female college graduates one year after graduation even after accounting for many factors.

Today forty percent of mothers with children under the age of 18 are their families sole or primary breadwinner compared to 11% in 1960.

The gender pay gap contributes directly to women's poverty. In 2015, 14% of American women ages 18-64 were living below the federal poverty level, compared with 11% of men.

For ages 65 and older, 10% of women and 7 percent of men were living in poverty.

One-third of single mothers spend more than half their income on housing.

Almost one in five (19%) of families headed by single women are "food insecure."

The gender pay gap is actually an understatement. When part-time workers are included, the gap widens.

After becoming fathers, men see a 6% increase in earnings, even after controlling for factors such as hours worked and marital status, while new mothers see a 4% decrease per child.

The United States ranks 74th out of 145 countries on wage equality but has the second highest gross domestic product.

The National Women's Law Center (2014a) estimates that over a lifetime of working full-time, year-round, the wage gap results in lost earnings of \$464,320 for a typical woman who worked full time, year round.

The poverty rate for all working women would be cut in half, falling to 3.9% from 8.1%.

For the 14.3 million single women - divorced, widowed, separated, and never married living on their own - equal pay would mean a very significant drop in poverty from 11% to 4.6%.

Minimum Wage (HB1215/SB12)

Pennsylvania minimum wage is the lowest allowable by federal law.

The Minimum wage in Pennsylvania has been the same since 1996 while the cost of living has increased 13 % just since 2009.

All of our neighboring states have increased their minimum wage.

31 states and 41 cities in the US have raised the minimum wage above the federal level.

57.9% of workers who would be affected by a raise in the minimum wage are women.

Studies show that 70% of Pennsylvanians support raising the minimum wage.

Pennsylvania loses out on financial investment when workers go to neighboring states with higher minimum wages.

Increasing the minimum wage puts more money in the pockets of workers who then able to spend it at local businesses.

Research shows that increasing minimum wage does not cause long term job loss.

More than half the states that raised the rate during times of high unemployment report that the unemployment rate dropped over the next 12 months.

The PA Department of Human Services (DHS) projects their agency would save \$36 million in the first year of a hike to the proposed \$12.

When employees are paid a living wage, they are more reliable and are less likely to leave, cutting down on the costs of rehiring and retraining.

Delinquency rates go down and families become more stable when parents can provide a steady income that puts them above the poverty level.

The minimum for tipped workers is \$2.13 per hour, unchanged since 1991.

66% of tipped workers are women. The restaurant industry where many women work has the largest amount of sexual harassment complaints.

Only 7% of tipped workers are under 20 years of age.

Paid Leave (HB1739/SB580)

The Family Care Act is pro-family, pro-business legislation to establish a paid family medical insurance fund in Pennsylvania.

The “sandwich generation” can take much-needed time off to care for a frail, elderly parent.

An employee who is recovering from medical treatments like chemotherapy or heart surgery can take the time necessary to recover – without worrying about losing their job.

Small businesses who cannot afford to offer paid family leave to their workers can now provide it and compete for talent with companies who already can.

The Family Care Act encourages work because only working Pennsylvanians are eligible for paid family leave benefits.

Other people who will benefit from the Family Care Act:

- A living organ donor who needs time to recover after sharing the gift of life.
- A parent whose child is terminally ill or in palliative care
- A post 9-11 veteran who years after deployment may suffer from burn pit exposure or PTSD.
- A National Guard member’s spouse who may need time off when deployment occurs
- An employee with a disability who may need time for special surgery or procedures.
- And of course, a new Mom or Dad, to care for a child during the most important time in their baby’s development.

Script for Visit with Legislators

Thank you for meeting with us today.

Introduce yourself and other members who are with you.

We are here representing the _____ Branch of the American Association of University Women (AAUW). Since its founding in 1881, the mission of the American Association of University Women (AAUW) has been to advance gender equity for women and girls through research, education, and advocacy. AAUW Pennsylvania (AAUW-PA) is a statewide organization of thirty-six branches, thirty-nine college/university partners, eleven student organizations and 7,600 members and supporters. AAUW has long supported workplace policies to address the health and caregiving needs of employees.

Today we wanted to talk to you about three areas directly affecting the economic security of women in Pennsylvania, pay equity, minimum wage, and paid leave.

If the senator/representative is a sponsor of one of the bills, thank them for their support. If not ask them to support these bills.

SB 721 – Pay Equity

HB 850

These are the most comprehensive of all the pay equity bills and cover all employees.

SB 12 – One Fair Wage

HB 1215

70% of Pennsylvanians support raising the minimum wage

SB 580 – Family Care Act

HB1739

These are bi-partisan bills

You can also ask how to get these bills to move and which legislators may need to hear more from their constituents to support these bills.

If they ask questions that you feel you can not answer, make a note and let them know you will get back to them. Contact Jacqui or Barbara for answers to their questions.

You can also ask the legislator if there are issues concerning women's economic security that he/she cares about that was not discussed. If so, ask why they are important to them and take notes. Let Jacqui and Barbara know about this as well.

Be sure to thank them again for meeting with you, leave the material with them and let them know you are happy to provide further information as needed.

All of this applies, even if you are only meeting with a staff person. They can be a very valuable resource in future.