



NEVADA COALITION FOR WOMEN'S EQUITY

To: Nevada Commission on Women
From: Nevada Coalition for Women's Equity
Re: Proposed legislation: pay equity
Date: April 6, 2016

Thank you for the opportunity to comment on proposed legislation for the Nevada Commission on Women to promote during the 2017 legislative session. The Nevada Coalition for Women's Equity is an alliance working on equity issues to make a significant impact in the lives of women and families in Nevada. Given the priorities identified by this Commission (summary attached), pay equity is arguably one of the best ways to advance the wellbeing of women in Nevada in all of your priority areas.

Why is pay equity important?

Pay inequality is fundamentally a family issue. In almost half of American families (40%), women are the only or the primary earners in their households. They need to make the same amount as men who are doing the same work, not just because it is the right thing, but also because so many of Nevada families are *relying* on that fair pay.

It is important to note that 2/3rds of all minimum wage earners in this country are women. They also represent 2/3rds of tipped workers. The impact of pay level on families is significant. According to a recent AAUW study:

On average, women who work full-time earn about 79 cents for every dollar a full-time male worker earns. Over a lifetime (47 years), the total estimated **loss of earnings** of women compared to men are \$700,000 for a high school graduate, \$1.2 million for a college graduate and \$2 million for a professional school graduate.

AAUW's report *Graduating to a Pay Gap* found an **unexplainable** seven percent difference in the earnings of male and female college graduates **one year after graduation**, even after accounting for many factors including college major, occupation, industry, sector, hours worked, workplace flexibility, experience, educational attainment, enrollment status, GPA, college selectivity, age, race/ethnicity, region, marital status, and motherhood. Clearly, the wage gap exists.

The wage gap persists across all racial and ethnic groups, and it is found in every state. The most recent AAUW report, *The Simple Truth About the Gender Wage Gap*, found that among full-time workers in 2013, Hispanic, American Indian, African American, and Native Hawaiian women had lower median annual earnings compared with non-Hispanic white and Asian American women. The wage gap was largest for Hispanic and Latina women, who were paid only 54 percent of

¹ Source: AAUW, <http://www.aauw.org/what-we-do/public-policy/aauw-issues/gender-pay-gap/>



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What policy options are there to address pay equity?

The Make It Work Campaign recommends:

Transparency: Make relevant information about wages by job category available so that employees can make sure they are earning equal pay for equal work. These are not individual salary listings. Employers could be required to make this information available to the public via an online database managed by the Department of Labor. Or equal pay report could be published with a listing of data on total compensation for job categories by sex, race, ethnicity, hours worked, and the number of employees.

The Paycheck Fairness Act: This law would stop employers from retaliating against employees who share information about their wages, and would hold employers who do discriminate accountable. Would allow women to receive the same remedies for sex-based pay discrimination as are available to those victims of racial discrimination. Could include training and technical assistance as well as data collection and research.

Raise the Wage Act: Would raise the minimum wage to \$12/hour and calls for one fair wage, rather than a separate wage for tipped workers. Other states are adopting a \$15 wage by 2020.²

AAUW recommends:

Fair Pay Act: The Fair Pay Act would require employers to provide equal pay for work of equal value, whether or not the jobs are the same. This legislation addresses equal pay for women working in female-dominated jobs equivalent to jobs traditionally dominated by men. The legislation would ban retaliation, require employers to file wage information with the Equal Employment Opportunity Commission, eliminate the "gag rule" on wage disclosure, and prohibit employers from reducing wages to comply with pay equity requirements.

Key elements to be addressed in any legislative proposal:

- Covering employee costs (of bringing a discrimination case) and higher employer fines
- Clarifying the law's exceptions for employers
- Protecting wage transparency
- Prohibiting the use of salary history in hiring decisions³

² Source: Make It Work, http://www.makeitworkcampaign.org/wp-content/uploads/2015/06/Equal-Pay-Proposal_For-Web-6.4.15-FINAL.EN-1.pdf

³ Source: AAUW, <http://www.aauw.org/what-we-do/public-policy/aauw-issues/gender-pay-gap/>



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Fair pay legislation in Nevada:

Several bills address pay were proposed and debated in the 2015 legislative session:

- SB 190 Fair pay legislation (Did not get a hearing)
- SB 167 Fair pay legislation (Passed the Senate, no vote in the Assembly)
- BDR 1067 Fair day's pay for a fair day's work for women (Not introduced)
- BDR 785 Resolution in support of the Paycheck Fairness Act (Not introduced) BCR 786 Resolution in support of the Equal Rights Amendment (Not introduced)

SB 167 and SB 190 both would have extended the time period during which a victim can raise the issue of unfair pay (basically, anytime after they are paid inequitably). SB 167 would have allowed for three years of back pay, while SB 190 would have allowed for 2 years. SB 190 went further by allowing victims to recover attorneys' fees, compensatory damages and a civil penalty. SB 190 also would have prevented employers from retaliating against employees who discuss or disclose their salaries. Neither bill passed.

Recommendation: Support fair pay legislation

Addressing the issue of fair pay could fundamentally improve the lives of most Nevada families. And it is just the right thing to do. Should the Nevada Commission on Women want to support pay equity legislation they could take the following steps:

- Compile additional research on:
 - Existing laws to protect Nevada families
 - The need for and impact of pay equity in Nevada
 - What priorities the legislation should cover
- Write up a legislative proposal
- Find a legislator to sponsor your legislative proposal
- Enlist the support of individuals and organizations to promote pay equity legislation

The Nevada Coalition for Women's Equity strongly urges the Commission to support pay equity legislation, and our members will work with you to support this policy goal.

Thank you for your consideration.

Submitted by:

Elisa Cafferata, President & CEO NAPPA
550 W. Plumb Lane c/o UPS Mail #B-104, Reno, NV 89509
info@NevadaAdvocates.org 775-412-2087 on behalf of:

Nevada Coalition for Women's Equity
Email any questions to Equity4NV@gmail.com



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APPENDIX - 2016 Commission for Women Priorities:

Economic:

- Employment and earnings
- Equal pay
- Women in management
- Women in business
- Employment & occupational training ((also listed in education)
- Poverty and opportunity
- Leadership
- Promoting work-life balance for moms (also in health)
- Poverty
- Poverty & opportunity

Civic engagement:

- Leadership (also listed in economic)
- Political participation
- Political participation from the Nevada Report Card summary
- Increase the number of registered women voters (community outreach, public service & early education plus assistance to seniors)

Health:

- Health & well being
- Access to medical care
- Maternity leave
- Promoting work-life balance for moms (also in economic)

Safety:

- Permanent protection order for victims of domestic violence
- Human trafficking
- Domestic violence

Education:

- Employment & occupational training (also listed in economic)



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ABOUT THE NEVADA COALITION FOR WOMEN'S EQUITY

The Nevada Coalition for Women's Equity is an alliance working on equity issues to make a significant impact in the lives of women and families in Nevada: pay equity, access to birth control, increasing the minimum wage, paid family / sick / care leave, domestic workers rights, and affordable child care.

The Coalition members are:

- AAUW Nevada
- League of Women Voters of Nevada
- Make It Work Campaign
- National Association for the Advancement of Colored People (NAACP)
- Nevada Advocates for Planned Parenthood Affiliates
- Nevada Women's Lobby
- Progressive Leadership Alliance of Nevada (PLAN)
- Women of Washoe-WOW, chapter of Alliance for Retired Americans