

**National Federation of Democratic Women
Resolution on Pay Equity**

WHEREAS, pay equity is needed to eliminate sex and race discrimination in the wage-setting systems and the criteria used needs to be set so wages will be sex and race neutral; and

WHEREAS, the Equal Pay Act of 1963 prohibits unequal pay for equal or substantially equal work performed by men and women. Title VII of the Civil Rights Act of 1964 prohibits wage discrimination on the basis of race, color, sex, religion, or national origin. In 1981, the Supreme Court ruled that Title VII is broader than the Equal Pay Act and prohibits wage discrimination even when the jobs are not identical; and

WHEREAS, wage discrimination laws are poorly enforced and difficult to prove, and therefore stronger legislation is needed because equal pay would reduce poverty by half for families with a working woman, and equal pay is about justice for families considering that four out of ten mothers are their family's primary or only wage earner; and

WHEREAS, in 2017, pay equity is still not provided and women have been consistently undervalued due to race or sex bias. The census bureau states that 57 percent of women participate in the labor force and 70 percent of women with children under the age of 18 work outside the home. Discriminatory pay has consequences and dramatically impacts not only the working women but their families, both short-term and long-term and into retirement. The average woman loses more than \$530,000 over the course of her lifetime and a college-educated woman loses nearly \$800,000. (EPI.org/publication); and

WHEREAS, the pay gap in 2015 meant that women earned 20 cents less than every dollar that a man earned. It will be 2152 before the pay gap closes, but the pay gap is even larger for women of color. (AAUW.org—“Pay Equity and Workplace Opportunity: A Simple Matter of Fairness”); and

WHEREAS, the Pay Equity for All Act of 2016 upgrades the Fair Labor Standards Act of 1938 to make it unlawful practice for an employer to screen employees based on their previous work histories or seek previous wages or salary history of any prospective employee from any current or former employee; and

WHEREAS, the 9th U. S. Circuit Court of Appeals ruled on April 27, 2017 that employers can legally pay women less than men for the same work based on differences in the workers' previous salary.

THEREFORE, BE IT RESOLVED the National Federation of Democratic Women shall advocate for strong legislation to close loopholes in existing laws by having Congress strengthen penalties for equal pay violations and prohibiting retaliation against workers who inquire about employers' wage practices and further shall advocate for enhancing pay transparency and data collection in order to close the gender pay gap.

BE IT FURTHER RESOLVED that NFDW shall support federal legislation now in Congress, including The Paycheck Fairness Act (S.862, H.R. 1619), which strengthens and updates the Equal Pay Act of 1963. The bill expands damages under the Equal Pay Act and amends its very broad fourth affirmative defense. Further, the NFDW shall support The Fair Pay Act sponsored by Delegate Eleanor Holmes Norton (D-DC), which seeks to end wage discrimination against those who work in female-dominated or minority-dominated jobs by establishing equal pay for equivalent work and protecting workers on the basis of race or national origin.

Submitted by the NFDW Legislative Committee May 1, 2017
Adopted by NFDW Members at 46th Convention June 10, 2017